

## Crosswalk From New Title 85A to Title 85

Source: Oklahoma Workers' Compensation Court

New Title 85A Section	Short Description	Act Name	Section Effective Date	Title 85 WC Code Section
1	Short Title and Strict Construction	AWCA <sup>1</sup>	8/23/13	301
2	Definitions	AWCA	8/23/13	308, 312
3	Applicability of Act	AWCA	2/1/14	310
4	Severability Clause	AWCA	2/1/14	400
5	Exclusive Remedy – Exceptions	AWCA	2/1/14	302
6	Fraud	AWCA	2/1/14	410. See also 21 OS 1663.
7	Penalties for Discrimination for Filing a Claim – Wrongful Termination	AWCA	2/1/14	341
8	Waiver of Compensation Void – Exception	AWCA	2/1/14	413(B)
9	Employee Agreement to Pay Premium Void	AWCA	2/1/14	349(A)
10	Compensation Nonassignable, etc., and Payable to Dependents Only – Child Support Excepted	AWCA	2/1/14	349(B), 350
11	Compensation Payable to Certain Alien Dependents	AWCA	2/1/14	None, but see 337 (death benefits)
12	Preference for Due Compensation	AWCA	2/1/14	None
13	Mental Injury or Illness	AWCA	2/1/14	308(10)(f)
14	Heart or Lung Injury or Illness	AWCA	2/1/14	308(10)(b)
15	Attorney General's Workers' Compensation Fraud Unit – Fund Transfer	AWCA	2/1/14	None, but see 74 OS 18m-1
16	Official Disability Guidelines – Not Mandatory – Exception	AWCA	2/1/14	326(G), 373(C)
17	Physician Advisory Committee	AWCA	2/1/14	333(C), 373
18	Provider Payments While Claims Are Pending	AWCA	2/1/14	None
19	Workers' Compensation Commission – Commissioners – Appointment – Compensation	AWCA	8/23/13	None
20	Commission Powers and Duties	AWCA	8/23/13	None
21	Commission Proceedings	AWCA	8/23/13	None
22	Administration of Act – Staff and Expenditures	AWCA	8/23/13	None
23	Traveling Expenses	AWCA	8/23/13	None, but see 74 OS 500.2
24	Biennial Report	AWCA	8/23/13	None
25	Statistical Data Collection	AWCA	2/1/14	None
26	Commissioners – Removal	AWCA	2/1/14	None
27	Commission Jurisdiction – Powers and Duties of Administrative Law Judges	AWCA	2/1/14	None
28	Funds Established	AWCA	2/1/14	360, 403, 407
29	Workers' Compensation Fund – Fees	AWCA	2/1/14	369
30	Physically Impaired Person Defined	AWCA	2/1/14	402
31	Multiple Injury Trust Fund – Funding Sources – Administration and Protection – Appeals	AWCA	2/1/14	403, 406
32	Multiple Injury Trust Fund Awards – Attorney Fees	AWCA	2/1/14	404

## Crosswalk From New Title 85A to Title 85

Source: Oklahoma Workers' Compensation Court

New Title 85A Section	Short Description	Act Name	Section Effective Date	Title 85 WC Code Section
33	Limitations Periods for Multiple Injury Trust Fund Claims – Prohibition on Representing Carrier and Claimant	AWCA	2/1/14	405
34	Administration and Protection of Multiple Injury Trust Fund – Standing to Appear – Appeals	AWCA	2/1/14	406
35	Employer's Liability for Compensation	AWCA	2/1/14	310, 312(1)(2)
36	Liability of Prime Contractors and Subcontractors – Sole Proprietorships or Partnerships – Certification of Noncoverage	AWCA	2/1/14	314
37	Waiver of Exclusion or Exemption	AWCA	2/1/14	None, but see 311 (election of coverage)
38	Security for Compensation	AWCA	2/1/14	351
39	Substitution of Carrier for Employer	AWCA	2/1/14	None
40	Failure to Secure Compensation – Penalty	AWCA	2/1/14	352, 353, 354
41	Posting Notice of Compliance	AWCA	2/1/14	322(C)
42	Insurance Policies	AWCA	2/1/14	356
43	Third Party Liability	AWCA	2/1/14	348
44	Effect of Payment By Other Insurers	AWCA	2/1/14	None
45	Benefits for Temporary and Permanent Disability, Vocational Rehabilitation and Disfigurement – Law Governing Determination of Benefits	AWCA	2/1/14	315, 332, 333, 334, 336, 338
46	Scheduled Permanent Injuries	AWCA	2/1/14	333(E)
47	Death Benefits	AWCA	2/1/14	337
48	Additional Benefits – Illegally Employed Minor	AWCA	2/1/14	None, but see 337 (death benefits)
49	Limitations on Temporary Total Disability – Recipients of Unemployment Benefits	AWCA	2/1/14	332(P)
50	Medical Benefits – Employer Liability – Fee Schedule	AWCA	8/23/13	326, 327
51	Payment of Medical Expenses	AWCA	2/1/14	327
52	Medical Services and Supplies – Contested Injury	AWCA	2/1/14	327
53	Physical Examination	AWCA	2/1/14	326(I)
54	Refusal to Submit to Operation	AWCA	2/1/14	None
55	Review of Medical Charges	AWCA	2/1/14	327
56	Initial Selection and Change of Physician	AWCA	2/1/14	326, 328
57	Missing Medical Appointments – Ineligibility for Benefits	AWCA	2/1/14	327
58	Disclosure of Healthcare Records	AWCA	2/1/14	None
59	Weekly Wages as Basis of Compensation	AWCA	2/1/14	331
60	Physician Advisory Committee – System of Evaluating Permanent Impairment	AWCA	2/1/14	333(C), 373(B)(4)
61	Hernia	AWCA	2/1/14	333(E)
62	Soft Tissue Injury	AWCA	2/1/14	332(K)(L)(M)

