

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 863

Short Title: Loss of Workers' Comp for Fraud. (Public)

Sponsors: Senators Berger of Franklin; Atwater, Berger of Rockingham, Bingham, Boseman, Cowell, Hartsell, and Snow.

Referred to: Judiciary II.

March 23, 2005

A BILL TO BE ENTITLED

1 AN ACT TO TERMINATE PAYMENTS OF WORKERS' COMPENSATION
2 OTHER THAN MEDICAL COMPENSATION FOR EMPLOYEES WHO ARE
3 CONVICTED OF HAVING FRAUDULENTLY OBTAINED THE
4 COMPENSATION.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 97-88.2 is amended by adding a new subsection to read:

8 "(a1) Any compensation that an employee is receiving under G.S. 97-29 or
9 G.S. 97-30 shall be terminated, and the employee is not entitled to compensation under
10 G.S. 97-31 when the employee is convicted under subsection (a) of this section for
11 making a false statement or representation in order to obtain the compensation. This
12 subsection does not apply to any benefit or payment the employee receives as medical
13 compensation under G.S. 97-25."

14 **SECTION 2.** This act becomes effective October 1, 2005, and applies to all
15 agreements approved by the North Carolina Industrial Commission under the Workers'
16 Compensation Act, Article 1 of Chapter 97 of the General Statutes, that are approved on
17 or after that date; all orders or decisions of the North Carolina Industrial Commission
18 under the Workers' Compensation Act that are entered on or after that date; and all
19 awards of the North Carolina Industrial Commission unappealed from or affirmed upon
20 appeal under the Workers' Compensation Act that are awarded on or after that date.