

Section D

Authorizing Statutes – Title XXII LABOR Chapter 281-A Workers Compensation

RSA 281-A:53. Responsibility of Employer to Provide Vital Information 2

SB 58-FN Amendment. Section 281-A:53 add III 3

RSA 281-A:53.**Responsibility of Employer to Provide Vital Information**

I. Every employer or self-insurer shall record in sufficient detail and shall report or cause to be reported to the commissioner any injury sustained by an employee in the course of employment as soon as possible, but no later than 5 days after the employer learns of the occurrence of such an injury. If an injury results in a disability extending beyond 3 days, the employer shall file with the commissioner a supplemental report giving notice of such disability as soon as possible after such waiting period, but no later than 7 days after the accidental injury. The employer shall supply a copy of either report to the nearest claims office of the employer's insurance carrier. A self-insurer need not file the supplemental report with the commissioner and may keep the insurance copy of the employer's first report as a file copy. If any employer fails without sufficient cause as determined by the commissioner to file a first report as set forth in this paragraph, the commissioner shall assess a civil penalty of up to \$2,500. If any employer fails to pay a civil penalty, the commissioner shall recover such penalty payment by a civil action in the superior court of the county of jurisdiction. Civil penalties owed under this section shall be paid to the commissioner, who shall deposit them with the state treasurer.

II. Any employer who consistently fails to make available to the commissioner and to that employer's insurance carrier the information required by the carrier to make payment of disability compensation in a manner consistent with RSA 281-A:42 shall, after such employer has been given due notice of noncompliance and an opportunity to comply, be assessed by the commissioner a civil penalty of not more than \$100. If an employer fails to pay such penalty or to comply with the requirements of paragraph I, the commissioner shall recover the penalty and petition for an injunction in a civil action in the superior court of the county of jurisdiction.

Source. 1988, 194:2. 1990, 254:31, eff. Jan. 1, 1991

**SB 58-FN Amendment.
Section 281-A:53 add III**

State of New Hampshire
General Court

Bill Status

Bills Found = 1

[SB58-FN](#)

Session Year: 2005

[Docket](#) | Bill Text

(New Title) making certain changes in the workers' compensation law.

G-Status: **SIGNED BY GOVERNOR** Chapter #: 0085

H-Status: **PASSED / ADOPTED**

S-Status: **PASSED / ADOPTED WITH AMENDMENT**

Next/Last Hearing: **LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES** 4/12/2005 10:45:00

AM RM307,LOB

85:5 New Paragraph; First Report of Injury. Amend RSA 281-A:53 by inserting after paragraph II the following new paragraph:

III. On or after July 1, 2006, all "First Reports of Injury" shall be filed by the insurance carrier or self-insured employer electronically in a manner prescribed by the department. The commissioner may grant an insurance carrier or self-insured employer a variance if the carrier or self-insured employer documents to the satisfaction of the commissioner that compliance would cause the carrier or self-insured employer "undue hardship" which, for the purposes of this section, means significant difficulty or expense.