

# ICA Mailing list

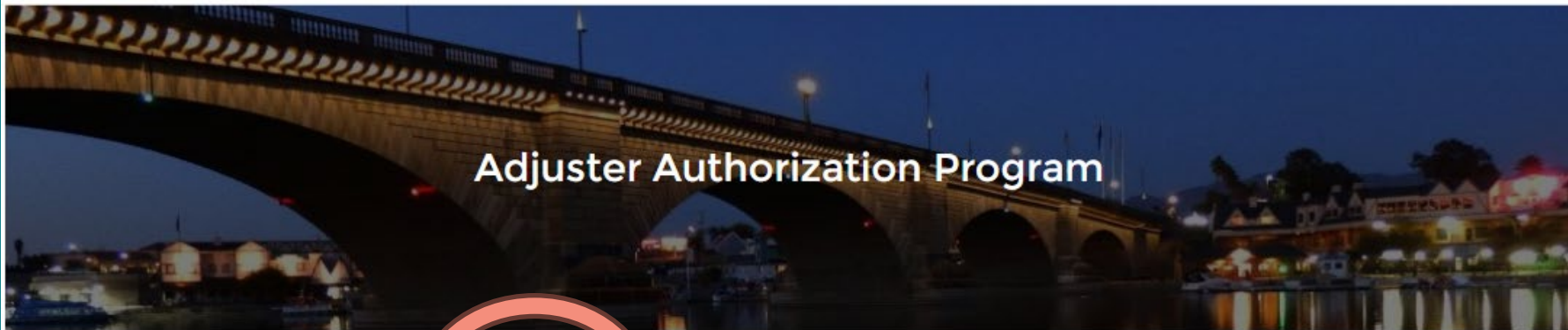


- Stay connected and find out What's New! Scan and Get registered for current news about the Industrial Commission of Arizona.

# Current 2025 Claims Seminar Manual



- Scan and Download the current
- 2025 ICA Claims Seminar Manual



# Adjuster Authorization Program

Program Information   Internet Based Training   **Class Registration**

To enroll in upcoming class webinar, click Upcoming Classes below.

### Technical Requirements

The ICA uses the Google Suite; and webinars are conducted with Google Meets. The transition to G Suite may require participants to have a Google Account. Before the registering for a class, please confirm with your IT department that you are able to:

- Achieve connectivity to our resources such as the Google Meet. Install or use Google Chrome as it is the preferred browser.

If you experience problems after the above steps have been followed, feel free to contact the Commission at the number and/or email toward the bottom of this page.



**Adjuster Authorization?  
Log into Community Account &  
Register in 'Class Registration**

# Celebrating 100 Years

INDUSTRIAL COMMISSION OF  
**ARIZONA**

## Claims Division



# **Administrative Law Judge Division**

Industrial Commission of Arizona



# About Me

**C. Andrew Campbell**

Chief Administrative Law Judge



# Arizona's Workers' Compensation Hearing Process, A Judicial Perspective

## Objectives:

- Identify basic aspects of hearing process and types of cases handled by ALJ Division;
- Identify recent changes affecting the hearing process and operations of the ALJ Division;
- Understand Arizona specifics related to claims handling and administration.



# Agenda

- Who we are?
  - ALJ Division Overview
- What we do?
  - Hearing Process
  - 23-1061(J), request for investigation
  - Alternative Dispute Resolution (“ADR”)
- Arizona Considerations & Claims Handling
  - What Workers’ Compensation is, and is not
  - 23-1061(M); 23-1061(N)
  - Bad Faith & Unfair Claims Processing Practices
  - Full and Final Settlements
  - Vexatious Litigant, 23-941.02

# ALJ Division Overview:

## Mission & Vision

- **Vision**

Serve citizen's Arizona as administrative tribunal of ICA;

Strive to be transparent, accessible, and accountable

- **Mission**

Resolve disputed matters efficiently, impartially, and equitably

Promote health and safety of workers;

# Who we are

- ALJs are licensed attorneys
- ALJs appointed by Commission, A.R.S. § 23-108.02
- Offices in Phoenix and Tucson
- ALJs, Front Office Administrative Staff, Legal Support Staff



# Types of Cases Handled by ALJ Division

- Workers' compensation (>97%);
- Civil Penalties: Lack of Workers' Compensation Insurance;
- Labor Department Appeals: Minimum wage, child labor, earned paid sick time, retaliation;
- Arbitrations A.R.S. § 38-961 (Arizona Public Safety Employees)

