Table of Contents

Volume 1

PART 1. CONSTRUCTION/VALIDITY

CHAPTER 100. GENERAL CONSTRUCTION & VALIDITY

§ 100:1 Replacement of tort system
§ 100:2 Validity
§ 100:3 Statutory purposes
§ 100:4 Liberal construction
§ 100:5 Construction according to terms
§ 100:6 Administrative interpretation
§ 100:7 Out-of-state construction
§ 100:8 State constitution provisions

PART 2. COMPULSORY/ELECTIVE COVERAGE

CHAPTER 101. COMPULSORY & ELECTIVE COVERAGE

§ 101:1 Generally
§ 101:2 Exempt employers
§ 101:3 Churches
§ 101:4 Involuntary coverage rejections are invalid
§ 101:5 Public employers
§ 101:6 Volunteer firefighters/public safety personnel
§ 101:7 Volunteer workers
§ 101:8 Public offenders
§ 101:9 Corporate officers, directors, or stockholders
§ 101:10 Sole proprietors/partners
§ 101:11 "Subject worker" status regarding equipment
§ 101:12 Small employers
§ 101:13 Independent contractors
§ 101:14 Out-of-state employees
§ 101:15 Farmworkers
§ 101:16 Domestics
§ 101:17 Casual or seasonal employees
§ 101:18 Handicapped workers
§ 101:19 Apprentices or trainees

§ 101:20 Real estate salespersons
§ 101:21 Conscientious objectors
§ 101:22 Athletes
§ 101:23 Uninsured subcontractors
§ 101:24 Election by notice to public body or official
§ 101:25 Election by obtaining insurance
§ 101:26 Election by notice to insurer
§ 101:27 Election by notice to employees
§ 101:28 Election by notice to employer
§ 101:29 Election by legislative action
§ 101:30 Fraud in procurement of insurance
§ 101:31 Risk classification codes
§ 101:32 Failure to advise to obtain insurance
§ 101:33 Lapse or cancellation of policy
§ 101:34 Penalty for failure to maintain insurance

PART 3. EXCLUSIVITY

CHAPTER 102. REMEDIES AGAINST EMPLOYER

§ 102:1 Workers' compensation as exclusive remedy
§ 102:1.1 No longer acting as "employer"
§ 102:2 Minors
§ 102:2.10 Co-employees
§ 102:3 Excluded workers or survivors
§ 102:4 Noncompensable injuries
§ 102:5 Noncomplying employers
§ 102:6 Damage suits
§ 102:7 —Defenses
§ 102:8 —Suing as waiving right to workers' compensation
§ 102:9 Dual capacity doctrine
§ 102:10 Dual persona doctrine
§ 102:11 —Corporate mergers
§ 102:11.1 Involuntary transfers; bankruptcy
§ 102:12 Negligence
§ 102:13 Intentional torts
§ 102:14 Wilful misconduct
§ 102:14.1 Criminal conduct
§ 102:14.2 False imprisonment
§ 102:14.3 Employee theft
§ 102:14.4 Termination
§ 102:14.5 Bad faith refusal to pay benefits
§ 102:15 Respondeat superior liability
§ 102:16 Assault
§ 102:17 Sexual harassment
§ 102:18 Injury to employee's fetus

§ 102:19 Intentional and negligent infliction of emotional distress
§ 102:19.1 Mental Injuries
§ 102:19.2 Failure to disclose blood test results
§ 102:20 Failure to provide safe workplace
§ 102:21 —Statutory violations
§ 102:22 —Inadequate safety devices
§ 102:22.1 —Insurance inspections
§ 102:23 Premises liability
§ 102:24 Dog owner's liability
§ 102:25 Vehicular accidents
§ 102:26 Medical malpractice
§ 102:27 Product liability
§ 102:28 Fraud
§ 102:28.1 Qui Tam Actions and Insurance Fraud Protection Acts
§ 102:29 Unfair compensation claim processing
§ 102:30 Employment discrimination
§ 102:31 Migrant workers' statutory claims
§ 102:32 Wrongful discharge
§ 102:33 Crime victims' compensation
§ 102:34 Consortium or service losses
§ 102:35 Death of employer
§ 102:36 Limited liability companies

CHAPTER 103. REMEDIES AGAINST THIRD PERSONS

I. CHOICE OF REMEDIES

§ 103:1 Choice of remedies for injured employee
§ 103:2 Statutory policy to provide compensation benefits
§ 103:3 Tort immunity, generally

II. THIRD PERSONS WHO MAY BE LIABLE

§ 103:4 Insurers and guarantors; immunity
§ 103:5 —Wrongful or bad faith claims processing
§ 103:6 Racketeer Influenced and Corrupt Organizations Act (RICO)
§ 103:7 Coemployees
§ 103:8 —Public coemployees
§ 103:9 —Requisite employment connection
§ 103:10 —Intoxication
§ 103:11 —Vehicular negligence
§ 103:12 Managers; supervisors
§ 103:13 Officers; directors
§ 103:14 Related corporations
§ 103:15 Closely held corporations
§ 103:16 Corporation by estoppel

§ 103:17 Former employers
§ 103:18 Statutory employers
§ 103:19 Statutory employees
§ 103:20 Attorneys
§ 103:21 Landowners
§ 103:22 Manufacturers
§ 103:23 Distributors
§ 103:24 Store operators
§ 103:25 Public utilities
§ 103:26 Public employers
§ 103:27 Principals
§ 103:28 General contractors
§ 103:29 Subcontractors
§ 103:30 Independent contractors
§ 103:31 Loaned servants
§ 103:32 —Loaning employer
§ 103:33 Partners
§ 103:34 Joint venturers
§ 103:35 Construction design professionals
§ 103:36 Vocational trainers
§ 103:37 Labor unions

III. TYPES OF INJURY BY THIRD PERSONS

§ 103:38 Intentional torts
§ 103:39 —Intentional infliction of emotional distress
§ 103:40 Willful conduct
§ 103:41 —Safety violations
§ 103:42 Unsafe workplace
§ 103:43 Improper safety devices
§ 103:44 Unprovoked physical aggression
§ 103:45 Medical malpractice claims
§ 103:46 No-fault insurance
§ 103:47 Uninsured motorist claims
§ 103:48 Loss of consortium
§ 103:49 Victim of crime

IV. PROCEEDINGS AND PROCEDURE

§ 103:50 Time limitations
§ 103:51 Abandonment/insufficiency of claim
§ 103:52 Joinder and intervention
§ 103:53 Third-party defenses—Employee negligence
§ 103:54 —Employer negligence
§ 103:55 —Employer indemnification agreement
§ 103:56 Settlement
§ 103:57 Assignment and subrogation of claim to compensation payor
§ 103:58 Recovery subject to subrogation

§ 103:59 Lien on recovery
§ 103:60 Trial
§ 103:61 Disbursement of recovery
§ 103:62 Division of recovery proceeds; offsets
§ 103:63 —Insufficient proceeds
§ 103:64 Division of compensation award as community property

