



### Hearing Administrator Responsibilities

Hearing administrators are responsible for preparing claims for hearings and ensuring a smooth hearing process for every party involved in a claim. Their duties include reviewing and processing requests to continue and cancel hearings, issuing subpoenas, conducting depositions and submitting interrogatories, and ensuring that claims have sufficient information for hearing. There are five regional hearing administrators that service specific Industrial Commission (IC) offices (see our Office Locations list at [www.ic.ohio.gov](http://www.ic.ohio.gov) for contact information).

### Continuances and Cancellations

Requests to continue (postpone) or cancel a hearing should be filed online through ICON, mailed or faxed to your regional hearing administrator.

A request for continuance must be approved by the hearing administrator or an appointed designee. In order for a continuance to be granted, one of two burdens must be met: the *good cause* standard or the *extraordinary circumstance* standard.

*Good cause* is the standard that is used when a request for continuance is filed more than five calendar days prior to the date of the hearing. An example of a situation that might merit the use of this standard would be a scheduling conflict with a court appearance or an attempt to settle before the hearing.

The *extraordinary circumstance* standard applies to continuance requests filed within five calendar days prior to or on the date of the hearing. This standard is most often used when a specific situation arises that could not have been foreseen by the requesting party.

You may print out a Request for Continuance Form or Request for Cancellation Form or file the Request for Continuance or Request for Cancellation Form electronically on our website, [www.ic.ohio.gov](http://www.ic.ohio.gov). To access your claim(s), logon to [www.ic.ohio.gov](http://www.ic.ohio.gov), click ICON and follow the

instructions for obtaining a password. Once you have obtained a password, you should be able to access your active claim(s). If you have difficulty obtaining a password, please contact the Industrial Commission's IT Helpdesk at (614) 644-6595 or (877) 218-4810, between 8 a.m. and 5 p.m. weekdays.

### Issuance of Compliance Letters

Parties may request that the hearing administrator issue subpoenas for attendance at hearings and for medical records. The hearing administrator may also issue compliance letters for requests granting parties the right to depose or submit interrogatories to Bureau of Workers' Compensation (BWC) or IC physicians, for failure of a party to receive a notice of a hearing or a mailed order, or for failure of an injured worker to sign medical releases or to attend examinations.

### Permanent Total Disability Procedures

The hearing administrator's role in processing a permanent total disability (PTD) application is to expedite the PTD process, assure that claims are ready for docketing and provide the information necessary in determining an injured worker's application. The hearing administrator will schedule a pre-hearing conference on the PTD application under appropriate circumstances upon request of the parties. Pre-hearing conferences are generally needed to ensure that the claim is ready for hearing.

### Pre-Hearing Conferences

Pre-hearing conferences are encouraged so that parties may exchange information pertinent to the claim and thoroughly prepare for Commission hearings. A pre-hearing conference can be scheduled for many issues, and it may be requested by any party to the claim.

**If you have a disability that requires special accommodations at a hearing, please contact the IC in advance of your hearing. Interpreter services for language or deaf and hard of hearing are available through Customer Service.**

## Questions About Hearings

### Why am I having a hearing, and do I have to attend?

All parties to the claim, including BWC, can object to the allowance of a claim, which may result in a hearing before the IC. While attendance is not mandatory, you are encouraged to attend the hearing.

### What happens if I get notice of my hearing and am unable to attend?

You can request a continuance (postponement) of the hearing.

### How do I request a subpoena for records?

Submit a written request stating the reason for the subpoena to the regional hearing administrator. Include appropriate names and addresses for issuance of the subpoena.

### Do I have to attend an employer's examination?

Injured workers must attend a properly scheduled employer's medical examination. Failure to do so may result in suspension of activity in the claim file.

### What claims involve pre-hearing conferences and why?

Pre-hearing conferences are held in many permanent total disability cases and by special request for other claims.

### When will my permanent total disability application be processed?

Your regional hearing administrator can check on the progress of your application and answer any questions you may have on this issue.