

CR 83-139

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard S. Bellman, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Inspection and Copying of Workers Compensation Records were duly

(Subject)
approved and adopted by this department on 2/13/86.
(Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 4:00 pm in the city of Madison, this 13th day of February A.D. 19 86.

Howard S. Bellman
Secretary

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2:05 pm
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Bureau

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 102.05 and 227.014, Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Ind. 80.025 Inspection & Copying of Workers Compensation Records
(Number) (Title)

The attached rules shall take effect on the day following publication in
the Wisconsin Administrative Register., pursuant to section
227.026, Stats.

Adopted at Madison, Wisconsin, this 13th
day of February, A.D., 19 86

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Howard S. Bellman
Secretary

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ORDER OF THE DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS creating
s. Ind 80.025, Wis. Adm. Code, relating to rules concerning inspection and
copying of worker's compensation records.

Statutory Authority: Pursuant to the authority vested in the department of
industry, labor and human relations by secs. 102.15 and 227.014, Stats., the
department of industry, labor and human relations hereby adopts rules
interpreting secs. 19.31 to 19.37 and ch. 102, Stats., as follows:

SECTION 1. Section Ind 80.025 is created to read:

Ind. 80.025 INSPECTION AND COPYING OF RECORDS

(1) The policy of the state on public access to records is set forth in
ss. 19.31 to 19.37, Stats. The policy of the department is to provide, to the
greatest extent possible, ready and open access to public records. In the
workers compensation division, access may be limited in particular cases only
when consideration of the information in a file leads to the conclusion that
the public interest served by nondisclosure is greater than the public interest
served by disclosure. The inspection and copying of workers compensation
records shall be subject to the conditions specified in this section.

(2) The requester shall provide sufficient information on each individual
file requested to permit identification and location of the specific file.
Desirable information on claim files includes:

(a) The correct name of the individual who has claimed a work-related
disability;

- (b) The claimant's social security number;
- (c) The date the claimed injury or illness occurred;
- (d) The name of the employing firm or firms at the time of the claimed injury or illness;
- (e) The name of the employing firm's insurance carrier.

(3) Requesters may inspect claim files only in the division's Madison office and under the supervision of division staff. Requesters shall direct requests to inspect files to the receptionist between the hours of 7:45 a.m. and 4:30 p.m. Requesters shall return all files by 4:30 p.m.

(4) Requesters may not remove files from the division offices without written authorization from the administrator of the division.

(5) Requesters wishing to make copies of all or a part of a file may do so under the supervision of division staff on the coin-operated copy machine provided for that purpose.

(6) The division shall provide transcripts of testimony taken or proceedings had before the division only in accordance with s. Ind 80.14.

(7) The division shall furnish copies of documents from workers compensation claim files as requested, with the following limits:

(a) At least one week must be allowed before copies can be delivered or mailed.

(b) Advance payment shall not be required except as provided in par. (e). The division shall send an invoice to the requester for the necessary costs as set forth in par. (c) below.

(c) The following fees shall apply:

1. 20 cents per page for photocopying.
2. \$2.00 for certifying copies.
3. \$3.00 per request for postage and handling when copies are to be mailed.

(d) Upon a proper showing of inability to pay, the division shall furnish the requested copies upon such terms as may be agreed.

(e) If the requester has unpaid copying fees from prior requests outstanding in an amount that exceeds \$5.00, the division shall require the requestor to pay the amount owed before providing more copies.

SECTION 2. EFFECTIVE DATE. Pursuant to s. 227.026(1)(intro.), Stats., this rule shall take effect on the first day of the month following the date of publication in the administrative register.

(End)

The Wisconsin Department of Industry, Labor and Human Relations

February 12, 1986

Office of the Secretary
201 E. Washington Avenue
P.O. Box 7946
Madison, Wisconsin 53707
Telephone 608/266-7552

Gary Poulson
Assistant Revisor of Statutes
for Administrative Rules
411 West, State Capitol
Madison, Wisconsin

Douglas LaFollette
Secretary of State
Room 271, GEF-1
201 East Washington Avenue
Madison, Wisconsin

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 83-139

RULE NO. IND 80.025

RELATING TO: Inspection and Copying of WC Records

Pursuant to section 227.023, Stats., agencies are required to file a certified copy of every rule adopted by the agency in the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you.

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.016 (6), Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,



Howard S. Bellman
Secretary

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cc: Agency Contact Person