

**ARKANSAS SENATE**  
89th General Assembly - Regular Session, 2013  
**Amendment Form**

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**Subtitle of Senate Bill No. 515**

AN ACT TO RESTORE THE LAW AND CONSISTENCY IN TEMPORARY TOTAL DISABILITY BENEFIT  
DETERMINATIONS AND EMPLOYEE MISCONDUCT AS A BASIS FOR TERMINATION.

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**Amendment No. 2 to Senate Bill No. 515**

Amend Senate Bill No. 515 as engrossed, S3/5/13 (version: 03/05/2013 8:47:08 AM):

Page 1, line 11, delete "TERMINATION" and substitute "TERMINATION UNDER THE WORKERS' COMPENSATION LAW THAT RESULTED FROM INITIATED MEASURE 4 OF 1948"

AND

Page 1, delete lines 16 through 19 and substitute the following:  
"TO RESTORE CONSISTENCY IN TEMPORARY TOTAL DISABILITY BENEFIT AND EMPLOYEE MISCONDUCT DETERMINATIONS AFTER TERMINATION UNDER INITIATED MEASURE 4 OF 1948."

AND

Page 1, line 25, delete "disability" and substitute "disability under the Workers' Compensation Law that resulted from Initiated Measure 4 of 1948"

AND

Page 1, line 34, delete "have" and substitute "offer"

AND

Page 1, line 35, delete "available"

AND

Page 1, delete line 36 and substitute the following:  
"(2)(A) When an employee is terminated for"

AND

Page 2, line 1, delete "employee's"



AND

Page 2, delete line 4 and substitute the following:

"disability benefits during the healing period in which the misconduct occurred.

(B) For purposes of subdivision (a)(2)(A), the employer has the burden of proof by a preponderance of the evidence."

AND

Page 2, delete lines 9 through 35 and substitute the following:

~~"(1)(A) Arm amputated at the elbow, or between the elbow and shoulder, two hundred forty four (244)~~ two hundred fifty-six (256) weeks;

~~(2)(B) Arm amputated between the elbow and wrist, one hundred eighty-three (183)~~ one hundred ninety-two (192) weeks;

~~(3)(C) Leg amputated at the knee, or between the knee and the hip, one hundred eighty four (184)~~ one hundred ninety-three (193) weeks;

~~(4)(D) Leg amputated between the knee and the ankle, one hundred thirty one (131)~~ one hundred thirty-eight (138) weeks;

~~(5)(E) Hand amputated, one hundred eighty three (183)~~ one hundred ninety-three (193) weeks;

~~(6)(F) Thumb amputated, seventy three (73)~~ seventy-seven (77) weeks;

~~(7)(G) First finger amputated, forty three (43)~~ forty-five (45) weeks;

~~(8)(H) Second finger amputated, thirty seven (37)~~ thirty-nine (39) weeks;

~~(9)(I) Third finger amputated, twenty four (24)~~ twenty-five (25) weeks;

~~(10)(J) Fourth finger amputated, nineteen (19)~~ twenty (20) weeks;

~~(11)(K) Foot amputated, one hundred thirty one (131)~~ one hundred thirty-eight (138) weeks;

~~(12)(L) Great toe amputated, thirty two (32)~~ thirty-four (34) weeks;

~~(13)(M) Toe other than great toe amputated, eleven (11)~~ twelve (12) weeks;

~~(14)(N) Eye enucleated, in which there was useful vision, one hundred five (105)~~ one hundred ten (110) weeks;

~~(15)(O) Loss of hearing of one ear, forty two (42)~~ forty-four (44) weeks;

~~(16)(P) Loss of hearing of both ears, one hundred fifty-eight (158)~~ one hundred sixty-six (166) weeks; and

~~(17)(Q) Loss of one testicle, fifty three (53)~~ fifty-six (56) weeks; loss of both testicles, one hundred fifty eight (158) one hundred sixty-six (166) weeks."

AND

Page 3, delete line 1 and substitute the following:

"SECTION 3. Arkansas Code § 11-9-526 under the Workers' Compensation

Law that resulted from Initiated Measure 4 of 1948, is amended to read as follows:"

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Bledsoe

MGF/CWW - 04-06-2013 10:08:15

MGF536

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Secretary