

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 91(d)(3) and (5).

In the introductory language and in item (2) of subsection (a) of this section, the word "insurer" is substituted for the former words "insurance carrier" and "Injured Workers' Compensation Fund", for brevity.

In the introductory language of subsection (a) and in subsection (d) of this section, the reference to the "Commission" is added in light of subsection (b) of this section and to conform to §§ 9-1005, 9-1006, and 9-1008 of this subtitle.

Defined terms: "Board" § 9-1001

"Commission" § 9-101 "Compensation" § 9-101

"Covered employee" § 9-101 "Fund" § 9-1001

9-1008. ASSESSMENT — COMPENSATION ABATED OR NOT AWARDED;
DEATH WITHOUT DEPENDENT.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO AN AWARD AGAINST THE
SUBSEQUENT INJURY FUND.

(B) COMPENSATION ABATED OR NOT AWARDED.

THE COMMISSION SHALL IMPOSE AN ASSESSMENT OF 10%, NOT
EXCEEDING \$4,500, AGAINST COMPENSATION AWARDED OR LIKELY TO BE
AWARDED AGAINST AN INSURED OR SELF-INSURED EMPLOYER IF THE
COMMISSION DETERMINES THAT THE COMPENSATION IS NOT AWARDED
OR IS ABATED BECAUSE OF:

(1) DEATH; OR

(2) LACK OF A COVERED EMPLOYEE OR A DEPENDENT OF A
COVERED EMPLOYEE ELIGIBLE FOR THE COMPENSATION.

(C) DEATH WITHOUT DEPENDENT.

ON EXPIRATION OF THE TIME PERIOD WITHIN WHICH A CLAIM MAY
BE FILED UNDER THIS TITLE, THE COMMISSION SHALL ASSESS THE
INSURER OR SELF-INSURED EMPLOYER \$4,500 IF A COVERED EMPLOYEE
DIES:

(1) DUE TO AN ACCIDENTAL INJURY OR OCCUPATIONAL
DISEASE; AND

(2) WITHOUT ANY SURVIVING DEPENDENT.

(D) PAYMENT TO FUND.

THE COMMISSION SHALL DIRECT PAYMENT OF AN ASSESSMENT
UNDER SUBSECTION (B) OR (C) OF THIS SECTION INTO THE FUND.