Index

F - Forms
T - Text Sections
KRS - Kentucky Revised Statutes
Cross references are in CAPITAL LETTERS

ACCEPTANCE OR REJECTION
Exempted employees, rejection of coverage, KRS 342.395, KRS 342.400

ADMINISTRATIVE LAW AND PROCEDURE
Appeal and review
Occupational safety and health review commission hearing orders, KRS 338.091
Procedure, KRS 342.285
Supersedeas bond for appeal to Court of appeals, KRS 342.300
Commissioner’s authority to promulgate administrative regulations, KRS 342.260
Daubert, T 21:8
Decision within sixty days of hearing, KRS 342.275
Enforcement of award or order, KRS 342.305
Evidence, KRS 342.033, T 21:8
Frivolous proceedings, sanctions, KRS 342.310
Hearings. See Hearings
Medical services, mandated administrative regulations, KRS 342.734
Occupational disease, filing of claim, T 10:2
Prehearing conference
Occupation disease claims, KRS 342.316

ADMINISTRATIVE LAW AND PROCEDURE—Cont’d
Prehearing conference—Cont’d
Purpose and procedure, KRS 342.270
Public records requirement, KRS 342.245
Reconsideration, procedure, KRS 342.281
Reopen, T 21:5

ADMINISTRATIVE LAW JUDGE (ALJ)
Generally, KRS 342.230
Appointment of, KRS 342.230
Approval of attorney, physician, and hospital fees, KRS 342.320
Attorney representation, KRS 342.425
Authority of, KRS 342.230, KRS 342.325
Hearing duties, KRS 342.275
Remanding claim to, KRS 342.285

ADVICE OR ADVISORY BODIES OR OPINIONS
Creation of workers’ compensation advisory council, organization, authority and duties, KRS 342.0012
Workers’ compensation advisory council, KRS 342.0012

AGE
Permanent partial disability amount, effect of advanced age, KRS 342.730

Index-1
AGE—Cont’d
Reduction of disability benefits when employee reaches age of social security, KRS 342.730

AGENTS AND AGENCY
Dependency benefits, certain dependents receiving payments for other dependents, KRS 342.160

AGRICULTURE
Workers’ compensation exemption Employees, KRS 342.650, T 3:2
Employers, KRS 342.630

AIDS/HIV
Notice of injurious exposure, KRS 342.185

ALIENS AND CITIZENS
Dependents’ compensation, KRS 342.130
Notice to nonresident aliens, KRS 342.135

ALTERNATIVE DISPUTE RESOLUTION
Mediation program, KRS 342.276
Validity of, KRS 342.277

AMPUTATION
Covered medical expenses, KRS 342.020

APPEAL AND REVIEW
Court of Appeals—Cont’d
Review by Supreme Court, KRS 342.290

APPRENTICES
Average weekly wage, KRS 342.402
Covered employees, KRS 342.640

ARBITRATION AND AWARD
Alternative dispute resolution parameters, generally, KRS 342.277

APPOINTMENTS
More than two physicians to examine claimants and testify, KRS 342.033, KRS 342.315
Occupational Safety and Health Standards Board members, KRS 338.051

APPORTIONMENT AND ALLOCATION
Generally, KRS 342.120
Dependency income benefits cessation of, KRS 342.750
Disability resulting from prior and current injuries, payments for, KRS 342.730
Reference of medical questions to physicians for investigation and report, KRS 342.120

APPRENTICES
Average weekly wage, KRS 342.402
Covered employees, KRS 342.640

ARBITRATION AND AWARD
Alternative dispute resolution parameters, generally, KRS 342.277
Appealing arbitration awards, KRS 304.12 to 230
INDEX

ASBESTOS
- Claims procedure, KRS 342.318
- Rebuttable presumption in asbestos cleanup lawsuits, KRS 338.195

ASSAULT
- Employment element of injury, assault upon a teacher, T 9:17

ASSIGNMENTS
- Disability income benefits, KRS 342.180, T 16:8
- Prohibition of assigning compensation under the program prohibition, KRS 342.175

ATHLETES AND ATHLETICS
- Exempted employees, athletes, coaches or trainers, KRS 342.670

ATTORNEY GENERAL
- Safety violations, duties, KRS 338.191

ATTORNEYS’ FEES
- Generally, KRS 342.320
- Approval of, KRS 342.320
- Frivolous proceedings, sanctions, KRS 342.310
- Overdue temporary total disability income benefits, recovery of, KRS 342.040
- Penalty, KRS 342.197
- Regulation of fees, KRS 342.320

AVERAGE WEEKLY WAGE
- Concurrent, F 25:26.70
- Post injury, F 25:26.50

BACK INJURY
- Employment element of back injury, KRS 342.0011

BLACK LUNG
- Coverage of, KRS 342.650

BOARD AND LODGING
- Rehabilitation expenses, KRS 342.710

BONDS AND UNDERTAKINGS
- Appeal of order of whom to pay dependency benefits, KRS 342.090
- Self-insurance, KRS 342.340
- Supersedeas bond, appeal to Court of Appeals, KRS 342.300

BRACING LIMBS
- Covered medical expenses, KRS 342.020

BROTHERS AND SISTERS
- Dependents defined, KRS 342.085

BUILDING PERMITS
- Liability as to, KRS 342.610

BUSINESS OWNERS
- As covered employees, KRS 342.012, T 2:2

CAPACITY TO SUE OR BE SUED
- Receipt of dependency payments for, KRS 342.160
- Tolling statute of limitations for filing claim, KRS 342.210
- Unexplained injury, work-related injury presumption, KRS 342.680

CERTIFICATES AND CERTIFICATION
- Coverage request, F 25:29.50
- Enforcement of order or award by filing certified copy with Circuit Court
- Administrative agency’s order or award, KRS 342.285
- Court of appeals’ order or award, KRS 342.305
- Self-insurance, KRS 342.345
- Uninsured Employers’ Fund, recording certificate as lien against employer in favor of Fund, KRS 342.770

CHANGE OR MODIFICATION
- Reopening award, KRS 342.125

Index-3
CHARITIES
Coverage exclusion, charitable work, KRS 342.650

CHILDREN AND MINORS
Average weekly wage, KRS 342.402
Calculation of dependency payments for, KRS 342.750
Covered employees, KRS 342.640
Dependency presumption, KRS 342.075
Other than work-related injury causing death of employee receiving disability income, minors’ entitlement when, KRS 342.730
Receipt of dependency payments for minors, KRS 342.160
Sui juris, KRS 342.065
Tolling statute of limitations for filing claim, KRS 342.210

CHIROPRACTORS
Coverage for and selection of doctor, KRS 342.019

CIVIL ACTIONS
Contractors, subcontractors, and statutory employers, T 7:2
Immunity, T 7:1
Non-covered employment injuries, T 7:8
Subrogation, employers’, T 7:9

CIVIL DEFENSE MEMBERS OR TRAINEES
Average weekly wage, KRS 342.402

COACH OF TEAM
Exempted employees, KRS 342.670

COAL AND COAL MINES
Evidence, pneumoconiosis resulting from coal dust exposure, KRS 342.732

—Cont’d
Premiums, coal workers’ pneumoconiosis fund, assessments to finance State’s, KRS 342.1242
Retraining incentive benefits or income benefits awarded for coal-related pneumoconiosis, previously-awarded, KRS 342.125
Severance or processing of coal, KRS 342.0011
Special Fund, funding and liability, KRS 342.122
Workers’ compensation Coal and coal mines, Special Fund, funding and liability, KRS 342.122
Credit, retraining incentive benefits or income benefits awarded for coal-related pneumoconiosis, previously-awarded, KRS 342.125
Definitions, severance or processing of coal, KRS 342.0011
Evidence, pneumoconiosis resulting from coal dust exposure, KRS 342.732
Premiums, Coal workers’ pneumoconiosis fund, assessments to finance State’s, KRS 342.1242
Special Fund, funding and liability, KRS 342.122

COLLATERAL SOURCE PAYMENTS
Medical benefits, KRS 342.020

COMPLAINTS
Penalties, complaint for, KRS 342.990

COMPROMISE AND SETTLEMENT
Agreements, compensation and order approving settlement Filing with administrative law judge for enforcement, KRS 342.265

Index-4
INDEX

COMPROMISE AND
SETTLEMENT—Cont’d
Agreements, compensation and
order approving settlement
—Cont’d
Reopening, KRS 342.125
Approval of settlement, KRS 342.265
Fatality, form, F 25:19.50
Operating as final settlement of
claim, KRS 342.265
Reopening settlement, KRS 342.125
Special Fund liability aspect, KRS 342.120
Unfair claims settlement practices,
KRS 304.12 to 230

CONSENT OR APPROVAL
Decision of administrative law
judge, extending time for
judge’s decision, KRS 342.275
Fees of attorney, physician, and
hospital fees approved by
administrative law judge, KRS 342.320
Privileged or confidential medical
matters, waiver and consent
form, KRS 342.020
Testimony of more than two physi-
cians, consent to, KRS 342.033, KRS 342.315

CONSERVATORS AND
CONSERVATORSHIPS
Receipt of dependency payments
for ward, KRS 342.160

CONSTITUTIONAL LAW
Reduction of disability benefits
when employee reaches age of
social security, KRS 342.730

CONTAGIOUS OR
COMMUNICABLE
DISEASES
AIDS, notice of injurious exposure,
KRS 342.185
Defined, KRS 342.0011

CONTAGIOUS OR
COMMUNICABLE
DISEASES—Cont’d
Distinguished from occupational
disease, KRS 342.316

CONTINUATION OR
CONTINUITY
Continuing work
Occupational disease
Limitations of action, effect
on, T 20:2
Notice, T 19:2
Permanent partial disability pay-
ments when employee
returns to work, KRS 342.730, T 16:4
Total disability payments prohibi-
tion, KRS 342.730
Court of Appeals appeal, continuing
benefits during appeal, KRS 342.300

CONTRACT OF HIRE
Covered employees, KRS 342.640

CONTRACTORS,
SUBCONTRACTORS, AND
“STATUTORY
EMPLOYEES/EMPLOYERS”
Builder’s proof of coverage and
posting of notice, KRS 342.610
Immunity, KRS 342.690
Indemnity, KRS 342.700

CORPORATIONS
Coverage of executive officers,
KRS 342.012, KRS 342.640

COSTS AND EXPENSES
Frivolous proceedings, sanctions
Administrative law proceedings,
KRS 342.310
Court of appeals proceedings,
KRS 342.310
Managed health care, KRS 342.735
Medical examination costs, liability
for, KRS 342.035, KRS
COSTS AND EXPENSES—Cont’d
342.205, KRS 342.315
Medical fees schedule, KRS 342.035
Medical treatment costs, liability for, KRS 342.020
Rehabilitation expenses, KRS 342.710

COVERED EMPLOYEES
Broad coverage, T 2:1
Business owners, T 2:2
Executive officers, T 2:2
Extraterritorial coverage, T 2:8

CREDIT OR CREDIT SALES
Letter of, F 25:38
Retraining incentive benefits or income benefits awarded for coal-related pneumoconiosis, previously-awarded, KRS 342.125

CRIMINAL OFFENSES
Generally, KRS 342.990
Safety violations, duty of Attorney General, KRS 338.191

DAUBERT
Evidence, administrative law procedures, T 21:8

DEATH—Cont’d
Dependency benefits—Cont’d
Definition of certain dependents, KRS 342.085
Determination of dependency, KRS 342.075
Employee’s failure to follow medical advice, KRS 342.035, KRS 342.205
Employer’s intentional conduct to produce injury, KRS 342.610
Good faith payment of death benefits, KRS 342.090
Income benefits for death, KRS 342.750
Multiple dependents payments
Certain dependents receiving payments for other dependents, KRS 342.160
Remaining beneficiaries’ amount when benefits cease as to any one beneficiary, KRS 342.750
Other than work-related injury causing death of employee receiving disability income, KRS 342.730
Public service death in line of duty, KRS 95.550
Retraining incentive benefits for pneumoconiosis claimants ceasing at death, KRS 342.732
Suicide or self-injury, KRS 342.680
Fatality, F 25:19.50, F 25:37
Settlement, form, fatality, F 25:19.50

DEATH AND DEPENDENCY BENEFITS
Income benefits for death, T 17:6
Motion to substitute party and continue benefits, form, F 25:30
Public service death in line of duty, KRS 16.601
DEATH AND DEPENDENCY
BENEFITS—Cont’d
Suicide or self-injury, T 11:2

DEBTORS AND CREDITORS
Assignment of compensation under the program prohibition, KRS 342.175
Assignment of disability income benefits to creditors, KRS 342.180

DEFENSES
Affirmative defenses, exclusive remedy provision, KRS 342.690
Employer’s failure to secure payment of claim, KRS 342.690
Intoxication, KRS 342.610, KRS 342.680
Non-covered employment injuries, civil action for, KRS 342.690, T 7:8

