

9-804.

(b) (1) When the Commission makes an award against the Subsequent Injury Fund, if the prior permanent disability contributes to the covered employee's current permanent disability, the Commission shall deduct from the award the amount of all prior permanent disability payments [awarded to] RECEIVED BY the covered employee under:

(i) each prior award for permanent disability made by the Commission or a similar unit in another state; or

(ii) any prior final compromise and settlement agreement approved by the Commission or a similar unit in another state.

DRAFTER'S NOTE:

Error: Incorrect language in § 9-804(b)(1) of the Labor and Employment Article.

Occurred: Ch. 8, Acts of 1991.

9-1004.

(c) If the Fund and the uninsured employer both have paid compensation to or on behalf of a covered employee or the dependents of a covered employee, and the Fund recovers money from a third party exceeding the amount of compensation awarded to the covered employee or the dependents and the reasonable and necessary expenses incurred in making the recovery, the Fund shall:

(2) use the balance to:

(iii) third, satisfy any [outstanding] UNSATISFIED demand for security or assessments imposed against the uninsured employer under this subtitle; and

DRAFTER'S NOTE:

Error: Inconsistent terminology in § 9-1004(c)(2)(iii) of the Labor and Employment Article.

Occurred: Ch. 8, Acts of 1991.

9-1008.

(b) The Commission shall impose an assessment of 10%, not exceeding \$4,500, against compensation awarded or likely to be awarded against an insured or self-insured employer AND NOT PAID if the Commission determines that the compensation is not awarded or is abated because of:

(1) death; or

(2) lack of a covered employee or a dependent of a covered employee eligible for the compensation.