

Missouri House of Representatives

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Proposal from Rep. Brad Christ would increase fairness and efficiency of workers' compensation in Missouri

JEFFERSON CITY, Mo. – Significant reforms meant to protect Missouri businesses, while strengthening and increasing fairness in the state's workers' compensation program, have been proposed for the 2025 legislative session by State Representative Brad Christ, R-St. Louis.

House Bill 497 would address four areas of Missouri statute. One would ensure that workers' compensation is reserved for injuries, conditions, and disabilities that are related to work injuries. Courts have been interpreting current law to allow for care that addresses pre-existing conditions, unjustly forcing employers to pay excessive sums to workers' compensation. Language in HB 497 would stipulate that the work accident must be the prevailing factor in the need for treatment, in addition to other, preexisting factors.

"It just doesn't make sense, for workers' compensation to cover treatments beyond those necessary due to the injury that's being addressed. This is a fix that needs to happen to protect our system, and its one that should find broad agreement," Representative Christ said.

Another issue in current statute is that sometimes, after private insurance has already paid for much of an employee's medical treatment, that employee can then recover the full amount of medical charges from their employer, even if it is not how much the employee paid. In some cases, this results in a significant windfall to the employee and large amounts being paid by the employer, which are difficult or impossible to recover. HB 497 would state that any savings from insurance would be deducted from any final award to the employee.

"There is no reason for one incident to result in damages being paid twice. Employers in Missouri are being exploited under the current system," Representative Christ said.

HB 497 would also allow for employers to move for a dismissal at the beginning of a workers' compensation case when there is evidence that the claims being made are deficient for obvious reasons. This could include the claimant employee having been intoxicated at the time of an injury;

the employee was not performing work at the time of injury; or the claim was not filed in a timely fashion. Currently, such a motion cannot be made until the end of a case, which can often take years and result in significant legal expenses.

“When the system is bogged down by cases that could have, and should have, been dismissed early on, it hurts everyone. HB 497 would allow some of these cases to be dealt with quickly so that Missourians who have legitimate claims can get help faster, and so that employers who should not be penalized, are not,” Representative Christ said.

Finally, HB 497 would allow employers appeal temporary workers’ compensation awards and prevent courts from ordering employers to pay double damages. Currently, no such appeal is allowed and if an employer disputes a temporary award and does not pay it, they are subject to having to pay double damages to the employee.

“Right now, employers are being unjustly penalized without the opportunity to defend themselves, and that’s simply not fair. At the end of the day what we want is a system that is fair to all parties,” Representative Christ said.

HB 497 will be one of Representative Christ’s top priorities in the legislative session that begins January 8.

Representative Brad Christ, a Republican, represents part of St. Louis County (District 96) in the Missouri House of Representatives. He was elected to his first two-year term in November 2022. For more information, please contact Rep. Christ at 573-751-2150 or by email at Brad.Christ@House.Mo.Gov.

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