DEFINITIONS—Cont’d
Insurance carrier, KRS 342.0011
Insurance policy, KRS 342.0011
Investment interest, KRS 342.0011
Limited liability company, KRS 342.012
Managed health care system, KRS 342.0011
Medical services, KRS 342.0011
National consensus standard, KRS 338.015
Objective medical findings, KRS 342.0011
Occupational disease
Basic definition, KRS 342.0011
Injury distinguished, KRS 342.316
Occupational safety and health standard, hazard, injury or illness, KRS 338.015
Parent, KRS 342.085
Permanent disability rating, KRS 342.0011
Permanent impairment rating, KRS 342.0011
Permanent partial disability, KRS 342.0011
Permanent total disability, KRS 342.0011
Physician, KRS 342.0011
Premium, KRS 342.0011
Self-insured group, KRS 342.0011
Qualified versus non-qualified partners, KRS 342.012
Reopening, KRS 342.125
Self insurer, KRS 342.0011
Self-insurance year, KRS 342.0011
Severance or processing of coal, KRS 342.0011
SIC code, KRS 342.0011
Temporary total disability, KRS 342.0011
Wage, KRS 342.0011, KRS 342.140
Work, KRS 342.0011

DEFINITIONS
Adopted and adoption, KRS 342.085
Alien, KRS 342.0011
Brother and sister, KRS 342.085
Child, KRS 342.085
Communicable disease, KRS 342.0011, KRS 342.316
Dependents, particular, KRS 342.085
Disability, KRS 342.0011
Employment element of injury, T 9:1
Established federal standard, KRS 338.015
Gradual injuries, T 20:1
Grandchild, KRS 342.085
Income benefits, KRS 342.0011
Injurious exposure, KRS 342.0011
Injury
Broad definition, KRS 342.0011, T 8:1
Occupational injury or illness, KRS 338.015

INDEX
Index-7
DEPARTMENT OF WORKERS’ CLAIMS
Employees, KRS 342.230

DEPOSITIONS
Costs and expenses, frivolous proceedings, sanctions, KRS 342.310

DIRECTORS
Civil action for willful and unprovoked attack by co-employee, officer or director, KRS 342.690

DISABILITY INCOME BENEFITS
Assignment of benefits, KRS 342.180, T 16:8
Basic coverage, T 16:1
Definitions, KRS 342.0011
Determining extent or degree of disability, KRS 342.750
Due and payable when, KRS 342.040
Expediting payment of, KRS 342.735
First seven days not payable, KRS 342.040
Interest on money, entitlement and rate, KRS 342.040
Partial disability, permanent or temporary
Generally, KRS 342.730
Defined, KRS 342.0011
Total disability, permanent or temporary
Generally, KRS 342.730
Expediting payment of temporary total disability benefits, KRS 342.735

DISCHARGE OR RELEASE
Good faith payments to dependents, KRS 342.090

DIVISION OF OMBUDSMAN
Generally, KRS 342.329

DOMESTIC EMPLOYEES
Exempted employees, KRS 342.650

DRUG
Testing, medical benefits, T 13:6

EMERGENCIES
Covered employees, emergency service employees, KRS 342.640
Eelecting to continue treatment with physician providing emergency medical care or treatment to employee, KRS 342.020

EMPLOYEE’S INSURANCE ASSOCIATION
Creation of, KRS 342.350

EMPLOYERS’ MUTUAL INSURANCE AUTHORITY
Agents, KRS 342.831
Annual report on surplus, KRS 342.817
Assessments, KRS 342.823
Assets, quarterly report, KRS 342.819
Attorney General, monitoring of operations, KRS 342.843
Audit with certified public accountant, KRS 342.823
Auditor of Public Accounts monitoring operations, KRS 342.843
Board of directors, KRS 342.807
Bonds, KRS 342.813
Commissions, KRS 342.831
Compensation, KRS 342.809
Conflicts of interest, KRS 342.837
Coverage provisions, KRS 342.815
Discounts, KRS 342.823
Discretionary levy and enforcement of assessments, KRS 342.823
Dividends, KRS 342.819
Election of officers, KRS 342.809
Ex officio members of board, KRS 342.809
INDEX

EMPLOYERS’ MUTUAL INSURANCE AUTHORITY
—Cont’d
Executive Branch Code of Ethics, KRS 342.837
Funding, KRS 342.829
General Assembly, report to, KRS 342.843
Investments, KRS 342.825
Legislative provisions, KRS 342.801 to KRS 342.843
Liabilities, quarterly report, KRS 342.821
Manager, KRS 342.813
Marketing agents, KRS 342.831
Monitoring operations, KRS 342.843
On-site examination of workplace safety program for policyholders, KRS 342.833
Open meetings, KRS 342.841
Open records, KRS 342.841
Personal liability for official acts, KRS 342.835
Powers and duties of board, KRS 342.811
Powers and duties of manager, KRS 342.813
Qualifications of manager, KRS 342.813
Quarterly reports of assets and liabilities, KRS 342.821
Quorum, KRS 342.809
Rating plans, rates and underwriting standards, KRS 342.817
Reports of Authority, KRS 342.823
Restrictions on use of funds, KRS 342.829
Risks, different classes, KRS 342.817
Sales agents, KRS 342.831
Solvency annual statement, KRS 342.823
Statistical and actuarial data, KRS 342.827

EMPLOYERS’ MUTUAL INSURANCE AUTHORITY
—Cont’d
Surplus, annual report, KRS 342.817
Workplace safety program for policyholders, KRS 342.833

EMPLOYMENT DISCRIMINATION
Employee protections, KRS 342.197
Notice of work-related injury, discrimination for having filed, KRS 342.197
Retaliatory misconduct, KRS 342.197
Safety inspection request, KRS 338.121

EMPLOYMENT ELEMENT OF INJURY
Definition, T 9:1
Heart cases, T 9:13
Idiopathic falls, T 9:1
Personal comfort breaks, T 9:8.50
Recreational activities, T 9:11

ENFORCEMENT
Order
Administrative law procedure, KRS 342.285
Appeal to Court of Appeals, KRS 342.305
Appeals, T 22:5
Penalty, enforcement procedure, KRS 342.990
Supersedeas bond for appeal to Court of appeals, suspension of award, KRS 342.300

ESTOPPEL AND WAIVER
Policy to waive improper notice and be direct promise to employee, KRS 342.365
Remedies for award of contract, waiver unlawful, KRS 342.700

Index-9
ESTOPPEL AND WAIVER
—Cont’d
Special fund assessments late payments, waiver of penalty on, KRS 342.1221

EVIDENCE
Administrative law procedure, hearing before administrative law judge, T 21:8
Builder’s permit, proving coverage prerequisite, KRS 342.610
Daubert, administrative law procedures, T 21:8
Dependency on decedent, KRS 342.075
Different medical treatment, need for, KRS 342.035
Failure to follow medical advice, KRS 342.035, KRS 342.205
Financial security for self-insurance, KRS 342.340
Hearings, burden of proof, T 21:3
Pneumoconiosis resulting from coal dust exposure, KRS 342.732
Voluntary rejection of coverage, KRS 342.395

EXCLUSIVITY OF WORKERS’ COMPENSATION STATUTE
Generally, KRS 342.610, KRS 342.690

EXEMPTED EMPLOYEES
Agricultural employees, T 3:2
Rejection of coverage, T 3:8
Religious organizations, activities of certain, T 3:11

EXPERTS
Evidence, administrative law procedures, T 21:8

EXTRATERRITORIALITY
—Cont’d
Workers—Cont’d
Time limitations for extraterritorial injury claims, KRS 342.670

EYESIGHT
Medical expenses employer liability, KRS 342.020

FEDERAL PROGRAMS
Program for Occupational Safety and Health, overview, KRS 338.041

FEES
Attorney fees. See ATTORNEYS’ FEES
Medical fee schedule, KRS 342.020, KRS 342.035
Occupational Safety and Health Standards Board members, KRS 338.051

FELLOW OR CO-EMPLOYEES
Civil action for willful and unprovoked attack by co-employee, officer or director, KRS 342.690
Civil actions based on employment injuries, fellow employees, KRS 342.690

FINES, PENALTIES, AND FORFEITURES
Generally, KRS 342.990
Broad protections, KRS 342.990
Employer penalties, KRS 342.402
Fraud and misrepresentation in filing or delaying filing of claims and in receiving or providing services or benefits, KRS 342.335
Frivolous proceedings, sanctions, KRS 342.310
Lien for compensation, generally, KRS 342.165
Lien on property of employer who violates occupational safety

Index-10
INDEX

FINES, PENALTIES, AND FORFEITURES—Cont’d
and health law, KRS 338.201
Occupational safety and health law violations
Lien on employer’s property, KRS 338.201
Statutory provisions, KRS 338.991
Restitution, KRS 342.990
Special Fund, KRS 342.990, KRS 342.1221
Unfair claims settlement practices, KRS 342.267

FIREFIGHTERS AND FIRE DEPARTMENTS
Average weekly wage, KRS 342.402
Coverage, KRS 95.550
Death in line of duty, death and dependency benefits, KRS 61.315, KRS 95.550

FOOT OR FEET INJURIES
Medical expenses employer liability, KRS 342.020

FORMS
Generally, F 25:1
Application for resolution of claim
Generally, KRS 342.270
Hearing loss, F 25:7
Injury, F 25:4
Interlocutory relief, F 25:7.50
Occupational disease, F 25:5
Pneumoconiosis, F 25:6
Average weekly wage concurrent, F 25:26.70
post injury, F 25:26.50
Certification of coverage request, F 25:29.50
Change, request for manual, F 25:36
Compensation and order approving settlement
Hearing loss/occupational disease, F 25:19

FORMS—Cont’d
Compensation and order approving settlement—Cont’d
Injury, F 25:18
Coverage request, certification of, F 25:29.50
Date of injury, request for manual change, F 25:36
Fatality, F 25:19.50, F 25:37
Injury, request for manual change, F 25:36
Interlocutory relief, F 25:7.50
Letter of credit, F 25:38
Medical report
Injury, F 25:11
Made part of evidentiary record, KRS 342.033
Occupational disease, F 25:13
Medical waiver and consent, KRS 342.020
Motion to substitute party and continue benefits, F 25:30
Request for manual change, F 25:36
Settlement, fatality, F 25:19.50
Social security number, request for manual change, F 25:36
Statement of proposed stipulations and notice of contested issues
Hearing loss, F 25:35
Injury, F 25:35.10
Occupational disease, F 25:35.20

FRANCHISES
Uninsured employees of subcontractors, T 5:4

FRAUD AND DECEIT
Generally, KRS 342.335
Appeal to Workers’ Compensation Board, procedure, KRS 342.285
At time of employment, KRS 342.165, KRS 342.316
Notice of accident or injury, KRS 342.200
Unfair claims settlement practices, KRS 304.12 to 230

Index-11
FRIVOLOUS MATTERS
Administrative proceedings, sanctions, \textit{KRS} 342.310
Appeal to the courts, \textit{KRS} 342.310
Assessment of costs, \textit{KRS} 342.310

FUNERAL EXPENSES
Death and dependency benefits, \textit{KRS} 342.750

GENERAL EDUCATION DEVELOPMENT (GED) DIPLOMA
Permanent partial disability amount, effect of limited education, \textit{KRS} 342.730

GOING AND COMING RULE
Generally, \textit{T} 9:7

GOOD FAITH
Insurer’s failure to proceed reasonably, \textit{KRS} 304.12 to 230
Payment of death benefits, \textit{KRS} 342.090
Safety, additional time for compliance, \textit{KRS} 338.141

GRADUAL INJURIES
Time limitations, \textit{T} 20:1

GUARDIAN AND WARD
Receipt of dependency payments for ward, \textit{KRS} 342.160
Tolling statute of limitations for filing claim, \textit{KRS} 342.210

HEARING LOSS
Application for resolution of claim, \textit{F} 25:7
Compensation and order approving settlement, \textit{F} 25:19
Element of injury, \textit{T} § 9:18

HEARINGS
Burden of proof, \textit{T} 21:3
Workers’ Compensation, \textit{KRS} 342.033, \textit{KRS} 342.275, \textit{KRS} 342.315

HEART
Employment element of injury, heart cases, \textit{KRS} 342.0011

HIRING
Discrimination, employee protections, \textit{KRS} 342.197
False representation of physical condition or medical history at time of employment, \textit{KRS} 342.165
Full disclosure on application for employment, \textit{KRS} 342.316

HOSPITALS
Charges, approval by administrative law judge, \textit{KRS} 342.320
Selection of physician and hospital, \textit{KRS} 342.020

IDIOPATHIC FALLS
Employment element of injury, \textit{T} 9:1

IMMUNITIES
Civil actions, \textit{T} 7:1

INDEMNITY AND INDEMNIFICATION
Civil actions based on employment injuries, indemnity action against employer, \textit{KRS} 342.700

