

Introduced by

1 A BILL for an Act to amend and reenact subsection 4 of section 65-05-12.2 and subsection 3 of
2 section 65-05.2-02 of the North Dakota Century Code, relating to cross-references to the
3 repealed workers' compensation aggravation law; to repeal section 65-05-15 of the North
4 Dakota Century Code, relating to the workers' compensation aggravation law; and to provide for
5 application.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subsection 4 of section 65-05-12.2 of the North Dakota
8 Century Code is amended and reenacted as follows:

9 4. An injured employee is entitled to compensation for permanent impairment under
10 this section only for those findings of impairment that are permanent and which
11 were caused by the compensable injury. The organization may not issue an
12 impairment award for impairment findings due to unrelated, noncompensable, or
13 preexisting conditions, even if these conditions were made symptomatic by the
14 compensable work injury, ~~and regardless of whether section 65-05-15 applies to~~
15 ~~the claim.~~

16 **SECTION 2. AMENDMENT.** Subsection 3 of section 65-05.2-02 of the North Dakota
17 Century Code is amended and reenacted as follows:

18 3. An annual recalculation of supplementary benefits may not result in a rate less
19 than the previous rate. ~~If a claim has been accepted on an aggravation basis~~
20 ~~under section 65-05-15 and the claimant is eligible for supplementary benefits, the~~
21 ~~claimant's supplementary benefit must be proportionally calculated.~~

22 **SECTION 3. REPEAL.** Section 65-05-15 of the North Dakota Century Code is
23 repealed.

1 **SECTION 4. APPLICATION.** This Act applies to claims filed on or after the effective
2 date of this Act.