

Article - Labor and Employment

9-310.1.

(A) IN ANY ADMINISTRATIVE ACTION BEFORE THE COMMISSION, IF IT IS ESTABLISHED BY A PREPONDERANCE OF THE EVIDENCE THAT A PERSON HAS KNOWINGLY OBTAINED BENEFITS UNDER THIS TITLE TO WHICH THE PERSON IS NOT ENTITLED, THE COMMISSION SHALL ORDER THE PERSON TO REIMBURSE THE INSURER, SELF-INSURED EMPLOYER, THE INJURED WORKERS' INSURANCE FUND, THE UNINSURED EMPLOYERS' FUND, OR THE SUBSEQUENT INJURY FUND FOR THE AMOUNT OF ALL BENEFITS THAT THE PERSON KNOWINGLY OBTAINED AND TO WHICH THE PERSON IS NOT ENTITLED.

(B) AN ORDER OF REIMBURSEMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE INTEREST ON THE AMOUNT ORDERED TO BE REIMBURSED AT A RATE OF 1.5% PER MONTH FROM THE DATE THE COMMISSION NOTIFIES THE PERSON OF THE AMOUNT TO BE REIMBURSED.

9-1106.

(a) A person may not knowingly obtain or knowingly attempt to obtain compensation to which the person is not entitled.

(b) A person who violates this section is ~~guilty of a [misdemeanor]~~ **FELONY** and, on conviction:

(1) ~~is subject to a fine not exceeding [\$500]~~ **\$10,000** ~~\$5,000~~ or imprisonment ~~not exceeding [1 year]~~ **5 YEARS** ~~2 YEARS~~ or both; and

(1) IS SUBJECT TO THE PENALTIES UNDER ARTICLE 27, § 342 OF THE CODE;  
AND

(2) may not receive compensation.

~~(C) IF IT IS ESTABLISHED BY A PREPONDERANCE OF THE EVIDENCE THAT A PERSON HAS KNOWINGLY OBTAINED ANY BENEFITS UNDER THIS TITLE TO WHICH THE PERSON IS NOT ENTITLED, THE COMMISSION SHALL ORDER THE PERSON TO REIMBURSE THE INSURER, SELF-INSURED EMPLOYER, THE INJURED WORKERS' INSURANCE FUND, THE UNINSURED EMPLOYERS' FUND, OR THE SUBSEQUENT INJURY FUND FOR:~~

~~(1) THE AMOUNT OF ALL BENEFITS THAT THE PERSON KNOWINGLY OBTAINED AND TO WHICH THE PERSON IS NOT ENTITLED; AND~~

~~(2) THE COSTS, INCLUDING COUNSEL FEES, OF ANY PROCEEDING TO OBTAIN REIMBURSEMENT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved April 26, 1993.