

Office of the Revisor of Statutes

Administrative Rules



TITLE: Adopted Permanent Rules Governing Workers' Compensation Litigation Procedures:
Resolution of Claims with Intervenors

AGENCY: Office of Administrative Hearings

REVISOR ID: R-4527

MINNESOTA RULES: Chapter 1420



The attached rules are approved for
filing with the Secretary of State

A handwritten signature in cursive script, reading "Sheree Speer".

Sheree Speer
Assistant Deputy Revisor

193078

Office of Administrative Hearings

**Adopted Permanent Rules Governing Workers' Compensation Litigation Procedures:
Resolution of Claims with Intervenors**

1420.1850 RESOLUTION OF CLAIMS WITH INTERVENORS; HEARINGS.

Subpart 1. **Stipulations without agreement of all intervenors or potential intervenors.** A stipulation for settlement that does not include the agreement of all intervenors or that seeks to preclude rights of potential intervenors must meet the requirements of this subpart.

[For text of item A, see M.R.]

B. Where other parties have reached an agreement to settle a claim but have been unable to reach agreement with an intervenor, or obtain the intervenor's signature on the stipulation, the requirements of subitem (1) or (2) must be met.

(1) If the stipulation is signed by the intervenor, the stipulation must include a statement that the parties negotiated with the intervenor in good faith but the intervenor chooses not to enter into an agreement and reserves the right to petition for hearing on the merits under subpart 3.

(2) If the stipulation, or a letter of agreement attached to the stipulation, is not signed by the intervenor, the parties ~~must~~ may file a partial stipulation for settlement that complies with Minnesota Statutes, section 176.521, subdivision 2b.

Subp. 2. [See repealer.]

Subp. 3. **Intervenor hearing on the merits.**

A. If the parties have not fully resolved the intervenor claim following the procedure in subpart 1 and there is no action pending at the office, a party must file a written petition under Minnesota Statutes, section 176.291, for a hearing on the merits of the intervening party's claim. The petition must be filed within 30 days after an award on

2.1 stipulation is served and filed, If a petition for a hearing on the merits of an intervenor's
2.2 claim is pending at the time an award on stipulation is served and filed, the office shall
2.3 schedule the intervenor claims for a hearing on the merits.

2.4 *[For text of item B, see M.R.]*

2.5 *[For text of subp 4, see M.R.]*

2.6 **REPEALER.** Minnesota Rules, part 1420.1850, subpart 2, is repealed.

March 7, 2019

VIA EMAIL ONLY

Nancy Breems
Secretary of State, Elections Division
180 State Office Building
100 Rev Dr Martin Luther King Jr Blvd
St. Paul, Minnesota 55155-1299
official.documents@state.mn.us

Re: *In the Matter of the Proposed Permanent Rules Governing Workers' Compensation Litigation Procedures: Resolution of Claims with Intervenors*
OAH 72-9039-34966; Revisor 4527

Dear Ms. Breems:

Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Katie Lin
State Program Admin Inter
Office of Administrative Hearings
600 North Robert St
St. Paul, MN 55101
katie.lin@state.mn.us

If you have any questions regarding this matter, please contact Ian Lewenstein at (651) 361-7857, ian.lewenstein@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



Ian Lewenstein
Legal Assistant

Enclosures

cc: Katie Lin (via email)