INDEPENDENT CONTRACTORS
Generally, \textit{T} 5:1
Statutory employers, \textit{T} 5:2

INJUNCTIONS
Abatement of danger, \textit{KRS} 338.131
Discrimination, \textit{KRS} 342.197
Noncompliance with workers’ compensation provisions, \textit{KRS} 342.402
Operation of unsafe premises or equipment, restraining, \textit{KRS} 338.133

INJURIOUS EXPOSURE
Defined, \textit{KRS} 342.0011
INDEX

INJURY
Application for resolution of claim, 
F 25:4
Medical report, F 25:11
Request for manual change, F 25:36
Statement of proposed stipulations and notice of contested issues, 
F 25:35.10

INSURANCE
Approval by Commission of Department of Insurance, KRS 342.380
Coverage required, KRS 342.340
Entire liability of employer, policy to cover, KRS 342.375
Jurisdiction and liability of insurer, KRS 342.360
Mutual insurance association, KRS 342.350
Notice agreements in policy, requirement, KRS 342.360
Payment by employee prohibition, KRS 342.420
Policies
Cancellation or termination of insurance policy, procedure, KRS 342.340
Waive improper notice and be direct promise to employee, KRS 342.365
Reciprocal or interinsurance exchanges, KRS 342.350
Reinsurance, KRS 342.350
Report of workers’ compensation experience, KRS 342.382
Separate policy for specific work plants or locations, KRS 342.375
Special fund, T 6:7
Type of coverage, KRS 342:375, T 6:2

INTENTIONAL, WILLFUL, AND WANTON ACTS
Employee’s conduct
Civil action, KRS 342.690

INTENTIONAL, WILLFUL, AND WANTON ACTS—Cont’d
Employee’s conduct—Cont’d
Intent to injure or kill self or another, KRS 342.610, KRS 342.680
Employer’s conduct
Civil action, KRS 342.610
Intent to produce injury, KRS 342.610

INTEREST ON MONEY
Delayed payments, fines and penalties, KRS 342.040
Disability income, interest entitlement and rate, KRS 342.040
Special fund assessments late payments, KRS 342.1221

INTOXICATION AND INTOXICATING LIQUORS
Generally, KRS 342.610, KRS 342.680

JOINT AND SEVERAL PARTIES
Administrative law practice and procedure, joinder of parties, KRS 342.265
Special Fund
Generally, KRS 342.120
Registry of claims, KRS 342.122
Uninsured Employers’ Fund, KRS 342.780

JOINT VENTURERS
Covered employees, T 2:1

JUDGMENTS AND DECREES
Binding on insured, KRS 342.360, KRS 342.365

JURISDICTION
Department of Workers’ Claims, KRS 342.240
Insured’s jurisdiction as insurer’s jurisdiction, KRS 342.360

LABOR AND EMPLOYMENT
Element of injury
Hearing loss, T § 9:18

Index-13
LABOR AND EMPLOYMENT
—Cont’d
Element of injury, unexplained injury, KRS 342.680
Failure to secure payment of claim, employee’s right to civil recovery, KRS 342.690
Hearing loss, T § 9:18
Intent to produce injury, recovery for, KRS 342.610
Torts
Failure to secure payment of claim, employee’s right to civil recovery, KRS 342.690
Intent to produce injury, recovery for, KRS 342.610

LACHES OR DELAY
Accrual of costs and interest charges on delayed payments, fines and penalties, KRS 342.040
Penalties for fraud and misrepresentation in filing or delaying filing of claims and in receiving or providing services or benefits, KRS 342.335
Special fund assessments late payments, penalty and interest on, KRS 342.1221

LAW ENFORCEMENT OFFICERS
Average weekly wage, KRS 342.402
Coverage, KRS 95.550
Death in line of duty, death and dependency benefits, KRS 16:601, KRS 61.315
Workers’ compensation
Average weekly wage, KRS 342.402
Coverage, KRS 95.550
Death in line of duty, death and dependency benefits, KRS 16:601, KRS 61.315

LEASED EMPLOYEES
Coverage for, KRS 342.615

LEG INJURIES
Medical expenses employer liability, KRS 342.020

LIENS AND ENCUMBRANCES
Entitlement to lien for compensation, KRS 342.175
Property of employer who violates occupational safety and health law, lien against, KRS 338.201
Uninsured Employers’ Fund, recording certificate as lien against employer in favor of Fund, KRS 342.770

LIFE EXPECTANCY
Tables of life expectancy, use of, KRS 342.260

LIMITED LIABILITY COMPANIES (LLC)
Coverage, KRS 342.012

LIQUIDATED DAMAGES
Uninsured Employers’ Fund loss, recovery for, KRS 342.790

LOANED EMPLOYEES
Employer’s knowledge of employment relationship, T 5:5

LUMP-SUM PAYMENTS
Attorney fees payment, KRS 342.320
Burial expenses, KRS 342.750
Settlement of future periodic payments, calculating, KRS 342.265
Trustee, payment to, KRS 342.155

MAIL
Making compensation payments by mail, KRS 342.040

MAINTENANCE AND REPAIR
Casual employees exclusion, KRS 342.650
MANAGED HEALTH CARE SYSTEM
Adopting parameters for clinical practice, KRS 342.035
Electing to continue treatment with physician providing emergency medical care or treatment to employee, KRS 342.020
Features of health care plan services, KRS 342.020
Plan for health care services, filing with Dept. of Workers’ Comp, KRS 342.020
Use of, KRS 342.735
Utilization review procedures, KRS 342.035

MEDIATION
Administrative practice and procedure, KRS 342.276

MEDICAL BENEFITS
Basic coverage and liability obligations, T 13:1
Drug testing, T 13:6

MEDICAL CARE AND TREATMENT
Copayments or deductibles, KRS 342.020
Electing to continue treatment with physician providing emergency medical care or treatment to employee, KRS 342.020
Failure to follow medical advice, KRS 342.035, KRS 342.205
Fee schedule, KRS 342.020, KRS 342.035
History, medical, false representation of physical condition or medical history at time of employment as bar to compensation, KRS 342.165
Medical review panels, T 1:5
Obligation of employer to pay for, KRS 342.020

MEDICAL EXAMINATIONS
Costs, liability for, KRS 342.035, KRS 342.205, KRS 342.315

MEDICAL EXAMINATIONS — Cont’d
Entitlement, KRS 342.316
Mandated administrative regulations on medical services, KRS 342.734
University medical schools, medical evaluations by, KRS 342.315

MEDICAL MALPRACTICE
Employer-selected medical treatment, KRS 342.020
Impact of medical fee schedule, KRS 342.035

MEDICAL RECORDS OR REPORTS
Evaluating physicians on list, report on, KRS 342.794
Filing, KRS 342.316
Form Injury, F 25:11
Made part of evidentiary record, KRS 342.033
Occupational disease, F 25:13
Made part of evidentiary record, KRS 342.033
Medical review panels, T 1:5
Reference of medical question to physicians for investigation and report, F 25:11
University medical school’s medical evaluation, KRS 342.315

MEDICAL REVIEW PANELS
Workers’ compensation, T 1:5

MISCONDUCT OF EMPLOYEE
Intentional failure to use safety appliance or obey rule, KRS 342.165
Intoxication, KRS 342.610, KRS 342.680
Misrepresentation at time of employment, KRS 342.165, KRS 342.316
Willful intention to injure or kill self or another, KRS 342.610

Index-15
MISCONDUCT OF EMPLOYER
Intent to produce injury, KRS 342.610
Intentional failure to follow safety rules, KRS 342.165, T 12:3
Retaliatory conduct, KRS 338.121
Willful and unprovoked attack by co-employer, officer or director, KRS 342.690

MISTAKE OR ERROR
Notice of accident or injury, failure to give, KRS 342.200

MOTIONS
Attorney fees, approval of, KRS 342.320
Reopening award, KRS 342.125
Special Fund as party, motion to be made a party for liability, KRS 342.120

MUTUAL INSURANCE ASSOCIATION
Generally, KRS 342.350

NATIONAL GUARD
Death benefits, KRS 61.315

NEWSPAPERS
Carriers as covered employees, KRS 342.640

NON-COVERED EMPLOYMENT INJURIES
Options of employee for compensation, T 7:8

NOTICE OR KNOWLEDGE
Accident or injury
Notice of, T 19:1
Contents of writing, KRS 342.190
Defective notice or failure to give notice, effect of, KRS 342.200
Discrimination for having filed notice, KRS 342.197
Service of process, KRS 342.195

—Cont’d
Accident or injury—Cont’d
Notice of, T 19:1—Cont’d
Time limitations, KRS 342.185
Sufficiency of knowledge, KRS 342.200
Builder’s proof of coverage and posting of notice, KRS 342.610
Cancellation or termination of insurance policy, KRS 342.340
Clause in policy as to notice, requirement, KRS 342.360
Contesting penalties, KRS 342.990
Defective notice, effect of, KRS 342.200
Dependency claim, KRS 342.090
Discrimination for having filed notice of work-related injury, KRS 342.197
Education and training opportunities, posting notice of, KRS 342.796
Failure to give notice of accident or injury, effect on compensation, KRS 342.200
Injury, notice of contested issues, F 25:35.10
Knowledge of injury to insured as notice to insurer, KRS 342:360
Loaned employee, employer’s knowledge of employment relationship, T 5:5
Nonresident aliens, KRS 342.135
Occupational disease
Contested issues, F 25:35.20
Notice of claim, KRS 342.316, T 19:2
Notice of claim denial or acceptance, T 10:2
Sufficiency of knowledge, KRS 342.316
Policy to waive improper notice and be direct promise to employee, KRS 342.365
INDEX

NOTICE OR KNOWLEDGE
—Cont’d
Posting of notices, Office of Occupational Safety and Health, KRS 338.161
Safety citation challenge, KRS 338.141
Safety inspection request, KRS 338.121
Service of process, KRS 342.195
Third party action, employee’s notice to employer, KRS 342.700
Time limitations, KRS 342.185
Voluntary rejection of coverage, KRS 342.395, KRS 342.400
Withdrawal of voluntary rejection of coverage, KRS 342.395

OCCUPATIONAL DISEASES
Generally, KRS 342.316
Arising out of or in course of employment, KRS 342.0011
Filing of claim, T 10:2
Forms
Application for resolution of claim, F 25:5
Medical report, F 25:13
Statement of proposed stipulations and notice of contested issues, F 25:35.20
Injurious exposure, KRS 342.011
Injury
Distinguished, KRS 342.316
Included in definition of, KRS 342.0011
Notice of claim, KRS 342.316
Procedural matters, KRS 342.316, T 10:2
Statement of proposed stipulations and notice of contested issues, F 25:35.20
Time limitations as to claims, T 20:2

OFFICE OF OCCUPATIONAL SAFETY AND HEALTH
Claimant records; limitation on inspection, KRS 342.229

OFFICE OF OCCUPATIONAL SAFETY AND HEALTH
—Cont’d
Contracting with other agencies for assistance, KRS 338.041
Employees, KRS 342.230
Office, equipment, seal, sessions, venue, KRS 342.240
Powers, KRS 338.181
Responsibilities, KRS 342.228
Selection and qualifications of commissioner, KRS 342.228
Statistical records and posting of notices, KRS 338.161
Structure of organization, KRS 336.020

OFFICERS
Civil action for willful and unprovoked attack by co-employee, officer or director, KRS 342.690
Coverage of executive officers, KRS 342.012, KRS 342.640, T 2:2

OMBUDSMAN PROGRAM
Generally, KRS 342.329

OPERATING PREMISES RULE
Generally, T 9:8

ORDERS OF COURT
Variance from safety standard, KRS 338.153

OVERTIME
Average weekly wage calculation exclusion, KRS 342.140

OVERVIEW OF WORKERS’ COMPENSATION LAW
Medical review panels, T 1:5
Purposes of workers’ compensation, T 1:1, T 1:4
Statutory construction, T 1:3

PARTIES
Motion to substitute party and continue benefits, F 25:30

Index-17
PARTNERSHIPS
Coverage, qualified versus non-qualified partners, KRS 342.012

PENALTIES
Protections of employees, T 24:3

PERMANENT PARTIAL DISABILITY
Amount, calculation, KRS 342.730, T 16:4
Definition, KRS 342.0011

PERSONAL COMFORT BREAKS
Employment element of injury, T 9:8.50

PHYSICIANS AND SURGEONS
Changing designated physicians, limitations, KRS 342.020
Evaluating physicians on list, report, KRS 342.794
Expenses for attending frivolous proceedings, KRS 342.310
Fees, administrative law judge’s approval of, KRS 342.320
Medical reports made part of evidentiary record, KRS 342.033
Privileged or confidential medical matters, waiver and consent form, KRS 342.020
Reference of medical question to physicians for investigation and report, F 25:11
Referral to provider who has investment interest, KRS 342.020
Selection of physician and hospital, KRS 342.020
Testimony of more than two physicians at hearing, KRS 342.033, KRS 342.315
University medical schools
Evaluating physicians on list, KRS 342.794
Medical evaluations by, KRS 342.315