PART 4. GOVERNING LAW

CHAPTER 104. GOVERNING LAW

§ 104:1 Generally
§ 104:2 Date determinative of rights
§ 104:3 Prospective or retroactive statutes
§ 104:4 —Monetary benefits
§ 104:5 —Time limits
§ 104:6 Full faith and credit requirements
§ 104:7 Applicable law agreements—Interstate agreements
§ 104:8 —Employer-employee agreements
§ 104:9 Place of hire factor
§ 104:10 Principally localized employment factor
§ 104:11 —Regularly working at or from employer's place of business
§ 104:12 —Domiciled and working substantially in one state
§ 104:13 Public employees
§ 104:14 In-state injuries
§ 104:15 —Temporary in-state work
§ 104:16 Out-of-state injuries
§ 104:17 —Successive injuries
§ 104:18 Interaction of local and out-of-state remedies
§ 104:19 Maritime injuries
§ 104:20 —Land-based injuries
§ 104:21 —Outer Continental Shelf injuries
§ 104:22 —Puerto Rican waters
§ 104:23 —Virgin Islands waters
§ 104:24 Federal statutory pre-emption
§ 104:25 —Jurisdiction asserted as far as permissible
§ 104:26 —Interstate/intrastate jurisdictional boundary
§ 104:27 —Federal statutory jurisdictional boundary
§ 104:28 —Carrier operation jurisdictional boundary
§ 104:29 Federally funded programs
§ 104:30 Air ambulances and federal Airline Deregulation Act
§ 104:31 Federal enclaves
§ 104:32 Tort choice of law
§ 104:33 —Subrogation questions
§ 104:34 —Third person's reimbursement rights

PART 5. COVERED EMPLOYERS/ EMPLOYEES/ DEPENDENTS

CHAPTER 105. COVERED EMPLOYERS

§ 105:1 Generally
§ 105:2 Hire requirement
§ 105:3 Remuneration requirement
§ 105:4 Control requirement
§ 105:5 Trade or business requirement
§ 105:5.1 Joint ventures
§ 105:6 Number of employees
§ 105:7 Minimum payroll
§ 105:7.10 Little income
§ 105:8 Agricultural employers
§ 105:9 Borrowing and loaning employers
§ 105:10 Domestic service employers
§ 105:11 Entertainment or sports
§ 105:12 Loggers
§ 105:13 Mining
§ 105:14 Newspaper distributors
§ 105:15 Nonprofit organizations
§ 105:15.1 Churches; Religious organizations
§ 105:16 Nonresident employers
§ 105:17 Owners and contractors
§ 105:18 —Contracting out part of one's business
§ 105:18.1 Franchisors and franchisees
§ 105:19 Owners and contractors—Compensation law evaders
§ 105:20 Public employers
§ 105:21 Real estate agent employers
§ 105:22 Training and rehabilitation employers
§ 105:23 Transportation employers
§ 105:23.10 Oil and gas well owners and operators

CHAPTER 106. COVERED EMPLOYEES

§ 106:1 Generally
§ 106:2 Employee defined
§ 106:3 Lawful employment
§ 106:4 Contract of hire requirement
§ 106:5 Working in employer's business requirement
§ 106:6 Casual workers
§ 106:6.10 Unlicensed contractors
§ 106:6.11 Trade show greeter
§ 106:6.20 Friends
§ 106:7 Pecuniary gain requirement
§ 106:8 Agricultural labor
§ 106:9 Aliens
§ 106:9.10 Permanent residents/green cards

§ 106:10 Ambulance personnel
§ 106:11 Arts and entertainment personnel
§ 106:12 Athletic personnel
§ 106:13 Attorneys
§ 106:14 Barbers and cosmetologists
§ 106:15 Building service or maintenance personnel
§ 106:15.10 Bus and transportation drivers
§ 106:16 Charity or nonprofit organization personnel
§ 106:17 —Charity recipients
§ 106:17.1 Church members and trustees
§ 106:18 Civil Air Patrol
§ 106:19 Civil defense workers
§ 106:20 Community service workers
§ 106:21 Conservation personnel
§ 106:22 Corporate officers, directors, stockholders
§ 106:23 Disaster workers
§ 106:24 Domestic workers
§ 106:25 Emergency and rescue personnel
§ 106:25.1 Exotic dancers
§ 106:26 Family members
§ 106:27 Firefighters
§ 106:28 —Forest firefighters
§ 106:28.1 Gratuitous work
§ 106:29 Health care personnel
§ 106:30 Helpers or assistants
§ 106:31 Independent contractors
§ 106:32 —Definitions, tests, and factors
§ 106:33 —Subcontractors
§ 106:34 —Animal care personnel
§ 106:35 —Construction personnel
§ 106:36 —Loggers
§ 106:36.1 In-home care service personnel
§ 106:37 Independent contractors—Transportation personnel
§ 106:37.1 —Couriers
§ 106:37.2 Interviewees
§ 106:37.3 Security
§ 106:37.4 Oil and gas workers
§ 106:38 Joint employees
§ 106:39 Jurors
§ 106:40 Law enforcement personnel
§ 106:40.1 Police
§ 106:41 Loaned employees and staffing agencies
§ 106:42 Maritime employment
§ 106:43 Mental health program participants
§ 106:44 Military personnel
§ 106:45 Miners
§ 106:46 Minors
§ 106:47 Newspaper employees

§ 106:47.1 New hires
§ 106:47.2 Nonprofit residential treatment resident
§ 106:48 Outworkers
§ 106:49 Partners
§ 106:50 Prisoners
§ 106:51 Public employees, generally
§ 106:51.1 Railroad employees
§ 106:51.2 Racetrack workers
§ 106:51.3 Stockbroker
§ 106:51.4 Paramedics
§ 106:51.5 Correction officers
§ 106:52 Real estate agents
§ 106:53 Religious personnel
§ 106:54 Sales representatives
§ 106:55 Ski workers
§ 106:56 Sole proprietors
§ 106:57 Statutory employees
§ 106:58 Student workers
§ 106:59 Taxi and other "for hire" drivers
§ 106:60 Truckers
§ 106:61 Union pickets
§ 106:62 Vocational trainees
§ 106:63 Volunteers, generally
§ 106:64 Welfare workers

CHAPTER 107. DEPENDENTS

§ 107:1 Generally
§ 107:2 Death resulting from injury or disease
§ 107:3 Death remote in time from injury or disease
§ 107:4 Tests of dependency
§ 107:5 Dependency determination date
§ 107:6 Priority among dependents
§ 107:7 Spouse or cohabitant
§ 107:7.1 Domestic partners and significant others
§ 107:8 Children
§ 107:9 Grandchildren
§ 107:10 Parents
§ 107:11 Brothers and sisters
§ 107:12 Grandparents
§ 107:13 Public employees' dependents
§ 107:14 Nonresident dependents
§ 107:15 Partial dependents
§ 107:15.10 Fiancée as "dependent"
§ 107:15.15 Fiancée as "family"
§ 107:16 No dependents
§ 107:17 Nature of benefits
§ 107:18 Power to apportion benefits
§ 107:19 To whom payments are made

