



**CONFERENCE COMMITTEE REPORT
DIGEST FOR HB 2085**

Citations Affected: IC 22-3; IC 22-4; IC 22-4.1.

Synopsis: Workforce development and worker's compensation. Provides limited worker's compensation and worker's occupational disease coverage for unpaid student workers participating in school to work programs. Allows the worker's compensation board to make an annual assessment for the second injury fund if the board determines the assessment is necessary. Amends the date that employer contributions for unemployment compensation are due. Requires self-insured employers, insurance carriers, and third party administrators to report an injury to an employee to the worker's compensation board of Indiana by electronic data interchange by June 30, 2000, or with an approved implementation plan providing for the ability to report by electronic data interchange not later than December 31, 2000. Provides that an appeal of compensation due, continuance of payments, or the period for which compensation should be paid must be made to the worker's compensation board of Indiana within 30 days of the date of the award. Provides that applications to the worker's compensation board of Indiana for increased partial impairment are barred unless filed within one year from the last day for which compensation was paid. Provides for double computation for loss by separation for various body parts and for complete loss of an eye by enucleation. Allows the release of certain confidential information by the department of workforce development to the state department of revenue and law enforcement agencies for legitimate governmental purposes. Defines "legal process" for the purpose of withholding child support payments from unemployment compensation. Creates a state workforce development fund, and specifies the purposes for which funds may be disbursed from the fund. Requires the worker's compensation board to conduct an actuarial study to determine the unfunded liability of the second injury fund. (This conference committee report sets forth the extent of worker's compensation and worker's occupational disease coverage for unpaid student workers and adds language concerning the second injury fund, the worker's compensation electronic data exchange, worker's compensation claim filing, and worker's compensation for loss by separation.)

Effective: July 1, 1999.



Adopted	Rejected
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CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 2085 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete the technical correction made under Senate Rule 33(c)
- 2 adopted April 12, 1999.
- 3 Delete the title and insert the following:
- 4 A BILL FOR AN ACT to amend the Indiana Code concerning labor
- 5 and industrial safety and to make an appropriation.
- 6 Page 1, delete lines 1 through 11, begin a new paragraph and insert:
- 7 "SECTION 1. IC 22-3-2-2.5 IS ADDED TO THE INDIANA CODE
- 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 9 1, 1999]: **Sec. 2.5. (a) As used in this section, "school to work**
- 10 **student" refers to a student participating in on-the-job training**
- 11 **under the federal School to Work Opportunities Act (20 U.S.C.**
- 12 **6101 et seq.).**
- 13 **(b) Except as provided in IC 22-3-7-2.5, a school to work student**
- 14 **is entitled to the following compensation and benefits under this**
- 15 **article:**
- 16 **(1) Medical benefits under IC 22-3-2 through IC 22-3-6.**
- 17 **(2) Permanent partial impairment compensation under**
- 18 **IC 22-3-3-10. Permanent partial impairment compensation**
- 19 **for a school to work student shall be paid in a lump sum upon**
- 20 **agreement or final award.**
- 21 **(3) In the case that death results from the injury:**
- 22 **(A) death benefits in a lump sum amount of one hundred**
- 23 **seventy-five thousand dollars (\$175,000), payable upon**
- 24 **agreement or final award to any dependents of the student**

1 **under IC 22-3-3-18 through IC 22-3-3-20, or, if the student**
 2 **has no dependents, to the student's parents; and**
 3 **(B) burial compensation under IC 22-3-3-21.**

4 **(c) For the sole purpose of modifying an award under**
 5 **IC 22-3-3-27, a school to work student's average weekly wage is**
 6 **presumed to be equal to the federal minimum wage.**

7 **(d) A school to work student is not entitled to the following**
 8 **compensation under this article:**

9 **(1) Temporary total disability compensation under**
 10 **IC 22-3-3-8.**

11 **(2) Temporary partial disability compensation under**
 12 **IC 22-3-3-9.**

13 **(e) Except for remedies available under IC 5-2-6.1, recovery**
 14 **under subsection (b) is the exclusive right and remedy for:**

15 **(1) a school to work student; and**

16 **(2) the personal representatives, dependents, or next of kin, at**
 17 **common law or otherwise, of a school to work student;**

18 **on account of personal injury or death by accident arising out of**
 19 **and in the course of school to work employment.**

20 SECTION 2. IC 22-3-3-10 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) With respect to
 22 injuries in the following schedule occurring prior to April 1, 1951, the
 23 employee shall receive in addition to temporary total disability benefits
 24 not exceeding twenty-six (26) weeks on account of the injuries, a
 25 weekly compensation of fifty-five percent (55%) of the employee's
 26 average weekly wages. With respect to injuries in the following
 27 schedule occurring on and after April 1, 1951, and prior to July 1,
 28 1971, the employee shall receive in addition to temporary total
 29 disability benefits not exceeding twenty-six (26) weeks on account of
 30 the injuries, a weekly compensation of sixty percent (60%) of the
 31 employee's average weekly wages. With respect to injuries in the
 32 following schedule occurring on and after July 1, 1971, and before July
 33 1, 1977, the employee shall receive in addition to temporary total
 34 disability benefits not exceeding twenty-six (26) weeks on account of
 35 the injuries, a weekly compensation of sixty percent (60%) of the
 36 employee's average weekly wages not to exceed one hundred dollars
 37 (\$100) average weekly wages, for the periods stated for the injuries.
 38 With respect to injuries in the following schedule occurring on and
 39 after July 1, 1977, and before July 1, 1979, the employee shall receive,
 40 in addition to temporary total disability benefits not exceeding
 41 twenty-six (26) weeks on account of the injury, a weekly compensation
 42 of sixty percent (60%) of his average weekly wages, not to exceed one
 43 hundred twenty-five dollars (\$125) average weekly wages, for the
 44 period stated for the injury. With respect to injuries in the following
 45 schedule occurring on and after July 1, 1979, and before July 1, 1988,
 46 the employee shall receive, in addition to temporary total disability
 47 benefits not to exceed fifty-two (52) weeks on account of the injury, a
 48 weekly compensation of sixty percent (60%) of the employee's average
 49 weekly wages, not to exceed one hundred twenty-five dollars (\$125)
 50 average weekly wages, for the period stated for the injury. With respect
 51 to injuries in the following schedule occurring on and after July 1,

1 1988, and before July 1, 1989, the employee shall receive, in addition
2 to temporary total disability benefits not exceeding seventy-eight (78)
3 weeks on account of the injury, a weekly compensation of sixty percent
4 (60%) of the employee's average weekly wages, not to exceed one
5 hundred sixty-six dollars (\$166) average weekly wages, for the period
6 stated for the injury.

