

**§ 10874. Verification to Filing of Declaration of Readiness to Proceed by or on Behalf of Lien Claimant.**

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I declare under penalty of perjury under the laws of the State of California that:

☐ The Declaration of Readiness to Proceed is not being filed because of a dispute subject to the independent medical review and/or independent bill review process; or

☐ A timely petition appealing the Administrative Director's determination regarding independent medical review and/or independent bill review has been filed (Check one box); and

☐ The underlying case has been resolved; or

☐ At least six months have elapsed from the date of injury and the injured worker has chosen not to proceed with their case (Check one box). In determining that the injured worker has chosen not to proceed with their case, I have made a diligent search consisting of the following efforts (specify):

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s/s  
on

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Failure to attach the verification or an incorrect verification may be a basis for sanctions.

(c) If the Appeals Board approves an e-form or optical character recognition (OCR) form for this declaration, lien claimants shall file the declaration using the adopted form.

No Declaration of Readiness to Proceed shall be filed for a section 4903(b) lien, or for a lien claim for medical-legal costs, without an attached verification executed under penalty of perjury: (a) Stating either that: (1) The Declaration of Readiness to Proceed is not being filed because of a dispute solely subject to the independent medical review and/or independent bill review process; or (2) A timely petition appealing the Administrative Director's determination regarding independent medical review and/or independent bill review has been filed; and (b) Stating either that: (1) The underlying case has been resolved; or (2) At least six months have elapsed from the date of injury and the injured worker has chosen not to proceed with their case. The declarant shall make a diligent search to determine that the injured worker has chosen not to proceed with their case and the verification shall specify the efforts made in conducting the diligent search. A diligent search shall include contacting the injured worker, contacting the employer or carrier, or inquiring at the district office with appropriate venue pursuant to Labor Code section 5501.5(a)(1) or Labor Code section 5501.5(a)(2).