

**Office of Administrative Hearings****Proposed Expedited Permanent Rules Governing Workers' Compensation Litigation Procedures: Resolution of Claims with Intervenors****1420.1850 RESOLUTION OF CLAIMS WITH INTERVENORS; HEARINGS.**

Subpart 1. **Stipulations without agreement of all intervenors or potential intervenors.** A stipulation for settlement that does not include the agreement of all intervenors or that seeks to preclude rights of potential intervenors must meet the requirements of this subpart.

[For text of item A, see M.R.]

B. Where other parties have reached an agreement to settle a claim but have been unable to reach agreement with an intervenor, or obtain the intervenor's signature on the stipulation, the requirements of subitem (1) or (2) must be met.

(1) If the stipulation is signed by the intervenor, the stipulation must include a statement that the parties negotiated with the intervenor in good faith but the intervenor chooses not to enter into an agreement and reserves the right to petition for hearing on the merits under subpart 3. ~~By signing the stipulation in this manner, the intervenor is waiving the right to a Parker/Lindberg hearing under subpart 2, but not waiving the right to a hearing on the merits under subpart 3.~~

(2) If the stipulation, or a letter of agreement attached to the stipulation, is not signed by the intervenor, ~~the stipulation must include a statement that the parties were unable to obtain a response from the intervenor despite good faith efforts, or were unable to reach agreement with the intervenor despite the belief that the parties negotiated with the intervenor in good faith and made a reasonable offer to settle the intervention claim. At the time the stipulation is filed for approval, a copy of the stipulation must be served on the intervenor. An affidavit of service of the stipulation must accompany the stipulation when~~

~~it is filed for approval.~~ the parties must file a partial stipulation for settlement that complies with Minnesota Statutes, section 176.521, subdivision 2b.

Subp. 2. [See repealer.]

Subp. 3. **Intervenor hearing on the merits.**

A. If the parties have not fully resolved the intervenor claim following the ~~procedures~~ procedure in subparts subpart 1 and 2 and there is no action pending at the office, a party must file a written petition under Minnesota Statutes, section 176.291, for a hearing on the merits of the intervening party's claim. The petition must be filed within 30 days after an award on stipulation is served and filed. ~~If a petition is pending at the time an award on stipulation is served and filed under subpart 2, the office shall schedule the intervenor claims for a hearing on the merits for at least one-half day.~~

[For text of item B, see M.R.]

[For text of subp 4, see M.R.]

**REPEALER.** Minnesota Rules, part 1420.1850, subpart 2, is repealed.