7 With respect to injuries in the following schedule occurring on and
8 after July 1, 1989, and before July 1, 1990, the employee shall receive,
9 in addition to temporary total disability benefits not exceeding
10 seventy-eight (78) weeks on account of the injury, a weekly
11 compensation of sixty percent (60%) of the employee's average weekly
12 wages, not to exceed one hundred eighty-three dollars (\$183) average
13 weekly wages, for the period stated for the injury.

14 With respect to injuries in the following schedule occurring on and
15 after July 1, 1990, and before July 1, 1991, the employee shall receive,
16 in addition to temporary total disability benefits not exceeding
17 seventy-eight (78) weeks on account of the injury, a weekly
18 compensation of sixty percent (60%) of the employee's average weekly
19 wages, not to exceed two hundred dollars (\$200) average weekly
20 wages, for the period stated for the injury.

21 (1) Amputation: For the loss by separation of the thumb, sixty
22 (60) weeks, of the index finger forty (40) weeks, of the second
23 finger thirty-five (35) weeks, of the third or ring finger thirty (30)
24 weeks, of the fourth or little finger twenty (20) weeks, of the hand
25 by separation below the elbow joint two hundred (200) weeks, or
26 the arm above the elbow two hundred fifty (250) weeks, of the big
27 toe sixty (60) weeks, of the second toe thirty (30) weeks, of the
28 third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks,
29 of the fifth or little toe ten (10) weeks, and for loss occurring
30 before April 1, 1959, by separation of the foot below the knee
31 joint one hundred fifty (150) weeks and of the leg above the knee
32 joint two hundred (200) weeks; for loss occurring on and after
33 April 1, 1959, by separation of the foot below the knee joint, one
34 hundred seventy-five (175) weeks and of the leg above the knee
35 joint two hundred twenty-five (225) weeks. The loss of more than
36 one (1) phalange of a thumb or toes shall be considered as the loss
37 of the entire thumb or toe. The loss of more than two (2)
38 phalanges of a finger shall be considered as the loss of the entire
39 finger. The loss of not more than one (1) phalange of a thumb or
40 toe shall be considered as the loss of one-half (1/2) of the thumb
41 or toe and compensation shall be paid for one-half (1/2) of the
42 period for the loss of the entire thumb or toe. The loss of not more
43 than one (1) phalange of a finger shall be considered as the loss
44 of one-third (1/3) of the finger and compensation shall be paid for
45 one-third (1/3) the period for the loss of the entire finger. The loss
46 of more than one (1) phalange of the finger but not more than two
47 (2) phalanges of the finger, shall be considered as the loss of
48 one-half (1/2) of the finger and compensation shall be paid for
49 one-half (1/2) of the period for the loss of the entire finger.

50 (2) For the loss by separation of both hands or both feet or the
51 total sight of both eyes, or any two (2) such losses in the same

- 1 accident, five hundred (500) weeks.
- 2 (3) For the permanent and complete loss of vision by enucleation
3 or its reduction to one-tenth (1/10) of normal vision with glasses,
4 one hundred seventy-five (175) weeks.
- 5 (4) For the permanent and complete loss of hearing in one (1) ear,
6 seventy-five (75) weeks, and in both ears, two hundred (200)
7 weeks.
- 8 (5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of
9 both testicles, one hundred fifty (150) weeks.
- 10 (b) With respect to injuries in the following schedule occurring prior
11 to April 1, 1951, the employee shall receive in lieu of all other
12 compensation on account of the injuries, a weekly compensation of
13 fifty-five percent (55%) of the employee's average weekly wages. With
14 respect to injuries in the following schedule occurring on and after
15 April 1, 1951, and prior to April 1, 1955, the employee shall receive in
16 lieu of all other compensation on account of the injuries a weekly
17 compensation of sixty percent (60%) of the employee's average weekly
18 wages. With respect to injuries in the following schedule occurring on
19 and after April 1, 1955, and prior to July 1, 1971, the employee shall
20 receive in addition to temporary total disability benefits not exceeding
21 twenty-six (26) weeks on account of the injuries, a weekly
22 compensation of sixty percent (60%) of the employee's average weekly
23 wages. With respect to injuries in the following schedule occurring on
24 and after July 1, 1971, and before July 1, 1977, the employee shall
25 receive in addition to temporary total disability benefits not exceeding
26 twenty-six (26) weeks on account of the injuries, a weekly
27 compensation of sixty percent (60%) of the employee's average weekly
28 wages, not to exceed one hundred dollars (\$100) average weekly
29 wages, for the period stated for such injuries respectively. With respect
30 to injuries in the following schedule occurring on and after July 1,
31 1977, and before July 1, 1979, the employee shall receive, in addition
32 to temporary total disability benefits not exceeding twenty-six (26)
33 weeks on account of the injury, a weekly compensation of sixty percent
34 (60%) of the employee's average weekly wages not to exceed one
35 hundred twenty-five dollars (\$125) average weekly wages, for the
36 period stated for the injury. With respect to injuries in the following
37 schedule occurring on and after July 1, 1979, and before July 1, 1988,
38 the employee shall receive, in addition to temporary total disability
39 benefits not exceeding fifty-two (52) weeks on account of the injury, a
40 weekly compensation of sixty percent (60%) of the employee's average
41 weekly wages not to exceed one hundred twenty-five dollars (\$125)
42 average weekly wages for the period stated for the injury. With respect
43 to injuries in the following schedule occurring on and after July 1,
44 1988, and before July 1, 1989, the employee shall receive, in addition
45 to temporary total disability benefits not exceeding seventy-eight (78)
46 weeks on account of the injury, a weekly compensation of sixty percent
47 (60%) of the employee's average weekly wages, not to exceed one
48 hundred sixty-six dollars (\$166) average weekly wages, for the period
49 stated for the injury.
- 50 With respect to injuries in the following schedule occurring on and
51 after July 1, 1989, and before July 1, 1990, the employee shall receive,

1 in addition to temporary total disability benefits not exceeding
2 seventy-eight (78) weeks on account of the injury, a weekly
3 compensation of sixty percent (60%) of the employee's average weekly
4 wages, not to exceed one hundred eighty-three dollars (\$183) average
5 weekly wages, for the period stated for the injury.

6 With respect to injuries in the following schedule occurring on and
7 after July 1, 1990, and before July 1, 1991, the employee shall receive,
8 in addition to temporary total disability benefits not exceeding
9 seventy-eight (78) weeks on account of the injury, a weekly
10 compensation of sixty percent (60%) of the employee's average weekly
11 wages, not to exceed two hundred dollars (\$200) average weekly
12 wages, for the period stated for the injury.

13 (1) Loss of use: The total permanent loss of the use of an arm,
14 hand, thumb, finger, leg, foot, toe, or phalange shall be considered
15 as the equivalent of the loss by separation of the arm, hand,
16 thumb, finger, leg, foot, toe, or phalange, and compensation shall
17 be paid for the same period as for the loss thereof by separation.

18 (2) Partial loss of use: For the permanent partial loss of the use of
19 an arm, hand, thumb, finger, leg, foot, toe, or phalange,
20 compensation shall be paid for the proportionate loss of the use of
21 such arm, hand, thumb, finger, leg, foot, toe, or phalange.

22 (3) For injuries resulting in total permanent disability, five
23 hundred (500) weeks.

24 (4) For any permanent reduction of the sight of an eye less than a
25 total loss as specified in subsection (a)(3), compensation shall be
26 paid for a period proportionate to the degree of such permanent
27 reduction without correction or glasses. However, when such
28 permanent reduction without correction or glasses would result in
29 one hundred percent (100%) loss of vision, but correction or
30 glasses would result in restoration of vision, then in such event
31 compensation shall be paid for fifty percent (50%) of such total
32 loss of vision without glasses, plus an additional amount equal to
33 the proportionate amount of such reduction with glasses, not to
34 exceed an additional fifty percent (50%).

35 (5) For any permanent reduction of the hearing of one (1) or both
36 ears, less than the total loss as specified in subsection (a)(4),
37 compensation shall be paid for a period proportional to the degree
38 of such permanent reduction.

39 (6) In all other cases of permanent partial impairment,
40 compensation proportionate to the degree of such permanent
41 partial impairment, in the discretion of the worker's compensation
42 board, not exceeding five hundred (500) weeks.

43 (7) In all cases of permanent disfigurement which may impair the
44 future usefulness or opportunities of the employee, compensation,
45 in the discretion of the worker's compensation board, not
46 exceeding two hundred (200) weeks, except that no compensation
47 shall be payable under this subdivision where compensation is
48 payable elsewhere in this section.

49 (c) With respect to injuries in the following schedule occurring on
50 and after July 1, 1991, the employee shall receive in addition to
51 temporary total disability benefits, not exceeding one hundred

1 twenty-five (125) weeks on account of the injury, compensation in an
 2 amount determined under the following schedule to be paid weekly at
 3 a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's
 4 average weekly wages during the fifty-two (52) weeks immediately
 5 preceding the week in which the injury occurred.

6 (1) Amputation: For the loss by separation of the thumb, twelve
 7 (12) degrees of permanent impairment; of the index finger, eight
 8 (8) degrees of permanent impairment; of the second finger, seven
 9 (7) degrees of permanent impairment; of the third or ring finger,
 10 six (6) degrees of permanent impairment; of the fourth or little
 11 finger, four (4) degrees of permanent impairment; of the hand by
 12 separation below the elbow joint, forty (40) degrees of permanent
 13 impairment; of the arm above the elbow, fifty (50) degrees of
 14 permanent impairment; of the big toe, twelve (12) degrees of
 15 permanent impairment; of the second toe, six (6) degrees of
 16 permanent impairment; of the third toe, four (4) degrees of
 17 permanent impairment; of the fourth toe, three (3) degrees of
 18 permanent impairment; of the fifth or little toe, two (2) degrees of
 19 permanent impairment; by separation of the foot below the knee
 20 joint, thirty-five (35) degrees of permanent impairment; and of the
 21 leg above the knee joint, forty-five (45) degrees of permanent
 22 impairment.

23 (2) Amputations: ~~occurring on or after July 1, 1997:~~ For the loss
 24 by separation of any of the body parts described in subdivision (1)
 25 on or after July 1, 1997, **and for the loss by separation of any of**
 26 **the body parts described in subdivision (3), (5), or (8), on or**
 27 **after July 1, 1999**, the dollar values per degree applying on the
 28 date of the injury as described in subsection (d) shall be
 29 multiplied by two (2). However, the doubling provision of this
 30 subdivision does not apply to a loss of use that is not a loss by
 31 separation.

32 (3) The loss of more than one (1) phalange of a thumb or toe shall
 33 be considered as the loss of the entire thumb or toe. The loss of
 34 more than two (2) phalanges of a finger shall be considered as the
 35 loss of the entire finger. The loss of not more than one (1)
 36 phalange of a thumb or toe shall be considered as the loss of
 37 one-half (1/2) of the degrees of permanent impairment for the loss
 38 of the entire thumb or toe. The loss of not more than one (1)
 39 phalange of a finger shall be considered as the loss of one-third
 40 (1/3) of the finger and compensation shall be paid for one-third
 41 (1/3) of the degrees payable for the loss of the entire finger. The
 42 loss of more than one (1) phalange of the finger but not more than
 43 two (2) phalanges of the finger shall be considered as the loss of
 44 one-half (1/2) of the finger and compensation shall be paid for
 45 one-half (1/2) of the degrees payable for the loss of the entire
 46 finger.

47 (4) For the loss by separation of both hands or both feet or the
 48 total sight of both eyes or any two (2) such losses in the same
 49 accident, one hundred (100) degrees of permanent impairment.

