

March 27, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1080

In addition to the amendments adopted by the Senate as printed on page _____ of the Senate Journal, House Bill No. 1080 is further amended as follows:

Page 1, line 2, replace the first "subsection" with "subsections 1 and"

Page 3, after line 25, insert:

"SECTION 5. AMENDMENT. Subsection 1 of section 65-05-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~When~~Except as otherwise provided in subsection 2, when disability benefits are discontinued, the organization may not begin payment again unless the injured employee files a reapplication for disability benefits on a form supplied by the organization. In case of reapplication, the award may commence no more than thirty days before the date of reapplication. Disability benefits must be reinstated upon proof by the injured employee that:
 - a. The employee has sustained a significant change in the compensable medical condition;
 - b. The employee has sustained an actual wage loss caused by the significant change in the compensable medical condition; and
 - c. The employee has not retired or voluntarily withdrawn from the job market as defined in section 65-05-09.3."

Page 4, line 7, after the underscored period insert "If an employee's benefits are discontinued under this subsection, the employee may reapply after the period of confinement. Upon receipt of an application under this subsection, the organization shall reinstate benefits upon proof by the employee that:

- a. The employe's compensable medical condition has not significantly improved since the date benefits were discontinued;
- b. The employee has sustained loss of earnings capacity caused by the compensable medical condition; and
- c. The employee is not retired or voluntarily withdrawn from the job market as defined in section 65-05-09.3."

Page 11, line 11, replace "7" with "6"

Page 11, line 11, remove "and"

Page 11, line 11, after "17" insert ", and 18"

Page 11, line 12, replace "6" with "7"

Renumber accordingly