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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

August 20, 2009

Honorable Sandi Vito, Secretary
Department of Labor and Industry
1700 Labor and Industry Building
Harrisburg, PA 17120

Re: Regulation #12-84 (IRRC #2721)
Department of Labor and Industry
Special Rules of Administrative Practice and Procedure Before the Workers' Compensation
Appeals Board; Special Rules of Administrative Practice and Procedure Before the
Workers' Compensation Judges

Dear Secretary Vito:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,



Arthur Coccodrilli

Chairman

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Enclosure

cc: Honorable John R. Gordner, Majority Chairman, Senate Labor and Industry Committee
Honorable Christine M. Tartaglione, Minority Chairman, Senate Labor and Industry
Committee
Honorable Robert E. Belfanti, Jr., Majority Chairman, House Labor Relations Committee
Honorable Gene DiGirolamo, Minority Chairman, House Labor Relations Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 20, 2009

Arthur Coccodrilli, Chairman
George D. Bedwick, Vice Chairman
Silvan B. Lutkewitte III, Abstained
John F. Mizner, Esq.

Regulation No. 12-84 (#2721)
Department of Labor and Industry
Special Rules of Administrative Practice and
Procedure Before the Workers' Compensation
Appeals Board; Special Rules of
Administrative Practice and Procedure Before
the Workers' Compensation Judges

On August 26, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapters 111 and 131. The proposed regulation was published in the September 6, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 13, 2009.

This regulation amends Chapters 111 and 131 to clarify and provide additional guidance for practice and procedure before the Workers' Compensation Appeals Board, the Office of Adjudication, and workers' compensation judges. It addresses changes made in workers' compensation practice since the Rules were last reviewed and amended in 2002, including statutory amendments enacted in 2006.

We have determined this regulation is consistent with the statutory authority of the Department found in the Workers' Compensation Act (77 P.S. §§a 710 and 991(a), (c)) and the Administrative Code of 1929 (71 P.S. § 565), and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.




Arthur Coccodrilli, Chairman