



State of Vermont
Department of Labor
Workers' Compensation
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TO: Workers' Compensation Practitioners
(Adjusters, Attorneys, Health Care Providers, and V.R. Counselors)

FROM: J. Stephen Monahan, Director
Workers' Compensation & Safety Division

DATE: Thursday November 3, 2011

RE: ADDENDUM
Preauthorization -- Guidance Concerning Recently Enacted Statute

Evidently some questions have arisen concerning the calculation of the 14 day response period when the response occurs by US mail.

The department will consider a response to be within the 14 day period allowed by statute as long as the insurer is able to demonstrate that the response was postmarked on or before the 14th day.

If the 14th day is a Saturday, Sunday, or legal Holiday, the response must be postmarked the day immediately following Sunday or legal Holiday, similar to Vermont Civil Rule 6.

The department would recommend that especially where the claimant is represented, the response be sent via e-mail or fax to the provider, the department and the claimant's legal representative on or before the 14th day.