

(B) FAILURE TO PAY OR FILE WITHIN 21 DAYS — PENALTIES.

IF THE COMMISSION FINDS THAT AN EMPLOYER OR INSURER HAS FAILED, WITHOUT GOOD CAUSE, TO BEGIN PAYING TEMPORARY TOTAL DISABILITY BENEFITS OR TO FILE ISSUES CONTESTING A CLAIM WITHIN 21 DAYS AFTER THE CLAIM IS FILED, THE COMMISSION MAY ASSESS AGAINST THE EMPLOYER OR INSURER A FINE NOT EXCEEDING 20% OF THE AMOUNT OF THE PAYMENT.

(C) PAYMENT OR FILING WITHIN 30 DAYS.

IF THE EMPLOYER OR ITS INSURER DOES NOT BEGIN PAYING BENEFITS OR FILE ISSUES WITHIN 21 DAYS UNDER SUBSECTION (A) OF THIS SECTION, WITHIN 30 DAYS AFTER THE CLAIM IS FILED WITH THE COMMISSION, THE EMPLOYER OR ITS INSURER SHALL:

- (1) BEGIN PAYING TEMPORARY TOTAL DISABILITY BENEFITS;
OR
(2) FILE WITH THE COMMISSION ANY ISSUE TO CONTEST THE CLAIM.

(D) FAILURE TO PAY OR FILE WITHIN 30 DAYS — PENALTIES.

IF THE COMMISSION FINDS THAT AN EMPLOYER OR INSURER HAS FAILED, WITHOUT GOOD CAUSE, TO BEGIN PAYING TEMPORARY TOTAL DISABILITY BENEFITS OR TO FILE ISSUES CONTESTING A CLAIM WITHIN 30 DAYS AFTER THE CLAIM IS FILED, THE COMMISSION MAY ASSESS AGAINST THE EMPLOYER OR INSURER A FINE NOT EXCEEDING 40% OF THE PAYMENT.

(E) PAYMENT TO COVERED EMPLOYEE.

THE COMMISSION SHALL ORDER THE EMPLOYER OR INSURER TO PAY A FINE ASSESSED UNDER THIS SECTION TO THE COVERED EMPLOYEE.

(F) PAYMENT OF BENEFITS NOT WAIVER.

SUBJECT TO § 9-714 OF THIS SUBTITLE, PAYMENT BY AN EMPLOYER OR ITS INSURER BEFORE AN AWARD DOES NOT WAIVE THE RIGHT OF THE EMPLOYER OR ITS INSURER TO CONTEST THE CLAIM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 36(2)(iv).

In the introductory language of subsection (a) of this section, the former phrase "for compensation for injuries under this article" is deleted as surplusage.

In subsection (a)(2) of this section, the words "to the Commission" are added, for clarity.