50 (5) For the permanent and complete loss of vision by enucleation,
 51 **or its thirty-five (35) degrees of permanent impairment.**

- 1 **(6) For the reduction of vision** to one-tenth (1/10) of normal
2 vision with glasses, thirty-five (35) degrees of permanent
3 impairment.
- 4 ~~(6)~~ **(7)** For the permanent and complete loss of hearing in one (1)
5 ear, fifteen (15) degrees of permanent impairment, and in both
6 ears, forty (40) degrees of permanent impairment.
- 7 ~~(7)~~ **(8)** For the loss of one (1) testicle, ten (10) degrees of
8 permanent impairment; for the loss of both testicles, thirty (30)
9 degrees of permanent impairment.
- 10 ~~(8)~~ **(9)** Loss of use: The total permanent loss of the use of an arm,
11 a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall
12 be considered as the equivalent of the loss by separation of the
13 arm, hand, thumb, finger, leg, foot, toe, or phalange, and
14 compensation shall be paid in the same amount as for the loss by
15 separation. However, the doubling provision of subdivision (2)
16 does not apply to a loss of use that is not a loss by separation.
- 17 ~~(9)~~ **(10)** Partial loss of use: For the permanent partial loss of the
18 use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a
19 phalange, compensation shall be paid for the proportionate loss of
20 the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.
- 21 ~~(10)~~ **(11)** For injuries resulting in total permanent disability, the
22 amount payable for impairment or five hundred (500) weeks of
23 compensation, whichever is greater.
- 24 ~~(11)~~ **(12)** For any permanent reduction of the sight of an eye less
25 than a total loss as specified in subsection (a)(3), the
26 compensation shall be paid in an amount proportionate to the
27 degree of a permanent reduction without correction or glasses.
28 However, when a permanent reduction without correction or
29 glasses would result in one hundred percent (100%) loss of
30 vision, then compensation shall be paid for fifty percent (50%) of
31 the total loss of vision without glasses, plus an additional amount
32 equal to the proportionate amount of the reduction with glasses,
33 not to exceed an additional fifty percent (50%).
- 34 ~~(12)~~ **(13)** For any permanent reduction of the hearing of one (1)
35 or both ears, less than the total loss as specified in subsection
36 (a)(4), compensation shall be paid in an amount proportionate to
37 the degree of a permanent reduction.
- 38 ~~(13)~~ **(14)** In all other cases of permanent partial impairment,
39 compensation proportionate to the degree of a permanent partial
40 impairment, in the discretion of the worker's compensation board,
41 not exceeding one hundred (100) degrees of permanent
42 impairment.
- 43 ~~(14)~~ **(15)** In all cases of permanent disfigurement which may
44 impair the future usefulness or opportunities of the employee,
45 compensation, in the discretion of the worker's compensation
46 board, not exceeding forty (40) degrees of permanent impairment
47 except that no compensation shall be payable under this
48 subdivision where compensation is payable elsewhere in this
49 section.
- 50 (d) Compensation for permanent partial impairment shall be paid
51 according to the degree of permanent impairment for the injury

1 determined under subsection (c) and the following:

2 (1) With respect to injuries occurring on and after July 1, 1991,
3 and before July 1, 1992, for each degree of permanent impairment
4 from one (1) to thirty-five (35), five hundred dollars (\$500) per
5 degree; for each degree of permanent impairment from thirty-six
6 (36) to fifty (50), nine hundred dollars (\$900) per degree; for each
7 degree of permanent impairment above fifty (50), one thousand
8 five hundred dollars (\$1,500) per degree.

9 (2) With respect to injuries occurring on and after July 1, 1992,
10 and before July 1, 1993, for each degree of permanent impairment
11 from one (1) to twenty (20), five hundred dollars (\$500) per
12 degree; for each degree of permanent impairment from
13 twenty-one (21) to thirty-five (35), eight hundred dollars (\$800)
14 per degree; for each degree of permanent impairment from
15 thirty-six (36) to fifty (50), one thousand three hundred dollars
16 (\$1,300) per degree; for each degree of permanent impairment
17 above fifty (50), one thousand seven hundred dollars (\$1,700) per
18 degree.

19 (3) With respect to injuries occurring on and after July 1, 1993,
20 and before July 1, 1997, for each degree of permanent impairment
21 from one (1) to ten (10), five hundred dollars (\$500) per degree;
22 for each degree of permanent impairment from eleven (11) to
23 twenty (20), seven hundred dollars (\$700) per degree; for each
24 degree of permanent impairment from twenty-one (21) to
25 thirty-five (35), one thousand dollars (\$1,000) per degree; for
26 each degree of permanent impairment from thirty-six (36) to fifty
27 (50), one thousand four hundred dollars (\$1,400) per degree; for
28 each degree of permanent impairment above fifty (50), one
29 thousand seven hundred dollars (\$1,700) per degree.

30 (4) With respect to injuries occurring on and after July 1, 1997,
31 and before July 1, 1998, for each degree of permanent impairment
32 from one (1) to ten (10), seven hundred fifty dollars (\$750) per
33 degree; for each degree of permanent impairment from eleven
34 (11) to thirty-five (35), one thousand dollars (\$1,000) per degree;
35 for each degree of permanent impairment from thirty-six (36) to
36 fifty (50), one thousand four hundred dollars (\$1,400) per degree;
37 for each degree of permanent impairment above fifty (50), one
38 thousand seven hundred dollars (\$1,700) per degree.

39 (5) With respect to injuries occurring on and after July 1, 1998,
40 and before July 1, 1999, for each degree of permanent impairment
41 from one (1) to ten (10), seven hundred fifty dollars (\$750) per
42 degree; for each degree of permanent impairment from eleven
43 (11) to thirty-five (35), one thousand dollars (\$1,000) per degree;
44 for each degree of permanent impairment from thirty-six (36) to
45 fifty (50), one thousand four hundred dollars (\$1,400) per degree;
46 for each degree of permanent impairment above fifty (50), one
47 thousand seven hundred dollars (\$1,700) per degree.

48 (6) With respect to injuries occurring on and after July 1, 1999,
49 for each degree of permanent impairment from one (1) to ten (10),
50 nine hundred dollars (\$900) per degree; for each degree of
51 permanent impairment from eleven (11) to thirty-five (35), one

1 thousand one hundred dollars (\$1,100) per degree; for each
 2 degree of permanent impairment from thirty-six (36) to fifty (50),
 3 one thousand six hundred dollars (\$1,600) per degree; for each
 4 degree of permanent impairment above fifty (50), two thousand
 5 dollars (\$2,000) per degree.

6 (e) The average weekly wages used in the determination of
 7 compensation for permanent partial impairment under subsections (c)
 8 and (d) shall not exceed the following:

9 (1) With respect to injuries occurring on or after July 1, 1991, and
 10 before July 1, 1992, four hundred ninety-two dollars (\$492).

11 (2) With respect to injuries occurring on or after July 1, 1992, and
 12 before July 1, 1993, five hundred forty dollars (\$540).

13 (3) With respect to injuries occurring on or after July 1, 1993, and
 14 before July 1, 1994, five hundred ninety-one dollars (\$591).

15 (4) With respect to injuries occurring on or after July 1, 1994, and
 16 before July 1, 1997, six hundred forty-two dollars (\$642).

17 (5) With respect to injuries occurring on or after July 1, 1997, and
 18 before July 1, 1998, six hundred seventy-two dollars (\$672).

19 (6) With respect to injuries occurring on or after July 1, 1998, and
 20 before July 1, 1999, seven hundred two dollars (\$702).

21 (7) With respect to injuries occurring on or after July 1, 1999, and
 22 before July 1, 2000, seven hundred thirty-two dollars (\$732).

23 (8) With respect to injuries occurring on or after July 1, 2000,
 24 seven hundred sixty-two dollars (\$762).

25 SECTION 4. IC 22-3-3-13 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. (a) **As used in this**
 27 **section, "board" refers to the worker's compensation board**
 28 **created under IC 22-3-1-1.**

29 (b) If an employee who from any cause, had lost, or lost the use of,
 30 one (1) hand, one (1) arm, one (1) foot, one (1) leg, or one (1) eye, and
 31 in a subsequent industrial accident becomes permanently and totally
 32 impaired by reason of the loss, or loss of use of, another such member
 33 or eye, the employer shall be liable only for the compensation payable
 34 for such second injury. However, in addition to such compensation and
 35 after the completion of the payment therefor, the employee shall be
 36 paid the remainder of the compensation that would be due for such
 37 total permanent impairment out of a special fund known as the second
 38 injury fund, and created in the manner described in subsection ~~(b)~~: (c).

39 ~~(b)~~ (c) **Whenever the board determines under the procedures set**
 40 **forth in subsection (d) that an assessment is necessary to ensure**
 41 **that fund beneficiaries, including applicants under section 4(e) of**
 42 **this chapter, continue to receive compensation in a timely manner**
 43 **for a reasonable prospective period, the board shall send notice not**
 44 **later than October 1 in any year to:**

45 (1) **all insurance carriers and other entities insuring or**
 46 **providing coverage to employers who are or may be liable**
 47 **under this article to pay compensation for personal injuries to**
 48 **or the death of their employees under this article; and**

49 (2) **each employer carrying the employer's own risk;**
 50 **stating that an assessment is necessary. After June 30, 1999, the**
 51 **board may conduct an assessment under this subsection not more**

1 **than one (1) time annually.** Every insurance carrier **and other entity**
 2 **insuring or providing coverage to** employers who are or may be liable
 3 **under this article to pay compensation for personal injuries to or death**
 4 **of their employees under this article and every employer carrying the**
 5 **employer's own risk, shall, on or before April 10 of each year, within**
 6 **thirty (30) days of the board sending notice under this subsection,**
 7 **pay to the worker's compensation board for the benefit of said the fund,**
 8 **a sum equal to one percent (1%) an assessed amount that may not**
 9 **exceed one and one-half percent (1.5%) of the total amount of all**
 10 **worker's compensation paid to injured employees or their beneficiaries**
 11 **under IC 22-3-2 through IC 22-3-6 for the calendar year next preceding**
 12 **the due date of such payment. For the purposes of calculating the**
 13 **assessment under this subsection, the board may consider**
 14 **payments for temporary total disability, temporary partial**
 15 **disability, permanent total impairment, permanent partial**
 16 **impairment, or death of an employee. The board may not consider**
 17 **payments for medical benefits in calculating an assessment under**
 18 **this subsection.** If the amount to the credit of the second injury fund as
 19 **of April 1 on or before October 1** of any year exceeds five hundred
 20 **thousand dollars (\$500,000); the payments of one percent (1%) one**
 21 **million dollars (\$1,000,000), the assessment allowed under this**
 22 **subsection shall not be assessed or collected during the ensuing year.**
 23 **But when on April 1 or before October 1** of any year the amount to
 24 **the credit of the fund is less than five hundred thousand dollars**
 25 **(\$500,000); one million dollars (\$1,000,000), the payments of one**
 26 **percent (1%) not more than one and one-half percent (1.5%) of the**
 27 **total amount of all worker's compensation paid to injured employees or**
 28 **their beneficiaries under IC 22-3-2 through IC 22-3-6 for the calendar**
 29 **year next preceding that date shall be resumed and paid into such the**
 30 **fund.**

31 **(d) The board shall enter into a contract with an actuary or**
 32 **another qualified firm that has experience in calculating worker's**
 33 **compensation liabilities. Not later than September 1 of each year,**
 34 **the actuary or other qualified firm shall calculate the**
 35 **recommended funding level of the fund based on the previous**
 36 **year's claims and inform the board of the results of the**
 37 **calculation. If the amount to the credit of the fund is less than the**
 38 **amount required under subsection (c), the board may conduct an**
 39 **assessment under subsection (c). The board shall pay the costs of**
 40 **the contract under this subsection with money in the fund.**

41 **(e) An assessment collected under subsection (c) on an employer**
 42 **who is not self-insured must be assessed through a surcharge based**
 43 **on the employer's premium. An assessment collected under**
 44 **subsection (c) does not constitute an element of loss, but for the**
 45 **purpose of collection shall be treated as a separate cost imposed**
 46 **upon insured employers. A premium surcharge under this**
 47 **subsection must be collected at the same time and in the same**
 48 **manner in which the premium for coverage is collected, and must**
 49 **be shown as a separate amount on a premium statement. A**
 50 **premium surcharge under this subsection must be excluded from**
 51 **the definition of premium for all purposes, including the**

1 **computation of agent commissions or premium taxes. However, an**
 2 **insurer may cancel a worker's compensation policy for**
 3 **nonpayment of the premium surcharge. A cancellation under this**
 4 **subsection must be carried out under the statutes applicable to the**
 5 **nonpayment of premiums.**

6 ~~(e)~~ **(f)** The sums shall be paid by the ~~worker's compensation~~ board
 7 to the treasurer of state, to be deposited in a special account known as
 8 the second injury fund. The funds are not a part of the general fund of
 9 the state. Any balance remaining in the account at the end of any fiscal
 10 year shall not revert to the general fund. The funds shall be used only
 11 for the payment of awards of compensation and expense of medical
 12 examinations or treatment made and ordered by the board and
 13 chargeable against the fund pursuant to this section, and shall be paid
 14 for that purpose by the treasurer of state upon award or order of the
 15 board.

