

SENATE AMENDMENTS TO SENATE BILL 404

By COMMITTEE ON COMMERCE

April 27

- 1 On page 1 of the printed bill, line 13, restore “section” and delete “subsection”.
- 2 Delete lines 26 through 29 and insert:
- 3 “(2)(a) If a claimant finally prevails against a denial as provided in subsection (1) of this section,
- 4 the court, board or Administrative Law Judge may order payment of the claimant’s reasonable ex-
- 5 penses and costs for records, expert opinions and witness fees.”.
- 6 In line 30, delete “the necessity of wit-”.
- 7 Delete line 31 and insert “the reasonableness of witness fees, expenses and costs for the purpose
- 8 of paragraph (a) of this subsection.”.
- 9 On page 2, delete line 1.
- 10 In line 2, delete “Payment of” and insert “Payments for witness”.
- 11 After line 4, insert:
- 12 “(d) Payments for witness fees, expenses and costs ordered under this subsection may not exceed
- 13 \$1,500 unless the claimant demonstrates extraordinary circumstances justifying payment of a greater
- 14 amount.”.
- 15 In line 8, after “which” delete the rest of the line and insert “the order on the compensability
- 16 of the claim denial has not become final on or before the ef-”.
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