

SENATE BILL 65

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3lr0069

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Workers’ Compensation Commission)**

Requested: October 4, 2012

Introduced and read first time: January 9, 2013

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers’ Compensation – Claim Processing – Electronic Delivery of**
3 **Decisions**

4 FOR the purpose of providing that a copy of certain decisions by the Workers’
5 Compensation Commission may be sent by electronic means to a party or the
6 party’s attorney of record under certain circumstances; and generally relating to
7 the delivery of decisions by the Workers’ Compensation Commission.

8 BY repealing and reenacting, with amendments,
9 Article – Labor and Employment
10 Section 9–308 and 9–714
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2012 Supplement)

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

15 **Article – Labor and Employment**

16 9–308.

17 (a) Any member of the Commission may conduct a hearing or other
18 investigation for the Commission.

19 (b) A decision or order of a member of the Commission shall be considered a
20 decision or order of the Commission.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) A COPY OF EACH DECISION OR ORDER SHALL BE SENT TO EACH**
2 **PARTY'S ATTORNEY OF RECORD AND TO EACH UNREPRESENTED PARTY:**

3 **(1) BY FIRST-CLASS MAIL; OR**

4 **(2) BY ELECTRONIC MEANS, IF THE PARTY'S ATTORNEY OF**
5 **RECORD CONSENTS OR, IF THE PARTY IS UNREPRESENTED, THE PARTY**
6 **CONSENTS.**

7 9-714.

8 (a) When the Commission receives a claim, the Commission:

9 (1) may investigate the claim; and

10 (2) on application of any party to the claim, shall order a hearing.

11 (b) (1) The Commission shall make or deny an award within 30 days:

12 (i) after the mailing of the notice of the filing of a claim; or

13 (ii) if a hearing is held, after the hearing is concluded.

14 (2) The decision shall be recorded in the principal office of the
15 Commission, and a copy of the decision shall be sent [by first-class mail] to each
16 party's attorney of record or, if the party is unrepresented, to the party:

17 **(I) BY FIRST-CLASS MAIL; OR**

18 **(II) BY ELECTRONIC MEANS, IF THE PARTY'S ATTORNEY OF**
19 **RECORD CONSENTS OR, IF THE PARTY IS UNREPRESENTED, THE PARTY**
20 **CONSENTS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2013.