

25 NCAC 01E .0704 is amended as published in 33:12 NCR 1339 with changes as follows:

**25 NCAC 01E .0704      COVERAGE**

All North Carolina State Government employees and officers of the [state] State, including elected officials, members of the General Assembly, and persons appointed to serve on a per diem, part-time or fee basis are covered under the State's self-insured workers' compensation program administered by the Office of State Human Resources. ~~North Carolina Workers' Compensation Act. Those covered include all employees and officers of the state including elected officials, members of the General Assembly, and persons appointed to serve on a per diem, part time or fee basis. Any employee who suffers an accidental injury or contracts an occupational disease within the meaning of the Workers' Compensation Act is entitled to benefits provided by the Act. The employee is entitled to medical benefits and compensation for time lost from work and any disability which results from the injury. The state has a "self insured" program and expenditures are paid from current operating budgets.~~

*History Note:*      Authority G.S. 126-4; 126-4(10); 143-583;

*Eff. November 1, 1987;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016. 2016;*

*Amended Eff. July 1, 2019.*

25 NCAC 01E .0705 is amended as published in 33:12 NCR 1339 with changes as follows:

**25 NCAC 01E .0705      ADMINISTRATION**

(a) ~~Each State agency~~ The Office of State Human Resources shall administer a self-insured workers' compensation program for workers' compensation claims arising in State agencies. ~~which may include third party administration of claims. The agency shall ensure the employee of the benefits provided by the Workers' Compensation Act and control costs related to on the job injuries and illnesses.~~

(b) The Office of State Human Resources self-insured workers' compensation program for State agencies shall:  
~~shall measure and evaluate the effectiveness of the workers' compensation program at each agency and recommend changes to achieve optimum results and ensure consistent application of coverage and compensation. It shall maintain contract oversight, monitoring and evaluation of the effectiveness of third party administration of claims, and act as intermediary between the third party administrator and the State. It shall maintain a statistical database summarizing a statewide analysis of total expenditures and injuries, and develop training and educational materials for use in training programs for the agencies.~~

(1) Contract with vendor(s) for services for workers' compensation claims arising in State ~~agencies.] agencies;~~

(2) Act as intermediary between vendor(s) and State ~~agencies.] agencies; and~~

(3) Monitor contracted vendor(s) performance.

(c) Each State agency shall pay for workers' compensation expenditures ~~from current operating budgets.] for~~  
injuries arising out of and in the course of employment with that State agency.

(d) The Office of State Human Resources shall:

(1) Monitor status of workers' compensation claims arising in State ~~agencies.] agencies;~~

(2) Issue claim handling guidelines for workers' compensation claims arising in State ~~agencies.] agencies; and~~

(3) Issue workers' compensation related educational materials for use in State agencies.

*History Note:* Authority G.S. ~~126-4; 126-4(10); 143-580; 143-581; 143-582; 143-583;~~

*Eff. November 1, 1987;*

*Amended Eff. October 1, 2004; April 1, 2001; August 1, 1998; September 1, 1989;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.2016;*

*Amended Eff. July 1, 2019.*