



July 16, 2001

Circular 2001-08

TO: All Members

HOUSE ENROLLED ACT 1553

The Indiana General Assembly passed and the Governor signed (on May 10, 2001) House Enrolled Act 1553 effective July 1, 2001 that makes several changes to the Workers Compensation Act. Here's a summary organized by categories.

Independent Contractor

- Homeowners are exempt from getting a certificate of insurance from a contractor.
- Indiana Department of Revenue must clear status of an independent contractor (\$5 fee).
- Independent contractor certificate (formerly called affidavit) with WC Board is effective 7 days after stamped (now a \$15 fee).
- Contractor who assists employees in filing a false statement for independent contractor status commits a Class D felony.

Billing Review

WC Board can impose a civil penalty (\$100 to \$1,000) against a billing review service that uses a standard not in compliance with the statute.

Second Injury Fund

- Assessment limit raised from 1.5% to 2.5%.
- WC Board to assign an employee to monitor eligibility of recipients.

Definition of "Employer"

Specifies that a parent and a subsidiary of a corporation or lessor of employees are each considered to be the employer for purposes of the exclusive remedy provisions of the WC Act.

ICRB

Deletes the requirement that the ICRB must investigate assigned risk employers (IC 27-7-2-34).

You can view the entire HEA 1553 on the State of Indiana website at this link:

http://www.state.in.us/serv/lisa_billinfo?year=2001&request=getBill&docno=1553&doctype=HB

Sincerely,

Ronald W. Cooper, CWCP
General Manager