

## Claire Sharp

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**From:** Josh Scholer  
**Sent:** Thursday, July 11, 2024 10:41 AM  
**To:** Claire Sharp  
**Subject:** Thoughts on the below rule?

Hi Claire!

I wanted to run something by you. I've always thought the highlighted below in the screenshot is a weird requirement, especially in the virtual world we now live in. I would assume a lot of claims adjusting is done virtually now. Ideally, I'd like to get rid of this requirement, but wanted to get your feedback. Does this fall under the statutory requirement of claims services being in state? I'm not sure I would include the below in that, but just wanted to get your take. If it already falls within the code, then we would look to eliminate that anyway. If it doesn't, I'd be curious to the justification to keeping it.

Happy to chat on the phone if that's easier.

### **305. REQUIREMENTS FOR MAINTAINING IDAHO WORKER'S COMPENSATION CLAIMS FILES.**

~~All insurance carriers, self-insured employers, and licensed adjusters servicing Idaho worker's compensation claims shall comply with the following requirements: (3-23-22)~~

#### **01. Idaho Office. (3-23-22)**

**a.** All insurance carriers, self-insured employers, and licensed adjusters servicing Idaho worker's compensation claims shall maintain an office within the state of Idaho. The offices shall be staffed by adequate personnel to conduct business. (3-23-22)

**b.** The insurance carrier or self-insured employer shall authorize and require a member of its in-state staff or an Idaho licensed resident adjuster to service and make decisions regarding claims pursuant to Section 72-305, Idaho Code. (3-23-22)

**c.** As staffing changes occur and, at least annually, the insurance carrier, self-insured employer, or licensed adjuster shall submit to the Commission Secretary the names of those authorized to make decisions regarding claims pursuant to Section 72-305, Idaho Code. Each authorized insurance carrier shall designate only one (1) Claims Administrator for each policy of worker's compensation insurance. (3-23-22)

**02. Claim Files.** All Idaho worker's compensation claim files shall be maintained within the state of Idaho in either hard copy or immediately accessible electronic format. Claim files shall include all documents relevant to the claim file; ~~but are not limited to:~~ (3-23-22)

**a.** FROI and Claim for Benefits; (3-23-22)

## Josh Scholer

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