



The use of this form is required under the provisions of the South Carolina Workers' Compensation Law.

ENTITLEMENT TO RIGHT OF ACTION

In the Workers' Compensation Claim of

_____, Employee

_____, Claimant(s)

vs.

_____, Employer

_____, Carrier

The undersigned carrier or self-insurer employer assumes and asserts herewith entitlement to bring a third party action in the above matter against _____, as defendant(s) on the ground that the right of action of the injured employee or his surviving Workers' Compensation beneficiary or _____ (other person entitled to sue) to sue the third party has passed to the carrier or self-insurer by statutory assignment for (check one):

- Failure to effect a settlement or to commence an action against the third party within one (1) year after the acceptance of liability for payment of Workers' Compensation by the carrier or self-insurer employer;
- Failure to commence an action against the third party and there remains thirty (30) days or less before time for bringing such action expires;

AND

That the above-named injured employee, claimant(s) and _____ (other person entitled to sue), were served written notice by certified mail on _____, _____, that failure to commence an appropriate action against the third party will operate as an assignment of the cause of action to the Workers' Compensation carrier or self-insurer employer; and that twenty (20) days have passed since that notice of

DATED: _____

Workers' Compensation Carrier or
Self-Insurer Employer

Attorney for Carrier or
Self-Insurer Employer