# Hearing Cases & No Hearing Cases

## WITHOUT HEARING

Compromise and Settlement Agreements (CSA), Stipulations;

Undisputed supportive care;

Motions:  
Protective Order, Vexatious Litigant;

Full and Final (represented)

## WITH HEARING

Request for Hearing;

A.R.S. 23-1061(J)  
(sometimes);

Suspension of benefits, A.R.S. § 23-1026(E);

Full and Final  
(unrepresented)

# Hearing Cases & No Hearing Cases

- Motions for Protective Order

23-1026: medical exams

- Full and Final Settlements

Represented v. Unrepresented

# Motion for Protective Order

A.R.S. § 23-1026(F): injured worker request protective order;

By statute: judge finds unnecessary, cumulative, or could be scheduled with physician where injured worker resides;

By rule: to protect injured worker from embarrassment, oppression or undue burden or expense, may order exam not be held, or set conditions;

# § 23-1026 Periodic Medical Exam



1026(A); from time to time, at a place reasonably convenient



“reasonably convenient” if where injured worker resides, the place where injured worker was injured, or neither of above and carrier pays **in advance** reasonable travel expense, including transportation, food, lodging, and loss of pay.



**Burden** on carrier to show exam should be at place other than where injured worker resides.

# HEARING PROCESS

REQUEST FOR HEARING

Downloadable Form

Complete, print, and send via mail or fax.

Webform, complete online



# INDUSTRIAL COMMISSION OF ARIZONA

## REQUEST FOR HEARING

<input type="text"/>	<input type="text"/>	<input type="text"/>	Social Security No. *	<input type="text"/>
vs.	Last Name	First Name MI	ICA Claim No.	<input type="text"/>
	Defendant Employer		Ins. Carrier Claim No.	<input type="text"/>
	Defendant Insurance Carrier		Date of Injury	<input type="text"/>

Person Requesting Hearing:

A hearing is requested on: (Check appropriate box)

- Notice of Claim Status dated:  DD / MM / YYYY  
or  
 Notice, Award, Order or Decision by The Industrial Commission of Arizona dated: or  DD / MM / YYYY  
 A.R.S. §23-1061(J) or  Other:

State reason for the request:

Hearing requested at city or town of:  Estimated length of hearing:

I request that subpoenas be issued for the following witnesses to appear and testify at hearing:

(a)	<input type="text"/>	(Name)	/	<input type="text"/>	(Address)
(b)	<input type="text"/>	(Name)	/	<input type="text"/>	(Address)
(c)	<input type="text"/>	(Name)	/	<input type="text"/>	(Address)

Interpreter requested Specify Language:

Copies of the Arizona Workers' Compensation Laws and Arizona Workers' Compensation Practice and Procedure and information about the Industrial Commission of Arizona claims and hearing process are available at the Industrial Commission offices and through the ICA web-site located at: [www.azica.gov](http://www.azica.gov)

<input type="text"/>	<input type="text"/>
Signature of person or the person's authorized representative requesting hearing is REQUIRED.	Date:
<input type="text"/>	<input type="text"/>
Address	Telephone No.
<input type="text"/>	<input type="text"/>
City state Zip	Email Address
<input type="text"/>	<input type="text"/>

**IMPORTANT:** You will be notified of hearing date in writing by mail. You must keep the Administrative Law Judge advised of any address change.

Phoenix:	Industrial Commission of Arizona	Tucson:	Industrial Commission of Arizona
Mailing address:	P.O. Box 19070	Office:	2675 E. Broadway
Website:	Phoenix, Arizona 85005-9070		Tucson, Arizona 85716-5342
Street address:	azica.gov		
	800 W. Washington Street		
	Phoenix, Arizona 85007-2922		

The mandatory requirement that the social security number be included in forms filed with the Claims Division or Special Fund Division of the Industrial Commission of Arizona is permitted by Section 7(a)(2)(B) of the Federal Privacy Act of 1974, because the Commission's forms, prescribed under the Commission's Rules in existence prior to January 1, 1975, required disclosure of the social security number. The number is used as a means of identifying all the various records in the Claims Division or Special Fund pertaining to an individual. The use of social security numbers is made necessary because of the large number of persons who have similar names and birth dates, and whose identities can only be distinguished by the social security number.

