

CHAPTER NO. 734

HOUSE BILL NO. 2238

By Representative Buck

Substituted for: Senate Bill No. 2483

By Senator Haynes

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-128, is amended by deleting the section in its entirety and by substituting instead the following:

50-6-128. If any employer knowingly, willfully, and intentionally causes a medical or wage loss claim to be paid under health or sickness and accident insurance, or fails to provide reasonable and necessary medical treatment, including a failure to reimburse when the employer knew that the claim arose out of a compensable work-related injury and should have been submitted under its workers' compensation insurance coverage, then a civil penalty of five hundred dollars (\$500) shall be assessed against such employer, and the employer may not offset any sickness and accident income benefit paid to the employee against its temporary total disability benefit payment liability due to the employee pursuant to the provisions of this chapter. The Commissioner of Labor and Workforce Development shall have the authority to assess and collect such civil penalty.

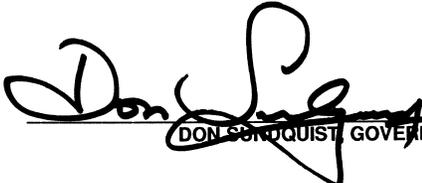
SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

PASSED: May 8, 2000


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of May 2000


DON SUNDQUIST, GOVERNOR