## Crosswalk From New Title 85A to Title 85

Source: Oklahoma Workers' Compensation Court

New Title 85A Section	Short Description	Act Name	Section Effective Date	Title 85 WC Code Section
63	Employer Reports – Penalty	AWCA	2/1/14	322, 371
64	Managed Care – Certified Workplace Medical Plans	AWCA	2/1/14	328
65	Occupational Disease – Compensation Generally	AWCA	2/1/14	308, 316
66	Asbestosis or Silicosis	AWCA	2/1/14	316
67	Notice of Occupational Disease or Cumulative Trauma – Modification or Denial of Award	AWCA	2/1/14	318(F)
68	Notice of Injury, Occupational Disease or Cumulative Trauma – Rebuttable Presumptions	AWCA	2/1/14	323
69	Filing of Claims With Commission	AWCA	2/1/14	318
70	Preliminary Conference Procedure	AWCA	8/23/13	324(C)
71	Proceedings on Claims	AWCA	2/1/14	308, 332(M), 333, 342 (objective medical evidence); 325 (assignment of claims); 340 (mailing); 308, 312, 323, 341 (preponderance of the evidence); 336, 345, 349 (payment after death)
72	Nature of Proceedings Generally	AWCA	2/1/14	308, 312, 323, 341 (preponderance of the evidence); 339, 340 (record of proceedings); 308(32) (Federal Rule of Evidence)
73	Contempt and Subpoena Powers	AWCA	2/1/14	303(E)(I), 347
74	Presumptions in Enforcement Proceedings	AWCA	2/1/14	None
75	Depositions	AWCA	2/1/14	None
76	Witness Fees	AWCA	2/1/14	None
77	Representation of Commission	AWCA	2/1/14	None
78	Finality of Order or Award – Review	AWCA	2/1/14	340
79	Enforcement of Judgment or Award	AWCA	2/1/14	346(A)
80	Modification of Awards – Change of Condition	AWCA	2/1/14	318(F)
81	Costs in Proceedings Brought Without Reasonable Grounds	AWCA	2/1/14	344(A)
82	Fees for Legal Services	AWCA	2/1/14	343
83	Attorney's or Party's Signature	AWCA	2/1/14	324(A)(B)
84	Methods of Payment	AWCA	2/1/14	345(C)
85	Payment of Clean Claims	AWCA	2/1/14	None

## Crosswalk From New Title 85A to Title 85

Source: Oklahoma Workers' Compensation Court

New Title 85A Section	Short Description	Act Name	Section Effective Date	Title 85 WC Code Section
86	Controversion of Right to Compensation	AWCA	2/1/14	None
87	Joint Petition Settlement	AWCA	2/1/14	337(K), 339
88	Disputed Source of Benefits	AWCA	2/1/14	409
89	Credit for Compensation or Wages Paid	AWCA	2/1/14	345(E)
90	Deposit or Bond to Secure Payment	AWCA	2/1/14	340(D)
91	Interest	AWCA	2/1/14	340
92	Notice of Payment	AWCA	2/1/14	None
93	Investigations	AWCA	2/1/14	None
94	Incarceration of Injured Employee	AWCA	2/1/14	332, 336
95	Deductibles	AWCA	2/1/14	356(D)
96	Self-Insurance Guaranty Fund Board	AWCA	2/1/14	360
97	Self-Insurance Guaranty Fund – Purpose	AWCA	2/1/14	361
98	Self-Insurance Guaranty Fund – Sources of Funding	AWCA	2/1/14	362
99	Impaired Self-Insurer – Commission Duties	AWCA	2/1/14	363
100	Self-Insurance Guaranty Fund Board Powers and Duties	AWCA	2/1/14	364
101	Annual Report of Commission – EDI Advisory Committee	AWCA	2/1/14	367
102	Group Self-Insurance	AWCA	2/1/14	398
103	Group Self-Insurance – Excess Insurance	AWCA	2/1/14	399
104	Immunity From Civil Liability	AWCA	2/1/14	366
105	Prohibited Acts	AWCA	2/1/14	307
106	Strict Construction	AWCA	2/1/14	None
107	Public Employers' Coverage	AWCA	2/1/14	313
108	Dismissal	AWCA	2/1/14	319
109	Ombudsman Program	AWCA	2/1/14	320
110	Alternative Dispute Resolution	AWCA	2/1/14	321
111	Commencement of Claim - Answer	AWCA	2/1/14	324
112	Independent Medical Examiner System	AWCA	2/1/14	329
113	Case Management	AWCA	2/1/14	330
114	Prosthetic Devices	AWCA	2/1/14	335
115	Joint Petition - Authorization - Process	AWCA	2/1/14	337(K), 339
116	Payment of Awards - Credits - Commutation	AWCA	2/1/14	345
117	Estoppel	AWCA	2/1/14	357
118	Commission Fees	AWCA	2/1/14	368
119	Copy Fee - Penalties and Fines	AWCA	2/1/14	370
120	Requests for Claims Information	AWCA	2/1/14	372
121	Advisory Council on Workers' Compensation	AWCA	2/1/14	374
122	Workers' Compensation Fund	AWCA	2/1/14	407
123	Perjury Declaration	AWCA	2/1/14	408
124	Transfer of Funds, Assets, Etc.	AWCA	2/1/14	412
125	Time Computation	AWCA	2/1/14	309

