

## 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.