§ 107:19.10 Full-time student
§ 107:20 Benefit-ending events
§ 107:21 Ceasing benefits to less than all dependents
§ 107:22 Medical expenses
§ 107:23 Burial expenses

PART 6. ACCIDENTS/INJURIES

CHAPTER 108. ACCIDENTS & INJURIES

§ 108:1 Accidental injury requirement
§ 108:2 Accident distinguished from injury
§ 108:3 Harmful change in human organism
§ 108:4 Employee fault
§ 108:5 Third person's fault
§ 108:6 Accident as unexpected event
§ 108:7 Accident as sudden event
§ 108:8 External force requirement
§ 108:9 Objective symptoms requirement
§ 108:10 Causation requirement
§ 108:11 Cumulative injuries
§ 108:12 Injuries to prosthetic devices
§ 108:13 Hernias
§ 108:14 Compensability
§ 108:15 Treatment
§ 108:15.1 —Cerebrovascular accidents and traumatic brain injury
§ 108:16 —Compensation and benefits
§ 108:16.1 Burn injuries
§ 108:16.2 Chronic whiplash
§ 108:16.3 Training injuries

PART 7. DISEASES

CHAPTER 109. DISEASES

§ 109:1 Generally
§ 109:2 Nature of employment
§ 109:3 Risk characteristic of employment
§ 109:4 Employment exposure
§ 109:5 Self-exposure
§ 109:6 Last exposure rule
§ 109:7 Causation
§ 109:8 Apportionment between disease and injury and nonwork-related injuries
§ 109:9 Aggravation
§ 109:10 Repetitive motion diseases and injuries
§ 109:11 Crush injuries
§ 109:12 Spine and bone diseases

§ 109:13 Ankylosis
§ 109:14 Arthritis, osteoarthritis, and rheumatoid arthritis
§ 109:15 Contagious diseases
§ 109:16 —AIDS
§ 109:17 Staph infections
§ 109:18 Lung diseases, generally
§ 109:19 Sleep apnea
§ 109:20 Tuberculosis
§ 109:21 Silicosis/asbestosis/mesothelioma
§ 109:22 Exposure to mold, fungus, dust
§ 109:23 Pneumoconiosis
§ 109:24 Heart disease
§ 109:25 —Public safety personnel
§ 109:26 —Heart transplants
§ 109:27 Stroke
§ 109:28 Diabetes and diabetic seizures
§ 109:29 Seizure disorder
§ 109:30 Concussion; concussive syndrome
§ 109:31 Stomach disorders
§ 109:32 Poisons
§ 109:33 Cancer
§ 109:34 Skin and eye disorders
§ 109:35 Allergic reaction; allergies
§ 109:36 Electromagnetic exposure
§ 109:37 Radiation exposure
§ 109:38 Chemical exposure
§ 109:39 Exposure to fumes
§ 109:40 Hearing loss
§ 109:41 Tinnitus
§ 109:42 Migraine headache
§ 109:43 Alcohol and drug addiction
§ 109:44 Weaning off opioid addiction
§ 109:45 Mental illness
§ 109:46 —Trauma-caused
§ 109:47 —Stress-caused
§ 109:48 Stress from employer's conduct challenging workers' compensation claim
§ 109:49 Stress from employer's conduct challenging workers' compensation claim—Workplace violence
§ 109:50 Mental illness—Work-relation requirement
§ 109:51 — —Explosive personality disorder
§ 109:52 — —Exposure to bodily fluids
§ 109:52.10 Exposure to unsanitary conditions
§ 109:53 Mental illness—Diagnosis and proof requirements
§ 109:54 Obesity
§ 109:55 Fibromyalgia
§ 109:56 Chronic fatigue syndrome
§ 109:57 Lupus
§ 109:58 Coccidioidomycosis

§ 109:59 Computer use
§ 109:60 Venous stasis
§ 109:61 Deep vein thrombosis
§ 109:62 Lyme disease
§ 109:63 Amyotrophic lateral sclerosis (ALS)
§ 109:64 Vascular injuries
§ 109:65 COVID-19
§ 109:65.50 COVID-19 vaccine injury
§ 109:65.60 COVID-19 psychological and stress injuries
§ 109:66 Dependents' compensation
§ 109:67 Misconduct defense
§ 109:68 Misrepresentation defense

Volume 2

PART 8. EMPLOYMENT CONNECTION

CHAPTER 110. EMPLOYMENT CONNECTION

§ 110:1 Work nexus is essential
§ 110:1.10 What does not constitute "work"
§ 110:2 Single work-relation test
§ 110:3 Twin-test rule
§ 110:4 Arising out of requirement
§ 110:5 In course of requirement
§ 110:6 Prehire/posttermination
§ 110:7 On-premises injuries
§ 110:8 —Personal risks
§ 110:9 —Neutral risks
§ 110:10 Off-premises injuries
§ 110:11 Emergencies
§ 110:12 —Firefighters; emergency personnel
§ 110:13 —Police
§ 110:13.10 Use of defibrillator
§ 110:14 Public good will injuries
§ 110:15 Workers' arrests
§ 110:15.1 Vacates work force
§ 110:15.2 Aging, generally
§ 110:15.3 Volunteer activities garnering business
§ 110:15.50 Travel for compensation claim

CHAPTER 111. TRAVEL & COMMUTING

§ 111:1 Going and coming rule
§ 111:2 Employer-furnished transportation
§ 111:3 —Remote worksite
§ 111:4 Employer-furnished hotel room
§ 111:5 Employer-required transportation

§ 111:6 Employer-paid travel
§ 111:7 Carpools and rideshares
§ 111:8 Special hazards
§ 111:9 —Travel on public thoroughfares
§ 111:10 —Route to worksite
§ 111:11 Arrival at workplace
§ 111:12 Premises rule
§ 111:13 —Zone of employment
§ 111:14 Employer ownership and control
§ 111:15 Parking lot injuries
§ 111:16 Commercial travelers
§ 111:17 Flight attendants
§ 111:18 Special missions or errands
§ 111:19 Mutual benefit travel
§ 111:20 Dual purpose travel
§ 111:21 Deviations
§ 111:22 —Re-entry
§ 111:23 —Substantial deviations
§ 111:24 —Police officers
§ 111:25 Medical travel
§ 111:26 Road rage
§ 111:27 Sleep deprivation

