

Bill No. CS for SB 1188

Amendment No. Barcode 963086

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
---------------	----------------	--------------

1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		

11 Senator Latvala moved the following amendment:

12
13 **Senate Amendment (with title amendment)**

14 On page 44, line 29, through page 45, line 2, delete
15 those lines

16
17 and insert:

18 Section 14. Subsections (4) and (11) of section
19 440.20, Florida Statutes, are amended to read:

20 440.20 Time for payment of compensation; penalties for
21 late payment.--

22 (4) If the carrier is uncertain of its obligation to
 23 provide benefits or compensation, it may initiate payment
 24 without prejudice and without admitting liability. The carrier
 25 shall immediately and in good faith commence investigation of
 26 the employee's entitlement to benefits under this chapter and
 27 shall admit or deny compensability within 120 days after the
 28 initial provision of compensation or benefits as required by
 29 subsection (2) or s. 440.192(8). Upon commencement of payment
 30 as required by subsection (2) or s. 440.192(8), the carrier
 31 shall provide written notice to the employee that it has

Bill No. CS for SB 1188

Amendment No. ____ Barcode 963086

1 elected to pay all or part of the claim pending further
 2 investigation, and that it will advise the employee of claim
 3 acceptance or denial within 120 days. A carrier that fails to
 4 deny compensability within 120 days after the initial
 5 provision of benefits or payment of compensation, as required
 6 by subsection (2) or s. 440.192(8), waives the right to deny
 7 compensability, unless the carrier can establish material
 8 facts relevant to the issue of compensability that it could
 9 not have discovered through reasonable investigation within
 10 the 120-day period. The initial provision of compensation or
 11 benefits, for purposes of this subsection, shall mean the
 12 first installment of compensation or benefits to be paid by
 13 the carrier under subsection (2) or pursuant to a petition of
 14 benefits under s. 440.192(8).

15
16

17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 2, line 25, after the semicolon

20
21

insert:

22 specifying time for payment of compensation;
 23 prescribing the criteria for determining

24
25
26
27
28
29
30
31