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69L- WORKERS' COMPENSATION ADMINISTRATIVE RULES

State agencies often promulgate administrative rules to implement certain provisions of the statute. The Legislature must grant the agency authority to promulgate a rule. This authority may be mandatory (The Department shall by rule ...) or discretionary (The Department may by rule ...). The language is usually included in the specific statute where the Legislature finds it necessary to fully implement the law. For example, subsection 440.05(9), F.S., states: “

The department may by rule prescribe forms and procedures for filing an election of exemption, revocation of election to be exempt, and notice of election of coverage for all employers and require specified forms to be submitted by all employers in filing for the election of exemption. The department may by rule prescribe forms and procedures for issuing a certificate of the election of exemption.”

Agency rulemaking is governed by Chapter 120, Florida Statutes, the Administrative Procedures Act. Once a rule is adopted, it has the effect of law.

The Division of Workers' Compensation rules are found [here](#).