

reduced under subsection (c)(1) of this section. However, the language "until the amount of the lump sum would have been paid if it had been paid in weekly payments", which reflects the language of former Art. 101, § 49, could be interpreted as requiring the Commission to reduce the weekly rate of compensation by the entire weekly amount to which the covered employee is entitled under this title. That would result in the covered employee not receiving any compensation during the period of reduction. The General Assembly may wish to consider deleting the reference to "weekly payments" to clarify that the Commission has discretion in deciding the amount by which the weekly rate of compensation shall be reduced.

Defined terms: "Commission" § 9-101

"Compensation" § 9-101

"Covered employee" § 9-101

9-730. SAME — CONVERSION BY INSURER OR SELF-INSURER.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO COMPENSATION:

(1) FOR A SERIOUS DISABILITY UNDER § 9-630 OF THIS SUBTITLE; OR

(2) PAYABLE BY THE SUBSEQUENT INJURY FUND.

(B) CONVERSION TO LUMP SUM.

SUBJECT TO THE CONSENT OF THE COMMISSION, AN INSURER OR SELF-INSURER MAY CONVERT AN AWARD OF COMPENSATION FOR PERMANENT PARTIAL DISABILITY, MINUS ANY ATTORNEY'S FEES, TO A LUMP SUM IF THE INITIAL AWARD DID NOT EXCEED 51 WEEKS.

(C) DISCOUNT PROHIBITED.

AN AWARD MAY NOT BE DISCOUNTED BECAUSE OF A LUMP-SUM PAYMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 49A.

In subsection (a) of this section, the former language which provided that this section does not apply to a temporary total or permanent total disability is deleted in light of subsection (b) of this section, which expressly states that this section applies only to permanent partial disability.

In subsection (b) of this section, the former references to an "injured employee and his dependents" are deleted as surplusage.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that this section is repetitious of § 9-729 of this subtitle and is not used. This section apparently was intended to