

# HOUSE BILL No. 5917

June 9, 1998, Introduced by Reps. Basham, Freeman, DeHart, Anthony, Prusi, Martinez, Cherry, LaForge, Cropsey, Tesanovich, Scott, Hale, Bogardus, Wojno, Thomas, Wetters, Walberg, Dobronski, Agee, Schermesser, Kelly, Rison, Griffin, Leland, Jelinek, Bobier, Goschka, Sanborn, Godchaux, Kukuk, Lowe, Richner and Birkholz and referred to the Committee on Labor and Occupational Safety.

A bill to amend 1969 PA 317, entitled  
"Worker's disability compensation act of 1969,"  
by amending section 801 (MCL 418.801), as amended by 1994  
PA 271.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 801. (1) ~~Compensation~~ A PERSON ENTITLED TO  
2 COMPENSATION shall be paid promptly and directly. ~~to the person~~  
3 ~~entitled thereto and shall become due and payable on~~  
4 COMPENSATION IS SUBJECT TO ALL OF THE FOLLOWING:  
5       (A) ON the fourteenth day after the employer has notice or  
6 knowledge of the disability or death, ~~on which date~~ all compen-  
7 sation then accrued IS DUE AND PAYABLE, AND IMMEDIATELY shall be  
8 paid. ~~Thereafter~~  
9       (B) AFTER THE PAYMENT DESCRIBED IN SUBDIVISION (A),  
10 compensation shall be paid in weekly installments.

1 (C) COMPENSATION REQUIRED TO BE PAID UNDER A SETTLEMENT OR  
2 REDEMPTION IS DUE AND OWING ON THE DATE OF THE SETTLEMENT OR  
3 REDEMPTION, AND IS PAYABLE IN ACCORDANCE WITH THE TERMS OF THE  
4 SETTLEMENT OR REDEMPTION.

5 (2) Every carrier shall keep a record of all payments made  
6 under this act and of the time and manner of making the payments  
7 and shall furnish reports, based upon these records, to the  
8 bureau as the director may reasonably require.

9 (3) ~~-(2)-~~ If weekly compensation benefits, ~~or~~ accrued  
10 weekly benefits, OR BENEFITS UNDER A REDEMPTION OR SETTLEMENT are  
11 not paid within 30 days after becoming due and payable, in cases  
12 where there is not an ongoing dispute, \$50.00 per day shall be  
13 added and paid to the worker for each day over 30 days in which  
14 the benefits are not paid. ~~Not~~ HOWEVER, FOR A DELAY IN PAYING  
15 WEEKLY COMPENSATION BENEFITS OR ACCRUED WEEKLY BENEFITS, NOT more  
16 than \$1,500.00 in total may be added ~~pursuant to~~ UNDER this  
17 subsection.

18 (4) ~~-(3)-~~ If medical bills or travel allowance are not paid  
19 within 30 days after the carrier has received notice of nonpay-  
20 ment by certified mail, in cases where there is no ongoing dis-  
21 pute, \$50.00 or the amount of the bill due, whichever is less,  
22 shall be added and paid to the worker for each day over 30 days  
23 in which the medical bills or travel allowance are not paid. Not  
24 more than \$1,500.00 in total may be added ~~pursuant to~~ UNDER  
25 this subsection.

1       (5) ~~-(4)-~~ For purposes of rate-making, daily charges paid  
2 under subsection ~~-(2)- shall not constitute~~ (3) ARE NOT elements  
3 of loss.

4       (6) ~~-(5)-~~ An employer who has notice or knowledge of the  
5 disability or death and fails to give notice to the carrier shall  
6 pay the penalty provided ~~for in~~ UNDER subsection ~~-(2)-~~ (3) for  
7 the period during which the employer failed to notify the  
8 carrier.

9       (7) ~~-(6)-~~ When weekly compensation is paid ~~pursuant to~~  
10 UNDER an award of a worker's compensation magistrate, an arbitra-  
11 tor, the board, the appellate commission, or a court, interest on  
12 the compensation shall be paid at the rate of 10% per annum from  
13 the date each payment was due, until paid.