

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1308
SENATE BILL 1229

AN ACT TO AMEND THE WORKMEN'S COMPENSATION ACT REGARDING THE
DURATION OF BENEFITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 97-29 is hereby amended by striking out the words "during not more than 400 weeks from the date of the injury, provided that the total amount of compensation paid shall not exceed thirty-two thousand five hundred dollars (\$32,500)" from lines 7 through 9 of such section.

Sec. 2. G.S. 97-29 is hereby amended by striking out the second paragraph of such section in its entirety and by substituting in lieu thereof the following:

"In cases of total and permanent disability, compensation, including reasonable and necessary nursing services, medicines, sick travel, medical, hospital, and other treatment or care or rehabilitative services shall be paid for by the employer during the lifetime of the injured employee. If death results from the injury then the employer shall pay compensation in accordance with the provisions of G.S. 97-38."

Sec. 3. G.S. 97-38 is hereby amended by striking out the words "for a period of 350 weeks from the date of the accident" from lines 7 and 8 of such section.

Sec. 4. G.S. 97-38 is hereby amended by striking out ", but shall not continue more than 350 weeks from the date of the injury." as the same appears in lines 43 and 44 of such section and by inserting in lieu thereof a period and a new sentence as follows:

"Compensation payments due on account of death shall be paid for a period of 400 weeks from the date of the death of the employee; provided, however, after said 400-week period in case of a widow or widower who is unable to support herself or himself because of physical or mental disability as of the date of death of the employee, compensation payments shall continue during her or his lifetime or until remarriage and compensation payments due a dependent child shall be continued until such child reaches the age of 18."

Sec. 5. G.S. 97-41 is hereby repealed.

Sec. 6. G.S. 97-61.6 is hereby amended by striking out the words "equal to sixty-six and two-thirds percent (66 2/3%) of his average weekly wage, but not more than eighty dollars (\$80.00), nor less than twenty dollars (\$20.00), a week; and in no case shall the period covered by such compensation be greater than 400 weeks, nor shall the total amount of all compensation exceed thirty- two thousand five hundred dollars (\$32,500)" from lines 10 through 15 of such section and by substituting in lieu thereof the words "in accordance with G.S. 97-29".

Sec. 7. G.S. 97-61.6 is hereby amended by striking out the words and punctuation ", by one of the methods set forth in G.S. 97-38 a total compensation which, when added to the payments already made for partial or total disability to time of death, shall not exceed thirty-two thousand five hundred dollars (\$32,500) including burial expenses" from lines 30 through 33 of such section and by substituting in lieu thereof the words "compensation in accordance with G.S. 97-38".

Sec. 8. This act shall become effective on July 1, 1975, and shall only apply to cases arising on or after July 1, 1975.

In the General Assembly read three times and ratified, this the 12th day of April, 1974.