PNEUMOCONIOSIS
Assessments to finance State’s coal workers’ pneumoconiosis fund, KRS 342.1242
Credit for previously-awarded income benefits awarded for, KRS 342.125
Form, application for resolution of claim, F 25:6
Procedural matters, T 10:2
Procedure for filing claim, KRS 342.316, KRS 342.792
Reopening award, KRS 342.125, KRS 342.792
Retraining incentive benefits, KRS 342.732
Self-insured groups, KRS 342.1242
State’s coal workers’ pneumoconiosis fund
Generally, KRS 342.1242
Legislative findings and declarations on, KRS 342.1241

POSTING
Builder’s permit, proving coverage and posting of notice, KRS 342.610
Notice of education and training opportunities, KRS 342.796
Office of Occupational Safety and Health, posting of notices, KRS 338.161

PREEXISTING CONDITIONS
Disability resulting from prior and current injuries, payments for, KRS 342.730

PREMIUM PAY
Average weekly wage calculation exclusion, KRS 342.140

PREMIUMS
Canceled or returned, KRS 342.1222
Coal workers’ pneumoconiosis fund, assessments to finance State’s, KRS 342.1242
INDEX

PREMIUMS—Cont’d
Payment by employee prohibition, KRS 342.420

PRESUMPTIONS AND BURDEN OF PROOF
Asbestos cleanup lawsuits, KRS 338.195
Caution of injury, KRS 342.680
Dependency, KRS 342.075
Failure to follow medical advice, KRS 342.035, KRS 342.205
Hearing loss, KRS 342.7305
Insurance coverage compliance, KRS 342.340
Medical issues, expediting resolution of, KRS 342.735
Unexplained injury as work-related injury, KRS 342.680

PRIVILEGED AND CONFIDENTIAL MATTERS
Civil actions based on employment injuries, KRS 342.690
Employers’ immunity, KRS 342.690
Trade secrets made known during safety inspections, KRS 338.171
Waiver, medical matters, statutory provision, KRS 342.020

PROCESS AND SERVICE OF PROCESS AND PAPERS
Nonresident aliens, notice to, KRS 342.135
Notice of accident or injury, KRS 342.195
Settlement agreement, KRS 342.265
Sheriff’s service of subpoenas, KRS 342.260

PROGRAM FOR OCCUPATIONAL SAFETY AND HEALTH
Overview, KRS 338.041

PROSECUTING ATTORNEYS
Penalties, initiating complaint for, KRS 342.990

PROTECTIONS
Employee, T 24:3

PUBLIC OFFICERS AND EMPLOYEES
Covered employees, KRS 342.640
Covered employers, KRS 342.630
Excluded employers, KRS 338.021

PUBLIC RECORDS
Workers’ compensation cases, KRS 342.245

RECONSIDERATION
Procedure, generally, KRS 342.281

RECORDS AND RECORDING
Employer to keep record of injuries, payments and settlements, KRS 342.038
Lien, recording of
Occupational safety and health law violations, lien on employer’s property, KRS 338.201
Uninsured Employers’ Fund, recording certificate as lien against employer in favor of Fund, KRS 342.770
Office of Occupational Safety and Health, statistical records, KRS 338.161

RECREATIONAL AND SOCIAL ACTIVITIES
In course of employment test, T 9:11

REFUNDS OR REIMBURSEMENTS
Frivolous proceedings, restitution of compensation paid, KRS 342.310
Occupational Safety and Health Standards Board members, KRS 338.051

Index-19
REFUNDS OR
REIMBURSEMENTS
—Cont’d
Premiums canceled or returned,
KRS 342.1222
Transfer of reimbursement funds,
Uninsured Employers’ Fund,
KRS 342.765

REFUSAL OR DENIAL
Medical advice, failure to follow,
KRS 342.035, KRS 342.205
Rehabilitation, refusal to accept,
KRS 342.710
Unfair claims settlement practices,
KRS 304.12 to 230

REHABILITATION
Generally, KRS 342.710, T 14:1
Calculation of benefits during participation in program, KRS 342.715
Rights, duties, and procedure, KRS 342.710

REJECTION
Exempted employees, rejection of coverage, T 3:8

RELEASES
Good faith payments to dependents, F 25:4

RELIGION AND RELIGIOUS ORGANIZATIONS
Coverage exclusion, KRS 342.650
Exempted employees, T 3:11

REOPENED OR REOPENING CLAIMS
Administrative hearing procedure, KRS 342.125, T 21:5
Attorney’s fees, KRS 342.320
Time limitations for reopening awards, KRS 342.125

REPORTS AND REPORTING
Employer’s record of injuries, payments and settlements, KRS 342.038

REPORTS AND REPORTING
—Cont’d
Insurers and insurance policy, report of workers’ compensation experience, KRS 342.382
Power of Office of Occupational Safety and Health to make employer reports and data available to US government,
KRS 338.181
Rehabilitation evaluation, KRS 342.710
Self-insurance reports, KRS 342.122
Uninsured Employers’ Fund, KRS 342.765

RESIDENCE OR DOMICILE
Alien dependent benefits, KRS 342.130
Dependency on decedent requirement, KRS 342.075

RESOLUTION OF DISPUTES
Alternative dispute parameters, generally, KRS 342.277
Expediting, medical benefits disputes, KRS 342.735

RESTITUTION AND IMPLIED CONTRACTS
Generally, KRS 342.990

RETRAINING INCENTIVE BENEFITS
Credit for previously-awarded, KRS 342.125
Discrimination, employee protections, KRS 342.197
Due and payable when, KRS 342.040
INDEX

RETRAINING INCENTIVE
BENEFITS—Cont’d
Element of rehabilitation, job training and placement, KRS 342.710
Pneumoconiosis disability, KRS 342.732

RIDE-SHARING PROGRAMS
Exempted employees, KRS 342.650

SAFETY
Abatement of danger, KRS 338.131
Additional time for compliance, KRS 338.141
Adoption of occupational safety and health standards by Board, KRS 338.061
Appeal of review commission orders, KRS 338.091
Application for variances, KRS 338.153
Attorney General’s duties as to safety violations, KRS 338.191
Authority of commissioner, KRS 338.101
Board, Occupational Safety and Health Standards Board (organization structure and operations), KRS 338.051
Confidentiality of trade secrets made known during safety inspections, KRS 338.171
Definitions, KRS 338.015
Employee’s failure to use safety appliances or obey safety rules, KRS 342.165
Employer’s failure to follow safety rules, KRS 342.165, T 12:3
Hearing officer, employment and powers, KRS 338.081
Increase or decrease in compensation for failure to comply with safety law, KRS 342.165
Injunctive relief, KRS 338.131, KRS 338.133

SAFETY—Cont’d
Issuance of citation by commissioner, KRS 338.141
Lien on property of employer who violates occupational safety and health law, KRS 338.201
Obligations of employers and employees, KRS 338.031
Powers of Office of Occupational Safety and Health, KRS 338.181
Program for Occupational Safety and Health, overview, KRS 338.041
Purpose and policy of statutory enactments, KRS 338.011
Representatives for employer and employee during physical inspections, KRS 338.111
Request for inspection, KRS 338.121
Review Commission, Occupational Safety and Health (organization structure and operations), KRS 338.071
Statutory scheme, occupational safety and health of employees, KRS 338.011 et seq.
Variances, procedure, KRS 338.153

SALES AND TRANSFERS
Average weekly wage, transfer to different location, KRS 342.375
Uninsured Employers’ Fund, transfer of reimbursement funds, KRS 342.765

SCHOOLS AND EDUCATION
Employment element of injury, assault upon a teacher, T 9:17
Permanent partial disability amount, effect of limited education, KRS 342.730
Posting notice of education and training opportunities, KRS 342.796
SEASONAL EMPLOYEES
Average weekly wage, KRS 342.140

SELF-INSURANCE
Generally, KRS 342.340
Annual review of regulations and annual report on financial soundness, KRS 342.342
Annual statement of financial condition, KRS 342.347
Certificates
Generally, KRS 342.345
Default, KRS 342.902
Claim information filings, KRS 342.039
Definition of self-insurance year, KRS 342.0011
Examination of finances of self-insureds, KRS 342.347
Filing, claim information, KRS 342.039
Group insurance, KRS 342.350, KRS 342.352
Guaranty funds
Annual audit, KRS 342.912
Annual report, KRS 342.912
Assessments, KRS 342.908
Assumption of obligations, KRS 342.908
Date of injury, KRS 342.920
Default or insolvency of fund member, KRS 342.908
Distributions, limitation, KRS 342.908
Injury before March 1, 1997, KRS 342.920
Legislative provisions, KRS 342.900 to KRS 342.920
Liability for actions, KRS 342.906
Liability for payment, KRS 342.912
Participation, KRS 342.906
Rights and responsibilities of funds as to payments, KRS 342.910

SELF-INSURANCE—Cont’d
Guaranty funds—Cont’d
Self-insured groups, KRS 342.906
Use of moneys, KRS 342.906
Individual self-insured, KRS 342.342, KRS 342.345, KRS 342.347
Insolvent self-insurer, KRS 342.902
Member, KRS 342.902
Pneumoconiosis, KRS 342.1242
Premium, KRS 342.0011
Role of Department of Insurance, KRS 342.347
Self-insured group, KRS 342.0011
Special fund assessments, KRS 342.122
Unfair Claims Settlement Practices Act, KRS 342.267
Utilization review procedures, KRS 342.035

SIGNATURES
Notice of accident or injury, KRS 342.190

SOCIAL SECURITY
Reduction of disability benefits when employee reaches age of social security, KRS 342.730

SPECIAL FUNDS
Assessments
Generally, KRS 342.122
Department of Revenue, KRS 342.447
Penalty and interest on late payments, KRS 342.1221
Procedure for protesting, KRS 342.1231
Refunds or credits on canceled or returned premiums, KRS 342.1222
Withdrawal from business in state prior to due date, KRS 342.460
Creation and authority of, KRS 342.120, KRS 342.1223
SPECIAL FUNDS—Cont’d

Insurance considerations, T 6:7
Motion to be made a party for liability, KRS 342.120
Notice of claim, KRS 342.316
Penalties, payment of, KRS 342.990, KRS 342.1221
Registry of all claims to which it is a named party, KRS 342.122
Sharing books, records, documents and information with Workers’ Compensation Funding Commission, KRS 342.1226
Subrogation, KRS 342.700
Subsequent injury liability, KRS 342.120, KRS 342.122
Withdrawal from business in state, KRS 342.460

STATISTICS
Office of Occupational Safety and Health, statistical records, KRS 338.161

STATUTORY EMPLOYERS
Generally, T 5:2
Civil actions, T 7:2

STIPULATIONS
Attorney fees, KRS 342.320
Injury, statement of proposed stipulations, F 25:35.10
Occupational diseases, statement of proposed stipulations, F 25:35.20

STREET RISKS
Going and coming rule, T 9:7

SUBCONTRACTORS
Statutory employers, T 5:2

SUBROGATION
Civil actions, employers’ subrogation, KRS 342.700
Claims, generally, T 7:9
Third party actions, KRS 342.700

SUBSEQUENT INJURY
Reopening first claim, KRS 342.125
Special Fund liability, KRS 342.120, KRS 342.122

SUICIDE
Compensability, KRS 342.680, T 11:2
Presumption, KRS 342.680

SUPERSEDEAS OR STAY
Bond, appeal to Court of Appeals, KRS 342.300

SUPREME COURT
Review by, T 22:4
Workers’ compensation cases, KRS 342.290

SURVIVING SPOUSE
Calculation of dependency payments for, KRS 342.750
Other than work-related injury causing death of employee receiving disability income, spouse’s entitlement when, KRS 342.730
Presumption of dependency, KRS 342.075
Receipt of dependency payments for other dependents, KRS 342.160

TEETH INJURIES
Medical expenses employer liability, KRS 342.020

TEMPORARY EMPLOYEES
Coverage for, KRS 342.615

TESTS AND TESTING
Drug, medical benefits, T 13:6

THIRD-PARTY PRACTICE
Indemnity or contribution from employer, KRS 342.700
Liability for employee injury, civil actions, KRS 342.700
TIME LIMITATIONS
Gradual injuries, T 20:1
Occupational diseases, T 20:2
Reference of medical question to physicians for investigation and report, F 25:11
Reopening awards, T 20:5