CHAPTER 112. OFF-DUTY INJURIES

§ 112:1 Generally
§ 112:2 Ancillary activities rule
§ 112:3 Period before work
§ 112:4 Authorized rest breaks
§ 112:5 Personal comfort breaks
§ 112:6 Meal breaks
§ 112:7 —On-premises meal breaks
§ 112:8 —Off-premises meal breaks
§ 112:9 — —Outside employees
§ 112:10 —Going and coming during meal break
§ 112:11 —Lunchtime recreation and activities
§ 112:12 —Picking up pay
§ 112:13 —Employer errand
§ 112:14 Leaving the workplace
§ 112:15 Remaining after work
§ 112:16 Employees on call
§ 112:17 Resident employees
§ 112:18 —For employee's convenience
§ 112:19 —At employer's requirement
§ 112:20 At-home injuries
§ 112:21 —Work-originated injuries
§ 112:22 —Delayed-reaction injuries
§ 112:23 —Employment tasks performed at home
§ 112:24 Recreational and social activities, generally

§ 112:24.1 Employer sponsored community service
§ 112:25 Statutory reflection of traditional requirements
§ 112:26 Involuntary activities
§ 112:27 —When is participation voluntary?
§ 112:28 —Required participation
§ 112:29 —Ordered or assigned participation
§ 112:30 —Expected participation
§ 112:31 — —Employer limited liability
§ 112:31.1 Injury at gym
§ 112:32 On-premises injuries
§ 112:33 Activities benefiting employer
§ 112:34 Going to and from activity
§ 112:35 After hours training
§ 112:36 —Travel
§ 112:37 —Examinations and tests
§ 112:38 —Athletic activities
§ 112:39 Drug and alcohol rehabilitation
§ 112:40 Labor activities

CHAPTER 113. WEATHER INJURIES

§ 113:1 Generally
§ 113:2 Causation requirement
§ 113:3 —Act of God defense
§ 113:4 —Positional risk theory

CHAPTER 114. ASSAULTS OR FIREARMS

§ 114:1 Generally
§ 114:2 Job nexus requirement
§ 114:3 —Origin of dispute
§ 114:4 —Assailant's motivation
§ 114:5 —On-premises assaults
§ 114:6 Increased risk requirement
§ 114:7 —Dealing with public
§ 114:8 —Dangerous job or locale
§ 114:9 —Dangerous coemployee
§ 114:10 Positional risk doctrine
§ 114:11 Initial aggressor defense
§ 114:12 Coemployee assaults
§ 114:13 Third person assaults
§ 114:14 Sexual assaults and harassment
§ 114:15 Labor activity violence
§ 114:16 Accidental discharge of firearms
§ 114:17 Robbery involving firearm

CHAPTER 115. EMPLOYEE MISCONDUCT

§ 115:1 Ordinary misconduct
§ 115:2 Unauthorized absences
§ 115:3 Serious or willful misconduct

§ 115:4 Horseplay
§ 115:5 Intentionally self-inflicted injury
§ 115:6 —Suicide
§ 115:7 Employment application misrepresentations
§ 115:8 —Knowing and willful misrepresentation
§ 115:9 —Causal connection
§ 115:10 —Employer reliance
§ 115:11 False claims and false benefits statements
§ 115:12 Staging accident
§ 115:13 Misrepresentation about return to work
§ 115:14 Misrepresentation resulting in unreported work
§ 115:15 False claims and false benefits statements-undisclosed online sales activity
§ 115:16 —Exaggerated disability
§ 115:17 Employer misrepresentations
§ 115:18 Exaggeration or feigning injury
§ 115:19 Failure to disclose prior compensated work injury
§ 115:20 Rules violations
§ 115:21 —Regulation of employee conduct
§ 115:22 —Employer acquiescence
§ 115:23 Safety violations
§ 115:24 Employer violation of specific safety requirement (VSSR)
§ 115:25 —Specific safety requirements
§ 115:26 —Focus of inquiry in VSSR cases
§ 115:27 —VSSR causation requirements
§ 115:27.10 Coemployee safety violation
§ 115:28 Alcohol or drug abuse
§ 115:29 —Degree of intoxication
§ 115:30 —Drug and alcohol testing
§ 115:31 —Inapplicability of criminal standards
§ 115:32 —Intoxication as a substantial cause
§ 115:33 —Smoking
§ 115:34 —Employer acquiescence
§ 115:35 Medical misconduct
§ 115:36 —Christian Science treatment
§ 115:37 —Asbestosis or silicosis
§ 115:38 Failure to comply with rehabilitation plan
§ 115:39 Failure to attend mandatory event
§ 115:40 Statutory violations
§ 115:41 Misconduct injuring coemployee
§ 115:42 Sleeping on the job
§ 115:43 Texting while driving
§ 115:44 Gambling
§ 115:45 Convicted of crime

CHAPTER 116. SUBSEQUENT INJURIES

§ 116:1 Generally

§ 116:2 Employment aggravation of pre-existing condition
§ 116:3 Substantial factor test
§ 116:4 Accidental injury requirement
§ 116:5 —Presumption of accidental injury
§ 116:6 —Repetitive trauma and unusual exertions
§ 116:7 —Exposure to hazardous fumes
§ 116:8 Work-related injury requirement
§ 116:9 Causation
§ 116:10 Idiopathic conditions
§ 116:11 Alcohol or drug addiction as pre-existing condition
§ 116:12 Medical complications
§ 116:13 Work-related pre-existing conditions
§ 116:14 Direct and natural result
§ 116:15 Independent intervening cause
§ 116:16 Traveling for treatment
§ 116:17 Employee misconduct
§ 116:18 Refusal of medical treatment
§ 116:19 Apportionment of liability
§ 116:20 —Subsequent employer liability
§ 116:21 —Maximum medical improvement
§ 116:22 Recurrence versus aggravation
§ 116:23 Continuation of injury in established case
§ 116:24 Last injurious exposure
§ 116:25 Subsequent injury funds
§ 116:26 —Limits on reimbursement
§ 116:27 Concurrent benefits
§ 116:28 Supplemental earnings benefits
§ 116:29 Employee claims

PART 9. COMPENSATION & BENEFITS

CHAPTER 200. BASIS FOR COMPENSATION

§ 200:1 Generally
§ 200:2 Disability
§ 200:3 —Pain
§ 200:4 Complex regional pain syndrome
§ 200:5 Earning capacity
§ 200:6 —Odd-lot doctrine
§ 200:7 —Business earning capacity
§ 200:8 Poor economy
§ 200:9 Temporary partial disability
§ 200:10 Temporary total disability
§ 200:11 Permanent partial disability, generally
§ 200:12 Scheduled losses
§ 200:13 —Loss of use
§ 200:14 —Partial loss
§ 200:15 —Partial loss of vision

