

8 AAC 45.020(c) is amended to read:

(c) Papers and documents **may** [WILL] be filed **in person** at **any of** the division's **offices, by mail, by facsimile transmission, or by electronic mail** [OFFICE OR AT ANY OPEN HEARING AS OF THE DATE OF RECEIPT].

8 AAC 45.020 is amended by adding a new subsection to read:

(d) Papers and documents filed by facsimile transmission or by electronic mail must be in compliance with Department of Labor and Workforce Development Commissioner's Order No. 001, dated April 23, 2015. (In effect before 7/28/59; am 5/28/83, Register 86; am 4/9/2016, Register 218)

Authority: **AS 23.05.055** AS 23.30.005

Editor's note: Department of Labor and Workforce Development Commissioner's Order No. 001 may be found at http://labor.alaska.gov/wc/regs/dolwd_commissioners_order_001.pdf. The address for filing by electronic mail is workerscomp@alaska.gov. For filing in person, by mail, and by facsimile the addresses and facsimile numbers for the respective division offices are as follows: Juneau Office, mailing address: P.O. Box 115512, Juneau AK 99811-5512, physical address: 1111 W. 8th Street, Rm 305, Juneau, AK 99801, Fax: (907) 465-2797; Anchorage Office, 3301 Eagle Street, Suite 304, Anchorage, AK 99503, Fax: (907) 269-4975; Fairbanks Office, 675 Seventh Avenue, Station K, Fairbanks, AK 99701-4531, Fax: (907) 451-2928.

8 AAC 45.032 is amended to read:

8 AAC 45.032. Files. Upon receiving written notice of an injury, the division will

(1) **establish an** [SET UP A COMPUTER RECORD OF THE EMPLOYEE'S INJURY WITH A COMPUTER] injury number;

(2) set up a case file **in a format prescribed by the director**, using the [COMPUTER] injury number;

(3) notify the employee or beneficiary, the employer, and the insurer in writing **in a format prescribed by the director** of the injury number;

(4) put the written notice of the injury in the case file together with documents or anything relating to the employee's injury that is filed with the division or board; and

(5) use the [COMPUTER] injury number as the claim number if a claim is filed.

(Eff. 7/20/97, Register 143; am 2/27/2000, Register 153; am 4/9/2016, Register 218)

Authority: AS 23.30.005 AS 23.30.100 AS 23.30.105

AS 23.30.070

8 AAC 45.060(b) is amended to read:

(b) A party **may** [SHALL] file a document with the board, other than the annual report under AS 23.30.155(m), [EITHER] personally, [OR] by mail, **or by electronic filing through facsimile transmission or electronic mail in compliance with Department of Labor and Workforce Development Commissioner's Order No. 001, dated April 23, 2015** [;THE BOARD WILL NOT ACCEPT ANY OTHER FORM OF FILING]. Except for a claim, a party shall serve a copy of a document filed with the board upon all parties or, if a party is represented, upon the party's representative. Service must be done [, EITHER] personally, by facsimile, **by electronic mail**, [ELECTRONICALLY,] or by mail, in accordance with due process. Service by mail is complete at the time of deposit in the mail if mailed with sufficient postage and properly

addressed to the party at the party's last known address. If a right may be exercised or an act is to be done, three days must be added to the prescribed period when a document is served by mail.

(In effect before 7/28/59; am 5/28/83, Register 86; am 3/16/90, Register 113; am 7/20/97, Register 143; am 7/2/98, Register 146; am 4/9/2016, Register 218)

Authority: AS 23.05.055 AS 23.30.005 [AS 23.30.005(h)]

AS 23.30.110 AS 23.30.135

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http://labor.alaska.gov/wc/regs/dolwd_commissioners_order_001.pdf. The address for filing by electronic mail is workerscomp@alaska.gov. For filing in person, by mail, and by facsimile the addresses and facsimile numbers for the respective division offices are as follows: Juneau Office, mailing address: P.O. Box 115512, Juneau AK 99811-5512, physical address: 1111 W. 8th Street, Rm 305, Juneau, AK 99801, Fax: (907) 465-2797; Anchorage Office, 3301 Eagle Street, Suite 304, Anchorage, AK 99503, Fax: (907) 269-4975; Fairbanks Office, 675 Seventh Avenue, Station K, Fairbanks, AK 99701-4531, Fax: (907) 451-2928.

8 AAC 45.530(a) is amended to read:

(a) **No later than** [WITHIN] 14 days after receiving a rehabilitation specialist's eligibility evaluation report for an employee injured on or after July 1, 1988, the administrator **shall** [WILL] determine whether the employee is eligible or ineligible for reemployment benefits, or that insufficient information exists to make a determination on the employee's eligibility for reemployment benefits. The administrator **shall** [WILL] give the parties written notice by **first**

class [CERTIFIED] mail of the determination, the reason for the determination, and how to request review by the board of the determination.

(Eff. 7/20/97, Register 143; am 7/2/98, Register 146; am 7/9/2011, Register 199; am 4/9/2016, Register 218)

Authority: AS 23.30.005 AS 23.30.041

8 AAC 45.550(c) is amended to read:

(c) If the employee and the employer fail to agree to the reemployment plan written under (a)(8) of this section, either party may request the administrator to review and approve the plan.

No later than [WITHIN] 14 days after the administrator receives the plan for review, the administrator **shall** [WILL]

- (1) approve the plan and notify the parties by **first class** [CERTIFIED] mail;
- (2) deny the plan and notify the parties by **first class** [CERTIFIED] mail; or
- (3) notify the parties that the plan is incomplete and request additional

information from the parties before making a decision on the plan.

8 AAC 45.550(d) is amended to read:

(d) If the administrator requests additional information, the administrator **shall** [WILL] make a decision **no later than** [WITHIN] 14 days after the additional information is received, and notify the parties by **first class** [CERTIFIED] mail. (Eff. 7/2/98, Register 146; am 7/9/2011, Register 199; am 4/9/2016, Register 218)

Authority: AS 23.30.005 AS 23.30.041

THE REGULATIONS REPRODUCED HERE HAVE BEEN PROVIDED BY THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT AS A PUBLIC COURTESY. WHILE EVERY EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE REPRODUCED VERSION, THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT CANNOT GUARANTEE ITS ABSOLUTE ACCURACY. A COPY OF THE REGULATIONS AS ORIGINALLY FILED BY THE LIEUTENANT GOVERNOR ARE AVAILABLE FROM THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT, DIVISION OF WORKERS' COMPENSATION OR ON THE ALASKA ONLINE PUBLIC NOTICE SYSTEM.

THE PERMANENT REGULATIONS HAVE AN EFFECTIVE DATE OF 04/09/2016, ARE IN REGISTER 218, AND WILL APPEAR IN OFFICIAL PUBLISHED FORM IN THE JULY 2016 SUPPLEMENT TO THE ALASKA ADMINISTRATIVE CODE.