

(I) 1. ENSURING THAT THE FUND IS NOT UNFAIRLY DISCRIMINATING OR PERMITTING ANY UNFAIR DISCRIMINATION BETWEEN INDIVIDUALS OF THE SAME CLASS AND OF ESSENTIALLY THE SAME HAZARD IN THE AMOUNT OF PREMIUM CHARGED FOR ANY POLICY OF INSURANCE, OR IN ANY TERMS OR CONDITIONS OF THE CONTRACT, OR IN ANY MANNER WHATSOEVER, EXCEPT AS PROVIDED FOR UNDER THE FUNDS EXPERIENCE MODIFICATION AND PREMIUM DISCOUNT PLAN;

2. OF ALL COMPLAINTS FILED FOR THE PRECEDING CALENDAR YEAR IMMEDIATELY PRIOR TO THE EXAMINATION, THE NATURE OF THE COMPLAINTS, AND THEIR RESOLUTION;

3. OF THE AVERAGE LENGTH OF TIME TO PROCESS A CLAIM;

4. OF THE PERCENTAGE OF CLAIMS CONTESTED BEFORE THE WORKERS' COMPENSATION COMMISSION; AND

5. OF THE AVERAGE NUMBER OF CASE LOADS PER ATTORNEY.

(II) THE RESULTS OF THE MARKET CONDUCT SURVEY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SUBMITTED TO THE LEGISLATIVE POLICY COMMITTEE AS SOON AS POSSIBLE AFTER COMPLETION.

[(2)] (3) The cost of the fiscal portion of the [post audit] POSTAUDIT examinations AND THE STATUTORY AUDIT AND MARKET CONDUCT SURVEY AS PROVIDED FOR IN PARAGRAPH (2) OF THIS SUBSECTION shall be borne by the [State Accident Fund] ~~WORKERS' COMPENSATION INSURANCE FUND~~ INJURED WORKERS' INSURANCE FUND.

[(3)] (4) Subject to § 2-1312 of the State Government Article, the Legislative Auditor shall report the results of the audit to the Governor and the Legislative Policy Committee as soon as possible after the completion of the audit.

(e) (1) The commissioners shall establish an operating and capital budget for the [State Accident Fund] ~~WORKERS' COMPENSATION INSURANCE FUND~~ INJURED WORKERS' INSURANCE FUND, and, for informational purposes only, disclose the budget to the Budget and Taxation Committee of the Senate and the Appropriations Committee of the House of Delegates of the State.

(2) (i) Except as provided by this article, the [State Accident Fund] ~~WORKERS' COMPENSATION INSURANCE FUND~~ INJURED WORKERS' INSURANCE FUND is independent of all State agencies and is not subject to any law affecting governmental public entities.

(ii) The [State Accident Fund] ~~WORKERS' COMPENSATION INSURANCE FUND~~ INJURED WORKERS' INSURANCE FUND is subject to the following provisions of law: