

HCS HB 1955 -- WORKERS' COMPENSATION

SPONSOR: Dohrman

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Employment Security by a vote of 8 to 1. Voted "Do Pass with HCS" by the Select Committee on Labor and Industrial Relations by a vote of 6 to 3.

This bill exempts veterans' organization volunteers who are not paid wages from coverage under workers' compensation statutes.

An explanation of benefits delivered with final payment evidencing that the payment is considered to be full payment of the medical charges in a workers' compensation case will serve as a notice of dispute of the charges. Notice is to be sent through USPS by certified mail, first class mail using Intelligent Mail barcode, or some other mail tracking system.

This bill allows the Division of Workers' Compensation to continue to pay, on an ongoing basis, Second Injury Fund liabilities for physical rehabilitation payments; medical expenses for injuries to employees of uninsured employers occurring prior to January 1, 2014; and wage loss benefits for wages lost from secondary employment for injuries occurring prior to January 1, 2014, without regard to the priority of other fund liability payments.

Currently, the rating plan prohibits an adjustment to the experience modification of an employer if the total medical cost does not exceed \$1000. This bill changes that amount to 20% of the current split point of primary excess losses under the uniform experience rating plan.

The bill allows construction employers to submit payroll information to the advisory organization that makes the uniform classification system in order to calculate the premium credit under the Missouri contracting classification premium adjustment program.

This bill is similar to HB 615 (2015).

PROPONENTS: Supporters say that this bill gives contractors flexibility, and the dispute resolution language provides clarity. Eliminating the need for certified mail helps eliminate costs.

Testifying for the bill were Representative Dohrman; American Subcontractors Association; Construction Employers Coalition; and Mitchell International.

OPPONENTS: Those who oppose the bill say that exempting crop dusters removes them from coverage under workers' compensation law. Opponents also say that volunteers in veteran organizations should be covered under workers' compensation law so removing them is a bad idea. Finally, opponents expressed concern that this would open the door for people to get out of having to provide workers' compensation insurance.

Testifying against the bill were Ken Menges; Missouri AFL CIO; and the Missouri Association Of Trial Attorneys.