TOLL-FREE TELEPHONE ACCESS FOR INQUIRIES
Generally, KRS 342.329

TORTS
Asbestos cleanup lawsuits, rebuttable presumption in, KRS 338.195
Exclusivity of workers’ compensation statute, KRS 342.610, KRS 342.690
Insurer’s failure to proceed reasonably, KRS 304.12 to 230
Non-covered employment injuries, KRS 342.690
Retaliatory discharge, KRS 342.197
Safety violations, duty of Attorney General, KRS 338.191
Willful and unprovoked attack by co-employee, officer or director, KRS 342.690

TRADE PRACTICES
Confidentiality of trade secrets made known during safety inspections, KRS 338.171
Unfair claims settlement practices, KRS 304.12 to 230, KRS 342.267

TRAINERS AND TRAINEES
Average weekly wage of trainees, KRS 342.402
Coverage, trainees, KRS 342.640
Exempted employees, trainers as, KRS 342.670

TRAVEL EXPENSES—Cont’d
Frivolous proceedings, sanctions, KRS 342.310
Rehabilitation expenses, KRS 342.710

TRUSTS AND TRUSTEES
Appointing to receive lump sum payment for employee’s disability, KRS 342.155

UNEXPLAINED INJURY
Employment element of injury, KRS 342.680

UNFAIR CLAIMS SETTLEMENT PRACTICES ACT
Generally, KRS 304.12 to 230, KRS 342.267
Self-insured groups, KRS 342.267

UNINSURED EMPLOYERS’ FUND
Generally, T 6:6
Subrogation, T 7:9

UNIVERSITY MEDICAL SCHOOLS
Evaluating physicians on list, KRS 342.794
Medical evaluations by, KRS 342.315

UP THE LADDER LIABILITY
Uninsured employees of subcontractors, T 5:4

VOLLEYBALL GAMES
In course of employment test, T 9:11

VOLUNTARY COVERAGE
Covered employees, KRS 342.395
Covered employers, KRS 342.390
Election to operate under workers’ compensation law, KRS 342.390
Exempted employees, KRS 342.660

Department of Workers’ Claims employees, KRS 342.235

Department of Workers’ Claims employees, KRS 342.235
INDEX

VOLUNTARY COVERAGE
—Cont’d
Extraterritorial injury claims, KRS 342.670
Rejection of coverage as voluntary, generally, KRS 342.395, KRS 342.400

VOLUNTEERS
Emergency service employees
Average weekly wage, KRS 342.402
Coverage, KRS 342.640

WITHDRAWAL
Voluntary rejection of coverage, KRS 342.395, KRS 342.660

WITNESSES
Frivolous proceedings, sanctions, KRS 342.310
Medical report made part of record, KRS 342.033
Notice of accident or injury as including witness names, KRS 342.190
Rehabilitation ordered by administrative law judge, KRS 342.710

WORK FOR AID OR SUSTENANCE
Exempted employees, KRS 342.650

WORK HISTORY
Filing form, KRS 342.316
Full disclosure of previous work history, KRS 342.316

WORKERS’ COMPENSATION
—Cont’d
Administrative law judge
Generally, KRS 342.230
Appointment of, KRS 342.230
Approval of attorney, physician, and hospital fees, KRS 342.320
Authority of, KRS 342.230, KRS 342.325
Hearing duties, KRS 342.275
Remanding claim to, KRS 342.285

Administrative procedure
Appeal
Occupational safety and health review commission hearing orders, KRS 338.091
Procedure, KRS 342.285
Supersedeas bond for appeal to Court of appeals, KRS 342.300
Commissioner’s authority to promulgate administrative regulations, KRS 342.260
Decision within sixty days of hearing, KRS 342.275
Enforcement of award or order, KRS 342.305
Evidence, KRS 342.033
Frivolous proceedings, sanctions, KRS 342.310
Hearing, generally, KRS 342.303, KRS 342.275, KRS 342.315
Medical services, mandated administrative regulations, KRS 342.734
Prehearing conference
Occupation disease claims, KRS 342.316
Purpose and procedure, KRS 342.270
Public records requirement, KRS 342.245
Reconsideration, procedure, KRS 342.281

Index-25
WORKERS' COMPENSATION
—Cont’d
Administrative procedure—Cont’d
Workers’ Compensation Board
Appeal to, KRS 342.285
Authority, KRS 342.260
Enforcement of award, KRS 342.305
Procedure for appeal to, KRS 342.285
Advisory council
Generally, KRS 342.0012
Creation, organization, authority and duties, KRS 342.0012
Affirmative defense, exclusive remedy provision, KRS 342.690
Age and aging process
Permanent partial disability amount, effect of advanced age, KRS 342.730
Reduction of disability benefits when employee reaches age of social security, KRS 342.730
Agents and agency, dependency benefits, certain dependents receiving payments for other dependents, KRS 342.160
Agriculture exemption
Employees, KRS 342.650
Employers, KRS 342.630
Aids, notice of injurious exposure, KRS 342.185
Aliens
Dependents’ compensation, KRS 342.130
Notice to nonresident aliens, KRS 342.135
Alternative dispute resolution, validity of, KRS 342.277
Amputation, covered medical expenses, KRS 342.020
Appeal and review by Supreme Court, KRS 342.290
Appointments
More than two physicians to examine claimants and

WORKERS’ COMPENSATION
—Cont’d
Appointments—Cont’d
.testify, KRS 342.033, KRS 342.315
Occupational Safety and Health Standards Board members, KRS 338.051
Workers’ Compensation Advisory Council members, KRS 342.0012
Workers’ Compensation Nominating Commission, generally, KRS 342.213
Apportionment
Generally, KRS 342.120
Dependency income benefits cessation of, KRS 342.750
Disability resulting from prior and current injuries, payments for, KRS 342.730
Reference of medical questions to physicians for investigation and report, KRS 342.120
Apprentice
Average weekly wage, KRS 342.402
Covered employees, KRS 342.640
Approval by Commission of Department of Insurance, KRS 342.380
Arbitration
Alternative dispute resolution parameters, generally, KRS 342.277
Appealing arbitration awards, KRS 304.12 to 230
Asbestos
Claims procedure, KRS 342.318
Rebuttable presumption in asbestos cleanup lawsuits, KRS 338.195
Assignment
Disability income benefits, KRS 342.180
WORKERS' COMPENSATION
—Cont'd
Assignment—Cont'd
Prohibition of assigning compensation under the program prohibition, KRS 342.175
Athletes, coaches or trainers, exempted employees, KRS 342.670
Attorney, representation by, KRS 342.425
Attorney general, safety violations, duties, KRS 338.191
Attorneys’ fees
Generally, KRS 342.320
Approval of, KRS 342.320
Frivolous proceedings, sanctions, KRS 342.310
Overdue temporary total disability income benefits, recovery of, KRS 342.040
Penalty, KRS 342.197
Regulation of fees, KRS 342.320
Average weekly wage
Burial expenses, effect on, KRS 342.750
Computation of, KRS 342.140
Definition of wage, KRS 342.402
Dependency income benefits, calculating, KRS 342.750
Disability income benefits basis Generally, KRS 342.730
Importance of average weekly wage, KRS 342.730
Employee’s average weekly wage, calculating, KRS 342.140
Method for determining state’s, KRS 342.143
Rehabilitation program, KRS 342.710, KRS 342.715
Retraining incentive benefits for pneumoconiosis claimants, KRS 342.732
Seasonal employees, KRS 342.140

WORKERS' COMPENSATION
—Cont’d
Average weekly wage—Cont’d
State’s average weekly wage, calculating, KRS 342.143, KRS 342.740
Transfer of employee to different location, KRS 342.375
Back injury, employment element of back injury, KRS 342.0011
Bad faith, insurer’s failure to proceed reasonably, KRS 304.12 to 230
Black lung, coverage, KRS 342.650
Board and lodging, rehabilitation expenses, KRS 342.710
Bonds
Appeal of order of whom to pay dependency benefits, KRS 342.090
Self-insurance, KRS 342.340
Supersedeas bond for appeal to Court of appeals, KRS 342.300
Bracing limbs, covered medical expenses, KRS 342.020
Brother and sister, dependents defined, KRS 342.085
Building permit, liability as to, KRS 342.610
Burial expenses, death and dependency benefits, KRS 342.750
Business owners as covered employees, KRS 342.012
Cancellation or termination of insurance policy, procedure, KRS 342.340
Certificates and certification
Enforcement of order or award by filing certified copy with Circuit Court
Administrative agency’s order or award, KRS 342.285
Court of appeals’ order or award, KRS 342.305
Self-insurance, KRS 342.345
WORKERS' COMPENSATION
—Cont’d
Certificates and certification
—Cont’d
Uninsured Employers’ Fund, recording certificate as lien against employer in favor of Fund, KRS 342.770
Changes, reopening award, KRS 342.125
Charitable work, coverage exclusion, KRS 342.650
Chiropractic services, coverage for and selection of doctor, KRS 342.019
Civil actions
Asbestos cleanup lawsuits, rebuttable presumption in, KRS 338.195
Employer’s failure to secure payment of claim, employee’s right to civil recovery, KRS 342.690
Employer’s intent to produce injury, recovery for, KRS 342.610
Exclusivity of workers’ compensation statute, KRS 342.610, KRS 342.690
Immunity of employers, KRS 342.690
Insurer’s failure to proceed reasonably, KRS 304.12 to 230
Non-covered employment injuries, KRS 342.690
Retaliatory discharge, KRS 342.197
Safety violations, duty of Attorney General, KRS 338.191
Willful and unprovoked attack by co-employee, officer or director, KRS 342.690
Civil defense members or trainees, average weekly wage, KRS 342.402

WORKERS' COMPENSATION
—Cont’d
Coaches, athletes or trainers, exempted employees, KRS 342.670
Coal workers’ pneumoconiosis fund, quarterly reports, KRS 342.232
Collateral source payment, medical benefits, KRS 342.020
Communicable disease
Defined, KRS 342.0011
Distinguished from occupational disease, KRS 342.316
Complaint, penalties, complaint for, KRS 342.990
Confidentiality, trade secrets made known during safety inspections, KRS 338.171
Consent
Approval of settlement, KRS 342.265
Decision of administrative law judge, extending time for judge’s decision, KRS 342.275
Fees of attorney, physician, and hospital fees approved by administrative law judge, KRS 342.320
Privileged or confidential medical matters, waiver and consent form, KRS 342.020
Settlement, KRS 342.265
Testimony of more than two physicians, consent to, KRS 342.033, KRS 342.315
Conservator, receipt of dependency payments for ward, KRS 342.160
Constitutional law, reduction of disability benefits when employee reaches age of social security, KRS 342.730
Contagious diseases, AIDS, notice of injurious exposure, KRS 342.185
WORKERS' COMPENSATION
—Cont’d
Continuing benefits during Court of Appeals appeal, KRS 342.300
Continuing work
Permanent partial disability payments when employee returns to work, KRS 342.730
Total disability payments prohibition, KRS 342.730
Contract of hire, covered employees, KRS 342.640
Contractors, subcontractors, and “statutory employees/employers”
Builder’s proof of coverage and posting of notice, KRS 342.610
Immunity, KRS 342.690
Indemnity, KRS 342.700
Corporations, coverage of executive officers, KRS 342.012, KRS 342.640
Costs and expenses
Frivolous proceedings, sanctions
Administrative law proceedings, KRS 342.310
Court of appeals proceedings, KRS 342.310
Managed health care, KRS 342.735
Medical examination costs, liability for, KRS 342.035, KRS 342.205, KRS 342.315
Medical fees schedule, KRS 342.035
Medical treatment costs, liability for, KRS 342.020
Rehabilitation expenses, KRS 342.710
Court of Appeals
Generally, KRS 342.290
Continuation of award pending appeal, KRS 342.200
WORKERS' COMPENSATION
—Cont’d
Court of Appeals—Cont’d
Decision of appeal, review by Supreme Court, KRS 342.290
Enforcement of order, KRS 342.305
Frivolous proceedings, KRS 342.310
Order of whom to pay dependency benefits, KRS 342.090
Record on appeal, KRS 342.295
Review by, Supreme Court’s review of Court of Appeals’ decision, KRS 342.290
Safekeeping, transporting and return of original record of board, KRS 342.295
Supersedeas bond for appeal to Court of appeals, KRS 342.300
Coverage required, KRS 342.340
Covered employees
Generally, KRS 342.640
Apprenticeship, KRS 342.640
Broad coverage, KRS 342.640
Business owners, KRS 342.012
Electing not to be covered, KRS 342.650
Emergency service employees, KRS 342.640
Executive officers and business owners, KRS 342.640
Extraterritorial coverage, KRS 342.670
Government employees, KRS 342.640
Minors, KRS 342.640
Newspaper carriers, KRS 342.640
Partners, KRS 342.012
Under contract of hire, construed, KRS 342.640
Voluntary coverage, KRS 342.650
Index-29
WORKERS' COMPENSATION
—Cont’d
Covered employers
Generally, KRS 342.630
Agriculture exemption, KRS 342.630
Broad coverage, KRS 342.630
Governmental employer, KRS 342.630
Credit, retraining incentive benefits or income, benefits awarded for coal-related pneumoconiosis, previously-awarded, KRS 342.125
Creditors
Assignment of compensation under the program prohibition, KRS 342.175
Assignment of disability income benefits to creditors, KRS 342.180
Criminal actions and penalties
Generally, KRS 342.990
Safety violations, duty of Attorney General, KRS 338.191
Death and dependency benefits
Generally, KRS 342.750
Alien dependents’ compensation, KRS 342.130
Application to determine who to pay, KRS 342.090
Average weekly wage, importance of, KRS 342.730, KRS 342.750
Burial expenses, KRS 342.750
Calculating income benefits for death, KRS 342.750
Deaths occurring within four years of injury, additional lump sum payment for, KRS 342.750
Definition of certain dependents, KRS 342.085
Determination of dependency, KRS 342.075

