

By: Representative Guice

To: Insurance

HOUSE BILL NO. 551

1 AN ACT TO AMEND SECTION 71-3-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT THE MISSISSIPPI WORKERS' COMPENSATION LAW AND ALL
3 EVIDENCE THERETO SHALL BE FAIRLY AND IMPARTIALLY CONSTRUED IN SUCH
4 A MANNER THAT NO PARTY TO ANY WORKERS' COMPENSATION PROCEEDING
5 SHALL BE FAVORED; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 71-3-1, Mississippi Code of 1972, is
8 amended as follows:

9 71-3-1. This chapter shall be known and cited as "Workers'
10 Compensation Law," and shall be administered by the Workers'
11 Compensation Commission, hereinafter referred to as the
12 "commission," cooperating with other state and federal authorities
13 for the prevention of injuries and occupational diseases to
14 workers and, in event of injury or occupational disease, their
15 rehabilitation or restoration to health and vocational
16 opportunity; and this chapter shall be fairly construed according
17 to the law and the evidence.

18 Wherever used in this chapter, or in any other statute or
19 rule or regulation affecting the former Workmen's Compensation Law
20 and any of its functions or duties:

21 (a) The words "workmen's compensation" shall mean
22 "workers' compensation"; and

23 (b) The word "commission" shall mean the Workers'
24 Compensation Commission.

25 It is the specific intention of the Mississippi Legislature
26 that the Mississippi Workers' Compensation Law shall be fairly,
27 impartially and evenhandedly construed in such a manner that no
28 party to any workers' compensation proceeding shall be favored,

29 and that all evidence shall be fairly and impartially construed in
30 such a manner that no fact finding by the commission shall favor
31 any party in any proceeding under this chapter. Any violation of
32 this legislative mandate shall constitute a lack of substantial
33 evidence as regards fact findings of the commission and shall
34 constitute reversible error as a matter of law.

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2004.