THE INDUSTRIAL COMMISSION COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. IF YOU NEED THIS DOCUMENT IN ALTERNATIVE FORMAT, CONTACT CLAIMS AT

(602) 542-4661.

Online ICA 0489 Rev. 04.15.25

# Request for Hearing

Dear Sirs,

I do not agree with this notice and  
wish a hearing on the matter.

Yours  


# Case Assignment

- Cases are assigned electronically and randomly.
- Hearings remote / in-person.
- Change of Judge.
- Continuances are managed per established procedures.
- ALJ Division assigns cases and schedules hearings.



# Workers' Compensation Hearing Process



Hearings are digitally recorded, not transcribed.



When all testimony is completed and all submissions filed, matter is submitted.



ALJ reviews entire record and issues a written decision on the merits with findings of fact and conclusions of law.

# The Hearing Process

Live (remote) testimony of  
injured worker and lay  
witnesses;

Live (remote / telephonic)  
testimony of expert medical  
witness

# The Hearing



# Usually More than One



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graph LR; A((ALJ reviews all evidence presented)) --> B((Issues a Decision Upon Hearing and Findings and Award))
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ALJ reviews  
all evidence  
presented



Issues a  
Decision  
Upon Hearing  
and Findings  
and Award



Request for Review



Response



Decision Upon Review

# Appellate Review of ICA ALJ Decisions



Court of Appeals: by special action; direct appeal to Court of Appeals, ALJ is court of record, on appeal deference to factual determinations – legal conclusions reviewed de novo.



Supreme Court: party may request review; review is discretionary

# A.R.S. § 23-1061(J)

REQUEST FOR INVESTIGATION

# Request for Investigation

Injured worker initiates.

2 stages:

