



# LAWS OF ALASKA

1998

**Source**  
CSSB 305(L&C)

**Chapter No.**

59

## AN ACT

Establishing a standard for determining when an injured worker is eligible for reemployment benefits and establishing a procedure for adopting a new, revised, or replacement standard for determining when an injured worker is eligible for reemployment benefits.

---

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** June 1, 1998

**Actual Effective Date:** August 30, 1998

AN ACT

1 Establishing a standard for determining when an injured worker is eligible for reemployment  
2 benefits and establishing a procedure for adopting a new, revised, or replacement standard for  
3 determining when an injured worker is eligible for reemployment benefits.

4

5 \* Section 1. AS 23.30.041(e) is amended to read:

6 (e) An employee shall be eligible for benefits under this section upon the  
7 employee's written request and by having a physician predict that the employee will  
8 have permanent physical capacities that are less than the physical demands of the  
9 employee's job as described in the 1993 edition of the United States Department of  
10 Labor's "Selected Characteristics of Occupations Defined in the Revised Dictionary of  
11 Occupational Titles" for

12 (1) the employee's job at the time of injury; or

13 (2) other jobs that exist in the labor market that the employee has held  
14 or received training for within 10 years before the injury or that the employee has held

Chapter 59

1 following the injury for a period long enough to obtain the skills to compete in the  
2 labor market, according to specific vocational preparation codes as described in the  
3 1993 edition of the United States Department of Labor's "Selected Characteristics of  
4 Occupations Defined in the Revised Dictionary of Occupational Titles.

5 \* Sec. 2. AS 23.30.041 is amended by adding a new subsection to read:

6 (q) When the United States Department of Labor publishes a new edition,  
7 revision, or replacement for the "Selected Characteristics of Occupations Defined in  
8 the Revised Dictionary of Occupational Titles" referred to in (e) of this section, the  
9 board shall, not later than 90 days after the last day of the month in which the new  
10 edition, revision, or replacement standard is published, hold an open meeting under  
11 AS 44.62.310 to select the date on which the new edition, revision, or replacement  
12 standard will be implemented to make all eligibility determinations required under (e)  
13 of this section. The date selected by the board for implementing the new edition,  
14 revision, or replacement standard may not be later than 90 days after the last day of  
15 the month in which the new edition, revision, or replacement standard is published.  
16 After the meeting, the board shall issue a public notice announcing the date selected.  
17 The requirements of AS 44.62.010 - 44.62.300 do not apply to the selection or  
18 announcement of the date under this subsection.