

Cherokee Nation Code Annotated

Title 85: Workers' Compensation

Chapter 1: General Provisions

§ 6. Employer—Power and duties—Joint agreements

Cite as: 85 CNCA § 6

A. Each employer may adopt additional standard operating procedures for the orderly administration of its respective workers' compensation program. Standard operating procedures adopted by one employer shall not be applied to the workers' compensation program of other employers.

B. The employer shall be empowered to request medical reports, records and notes, police reports, autopsy reports and special investigations, engage the services of adjusters, third party administrators and/or consultants, and perform other activities as may be needed to process any claim for compensation or to further the intent of this Title. Payments for expenses associated with these activities shall be made at the direction of the employer through its workers' compensation program.

C. Complete and accurate administrative records and claim files shall be maintained on all activities relating to any workers' compensation program. All closed files shall be preserved for five (5) years from the date of closure.

D. The employer shall make a final decision on claims filed under this Title within a reasonable time.

E. If the claimant agrees with the final decision of the employer, a memorandum of such agreement signed by both the employer and the employee shall be placed in the workers' compensation case file. This agreement shall be deemed binding

upon the parties thereto. Such joint agreements may be made during any phase of a workers' compensation claim.

Historical Data

LA 08–04, eff. April 21, 2004. Amended LA 31–05, eff. October 16, 2005; LA 21–06, eff. October 19, 2006; LA 20–10, eff. August 15, 2010.