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HOUSE BILL NO. 461

Offered January 10, 2018

Prefiled January 7, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 65.2-601.2, relating to workers' compensation; employer to provide statement of intent.*

Patrons—Carter, Levine, Plum and Simon

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 65.2-601.2 as follows:

§ 65.2-601.2. Notice to employee of employer's intent.

A. Whenever an employee makes a claim pursuant to § 65.2-601, the Commission shall order the employer, within 10 days following the date of such order, to advise the employee whether the employer (i) intends to accept the claim, (ii) intends to deny the claim, or (iii) is unable to determine whether it intends to accept or deny the claim because the employer lacks sufficient information from the employee to make such determination. If the employer responds that it intends to deny the claim, the response shall provide reasons therefor. If the employer responds that it is unable to determine whether it intends to accept or deny the claim because it lacks sufficient information from the employee to make such determination, the response shall identify the additional information that the employer needs from the employee in order to make such determination.

B. The employer's response to the order shall be considered a required report pursuant to § 65.2-902.

C. The employer's response to the order shall not be considered part of the hearing record.

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