§ 200:16 —Disfigurement
§ 200:17 Scheduled losses-Offsets
§ 200:18 Unscheduled injuries
§ 200:19 —Comparison to scheduled loss
§ 200:20 —Loss of wages or wage-earning capacity
§ 200:21 —Degree of whole person impairment
§ 200:22 Permanent total disability
§ 200:23 —Specific losses
§ 200:24 Low percentage physical impairment
§ 200:25 Permanent total disability—Injuries not specified by statute
§ 200:26 Cost of living adjustments
§ 200:27 Lifetime benefits
§ 200:28 Permanent total disability—Advances in workplace technology
§ 200:29 Overlapping disabilities
§ 200:30 —Same injury
§ 200:31 —Concurrent injuries
§ 200:32 —Successive injuries
§ 200:33 End of disability
§ 200:34 Maximum disability period
§ 200:35 Maximum stability/maximum improvement
§ 200:36 Rehabilitation
§ 200:37 Elective procedures
§ 200:38 Cleared for work
§ 200:39 Resuming work
§ 200:40 Refusing suitable work
§ 200:41 Suitable work available
§ 200:42 Failure to make job search
§ 200:43 Maximum recovery but unemployed
§ 200:44 Job changes
§ 200:45 Voluntary quit
§ 200:46 Lifestyle choice
§ 200:47 Ceasing farming
§ 200:48 Discharge for misconduct
§ 200:49 No-fault discharge or layoff
§ 200:50 Disability changes
§ 200:51 Retirement
§ 200:52 Institutionalized workers
§ 200:53 Prison inmates
§ 200:54 Death
§ 200:55 Waiting period
§ 200:56 Public safety employees
§ 200:57 Minors' compensation
§ 200:58 —Subrogation
§ 200:59 Bona fide offer of employment

CHAPTER 201. EARNINGS

§ 201:1 Wage computation

§ 201:2 Short-term workers
§ 201:3 Irregular earnings
§ 201:4 Absences
§ 201:5 Time for determining wages
§ 201:6 Part-time employment
§ 201:7 Two-job workers
§ 201:8 Seasonal workers
§ 201:9 Casual labor
§ 201:10 Output workers
§ 201:11 Special contracts
§ 201:12 Independent contractors
§ 201:13 Self-employed persons
§ 201:14 Partners
§ 201:15 Corporate officers and stockholders
§ 201:16 Youthful workers or trainees
§ 201:17 Rehabilitating employees
§ 201:18 Veterans
§ 201:19 Prison inmates
§ 201:20 Unemployment programs; workfare
§ 201:21 Public safety workers
§ 201:22 Military personnel
§ 201:23 Special public employees
§ 201:24 Union employees
§ 201:25 Overtime earnings
§ 201:26 Fringe benefits
§ 201:27 —Retirement plan contributions
§ 201:28 —Vacation, holiday, sick pay
§ 201:28.1 Health Care premiums
§ 201:29 Bonuses
§ 201:30 Tips
§ 201:31 Expense reimbursements and allowances
§ 201:32 Equipment rental
§ 201:33 Board, lodging and other advantages
§ 201:34 Transportation
§ 201:35 Tuition

CHAPTER 202. MEDICAL BENEFITS

§ 202:1 Generally
§ 202:2 Noncompensable injuries
§ 202:3 Nondisabling injuries
§ 202:4 Injuries caused by third persons
§ 202:5 Requirement that treatment be necessary
§ 202:6 Preventive care
§ 202:7 Life care
§ 202:8 Future medical care
§ 202:9 Diagnostic services
§ 202:10 Medical evaluation for case preparation
§ 202:11 Specialist treatment

§ 202:12 Drugs
§ 202:13 Selection of pharmacy
§ 202:14 Medical marijuana and CBD products
§ 202:15 Opioids
§ 202:16 Surgery
§ 202:17 Breast reduction surgery
§ 202:18 Artificial members
§ 202:19 Nurse practitioners
§ 202:20 Audiology
§ 202:21 Dentistry
§ 202:22 Optometry
§ 202:23 Podiatry
§ 202:24 Chiropractic; osteopathy
§ 202:25 Physical therapy
§ 202:26 Acupuncture
§ 202:27 Alternative medicine
§ 202:28 Spiritual treatment
§ 202:29 Counseling
§ 202:30 Weight-loss programs
§ 202:31 Pain therapy
§ 202:32 Fetal care
§ 202:33 Medical equipment
§ 202:34 Knee, hip, other replacements
§ 202:35 Special vehicles
§ 202:36 Home alterations
§ 202:37 Attendant care
§ 202:38 Travel expenses
§ 202:39 Lost time
§ 202:40 Collateral source payments
§ 202:41 Prescriptions
§ 202:42 Period of treatment
§ 202:43 Employer self-providers of medical care
§ 202:44 Selection of physician
§ 202:45 Employer failure to provide care
§ 202:46 —Medical expenses and Medicaid
§ 202:47 Change of physician
§ 202:48 Refusal of treatment
§ 202:49 Cost containment
§ 202:50 Utilization review
§ 202:51 Disputes over medical services
§ 202:52 Insurance coverage during disability
§ 202:53 Gym membership

CHAPTER 203. VOCATIONAL REHABILITATION

§ 203:1 Generally
§ 203:2 Eligibility
§ 203:3 Development of plan

§ 203:4 Benefits
§ 203:4.1 Voice recognition technology
§ 203:5 Duration
§ 203:6 Noncooperation
§ 203:7 Transfer to other suitable work

PART 10. COMPENSATION AGREEMENTS

CHAPTER 204. COMPENSATION AGREEMENTS

§ 204:1 Agreements to pay compensation costs
§ 204:2 Substitute systems
§ 204:3 Collective bargaining agreements
§ 204:4 Second injury fund claims
§ 204:5 Waiver of compensation
§ 204:6 Settlement powers
§ 204:7 Settlement formalities
§ 204:8 Structured settlements
§ 204:9 Settlement reporting/filing
§ 204:10 Settlement approval
§ 204:11 Official recommendations
§ 204:12 Settlements with unrepresented claimants
§ 204:13 Settlements with minors
§ 204:13.10 Settlements with incapacitated claimants
§ 204:14 Fraud, misrepresentation, mistake, or ambiguity
§ 204:15 Modification of agreement
§ 204:16 What claims are barred
§ 204:17 Enforcement of agreements
§ 204:18 Legal malpractice involving settlements
§ 204:19 Settlement of future claims
§ 204:20 Discontinuance of third-party action
§ 204:21 Employer credits

CHAPTER 205. PAYMENT

§ 205:1 Generally
§ 205:2 Form of payment
§ 205:3 Payments under power of attorney
§ 205:4 Lump sum payments
§ 205:5 —Types of benefits commutable
§ 205:6 —Grounds for commutation
§ 205:7 —Computation of award
§ 205:8 —Approval procedure
§ 205:9 —Payment of award
§ 205:9.1 Child support
§ 205:10 Annuities

§ 205:11 Deposits; security
§ 205:12 Payments in trust
§ 205:13 Acceptance of payment; receipts
§ 205:14 Minors or incompetents
§ 205:15 Relocating workers
§ 205:16 Foreign claimants
§ 205:16.1 Advance payments
§ 205:17 Late payments
§ 205:18 Discontinuance of payments
§ 205:19 Assignability
§ 205:20 Exemption
§ 205:21 Multiemployer liability
§ 205:22 Priority; preferences
§ 205:23 Claimants' liens
§ 205:24 Enforcement of awards

