

**5220.2830 OTHER FAILURE TO FILE REPORT IN MANNER OR WITHIN TIME LIMITS PROVIDED; PENALTY.**

Subpart 1. **Basis.** The division may assess a penalty for failure to file a required report if:

A. a report other than the first report of injury required to be filed by Minnesota Statutes, section 176.231, is not filed in the manner or within the time limitations prescribed;

B. a report on a form prescribed by the commissioner is requested by the commissioner but is not provided within 21 days of the commissioner's request; or

C. a changed or corrected electronic first report of injury that corrects all identified errors, as provided in part 5220.2530, subpart 5, item C, is not filed within 60 days after the division sent the insurer or self-insured employer an electronic acknowledgment transmission describing the errors.

Subp. 2. **Amount.**

A. If a report under subpart 1, item A, is not filed in the manner or within the time limitations prescribed, a penalty may be assessed under Minnesota Statutes, section 176.231, subdivision 10, as follows:

- (1) if more than 30 days after the date due, \$125;
- (2) if more than 90 days after the date due, \$375; and
- (3) if more than 180 days after the date due, \$500.

B. If, after a letter request from the commissioner or authorized designee, a report under subpart 1, item B, is not received by the division within 21 days, a penalty of \$125 must be assessed. A failure to file a report after a second request will result in an additional penalty assessment of \$375. A subsequent failure will result in penalty assessments of \$500.

C. If the changed or corrected report under subpart 1, item C, is not electronically filed in the manner or within the time limitations prescribed, a penalty may be assessed under Minnesota Statutes, section 176.231, subdivision 10, as follows:

- (1) if more than 30 days after the date due, \$125;
- (2) if more than 90 days after the date due, \$375; and
- (3) if more than 180 days after the date due, \$500.

Subp. 3. **Payable to.** The penalty is payable to the commissioner for deposit in the assigned risk safety account.

**Statutory Authority:** *MS s 14.388; 175.17; 175.171; 176.129; 176.138; 176.221; 176.225; 176.231; 176.238; 176.83; 176.84*

**History:** *11 SR 1530; 18 SR 2546; 23 SR 1484; 35 SR 2015; 38 SR 726*

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