

(12/07/2011)

.19 Agreements for Final Compromise and Settlement.

A. General Requirements. An agreement for final compromise and settlement of a claim that is submitted to the Commission for approval as required by Labor and Employment Article, §9-722, Annotated Code of Maryland, shall contain the following:

- (1) The total amount of settlement proposed;
- (2) A payment allocation sheet including the amount of any deductions for attorney's fees, medical fees, and other costs;
- (3) The inclusive dates of any temporary total disability;
- (4) The date on which the payments under the agreement are to begin;
- (5) If any compensation was previously awarded or paid, a statement indicating whether the settlement includes, is in addition to, or is in place of all or part of that compensation;
- (6) A statement indicating the rate of payment and whether all or part of the settlement is to be paid in a lump sum;
- (7) The claimant's average weekly wage;
- (8) The claimant's date of birth and age in years and months;
- (9) The total amount of all indemnity benefits paid to claimant;
- (10) A statement that the insurer shall reimburse Medicare for any provisional or conditional payments made by Medicare, up to the date of the settlement, that are determined to be the responsibility of the employer/insurer in a non-compromise case;
- (11) The gross total of all future payments to be paid pursuant to an annuity (not present value); [and]
- (12) If the insurer makes an assignment of any of its obligations to a third party, the settlement agreement shall contain affirmative language confirming that the employer/insurer shall resume its obligation for all remaining payments in the event of default by the third party[.]; *and*
- (13) *The date of disablement by accidental injury or occupational disease.*