

(5) -- IF -- THE -- FUND -- UNDERTAKES -- A -- DEFENSE -- OF -- A CLAIM BECAUSE OF THE EMPLOYER'S FAILURE TO MAKE PAYMENT OR -- NOTIFY -- THE COMMISSION -- OF -- THE EMPLOYER'S OBJECTION AS PROVIDED IN SUBSECTION (A)(2) OF THIS SECTION, THE FUND SHALL DIRECT THE DEFENSE OF -- THE CLAIM -- AND -- THE EMPLOYER MAY NOT MAKE ANY SETTLEMENT OF THE CLAIM WITHOUT THE EXPRESS APPROVAL OF THE DIRECTOR.

(6) -- NOTWITHSTANDING --- SUBSECTION --- (A)(4) --- OF --- THIS SECTION, IF AN EMPLOYER FAILS TO REIMBURSE THE FUND -- FOR -- PAYMENT OF -- THE -- AWARD -- UNDER THIS SECTION, THE DIRECTOR SHALL NOTIFY THE EMPLOYER THAT THE EMPLOYER'S LICENSE TO DO BUSINESS IN THIS STATE MAY BE SUSPENDED. -- THE DIRECTOR -- SHALL -- FORWARD -- A -- COPY -- OF -- THE NOTIFICATION -- TO -- EACH -- STATE -- OR -- LOCAL -- LICENSING AGENCY THAT HAS ISSUED A LICENSE OR PERMIT TO THE EMPLOYER FOR -- AN -- ACTIVITY -- FOR WHICH -- WORKERS' -- COMPENSATION COVERAGE IS REQUIRED BY LAW. -- WITHIN 15 DAYS AFTER RECEIPT OF THIS NOTIFICATION, THE LICENSING -- AGENCY SHALL -- PROVIDE -- THE -- EMPLOYER -- WITH -- NOTICE AND OPPORTUNITY FOR A HEARING AS MAY BE REQUIRED BY LAW.

(7) -- IF A HEARING IS REQUIRED BY LAW TO BE HELD BY THE LICENSING AGENCY, THE LICENSING AGENCY SHALL SEND WRITTEN -- NOTICE OF -- THE -- HEARING -- DATE -- TO -- THE -- DIRECTOR. -- UPON A FINDING BY THE LICENSING AGENCY THAT AN EMPLOYER HAS FAILED TO COMPLY -- WITH -- THE REQUIREMENTS -- FOR -- REPAYMENT -- TO -- THE -- FUND -- AS -- REQUIRED BY THIS SECTION, THE LICENSING AGENCY SHALL SUSPEND THE LICENSE -- OF -- THE EMPLOYER UNTIL THE EMPLOYER REPAYS, OR AGREES TO REPAY, THE AWARD TO THE FUND IN A MANNER APPROVED BY THE BOARD.

(B)(1) -- IF -- A -- SELF -- INSURER -- BECOMES -- INSOLVENT OR UNABLE TO PAY AN AWARD AND THE REQUIRED SECURITY IS INSUFFICIENT TO PAY -- AN AWARD, THE COMMISSION SHALL NOTIFY THE FUND.

(2) -- THE --- SELF -- INSURER --- OR -- ITS -- REPRESENTATIVE, -- AS APPROVED -- BY -- THE -- COMMISSION, -- SHALL -- SURRENDER -- ALL -- FILES -- AND DOCUMENTS TO THE FUND AS MAY BE REQUIRED TO ASSERT A -- DEFENSE -- OR TO DETERMINE IF PAYMENT OF ANY AWARD SHOULD BE MADE.

(3) -- BEFORE -- RECEIVING -- PAYMENT -- FROM -- THE -- FUND, -- THE CLAIMANT -- SHALL -- PROVIDE EVIDENCE SATISFACTORY TO THE DIRECTOR OF THE FOLLOWING:

(i) -- THE CLAIMANT HAS PROVIDED THE FUND WITH THE CORRECT NAME AND ADDRESS OF THE EMPLOYER;

(ii) -- THERE --- IS --- NO --- PRINCIPAL --- CONTRACTOR POTENTIALLY LIABLE UNDER § 62 OF THIS ARTICLE;

(iii) -- THE CLAIMANT HAS MADE A REASONABLE EFFORT TO COLLECT THE AWARD FROM THE EMPLOYER; AND

(iv) -- THE -- COMMISSION HAS NOTIFIED THE FUND THAT THE SELF-INSURER CANNOT AND THE REQUIRED SECURITY IS INSUFFICIENT TO PAY THE AWARD.