

OFFICE OF THE GOVERNOR
Department of Workers' Claims
(Amendment)

120 KAR 1:170. Filing of claims information with the Department of Workers' Claims.

RELATES TO: KRS 342.038, 342.039

STATUTORY AUTHORITY: KRS 342.039

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 342.039 requires the Commissioner of the Department of Workers' Claims to promulgate administrative regulations by which each insurance company writing workers' compensation policies in the Commonwealth, every group of self-insurers, and each employer carrying its own risk shall file detailed claim information contained in the model regulation developed by the National Association of Insurance Commissioners (NAIC) in conjunction with the International Association of Industrial Accident Boards and Commissions (IAIABC). This administrative regulation establishes the requirements for filing claims information with the Department of Workers' Claims.

Section 1. Definitions.

- (1) "Carrier" is defined by KRS 342.0011(6).
- (2) "Commissioner" is defined by KRS 342.0011(9).
- (3) "Vendor" means an entity that transcribes information into an electronic format, accepts electronic data transmissions, and sorts the resulting data for delivery to and from the Department of Workers' Claims.

Section 2. Reporting Requirements.

- (1) Each carrier shall file the information required on the Form IA-1 through a vendor approved by the Department of Workers' Claims, in electronic format, according to the time periods established by KRS 342.038.
- (2) Each carrier shall file the information required on the Form IA-2 through a vendor approved by the Department of Workers' Claims, in electronic format:
 - (a) As soon as practicable and not later than one (1) week from the date payments to an employee are commenced, terminated, changed, or resumed; and
 - (b) Every sixty (60) days during temporary total disability.

Section 3. Vendors. The Department of Workers' Claims shall maintain a directory of vendors approved as established in 803 KAR 25:165. The directory may be accessed at <https://labor.ky.gov/Documents/VendorList%20Info.pdf>.

Section 4. Acknowledgements. An acknowledgement of an accepted filing made pursuant to this administrative regulation, or a request by the Department of Workers' Claims for resubmission of a report due to incomplete or incorrect information, shall be made in electronic format through the same vendor used for the filing.

Section 5. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Form IA-1", October 10, 1995 edition; and
 - (b) "Form IA-2", October 10, 1995 edition.
 - (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Workers' Claims, Mayo-Underwood Building, 3rd Floor, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.
- (22 Ky.R. 658; 926; 1084; eff. 12-7-1995; 25 Ky.R. 1180; 1883; eff. 2-18-1999; 32 Ky.R. 155; 499; eff. 10-7-2005; 47 Ky.R. 1266; 48 Ky.R. 1137; eff. 1-4-2022; TAm eff. 10-31-

2022.)