

HOUSE BILL NO. 656

2/04 Introduced
2/04 Referred to Judiciary
2/07 Hearing
2/14 Committee Report-Bill Pass As Amended
2/18 2nd Reading Do Not Pass
2/18 Bill Killed

HOUSE BILL NO. 656

INTRODUCED BY

Mr. Kenich Original Bill
O'Donnell Montoya Samington Dudge Baskin

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A WORKERS' COMPENSATION INSURER THAT REVERSES A DECISION TO DENY OR TERMINATE COMPENSATION FOR A CLAIM MUST PAY COSTS AND ATTORNEY FEES; AMENDING SECTION 39-71-611, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 39-71-611, MCA, is amended to read:

"39-71-611. Costs and attorneys' fees payable on denial of claim or termination of benefits later found compensable. In the event an insurer denies liability for a claim for compensation or terminates compensation benefits and the claim is later adjudged compensable by the workers' compensation judge or on appeal or the insurer denies liability and subsequently reverses its decision and honors the claim, the insurer shall pay reasonable costs and attorneys' fees as established by the workers' compensation judge."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the division of workers' compensation to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

INTRODUCED BILL
HB 656



APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 656

2 INTRODUCED BY MCCORMICK, DRISCOLL, ADDY, O'CONNELL,
3 MONTAYNE, HARRINGTON, GARCIA, PAVLOVICH, BACHINI
4

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6 WORKERS' COMPENSATION INSURER THAT REVERSES A DECISION TO
7 DENY OR TERMINATE COMPENSATION FOR A CLAIM MUST PAY COSTS
8 AND ATTORNEY FEES; AMENDING SECTION 39-71-611, MCA."

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17 compensation judge or on appeal or the insurer denies
18 liability and subsequently reverses its decision and honors
19 the claim, the insurer shall pay reasonable costs and
20 attorneys' fees as established by the workers' compensation
21 judge."

22 NEW SECTION. Section 2. Extension of authority. Any
23 existing authority of the ~~division~~ of workers' compensation
24 JUDGE to make rules on the subject of the provisions of this
25 act is extended to the provisions of this act.

-End-



SECOND READING
HB 656