**Section 9110.50 Petitions under Section 19(o) of the Act**

a) A petition filed under Section 19(o) of the Act alleging that the insurer made payments in a case that was not compensable shall provide the following information:

1) name and address of the employer;

2) name and address of the employee;

3) name and address of the insurance carrier;

4) date of the alleged accident giving rise to the petition;

5) benefits paid by the insurance carrier and the dates of the payment;

6) whether Application for Adjustment of Claim was filed with the Commission and the Commission number assigned to the application;

7) a brief statement of the basis for the insured's claim that the case was not compensable.

b) Consideration of a Section 19(o) Petition

1) The Commission, on receipt of the 19-o petition, shall docket the petition and forward a copy of the petition to the insurance carrier and the attorney of record, together with notice of a hearing date not less than 30 days nor more than 60 days from the date the petition is filed.

2) The insurance carrier may answer the 19-o petition by filing with the Commission and serving the employer with a copy of its answer within 30 days after receipt of the petition. The answer shall bear the same heading as the 19-o petition and shall respond to the allegations on a paragraph-by-paragraph basis.

3) The 19-o matter shall, on the hearing date, be assigned to an Arbitrator in the same manner as an arbitrated case. The Arbitrator shall then hold an informal hearing with the employer and the insurance company in an attempt to resolve the dispute or narrow the issues. If the dispute cannot be resolved at the informal hearing, the Arbitrator shall file a written statement of the issues to be resolved by a Commissioner and the positions of each party. If possible, the statement should be agreed to by each party. The matter will then be assigned for hearing before a Commissioner in the same manner as reviews are assigned.

(Source: Amended at 30 Ill. Reg. 11743, effective June 22, 2006)