

MAKES AN AWARD, THE COVERED EMPLOYEE OR, IN CASE OF DEATH, THE DEPENDENTS OF THE COVERED EMPLOYEE MAY BRING AN ACTION FOR DAMAGES AGAINST THE THIRD PARTY.

(D) LIMITATIONS PERIOD.

THE PERIOD OF LIMITATIONS FOR THE RIGHT OF ACTION OF A COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE AGAINST THE THIRD PARTY DOES NOT BEGIN TO RUN UNTIL 2 MONTHS AFTER THE FIRST AWARD OF COMPENSATION MADE TO THE COVERED EMPLOYEE OR THE DEPENDENTS UNDER THIS TITLE.

(E) DISTRIBUTION OF DAMAGES.

IF THE COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE RECOVER DAMAGES, THE COVERED EMPLOYEE OR DEPENDENTS:

(1) FIRST, MAY DEDUCT THE COSTS AND EXPENSES OF THE COVERED EMPLOYEE OR DEPENDENTS FOR THE ACTION;

(2) NEXT, SHALL REIMBURSE THE SELF-INSURED EMPLOYER, INSURER, SUBSEQUENT INJURY FUND, OR UNINSURED EMPLOYERS' FUND FOR:

(I) THE COMPENSATION ALREADY PAID OR AWARDED;
AND

(II) ANY AMOUNTS PAID FOR MEDICAL SERVICES, FUNERAL EXPENSES, OR ANY OTHER PURPOSE UNDER SUBTITLE 6 OF THIS TITLE; AND

(3) FINALLY, MAY KEEP THE BALANCE OF THE DAMAGES RECOVERED.

(F) COURT COSTS AND ATTORNEY'S FEES.

THE COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE, THE SELF-INSURED EMPLOYER, THE INSURER, THE SUBSEQUENT INJURY FUND, AND THE UNINSURED EMPLOYERS' FUND SHALL PAY COURT COSTS AND ATTORNEY'S FEES IN THE PROPORTION THAT THE AMOUNT RECEIVED BY EACH BEARS TO THE WHOLE AMOUNT PAID IN SETTLEMENT OF ANY CLAIM OR SATISFACTION OF ANY JUDGMENT OBTAINED IN THE CASE.

REVISOR'S NOTE: This section is new language derived without substantive change from the second and third clauses of the first sentence, and the first through fifth clauses of the second sentence, and the first clause of the third sentence of former Art. 101, § 58.