16 ~~(d)~~ **(g)** If an employee who is entitled to compensation under
 17 IC 22-3-2 through IC 22-3-6 either:

18 (1) exhausts the maximum benefits under section 22 of this
 19 chapter without having received the full amount of award granted
 20 to the employee under section 10 of this chapter; or

21 (2) exhausts the employee's benefits under section 10 of this
 22 chapter;

23 then such employee may apply to the ~~worker's compensation~~ board,
 24 who may award the employee compensation from the second injury
 25 fund established by this section, as follows under subsection ~~(e)~~: **(h)**.

26 ~~(e)~~ **(h)** An employee who has exhausted the employee's maximum
 27 benefits under section 10 of this chapter may be awarded additional
 28 compensation equal to sixty-six and two-thirds percent (66 2/3%) of the
 29 employee's average weekly wage at the time of the employee's injury,
 30 not to exceed the maximum then applicable under section 22 of this
 31 chapter, for a period of not to exceed one hundred fifty (150) weeks
 32 upon competent evidence sufficient to establish:

33 (1) that the employee is totally and permanently disabled from
 34 causes and conditions of which there are or have been objective
 35 conditions and symptoms proven that are not within the physical
 36 or mental control of the employee; and

37 (2) that the employee is unable to support the employee in any
 38 gainful employment, not associated with rehabilitative or
 39 vocational therapy.

40 ~~(f)~~ **(i)** The additional award may be renewed during the employee's
 41 total and permanent disability after appropriate hearings by the
 42 ~~worker's compensation~~ board for successive periods not to exceed one
 43 hundred fifty (150) weeks each. The provisions of this section apply
 44 only to injuries occurring subsequent to April 1, 1950, for which
 45 awards have been or are in the future made by the ~~worker's~~
 46 ~~compensation~~ board under section 10 of this chapter. Section 16 of this
 47 chapter does not apply to compensation awarded from the second
 48 injury fund under this section.

49 SECTION 3. IC 22-3-4-13 IS AMENDED TO READ AS
 50 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. (a) Every employer
 51 shall keep a record of all injuries, fatal or otherwise, received by or

1 claimed to have been received by his employees in the course of their
 2 employment. Within seven (7) days after the occurrence and
 3 knowledge thereof, as provided in IC 22-3-3-1, of any injury to an
 4 employee causing his death or his absence from work for more than
 5 one (1) day, a report thereof shall be made in writing and mailed to the
 6 employer's insurance carrier or, if the employer is self insured,
 7 **delivered** to the worker's compensation board ~~on blanks to be procured~~
 8 ~~from the board for that purpose in the manner provided in~~
 9 **subsections (b) and (c)**. The insurance carrier shall ~~mail~~ **deliver** the
 10 report to the worker's compensation board **in the manner provided in**
 11 **subsections (b) and (c)** not later than seven (7) days after receipt of the
 12 report or fourteen (14) days after the employer's knowledge of the
 13 injury, whichever is later. An employer or insurance carrier that fails
 14 to comply with this subsection is subject to a civil penalty of fifty
 15 dollars (\$50), to be assessed and collected by the board. Civil penalties
 16 collected under this section shall be deposited in the state general fund.

17 **(b) All insurance carriers, companies who carry risk without**
 18 **insurance, and third party administrators reporting accident**
 19 **information to the board in compliance with subsection (a) shall:**

20 **(1) report the information using electronic data interchange**
 21 **standards prescribed by the board no later than June 30,**
 22 **1999; or**

23 **(2) in the alternative, the reporting entity shall have an**
 24 **implementation plan approved by the board no later than**
 25 **June 30, 2000, that provides for the ability to report the**
 26 **information using electronic data interchange standards**
 27 **prescribed by the board no later than December 31, 2000.**

28 **Prior to the June 30, 2000, and December 31, 2000, deadlines, the**
 29 **reporting entity may continue to report accidents to the board by**
 30 **mail in compliance with subsection (a).**

31 **(c)** The report shall contain the name, nature, and location of the
 32 business of the employer, the name, age, sex, wages, occupation of the
 33 injured employee, the date and hour of the accident causing the alleged
 34 injury, the nature and cause of the injury, and such other information
 35 as may be required by the board.

36 ~~(d)~~ **(d)** A person who violates any provision of this article, except
 37 IC 22-3-5-1 or IC 22-3-7-34(a) or IC 22-3-7-34(b), commits a Class C
 38 infraction. A person who violates IC 22-3-5-1 or IC 22-3-7-34(a) or
 39 IC 22-3-7-34(b) commits a Class A infraction. The worker's
 40 compensation board in the name of the state may seek relief from any
 41 court of competent jurisdiction to enjoin any violation of this article.

42 ~~(e)~~ **(e)** The venue of all criminal actions under this section lies in the
 43 county in which the employee was injured. The prosecuting attorney of
 44 the county shall prosecute all such violations upon written request of
 45 the worker's compensation board. Such violations shall be prosecuted
 46 in the name of the state.

47 ~~(f)~~ **(f)** In an action before the board against an employer who at the
 48 time of the injury to or occupational disease of an employee had failed
 49 to comply with IC 22-3-5-1 or IC 22-3-7-34(a) or IC 22-3-7-34(b), the
 50 board may award to the employee or the dependents of a deceased
 51 employee:

