

TITLE 72  
WORKER'S COMPENSATION AND RELATED LAWS -- INDUSTRIAL COMMISSION

CHAPTER 8  
MISCELLANEOUS PROVISIONS

72-801. FALSE REPRESENTATION A MISDEMEANOR -- FORFEITURE OF COMPENSATION. If, for the purpose of obtaining any benefit or payment under the provisions of this law, either for himself or for any other person, any one willfully makes a false statement or representation, he shall be guilty of a misdemeanor and upon conviction for such offense he shall forfeit all right to compensation under this law.

[72-801, added I.C., sec. 72-801, as added by 1971, ch. 124, sec. 3, p. 422.]

72-802. COMPENSATION NOT ASSIGNABLE -- EXEMPT FROM EXECUTION. No claims for compensation under this law, including compensation payable to a resident of this state under the worker's compensation laws of any other state, shall be assignable, and all compensation and claims therefor shall be exempt from all claims of creditors, except the restrictions under this section shall not apply to enforcement of an order of any court for the support of any person by execution, garnishment or wage withholding under chapter 12, title 7, Idaho Code.

[72-802, added I.C., sec. 72-802, as added by 1971, ch. 124, sec. 3, p. 422; am. 1985, ch. 159, sec. 5, p. 422; am. 2009, ch. 312, sec. 1, p. 912.]

72-803. CLAIMS OF ATTORNEYS AND PHYSICIANS AND FOR MEDICAL AND RELATED SERVICES -- APPROVAL. Claims of attorneys and claims for medical services and for medicine and related benefits shall be subject to approval by the commission; provided however, that fees for physician services shall be set using relative value units from the current year resource based relative value system (RBRVS) as it is modified from time to time, multiplied by conversion factors to be determined by the commission in rule. Factors will be set for, at least, the following CPT code areas: medicine, surgery, physical medicine, radiology, anesthesia and pathology. The commission shall adopt rules for the annual adjustment of medical reimbursements. In cases where RBRVS units are not available or have no relation to industrial claims, relative value units for fees for physician services shall be determined by the commission.

[72-803, as added by 1971, ch. 124, sec. 3, p. 422; am. 2005, ch. 371, sec. 1, p. 1186; am. 2011, ch. 313, sec. 1, p. 907.]

72-804. ATTORNEY'S FEES -- PUNITIVE COSTS IN CERTAIN CASES. If the commission or any court before whom any proceedings are brought under this law determines that the employer or his surety contested a claim for compensation made by an injured employee or dependent of a deceased employee without reasonable ground, or that an employer or his surety neglected or refused within a reasonable time after receipt of a written claim for compensation to pay to the injured employee or his dependents the compensation provided by law, or without reasonable grounds discontinued payment of compensation as provided by law justly due and owing to the employee or his dependents, the employer shall pay reasonable attorney fees in addition to the compensation

provided by this law. In all such cases the fees of attorneys employed by injured employees or their dependents shall be fixed by the commission.

[72-804, added I.C., sec. 72-804, as added by 1971, ch. 124, sec. 3, p. 422.]

72-805. LAW NOT RETROACTIVE. The provisions of this law shall not apply to injuries received and occupational diseases manifested or to the compensation payable therefor prior to the taking effect of this law, except as in this law otherwise provided.

[72-805, added I.C., sec. 72-805, as added by 1971, ch. 124, sec. 3, p. 422.]

72-806. NOTICE OF CHANGE OF STATUS. A workman shall receive written notice within fifteen (15) days of any change of status or condition including, but not limited to, the denial, reduction or cessation of medical and/or monetary compensation benefits, which directly or indirectly affects the level of compensation benefits to which he might presently or ultimately be entitled. If any change in compensation benefits is based upon a medical report or medical reports from any physician or any other practitioner of the healing arts, a copy of such report shall be attached to the written notice which the workman shall receive. The industrial commission shall by rule and regulation, determine by whom the notice shall be given and the form for such notice. In the absence of a rule governing a particular situation, the employer's insurer, or in the case of self-insurers, the employer, shall be responsible for giving the notice required herein.

[72-806, added 1978, ch. 144, sec. 1, p. 325.]