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April 19, 2021

MPWC ALERT

RE: Medical Provider Worker's Comp UCR Reimbursement

Medical Provider if you rendered treatment to an injured worker who has a worker's compensation case outside of the state of New Jersey we are willing to file a claim in the Superior Court Law Division to recoup your usual and customary rate. Recently, as you are aware, the New Jersey Supreme Court affirmed (decided not hear) the Appellate Division decision that New Jersey Worker's Compensation court does not have **subject matter jurisdiction** over medical providers UCR claim, where the injured worker has filed a claim outside of the state of New Jersey. In my opinion, these types of cases can still be filed in the Superior Court Law Division because the Superior Court Law Division still have jurisdiction to determine the medical provider's usual and customary fee.

Viable cases for the Superior Court Law Division would be as follows:

1. The medical provider is located in the state of New Jersey;
2. The person was injured on the job **outside of the state of New Jersey (if the injured worker has a claim in the state of New Jersey, then New Jersey Worker's Comp. court has jurisdiction)**;
3. The person received medical treatment in the state of New Jersey;
4. The injured person resides in New Jersey

Please note New Jersey Worker's Compensation Court still has jurisdiction to decide medical provider UCR cases where the injured worker also has a New Jersey Worker's Comp. Case.

Now that the Supreme Court has affirmed the Appellate Divisions' decision the Worker's Compensation Judges are dismissing these cases with prejudice. If you

want to file in the Superior Court Law Division, please contact the undersigned at 973-696-1900 or email at jmassood@dmcklawgroup.com.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Joseph A. Massood', written over a horizontal line.

By:

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JAM/ dks
enclosures