MAINE STATE LEGISLATURE

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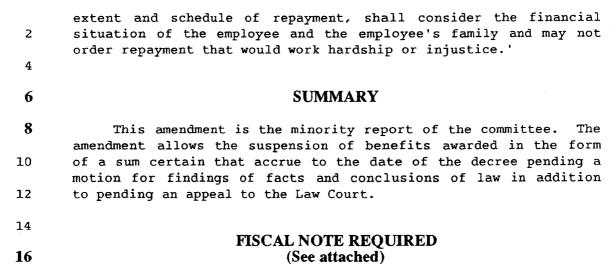




| 2 | DATE: 4.19.05 (Filing No. S-92.) |
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| 4 | |
| 6 | LABOR |
| 8 | Reported by: MINORITY |
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| 12 | STATE OF MAINE |
| 14 | SENATE 122ND LEGISLATURE |
| 16 | FIRST SPECIAL SESSION |
| 18 | COMMITTEE AMENDMENT 'A" to S.P. 287, L.D. 879, Bill, "An |
| 20 | Act To Ensure Equity in Appeals of Workers' Compensation Cases" |
| 22 | Amend the bill in section 1 by striking out all of subsection 1 (page 1, lines 6 to 25 in L.D.) and inserting in its |
| 24 | place the following: |
| 26 | '1. Order or decision. The employer or insurance carrier shall make compensation payments within 10 days after the receipt |
| 28 | of notice of an approved agreement for payment of compensation or within 10 days after any order or decision of a hearing officer |
| 30 | or of the board awarding compensation. If a hearing officer or the board enters a decision awarding compensation and a motion is |
| 32 | made to find the facts specially and state separately the conclusions of law pursuant to section 318 or an appeal is filed |
| 34 | with the Law Court pursuant to section 322, payments for ongoing post-decree compensation awarded pursuant to the decision may not |
| 36 | be suspended while the <u>motion or</u> appeal is pending; <u>however</u> , <u>benefits awarded in the form of a sum certain that accrue to the</u> |
| 38 | date of the decree may be suspended while the motion or appeal is pending. The employer or insurer may recover from an employee |
| 40 | payments made pending appeal to the Law Court if and to the extent that the Law Court has decided that the employee was not |
| 42 | entitled to the compensation paid. The board has full jurisdiction to determine the amount of overpayment, if any, and |
| 44 | the amount and schedule of repayment, if any. The board, in determining whether or not repayment should be made and the |

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COMMITTEE AMENDMENT "A" to S.P. 287, L.D. 879



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COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 879

LR 0996(02)

An Act To Ensure Equity in Appeals of Workers' Compensation Cases

Fiscal Note for Bill as Amended by Committee Amendment Committee: Labor
Fiscal Note Required: Yes
Minority Report

Fiscal Note

Minor savings - All Funds

Fiscal Detail and Notes

Any savings to the State, as an employer, as a result of the suspension of benefits can not be determined at this time but are expected to be minor.