## Crosswalk From New Title 85A to Title 85

Source: Oklahoma Workers' Compensation Court

New Title 85A Section	Short Description	Act Name	Section Effective Date	Title 85 WC Code Section
200	Short Title	OEIBA <sup>2</sup>	2/1/14	None
201	Definitions	OEIBA	2/1/14	None
202	Employer Election	OEIBA	2/1/14	None
203	Benefit Plan	OEIBA	2/1/14	None
204	Security for Insurable Risks	OEIBA	2/1/14	None
205	Guaranty Funds	OEIBA	2/1/14	None
206	Premium Assessment	OEIBA	2/1/14	None
207	Premium Equivalent Assessment	OEIBA	2/1/14	None
208	Guaranty Funds – Assessment Rates	OEIBA	2/1/14	None
209	Qualified Employer Exclusive Remedy – Exception	OEIBA	2/1/14	None
210	Payment Sources – Responsibilities	OEIBA	2/1/14	None
211	Adverse Benefit Determinations – Claim Procedures	OEIBA	2/1/14	None
212	Construction of Act	OEIBA	2/1/14	None
213	Challenges to Act	OEIBA	2/1/14	None
300	Short Title	WCAA <sup>3</sup>	2/1/14	None
301	Enforceability of Agreements to Arbitrate	WCAA	2/1/14	None
302	Notice	WCAA	2/1/14	None
303	When Act Applies	WCAA	2/1/14	None
304	Effect of Agreement to Arbitrate – Nonwaivable Provisions	WCAA	2/1/14	None
305	Application to Commission for Relief	WCAA	2/1/14	None
306	Validity of Agreements to Arbitrate	WCAA	2/1/14	None
307	Motion to Compel Arbitration – Stay of Claim	WCAA	2/1/14	None
308	Provisional Remedies	WCAA	8/23/13	None
309	Initiation of Arbitration	WCAA	2/1/14	None
310	Consolidation of Separate Arbitration Proceedings	WCAA	2/1/14	None
311	Appointment of Arbitrator	WCAA	2/1/14	None
312	Disclosure By Arbitrator	WCAA	2/1/14	None
313	Action By Majority	WCAA	2/1/14	None
314	Immunity of Arbitrator – Competency to Testify – Attorney Fees and Costs	WCAA	2/1/14	None
315	Arbitration Process	WCAA	2/1/14	None
316	Representation By Lawyer	WCAA	2/1/14	None
317	Witnesses – Subpoenas – Depositions – Discovery	WCAA	2/1/14	None
318	Enforcement of Pre-Award Ruling By Arbitrator	WCAA	2/1/14	None
319	Award	WCAA	2/1/14	None
320	Change of Award By Arbitrator	WCAA	2/1/14	None
321	Remedies – Fees and Expenses of Arbitration Proceeding	WCAA	2/1/14	None
322	Confirmation of Award	WCAA	2/1/14	None
323	Vacating Award	WCAA	2/1/14	None
324	Modification or Correction of Award	WCAA	2/1/14	None

## Crosswalk

### From New Title 85A to Title 85

Source: Oklahoma Workers' Compensation Court

New Title 85A Section	Short Description	Act Name	Section Effective Date	Title 85 WC Code Section
325	Judgment on Award – Attorney Fees and Litigation Expenses	WCAA	2/1/14	None
326	Jurisdiction	WCAA	2/1/14	None
327	Appeals	WCAA	2/1/14	None
328	Venue	WCAA	2/1/14	None
400	Workers' Compensation Court of Existing Claims	None	2/1/14	303 (WC Court)

---

### Endnotes

- <sup>1</sup> Administrative Workers' Compensation Act (AWCA).
- <sup>2</sup> Oklahoma Employee Injury Benefit Act (OEIBA).
- <sup>3</sup> Workers' Compensation Arbitration Act (WCAA).