Volume 3

PART 11. PAYMENT

CHAPTER 206. LIENS

§ 206:1 Liens against Workers' Compensation Benefits—Generally
§ 206:2 Temporary Disability Liens
§ 206:3 Veterans administration and other medical liens—Generally
§ 206:4 Medicare lien
§ 206:5 Medicaid lien
§ 206:6 Matrimonial liens on workers' compensation actions
§ 206:7 Third party action subrogation liens—Generally
§ 206:7.10 —Equitable subrogation
§ 206:8 —Amounts subject to lien
§ 206:9 —Attorneys fees
§ 206:10 —Petition to apportion attorneys fees
§ 206:11 —Notice of lien
§ 206:12 —Notice of lien to third party
§ 206:13 —Demand to employee to effect settlement or institute proceedings
§ 206:14 —Insurance company's notice to employer
§ 206:15 —Release
§ 206:16 Workers' compensation lien on uninsured motorist coverage
§ 206:17 No fault benefits and workers' compensation actions
§ 206:18 Statutes governing workers' compensation liens
§ 206:19 Misconduct

CHAPTER 207. OFFSETS

§ 207:1 Social Security Offset—Generally

§ 207:2 —Request for Average Current Earnings Information
§ 207:3 —Computation Sheet for Social Security Offset
§ 207:4 Motion for Recognition of Right to Social Security Offset
§ 207:5 Order recognizing right to social security offset
§ 207:6 Statutes Governing Workers' Compensation Offsets
§ 207:6.1 Offsets against pension and retirement benefits
§ 207:6.2 Future compensation offsets
§ 207:6.3 Offset against short-term disability plan
§ 207:6.4 Medicaid offsets

PART 12. ADMINISTRATIVE PROCEEDINGS

CHAPTER 300. IN GENERAL

§ 300:1 Generally
§ 300:2 Summary and simple nature
§ 300:3 Administrative jurisdiction
§ 300:4 Administrative Procedure Act
§ 300:5 Investigations
§ 300:6 Rulemaking
§ 300:7 Penalty proceedings
§ 300:8 Small claims
§ 300:9 Alternative dispute resolution
§ 300:10 —Mediation
§ 300:11 —Arbitration
§ 300:12 Claimant advisers; ombudsmen
§ 300:13 Impecunious claimants
§ 300:14 Estoppel
§ 300:15 —Res judicata
§ 300:16 —Collateral estoppel
§ 300:17 Laches
§ 300:18 Legal immunity
§ 300:19 Death of claimant during proceedings

CHAPTER 301. TIME LIMITATIONS

§ 301:1 Generally
§ 301:2 Notice of injury or disease
§ 301:3 Injury claims
§ 301:3.10 Cumulative trauma injury
§ 301:4 Disease claims
§ 301:5 —Hearing loss
§ 301:6 Death claims
§ 301:7 Special claims
§ 301:7.1 Minors
§ 301:8 Required filing
§ 301:8.1 —Postage and postmark
§ 301:8.10 Failure to prosecute

§ 301:9 Failure to request hearing
§ 301:10 Payment or treatment
§ 301:11 Incapacity
§ 301:12 Bringing other proceeding
§ 301:13 Reasonable excuse or good cause
§ 301:13.1 Misdiagnosis as good cause
§ 301:14 Employer act or omission
§ 301:15 —Failure to file report
§ 301:15.10 Equitable estoppel
§ 301:16 Waiver
§ 301:17 Relation back doctrine

CHAPTER 302. PARTIES

§ 302:1 Generally
§ 302:2 Petitioners
§ 302:3 Intervention
§ 302:4 Impleader
§ 302:5 Respondents
§ 302:6 Substitution of parties
§ 302:7 Death of party

CHAPTER 303. NOTICE & CLAIM; PLEADINGS

§ 303:1 Employee notice of injury
§ 303:2 Non-English speaking employee and notice
§ 303:3 Employer report
§ 303:4 Compensation claim
§ 303:5 Response to claim
§ 303:6 Notice of termination of benefits
§ 303:7 Request for determination
§ 303:8 Dismissal of claim
§ 303:9 Default judgment
§ 303:10 Petition to reopen
§ 303:11 Discovery
§ 303:12 Fraud

CHAPTER 304. MEDICAL EXAMINATIONS

§ 304:1 Employee's duty to submit to examination
§ 304:2 Pre-employment physicals and vaccinations
§ 304:3 Employee rights during examination
§ 304:4 Neutral examinations
§ 304:5 Sanctions for noncompliance with examination request
§ 304:6 Examination results testimony or reports
§ 304:7 Other medical reports or records
§ 304:8 Interviews of treating physicians
§ 304:9 Official investigations
§ 304:10 Autopsies
§ 304:11 Failure to follow physician instructions

CHAPTER 305. BURDEN OF PROOF & PRESUMPTIONS

§ 305:1 Generally
§ 305:2 Statutory applicability
§ 305:3 Compensability
§ 305:4 Private sector claimants
§ 305:5 Notice
§ 305:6 —Prejudice from lack of notice
§ 305:7 Employment relationship
§ 305:8 Accident; accidental injury
§ 305:9 Disability
§ 305:10 Odd-lot status
§ 305:11 Work connection
§ 305:12 —Public safety personnel
§ 305:13 Found dead presumption
§ 305:13.10 Unwitnessed accident
§ 305:14 Unwitnessed death
§ 305:15 Causal link between injury and disability or death
§ 305:16 Earnings; earning capacity
§ 305:17 Dependency
§ 305:18 Misconduct
§ 305:19 Medical treatment
§ 305:20 Vocational rehabilitation
§ 305:21 Claim time-barred
§ 305:22 Post-injury job offer
§ 305:23 Availability of work
§ 305:24 Work search
§ 305:25 Payment
§ 305:26 Settlement
§ 305:27 Correctness of report
§ 305:28 Validity of order or regulation
§ 305:29 Firefighters

CHAPTER 306. ADMISSIBILITY OF EVIDENCE

§ 306:1 Generally
§ 306:2 Formal rules of evidence
§ 306:2.10 Untimely evidence
§ 306:3 Hearsay
§ 306:3.10 Cross-examination
§ 306:4 Transcripts
§ 306:5 Depositions
§ 306:6 Statements
§ 306:6.1 Claimant and witness testimony
§ 306:7 Videotapes, surveillance, investigative materials
§ 306:8 Official publications
§ 306:9 Privileged communications
§ 306:9.1 Settlement conferences
§ 306:10 Employer reports

§ 306:10.1 Employer tax records
§ 306:11 Injury reports
§ 306:12 Investigators' reports
§ 306:13 Medical evidence, generally
§ 306:14 Medical reports
§ 306:14.1 False medical reports
§ 306:15 Medical and hospital records
§ 306:16 Expert medical testimony
§ 306:17 —AMA and other Guidelines
§ 306:18 Medical treatises and articles
§ 306:19 Expert nonmedical testimony
§ 306:20 Lay disability testimony
§ 306:20.1 Administrative law judge as witness
§ 306:21 Alcohol and drug test results
§ 306:22 Criminal records
§ 306:23 Employment evidence
§ 306:24 Vocational evidence
§ 306:25 Earnings and earning capacity evidence
§ 306:26 Deceased's statements and conversations
§ 306:27 Payment of compensation benefits

