

NOTICE OF INTENT

Department of Labor Office of Workers' Compensation

Forms (LAC 40:I.105)

Under the authority of the Workers' Compensation Act, particularly R.S. 23:1021 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Labor, Office of Workers' Compensation hereby gives notice that rulemaking procedures have been initiated to amend the Office of Workers' Compensation Rules, LAC 40:I.105.

The change to these rules will require employers to complete the required Form LDOL-WC-1017A, Employers Report of Occupational Injury and Illness Quarterly Summary. The amendment will also list those employers which may be exempt from the requirements listed in the amendment.

Title 40

LABOR AND EMPLOYMENT

Part I. Workers' Compensation Administration

Chapter 1. General Provisions

§105. Forms

A. The following forms are prescribed for use as required by the Workers' Compensation Act and these rules:

1. - 4. ...

5.a. Form LDOL-WC-1017A, Employer's Report of Occupational Injury and Illness Quarterly Summary, shall be filed with the Office of Workers' Compensation by the last day of the first month of the succeeding quarter by all employers with 11 or more employees at any one time in the prior calendar year.

b. The following employers are exempt from the requirements of §105.A.5.a (also identified by their Standard Industrial Classification Codes [SIC Codes]):

- i. Agricultural Production (SIC 01)
- ii. Agricultural Services (SIC 07)
- iii. Automotive dealers and gasoline service stations (SIC 55)
- iv. Apparel and accessory stores (SIC 56)
- v. Furniture, home furnishings, and equipment stores (SIC 57)
- vi. Eating and drinking places (SIC 58)
- vii. Miscellaneous retail (SIC 59)
- viii. Banking (SIC 60)
- ix. Credit agencies other than banks (SIC 61)
- x. Security, commodity brokers, and services (SIC 62)
- xi. Insurance (SIC 63)
- xii. Insurance agents, brokers, and services (SIC 64)
- xiii. Real estate (SIC 65)
- xiv. Holding and other investment offices (SIC 67)
- xv. Personal services (SIC 72)
- xvi. Business services (SIC 73)
- xvii. Motion pictures (SIC 78)
- xviii. Legal services (SIC 81)
- xix. Educational services (SIC 82)
- xx. Social services (SIC 83)
- xxi. Museums, botanical, and zoological gardens (SIC 84)
- xxii. Membership organizations (SIC 86)
- xxiii. Engineering, Accounting, Research and Management (SIC 87)
- xxiv. Private households (SIC 88)
- xxv. Miscellaneous services (SIC 89)
- xxvi. Offices and Clinics of Doctors of Medicine (SIC 8011)
- xxvii. Offices and Clinics of Dentists (SIC 8021)
- xxviii. Offices and Clinics of Doctors of Osteopathy (SIC 8031)
- xxix. Offices and Clinics of Chiropractors (SIC 8041)
- xxx. Offices and Clinics of Optometrists (SIC 8042)
- xxxi. Offices and Clinics of Podiatrists (SIC 8043)
- xxxii. Offices and Clinics of Health Practicioners, Not Elsewhere Classified (SIC 8049)
- xxxiii. Medical Laboratories (SIC 8071)
- xxxiv. Dental Laboratories (SIC 8072)

- xxxv. Home Health Care Services (SIC 8082)
- xxxvi. Kidney Dialysis Centers (SIC 8092)
- xxxvii. Specialty Outpatient Facilities, Not Elsewhere Classified (SIC 8093)
- xxxviii. Health and Allied Services, Not Elsewhere Classified (SIC 8099)

c. Failure to file this form as required may be penalized pursuant to LAC 40:I.109.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1021.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 11:776 (August, 1985), repealed and repromulgated by the Department of Employment and Training, LR 17:358 (April, 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:221 (March 1996), LR 22:

All interested persons are invited to submit written comments on the proposed regulations. Such comments should be submitted no later than July 20, 1996, at 4:15 p.m. to Judge Glynn F. Voisin, Assistant Secretary of Labor, Office of Workers' Compensation, Box 94040, Baton Rouge, LA 70804-9040 or 1001 North Twenty-third Street, Baton Rouge, LA 70802 or to fax number (504) 342-5665.

Glynn F. Voisin
Assistant Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Forms (L AC 40:I.105)

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no costs or savings accruing to state or local governmental units as a result of implementing these rules.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is a potential increase in revenue collection of the Office of Workers' Compensation as a result of penalties to be paid by parties failing to comply with the rules and regulations of the Office of Workers' Compensation. It is not possible to estimate the scope of these revenues at this time.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

These rules facilitate the administration of the Office of Workers' Compensation in fulfilling its various functions. The rules will benefit the public and more particularly insurers and self-insurers by encouraging others similarly situated to comply with the rules and regulations thus reducing the cost of administering the system.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

These rules are designed to facilitate the administration of the Office of Workers' Compensation and as such will not directly affect employment or competition.

Glynn F. Voisin
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