

**THE INDUSTRIAL COMMISSION OF ARIZONA  
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August 30, 2019

Honorable Mark Brnovich  
Attorney General  
State of Arizona  
2005 North Central Avenue  
Phoenix, Arizona 85004

Dear Attorney General Brnovich:

Thank you for your letter and kind words regarding the Industrial Commission of Arizona's distinguished history of protecting Arizona workers. The Commission's Administrative Law Judge (ALJ) Division is an administrative tribunal for disputes arising under the Arizona Workers' Compensation Act. The Commission's ALJs are conscientious, skilled, and strive to resolve all cases, including cases involving A.R.S. §§ 23-901.01 and 23-1105, in a fair and expeditious manner.

The Commission is aware of disputes regarding how certain municipalities are administering A.R.S. §§ 23-901.01 and 23-1105 claims in relation to the provisions of the Arizona Workers' Compensation Act. Under A.R.S. § 23-1061(G) an insurance carrier or self-insured employer has the ability to make the compensability determination on a workers' compensation claim. Under A.R.S. § 23-941, an injured worker who believes that an insurance carrier or self-insured employer has improperly denied a workers' compensation claim is afforded the right to have the Commission's ALJs review the decision in the context of a robust hearing process. The ALJs take these types of cases very seriously and rigorously follow the law. The Commission's ALJs will overturn a claim denial where the facts and law establish a compensable claim.


The Commission shares your interest in access to better data regarding cases involving A.R.S. §§ 23-901.01 and 23-1105. To assist policymakers and the public the Commission recently introduced a new system which will allow the Claims and ALJ Divisions to better track the approximately 75,000 industrial claims and approximately 5,000 hearings that are filed or conducted each year. With these new functionalities, the Commission has already started capturing data with respect to claims filed under A.R.S. §§ 23-901.01 and 23-1105, including by identifying claims that arise under the statutes and by tracking the outcome of hearings relating to these types of cases.

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The Commission believes that the data will be beneficial to stakeholders in the future and we will continue to be a resource for the community on matters under our jurisdiction concerning the life, health, safety, and welfare of Arizona's workforce.

Please feel free to contact me at any time if the Commission can be of further assistance. We look forward to working with you.

Sincerely,

  
James Ashley  
Director