WORKERS' COMPENSATION
—Cont’d
Death and dependency benefits
—Cont’d
Employee’s failure to follow medical advice, KRS 342.035, KRS 342.205
Employer’s intentional conduct to produce injury, KRS 342.610
Good faith payment of death benefits, KRS 342.090
Income benefits for death, KRS 342.750
Multiple dependents payments
Certain dependents receiving payments for other dependents, KRS 342.160
Remaining beneficiaries’ amount when benefits cease as to any one beneficiary, KRS 342.750
Other than work-related injury causing death of employee receiving disability income, KRS 342.730
Public service death in line of duty, KRS 16.601, KRS 95.550
Retraining incentive benefits for pneumoconiosis claimants ceasing at death, KRS 342.732
Suicide or self-injury, KRS 342.680
Defenses
Employer’s failure to secure payment of claim, KRS 342.690
Intoxication, KRS 342.610, KRS 342.680
Non-covered employment injuries, civil action for, KRS 342.690
Definitions
Adopted and adoption, KRS 342.085

Index-30
INDEX

WORKERS' COMPENSATION
—Cont’d
Definitions—Cont’d
Alien, KRS 342.0011
Brother and sister, KRS 342.085
Child, KRS 342.085
Communicable disease, KRS 342.0011, KRS 342.316
Dependents, particular, KRS 342.085
Disability, KRS 342.0011
Established federal standard, KRS 338.015
Grandchild, KRS 342.085
Income benefits, KRS 342.0011
Injurious exposure, KRS 342.0011
Injury
Broad definition, KRS 342.0011
Occupational injury or illness, KRS 338.015
Insurance carrier, KRS 342.0011
Insurance policy, KRS 342.0011
Investment interest, KRS 342.0011
Limited liability company, KRS 342.012
Managed health care system, KRS 342.0011
Medical services, KRS 342.0011
National consensus standard, KRS 338.015
Objective medical findings, KRS 342.0011
Occupational disease
Basic definition, KRS 342.0011
Injury distinguished, KRS 342.316
Occupational safety and health standard, hazard, injury or illness, KRS 338.015
Parent, KRS 342.085
Permanent disability rating, KRS 342.0011
Permanent impairment rating, KRS 342.0011
Permanent partial disability, KRS 342.0011
Permanent total disability, KRS 342.0011
Physician, KRS 342.0011
Premium, KRS 342.0011
Self-insured group, KRS 342.0011
Qualified versus non-qualified partners, KRS 342.012
Reopening, KRS 342.125
Self insurer, KRS 342.0011
Self-insurance year, KRS 342.0011
Severance or processing of coal, KRS 342.0011
SIC code, KRS 342.0011
Temporary total disability, KRS 342.0011
Wage, KRS 342.0011, KRS 342.140
Work, KRS 342.0011
Workers’ compensation terminology, generally, KRS 342.0011
Delay
Accrual of costs and interest charges on delayed payments, fines and penalties, KRS 342.040
Penalties for fraud and misrepresentation in filing or delaying filing of claims and in receiving or providing services or benefits, KRS 342.335
Special fund assessments late payments, penalty and interest on, KRS 342.1221
Department of Workers’ Claims, employees, KRS 342.230

Index-31
WORKERS' COMPENSATION—Cont'd
Department of Workplace Standards staffing, KRS 338.042
Deposition costs, frivolous proceedings, sanctions, KRS 342.310
Directors, civil action for willful and unprovoked attack by co-employee, officer or director, KRS 342.690
Disability income benefits
Assignment of benefits, KRS 342.180
Definitions, KRS 342.0011
Determining extent or degree of disability, KRS 342.750
Due and payable when, KRS 342.040
Expediting payment of, KRS 342.735
First seven days not payable, KRS 342.040
Interest on money, entitlement and rate, KRS 342.040
Partial disability, permanent or temporary
Generally, KRS 342.730
Defined, KRS 342.0011
Total disability, permanent or temporary
Generally, KRS 342.730
Expediting payment of temporary total disability benefits, KRS 342.735
Disabled persons
Receipt of dependency payments for, KRS 342.160
Tolling statute of limitations for filing claim, KRS 342.210
Unexplained injury, work-related injury presumption, KRS 342.680
Discrimination in employment
Employee protections, KRS 342.197
Notice of work-related injury, discrimination for having
WORKERS' COMPENSATION—Cont'd
Discrimination in employment—Cont’d
filed, KRS 342.197
Retaliatory misconduct, KRS 342.197
Safety inspection request, KRS 338.121
Division of ombudsman, generally, KRS 342.329
Domestic servant employees, exempted employees, KRS 342.650
Education
Permanent partial disability amount, effect of limited education, KRS 342.730
Posting notice of education and training opportunities, KRS 342.796
Emergencies
Covered employees, emergency service employees, KRS 342.640
ELECTING TO CONTINUE TREATMENT WITH PHYSICIAN PROVIDING EMERGENCY MEDICAL CARE OR TREATMENT TO EMPLOYEE, KRS 342.020
Employer’s insurance association, creation of, KRS 342.350
Employers’ mutual insurance authority, legislative provisions, KRS 342.801 to KRS 342.843
Employment element of unexplained injury, KRS 342.680
Enforcement of order
Administrative law procedure, KRS 342.285
Appeal to Court of Appeals, KRS 342.305
Penalty, enforcement procedure, KRS 342.990
Supersedeas bond for appeal to Court of appeals, suspension

Index-32
WORKERS' COMPENSATION
—Cont’d
Enforcement of order—Cont’d
of award, KRS 342.300
Entire liability of employer, policy to cover, KRS 342.375
Evidence
Builder’s permit, proving coverage prerequisite, KRS 342.610
Dependency on decedent, KRS 342.075
Different medical treatment, need for, KRS 342.035
Employer’s election to operate under workers’ compensation law, KRS 342.390
Failure to follow medical advice, KRS 342.035, KRS 342.205
Financial security for self-insurance, KRS 342.340
Injury is work-related, rebutting prima facie evidence that, KRS 342.680
Intoxication, rebutting, KRS 342.680
Medical fees as reasonable, KRS 342.035
Medical reports made part of record, KRS 342.033
Notice, timeliness of giving employer notice of accident, KRS 342.185
Occupational disease arising out of or in course of employment, KRS 342.0011
Pneumoconiosis resulting from coal dust exposure, KRS 342.732
Rehabilitation treatment duration, KRS 342.710
Reopening award, KRS 342.125
Retraining incentive benefits entitlement for pneumoconiosis claimants, KRS 342.732
WORKERS' COMPENSATION
—Cont’d
Evidence—Cont’d
Special Fund, motion for making Fund a party for liability, KRS 342.120
Substantial evidence
Injury is work-related, rebutting prima facie evidence that, KRS 342.680
Intoxication, rebutting, KRS 342.680
Voluntary rejection of coverage, KRS 342.395
Exclusivity of workers’ compensation statute, KRS 342.610, KRS 342.690
Exempted employees
Generally, KRS 338.021, KRS 342.650
Agricultural employees, KRS 342.650
Domestic servant employees, KRS 342.650
Federal program, employees covered by, KRS 338.021
Loss of exemption due to willful and unprovoked attack by employee, KRS 342.690
Narrow exemptions, KRS 342.650
Van pools, KRS 342.650
Voluntary coverage, KRS 342.660
Voluntary rejection of coverage, KRS 342.395, KRS 342.400
Work for aid or sustenance, KRS 342.650
Exempted employers, federal agencies, KRS 338.021
Extraterritorial workers
Employees covered, KRS 342.670
Time limitations for extraterritorial injury claims, KRS 342.670

Index-33
WORKERS' COMPENSATION
—Cont’d
Eyesight, medical expenses
employer liability, KRS 342.020
Federal programs, overview of
Program for Occupational
Safety and Health, KRS 338.041
Fees
Medical fee schedule, KRS 342.020, KRS 342.035
Occupational Safety and Health Standards Board members,
KRS 338.051
Fellow or co-employees
Civil action for willful and
unprovoked attack by co-
employee, officer or director,
KRS 342.690
Civil actions based on employ-
ment injuries, fellow
employees, KRS 342.690
Firefighters
Average weekly wage, KRS 342.402
Coverage, KRS 95.550
Death in line of duty, death and
dependency benefits, KRS 61.315, KRS 95.550
Foot or feet injuries, medical expen-
ses employer liability, KRS 342.020
Forms
Application for resolution of
claim, generally, KRS 342.270
Blank forms, KRS 342.430
Medical report made part of evi-
dentiary record, KRS 342.033
Medical waiver and consent,
KRS 342.020
Fraud and deceit
Generally, KRS 342.335
Appeal to Workers’ Compensation
Board, procedure, KRS 342.285
WORKERS' COMPENSATION
—Cont’d
Fraud and deceit—Cont’d
At time of employment, KRS 342.165, KRS 342.316
Notice of accident or injury, KRS 342.200
Unfair claims settlement prac-
tices, KRS 304.12 to 230
Frivolous proceedings
Administrative proceedings,
sanctions, KRS 342.310
Appeal to the courts, KRS 342.310
Assessment of costs, KRS 342.310
General education development
(ged) diploma, permanent
partial disability amount, effect
of limited education, KRS 342.730
Good faith
Payment of death benefits, KRS 342.090
Safety, additional time for
compliance, KRS 338.141
Government employers and
employees
Covered employees, KRS 342.640
Covered employers, KRS 342.630
Excluded employers, KRS 338.021
Guaranty funds, self-insurance,
KRS 342.906
Guardians
Receipt of dependency payments
for ward, KRS 342.160
Tolling statute of limitations for
filing claim, KRS 342.210
Guides to Evaluation of Permanent
Impairment
Approval of General Assembly,
KRS 342.262
Recommendations of Commis-
sioner, KRS 342.262

Index-34
Hearing loss
Compensability, KRS 342.7305
Medical expenses employer liability, KRS 342.020
Presumption, KRS 342.7305
Heart cases, employment element of injury, KRS 342.0011
Hiring
Discrimination, employee protections, KRS 342.197
False representation of physical condition or medical history at time of employment, KRS 342.165
Full disclosure on application for employment, KRS 342.316
Hospital
Charges, approval by administrative law judge, KRS 342.320
Selection of physician and hospital, KRS 342.020
Immunity, civil actions based on employment injuries, KRS 342.690
Indemnity, civil actions based on employment injuries, indemnity action against employer, KRS 342.700
Injunctive relief
Abatement of danger, KRS 338.131
Discrimination, KRS 342.197
Noncompliance with workers’ compensation provisions, KRS 342.402
Operation of unsafe premises or equipment, restraining, KRS 338.133
Injurious exposure, defined, KRS 342.0011
Injury or disease, occupational disease distinguished, KRS 342.316
Insurance guaranty funds, quarterly reports, KRS 342.232
Intentional or willful conduct
Employee’s conduct
Civil action, KRS 342.690
Intent to injure or kill self or another, KRS 342.610, KRS 342.680
Employer’s conduct
Civil action, KRS 342.610
Intent to produce injury, KRS 342.610
Interest on money
Delayed payments, fines and penalties, KRS 342.040
Disability income, interest entitlement and rate, KRS 342.040
Special fund assessments late payments, KRS 342.1221
Intoxication, generally, KRS 342.610, KRS 342.680
Joinder of parties
Administrative law practice and procedure, joinder of parties, KRS 342.265
Special Fund
Generally, KRS 342.120
Registry of claims, KRS 342.122
Uninsured Employers’ Fund, KRS 342.780
Judgments or awards binding on insured, KRS 342.360, KRS 342.365
Jurisdiction
Department of Workers’ Claims, KRS 342.240
Insured’s jurisdiction as insurer’s jurisdiction, KRS 342.360
Liability of insurer, KRS 342.360
Leased employees, coverage for, KRS 342.615
WORKERS' COMPENSATION
—Cont’d
Leg injuries, medical expenses
employer liability, KRS 342.020
Legislative findings, KRS 342.262
Liens
Entitlement to lien for compensation, KRS 342.175
Property of employer who violates occupational safety and health law, lien against, KRS 338.201
Uninsured Employers’ Fund, recording certificate as lien against employer in favor of Fund, KRS 342.770
Life expectancy, use of tables of life expectancy, KRS 342.260
Limited liability companies, coverage, KRS 342.012
Liquidated damages, uninsured Employers’ Fund loss, recovery for, KRS 342.790
Lump sum payment
Attorney fees payment, KRS 342.320
Burial expenses, KRS 342.750
Settlement of future periodic payments, calculating, KRS 342.265
Trustee, payment to, KRS 342.155
Mail, making compensation payments by mail, KRS 342.040
Maintenance, repair, and remodeling employees, casual employees exclusion, KRS 342.650
Managed health care system
Adopting parameters for clinical practice, KRS 342.035
Electing to continue treatment with physician providing emergency medical care or treatment to employee, KRS 342.020

