

HCS HB 1734 -- WORKERS' COMPENSATION CLAIMS

SPONSOR: Fraker

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Workforce Development and Workplace Safety by a vote of 8 to 1.

This bill requires the Division of Workers Compensation within the Department of Labor and Industrial Relations to 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, obtains written consent from a potential employee to acquire the records and provides a potential employee's name and Social Security number. The claims record must identify the date of a claim and whether the claim is open or closed.

The division must provide a statement to employers on the database website that certain usage of the information provided in the database may be unlawful under state and federal law. Employers must agree that they have read and understood the statement before being allowed to access the database.

An employer cannot compel or coerce a potential employee to provide written consent to acquire the records nor can an employer require consent as a condition of employment. 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 will be fully implemented by July 1, 2015, 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, compels or coerces written consent, or requires consent as a condition of employment is guilty of a class A misdemeanor.

PROPONENTS: Supporters say that this is a 21st century solution to a time-consuming existing paper procedure.

Testifying for the bill were Representative Fraker and Missouri Chamber of Commerce and Industry.

OPPONENTS: There was no opposition voiced to the committee.