§ 97-82. Memorandum of agreement between employer and employee to be submitted to
Commission on prescribed forms for approval; direct payment as award.

(a) If the employer and the injured employee or his dependents reach an agreement in
regard to compensation under this Article, they may enter into a memorandum of the agreement
in the form prescribed by the Commission.

An agreement, however, shall be incorporated into a memorandum of agreement in regard
to compensation: (i) for loss or permanent injury, disfigurement, or permanent and total
disability under G.S. 97-31, (ii) for death from a compensable injury or occupational disease
under G.S. 97-38, or (iii) when compensation under this Article is paid or payable to an
employee who is incompetent or under 18 years of age.

The memorandum of agreement, accompanied by the material medical and vocational
records, shall be filed with and approved by the Commission; otherwise such agreement shall
be voidable by the employee or his dependents.

(b) If approved by the Commission, a memorandum of agreement shall for all purposes
be enforceable by the court's decree as hereinafter specified. Payment pursuant to
G.S. 97-18(b), or payment pursuant to G.S. 97-18(d) when compensability and liability are not
contested prior to expiration of the period for payment without prejudice, shall constitute an
award of the Commission on the question of compensability of and the insurer's liability for the
injury as reflected on a form prescribed by the Commission pursuant to G.S. 97-18(b) or
G.S. 97-18(d) for which payment was made. An award of the Commission arising out of
G.S. 97-18(b) or G.S. 97-18(d) shall not create a presumption that medical treatment for an
injury or condition not identified in the form prescribed by the Commission pursuant to
G.S. 97-18(b) or G.S. 97-18(d) is causally related to the compensable injury. An employee may
request a hearing pursuant to G.S. 97-84 to prove that an injury or condition is causally related
to the compensable injury. Compensation paid in these circumstances shall constitute payment
of compensation pursuant to an award under this Article. (1929, c. 120, s. 56; 1993 (Reg.
Sess., 1994), c. 679, s. 3.2; 2005-448, s. 7; 2017-124, s. 1(a).)