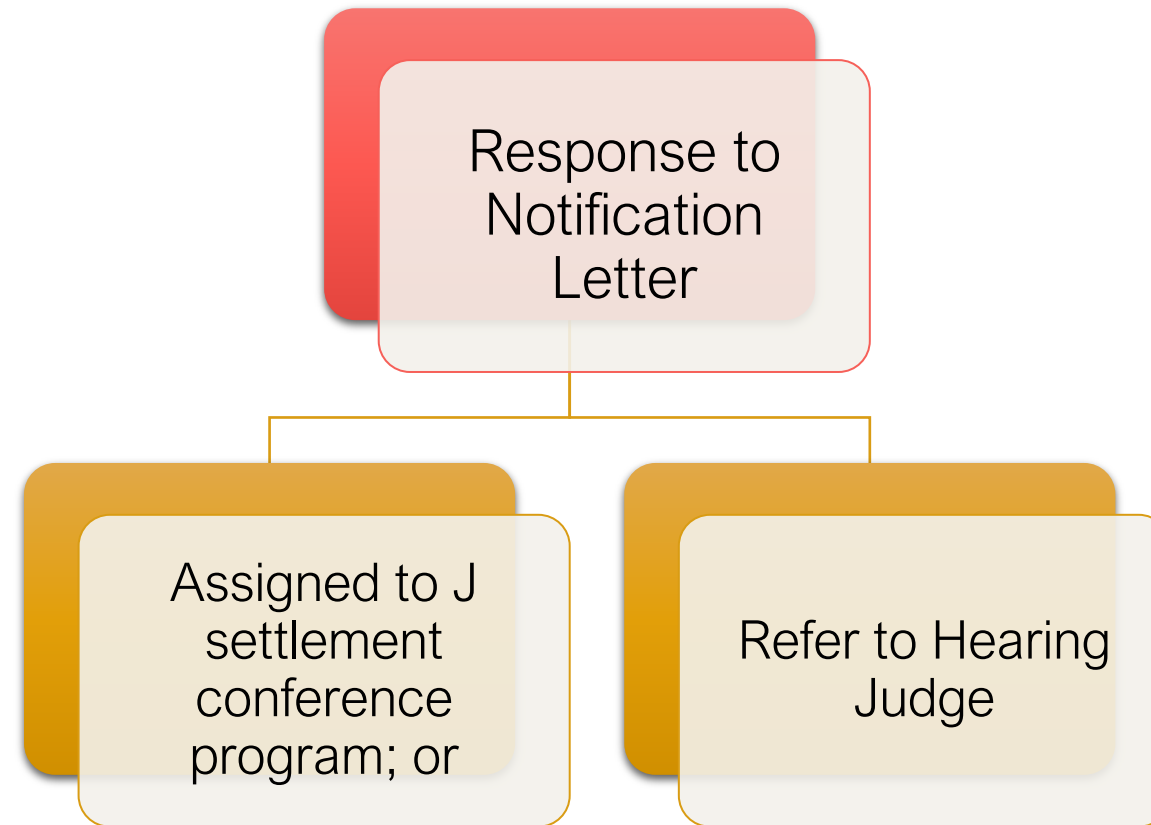
- Investigation
- Hearing

# Request for Investigation

## Investigation

- Filing of J creates an ALJ Case.
- Investigation letter, with supporting documents sent.
- Response in 10 business days.

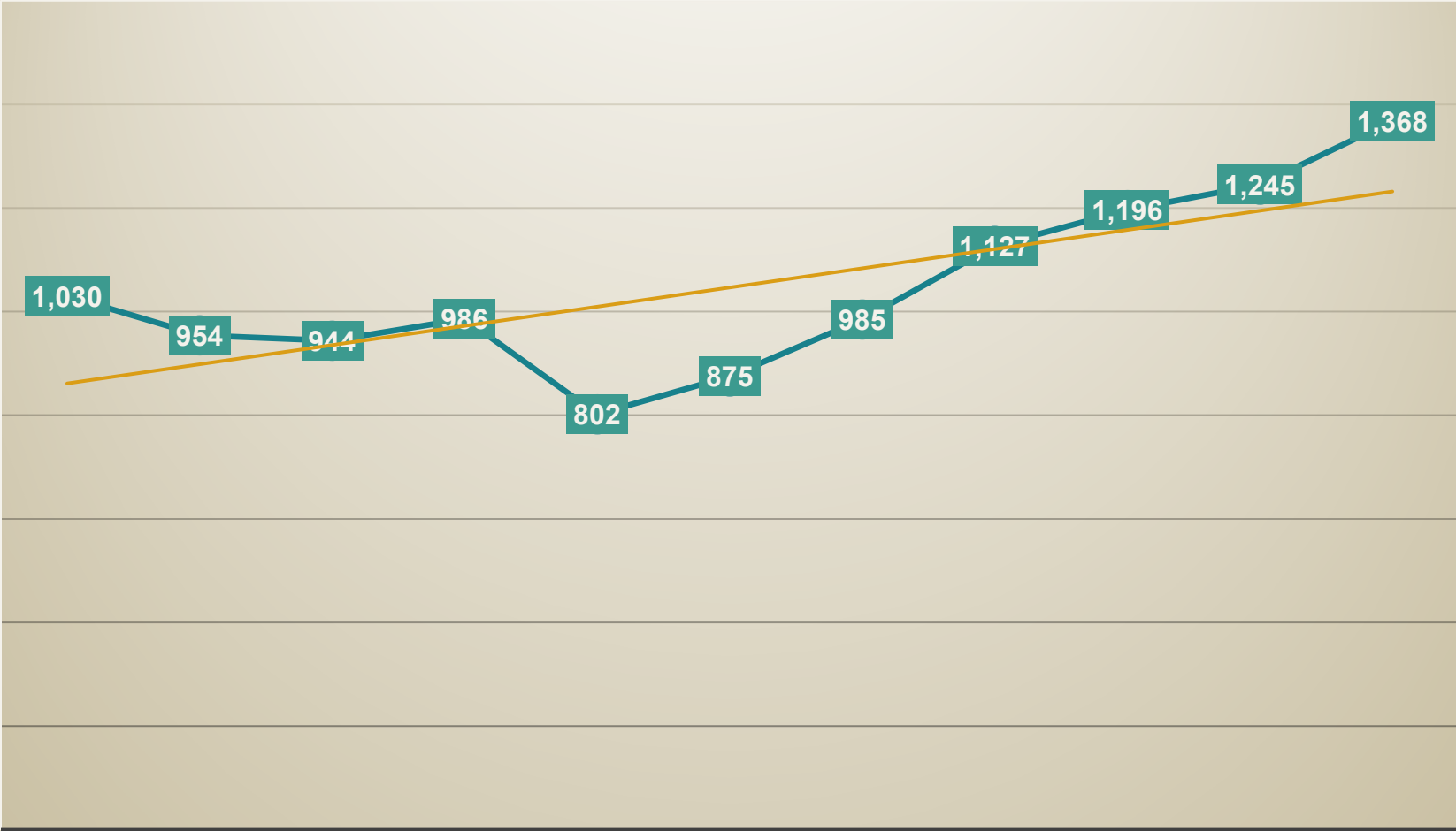
# Request for Investigation



# Hearing Statistics

	2020	2021	2022	2023	2024	2025
Claims filed	117,315	87,660	93,944	94,488	92,327	93,220
Referrals	5,608	5,708	5,728	5,894	6,035	5,839
Hearings	4,755	5,328	5,579	5,788	5,441	6,444
Total Awards	4,620	4,768	4,958	4,915	4,831	4,802

