

By: Representative Formby

To: Insurance

HOUSE BILL NO. 1228

1 AN ACT TO DISQUALIFY CERTAIN INCARCERATED WORKERS'
2 COMPENSATION CLAIMANTS FROM ENTITLEMENT TO BENEFITS; AND FOR
3 RELATED PURPOSES.

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

5 **SECTION 1.** (1) Notwithstanding any other provision of this
6 chapter to the contrary, an injured worker is not eligible to
7 receive workers' compensation benefits or medical expenses for
8 periods of time during which the worker is incarcerated for the
9 commission of a crime unless the injured worker had been "found"
10 to have a permanent and total loss of wage-earning capacity which
11 was attributable to the work-related injury.

12 (2) As used in this section, an individual is not
13 "incarcerated" if the individual is on parole or work release
14 status.

15 (3) If upon appeal such conviction is overturned, the
16 benefits suspended during the period of incarceration shall be
17 reinstated.

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