

CCS HCS SS SB 34 -- WORKERS' COMPENSATION INSURANCE

(Vetoed by the Governor)

This bill requires the uniform experience rating plan for workers' compensation insurance to prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed 20% of the current split point of primary and excess losses, the employer pays all of the medical costs, there is no lost time from the employment with specified exceptions, and no claim is filed. Currently, the total medical cost cannot exceed \$1,000.

The formula used by the Department of Insurance, Financial Institutions and Professional Registration to equalize workers' compensation insurance premium rates for employers within the construction group of code classifications must be the formula that was in effect on January 1, 1999.

For purposes of calculating the premium credit under the Missouri Contracting Classification Premium Adjustment Program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date if the employer clearly indicates for which quarter the payroll information is being submitted.

The Division of Workers Compensation within the Department of Labor and Industrial Relations must develop and maintain a workers' compensation claims database that is accessible to potential employers through the division's website. Claims records will be retrievable only by an employer who during a pre-hire period provides a potential employee's name and Social Security number. The claims record must identify the date of the claim and whether the claim is open or closed. The records in the database will not be considered reports or records for purposes of the record retention requirements under Section 287.650, RSMo. These provisions must be fully implemented by July 1, 2014, and the division must maintain a record of all claims records received, including the identity of the potential employer and employee. A person who fraudulently accesses the database is guilty of a class A misdemeanor.

The provision regarding the formula to equalize workers' compensation insurance premium rates becomes effective January 1, 2014.