



General Assembly

Amendment

February Session, 2006

LCO No. 5280

SB0002505280HRO

Offered by:
REP. NOUJAIM, 74th Dist.

To: Subst. Senate Bill No. 25

File No. 25

Cal. No. 481

**"AN ACT CONCERNING SOCIAL SECURITY OFFSETS UNDER
THE WORKERS' COMPENSATION ACT."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (b) of section 31-294c of the 2006 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2006*):

6 (b) Whenever liability to pay compensation is contested by the
7 employer, he shall file with the commissioner, on or before the
8 [twenty-eighth] thirty-fifth day after he has received a written notice of
9 claim, a notice in accord with a form prescribed by the chairman of the
10 Workers' Compensation Commission stating that the right to
11 compensation is contested, the name of the claimant, the name of the
12 employer, the date of the alleged injury or death and the specific
13 grounds on which the right to compensation is contested. The
14 employer shall send a copy of the notice to the employee in accordance
15 with section 31-321. If the employer or his legal representative fails to

16 file the notice contesting liability on or before the [twenty-eighth]
17 thirty-fifth day after he has received the written notice of claim, the
18 employer shall commence payment of compensation for such injury or
19 death on or before the [twenty-eighth] thirty-fifth day after he has
20 received the written notice of claim, but the employer may contest the
21 employee's right to receive compensation on any grounds or the extent
22 of his disability within one year from the receipt of the written notice
23 of claim, provided the employer shall not be required to commence
24 payment of compensation when the written notice of claim has not
25 been properly served in accordance with section 31-321 or when the
26 written notice of claim fails to include a warning that (1) the employer,
27 if he has commenced payment for the alleged injury or death on or
28 before the [twenty-eighth] thirty-fifth day after receiving a written
29 notice of claim, shall be precluded from contesting liability unless a
30 notice contesting liability is filed within one year from the receipt of
31 the written notice of claim, and (2) the employer shall be conclusively
32 presumed to have accepted the compensability of the alleged injury or
33 death unless the employer either files a notice contesting liability on or
34 before the [twenty-eighth] thirty-fifth day after receiving a written
35 notice of claim or commences payment for the alleged injury or death
36 on or before such [twenty-eighth] thirty-fifth day. An employer shall
37 be entitled, if he prevails, to reimbursement from the claimant of any
38 compensation paid by the employer on and after the date the
39 commissioner receives written notice from the employer or his legal
40 representative, in accordance with the form prescribed by the
41 chairman of the Workers' Compensation Commission, stating that the
42 right to compensation is contested. Notwithstanding the provisions of
43 this subsection, an employer who fails to contest liability for an alleged
44 injury or death on or before the [twenty-eighth] thirty-fifth day after
45 receiving a written notice of claim and who fails to commence
46 payment for the alleged injury or death on or before such [twenty-
47 eighth] thirty-fifth day, shall be conclusively presumed to have
48 accepted the compensability of the alleged injury or death."