



CHAPTER 97

ARTICLE 1 - WORKERS' COMPENSATION ACT

N.C.G.S. § 97-82.

Memorandum of agreement between employer and employee to be submitted to Commission on prescribed forms for approval; direct payment as award.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2017-124, s. 1(a) — fourth act in the lineage	21 September 2026, 03:24 UTC	64197aeb081b7032d9b00651 - 688f870c1e00924a07e0bf04 - e38823faa8b1c764

§ 97-82(a)

If the employer and the injured employee or his dependents reach an agreement in regard to compensation under this Article, they may enter into a memorandum of the agreement in the form prescribed by the Commission.

An agreement, however, shall be incorporated into a memorandum of agreement in regard to compensation: (i) for loss or permanent injury, disfigurement, or permanent and total disability under G.S. 97-31, (ii) for death from a compensable injury or occupational disease under G.S. 97-38, or (iii) when compensation under this Article is paid or payable to an employee who is incompetent or under 18 years of age.

The memorandum of agreement, accompanied by the material medical and vocational records, shall be filed with and approved by the Commission; otherwise such agreement shall be voidable by the employee or his dependents.

§ 97-82(b)

If approved by the Commission, a memorandum of agreement shall for all purposes be enforceable by the court's decree as hereinafter specified. Payment pursuant to G.S. 97-18(b), or payment pursuant to G.S. 97-18(d) when compensability and liability are not contested prior to expiration of the period for payment without prejudice, shall constitute an award of the Commission on the question of compensability of and the insurer's liability for the injury as reflected on a form prescribed by the Commission

pursuant to G.S. 97-18(b) or G.S. 97-18(d) for which payment was made. An award of the Commission arising out of G.S. 97-18(b) or G.S. 97-18(d) shall not create a presumption that medical treatment for an injury or condition not identified in the form prescribed by the Commission pursuant to G.S. 97-18(b) or G.S. 97-18(d) is causally related to the compensable injury. An employee may request a hearing pursuant to G.S. 97-84 to prove that an injury or condition is causally related to the compensable injury. Compensation paid in these circumstances shall constitute payment of compensation pursuant to an award under this Article.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1929			1973	2017
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1929	c. 120, s. 56	ENACTED	
02	1929	1993 (Reg. Sess., 1994), c. 679, s. 3.2	AMENDED	
03	2005	S.L. 2005-448, s. 7	AMENDED	
04	2017	S.L. 2017-124, s. 1(a)	AMENDED	

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 97-31, (ii)	(a)	"or permanent and total disability under"
G.S. 97-38, or (iii)	(a)	"compensable injury or occupational disease under"
G.S. 97-18(b)	(b)	"as hereinafter specified. Payment pursuant to"
G.S. 97-18(d)	(b)	"G.S. 97-18(b), or payment pursuant to"
G.S. 97-84	(b)	"may request a hearing pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 97-82 (2017).

PINPOINT

N.C. Gen. Stat. § 97-82(a) (2017).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1929, c. 120, s. 56; 1993 (Reg. Sess., 1994), c. 679, s. 3.2; 2005-448, s. 7; 2017-124, s. 1(a).)

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