

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 7 - 0 - 1 |
| Yeas: | Conger, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler |
| Nays: | 0 |
| Exc.: | Doherty |
| Prepared By: | Theresa Van Winkle, Administrator |
| Meeting Dates: | 2/14, 3/4 |

WHAT THE MEASURE DOES: Authorizes a delay in a reconsideration proceeding for notice of claim closure in a workers' compensation claim under certain circumstances.

ISSUES DISCUSSED:

- Provisions of the measure
- Approval of the amended measure by the Management-Labor Advisory Committee (MLAC)

EFFECT OF COMMITTEE AMENDMENT: Changes the term “ends” to “expires” in a provision regarding the conditions for when a delay of the granted reconsideration process is considered over. Clarifies that a copy of the approved settlement document is a condition for a delay of reconsideration proceeding to expire. Changes the term “termination” to “expiration” in a provision that establishes the timeframe for completing the reconsideration proceeding after the delay has expired.

BACKGROUND: The Department of Consumer and Business Services promotes the usage of alternative dispute resolution as a method to ease the cost and stress of resolving workers' compensation disputes. One of the available administrative review processes is “reconsideration,” which occurs when a worker, insurer, or self-insured employer appeals a notice of claim closure. The notice of claim closure is issued and received by the injured worker when their medical condition is not executed to improve and the notice establishes the amount of disability benefits the worker can receive as a result of the injury.

The law typically does not allow time for a settlement to take place during the reconsideration process, in which there are 18 working days to make a decision and issue an order, or 60 more days if more information is needed or a physician needs to examine the worker to resolve the dispute. House Bill 2094-A allows a delay of the process for up to 45 days when both parties are actively engaged in settlement negotiations and both parties agree to delay the process. The measure also outlines the guidelines of when a granted delay expires, such as if a party requests to resume the reconsideration proceeding before the expiration of the delay period.

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This summary has not been adopted or officially endorsed by action of the committee.