9–664. FINE AND INTEREST.

(A) FINE.

(1) IF THE COMMISSION FINDS THAT THE EMPLOYER OR ITS INSURER HAS FAILED, WITHOUT GOOD CAUSE, TO PAY FOR TREATMENT OR SERVICES REQUIRED BY § 9–660 OF THIS PART IX OF THIS SUBTITLE WITHIN 45 DAYS AFTER THE COMMISSION, BY ORDER, FINALLY APPROVES THE FEE OR CHARGE FOR THE TREATMENT OR SERVICES, THE COMMISSION MAY IMPOSE A FINE ON THE EMPLOYER OR INSURER, NOT EXCEEDING 20% OF THE AMOUNT OF THE APPROVED FEE OR CHARGE.

(2) THE EMPLOYER OR INSURER SHALL PAY THE FINE TO THE COMMISSION TO BE DEPOSITED IN THE GENERAL FUND OF THE STATE.

(B) INTEREST.

(1) INTEREST, PAYABLE TO THE PROVIDER OF THE TREATMENT OR SERVICES, SHALL ACCRUE AT THE RATE SPECIFIED IN § 11–107(A) OF THE COURTS ARTICLE ON ANY AMOUNT OWED TO THE PROVIDER THAT:

(I) IS DUE AND PAYABLE; AND

(II) REMAINS UNPAID MORE THAN 45 DAYS AFTER NOTICE OF THE PAYMENT DUE HAS BEEN MAILED.

(2) INTEREST SHALL ACCRUE BEGINNING ON THE 46TH DAY AFTER THE LATER OF:

(I) THE DAY THE PAYMENT BECOMES DUE; OR

(II) THE DAY THE NOTICE OF THE PAYMENT DUE IS MAILED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 37(d).

In subsection (b)(1) of this section, the phrase "of the treatment or services", which modified "provider", is added for clarity.

Also in subsection (b)(1) of this section, the former phrase "[i]n addition to the fine provided under paragraph (1) of this subsection", is deleted as surplusage.

Defined term: "Commission" § 9–101