



Mississippi Workers' Compensation Commission

1428 Lakeland Drive / Post Office Box 5300
Jackson, Mississippi 39296-5300
(601) 987-4259

Mark S. Formby, Chairman
Beth Harkins Aldridge, Commissioner
Mark Henry, Commissioner

Ray Minor, Executive Director

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The Mississippi Workers' Compensation Commission implemented several policies and procedures in response to the State of Emergency declared by Governor Reeves on March 16, 2020. Unless otherwise noted, the following policies and procedures will remain in place until October 2, 2020.

1. **Building Closure:**

The Commission will be closed to the public through October 2, 2020. When reasonable, hearings before administrative judges, except for hearings on the merits, will be conducted telephonically. All in person hearing participants must use hand sanitizer and wear a mask. Other than for in person hearings, the public may enter the building by appointment only.

2. **Settlement Procedure:**

All settlements must be mailed in or filed electronically through ATOS, and must have all required signatures. If filing through ATOS, use the "unrepresented claimant, proposed" tab. After approval, mail in settlements will be returned to each attorney by mail and settlements filed through ATOS will be returned by email. The parties can also check the Commission's website to determine whether a settlement was approved and to print a copy of the signed order.

Pro se claimants may appear in person for settlement interviews by appointment, or may participate in settlement interviews telephonically. However, a Commissioner, at his or her discretion, may require an in person interview.

3. **Notarization of Claimant's Signature:**

Claimants' signatures must either a) be notarized or b) include a copy of the claimant's driver's license or ID **AND** a statement by the claimant and his or her attorney (or employer and carrier's attorney if the claimant is unrepresented) certifying that the claimant signed the petition.

4. **Miss. Work. Comp. Comm. Rule 2.9:**

Under the "MEDICAL RECORDS AND AFFIDAVITS" portion of this Rule, the attorney's sworn statement when offering medical records/reports need not be notarized. Further, attorneys may electronically sign their sworn statement with an "s/" signature and include his or her MS Bar number. ***This emergency Rule change extends through December 24, 2020.***

5. Telemedicine:

The Commission expanded the Fee Schedule's telemedicine/telehealth/virtual services rule to include not only physicians, but also physician assistants, nurse practitioners, physical therapists, occupational therapists, speech therapists, psychiatrists, clinical psychologists, and dietitians who are licensed to practice in Mississippi. Payors shall not deny reimbursement for telemedicine services for CPT codes with a star icon and billed with Modifier 95. These codes are listed in Appendix P of the CPT manual and are also posted on the Commission's website. Additionally, services typically billed by physical, occupational and speech therapists and described by CPT codes on pages 295 and 296 of the 2019 Fee Schedule may be provided electronically. Please also see the Commission's March 24, 2020, Bulletin Regarding Telemedicine During the COVID-19 Crisis which is posted on the front page of the Commission's website. ***This emergency change to the Fee Schedule extends through December 24, 2020.***

6. IME/EME Telemedicine

Commission does not authorize Independent Medical Examinations or Employer Medical Examinations to be conducted electronically.