

4121-3-16

Motions.

- (A) Form C-86 motion or its equivalent shall be used to ~~present motions to~~ request action from the bureau or commission.
- (B) ~~Motions~~ A motion may be submitted by the employee or the employer to seek a determination by the bureau or the commission on any matter not otherwise provided for in Chapter 4121-3 of the Administrative Code. ~~A motion should not be used as a substitute for an appeal, an application for the determination of the percentage of permanent partial disability, or an application to increase an award of percentage of permanent partial disability.~~
- (C) A motion shall fully set forth the question presented together with a succinct statement of the action or relief sought.
- (D) ~~Motions~~ A motion shall be accompanied by ~~substantial~~ competent proof conforming to the standard established in rule 4121-3-09 (A)(1) of the Administrative Code.
- (E) Where required, a motion shall contain citations to the legal authorities relied upon.
- (F) Except in ex parte matters not affecting the rights of the opposite party, the applicant filing a motion shall mail a copy of the motion to the opposite party and the copy of the motion filed with the bureau or the commission shall indicate that a copy has been so mailed.
- (G) ~~Motions~~ A motion shall bear the signature of the applicant or ~~by his~~ the applicant's authorized representative ~~on behalf of such party.~~
- (H) Failure to comply with the provisions of this rule shall be sufficient reason for the dismissal of the motion. A motion signed by a person or entity other than the injured worker, his or her representative, the employer, the employer's representative, the administrator, or the administrator's representative shall be dismissed.
- (I) Special hearings on motions, where required, shall be in conformity with rule 4121-3-09(C) of the Administrative Code.

Effective:

R.C. 119.032 review dates: 03/28/2011

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.30, 4121.31
Rule Amplifies: 4121.03, 4121.36
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