

2010 -- S 2364

LC01090

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -
INSURANCE

Introduced By: Senators Ruggerio, DaPonte, Doyle, Gallo, and DiPalma

Date Introduced: February 11, 2010

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-36-12 of the General Laws in Chapter 28-36 entitled "Workers'
2 Compensation - Insurance" is hereby amended to read as follows:

3 **28-36-12. Notice of issuance, cancellation, or failure to renew policies.** -- (a) Every
4 insurance company having written a policy insuring against liability for personal injuries to
5 employees shall notify the director of the issuance of the policy within five (5) days of the
6 effective date of this policy in a manner determined by the director. Upon the cancellation of the
7 policy or failure to renew it, every insurance company having written the policy shall
8 immediately notify the director of the cancellation or failure to renew. The director shall have
9 discretion to assess an administrative penalty of not more than two hundred fifty dollars (\$250)
10 per offense against any insurance company that fails to notify the director as required in this
11 section. The director, in his or her discretion, may bring a civil action to collect all assessed civil
12 penalties. The workers' compensation court shall have jurisdiction to enforce compliance with
13 any order of the director made pursuant to this section. Additionally, any insurance company that
14 willfully fails to notify the director as required in this section shall be subject to prosecution for a
15 misdemeanor and upon conviction may be punished by a fine of not more than two hundred fifty
16 dollars (\$250) for each offense. All criminal actions for any violation of this section shall be
17 prosecuted by the attorney general at the request of the director.

18 (b) Cancellation of the policy or non-renewal shall not be deemed effective until written

1 notice of the cancellation or non-renewal is received by the director.

2 (c) All penalties and fines collected pursuant to this section shall be deposited in the
3 general fund.

4 (d) Except for workers' compensation insurance coverage verification, all information
5 provided to the director pursuant to subdivision 28-36-1(2) hereof, shall be considered
6 confidential information for the purposes of Rhode Island general law subparagraph 38-2-2(4)(B).

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -
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- 1 This act would require all information provided to the director would be confidential with
- 2 the exception of workers' compensation insurance coverage verification.
- 3 This act would take effect upon passage.

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