WORKERS' COMPENSATION
—Cont’d
Managed health care system
—Cont’d
Features of health care plan services, KRS 342.020
Plan for health care services, filing with Dept. of Workers’ Comp, KRS 342.020
Use of, KRS 342.735
Utilization review procedures, KRS 342.035
Medical benefits
Basic coverage and liability obligations, KRS 342.020
Chiropractic services, KRS 342.019
Obligation of employer, KRS 342.020
Reasonable medical fees, schedule, KRS 342.035
Rehabilitation, KRS 342.710
Retraining incentive benefits, KRS 342.732
Selection of physician and hospital, KRS 342.020
Medical care and treatment
Copayments or deductibles, KRS 342.020
Electing to continue treatment with physician providing emergency medical care or treatment to employee, KRS 342.020
Failure to follow medical advice, KRS 342.035, KRS 342.205
Fee schedule, KRS 342.020, KRS 342.035
Obligation of employer to pay for, KRS 342.020
Rehabilitation ordered by administrative law judge, KRS 342.710
Medical examination
Costs, liability for, KRS 342.035, KRS 342.205, KRS 342.315

Index-36
WORKERS' COMPENSATION—Cont'd
Medical examination—Cont'd
Entitlement, KRS 342.316
Mandated administrative regulations on medical services, KRS 342.734
University medical schools, medical evaluations by, KRS 342.315
Medical fee schedule, generally, KRS 342.020, KRS 342.035
Medical history of plaintiff, false representation of physical condition or medical history at time of employment as bar to compensation, KRS 342.165
Medical malpractice
Employer-selected medical treatment, KRS 342.020
Impact of medical fee schedule, KRS 342.035
Medical reports
Evaluating physicians on list, report on, KRS 342.794
Filing, KRS 342.316
Form made part of evidentiary record, KRS 342.033
Made part of evidentiary record, KRS 342.033
University medical school’s medical evaluation, KRS 342.315
Medical review panels, T 1:5
Minors
Average weekly wage, KRS 342.402
Calculation of dependency payments for, KRS 342.750
Covered employees, KRS 342.640
Dependency presumption, KRS 342.075
Other than work-related injury causing death of employee receiving disability income,

WORKERS' COMPENSATION—Cont'd
Minors—Cont’d
Minors’ entitlement when, KRS 342.730
Receipt of dependency payments for minors, KRS 342.160
Sui juris, KRS 342.065
Tolling statute of limitations for filing claim, KRS 342.210
Misconduct of employee
Intentional failure to use safety appliance or obey rule, KRS 342.165
Intoxication, KRS 342.610, KRS 342.680
Misrepresentation at time of employment, KRS 342.165, KRS 342.316
Willful intention to injure or kill self or another, KRS 342.610
Misconduct of employer
Intent to produce injury, KRS 342.610
Intentional failure to follow safety rules, KRS 342.165
Retaliatory conduct, KRS 338.121
Willful and unprovoked attack by co-employer, officer or director, KRS 342.690
Mistake, notice of accident or injury, failure to give, KRS 342.200
Motions
Attorney fees, approval of, KRS 342.320
Reopening award, KRS 342.125
Special Fund as party, motion to be made a party for liability, KRS 342.120
Mutual insurance association, KRS 342.350
National guard death benefits, KRS 61.315

Index-37
WORKERS' COMPENSATION — Cont'd
Newspaper carriers, covered employees, KRS 342.640
Nominating commission, KRS 342.213
Non-covered employment injuries
Options of employee for compensation, KRS 342.690
Uninsured Employers' Fund, award against noncomplying employer as liquidated claim for damages, KRS 342.790
Notice agreements in policy, requirement, KRS 342.360
Notice or knowledge—Cont'd
Accident or injury
Notice of
Contents of writing, KRS 342.190
Defective notice or failure to give notice, effect of, KRS 342.200
Discrimination for having filed notice, KRS 342.197
Service of process, KRS 342.195
Time limitations, KRS 342.185
Sufficiency of knowledge, KRS 342.200
Builder's proof of coverage and posting of notice, KRS 342.610
Cancellation or termination of insurance policy, KRS 342.340
Clause in policy as to notice, requirement, KRS 342.360
Contesting penalties, KRS 342.990
Defective notice, effect of, KRS 342.200
Dependency claim, KRS 342.090
WORKERS' COMPENSATION — Cont'd
Notice or knowledge—Cont'd
Discrimination for having filed notice of work-related injury, KRS 342.197
Education and training opportunities, posting notice of, KRS 342.796
Failure to give notice of accident or injury, effect on compensation, KRS 342.200
Insurance carrier, KRS 342.470
Knowledge of injury to insured as notice to insurer, KRS 342.360
Nonresident aliens, KRS 342.135
Occupational disease
Notice of claim, KRS 342.316
Sufficiency of knowledge, KRS 342.316
Policy to waive improper notice and be direct promise to employee, KRS 342.365
Posting of notices, Office of Occupational Safety and Health, KRS 338.161
Safety citation challenge, KRS 338.141
Safety inspection request, KRS 338.121
Service of process, KRS 342.195
Third party action, employee’s notice to employer, KRS 342.700
Time limitations, KRS 342.185
Voluntary rejection of coverage, KRS 342.395, KRS 342.400
Withdrawal of voluntary rejection of coverage, KRS 342.395
Occupational hearing loss
Administrative regulations, KRS 342.7305
Compensation, KRS 342.7305
INDEX

WORKERS' COMPENSATION — Cont’d

Occupational hearing loss — Cont’d
Rebuttal presumption as to employer liability, KRS 342.7305

Office of Occupational Safety and Health
Claimant records; limitation on inspection, KRS 342.229
Contracting with other agencies for assistance, KRS 338.041
Employees, KRS 342.230
Monthly reports, KRS 342.231
Office, equipment, seal, sessions, venue, KRS 342.240
Powers, KRS 338.181
Responsibilities, KRS 342.228
Selection and qualifications of commissioner, KRS 342.228
Statistical records and posting of notices, KRS 338.161
Structure of organization, KRS 336.020

Officers
Civil action for willful and unprovoked attack by co-employee, officer or director, KRS 342.690
Coverage of executive officers, KRS 342.012, KRS 342.640
Ombudsman program, generally, KRS 342.329
Orders, variance from safety standard, KRS 338.153
Overtime, average weekly wage calculation exclusion, KRS 342.140
Overview of workers’ compensation law
Generally, KRS 342.0011 et seq.
Medical review panels, T 1:5
Statutory provisions, KRS 342.0011 et seq.

WORKERS' COMPENSATION — Cont’d

Partners and partnerships, coverage, qualified versus non-qualified partners, KRS 342.012
Payment by employee prohibition, KRS 342.420
Peace officers, death in line of duty, death and dependency benefits, KRS 61:315

Penalties
Generally, KRS 342.990
Broad protections, KRS 342.990
Employer penalties, KRS 342.402
Fraud and misrepresentation in filing or delaying filing of claims and in receiving or providing services or benefits, KRS 342.335
Frivolous proceedings, sanctions, KRS 342.310
Lien for compensation, generally, KRS 342.165
Lien on property of employer who violates occupational safety and health law, KRS 338.201
Occupational safety and health law violations
Lien on employer’s property, KRS 338.201
Statutory provisions, KRS 338.991
Restitution, KRS 342.990
Special Fund, KRS 342.990, KRS 342.1221
Unfair claims settlement practices, KRS 342.267
Permanent partial disability
Amount, calculation, KRS 342.730
Definition, KRS 342.0011
Physicians
Changing designated physicians, limitations, KRS 342.020

Index-39
WORKERS' COMPENSATION
—Cont’d
Physicians—Cont’d
Evaluating physicians on list, report, KRS 342.794
Expenses for attending frivolous proceedings, KRS 342.310
Fees, administrative law judge’s approval of, KRS 342.320
Medical reports made part of evidentiary record, KRS 342.033
Privileged or confidential medical matters, waiver and consent form, KRS 342.020
Referral to provider who has investment interest, KRS 342.020
Selection of physician and hospital, KRS 342.020
Testimony of more than two physicians at hearing, KRS 342.033, KRS 342.315
University medical schools
Evaluating physicians on list, KRS 342.794
Medical evaluations by, KRS 342.315
Pneumoconiosis
State’s coal workers’ pneumoconiosis fund
Generally, KRS 342.1242
Legislative findings and declarations on, KRS 342.1241
Policy to waive improper notice and be direct promise to employee, KRS 342.365
Postings
Builder’s permit, proving coverage and posting of notice, KRS 342.610
Notice of education and training opportunities, KRS 342.796
Office of Occupational Safety and Health, posting of notices, KRS 338.161

WORKERS' COMPENSATION
—Cont’d
Preexisting condition, disability resulting from prior and current injuries, payments for, KRS 342.730

Premiums
Average weekly wage calculation exclusion, KRS 342.140
Canceled or returned, KRS 342.1222
Coal workers’ pneumoconiosis fund, assessments to finance State’s, KRS 342.1242
Payment by employee prohibition, KRS 342.420
Presumptions and burden of proof
Asbestos cleanup lawsuits, KRS 338.195
Causation of injury, KRS 342.680
Dependency on deceased employee, KRS 342.075
Failure to follow medical advice, KRS 342.035, KRS 342.205
Hearing loss, KRS 342.7305
Insurance coverage compliance, KRS 342.340
Medical issues, expediting resolution of, KRS 342.735
Unexplained injury as work-related injury, KRS 342.680
Program for occupational safety and health, overview, KRS 338.041
Prosecutors, penalties, initiating complaint for, KRS 342.990
Reciprocal or interinsurance exchanges, KRS 342.350
Reconsideration procedure, generally, KRS 342.281
Recording of lien
Occupational safety and health law violations, lien on employer’s property, KRS 338.201

Index-40
INDEX

WORKERS' COMPENSATION
—Cont’d

Recording of lien—Cont’d
Uninsured Employers’ Fund, recording certificate as lien against employer in favor of Fund, KRS 342.770

Records
Employer to keep record of injuries, payments and settlements, KRS 342.038
Office of Occupational Safety and Health, statistical records, KRS 338.161
Public records requirement, KRS 342.245

Refunds or reimbursements
Frivolous proceedings, restitution of compensation paid, KRS 342.310
Occupational Safety and Health Standards Board members, KRS 338.051
Premiums canceled or returned, KRS 342.1222
Transfer of reimbursement funds, Uninsured Employers’ Fund, KRS 342.765

Refusal
Medical advice, failure to follow, KRS 342.035, KRS 342.205
Rehabilitation, refusal to accept, KRS 342.710
Unfair claims settlement practices, KRS 304.12 to 230

Rehabilitation
Generally, KRS 342.710
Calculation of benefits during participation in program, KRS 342.715
Rights, duties, and procedure, KRS 342.710
Reinsurance, KRS 342.350
Rejection, exempted employees, rejection of coverage, KRS 342.395, KRS 342.400

WORKERS' COMPENSATION
—Cont’d

Releases, good faith payments to dependents, KRS 342.090
Religious organizations, coverage exclusion, KRS 342.650
Reopened or reopening claims
Administrative hearing procedure, KRS 342.125
Attorney’s fees, KRS 342.320
Time limitations for reopening awards, KRS 342.125

Reports
Annual report by Commissioner, KRS 342.435
Employer’s record of injuries, payments and settlements, KRS 342.038
Insurers and insurance policy, report of workers’ compensation experience, KRS 342.382
Monthly reports, KRS 342.231
Power of Office of Occupational Safety and Health to make employer reports and data available to US government, KRS 338.181
Quarterly reports, KRS 342.232
Rehabilitation evaluation, KRS 342.710
Self-insurance reports, KRS 342.122
Uninsured Employers’ Fund, KRS 342.765
Workers’ compensation experience, KRS 342.382

Residence
Alien dependents benefits, KRS 342.130
Dependency on decedent requirement, KRS 342.075

