

HB 647-FN – AS INTRODUCED

2013 SESSION

13-0735
01/04

HOUSE BILL **647-FN**
AN ACT relative to appeals from the compensation appeals board.
SPONSORS: Rep. G. Richardson, Merr 10
COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill allows any party in interest aggrieved by a decision of the workers' compensation appeals board to appeal to the superior court. Such appeal shall be limited to issues of law. Current law allows appeals from the board to go directly to the supreme court.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to appeals from the compensation appeals board.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Appeals From Compensation Appeals Board. Amend RSA 281-A:43, I(c) to read as follows:

2 (c) Any party in interest aggrieved by any order or decision of the board may appeal to
3 the supreme court ***or the superior court*** pursuant to RSA 541. ***Appeals to the superior court***
4 ***shall be limited to issues of law. Appeals to the superior court shall be filed in the county***
5 ***or judicial district thereof where the employee or employer resides. If neither party resides***
6 ***in the state, the appeal may be filed in any county or judicial district. Any appeal from the***
7 ***superior court to the supreme court shall be by notice of appeal in accordance with the***
8 ***rules of the supreme court.***

9 2 Award of Fees and Interest. Amend the introductory paragraph of RSA 281-A:44, I(a) to read
10 as follows:

11 (a) In any dispute over the amount of the benefit payable under this chapter which is
12 appealed to the board, ***the superior court***, or ***the*** supreme court [~~or both~~], the employee, if such
13 employee prevails, shall be entitled to reasonable counsel fees and costs as approved by the board or
14 ***applicable*** court and interest on that portion of any award the payment of which is contested. For
15 the purposes of this paragraph, to “prevail” means:

16 3 Effective Date. This act shall take effect January 1, 2014.

LBAO
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HB 647-FN – FISCAL NOTE

AN ACT relative to appeals from the compensation appeals board.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.