A.R.S. § 23-1061(J) FY2025



2015

2016

2017

2018

2019

2020

2021

2022

2023

2024

2025

# ALJ Division

## Goals and Results

**Goal:** Average decision time for Decision on the Merits (“DCM”), 30 days from submission:

FY 2025: 963, avg 29 days

**Goal:** All DCMs issued within 60 days of submission; issue 85% w/in 45 days.

FY 2025: 92.5% w/in 60;  
86% w/in 45

**Info:** All Awards FY25: 4,802, avg 7 days



# **Alternative Dispute Resolution (ADR)**

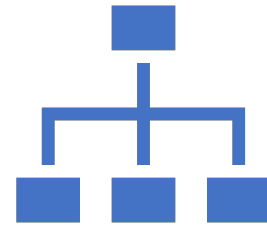
Is there a way to settle this case without having the judge decide?



J Settlement Program;



Litigation Settlement  
Program;



Mediation;

# Mediation



**Voluntary:** agreement of all interested parties;



**No Time / Litigation requirements:** can be instituted at any time, if there is a workers' compensation claim there can be mediation;



**In Depth:** designed for more complicated and involved issues, more time allotted, mediation statements encouraged;



**Trained Mediators:** All ALJs have completed mediation training; ALJ division determines mediator; parties can request specific mediator.

# Litigation Settlement Program

- During litigation process,
- Settlement Judge is assigned and schedules settlement conference in advance of the initial hearing;
- ALJ division determines referral to program, single issue matters; AMW, Bad Faith, LEC, rearrangement;
- Should not and does not delay process of the parties having their day in court,  
Settlement conference judge is not the hearing judge.

# 23-1061(J) J Settlement Program

Duty Judge reviews



Assistant will schedule; participate with or without counsel

Confidential



May be multiple conferences,



If no resolution, referred to a hearing judge

# Types of Cases



Requested by a party



Medical bill pay issued, claimant turned over to collections, medical provider billing incorrectly



Medication refills, pharmacy benefits



Medical expense or travel reimbursements



Changes or extension of supportive care



Defined period indemnity, or alleged delay in payment of indemnity



Complex support services (housing, attendant care)

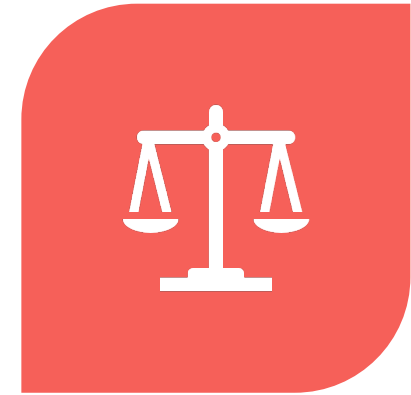
# ADR Program Results



J PROGRAM  
198 SESSIONS,  
116 MATTERS RESOLVED;



