

SEP 28 2015

**WORKERS'
COMPENSATION COMMISSION**

**Oklahoma Workers' Compensation Commission
Declaratory Ruling DR-15-001**

**IN THE MATTER OF THE PETITION OF DONALD A. BULLARD FOR A DECLARATORY RULING
DETERMINING THE APPLICATION OF COMMISSION RULE 810:10-1-5**

The Commission has before it a petition filed June 29, 2015 by Donald A. Bullard. The Petition requests a declaratory ruling regarding the application of Commission Rule 810:10-1-5 and the circumstances under which a Commission CC-Form 2A must be filed. After consideration of the applicable statutes and the underlying purpose of the CC-Form 2A, the Commission rules as follows:

1. Mandatory Filing

- a. The CC-Form 2A is required when an employer intends to controvert an employee's right to medical, disability or death benefits under the Administrative Workers' Compensation Act.
- b. The CC-Form-2A must be filed within fifteen days following the employer's notice of the alleged injury or death if the employer intends to controvert the claim. Pursuant to 85A O.S. §86 and Rule 810:10-1-5, temporary total disability is due on the fifteenth day after notice of injury if a CC-Form-2A or request for an extension has not been filed.
- c. The employer's obligation to file a CC-Form-2A is triggered by the employer's intent to controvert and is not contingent upon whether the employee has missed work. If the employer initially accepts a claim or timely files a CC-Form-2A, the employer has fulfilled their filing obligations under 85A O.S. §86 and Rule 810:10-1-5.¹

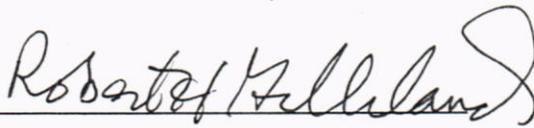
1. Discretionary Filing

- a. Employers may file a CC-Form 2A to confirm acceptance of a claim or to clarify their position on a claim.
- b. While 85A O.S. §92(A) authorizes the Commission to require notification to the Commission of the first payment of compensation, the Commission is not requiring the filing of a CC-Form 2A to report this payment.

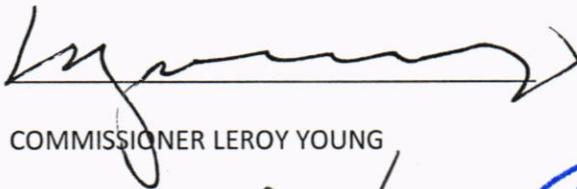
¹ If the employer desires to controvert any claim raised in a subsequently filed CC-Form-3, CC-Form-3A or CC-Form-3B, the employer must file a CC-Form 10 in accordance with 85A O.S. §111.

DONE by Order of the Oklahoma Workers' Compensation Commission.

ISSUED this 25th day of September, 2015.



CHAIRMAN ROBERT GILLILAND



COMMISSIONER LEROY YOUNG

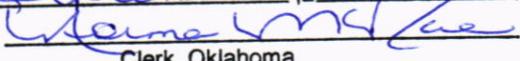


COMMISSIONER MARK LIOTTA



I, Clerk of the Workers' Compensation Commission,
do hereby certify that I have compared
the foregoing copy of DR 15 001
with the original now on file in this office, and
the same is a full, true and exact copy thereof.

In witness whereof, I have hereunto set my hand and
affixed the official seal of this Commission this 25th
day of September, 2015



Clerk, Oklahoma
Workers' Compensation Commission