CHAPTER 307. WEIGHT & SUFFICIENCY OF EVIDENCE

§ 307:1 Generally
§ 307:2 Lay and expert evidence
§ 307:3 Credibility determinations
§ 307:4 Applicability of statute
§ 307:5 Accident, injury, and disease
§ 307:6 Causation
§ 307:7 —Pre-existing conditions
§ 307:8 —Gradual onset of injuries
§ 307:9 —Disease
§ 307:10 —Back problems
§ 307:11 —Heart conditions
§ 307:12 —Death
§ 307:13 Disability or impairment
§ 307:14 —AMA Guides
§ 307:15 —Odd-lot disability
§ 307:16 —Hearing loss
§ 307:17 —Mental illness
§ 307:18 Dependency
§ 307:19 Earnings and earning capacity
§ 307:20 Medical expenses
§ 307:21 Intoxication
§ 307:22 Legal and safety violations
§ 307:23 Medical records and medical testing
§ 307:24 Attending physician

CHAPTER 308. HEARING

§ 308:1 Generally
§ 308:2 Right to hearing
§ 308:3 Request for hearing
§ 308:4 Notice of hearing
§ 308:5 Expedited hearings
§ 308:5.1 Location of hearing
§ 308:6 Representation
§ 308:7 Hearing officers
§ 308:8 Prehearing conferences
§ 308:9 References for determination
§ 308:10 Issues determinable
§ 308:11 Stipulations
§ 308:12 Continuances
§ 308:13 Nonappearances
§ 308:14 Open hearings
§ 308:15 Introduction of evidence
§ 308:16 Witnesses
§ 308:17 Written testimony
§ 308:18 Medical evidence
§ 308:19 Contempt
§ 308:20 Questions of law and fact
§ 308:21 Findings and conclusions
§ 308:22 Record
§ 308:23 Rehearing

CHAPTER 309. AWARD

§ 309:1 Generally
§ 309:2 Entry
§ 309:3 Sufficiency
§ 309:4 Post-death awards
§ 309:5 Finality
§ 309:6 Stay pending review
§ 309:7 Summary judgment
§ 309:8 Suspension of benefits
§ 309:9 Reconsideration
§ 309:10 Modification or rescission or transfer
§ 309:11 Reopening

CHAPTER 310. ADMINISTRATIVE REVIEW

§ 310:1 Generally
§ 310:2 Time limitations
§ 310:3 Appealable orders
§ 310:4 Parties
§ 310:5 Petition for review
§ 310:6 Notice
§ 310:7 Cross-appeal
§ 310:8 Record

§ 310:9 Scope of review
§ 310:10 Hearing
§ 310:11 Decision

CHAPTER 311. RETALIATION

§ 311:1 Generally
§ 311:2 Prima facie case and summary judgment
§ 311:3 Common-law tort actions
§ 311:4 Anti-discharge statutes
§ 311:5 Anti-discrimination statutes
§ 311:6 Anti-harassment statutes
§ 311:7 Anti-compensation-avoiding "devices" statutes
§ 311:8 Hire, rehire, or recall statutes
§ 311:9 Criminal statutes
§ 311:10 Undocumented workers
§ 311:11 Protected activities
§ 311:12 —Unsuccessful claims
§ 311:13 Intent
§ 311:14 Causation
§ 311:15 Defenses
§ 311:16 —Unfitness for work
§ 311:17 —Absence or tardiness
§ 311:18 —Dishonesty
§ 311:19 Inability to work with others
§ 311:20 —Waiver or release
§ 311:21 —Collective bargaining agreements
§ 311:22 —Untimeliness of notice or claim
§ 311:23 —Public employer defenses
§ 311:24 Stalking
§ 311:25 Theft
§ 311:26 Claim or issue preclusion
§ 311:27 Mitigation of damages
§ 311:28 Federal preemption
§ 311:29 Judicial procedure
§ 311:30 Administrative procedure
§ 311:31 Choice of law
§ 311:32 Evidence
§ 311:33 Trial
§ 311:34 Damages
§ 311:35 —Punitive damages
§ 311:36 Reinstatement and backpay
§ 311:37 Civil penalties
§ 311:38 Equitable relief
§ 311:39 Attorneys' fees and costs
§ 311:40 Arbitration

PART 13. JUDICIAL PROCEEDINGS

CHAPTER 312. NATURE OF PROCEEDINGS

§ 312:1 Generally
§ 312:2 Appeal
§ 312:2.1 Death during appeal
§ 312:3 Petition for review
§ 312:4 Certiorari
§ 312:5 Review by summons to commission
§ 312:6 Review as in damages suit
§ 312:7 Reserved cases
§ 312:8 Certified questions
§ 312:9 Enforcement proceedings
§ 312:10 Compensation lawsuits
§ 312:11 Direct actions against insurers
§ 312:12 Injunction proceedings
§ 312:13 Mandamus or prohibition
§ 312:14 Show cause proceedings
§ 312:15 Class actions

CHAPTER 313. JURISDICTION & VENUE

§ 313:1 Generally
§ 313:2 Original jurisdiction
§ 313:3 Equitable jurisdiction
§ 313:4 Personal jurisdiction
§ 313:5 Time-barred suits
§ 313:6 Appellate jurisdiction
§ 313:7 Untimely appeals
§ 313:8 Defective appeal papers
§ 313:9 Failure to post bond or pay fees
§ 313:10 Exhaustion of administrative remedies
§ 313:11 Finality requirement
§ 313:12 Ripeness for review
§ 313:13 Factual determinations
§ 313:14 Federal jurisdiction
§ 313:15 Venue

CHAPTER 314. PARTIES

§ 314:1 Generally
§ 314:2 Standing to appeal
§ 314:3 Necessary and indispensable parties
§ 314:4 Substitution of parties
§ 314:5 Intervenors

CHAPTER 315. SCOPE OF REVIEW

§ 315:1 Generally
§ 315:2 Questions of fact

§ 315:3 Credibility determinations
§ 315:4 Two-tiered judicial review
§ 315:5 Hearing officers' findings
§ 315:6 De novo review
§ 315:7 Additional evidence
§ 315:8 Undisputed evidence
§ 315:9 Questions of law
§ 315:10 Misapplications of law
§ 315:11 Questions not preserved for review
§ 315:12 Interlocutory orders

CHAPTER 316. HEARING & DETERMINATION

§ 316:1 Generally
§ 316:2 Notice of appeal
§ 316:3 Time requirements
§ 316:4 Record
§ 316:5 Judicial notice
§ 316:6 Additional evidence
§ 316:7 Entry of judgment
§ 316:8 Remand

