

W. Davidson Broemel
dbroemel@burr.com
Direct Dial: (615) 724-3212
Direct Fax: (615) 724-3312

December 11, 2009

VIA U.S. MAIL

Attn: Landon Lackey
Honorable Jim Neeley, Commissioner
Tennessee Department of Labor and Workforce
Development
220 French Landing Drive
Nashville, TN 37243

Re: Proposed Rule 0800-02-07 Case Management Original Rule 11-19-09 filed 11/16/09

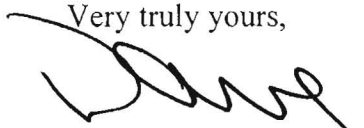
Dear Commissioner Neeley:

On behalf of the American Insurance Association, a trade association of more than twenty five (25) members, I respectfully request a full rulemaking hearing on the above rule. An opportunity to be heard on the proposed amendment to Rule 0800-02-07-.03, Case Management Threshold is needed to discuss the need for this amendment and the attendant cost.

The proposed rule largely does away with the distinction between catastrophic and non-catastrophic injuries and requires face-to-face meetings at least every sixty (60) days after the initial meeting, until the employee reaches MMI. In the event the employee returns to work with restriction before MMI, there must be face-to-face meetings within ten (10) days of the employee's return to work.

These rigid timetables may not be in the best interest of the worker, and cannot be demonstrated to be cost effective. We need more discretion, not less. We would welcome an opportunity to discuss this with you soon.

Very truly yours,


W. Davidson Broemel

WDB/ajg

cc: Mr. Cecil Pearce
Tennessee Department of State, Division of Publications

RECEIVED

2009 DEC 14 PM 2:23

SECRETARY OF STATE
PUBLICATIONS

12-16-09

700 Two American Center
3102 West End Avenue
Nashville, TN 37203

Office (615) 724-3200
Fax (615) 724-3290
Toll-free (866) 489-8542

BURR.COM