

MAINE STATE LEGISLATURE

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2018

L.D. 670

DATE: May 24, 2001

(Filing No. S-262)

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "B" to S.P. 198, L.D. 670, "An Act to Strengthen Maine's Worker Advocate Program"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 39-A MRSA §154, sub-§6, as amended by PL 1999, c. 359, §1, is further amended to read:

6. Assessment levied. The assessments levied under this section may not be designed to produce more than \$6,000,000 in revenues annually beginning in the 1995-96 fiscal year, more than \$6,600,000 annually beginning in the 1997-98 fiscal year or more than \$6,735,000 beginning in the 1999-00 fiscal year, except that in the 2001-02 fiscal year the assessment may not be designed to produce more than \$7,035,000. Assessments collected that exceed \$6,000,000 beginning in the 1995-96 fiscal year, \$6,600,000 beginning in the 1997-98 fiscal year or \$6,735,000 beginning in the 1999-00 fiscal year or \$7,035,000 in fiscal year 2001-02 by a margin of more than 10% must be refunded to those who paid the assessment. Any amount collected above the board's allocated budget and within the 10% margin must be used to create a reserve of up to 1/4 of the board's annual budget. Any collected amounts or savings above the allowed reserve must be used to reduce the assessment for the following fiscal year. The board shall determine the assessments prior to May 1st and shall assess each insurance company or association and self-insured employer its pro rata share for expenditures during the fiscal year beginning July 1st. Each self-insured employer shall pay the assessment on or before June 1st. Each insurance company or association shall pay the assessment in accordance with subsection 3.

SENATE AMENDMENT

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Sec. 2. Authorization to use reserve funds. The Workers' Compensation Board is authorized to spend up to \$40,000 from the reserve account created pursuant to the Maine Revised Statutes, Title 39-A, section 154, subsection 6. The funds must be used to improve technology used in the audit, enforcement and monitoring program created pursuant to Title 39-A, section 153, subsection 9 and section 359. This is a one-time authorization and does not apply to any ongoing use of the reserve account for technology.

Sec. 3. Board to submit plan. The Workers' Compensation Board shall submit to the Joint Standing Committee on Labor before January 1, 2002 a written plan to improve implementation of the Maine Revised Statutes, Title 39-A, section 359, including the auditing of claims to identify and penalize questionable claims-handling practices and repeated unreasonable contesting of claims by insurers, self-insurers and 3rd-party administrators.

Sec. 4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

2001-02

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board

All Other \$340,000

Allocates funds to allow the board to contract for temporary worker advocate and clerical support services for the worker advocate activity in the regional offices. Also allocates funds from the reserve account to improve technology used in the audit, enforcement and monitoring program.'

FISCAL NOTE

2001-02

APPROPRIATIONS/ALLOCATIONS

Other Funds \$340,000

R. of S.

REVENUES

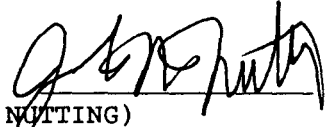
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Other Funds \$300,000

This bill includes a one-time Other Special Revenue fund allocation of \$300,000 from a one-time increased assessment in fiscal year 2001-02 authorizing the Workers' Compensation Board - Administration program to contract for temporary worker advocate and clerical support services for the worker advocate activity and a one-time Other Special Revenue fund allocation of \$40,000 from the board's reserve account in fiscal year 2001-02 for the Workers' Compensation Board - Administration program for improving technology in certain program areas.

SUMMARY

This amendment replaces the bill. It increases the cap on the Workers' Compensation Board assessment by \$300,000 for fiscal year 2001-02 and allocates funds to the Workers' Compensation Board to allow it to contract for certain services. It also incorporates the provisions of the committee amendment to allow the board to use \$40,000 from its reserve account to fund technology improvements and to require the board to submit a written plan to improve implementation of the auditing program. It also adds an allocation section.

SPONSORED BY: 
(Senator J. NUTTING)

COUNTY: Androscoggin