

April 10, 2001

H 1045. RESTORE WORKERS COMP. STABILITY (=S 880). *TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION.* Substantially identical to S 880, introduced 4/4/01.

Intro. by Baddour.

Ref. to Insurance	GS 58, 97
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April 18, 2001

H 1045. RESTORE WORKER'S COMP. STABILITY. Intro. 4/10/01. House committee substitute makes the following changes to 1st edition. Adds new GS 97-17(b) and (c) setting out minimum conditions that must be met for Industrial Commission to approve settlement: (1) agreement is deemed by Comm'n to be fair, just, and in best interest of all parties; (2) agreement contains list of all known medical expenses of employee related to injury; and (3) agreement contains finding that positions of all parties are reasonable as to payment of medical expenses (and sets out considerations for making that finding).

April 23, 2001

H 1045. RESTORE WORKERS' COMP. STABILITY. Intro. 4/10/01. House amendments make the following changes to 2nd edition. (1) Add to the bill a new subsection (d) to GS 97-17 (regarding workers' comp settlement agreements) to provide that 97-17 does not limit the application of GS 44-49 and -50 (regarding liens upon recoveries for personal injuries to secure sums due for medical attention, etc.) to funds in compensation for settlement. (2) Add to the bill's new GS 97-17(c) (concerning the Industrial Commission's determination that a proposed settlement should be approved) a provision that the Comm'n may consider the employer's denial of the claim only if the denial was reasonable.

May 30, 2001

H 1045. RESTORE WORKERS' COMP STABILITY. Intro. 4/10/01. Senate committee substitute makes the following changes to 3rd edition. Adds provision to GS 97-90.1 that upon the admission or adjudication that a claim is compensable, the party or parties liable shall notify in writing any known health benefit plan covering the employee of the admission or adjudication. Makes stylistic change to GS 97-17(b).

June 19, 2001

SL 2001-216 (H 1045). RESTORE WORKERS' COMPENSATION STABILITY. *AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A*

FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION. Summarized in *Daily Bulletin* 4/10/01, 4/18/01, 4/23/01, and 5/30/01. Enacted June 15, 2001. Effective June 15, 2001.