

(4) REGULATE AND PROVIDE FOR THE NATURE AND EXTENT OF EVIDENCE AND PROOF AND FOR THE METHOD OF TAKING AND PROVIDING EVIDENCE AND PROOF TO ESTABLISH A RIGHT TO COMPENSATION;

(5) REGULATE THE METHOD OF CONDUCTING AN INVESTIGATION OR PHYSICAL EXAMINATION; AND

(6) SET THE TIME WITHIN WHICH AN ADJUDICATION OR AWARD SHALL BE MADE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 10.

In the introductory language of this section, the former clause "provided, always, that all such rules and regulations shall conform to the provisions of this article", is deleted in light of the phrase "subject to this article".

In item (1) of this section, the word "regulations" is substituted for the former word "rules", to conform to terminology used throughout the revised articles of the Code. See SG § 10-101.

Also in item (1) of this section, the word "brief" is substituted for the former word "summary", for clarity.

In item (3) of this section, the words "nature" and "form" are substituted for the former words "kind" and "character", to conform to item (2) of this section.

In item (4) of this section, the former phrase "in cases of injury by accident to employees", is deleted as overly restrictive in light of the expansion of the workers' compensation law to cover occupational diseases and compensable hernias.

In item (5) of this section, the former word "inspections" is deleted in light of the repeal, by Ch. 80, Acts of 1990, of former Art. 101, §§ 53 through 55, which gave the Commission the power to conduct inspections.

Defined terms: "Commission" § 9-101

"Compensation" § 9-101

9-702. PRESUMPTIONS.

ABSENT SUBSTANTIAL EVIDENCE TO THE CONTRARY, IN A PROCEEDING FOR THE ENFORCEMENT OF A CLAIM UNDER THIS TITLE, IT IS PRESUMED THAT:

- (1) THE CLAIM COMES WITHIN THIS TITLE;
- (2) SUFFICIENT NOTICE WAS GIVEN TO THE EMPLOYER; AND