

HB 3022 STAFF MEASURE SUMMARY

House Committee On Business and Labor

Prepared By: Jan Nordlund, LPRO Analyst

Meeting Dates: 2/27

WHAT THE MEASURE DOES:

Makes numerous changes to workers' compensation statutes. Clarifies definition of "compensable injury" and "preexisting condition." Eliminates provision that a compensable injury combined with a preexisting condition will not be treated as a compensable injury unless it is the major contributing cause of the disability or need for treatment. Provides that existing condition may not be considered if consideration reduces or eliminates workers' rights or benefits. Removes burden on worker to prove that employment conditions were major contributing cause of combined condition and worsening of disease. Eliminates consideration of preexisting conditions when determining major contributing cause of disease. Requires Director of Department of Consumer and Business Services to approve settlements in certain situations. Requires insurer to preauthorize compensable medical services within 14 days after requested by medical provider. Requires written notice to injured worker in specified situations throughout claims process. Leaves appointment of medical arbiter to Director's discretion. Allows injured worker to submit evidence to rebut arbiter's findings. Provides that workers alleged wage is correct if employer fails to provide wage records in response to injured worker's request. Entitles worker to examination or opinion by expert of their choice when insurer procures independent medical examination or opinion. Applies to claims and causes of action existing or arising on or after effective date, regardless of date of injury or date claim is presented. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND: