

IMPORTANT NEWS
EFFECTIVE MARCH 15, 2008

To avoid scanning and storing extraneous records and those that do not comply with the *General Instructions Regarding Prehearing Statement* in controverted files, please comply with the following *Notice To All Parties In Controverted Claims*. The *Notice* reiterates the *General Instructions Regarding Prehearing Statement* and adds the following provisions:

1. A party shall not file medical records with the Commission unless submitted as an attachment to a Prehearing Statement or as an exhibit to a motion/response to motion. The Petition to Controvert and Answer no longer require the simultaneous filing of medical records with the Commission.
2. A party shall secure the assigned Judge's permission before filing any single exhibit or attachment that exceeds 50 pages. Please see the following *Notice* for examples.
3. The Commission will return to sender any records that do not comply with its filing instructions.

**NOTICE TO ALL PARTIES IN CONTROVERTED CLAIMS
EFFECTIVE MARCH 15, 2008**

To more quickly and more accurately process and scan controverted files, please comply with the following requirements.

1. **Do not file medical records with the Commission unless submitted as an attachment to a prehearing statement or as an exhibit to a motion/response to motion.** Please note that the Petition to Controvert and Answer no longer require the simultaneous filing of medical records with the Commission.

2. Paginate each page of each attachment to a Prehearing Statement as well as each exhibit to a motion/response to motion as follows: "page ___ of ___ pages" or "3/23." Compliance will allow the Commission to identify and locate missing/misfiled pages in scanned documents.

3. Place all medical records sent to the Commission, whether submitted as an attachment to a Prehearing Statement or an exhibit to a motion/response to motion, in chronological order, beginning with the first date of treatment, and offer the records in the order in which the experts treated or evaluated claimant. Once a file is scanned, an Administrative Judge cannot unstaple/unbind medical records and reorganize them in chronological order.

4. When amending a Prehearing Statement to add or correct an attachment, do not refile the attachments correctly submitted with the previously filed Prehearing Statement. Simply submit the attachment with a cover letter stating that it is offered to complete Attachment 1, 2, 3, 4, 5, 6, or 7 of the previously filed Prehearing Statement. If the one-page Prehearing Statement form itself is *also* being amended, please *also* refile the one-page form noting the amendment(s) in bold type.

5. File only one copy of the legible, intelligible records that address the contested issues. This requirement will generally limit the filing of hospital records to ER records, admission and discharge summaries, operative reports, and diagnostic test reports.

Toward this end, a party seeking to file any **single document that exceeds 50 pages** (*excluding lay and medical depositions*) as an attachment to a Prehearing Statement or as an exhibit to a motion/response to motion must first secure the assigned Judge's permission. That is, a party needs permission to file a single doctor's clinic notes that exceed 50 pages or a single hospital's medical records that exceed 50 pages or a single personnel file that exceeds 50 pages. A party does not need permission to file four different doctors' records, each of which range in length from 5 to 50 pages, as Attachment 6 to a Prehearing Statement.

Documents, including medical records, that do not comply with the above requirements will be returned to the sender.

A Prehearing Statement that does not comply with these requirements will be rejected as incomplete. If Claimant does not timely file a complete Prehearing Statement, the claim may be dismissed; a final order of dismissal triggers the one-year period of limitations set forth in Miss. Code Ann. Section 71-3-53 (Rev. 2000). If Employer/Carrier does not timely file a complete Prehearing Statement, Claimant may unilaterally set an evidentiary hearing.