- 1 (1) compensation not to exceed double the compensation
 2 provided by this article;
 3 (2) medical expenses; and
 4 (3) reasonable attorney fees in addition to the compensation and
 5 medical expenses.
- 6 ~~(f)~~ **(g)** In an action under subsection (c) the court may:
 7 (1) order the employer to cease doing business in Indiana until the
 8 employer furnishes proof of insurance as required by IC 22-3-5-1
 9 and IC 22-3-7-34(a) or IC 22-3-7-34(b);
 10 (2) require satisfactory proof of the employer's financial ability to
 11 pay any compensation or medical expenses in the amount and
 12 manner and when due as provided for in IC 22-3, for any injuries
 13 which occurred during any period of noncompliance; and
 14 (3) require the employer to deposit with the worker's
 15 compensation board an acceptable security, indemnity, or bond to
 16 secure the payment of such compensation and medical expense
 17 liabilities.
- 18 ~~(g)~~ **(h)** The penalty provisions of subsection (e) shall apply only to
 19 the employer and shall not apply for a failure to exact a certificate of
 20 insurance under IC 22-3-2-14 or IC 22-3-7-34(i) or IC 22-3-7-34(j).
- 21 Page 2, line 9, delete "." and insert "**to the extent set forth in**
 22 **IC 22-3-2-2.5.**".
- 23 Page 4, line 8, delete "." and insert "**to the extent set forth in**
 24 **IC 22-3-2-2.5.**".
- 25 Page 6, delete lines 34 through 42, begin a new paragraph and
 26 insert:
 27 "SECTION 7. IC 22-3-7-2.5 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 1999]: **Sec. 2.5. (a) As used in this section, "school to work**
 30 **student" refers to a student participating in on-the-job training**
 31 **under the federal School to Work Opportunities Act (20 U.S.C.**
 32 **6101 et seq.).**
- 33 **(b) A school to work student is entitled to the following**
 34 **compensation and benefits under this chapter:**
- 35 **(1) Medical benefits.**
 36 **(2) Permanent partial impairment compensation under**
 37 **section 16 of this chapter. Permanent partial impairment**
 38 **compensation for a school to work student shall be paid in a**
 39 **lump sum upon agreement or final award.**
- 40 **(3) In the case that death results from the injury:**
 41 **(A) death benefits in a lump sum amount of one hundred**
 42 **seventy-five thousand dollars (\$175,000), payable upon**
 43 **agreement or final award to any dependents of the student**
 44 **under sections 11 through 14 of this chapter, or, if the**
 45 **student has no dependents, to the student's parents; and**
 46 **(B) burial compensation under section 15 of this chapter.**
- 47 **(c) For the sole purpose of modifying an award under section 27**
 48 **of this chapter, a school to work student's average weekly wage is**
 49 **presumed to be equal to the federal minimum wage.**
- 50 **(d) A school to work student is not entitled to the following**
 51 **compensation under this chapter:**

1 **(1) Temporary total disability compensation under section 16**
2 **of this chapter.**

3 **(2) Temporary partial disability compensation under section**
4 **19 of this chapter.**

5 **(e) Except for remedies available under IC 5-2-6.1, recovery**
6 **under subsection (b) is the exclusive right and remedy for:**

7 **(1) a school to work student; and**

8 **(2) the personal representatives, dependents, or next of kin, at**
9 **common law or otherwise, of a school to work student;**

10 **on account of disablement or death by occupational disease arising**
11 **out of and in the course of school to work employment."**

12 Page 7, delete lines 1 through 3.

13 Page 7, line 12, delete "." and insert "**to the extent set forth under**
14 **section 2.5 of this chapter."**

15 Page 8, line 30, delete "." and insert "**to the extent set forth under**
16 **section 2.5 of this chapter."**

17 Page 11, between lines 1 and 2, begin a new paragraph and insert:

18 "SECTION 7. IC 22-3-7-27 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 27. (a) If the employer
20 and the employee or the employee's dependents disagree in regard to
21 the compensation payable under this chapter, or, if they have reached
22 such an agreement, which has been signed by them, filed with and
23 approved by the worker's compensation board, and afterward disagree
24 as to the continuance of payments under such agreement, or as to the
25 period for which payments shall be made, or as to the amount to be
26 paid, because of a change in conditions since the making of such
27 agreement, either party may then make an application to the board for
28 the determination of the matters in dispute. When compensation which
29 is payable in accordance with an award or by agreement approved by
30 the board is ordered paid in a lump sum by the board, no review shall
31 be had as in this subsection mentioned.

32 (b) The application making claim for compensation filed with the
33 worker's compensation board shall state the following:

34 (1) The approximate date of the last day of the last exposure and
35 the approximate date of the disablement.

36 (2) The general nature and character of the illness or disease
37 claimed.

38 (3) The name and address of the employer by whom employed on
39 the last day of the last exposure, and if employed by any other
40 employer after such last exposure and before disablement, the
41 name and address of such other employer or employers.

42 (4) In case of death, the date and place of death.

43 (5) Amendments to applications making claim for compensation
44 which relate to the same disablement or disablement resulting in
45 death originally claimed upon may be allowed by the board in its
46 discretion, and, in the exercise of such discretion, it may, in
47 proper cases, order a trial de novo. Such amendment shall relate
48 back to the date of the filing of the original application so
49 amended.

50 (c) Upon the filing of such application, the board shall set the date
51 of hearing, which shall be as early as practicable, and shall notify the

1 parties, in the manner prescribed by the board, of the time and place of
2 hearing. The hearing of all claims for compensation on account of
3 occupational disease shall be held in the county in which the last
4 exposure occurred or in any adjoining county, except when the parties
5 consent to a hearing elsewhere. Claims assigned to an individual board
6 member that are considered to be of an emergency nature by that board
7 member, may be heard in any county within the board member's
8 jurisdiction.

9 (d) The board by any or all of its members shall hear the parties at
10 issue, their representatives, and witnesses, and shall determine the
11 dispute in a summary manner. The award shall be filed with the record
12 of proceedings, and a copy thereof shall immediately be sent by
13 registered mail to each of the parties in dispute.

14 (e) If an application for review is made to the board within ~~twenty~~
15 ~~(20) days after receiving a copy of an~~ **thirty (30) days from the date**
16 **of the award** made by less than all the members, the full board, if the
17 first hearing was not held before the full board, shall review the
18 evidence, or, if deemed advisable, hear the parties at issue, their
19 representatives, and witnesses as soon as practicable, and shall make
20 an award and file the same with the finding of the facts on which it is
21 based and send a copy thereof to each of the parties in dispute, in like
22 manner as specified in subsection (d).

