

## N E W S L I N E

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### **DWC posts revised Workers' Compensation Information System (WCIS) administrative penalty regulations to online forum for public comment**

The Division of Workers' Compensation (DWC) has revised proposed regulations providing for the assessment of administrative penalties for Workers' Compensation Information System (WCIS) reporting violations and posted them to the online forum where members of the public may review and comment on the proposal.

In addition, DWC has posted on the forum for comment a revised version of the California EDI Implementation Guide for First and Subsequent Reports of Injury (Version 3.1), a necessary tool in the electronic reporting of claim data to WCIS.

The proposed administrative penalty regulations implement Senate Bill 826, which amended Labor Code section 138.6 by authorizing DWC to assess administrative penalties, up to \$5,000 per year for each claims administrator, for a failure to report claim information or the failure to report such information accurately to WCIS. The proposed regulations provide:

- A schedule of penalties capped at \$5,000 against a claims administrator in any given year. The schedule provides for no more than \$100 per violation for violations where a mandatory report is not submitted or not accepted, and no more than \$50 per violation for violations involving specific errors or late filings.
- Threshold rates of violations that are excluded from the calculation of penalty assessments.
- A requirement for DWC to publish an annual report on the compliance of claims administrators.

The revised WCIS implementation guide contains minor updates and corrections to the current version, (3.0), which became effective in November 2011. Changes address the manner of transmitting data to WCIS, the filing of annual and final reports, requirements for specific data elements, data edits, and secondary matching criteria.

The proposed penalty regulations are sections 9705.1 through 9705.2 in Title 8 of the California Code of Regulations.

The forum can be found [online](#) on the DWC website by clicking on “current forums.”

Comments will be accepted on the forum until 5 p.m. on April 29. Please feel free to participate in this important process.

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