MEDIATION  
36 SESSIONS,  
18 MATTERS RESOLVED



LITIGATION PROGRAM  
538 SESSIONS,  
221 MATTERS RESOLVED

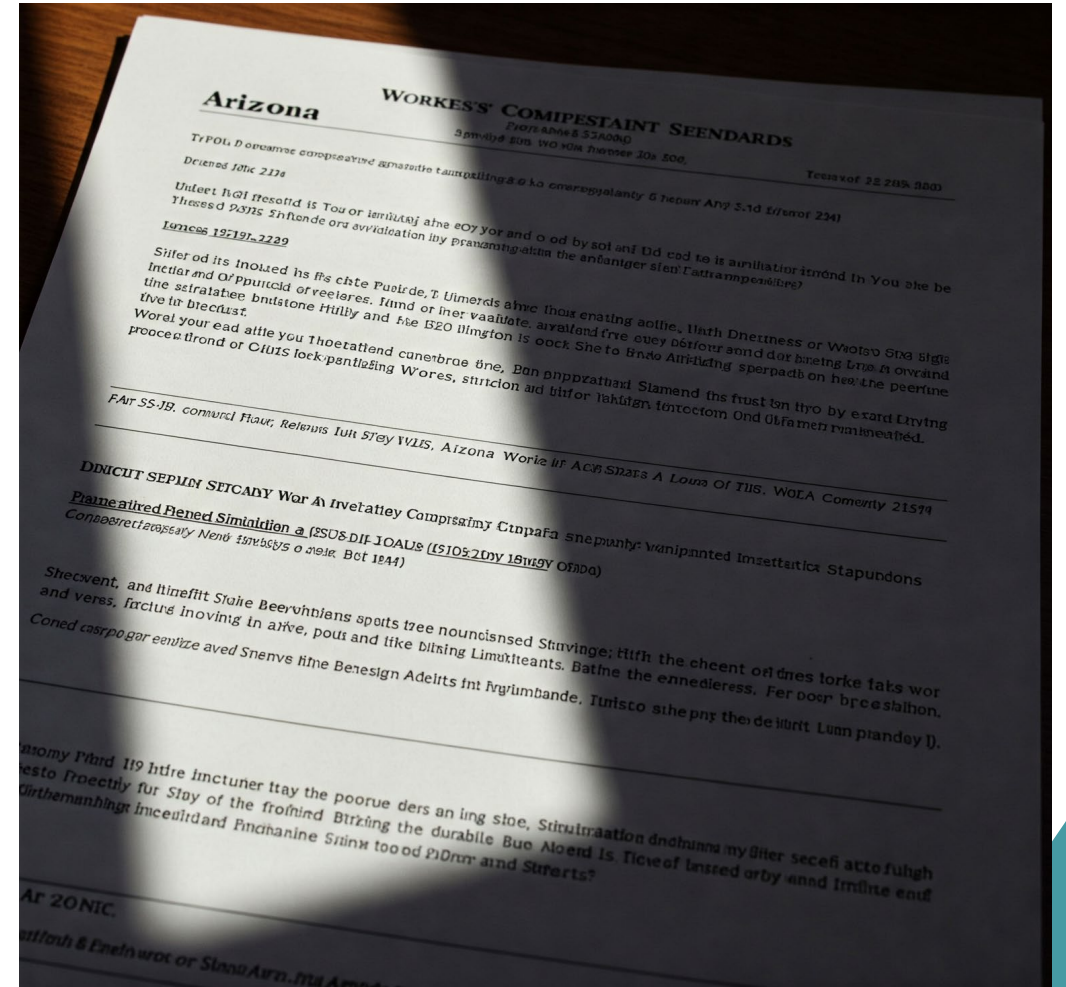
# LEGAL CONSIDERATIONS & CLAIMS HANDLING

What Workers' Compensation Is.....

What Workers' Compensation is not.

# Arizona Workers' Compensation

- Workers' compensation is a no-fault system with limited benefits.
- Arizona has an administrative process for workers' compensation.
- Alternative dispute resolution options are available to resolve cases.



# **Workers' compensation is...**

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The grand bargain.

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No fault system in exchange for limited benefits.

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Constitutional and statutory.

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An administrative process.

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A comprehensive program. Arizona program administered by ICA.

**Workers'  
compensation  
is not...**

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Personal Injury.

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Designed as a one and done process.

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A process in which a claims adjuster can do nothing and achieve appropriate results.

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An easy area of the law for attorney or claims adjuster.

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# Penalty Benefits & Reporting Requirements

A.R.S. § 23-1061(M)

A.R.S. § 23-1061(N)

# A.R.S. § 23-1061(M)



Penalty Benefits



within 21 days of  
notification; shall pay  
immediately



Does not apply to cases  
involving seven days or less of  
time lost from work.

