

House Resolution 2003

By: Representative Coan of the 101<sup>st</sup>

### A RESOLUTION

1 Creating the House Study Committee on Workers' Compensation Employer Fraud; and for  
2 other purposes.

3 WHEREAS, Georgia's workers' compensation system was established for the purpose of  
4 aiding injured workers by replacing lost wages and ensuring the availability of medical  
5 benefits following a work related injury; and

6 WHEREAS, Georgia's workers' compensation system was also established for the purpose  
7 of protecting employers from unexpected voluminous liability by providing an exclusive  
8 remedy for damages from suits filed by injured workers; and

9 WHEREAS, employer workers' compensation fraud is an ever increasing problem  
10 encountered in the workers' compensation system which results in an inability for  
11 law-abiding companies to effectively compete and an ever increasing burden on Georgia  
12 taxpayers who must assist injured workers of employers that are underinsured or without  
13 coverage;

14 WHEREAS, such a study should include consideration of methods to prevent fraudulent  
15 actions by employers such as underreporting payroll, improperly declaring employees to be  
16 independent contractors, misclassifying workers, and misrepresenting claims experience; and

17 WHEREAS, an opportunity should be provided for members of the General Assembly to  
18 study and consider these issues and options to address them, including options for  
19 strengthening current enforcement measures with the assistance and advice of employers,  
20 labor, workers' compensation insurance companies, the Board of Workers' Compensation,  
21 and other community stakeholders, with the aim of ensuring the continued prosperity of  
22 Georgia's economy and coverage for its work force.

1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
2 there is created the House Study Committee on Workers' Compensation Employer Fraud to  
3 be composed of five members of the House of Representatives to be appointed by the  
4 Speaker of the House of Representatives. The Speaker shall designate a member of the  
5 committee as chairperson of the committee. The chairperson shall call all meetings of the  
6 committee.

7 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,  
8 needs, issues, and problems mentioned above or related thereto and recommend any action  
9 or legislation which the committee deems necessary or appropriate. The committee may  
10 conduct such meetings at such places and at such times as it may deem necessary or  
11 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
12 accomplish the objectives and purposes of this resolution. The members of the committee  
13 shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of  
14 Georgia Annotated. The allowances authorized by this resolution shall not be received by  
15 any member of the committee for more than five days unless additional days are authorized.  
16 The funds necessary to carry out the provisions of this resolution shall come from the funds  
17 appropriated to the House of Representatives. The committee shall make a report of its  
18 findings and recommendations, with suggestions for proposed legislation, if any, on or before  
19 December 31, 2006. The committee shall stand abolished on December 31, 2006.