

REQUIREMENTS FOR JOINT PETITION AND STIPULATIONS

K-WC 326 (Rev. 1-13)

To obtain approval from the Office of the Director, Division of Workers Compensation, a Joint Petition and Stipulation **MUST**:

1. Not only contain the signed Joint Petition and Stipulation, but also **be accompanied** by an Award or Order (**original only**) on Joint Petition and Stipulation which is prepared by the parties for the Director's signature.

Several samples are provided and should be used as guides in preparing the Joint Petitions and Awards/Orders.

2. Give claimant's name, address and Social Security number.

All Joint Petition and Stipulations shall contain the claimant's notarized signature.

Give the employer's name and address.

3. Contain an explanation of the terms of the settlement **including average weekly wage, temporary total rate and weeks paid if any, percent or approximate percent of permanent disability.**

If the compensation offered (or paid) does not correspond to the compensation payable according to medical reports and/or figures given (average weekly wage, etc.), explain the discrepancy. If settlement is between respondent/carrier and the Workers' Compensation Fund, give percentage of reimbursement **and** lump sum amount.

4. **Be accompanied by copies of medical reports, birth certificates, death certificates, marriage certificates, etc., or other supporting documents as the case may require.**

5. Contain:

- a) Either an itemization or a total of medical expenses;
- b) An agreement that all medical bills incurred up to the date of the signing of the Joint Petition have been or will be paid by respondent; **OR**, if a medical bill is not being paid by respondent, an explanation of how claimant will pay it;
- c) If a medical bill is being paid from the settlement proceeds, there must be a statement that the bill will be paid **before** settlement proceeds are delivered to claimant.

6. Must state that the claimant lives outside the state of Kansas **and** that it would work an unnecessary hardship on the claimant to return to Kansas for a settlement hearing. If the claimant lives a few miles across the border in another state, it would not seem to be a hardship to attend a settlement hearing in Kansas. There is no residency requirement for a surviving spouse or dependents in fatal cases.