

SENATE BILL NO. 2205

Introduced by

Senators Nodland, Klein, Schneider

Representatives Gruchalla, Keiser, Vigesaa

1 A BILL for an Act to amend and reenact subsections 4 and 6 section 65-01-16 and subsection 2
2 of section 65-04-32 of the North Dakota Century Code, relating to attorney representation in a
3 request for workforce safety and insurance reconsideration, who may appeal a decision of the
4 decision review office, and service of an employer.

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

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 65-01-16 of the North Dakota Century
7 Code is amended and reenacted as follows:

8 4. A party has thirty days from the day the notice of decision was mailed by the
9 organization in which to file a written request for reconsideration. The employer is not
10 required to file the request through an attorney. The request must state the ~~alleged-~~
11 ~~errors in the decision and the relief sought~~reason for disagreement with the
12 organization's decision and the desired outcome. The request may be accompanied
13 by additional evidence not previously submitted to the organization. The organization
14 shall reconsider the matter by informal internal review of the information of record.
15 Absent a timely and sufficient request for reconsideration, the notice of decision is final
16 and may not be reheard or appealed.

17 **SECTION 2. AMENDMENT.** Subsection 6 of section 65-01-16 of the North Dakota Century
18 Code is amended and reenacted as follows:

19 6. ~~A party~~An employee has thirty days from the date of service of an administrative order
20 in which to file a request for assistance from the decision review office under section
21 65-02-27.

22 **SECTION 3. AMENDMENT.** Subsection 2 of section 65-04-32 of the North Dakota Century
23 Code is amended and reenacted as follows:

- 1 2. An employer has thirty days from the ~~date of service~~day the notice of decision was
2 mailed to file a written petition for reconsideration. The employer is not required to file
3 the request through an attorney. The request must state specifically the alleged errors-
4 ~~in the decision and the relief sought~~reasons for disagreement with the organization's
5 decision and the desired outcome. The request may be accompanied by additional
6 evidence not previously submitted to the organization. The organization shall
7 reconsider the matter by informal internal review of the information of record. Absent a
8 timely and sufficient request for reconsideration, the notice of decision is final and may
9 not be reheard or appealed.