

Dear Valued Clients,

The Senior Judge has issued guidance amid and in response to the Covid 19 Emergency Regulations regarding TeleConciliations and TeleConference for the handling of cases at the Department of Industrial Accidents. The updated guidance is summarized below.

CONFERENCES

At some point during the day of the Conference, the parties will receive a notice advising them the Conference is about to begin. Parties must be prepared to be available all day long.

Judge's will conduct the Conference either by video conferencing or, with the assent of the parties, by teleconference.

IMPARTIAL EXAMINATIONS

Whether an examination is going to go forward is being left to the discretion of the Impartial Physician.

Parties are encouraged to contact the doctor's office directly to confirm whether the examination is going forward.

There is no indication as to whether the Department will continue to try to schedule Impartial Examinations during this time period.

APPEAL OF CONFERENCE ORDERS

All Appeals are to be emailed to the Impartial Scheduling Unit. The Appeal checks must still be mailed to the Department of Industrial Accidents in Boston.

SECTION 15 PETITION/THIRD-PARTY SETTLEMENTS

All Section 15 Petitions have to be emailed to the Department for their review and approval.

LUMP SUM SETTLEMENTS

Lump Sum Settlements are to be emailed to the Judge for review and approval.

The Department is accepting Affidavits from employees in lieu of their appearance and the Department is creating a uniform format for the Affidavit.

NOTIFICATION OF WITHDRAWAL OF CLAIMS OR COMPLAINTS (FORM 109)

All Notifications of Withdrawal of claims or complaints should be emailed to either Deborah Keefe or Maryanne Fitzpatrick.

Moriarty & Associates will continue to monitor changes and developments at the Department and advise as to how they affect the practice of defending workers' compensation cases. Our office remains staffed and our attorneys remain available to answer and all of your questions.

We wish that you continue to remain safe and healthy during these difficult times.

Very truly yours,
Cindy Franciosa
Administrative Assistant
Moriarty & Associates, P.C.
Edgewater Office Park
500 Edgewater Drive, Ste. 578
Wakefield, MA 01880
Direct Dial: 781-246-8029
Phone: 781-246-8000
Facsimile: 781-246-8080
Email: cindyf@moriartywc.com
Web Address: www.moriartywc.com

NOTICE: The information contained in this transmission is privileged, confidential, and intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify Edward M. Moriarty, Shay & Associates, P.C. at cindyf@moriartywc.com <<mailto:cindyf@moriartywc.com>> by e-mail and destroy the original message and all copies. Thank you.