

HOUSE BILL NO. 4761

April 29, 2021, Introduced by Reps. Brenda Carter, Sabo, Koleszar, Bolden, Hope, Shannon, Haadsma, Pohutsky, Anthony, Steckloff, Cavanagh, Hertel, Stone, Kuppa, Morse, Liberati, Thanedar, Rogers, Tyrone Carter, Young, O'Neal, Scott, Breen, Brabec, Weiss, Tate and Cynthia Johnson and referred to the Committee on Workforce, Trades, and Talent.

A bill to amend 1969 PA 317, entitled
"Worker's disability compensation act of 1969,"
by amending section 833 (MCL 418.833).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 833. (1) If payment of compensation is made, other than
2 medical expenses, and an application for further compensation is
3 later filed with the bureau, ~~no compensation shall~~**must not** be
4 ordered for any period ~~which~~**that** is more than 1 year ~~prior to~~
5 **before** the date of filing of ~~such~~**the** application **for further**

1 **compensation.**

2 (2) ~~When~~ **Subject to subsection (3), if** an employer or carrier
3 takes action to recover overpayment of benefits, ~~no~~ recoupment of
4 money ~~shall be~~ **is not** allowed for a period ~~which~~ **that** is more than
5 1 year ~~prior to~~ **before** the date ~~of taking such~~ **the** action to
6 **recover overpayment of benefits is taken.**

7 (3) Except as provided under section 354, an employee must not
8 be ordered to reimburse an employer or carrier for an overpayment
9 of benefits unless the employer or carrier establishes that the
10 employee concealed post-injury earnings that, if reported, would
11 have reduced the amount of wage loss benefits paid.