

House Bill 2432

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of former Representative Jeff Kropf)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon State University to conduct research project to investigate impact of allowing chiropractic physicians to serve in capacity equivalent to that of attending physicians in workers' compensation claims. Requires university to report findings to Governor, Legislative Assembly, Director of Department of Consumer and Business Services and Workers' Compensation Management-Labor Advisory Committee. Allows moneys in Workers' Benefit Fund to be used to fund project.

Sunset January 2, 2014.

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

1
2 Relating to study of chiropractic services provided in workers' compensation claims; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) Oregon State University shall conduct a research project to determine**
6 **the financial impact of allowing chiropractic physicians to serve in a capacity equivalent to**
7 **that of attending physicians as part of the workers' compensation benefits available to in-**
8 **jured workers in Oregon.**

9 (2) Through the project the university shall investigate whether allowing chiropractic
10 physicians to serve as attending physicians for the life of injured workers' claims will reduce
11 the overall cost of the claims by allowing workers to use chiropractic services instead of al-
12 ternative methods of treatment.

13 (3) The university shall base the project on the examination of two groups of injured
14 workers from randomly selected employers. The employers shall be selected by the univer-
15 sity. Workers in one group shall have benefits that allow chiropractic physicians to serve in
16 a capacity equivalent to that of attending physicians, and workers in the other group shall
17 have benefits as provided by ORS chapter 656.

18 (4) The three largest workers' compensation insurers or insurer groups as determined
19 by the Director of the Department of Consumer and Business Services on the basis of indi-
20 vidual or combined direct earned premiums shall participate in the project.

21 (5) The Director of the Department of Consumer and Business Services shall establish
22 an advisory committee to advise the director on the matters related to the purpose of the
23 research project and to advise the university on the design and implementation of the re-
24 search project. The committee shall consist of eight members who serve at the pleasure of
25 the director and who the director determines are necessary to carry out the purposes of the
26 research project. One member shall be a representative of workers' compensation insurers,
27 one member shall be a representative of injured workers, one member shall represent em-
28 ployers and five members shall be persons knowledgeable in the design and implementation

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 of scientific medical studies.

2 (6) The university shall report the findings of the project to the Governor, to the Legis-
3 lative Assembly in the manner provided in ORS 192.245, to the Director of the Department
4 of Consumer and Business Services and to the Workers' Compensation Management-Labor
5 Advisory Committee no later than June 30, 2013.

6 SECTION 2. (1) Notwithstanding ORS 656.005 (12), a doctor or physician licensed by the
7 State Board of Chiropractic Examiners or a similarly licensed doctor or physician in any
8 country or in any state, territory or possession of the United States may serve as the at-
9 tending physician for an injured worker participating in the research project required by
10 section 1 of this 2007 Act.

11 (2) For purposes of the research project required under section 1 of this 2007 Act, a
12 chiropractic doctor or physician who is licensed by the State Board of Chiropractic Examin-
13 ers and who is not a member of a managed care organization may provide the same level of
14 services to an injured worker as a primary care physician authorized by ORS 656.260 (4) may
15 provide if, at the time the worker is enrolled in the managed care organization, the
16 chiropractic doctor or physician:

17 (a) Maintains the workers' medical records and has a documented record of treating the
18 worker;

19 (b) Agrees to refer the worker to the managed care organization for any specialized care
20 that the worker may require, including physical therapy, to be furnished by another health
21 care provider; and

22 (c) Agrees to comply with all the rules, terms and conditions regarding services provided
23 by the managed care organization.

24 SECTION 3. The Director of the Department of Consumer and Business Services shall
25 approve the design and implementation of the research project required by section 1 of this
26 2007 Act. Notwithstanding ORS 656.605 (2), the director may expend no more than \$999,360
27 from the Workers' Benefit Fund for the purpose of funding the research project and report
28 required by section 1 of this 2007 Act. The director may expend moneys for the study in two
29 phases. The first expenditure shall cover the costs of the design phase of the project and the
30 second expenditure shall cover the costs of the implementation phase of the project.

31 SECTION 4. This 2007 Act is repealed on January 2, 2014.

32 SECTION 5. This 2007 Act being necessary for the immediate preservation of the public
33 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
34 July 1, 2007.