

**ADVISORY NO. 108**

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**TOPIC: SUSPENSION OF SIB DURING DISPUTE RESOLUTION**

There have been a number of inquiries about whether a carrier is required to pay disputed supplemental income benefits upon receipt of a completed TWCC 52 ordering the payment of benefits.

That question has now been resolved by Appeal 93531. This decision of the Appeals Panel relied upon TWCC Rule 130.108. Because that rule acknowledges that the carrier would owe interest for unpaid supplemental income benefits, the Appeals Panel inferred that the Commissioners intended to permit carriers to suspend the payment of supplemental income benefits when those benefits were in dispute. The Appeals Panel accordingly approved that suspension.

Therefore, if you have a good faith basis to dispute your obligation to pay temporary income benefits, and preserve that defense by timely filing a TWCC 45, Benefit Review Conference Request, within ten days, then you may discontinue all payment at the termination of impairment income benefits, and decline to pay supplemental income benefits until this issue is determined through dispute resolution.