

2002 SESSION

INTRODUCED

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HOUSE BILL NO. 761

Offered January 9, 2002

Prefiled January 9, 2002

A BILL to amend and reenact § 65.2-707 of the Code of Virginia, relating to interest on workers' compensation payments; administration of claims.

Patron—Watts

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-707 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-707. Interest on awards.

A. An award entered by the Commission shall take effect on the date of entry.

B. To the extent that any payment due under an award is delayed beyond its due date by reason of an appeal to the full Commission or an appellate court, payments so delayed shall bear interest at the judgment rate as provided in § 6.1-330.54.

C. Except as provided in subsection B, if any payment is not made within thirty days following the date the obligation to make such payment arose, such payment shall bear interest, at the legal rate as provided in § 6.1-330.53, from such date such obligation arose. In determining when an obligation to make a payment arose under this chapter, the Commission shall determine when such payment would have properly been made if the obligor had complied with the provisions of this chapter, and shall not consider whether the payment was delayed by reason of compliance with the procedures established under this chapter or the date of entry of an award by the Commission.

2. That the Workers' Compensation Commission, by July 1, 2003, shall promulgate rules and regulations instituting an expedited calendar for the administration of claims under the Virginia Workers' Compensation Act in which an employer's denial of benefits is alleged to cause an injured employee to incur severe economic hardship.

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