



Sen. Christine Radogno

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1 AMENDMENT TO SENATE BILL 12

2 AMENDMENT NO. _____. Amend Senate Bill 12 on page 10, line
3 23, by deleting "1,"; and

4 on page 10, line 23, by deleting "8.7,"; and

5 on page 10, line 24, by deleting "and by adding Section 14.3";
6 and

7 by deleting all of pages 11 through 18; and

8 on page 19, by deleting lines 1 through 15; and

9 on page 29, line 20, by changing \$755.22 to \$775.18; and

10 on page 45, by replacing lines 16 and 17 with the following:

11 "fingers, leg, foot, or any toes, or loss under Section 8(d)2
12 due to accidental injuries to the same part of the spine, such

1 loss or partial loss of any such member or loss under Section
2 8(d)2 due to accidental injuries to the same part of the spine
3 shall be deducted from any award made"; and

4 on page 45, line 20, by replacing "eye" with "eye or loss under
5 Section 8(d)2 due to accidental injuries to the same part of
6 the spine"; and

7 on page 45, line 22, by inserting immediately following the
8 period the following:

9 "For purposes of this subdivision (e)17 only, "same part of the
10 spine" means: (1) cervical spine and thoracic spine from
11 vertebra C1 through T12 and (2) lumbar and sacral spine and
12 coccyx from vertebra L1 through S5."; and

13 on page 46, by replacing lines 6 through 21 with the following:
14 "members, and in a subsequent independent accident loses
15 another or suffers the permanent and complete loss of the use
16 of any one of such members the employer for whom the injured
17 employee is working at the time of the last independent
18 accident is liable to pay compensation only for the loss or
19 permanent and complete loss of the use of the member occasioned
20 by the last independent accident."; and

21 on page 58, line 5, after "exists", by inserting "and is
22 admitted into evidence"; and

1 on page 65, lines 3 and 20, by replacing "7110.90" each time it
2 appears with "9110.90"; and

3 by deleting lines 22 through 25 of page 73, all of pages 74
4 through 80, and lines 1 through 12 of page 81; and

5 on page 86, by deleting lines 18 through 25; and

6 by deleting all of pages 87 and 88; and

7 on page 89, by deleting lines 1 through 7; and

8 by replacing lines 20 through 26 of page 92 and lines 1 through
9 23 of page 93 with the following:

10 "Whether the employee is working or not, if the employee is
11 not receiving or has not received medical, surgical, or
12 hospital services or other services or compensation as provided
13 in paragraph (a) of Section 8, or compensation as provided in
14 paragraph (b) of Section 8, or if the employer has refused or
15 failed to respond to a written request for authorization of
16 medical care and treatment, the employee may at any time
17 petition for an expedited hearing by an Arbitrator on the issue
18 of whether or not he or she is entitled to receive payment of
19 the services or compensation or authorization of medical care.
20 Provided the employer continues to pay compensation pursuant to

1 paragraph (b) of Section 8, the employer may at any time
2 petition for an expedited hearing on the issue of whether or
3 not the employee is entitled to receive medical, surgical, or
4 hospital services or other services or compensation as provided
5 in paragraph (a) of Section 8, whether or not the employee is
6 entitled to authorization of medical care and treatment, or
7 compensation as provided in paragraph (b) of Section 8. When an
8 employer has petitioned for an expedited hearing, the employer
9 shall continue to pay compensation as provided in paragraph (b)
10 of Section 8 unless the arbitrator renders a decision that the
11 employee is not entitled to the benefits that are the subject
12 of the expedited hearing or unless the employee's treating
13 physician has released the employee to return to work at his or
14 her regular job with the employer or the employee actually
15 returns to work at any other job. If the arbitrator renders a
16 decision that the employee is not entitled to the benefits or
17 medical care that is ~~are~~ the subject of the expedited hearing,
18 a petition for review filed by the employee shall receive the
19 same priority as if the employee had filed a petition for an
20 expedited hearing by an Arbitrator. Neither party shall be
21 entitled to an expedited hearing when the employee has returned
22 to work and the sole issue in dispute amounts to less than 12
23 weeks of unpaid compensation pursuant to paragraph (b) of
24 Section 8."; and

25 on page 113, by replacing lines 7 through 18 with the

1 following:

2 "(k) In case where there has been any unreasonable or
3 vexatious delay of payment or intentional underpayment of
4 compensation, or proceedings have been instituted or carried on
5 by the one liable to pay the compensation, which do not present
6 a real controversy, but are merely frivolous or for delay, then
7 the Commission may award compensation additional to that
8 otherwise payable under this Act equal to 50% of the amount
9 payable at the time of such award. Failure to pay compensation
10 in accordance with the provisions of Section 8, paragraph (b)
11 of this Act, shall be considered unreasonable delay."; and

12 on page 131, by deleting lines 23 and 24; and

13 on page 131, line 25, by changing "(6)" to "(5)"; and

14 on page 132, line 2, by changing "(7)" to "(6)"; and

15 on page 132, line 12, by changing "(8)" to "(7)".