

HOUSE BILL No. 5490

April 29, 2014, Introduced by Rep. Foster and referred to the Committee on Commerce.

A bill to amend 1969 PA 317, entitled
"Worker's disability compensation act of 1969,"
by amending section 541 (MCL 418.541).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 541. (1) All payments from the funds shall be determined
2 by the trustees and made upon an order signed by a trustee. If a
3 dispute arises between the trustees and a carrier as to any
4 determination by the trustees or the obligation of any carrier to
5 make payments on behalf of the second injury fund, the dispute
6 shall be ~~deemed to be~~ **CONSIDERED** a controversy concerning
7 compensation and shall be determined in accordance with this act.

8 (2) In all cases in which the carrier ~~shall be entitled to be~~
9 ~~reimbursed,~~ **IS ENTITLED TO REIMBURSEMENT**, notice of claim for
10 reimbursement shall be filed with the trustees within 1 year from

1 the date on which the right to reimbursement first accrues. After
2 the carrier has established a right to reimbursement, payment shall
3 be made promptly on a proper showing periodically every 6 months.

4 (3) The trustees may enter into agreements with carriers
5 whereby the payment of benefits to persons permanently and totally
6 disabled, ~~from the second injury fund which~~ **PAYMENTS** heretofore
7 have been made directly from the **SECOND INJURY** fund, may be made by
8 carriers who are paying ~~workmen's~~ **WORKER'S** compensation benefits to
9 ~~such~~ **THOSE** persons, and the carriers shall be reimbursed
10 periodically at 6-month intervals from the fund for ~~such~~ **THOSE**
11 payments.

12 (4) **A FUND UNDER THIS CHAPTER HAS THE SAME RIGHTS UNDER THIS**
13 **ACT AS AN EMPLOYER OR CARRIER.**

14 Enacting section 1. This amendatory act does not take effect
15 unless Senate Bill No. ____ or House Bill No. 5489 (request no.
16 04528'13 **) of the 97th Legislature is enacted into law.