

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2435

Introduced by

Senator O'Connell

1 A BILL for an Act to amend and reenact section 65-05-04 of the North Dakota Century Code,
2 relating to the exercise of continuing jurisdiction by workforce safety and insurance.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 65-05-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **65-05-04. Organization has continuing jurisdiction over claims properly filed.** If
7 the original claim for compensation has been made within the time specified in section
8 65-05-01, the organization at any time, on its own motion or on application, may review the
9 award, and in accordance with the facts found on such review, may end, diminish, or increase
10 the compensation previously awarded, or, if compensation has been refused or discontinued,
11 may award compensation. ~~There is no appeal from an organization decision not to reopen a~~
12 ~~claim after the organization's order on the claim has become final.~~ However, if the
13 organization's order has not been the subject of a rehearing pursuant to subsection 8 of section
14 65-01-16 or if an applicant can show relevant, material evidence, which was not available when
15 the organization issued its order, an application for further review may not be unreasonably
16 denied.