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HOUSE BILL NO. 226

Offered January 11, 2012

Prefiled January 10, 2012

A BILL to amend and reenact § 65.2-201 of the Code of Virginia, relating to the Virginia Workers' Compensation Commission; General Assembly reappointment of deputy commissioners.

Patron—Habeeb

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 65.2-201 of the Code of Virginia is amended and reenacted as follows:**

§ 65.2-201. General duties and powers of the Commission.

A. It shall be the duty of the Commission to administer this title and adjudicate issues and controversies relating thereto. In all matters within the jurisdiction of the Commission, it shall have the power of a court of record to administer oath, to compel the attendance of witnesses and the production of documents, to punish for contempt, to appoint guardians pursuant to Title 31, and to enforce compliance with its lawful orders and awards. The Commission shall make rules and regulations for carrying out the provisions of this title.

B. The Commission may appoint deputies, bailiffs, and such other personnel as it may deem necessary for the purpose of carrying out the provisions of this title. *No person appointed to serve as a deputy commissioner shall continue to serve in such position following the adjournment of the regular session of the General Assembly that convenes following the fifth anniversary of his initial appointment unless he is reappointed to such position by the General Assembly during such session; however, any person serving as deputy commissioner on January 9, 2013, who has served in such position for longer than five years shall not be eligible to continue to serve in such position after the adjournment of the 2013 Session of the General Assembly unless he is reappointed to such position by the General Assembly during the 2013 Session.*

C. The Commission or any member thereof or any person deputized by it may for the purposes of this title subpoena witnesses, administer or cause to be administered oaths, and examine or cause to be examined such parts of the books and records of the parties to a proceeding as relate to questions in dispute arising in instances in which the Commission has power to award compensation. This authority shall extend to requests from like agencies of other states who honor similar requests from the Commission.

D. The Commission shall publish and, upon request, furnish free of charge, such blank forms and literature as it shall deem requisite to facilitate or promote the efficient administration of this title. The Commission shall publish a workers' compensation guide for employees which informs an injured employee of his rights under this title. If the Commission receives notice of an accident, it shall provide a workers' compensation guide to the employee.

E. The Commission shall tabulate the accident reports received from employers in accordance with § 65.2-900 and shall publish the same in the annual report of the Commission and as often as it may deem advisable, in such detailed or aggregate form as it may deem best. The name of the employer or employee shall not appear in such publications, and the employers' reports shall be private records of the Commission and shall not be open for public inspection except for the inspection by the parties directly involved, and only to the extent of such interest. These reports shall not be used as evidence against any employer in any suit at law brought by any employee for the recovery of damages.

INTRODUCED

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