

By: Representative Watson

To: Insurance

HOUSE BILL NO. 917

1 AN ACT TO AMEND SECTION 71-3-47, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE WORKERS' COMPENSATION COMMISSION TO ORDER AN EMERGENCY
3 HEARING UPON REQUEST OR PETITION OF EITHER PARTY FOR SUCH HEARING;
4 TO BRING FORWARD SECTION 71-3-55, MISSISSIPPI CODE OF 1972, FOR
5 THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 71-3-47, Mississippi Code of 1972, is
8 amended as follows:

9 71-3-47. Except as otherwise provided by this chapter, the
10 details of practice and procedure in the settlement and
11 adjudication of claims shall be determined by rules of the
12 commission, the text of which shall be published and be readily
13 available to interested parties.

14 The commission shall have full power and authority to
15 determine all questions relating to the payment of claims for
16 compensation. The commission shall make or cause to be made such
17 investigation as it deems necessary and, upon application of
18 either party or upon its own initiative, shall order a hearing,



19 shall make or deny an award, and shall file the same in its
20 office.

21 Upon request or petition of either party for an emergency
22 hearing, the commission shall order such hearing within twenty
23 (20) days of the request or petition.

24 Informal conferences and hearings in contested cases may be
25 conducted by a duly designated representative of the commission.
26 Upon the conclusion of any such hearing, the commission's
27 representative shall make or deny an award, and file the decision
28 in the office of the commission. Immediately after such filing, a
29 notice of decision shall be sent to all interested parties. This
30 decision shall be final unless within twenty (20) days a request
31 or petition for review by the full commission is filed.

32 **SECTION 2.** Section 71-3-55, Mississippi Code of 1972, is
33 brought forward as follows:

34 71-3-55. (1) In making an investigation or inquiry or
35 conducting a hearing, the commission shall not be bound by common
36 law or statutory rules of evidence or by technical or formal rules
37 or procedure, except as provided by this chapter, but may make
38 such investigation or inquiry or conduct such hearing in such
39 manner as best to ascertain the rights of the parties.

40 Declarations of a deceased employee concerning the injury in
41 respect of which the investigation or inquiry is being made or the
42 hearing conducted shall be received in evidence and shall, if



43 corroborated by other evidence, be sufficient to establish the
44 injury.

45 (2) Hearings before the commission shall be open to the
46 public and shall be stenographically reported or recorded and
47 transcribed. The commission shall by regulations provide for the
48 preparation of a record of the hearings and other proceedings.

49 (3) Unless otherwise ordered by the commission, hearings
50 shall be conducted in the county where the injury occurred.

51 **SECTION 3.** This act shall take effect and be in force from
52 and after July 1, 2024.

