

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 547

Session of
1977

INTRODUCED BY GREENLEAF, MARCH 7, 1977

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 7, 1977

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as
2 amended "An act defining the liability of an employer to pay
3 damages for injuries received by an employe in the course of
4 employment; establishing an elective schedule of
5 compensation; providing procedure for the determination of
6 liability and compensation thereunder; and prescribing
7 penalties," providing for compromise settlements.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 407, act of June 2, 1915 (P.L.736,
11 No.338), known as "The Pennsylvania Workmen's Compensation Act,"
12 reenacted and amended June 21, 1939 (P.L.520, No.281), and
13 amended March 29, 1972 (P.L.159, No.61), is amended to read:

14 Section 407. On or after the seventh day after any injury
15 shall have occurred, the employer or insurer and employe or his
16 dependents may agree upon the compensation payable to the
17 employe or his dependents under this act; but any agreement made
18 prior to the seventh day after the injury shall have occurred,
19 or permitting a commutation of payments contrary to the
20 provisions of this act, or varying the amount to be paid or the
21 period during which compensation shall be payable as provided in

1 this act, shall be wholly null and void, unless it has been
2 approved by a referee, the board, or the court, upon petition
3 and hearing. It shall be unlawful for any employer to accept a
4 receipt showing the payment of compensation when in fact no such
5 payment has been made.

6 Where payment of compensation is commenced without an
7 agreement, the employer or insurer shall simultaneously give
8 notice of compensation payable to the employe or his dependent,
9 on a form prescribed by the department, identifying such
10 payments as compensation under this act and shall forthwith
11 furnish a copy or copies to the department as required by rules
12 and regulations. It shall be the duty of the department to
13 examine the notice to determine whether it conforms to the
14 provisions of this act and rules and regulations hereunder.

15 All agreements made in accordance with the provisions of this
16 section shall be on a form prescribed by the department, signed
17 by all parties in interest, and a copy or copies thereof
18 forwarded to the department as required by rules and
19 regulations. It shall be the duty of the department to examine
20 the agreement to determine whether it conforms to the provisions
21 of this act and rules and regulations hereunder.

22 All notices of compensation payable and agreements for
23 compensation and all supplemental agreements for the
24 modification, suspension, reinstatement, or termination thereof,
25 and all receipts executed by any injured employe of whatever
26 age, or by any dependent to whom compensation is payable under
27 section three hundred and seven, and who has attained the age of
28 sixteen years, shall be valid and binding unless modified or set
29 aside as hereinafter provided.

30 Section 2. This act shall take effect immediately.