

CHAPTER 174

LABOR AND INDUSTRY

HOUSE BILL 98-1159

BY REPRESENTATIVES T. Williams, McPherson, Agler, Gotlieb, S. Johnson, Piffner, Salaz, Sinclair, Tucker, Paschall, Spradley, and Young;
also SENATORS Rizzuto and Weddig.

AN ACT

CONCERNING APPROVAL OF WORKERS' COMPENSATION CLAIM SETTLEMENT AGREEMENTS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-43-204, Colorado Revised Statutes, is amended to read:

8-43-204. Settlements. (1) An injured employee may settle all or part of any claim for compensation, benefits, penalties, or interest. If such settlement provides by its terms that the employee's claim or award shall not be reopened, such settlement shall not be subject to being reopened under any provisions of articles 40 to 47 of this title other than on the ground of fraud or mutual mistake of material fact.

(2) Such a settlement shall be in writing and shall be signed by a representative of the employer or insurer and signed and sworn to by the injured employee. FOR CLAIMS THAT HAVE A SETTLEMENT AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS OR MORE, A WRITTEN NOTICE OF THE SETTLEMENT AGREEMENT SHALL BE PROVIDED TO THE EMPLOYER.

(3) The settlement shall be reviewed in person with the injured employee and approved in writing by an administrative law judge or the director of the division prior to the finalization of such settlement. The settlement shall be filed with the division as a part of the injured employee's permanent record.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 30, 1998

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.