

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE DRS35156-LD-57A (03/08)

Short Title: Loss of Workers' Comp for Fraud. (Public)

Sponsors: Senator Berger of Franklin.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TERMINATE PAYMENTS OF WORKERS' COMPENSATION
OTHER THAN MEDICAL COMPENSATION FOR EMPLOYEES WHO ARE
CONVICTED OF HAVING FRAUDULENTLY OBTAINED THE
COMPENSATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 97-88.2 is amended by adding a new subsection to read:

"(a1) Any compensation that an employee is receiving under G.S. 97-29 or G.S. 97-30 shall be terminated, and the employee is not entitled to compensation under G.S. 97-31 when the employee is convicted under subsection (a) of this section for making a false statement or representation in order to obtain the compensation. This subsection does not apply to any benefit or payment the employee receives as medical compensation under G.S. 97-25."

SECTION 2. This act becomes effective October 1, 2005, and applies to all agreements approved by the North Carolina Industrial Commission under the Workers' Compensation Act, Article 1 of Chapter 97 of the General Statutes, that are approved on or after that date; all orders or decisions of the North Carolina Industrial Commission under the Workers' Compensation Act that are entered on or after that date; and all awards of the North Carolina Industrial Commission unappealed from or affirmed upon appeal under the Workers' Compensation Act that are awarded on or after that date.