

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Dowd**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 11, CHAPTER 9, SUBCHAPTER 8 OF THE  
9 ARKANSAS CODE OF 1987 (THE WORKERS' COMPENSATION LAW) TO  
10 PROVIDE FOR DISABILITY ALLOCATION PAYMENTS IN ALL JOINT  
11 PETITION ORDERS OR LUMP SUM AWARDS; AND FOR OTHER  
12 PURPOSES."

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14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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16 SECTION 1. Arkansas Code §11-9-805 is hereby amended to read as  
17 follows:

18 "11-9-805. Joint petition for final settlement.

19 (a) Upon petition filed by the employer or carrier and the injured  
20 employee, requesting that a final settlement be had between the parties, the  
21 commission shall hear the petition and take such testimony and make such  
22 investigations as may be necessary to determine whether a final settlement  
23 should be had.

24 (b) If the commission decides it is for the best interests of the  
25 claimant that a final award be made, it may order an award that shall be final  
26 as to the rights of all parties to the petition. Thereafter the commission  
27 shall not have jurisdiction over any claim for the same injury or any results  
28 arising from it.

29 (c) If the commission denies the petition, the denial shall be without  
30 prejudice to either party.

31 (d) No appeal shall lie from an order or award allowing or denying a  
32 joint petition.

33 (e) In all joint petition orders or lump sum awards, the commission  
34 shall allocate disability payments based on the life expectancy of the injured  
35 employee, regardless of the mode of payment."

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SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.