

SESSION OF 2016

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2617**

As Agreed to April 29, 2016

Brief*

HB 2617 would revise provisions of the Workers Compensation System pertaining to the administration of the System. The bill also would broaden an exception to the open records exemptions, allowing certain information to be accessible for the purpose of child support enforcement.

The Director of Workers Compensation would be given the option to contract for the Medical Administrator position established by current law rather than appoint one. The Medical Administrator must be licensed to practice medicine under current law. The bill also would allow workers compensation claims to be filed electronically, pursuant to administrative rules and regulations implemented by the Director. Upon implementation of an electronic filing system, if a filing deadline fell on a weekend or legal holiday, the bill would extend the deadline to the next accessible day. Using the electronic filing system would satisfy the signature requirements of documents filed.

The bill also would broaden an exception to the open records exemptions, allowing federal or state governmental agencies access to medical records and accident reports for the purpose of child support enforcement, provided the disclosure would not be open for public inspection. Under current law, governmental agencies may have access to

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medical records and accident reports for fraud and abuse investigations.

Conference Committee Action

The Conference Committee amended the bill to delete Senate amendatory language pertaining to alcohol or drug samples and to eligibility for permanent partial disability.

Background

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of the Department of Labor. The Medical Administrator oversees the health care services provided to injured employees.

During the Senate Committee hearing, the Director of Workers Compensation spoke in favor of the bill, which would allow for the adjudication of claims using a paperless, electronic filing system. Representatives of the Kansas Chamber of Commerce and Kansas Self-insurers Association spoke in favor of the bill, stating it would provide flexibility.

There was no opponent or neutral testimony.

The House Committee amended the bill to re-insert language that requires the Medical Administrator to be a physician.

The Senate Committee amended the bill to:

- Specify under what conditions a split chemical test would be available to an employee [*Note: The Conference Committee report not include this provision.*];

- Clarify the amounts of preexisting impairment and injury that must be present when determining permanent partial disability [*Note*: The Conference Committee report does not include this provision.];
- Allow certain closed records to be accessible for child support enforcement purposes [*Note*: The Conference Committee report does include this provision.]; and
- Authorize the Director to implement electronic filing by administrative rules and regulations [*Note*: The Conference Committee report does include this provision.].

According to the fiscal note prepared by the Division of the Budget, in consultation with the Department of Labor, the bill, as introduced, would have no fiscal effect.

workers compensation

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