

Session 117 - (2007-2008)

S 0179 General Bill, By Elliott

Summary: Administrative law judges

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 42-1-5 SO AS TO ABOLISH THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION AND TRANSFER ALL ASSETS AND EMPLOYEES TO A NEW DIVISION OF WORKERS' COMPENSATION IN THE SOUTH CAROLINA DEPARTMENT OF INSURANCE; BY ADDING SECTION 42-7-315 SO AS TO PROVIDE THAT NO CLAIM FOR INJURY OR DISEASE FILED AFTER JULY 1, 2007, SERVES AS A BASIS FOR REIMBURSEMENT OF SUMS PAID BY AN EMPLOYER OR INSURANCE CARRIER PURSUANT TO THE PROVISIONS OF SECTIONS 42-9-400 AND 42-9-410; TO AMEND SECTIONS 42-1-80, AS AMENDED, 42-1-560, CHAPTER 3, TITLE 42, 42-5-20, 42-5-190, 42-7-200, ALL AS AMENDED, 42-7-310, AS AMENDED, 42-11-170, 42-13-80, 42-13-90, 42-13-100, 42-13-110, 42-15-55, 42-15-95, AS AMENDED, 42-17-30, 42-17-40, 42-17-50, 42-17-60, ALL AS AMENDED, 42-17-70, 42-19-10, AS AMENDED, AND 42-19-50, GENERALLY RELATING TO THE WORKERS' COMPENSATION COMMISSION AND THE INDUSTRIAL COMMISSION WHICH ARE ABOLISHED PURSUANT TO THE PROVISIONS OF THIS ACT, SO AS TO MAKE CHANGES TO REFERENCES CONSISTENT WITH THE ABOLITION AND TRANSFER OF ASSETS AND PERSONNEL TO THE DIVISION OF WORKERS' COMPENSATION OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 1-23-600, AS AMENDED, SECTION 1-23-610, AND 1-23-640, AS AMENDED, ALL RELATING TO POWERS OF AN ADMINISTRATIVE LAW JUDGE, SO AS TO PROVIDE A ROTATING PANEL OF THREE ADMINISTRATIVE LAW JUDGES SHALL HEAR APPLICATIONS FOR REVIEW OF DECISIONS OF THE DIVISION OF WORKERS' COMPENSATION OF THE DEPARTMENT OF INSURANCE; TO PROVIDE FOR JUDICIAL REVIEW OF THE THREE JUDGE PANEL AND WHERE THE APPEAL MUST BE HEARD.

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