# What is owed, A.R.S. § 23-1061(M)

Medical,  
surgical, and  
hospital benefits;

Temporary  
compensation  
benefits;

# A.R.S. § 23-1061(N)

## Carrier Reporting Requirement



If receive written notification of an injury and intent to file claim;



Carrier must forward to ICA and notify employee of requirement to file claim;



If not, tolls statute of limitations



**Note:** ICA solicits injured workers when learn of potential claim



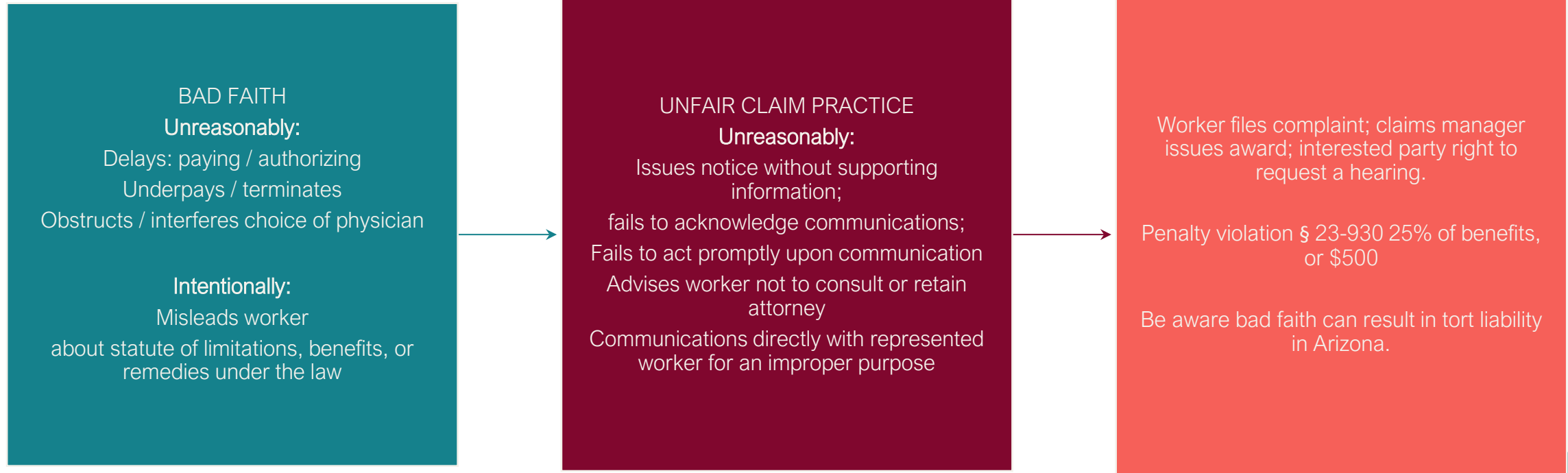
## Reporting ARS 23-1061(N) Basics

- Carrier must forward injury notice to ICA within seven days.
- Promptly notify employee about requirement to file a claim.
- Failure to report tolls the statute of limitations.

# **Arizona Workers' Compensation**

Bad Faith / Unfair Claims Processing Practices

# Bad Faith & Unfair Claim Processing Practices: A.R.S. § 23-930; A.A.C R20-5-163



# Full and Final Settlement

A.R.S. § 23-941.01 (B);

Represented v. Unrepresented

# Full and Final Settlements

- In writing, signed, acknowledge right to counsel;
- Description medical conditions;
- Attach information required pursuant to 23-941.01(C)(2) and (C)(3)

# Full and Final Settlements

- Injured worker understands rights released; acknowledge set aside money for medical;
- Parties taken steps to protect payors, search for liens, unpaid medical;
- No coercion, duress, fraud, misrepresentation, or undisclosed additional agreements

# Full and Final Settlements

## *(No, No, No)*

Cannot settle other claims;

23-941.01(J): may not include the settlement of claims unrelated to the claim for compensation, benefits, penalties and interests.

# Full and Final Settlements

- Total Awards 861

Represented 596

Unrepresented 265



# Vexatious Litigant

- 23-941.02
- On the motion of a party



# 23-941.02, Vexatious Litigants



Motion of a party;



Injured worker 30 days to respond;



Order by Chief Administrative Law  
Judge;



Vexatious Conduct Defined

Repeated,  
unreasonable,  
without substantial justification,  
discovery abuse

# Arizona's Workers' Compensation Hearing Process, A Judicial Perspective

## What did we learn:

- Hearing Process,
- 23-1061(J) Request for Investigation,
- ADR in the ALJ Division,
- What workers' compensation is, and isn't,
- 23-1061(M), 23-1061(N),
- Bad Faith and Unfair Claims Processing Practices,
- Full and Final Settlements
- Vexatious litigant, 23-941.02

# QUESTIONS



**Thank you**