

**State of Vermont****Department of Labor**

Workers' Compensation and Safety Division  
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Honorable Deborah Markowitz  
Secretary of State  
26 Terrace Street  
Montpelier, VT 05609-1101

Senator Mark McDonald, Chair - L.C.A.R.  
Representative Richard Marek - Vice-Chair - L.C.A.R.  
State House  
Montpelier Vermont

Subject: Adopted Worker's Compensation Attorney Fee Rule (Rule 10)

Dear Secretary Markowitz, Senator McDonald, and Representative Richard Marek:

This letter summarizes the changes made to the final proposed rule after the initial hearing before LCAR. After the changes were made, LCAR approved the Rule on May 20, 2010.

The following changes were made after the first LCAR meeting:

**Section 10.1210** was amended to increase the hourly rate from \$133.00/hour to **\$145/hour**

**Section 10.1230 was deleted.** That provision had proposed to automatically increase the hourly rate by the cumulative CPI every 5 years unless the rule was otherwise amended.

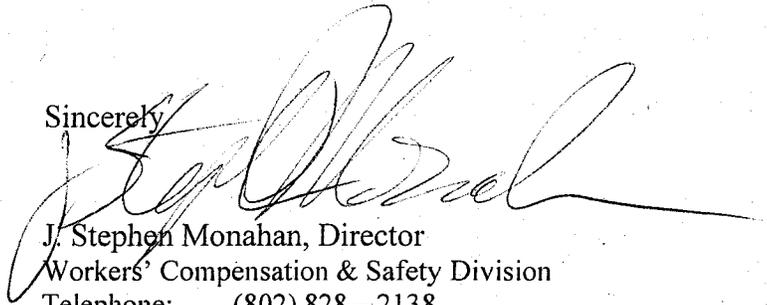
**Section 10.4012** was amended to add language requiring the W.C. insurer to notify the claimant's attorney before any payments are made. The language was added as the last sentence of the section and reads:

*"An employer/carrier with notice of an acknowledged lien shall notify the claimant's attorney prior to issuing payment to the claimant."*



These changes were shared with those who had commented on the rule at the first LCAR hearing. The department did not receive any objections to these changes, and LCAR approved the rule with these changes at its May 20 meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stephen Monahan", written over a large, faint circular stamp or watermark.

J. Stephen Monahan, Director

Workers' Compensation & Safety Division

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