

Introduced: 3/3/69
Referred: Labor and Management
and Health, Welfare and
Education

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1 IN THE HOUSE

2 HOUSE BILL NO. 244

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to injuries combined with preexisting
7 impairments under the Alaska Workmen's Compensation
8 Act."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 23.30.205(a) is amended to read:

11 (a) If an employee who has a permanent physical impairment from
12 any cause or origin incurs a subsequent disability by injury arising
13 out of and in the course of his employment resulting in compensation
14 liability for disability that is substantially greater by reason of the
15 combined effects of the preexisting impairment and subsequent injury or
16 by reason of the aggravation of the preexisting impairment than that
17 which would have resulted from the subsequent injury alone, the employer
18 or his insurance carrier shall in the first instance pay all awards of
19 compensation provided by this chapter, but the employer or his insurance
20 carrier shall be reimbursed from the second injury fund for all compen-
21 sation payments subsequent to those payable for the first 13 [104]
22 weeks of disability.

23 * Sec. 2. AS 23.30.205(b) is amended to read:

24 (b) If the subsequent injury of the employee results in the
25 death of the employee and it is determined that the death would not have
26 occurred except for the preexisting permanent physical impairment,
27 the compensation prescribed by this chapter shall be paid from the
28 second injury fund [THE EMPLOYER OR HIS INSURANCE CARRIER SHALL IN THE
29 FIRST INSTANCE PAY THE COMPENSATION PRESCRIBED BY THIS CHAPTER, BUT HE

1 OR HIS INSURANCE CARRIER SHALL BE REIMBURSED FROM THE SECOND INJURY
2 FUND FOR ALL COMPENSATION PAYABLE IN EXCESS OF 104 WEEKS].

3 * Sec. 3. AS 23.30.205(c) is repealed.

4 * Sec. 4. AS 23.30.205(d)(1) is amended by adding new subparagraphs to
5 read:

6 (BB) mental retardation,

7 (CC) residuals of mental illness,

8 (DD) generalized residual conditions resulting in
9 loss of function or movement, or
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