23 (f) An award of the board by less than all of the members as
24 provided in this section, if not reviewed as provided in this section,
25 shall be final and conclusive. An award by the full board shall be
26 conclusive and binding unless either party to the dispute, within thirty
27 (30) days after receiving a copy of such award, appeals to the court of
28 appeals under the same terms and conditions as govern appeals in
29 ordinary civil actions. The court of appeals shall have jurisdiction to
30 review all questions of law and of fact. The board, of its own motion,
31 may certify questions of law to the court of appeals for its decision and
32 determination. An assignment of errors that the award of the full board
33 is contrary to law shall be sufficient to present both the sufficiency of
34 the facts found to sustain the award and the sufficiency of the evidence
35 to sustain the finding of facts. All such appeals and certified questions
36 of law shall be submitted upon the date filed in the court of appeals,
37 shall be advanced upon the docket of the court, and shall be determined
38 at the earliest practicable date, without any extensions of time for filing
39 briefs. An award of the full board affirmed on appeal, by the employer,
40 shall be increased thereby five percent (5%), and by order of the court
41 may be increased ten percent (10%).

42 (g) Upon order of the worker's compensation board made after five
43 (5) days notice is given to the opposite party, any party in interest may
44 file in the circuit or superior court of the county in which the
45 disablement occurred a certified copy of the memorandum of
46 agreement, approved by the board, or of an order or decision of the
47 board, or of an award of the full board unappealed from, or of an award
48 of the full board affirmed upon an appeal, whereupon the court shall
49 render judgment in accordance therewith and notify the parties. Such
50 judgment shall have the same effect and all proceedings in relation
51 thereto shall thereafter be the same as though such judgment has been

1 rendered in a suit duly heard and determined by the court. Any such
2 judgment of such circuit or superior court, unappealed from or affirmed
3 on appeal or modified in obedience to the mandate of the court of
4 appeals, shall be modified to conform to any decision of the industrial
5 board ending, diminishing, or increasing any weekly payment under the
6 provisions of subsection (i) upon the presentation to it of a certified
7 copy of such decision.

8 (h) In all proceedings before the worker's compensation board or in
9 a court under the compensation provisions of this chapter, the costs
10 shall be awarded and taxed as provided by law in ordinary civil actions
11 in the circuit court.

12 (i) The power and jurisdiction of the worker's compensation board
13 over each case shall be continuing, and, from time to time, it may, upon
14 its own motion or upon the application of either party on account of a
15 change in conditions, make such modification or change in the award
16 ending, lessening, continuing, or extending the payments previously
17 awarded, either by agreement or upon hearing, as it may deem just,
18 subject to the maximum and minimum provided for in this chapter.
19 When compensation which is payable in accordance with an award or
20 settlement contract approved by the board is ordered paid in a lump
21 sum by the board, no review shall be had as in this subsection
22 mentioned. Upon making any such change, the board shall immediately
23 send to each of the parties a copy of the modified award. No such
24 modification shall affect the previous award as to any money paid
25 thereunder. The board shall not make any such modification upon its
26 own motion, nor shall any application therefor be filed by either party
27 after the expiration of two (2) years from the last day for which
28 compensation was paid under the original award made either by
29 agreement or upon hearing, except that applications for increased
30 permanent partial impairment are barred unless filed within one (1)
31 year from the **first last** day for which compensation was paid. The
32 board may at any time correct any clerical error in any finding or
33 award.

34 (j) The board or any member thereof may, upon the application of
35 either party or upon its own motion, appoint a disinterested and duly
36 qualified physician or surgeon to make any necessary medical
37 examination of the employee and to testify in respect thereto. Such
38 physician or surgeon shall be allowed traveling expenses and a
39 reasonable fee, to be fixed by the board. The fees and expenses of such
40 physician or surgeon shall be paid by the state only on special order of
41 the board or a member thereof.

42 (k) The board or any member thereof may, upon the application of
43 either party or upon its own motion, appoint a disinterested and duly
44 qualified industrial hygienist, industrial engineer, industrial physician,
45 or chemist to make any necessary investigation of the occupation in
46 which the employee alleges that he was last exposed to the hazards of
47 the occupational disease claimed upon, and testify with respect to the
48 occupational disease health hazards found by such person or persons
49 to exist in such occupation. Such person or persons shall be allowed
50 traveling expenses and a reasonable fee, to be fixed by the board. The
51 fees and expenses of such persons shall be paid by the state, only on

1 special order of the board or a member thereof.

2 (l) Whenever any claimant misconceives the claimant's remedy and
 3 files an application for adjustment of a claim under IC 22-3-2 through
 4 IC 22-3-6 and it is subsequently discovered, at any time before the final
 5 disposition of such cause, that the claim for injury or death which was
 6 the basis for such application should properly have been made under
 7 the provisions of this chapter, then the application so filed under
 8 IC 22-3-2 through IC 22-3-6 may be amended in form or substance or
 9 both to assert a claim for such disability or death under the provisions
 10 of this chapter, and it shall be deemed to have been so filed as amended
 11 on the date of the original filing thereof, and such compensation may
 12 be awarded as is warranted by the whole evidence pursuant to the
 13 provisions of this chapter. When such amendment is submitted, further
 14 or additional evidence may be heard by the worker's compensation
 15 board when deemed necessary. Nothing in this section contained shall
 16 be construed to be or permit a waiver of any of the provisions of this
 17 chapter with reference to notice or time for filing a claim, but notice of
 18 filing of a claim, if given or done, shall be deemed to be a notice or
 19 filing of a claim under the provisions of this chapter if given or done
 20 within the time required in this chapter."

21 Page 22, line 13, delete "leverage" and insert "**attract**".

22 Page 22, after line 14, begin a new paragraph and insert:

23 "**SECTION 17. [EFFECTIVE JULY 1, 1999] (a) As used in this**
 24 **SECTION, "board" refers to the worker's compensation board**
 25 **created under IC 22-3-1-1.**

26 **(b) As used in this SECTION, "fund" refers to the second injury**
 27 **fund created under IC 22-3-3-13.**

28 **(c) The board shall conduct an actuarial study in consultation**
 29 **with the department of insurance to determine the fund's total**
 30 **unfunded liability.**

31 **(d) The board shall be reimbursed the cost of the study under**
 32 **subsection (c) from the state general fund.**

33 **(e) The board shall report the results of the study to the**
 34 **legislative council before January 1, 2000.**

35 **(f) This SECTION expires January 1, 2000."**

36 Renumber all SECTIONS consecutively.

(Reference is to EHB 2085 as reprinted April 9, 1999 and as corrected under Senate Rule 33(c) adopted April 12, 1999.)

Conference Committee Report
on
House Bill 2085

Signed by:

Senator Zakas

Representative Dvorak

Senator Craycraft

Representative Thompson

Senate Conferees

House Conferees