

Offered: 4/18/84
Referred: Rules

Original sponsor: Labor and Commerce
Committee

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE SENATE

2

CS FOR SENATE BILL NO. 517 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to workers' compensation; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 23.30.095(c) is amended to read:

10 (c) A [NO] claim for medical or surgical treatment is not valid
11 and enforceable [AS] against the employer unless, within 14 [20] days
12 following [THE FIRST] treatment [AND FOLLOWING THE TIME SET BY THE
13 BOARD FOR NOTICE OF SUBSEQUENT TREATMENTS], the physician giving the
14 treatment or the employee receiving it furnishes to the employer and
15 the board notice of the injury and treatment, preferably on a form
16 prescribed by the board. The board shall, however, excuse the failure
17 to furnish notice within 14 [20] days when it finds it to be in the
18 interest of justice to do so, and it may, upon application by a party
19 in interest, make an award for the reasonable value of the medical or
20 surgical treatment so obtained by the employee.

21 * Sec. 2. AS 23.30.155(c) is repealed and reenacted to read:

22 (c) The employer shall notify the board and the employee on a
23 form prescribed by the board that the payment of compensation has
24 begun or has been increased, decreased, suspended, terminated, re-
25 sumed, or changed in type. An initial report shall be filed with the
26 board within 28 days after the date of issuing the first payment of
27 compensation. If at any time 21 days or more pass and no compensation
28 payment is issued, a report shall be filed with the board within 28
29 days after the date the last compensation payment was issued. A

1 report shall also be filed with the board within 28 days after the
2 date of issuing a payment increasing, decreasing, resuming or changing
3 the type of compensation paid. If the employer fails to notify the
4 board and the employee within 28 days, the employer shall pay a civil
5 penalty of \$100 for the first day plus \$10 for each day thereafter
6 that the employer failed to give notice. Total penalties under this
7 section may not exceed \$1,000 for a failure to file a required report.

8 * Sec. 3. AS 23.30.155(d) is amended to read:

9 (d) If the employer controverts the right to compensation the
10 employer [HE] shall file with the board a notice of controversion on
11 or before the 21st [14TH] day after the employer [HE] has knowledge of
12 the alleged injury or death. If the employer controverts the right to
13 compensation after payments have begun, the employer shall file with
14 the board a notice of controversion within seven days after [OR ON OR
15 BEFORE] an installment of compensation payable without an award is due
16 [, A NOTICE OF CONTROVERSION ON A FORM PRESCRIBED BY THE BOARD].

17 * Sec. 4. AS 23.30.155(e) is amended to read:

18 (e) If any installment of compensation payable without an award
19 is not paid within seven [14] days after it becomes due, as provided
20 in (b) of this section, there shall be added to the unpaid installment
21 an amount equal to 20 percent of it. This additional amount [, WHICH]
22 shall be paid at the same time as, and in addition to, the install-
23 ment, unless notice is filed under (d) of this section or unless the
24 nonpayment is excused by the board after a showing by the employer
25 that owing to conditions over which the employer [HE] had no control
26 the installment could not be paid within the period prescribed for the
27 payment.

28 * Sec. 5. This Act takes effect July 1, 1984.