

**Worker's Compensation  
Insurance Letter**

<b>INS #</b>	449
<b>Date</b>	April 2, 2004
<b>Program</b>	Claims Management
<b>Type</b>	New Process
<b>Replaces</b>	None



**State of Wisconsin  
Department of Workforce Development**

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**To: Insurance Carriers, Self Insured Employers and Claims Handling Offices**  
**From: Frances Huntley-Cooper, Division Administrator**  
**Subject: Forfeiture Waiver Process Change under s. 102.35(1)**

**Purpose:** Inform insurers of changes in forfeiture waiver process due to recent changes to s. 102.35(1), effective March 30, 2004.

**Background:** S.102.35(1), Wis Stats. was amended to limit the time frame for requesting a waiver or reduction of a forfeiture to 45 days from the date the forfeiture is mailed. Prior to this change, the Division accepted forfeiture waiver requests until a designated date prior to issuing annual invoices for payment of the forfeitures. Effective with forfeitures issued March 30, 2004, the Division will only accept requests for forfeiture waivers that are received during the 45-day time frame as stated in the amendment. The Division will maintain its practice of mailing annual invoices for forfeitures that were not waived during the previous calendar year.

The Division will accept waiver requests until June 1, 2004 for this year's forfeitures that were mailed before March 30, 2004. A listing of these forfeitures is enclosed.

**Action Requested:** Make requests for waiver of forfeitures issued after March 30, 2004 in accordance with amended s. 102.35(1). Review your enclosed listing of forfeitures issued before March 30, 2004 and submit requests for waivers by June 1, 2004.

**Inquiries:** If you have any questions, please contact Lee Shorey at (608) 267-9407 or e-mail him at [Lee.Shorey@dwd.state.wi.us](mailto:Lee.Shorey@dwd.state.wi.us) (See [www.dwd.state.wi.us/wc/legal/plain\\_lang\\_summary.htm](http://www.dwd.state.wi.us/wc/legal/plain_lang_summary.htm) for complete language of s.102.35(1) and summary of other law changes.)

**Enclosure :** 2004 Forfeiture Listing.

**Reference:** None