

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 560 Session of 2005

INTRODUCED BY SCHRODER, BENNINGHOFF, BOYD, CAPPELLI, CLYMER, DALLY, DENLINGER, FAIRCHILD, GEIST, GINGRICH, GRELL, HARRIS, HENNESSEY, HERSHEY, HICKERNELL, HUTCHINSON, JAMES, KILLION, LEH, MUSTIO, PICKETT, ROHRER, SATHER, SCAVELLO, SEMMEL, STERN, R. STEVENSON, E. Z. TAYLOR, TURZAI, WATSON AND YOUNGBLOOD, FEBRUARY 15, 2005

REFERRED TO COMMITTEE ON LABOR RELATIONS, FEBRUARY 15, 2005

AN ACT

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

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

11 Section 1. Section 417 of the act of June 2, 1915 (P.L.736,  
 12 No.338), known as the Workers' Compensation Act, reenacted and  
 13 amended June 21, 1939 (P.L.520, No.281), amended February 8,  
 14 1972 (P.L.25, No.12), is amended to read:

15 Section 417. Within fifteen days after notice that a  
 16 petition has been directed to be heard by a referee has been  
 17 served upon the adverse parties thereof, the referee shall fix a  
 18 time and place for hearing the petition. The referee shall as  
 19 soon as practicable within the limitations prescribed herein fix

1 a time and a place for hearing the petition and serve upon all  
2 parties in interest a notice of the time and place of hearing,  
3 and shall serve upon the petitioner a copy of any answer of any  
4 adverse party. The hearing on any such petition shall be held  
5 within thirty-five days of the filing of the petition. Prior to  
6 the first hearing on a petition, either party has the right to  
7 take discovery depositions of the other party or the other  
8 parties. Taking a discovery deposition shall not preclude cross-  
9 examination of a deposed witness at a hearing.

10 Section 2. The amendment of section 417 of the act shall  
11 apply to claims for injuries which take place on or after the  
12 effective date of this section.

13 Section 3. This act shall take effect in 60 days.