

Act No. 239
Public Acts of 2014
Approved by the Governor
June 21, 2014
Filed with the Secretary of State
June 27, 2014
EFFECTIVE DATE: June 27, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Rep. Foster

ENROLLED HOUSE BILL No. 5490

AN ACT to amend 1969 PA 317, entitled "An act to revise and consolidate the laws relating to worker's disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker's compensation system; to improve the qualifications of the persons having adjudicative functions within the worker's compensation system; to prescribe certain powers and duties; to create the board of worker's compensation magistrates and the worker's compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts," by amending section 541 (MCL 418.541).

The People of the State of Michigan enact:

Sec. 541. (1) All payments from the funds shall be determined by the trustees and made upon an order signed by a trustee. If a dispute arises between the trustees and a carrier as to any determination by the trustees or the obligation of any carrier to make payments on behalf of the second injury fund, the dispute shall be considered a controversy concerning compensation and shall be determined in accordance with this act.

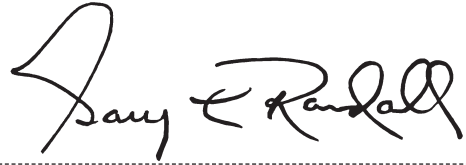
(2) In all cases in which the carrier is entitled to reimbursement, notice of claim for reimbursement shall be filed with the trustees within 1 year from the date on which the right to reimbursement first accrues. After the carrier has established a right to reimbursement, payment shall be made promptly on a proper showing periodically every 6 months.

(3) The trustees may enter into agreements with carriers whereby the payment of benefits to persons permanently and totally disabled, which payments heretofore have been made directly from the second injury fund, may be made by carriers who are paying worker's compensation benefits to those persons, and the carriers shall be reimbursed periodically at 6-month intervals from the fund for those payments.

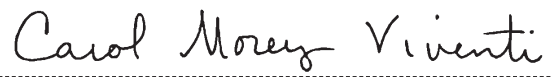
(4) A fund under this chapter has the same rights under this act as an employer or carrier.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5489 of the 97th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor