

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Gelber offered the following:

**Substitute Amendment for Amendment (408923)**

Remove line(s) 4607-4615, and insert:

attorney not later than the date of the pretrial, the benefits secured shall be those offered to settle each issue. In the event the offer to settle an issue is rejected by the claimant, any claim against the carrier for an attorney's fee in excess of the fee due under the terms of the offer is waived on such issue unless the amount awarded at trial is at least 10 percent greater than the amount specified in the offer. If multiple issues are pending before the judge of compensation claims, said offer of settlement shall address each issue pending and shall state explicitly whether or not the offer on each issue is severable. The written offer shall also unequivocally state whether or not it includes medical witness fees and expenses and all other costs associated with

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28 | the claim. Acceptance of an offer by a claimant shall be  
29 | communicated in writing to the carrier and its counsel, if  
30 | any. The benefits contained in the offer, excluding fees and  
31 | costs, shall be due and payable 14 days after the date the  
32 | carrier receives the acceptance.

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