



General Assembly

**Substitute Bill No. 1378**

January Session, 2007

\*       SB01378LAB      031507      \*

**AN ACT CONCERNING THE WORKERS' COMPENSATION MEDICAL PRACTITIONERS' FEE SCHEDULE AND TIME FOR FILING A WORKERS' COMPENSATION APPEAL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subdivision (11) of subsection (b) of section 31-280 of the  
2       general statutes is repealed and the following is substituted in lieu  
3       thereof (*Effective October 1, 2007*):

4       (11) (A) Establish standards in consultation with the advisory board  
5       for approving all fees for services rendered under this chapter by  
6       attorneys, physicians, surgeons, podiatrists, optometrists, dentists and  
7       other persons;

8       (B) In consultation with employers, their insurance carriers, union  
9       representatives, physicians and third-party reimbursement  
10       organizations establish, not later than October 1, 1993, and publish  
11       annually thereafter, a fee schedule setting the fees payable by an  
12       employer or its insurance carrier for services rendered under this  
13       chapter by an approved physician, surgeon, podiatrist, optometrist,  
14       [or] dentist and other persons, provided the fee schedule shall not  
15       apply to services rendered to a claimant who is participating in an  
16       employer's managed care plan pursuant to section 31-279. On and after  
17       April 1, 2008, the chairman shall implement and annually update  
18       relative values based on the Medicare resource-based relative value

19 scale and implement coding guidelines in conformance with the  
20 Correct Coding Initiative used by the federal Centers for Medicare and  
21 Medicaid Services. The conversion to the Medicare resource-based  
22 relative value scale shall be revenue-neutral. The fee schedule shall  
23 limit the annual growth in total medical fees to the annual percentage  
24 increase in the consumer price index for all urban workers. The  
25 chairman may make necessary adjustments to the fee schedule for  
26 services rendered under this chapter where there is no established  
27 Medicare resource-based relative value. Payment of the established  
28 fees by the employer or its insurance carrier shall constitute payment  
29 in full to the practitioner, and the practitioner may not recover any  
30 additional amount from the claimant to whom services have been  
31 rendered;

32 (C) Issue, not later than October 1, 1993, and publish annually  
33 thereafter, guidelines for the maximum fees payable by a claimant for  
34 any legal services rendered by an attorney in connection with the  
35 provisions of this chapter, which fees shall be approved in accordance  
36 with the standards established by the chairman pursuant to  
37 subparagraph (A) of this subdivision.

38 Sec. 2. Subsection (a) of section 31-301 of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective*  
40 *October 1, 2007*):

41 (a) At any time within twenty days after entry of an award by the  
42 commissioner, after a decision of the commissioner upon a motion or  
43 after an order by the commissioner according to the provisions of  
44 section 31-299b, either party may appeal therefrom to the  
45 Compensation Review Board by filing in the office of the  
46 commissioner from which the award or the decision on a motion  
47 originated an appeal petition and five copies thereof. The  
48 commissioner within three days thereafter shall mail the petition and  
49 three copies thereof to the chief of the Compensation Review Board  
50 and a copy thereof to the adverse party or parties. If a party files a  
51 motion subsequent to the finding and award, order or decision, the

52 twenty-day period for filing an appeal of an award or an order by the  
53 commissioner shall commence on the date of the decision on such  
54 motion.

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| This act shall take effect as follows and shall amend the following sections: |                        |               |
| Section 1   | <i>October 1, 2007</i> | 31-280(b)(11) |
| Sec. 2  | <i>October 1, 2007</i> | 31-301(a)     |

**LAB**      *Joint Favorable Subst.*