

# HOUSE BILL No. 4659

April 24, 2001, Introduced by Reps. Anderson, Rich Brown, Neumann, Basham, Plakas, Gielegem, Bogardus, Daniels, Murphy and Zelenko and referred to the Committee on Insurance and Financial Services.

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 852 (MCL 418.852), as added by 1985 PA 103.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 852. (1) The liability of a carrier or fund regarding  
2 a claim under this act shall be determined by the ~~hearing ref-~~  
3 ~~eree or~~ worker's compensation magistrate ~~, as applicable,~~ at  
4 the time of the award of benefits.

5       (2) IF THE WORKER'S COMPENSATION MAGISTRATE DETERMINES THAT  
6 A CLAIMANT IS ENTITLED TO AN AWARD OF BENEFITS, THE MAGISTRATE  
7 SHALL ORDER THE CARRIER OR FUND THAT IS LIABLE TO PAY THE FOLLOW-  
8 ING AMOUNTS:

9       (A) THE WEEKLY WAGE LOSS BENEFITS FROM THE DATE OF INJURY TO  
10 THE DATE OF THE AWARD, WITH INTEREST AT 12%, AND CONTINUING  
11 THEREAFTER FOR THE PERIOD AS DETERMINED BY THE MAGISTRATE.

1 (B) ALL MEDICAL BILLS, INCLUDING ANY REHABILITATION COSTS,  
2 NOT PREVIOUSLY PAID THAT ARE RELATED TO THE CLAIM.

3 (C) ALL OTHER COSTS, INCLUDING ATTORNEY FEES SUBJECT TO  
4 SECTION 858, INCURRED BY THE CLAIMANT TO REINSTATE HIS OR HER  
5 BENEFITS.

6 (3) ~~-(2)-~~ If a carrier or fund originally determined to be  
7 liable pursuant to subsection (1) is subsequently determined to  
8 not be liable or not to the same extent as originally determined,  
9 that carrier or fund shall be reimbursed by the liable party or  
10 parties with interest at 12% per annum.