JOEL M PRESSMAN
Commissioner

The Commonwealth of Massachusetts

Department of Industrial Accidents

600 Washington Street
Boston, Mass. 02111

CIRCULAR LETTER #252

TO: ALL INTERESTED PARTIES

FROM: COMMISSIONER JOEL M. PRESSMAN

RE: LUMP SUM PROCEDURES

DATE: MAY 25, 1990

In order to facilitate the hearing and processing of proposed lump sum settlements, effective July 1, 1990, in Boston only, cases for which the parties have reached a proposed lump sum settlement will be within the authority of an Administrative Judge to hear and recommend approval.

For cases which settle prior to conference date, the parties have the option to file a stay with the Judge to whom the case has been assigned for conference and proceed in the usual manner: file form 116 or to present the proposed lump sum to the Judge on the day and time scheduled for conference. An Administrative Judge will, however, only hear a proposed lump sum at the assigned conference time if the following two conditions are met:

1. All lump sum agreement papers have been typed and signed at the time of conference; and

2. A lump sum interview session with a Disability Analyst has been completed prior to conference. Parties must bring the following information to the interview: the signed agreement papers; all relevant medical documentation; proof of any liens removed; and, if applicable, a notarized affidavit.

Disability Analysts will be available for unscheduled, "walk-in" interview sessions each day from 9:00 a.m. to 3:00 p.m. Parties should report to the front counter to request a session.

Once a case has been conferenced by an Administrative Judge, whether or not a conference order has been issued, the parties have the option of filing a stay and form 116 or of having the proposed lump sum heard by the Administrative Judge. If parties