

4

5 On page 3, after line 2, insert the following:

6 "(5)(a) Self-insured employers, self-insured groups, and authorized
7 claims administrators have a duty of good faith and fair dealing
8 towards claimants. Violations of these good faith duties shall
9 include, but not be limited to: (i) Attempting to close a valid claim
10 under this section that the employer, or his or her representative,
11 knew or should have known was closed inappropriately; (ii) interfering
12 with a worker's right to file a claim under this title; or (iii) having
13 a history or pattern of repeated unfair claims practices. The
14 department shall adopt rules on unfair claims practices.

15 (b) A worker of a self-insured employer or beneficiary of such
16 worker who is injured or damaged because of a violation of this section
17 or violation of a rule adopted by the director under this title may
18 bring a civil action against a self-insured employer, self-insured
19 group, or authorized claims administrator in superior court to enjoin
20 further violations and to recover reasonable damages sustained by him
21 or her, together with the cost of the suit including reasonable
22 attorneys' fees to be set by the court."

--- END ---