

4121-3-10

Lump sum payments for attorney's fees for securing an award.

- (A) An application from an injured worker claimant for lump sum payment for attorney's fees is to contain a certification, executed by the attorney, listing the services rendered, all fees received prior to the filing of the application for services in obtaining the award under which the advancement to pay the fee is requested, and that the ~~claimant~~ injured worker is liable for no further fee with respect to continuing compensation except where a later dispute arises in the claim requiring additional services by the attorney.
- (B) The commission may approve, disapprove or modify applications for a lump sum payment to pay such attorney's fees, and may allow the payment of a reasonable fee after review of the application and the supporting evidence. Advancements for attorney's fees shall be limited to an amount determined periodically by the commission.
- (C) No lump sum payment for attorney's fees is to be granted from awards of compensation made pursuant to division (A) of section 4123.56 or division (B) of 4123.56 of the Revised Code. No lump sum payment for attorney's fees is to be granted from awards of compensation made pursuant to division (A) of section 4123.57 of the Revised Code as existed prior to the amendment effective August 22, 1986 for claims with dates of injury, or dates of disability in occupational disease claims, prior to August 22, 1986.
- (D) If the commission approves or modifies an application for the lump sum payment of attorney's fees in a state fund claim, the claim shall be referred to the administrator to determine the amount of the biweekly rate reduction and to set the repayment schedule for the lump sum payment.
- (E) If the commission approves or modifies an application for the lump sum payment of attorney's fees in a self-insuring claim, the self-insuring employer may request assistance from the administrator to determine the amount of the biweekly rate reduction and to set the repayment schedule for the lump sum payment.

Effective:

Five Year Review (FYR) Dates: 11/09/2016

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.30, 4121.31, 4121.36
Rule Amplifies: 4121.36, 4123.25
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