

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 794

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S794-ASU-55 [v.1]

Page 1 of 2

Comm. Sub. [NO]
Amends Title [NO]
Second Edition

Date _____, 2014

Senator Brown

- 1 moves to amend the bill on page page 1, line 20, by deleting "disapproved." and substituting
- 2 "disapproved; and 04 NCAC 10A. 0702 (Review of Administrative Decisions), as adopted by
- 3 the Industrial Commission on September 20, 2012, and approved by the Rules Review
- 4 Commission on October 18, 2012, is disapproved."; and
- 5
- 6 on page 3, line 30, by deleting "subsection or" and substituting "subsection,"; and
- 7
- 8 on page 3, line 31, by deleting "subsection," and substituting "subsection or when appealing an
- 9 administrative ruling of the Chief Deputy or the Chief Deputy's designee on an emergency
- 10 motion,"; and
- 11
- 12 on page 3, line 42, by deleting "subdivision (1)" and substituting "subdivisions (1) and (3)"; and
- 13
- 14 on page 4, lines 34-41, by rewriting the lines to read: "Deputy's designee on the emergency
- 15 motion by requesting an expedited formal hearing"; and
- 16
- 17 on page 4, lines 43 and 47, by deleting "Chair or the Chair's" and substituting "Chief Deputy or
- 18 the Chief Deputy's"; and
- 19
- 20 on page 5, line 37, by deleting "for hearing" and substituting "for a hearing"; and
- 21
- 22 on page 6, line 4, by deleting "third party" and substituting "third-party"; and
- 23
- 24 on page 6, line 5, by inserting "shall immediately" between "employers" and "send"; and
- 25
- 26 on page 6, line 48, and on page 7, line 24, by deleting ".0703(b)" and substituting ".0702(b)";
- 27 and
- 28
- 29 on page 7, line 8, by deleting "Chair or the Chair's" and substituting "Chief Deputy or the Chief
- 30 Deputy's"; and
- 31



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1 on page 7, lines 30-31, by deleting "G.S. 97-25(f)(1) and G.S. 97-25(f)(2)" and substituting
2 "G.S. 97-25(f)(1), G.S. 97-25(f)(2), and G.S. 97-25(f)(3)"; and
3
4 on page 8, lines 24-25, by inserting the following between the lines:
5 "(8) With regard to 04 NCAC 10A .0702 (REVIEW OF ADMINISTRATIVE
6 DECISIONS), the Commission shall amend the rule by striking subdivision
7 (3) from subsection (a); by renumbering existing subdivisions (a)(4) and
8 (a)(5) as new subdivisions (a)(3) and (a)(4) respectively; and by adding a
9 new subsection (e) that reads, "This rule shall not apply to medical motions
10 filed pursuant to G.S. 97-25; provided, however, that a party may request
11 reconsideration of an administrative ruling on a medical motion, or may
12 request a stay, or may request an evidentiary hearing de novo, all as set
13 forth in G.S. 97-25."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**