Resolution of disputes
Alternative dispute parameters, generally, KRS 342.277
Expediting, medical benefits disputes, KRS 342.735

Index-41
WORKERS' COMPENSATION
—Cont’d
Restitution, KRS 342.990
Retaliatory discharge
Action for, KRS 342.197
Occupational safety and health standard violation claims, KRS 338.121
Retraining incentive benefits
Generally, KRS 342.710, KRS 342.732
Credit for previously-awarded, KRS 342.125
Discrimination, employee protections, KRS 342.197
Due and payable when, KRS 342.040
Element of rehabilitation, job training and placement, KRS 342.710
Pneumoconiosis disability, KRS 342.732
Ride-sharing programs, exempted employees, KRS 342.650
Seasonal employees, average weekly wage, KRS 342.140
Security
Failure of employer to provide security, employees options for, KRS 342.690
Mutual insurance association or reinsurance, KRS 342.350
Requirement, KRS 342.340
Self-insurance, KRS 342.340
Self-insurance
Generally, KRS 342.340
Annual review of regulations and annual report on financial soundness, KRS 342.342
Annual statement of financial condition, KRS 342.347
Certificates
Generally, KRS 342.345
Default, KRS 342.902
Claim information filings, KRS 342.039

WORKERS' COMPENSATION
—Cont’d
Self-insurance—Cont’d
Definition of self-insurance year, KRS 342.0011
Examination of finances of self-insureds, KRS 342.347
Filing, claim information, KRS 342.039
Group insurance, KRS 342.350, KRS 342.352
Guaranty funds, KRS 342.906
Legislative provisions, KRS 342.900 to KRS 342.920
Individual self-insured, KRS 342.342, KRS 342.345, KRS 342.347
Insolvent self-insurer, KRS 342.902
Member, KRS 342.902
Pneumoconiosis, KRS 342.1242
Premium, KRS 342.0011
Role of Department of Insurance, KRS 342.347
Self-insured group, KRS 342.0011
Special fund assessments, KRS 342.122
Unfair Claims Settlement Practices Act, KRS 342.267
Utilization review procedures, KRS 342.035
Separate policy for specific work plants or locations, KRS 342.375
Service of process
Nonresident aliens, notice to, KRS 342.135
Notice of accident or injury, KRS 342.195
Settlement agreement, KRS 342.265
Sheriff’s service of subpoenas, KRS 342.260
Settlements
Agreement as to compensation

Index-42
WORKERS' COMPENSATION
—Cont’d
Settlements—Cont’d
and order approving settlement
Filing with administrative law judge for enforcement, KRS 342.265
Reopening, KRS 342.125
Approval of settlement, KRS 342.265
Operating as final settlement of claim, KRS 342.265
Reopening settlement, KRS 342.125
Special Fund liability aspect, KRS 342.120
Unfair claims settlement practices, KRS 342.190
Social security, reduction of disability benefits when employee reaches age of social security, KRS 342.730
Special fund
Assessments
Generally, KRS 342.122
Department of Revenue, KRS 342.447
Penalty and interest on late payments, KRS 342.1221
Procedure for protesting, KRS 342.1231
Refunds or credits on canceled or returned premiums, KRS 342.1222
Creation and authority of, KRS 342.120, KRS 342.1223
Motion to be made a party for liability, KRS 342.120
Notice of claim, KRS 342.316
Penalties, payment of, KRS 342.90, KRS 342.1221
Registry of all claims to which it is a named party, KRS 342.122

WORKERS' COMPENSATION
—Cont’d
Special fund—Cont’d
Sharing books, records, documents and information with Workers’ Compensation Funding Commission, KRS 342.1226
Subrogation, KRS 342.700
Subsequent injury liability, KRS 342.120, KRS 342.122
Specialist services, KRS 342.329
Statistics, office of Occupational Safety and Health, statistical records, KRS 338.161
Stipulations
Attorney fees, KRS 342.320
Subrogation of claims
Civil actions, employers’ subrogation, KRS 342.700
Third party actions, KRS 342.700
Subsequent injury
Reopening first claim, KRS 342.125
Special Fund liability, KRS 342.120, KRS 342.122
Suicides
Compensability, KRS 342.680
Presumption, KRS 342.680
Supersedeas bond, appeal to Court of appeals, KRS 342.300
Surviving spouse
Calculation of dependency payments for, KRS 342.750
Other than work-related injury causing death of employee receiving disability income, spouse’s entitlement when, KRS 342.730
Presumption of dependency, KRS 342.075
Receipt of dependency payments for other dependents, KRS 342.160
Teeth injuries, medical expenses employer liability, KRS 342.020

Index-43
WORKERS' COMPENSATION—Cont’d
Temporary employees, coverage for, KRS 342.615
Termination of employment, retaliatory discharge, KRS 338.121, KRS 342.197
Third party actions
Indemnity or contribution from employer, KRS 342.700
Liability for employee injury, civil actions, KRS 342.700
Time limitations
Appeal to the Workers’ Compensation Board procedure, KRS 342.285
Application for resolution of claim, KRS 342.270
Attorney fees, motion for approval of, KRS 342.320
Average weekly wage element calculation, KRS 342.140
Cancellation or termination of insurance policy, KRS 342.340
Decision of administrative law judge, KRS 342.275
Decision of Workers’ Compensation Board, KRS 342.285
Dependency on decedent, determining as of time of injury, KRS 342.750
Due and payable compensation, KRS 342.040
Extraterritorial claims, KRS 342.670
Income benefits not payable for first seven days, KRS 342.040
Injury, notice of, KRS 342.185
Injury or accident claims, filing of
Generally, KRS 342.270
Extraterritorial, KRS 342.670
Lien on property of employer who violates occupational safety and health law, KRS 338.201
Medical treatment expenses, employer’s payment of, KRS 342.020
Notice to employer
Accident or injury, KRS 342.185
Occupational disease, KRS 342.316
Occupational diseases, KRS 342.316
Penalties, contesting imposition of penalties, KRS 342.990
Permanent partial disability payments, KRS 342.730
Pneumoconiosis claims, KRS 342.316
Pneumoconiosis disability benefits, KRS 342.732
Prehearing conference, setting date for, KRS 342.270
Reconsideration, petition for, KRS 342.281
Rehabilitation treatment, KRS 342.710
Reopening awards, KRS 342.125
Retraining benefits duration, KRS 342.732
Safety citation, KRS 338.141
Settlement agreement, serving copies of, KRS 342.265
Tolling limitations period, KRS 342.210
Unfair claims settlement practices, KRS 304.12 to 230
Voluntary rejection of coverage, KRS 342.395
Toll-free telephone access for inquiries, generally, KRS 342.329
Torts, exclusivity of workers’ compensation remedy, KRS 342.610, KRS 342.690
INDEX

WORKERS' COMPENSATION
—Cont’d
Trade practices
Confidentiality of trade secrets made known during safety inspections, KRS 338.171
Unfair claims settlement practices, KRS 304.12 to 230, KRS 342.267
Trainees
Average weekly wage, KRS 342.402
Coverage, KRS 342.640
Trainers, athletes, coaches, exempted employees, KRS 342.670
Transfer of reimbursement funds, uninsured Employers’ Fund, KRS 342.765
Transfer to different location, average weekly wage, KRS 342.375
Travel expenses
Department of Workers’ Claims employees, KRS 342.235
Frivolous proceedings, sanctions, KRS 342.310
Rehabilitation expenses, KRS 342.710
Trustee, appointing to receive lump sum payment for employee’s disability, KRS 342.155
Type of coverage, KRS 342.375
Unauthorized insurance company, representation, KRS 342.465
Unexplained injury, employment element of injury, KRS 342.680
Unfair Claims Settlement Practices Act
Generally, KRS 304.12 to 230, KRS 342.267
Self-insured groups, KRS 342.267
Uninsured employers’ fund
Generally, KRS 342.760

WORKERS' COMPENSATION
—Cont’d
Uninsured employers’ fund
—Cont’d
Administration of fund, KRS 342.765
Award against noncomplying employer as liquidated claim for damages, KRS 342.790
Civil action by Attorney General for fund to recover loss, KRS 342.790
Determination of employer’s compliance, KRS 342.770
Establishment of, KRS 342.760, KRS 342.780, KRS 342.790
Joiner of Fund, KRS 342.780
Liquidated claim for damages, award against noncomplying employer as, KRS 342.790
Lump-sum payment of employer’s obligation, KRS 342.790
Payment obligation and liability of employer, KRS 342.760, KRS 342.790
Recording certificate as constituting lien against employer in favor of Fund, KRS 342.770
Reports, KRS 342.765
Subrogation, KRS 342.700
Transfer of reimbursement funds, KRS 342.765
University medical schools
Evaluating physicians on list, KRS 342.794
Medical evaluations by, KRS 342.315
Voluntary coverage
Covered employees, KRS 342.395
Covered employers, KRS 342.390
Election to operate under workers’ compensation law, KRS 342.390

Index-45
WORKERS' COMPENSATION
—Cont’d
Voluntary coverage—Cont’d
Exempted employees, KRS 342.660
Extraterritorial injury claims, KRS 342.670
Voluntary rejection of coverage, generally, KRS 342.395, KRS 342.400
Volunteer emergency service employees
Average weekly wage, KRS 342.402
Coverage, KRS 342.640
Waiver
Policy to waive improper notice and be direct promise to employee, KRS 342.365
Privileged or confidential medical matters, waiver and consent, KRS 342.020
Remedies for award of contract, waiver unlawful, KRS 342.700
Special fund assessments late payments, waiver of penalty on, KRS 342.1221
Withdrawal, voluntary rejection of coverage, KRS 342.395, KRS 342.660
Witnesses
Frivolous proceedings, sanctions, KRS 342.310
Medical report made part of record, KRS 342.033
Notice of accident or injury as including witness names, KRS 342.190
Work for aid or sustenance, exempted employees, KRS 342.650
Work history
Filing form, KRS 342.316
Full disclosure of previous work history, KRS 342.316

WORKERS' COMPENSATION
—Cont’d
Workers’ compensation board
Authority, KRS 342.215
Cancellation or termination of policy, providing necessary information to Board, KRS 342.340
Commissioner’s authority to promulgate administrative regulations, KRS 342.260
Creation and organization structure, KRS 336.020, KRS 342.215
Oath of board members, KRS 342.220
Self-insurance, providing necessary information to Board, KRS 342.340
Workers’ compensation funding commission
Administrative savings, KRS 342.1232
Annual audit of commission’s financial statements, KRS 342.1225
Benefit reserve fund, KRS 342.1229
Board of directors, KRS 342.1224
Creation and authority, KRS 342.120, KRS 342.1223
Exempt from Governor’s reorganization powers, KRS 342.1228
Expenses of audits, how paid, KRS 342.1231
Loan or transfer of funds prohibition, KRS 342.1227
Procedure for protesting special fund assessments, KRS 342.1231
Sharing books, records, documents and information with special fund, KRS 342.1226
Taxpayer, self-insured group, KRS 342.1231

Index-46
WORKERS’ COMPENSATION
—Cont’d
Workers’ compensation nominating commission, generally, KRS 342.213
Workers’ compensation specialist services, generally, KRS 342.329
Workplace safety
Abatement of danger, KRS 338.131
Additional time for compliance, KRS 338.141
Adoption of occupational safety and health standards by Board, KRS 338.061
Appeal of review commission orders, KRS 338.091
Application for variances, KRS 338.153
Attorney General’s duties as to safety violations, KRS 338.191
Authority of commissioner, KRS 338.101
Board, Occupational Safety and Health Standards Board (organization structure and operations), KRS 338.051
Confidentiality of trade secrets made known during safety inspections, KRS 338.171
Definitions, KRS 338.015
Employee’s failure to use safety appliances or obey safety rules, KRS 342.165
Employer’s failure to follow safety rules, KRS 342.165
Hearing officer, employment and powers, KRS 338.081
Increase or decrease in compensation for failure to
WORKERS’ COMPENSATION
—Cont’d
Workplace safety—Cont’d
comply with safety law, KRS 342.165
Injunctive relief, KRS 338.131, KRS 338.133
Issuance of citation by commissioner, KRS 338.141
Lien on property of employer who violates occupational safety and health law, KRS 338.201
Obligations of employers and employees, KRS 338.031
Powers of Office of Occupational Safety and Health, KRS 338.181
Program for Occupational Safety and Health, overview, KRS 338.041
Purpose and policy of statutory enactments, KRS 338.011
Representatives for employer and employee during physical inspections, KRS 338.111
Request for inspection, KRS 338.121
Review Commission, Occupational Safety and Health (organization structure and operations), KRS 338.071
Statutory scheme, occupational safety and health of employees, KRS 338.011 et seq.
Variances, procedure, KRS 338.153
WRONGFUL DISCHARGE
Retaliatory discharge, KRS 338.121, KRS 342.197