The Employer Standing Act

Summary

The Employer Standing Act gives employers legal standing before the appropriate board or commission to dispose of a workers’ compensation claim fraudulently filed by an employee.

Model Legislation

Section 1. {Short Title} The Employer Standing Act

Section 2. {Legislative Declarations} The state finds and declares that

A. Workers’ compensation fraud is the largest source of fraud within the property/casualty industry accounting for more than one-third of all property/casualty insurance fraud; and

B. The cost of workers’ compensation insurance fraud is passed on to employers in the form of higher premium costs; and

C. Employers should have the right to dispose of claims filed by employees convicted of workers’ compensation insurance fraud.

Section 3. {Definitions} “Commission” means the state industrial commission or other board granted the authority to dispose of fraudulent workers’ compensation claims.

Section 4. {Employer Standing} After an employee has been convicted of an offense involving a fraudulent workers’ compensation claim an employer has standing before the commission for the sole purpose of filing and seeking disposal of the claim.

Section 5. {Severability}

Section 6. {Effective Date}


About ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECExposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy’s quick summary

This bill gives rights to corporations and employers at the expense of workers. In particular, it gives employers legal standing before Worker’s Compensation boards and commissions, allowing the employer to argue that the employee’s claim is fraudulent.