

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

SENATE BILL 973

4
5 By: Senator Everett
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 11-9-711(a) AND 11-
10 9-713(a) TO PROVIDE THAT THE FULL WORKERS'
11 COMPENSATION COMMISSION MAY ONLY REVIEW ORDERS OR
12 AWARDS FOR QUESTIONS OF LAW; AND FOR OTHER
13 PURPOSES.
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Subtitle

15 AN ACT TO AMEND ARKANSAS CODE 11-9-711
16 (a) AND 11-9-713(a) TO PROVIDE THAT THE
17 FULL WORKERS' COMPENSATION COMMISSION
18 MAY ONLY REVIEW ORDERS OR AWARDS FOR
19 QUESTIONS OF LAW.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code 11-9-711(a), concerning review of orders and
26 awards by the full Workers' Compensation Commission, is amended to read as
27 follows:

28 (a) Award or Order of Administrative Law Judge or Single Commissioner
29 - Review. (1) A compensation order or award of an administrative law judge or
30 a single commissioner shall become final unless a party to the dispute shall,
31 within thirty (30) days from the receipt by him of the order or award,
32 petition in writing for a review by the full commission of the order or
33 award.

34 (2) Any other party to the dispute may cross appeal by filing a
35 written petition for cross appeal within fifteen (15) days after the notice
36 of appeal is filed in the office of the Workers' Compensation Commission,

1 except that in no event shall a cross appellant have less than thirty (30)
2 days from the receipt by him of the order or award within which to file a
3 notice of cross appeal.

4 (3)(A) The full commission may only review compensation orders
5 or awards for questions of law.

6 (B) The findings of fact made by the administrative law
7 judge or a single commissioner shall be conclusive and binding upon the full
8 commission, and the full commission may not reverse an order or award of an
9 administrative law judge or a single commissioner on an issue of fact unless
10 the full commission finds that the order or award is not supported by
11 substantial evidence of record.

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13 SECTION 2. Arkansas Code 11-9-713(a), concerning modifications of
14 workers' compensation awards, is amended to read as follows:

15 (a)(1) Except where a joint petition settlement has been approved, the
16 Workers' Compensation Commission may review in accordance with § 11-9-
17 711(a)(3) any compensation order, award, or decision.

18 (2) This may be done at any time within six (6) months of
19 termination of the compensation period fixed in the original compensation
20 order or award, upon the commission's own motion or upon the application of
21 any party in interest, on the ground of a change in physical condition or
22 upon proof of erroneous wage rate.

23 (3) Upon the review, if the full commission finds questions of
24 law or that the order or award is not supported by substantial evidence of
25 record, the commission may make an order or award terminating, continuing,
26 decreasing, or increasing for the future the compensation previously awarded,
27 subject to the maximum limits provided for in this chapter.