

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 612

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Moe" and substitute "Delegates Moe, McHale, Brown, and Fulton"; in line 2 after "Total" insert "Disability"; in line 6, after "total" insert "disability"; in the same line, strike "and"; and in line 8, after "appeal" insert "; providing that this Act may not be construed to prevent the Commission from ordering a certain offset or credit; providing that the insurer or self-insurer is entitled to a certain offset or credit under certain circumstances; and generally relating to the jurisdiction of the Commission".

AMENDMENT NO. 2

On page 1, in line 20, after "TOTAL" insert "DISABILITY"; in the same line, after "BENEFITS" insert ", PROVIDED THAT THE COVERED EMPLOYEE'S TEMPORARY TOTAL DISABILITY BENEFITS WERE GRANTED IN THE ORDER ON APPEAL, AND WERE TERMINATED BY THE INSURER OR SELF-INSURER PENDING ADJUDICATION OR RESOLUTION OF THE APPEAL"; in line 24, strike "EMPLOYEE NEEDS" and substitute "EMPLOYEE'S"; in line 25, after "TOTAL" insert "DISABILITY"; in the same line, after "BENEFITS" insert "WERE TERMINATED"; in the same line, strike "AN" and substitute "ADJUDICATION OR RESOLUTION OF THE"; in the same line, after "APPEAL" insert ", AND THAT THE EMPLOYEE WAS TEMPORARILY TOTALLY DISABLED AT THE TIME OF TERMINATION"; and in line 27, after "TOTAL" insert "DISABILITY"; and after line 27, insert:

"(3) IF THE COMMISSION'S DECISION TO REINSTATE TEMPORARY TOTAL DISABILITY BENEFITS IS REVERSED OR MODIFIED ON APPEAL, THE INSURER OR SELF-INSURER SHALL BE ENTITLED TO AN OFFSET OR CREDIT FOR OVERPAYMENT OF THE TEMPORARY TOTAL DISABILITY BENEFITS GRANTED IN THE SUPPLEMENTAL ORDER."

On page 2, after line 5, insert:

(Over)

“(E) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT THE COMMISSION FROM ORDERING AN OFFSET OR CREDIT AGAINST AN AWARD FOR TEMPORARY TOTAL OR PERMANENT PARTIAL DISABILITY BENEFITS FOR ANY TEMPORARY TOTAL DISABILITY BENEFITS PREVIOUSLY PAID TO A COVERED EMPLOYEE, AS AUTHORIZED UNDER ANY OTHER PROVISION OF THIS TITLE.”.