

HOUSE BILL 315

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HB 62/97 - ECM

1998 Regular Session
8r1666

By: **Delegate Workman**

Introduced and read first time: January 29, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Timely Payment for Treatment and Services -**
3 **Penalty**

4 FOR the purpose of altering the circumstances under which an employer or its
5 insurer shall be fined for failure to pay for certain treatment or services
6 rendered to certain employees under the workers' compensation law; providing
7 that an employer or its insurer shall pay a provider for treatment or services
8 rendered to certain employees within a certain time period after the receipt of
9 an itemized statement under certain circumstances; and generally relating to
10 the timely payment by an employer or its insurer of the costs of certain
11 treatment or services rendered to certain employees under certain
12 circumstances and the penalties for failure to do so.

13 BY repealing and reenacting, with amendments,
14 Article - Labor and Employment
15 Section 9-664
16 Annotated Code of Maryland
17 (1991 Volume and 1997 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Labor and Employment**

21 9-664.

22 (a) (1) [If] UNLESS THE EMPLOYER OR ITS INSURER FILES ISSUES WITH
23 THE COMMISSION STATING THE REASON FOR THE DENIAL OF PAYMENT, IF the
24 Commission finds that the employer or [its] insurer has failed, without good cause,
25 to pay for treatment or services required by § 9-660 of this Part IX of this subtitle
26 within 45 days after the [Commission, by order, finally approves] RECEIPT OF AN
27 ITEMIZED STATEMENT FROM THE PROVIDER REQUESTING PAYMENT OF the fee or
28 charge for the treatment or services RENDERED, the Commission may impose a fine
29 on the employer or insurer, not exceeding 20% of the amount of the approved fee or
30 charge.

1 (2) The employer or insurer shall pay the fine to the Commission to be
2 deposited in the General Fund of the State.

3 (b) (1) Interest, payable to the provider of the treatment or services, shall
4 accrue at the rate specified in § 11-107(a) of the Courts Article on any amount owed
5 to the provider that:

6 (i) is due and payable; and

7 (ii) remains unpaid more than 45 days after notice of the payment
8 due has been mailed.

9 (2) Interest shall accrue beginning on the 46th day after the later of:

10 (i) the day the payment becomes due; or

11 (ii) the day the notice of the payment due is mailed.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1998.