CHAPTER 317. COSTS, FEES & EXPENSES

§ 317:1 Attorneys' fees, generally
§ 317:2 Approval requirement
§ 317:3 Success requirement
§ 317:3.1 Worthless claim and attorney's fee
§ 317:4 Controverted cases
§ 317:5 Uncontroverted cases
§ 317:6 Medical benefits
§ 317:7 Discontinuance or reduction of benefits
§ 317:8 Court proceedings
§ 317:9 Amount
§ 317:10 Lump-sum payment
§ 317:11 Penalties
§ 317:11.50 Frivolous claims; Attorney fee sanction
§ 317:11.75 Attorney discipline
§ 317:12 Costs
§ 317:13 Interest
§ 317:14 No fees on penalty for late benefits payment cases

CHAPTER 318. CLAIM INVESTIGATION

§ 318:1 Notice of Accident to Employer
§ 318:2 Criminal Sanctions Against Employer for Wrongful Discharge (Wrongful Discharge Checklist)
§ 318:3 Interview Questionnaire (Occupational Disease Information Form)
§ 318:4 Request for Name of Carrier From Department of Insurance

§ 318:5 Request for Federal Income Tax statements
§ 318:6 Request for Social Security Administration Information-Detailed Earnings Information
§ 318:7 Temporary Disability Information: Request for Copy of Employee, Employer and Medical Certifications
§ 318:8 Temporary Disability Information: Authorization for Release of Information
§ 318:9 Request for Prior Records From the Division of Workers Compensation
§ 318:10 Police Report Request
§ 318:11 Motor Vehicle Services: Request for Information
§ 318:12 State Records
§ 318:13 Occupational Health And Safety Request
§ 318:14 Occupational Safety and Health Administration: Access to Employee Exposure and Medical Records
§ 318:15 Authorization Letter for the Release of Employee Record Information to a Designated Representative
§ 318:16 State Occupational Safety and Health Acts
§ 318:17 Workers and community right to know law—Generally
§ 318:18 Workers and Community Right to Know Law—Community Right to Know Surveys
§ 318:19 —Environmental Hazardous Substances
§ 318:20 —Extremely Hazardous Substance List
§ 318:21 Community Right to Know Information Request Form
§ 318:22 National Toxicology Program
§ 318:23 NIOSH Registry of Toxic Effects of Chemical Substances
§ 318:24 NIOSH-Indoor Air Quality and Work Environment Survey
§ 318:24.1 Employee failure to cooperate with investigation

CHAPTER 319. MEDICAL INVESTIGATION

§ 319:1 Medical Records—Generally
§ 319:2 —Request for Hospital Records
§ 319:3 —Letter to Secure Medical Report From Treating Physician
§ 319:4 —Letter to Secure Treating Physician's Report in Fatal Claim
§ 319:5 —Patient's Right to Obtain Copies of Physician's Records
§ 319:6 —Medical Authorization of Petitioner—Authorization for the Release of Medical Records
§ 319:7 —Medical Authorization of Legal Representative of the Estate—Medical Authorization
§ 319:8 —Pathology Requests
§ 319:9 —Radiology Requests
§ 319:10 —Requests for Veterans Administration Records
§ 319:11 —Request for Military Records
§ 319:12 — —Court Order Requirements
§ 319:13 Requests for Medical Examinations—Generally

§ 319:14 —Respondent's Request to Petitioner's Attorney
§ 319:15 —Examination by Physician of Same Sex
§ 319:16 —Request to Client to Submit to Examination by Petitioner's Medical Expert
§ 319:17 —Request to Client to Submit to Examination by Respondent's Medical Expert
§ 319:18 — —Confirmation of Examination

CHAPTER 320. DISCOVERY

§ 320:1 Discovery—Generally
§ 320:2 — —Privacy of benefits information
§ 320:3 —Demand for Medical Information-Introduction
§ 320:4 — —Demand
§ 320:5 — —Motion
§ 320:6 — —Order
§ 320:7 — —Certification of Service
§ 320:8 —Interrogatories—Generally
§ 320:9 — —Directed to the Respondent—Standard Occupational Disease Interrogatories
§ 320:10 —Dependency Occupational Disease Interrogatories
§ 320:11 —Supplemental Cardiovascular Disease Interrogatories
§ 320:12 —Supplemental Pulmonary Disease Interrogatories
§ 320:13 —Supplemental Repetitive Motion Trauma Interrogatories
§ 320:14 —Supplemental Hostile Work Environment Interrogatories
§ 320:15 —Motion to Compel Respondent to Answer
§ 320:16 —Order Directing Respondent to Answer
§ 320:17 —Directed to the Petitioner-Standard Occupational Disease Interrogatories
§ 320:18 — —Dependency Occupational Disease Interrogatories
§ 320:19 — —Application to Review or Modify Prior Award
§ 320:20 — —Motion to Compel Petitioner to Answer
§ 320:21 — —Order Directing Petitioner to Answer
§ 320:21.10 Failure to appear for deposition
§ 320:22 Discovery—Depositions-Generally
§ 320:23 — —De Bene Esse-Motion
§ 320:24 — — —Affidavit of Attorney in Support of Motion
§ 320:25 — — —Physician's Certification
§ 320:26 — — —Order to Take Deposition
§ 320:27 Dilatory deposition tactics
§ 320:28 —Depositions—Generally—Videotaped Deposition
§ 320:29 Telephonic Depositions
§ 320:30 Depositions—Generally—Liability Deposition
§ 320:31 — —Liability Depostion—Notice of Motion
§ 320:32 — — —Certification
§ 320:33 — — —Certification of Service
§ 320:34 — — —Order for Depositions

§ 320:35 — —Extra—Territorial Deposition
§ 320:36 — — — —Continuance
§ 320:37 — —Experts
§ 320:38 Production of documents, generally
§ 320:39 Admissions, generally
§ 320:40 Spoliation
§ 320:41 Production of medical reports
§ 320:42 Discovery sanctions
§ 320:43 Privilege
§ 320:44 Financially interested physician
§ 320:45 Immigration status
§ 320:46 Continuances and summary judgment
§ 320:47 Discovery after settlement conference

Volume 4

CHAPTER 321. STATUTORY COMPARISON TABLE

§ 321:1 Introduction
§ 321:2 Compulsory and Elective Coverage
§ 321:3 Definition of "Injury" and "Accident"
§ 321:4 Covered "Employees"
§ 321:5 Injury "Arising Out of the Employment"
§ 321:6 "Notice of Injury" Requirements
§ 321:7 Claim Time Limitations
§ 321:8 Medical Benefits
§ 321:9 Attorneys Fees
§ 321:10 Temporary Total Disability and Benefits
§ 321:11 Temporary Partial Disability and Benefits
§ 321:12 Permanent Partial Disability and Benefits
§ 321:13 Permanent Total Disability and Benefits
§ 321:14 Occupational Disease
§ 321:15 Death Benefits
§ 321:16 Disfigurement
§ 321:17 Rehabilitation Benefits
§ 321:18 Selection of Physician
§ 321:19 Third Party Claims Generally and Third Party Settlement
§ 321:20 Retaliation

Table of Laws and Rules

Table of Cases

Index