



**ILLINOIS WORKERS' COMPENSATION COMMISSION
PETITION FOR RECONSIDERATION
OF APPLICATION FOR SELF-INSURANCE**

- Initial Application
 Renewal Application

The entity, _____, petitions the chairman of the Commission to reconsider the conditional approval or denial of the *Application for Self-Insurance* for the following reasons.

You must state the reasons why the chairman should reconsider the determination, provide documents in support of your position, and, if applicable, any information not previously considered. Attach additional pages, if necessary.

In support of the above statements, the entity attaches the following documents:

You may request a hearing on this petition by checking the box below. In the absence of a request for a hearing, the chairman will make a determination based upon a review of the petition and the accompanying documentation.

A hearing on this *Petition for Reconsideration* is requested.

Signature of representative and Date

Street address

Name of representative (please print)

City, State, Zip code

Name of entity

Telephone number

Email

50 Illinois Administrative Code 7100.70(f), (g), and (h) appears on the other side.

Rules Governing Practice Before the Commission
50 Illinois Administrative Code
Chapter VI, Section 9100.40 (f), (g), and (h)

Section 9100.40 Requirements for Approval as a Self-insurer

f) Petition for Reconsideration

- 1) Within 21 days after receipt of a notice of conditional approval or a notice that the employer's initial or renewal application does not warrant approval of the self-insurance privilege, the employer may file a petition for reconsideration of the Chairman's determination.
- 2) The petition for reconsideration shall be made in writing and must state the reasons why the Chairman should reconsider the decision.
- 3) The petition shall be accompanied by any documents that support the employer's position and, if applicable, any information not previously considered. The information may include, but is not limited to, evidence of an improving financial condition that was not available to the Board when the application was reviewed.

4) Request for Hearing

The employer may request a hearing on the petition for reconsideration. The request for hearing must be filed with the request for reconsideration.

- A) Upon the filing of a timely petition for reconsideration and request for hearing, the Chairman shall issue a notice that sets forth a place and time of hearing, which shall be within 30 days after the date of the notice.
 - B) Hearings on the petition for reconsideration shall be conducted in accordance with subsection (g).
 - D) In the absence of a request for hearing, the Chairman may consider all matters at issue from the petition for reconsideration and accompanying documentation.
- 5) The Chairman shall issue an order notifying the employer of his or her final decision and the reasons for that decision. The Order shall be subject to review under subsection (h).

g) Conduct of Hearings

- 1) All hearings under this Section shall be conducted by the Chairman or Commissioner designated by the Chairman.
- 2) All hearings shall be conducted in accordance with the requirements of Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 10].
- 3) At the hearing, the employer shall have the right to respond and to call witnesses, cross-examine witnesses and present evidence.
- 4) *The Commission, or any member of the Commission, shall have the power to administer oaths, to subpoena and examine witnesses and issue subpoena duces tecum requiring the production of such books, papers, records or documents as may be evidence to determine the issues of denial or termination of the self-insurance privilege or adjustment of the security.* (Section 16 of the Act)
- 5) The Illinois Rules of Evidence and Article VIII of the Code of Civil Procedure [35 ILCS 5/Art. VIII] shall apply at the hearing.

h) Appeal

All Orders made by the Chairman under Section 4(j) of the Act shall be subject to review in the same manner and within the same time as provided by Section 19(f) of the Act for review of awards and decisions of the Commission. (Section 4(j) of the Act)

(Source: Amended at 40 Ill. Reg. 15788, effective November 9, 2016)