



# LAWS OF ALASKA

1984

**Source**

HCS CSSB 517 (L&C)

**Chapter No.**

112

**AN ACT**

Relating to workers' compensation; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 20, 1984  
Actual Effective Date: July 1, 1984

AN ACT

Relating to workers' compensation; and providing for an effective date.

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

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

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 AS 23.30.155(c) is repealed and reenacted to read:

(c) The employer shall notify the board and the employee on a form prescribed by the board that the payment of compensation has begun or has been increased, decreased, suspended, terminated, resumed, or changed in type. An initial report shall be filed with the board and sent to the employee within 28 days after the date of issuing the first payment of compensation. If at any time 21 days or more pass and no compensation payment is issued, a report notifying the board and the employee of the termination or suspension of

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

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

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

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

23 (e) If any installment of compensation payable without an award  
24 is not paid within seven [14] days after it becomes due, as provided  
25 in (b) of this section, there shall be added to the unpaid installment  
26 an amount equal to 20 percent of it. This additional amount [, WHICH]  
27 shall be paid at the same time as, and in addition to, the install-  
28 ment, unless notice is filed under (d) of this section or unless the  
29 nonpayment is excused by the board after a showing by the employee

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that owing to conditions over which the employer [HE] had no control the installment could not be paid within the period prescribed for the payment.

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