

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 4 - 0 - 2

Yeas: Burdick, Edwards, Starr, Beyer

Nays: 0

Exc.: Atkinson, Girod

Prepared By: Richard Berger, Administrator

Meeting Dates: 4/28

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

ISSUES DISCUSSED:

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

EFFECT OF COMMITTEE AMENDMENT: No amendment.

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.

Current 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 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.