

STAFF MEASURE SUMMARY

House Committee On Business and Labor

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/10/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/23, 04/10

Vote:

Yeas: 9 - Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse

Exc: 2 - Barreto, Weidner

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Allows injured worker to file workers' compensation claim within 90 days after health benefit plan rejects claim. Requires health benefit plan to pay benefits in accordance with terms, conditions and benefits of plan if workers' compensation claim is denied.

ISSUES DISCUSSED:

- Whether "claim" should be clarified as it has different meanings for health plans and workers' compensation
- Rulemaking process to add clarity
- Management-Labor Advisory Committee's review of measure
- Whether insurance industry raised any concerns during review

EFFECT OF COMMITTEE AMENDMENT:

Shortens from proposed one year to 90 days the time allowed for injured worker to file workers' compensation claim after health benefit plan rejects claim.

BACKGROUND:

In most circumstances, an employee has 90 days after an accident to provide notice to the employer. The employer is then required within five days to file the claim with their workers' compensation insurer. To prevent an injured worker from being in a situation where the health benefit plan refuses to accept the claim because it believes it is work related and the window has closed to file notice of a work-related injury with the employer, House Bill 3114-A allows an injured worker to submit a workers' compensation claim within 90 days after being denied by the health benefit plan.