



General Assembly

February Session, 2008

Raised Bill No. 5727

LCO No. 2556

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Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

**AN ACT CONCERNING THE WORKERS' COMPENSATION
COMMISSION AND STANDARDS FOR MEDICAL TREATMENT.**

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

1 Section 1. Section 31-279 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) The chairman of the Workers' Compensation Commission shall
4 adopt regulations, in accordance with the provisions of chapter 54,
5 specifying the minimum information to be contained in a notice of the
6 availability of compensation which shall be posted in the workplace by
7 each employer subject to the provisions of this chapter pursuant to
8 subsection (f) of section 31-284.

9 (b) The chairman of the Workers' Compensation Commission shall,
10 not later than July 1, 1991, adopt regulations, in accordance with
11 chapter 54, to create a uniform system to be used by medical
12 professionals in determining the degree of physical impairment of
13 persons receiving compensation under this chapter.

14 (c) (1) Any employer or any insurer acting on behalf of an employer,

15 may establish a plan, [subject to the approval of the chairman of the
16 Workers' Compensation Commission under subsection (d) of this
17 section] in accordance with this subsection, for the provision of
18 medical care that the employer provides for treatment of any injury or
19 illness under this chapter. Such plan shall be (A) based on
20 recommendations by a physician or surgeon for medical care that such
21 physician or surgeon deems reasonable or necessary, and (B) subject to
22 the approval of the chairman of the Workers' Compensation
23 Commission under subsection (d) of this section. Each plan shall
24 contain such information as the chairman shall require, including, but
25 not limited to:

26 [(A)] (i) A listing of all persons who will provide services under the
27 plan, along with appropriate evidence that each person listed has met
28 any licensing, certification or registration requirement necessary for
29 the person to legally provide the service in this state;

30 [(B)] (ii) A listing of all pharmacies that will provide services under
31 the plan, to which the employer, any insurer acting on behalf of the
32 employer, or any other entity acting on behalf of the employer or
33 insurer shall make direct payments for any prescription drug
34 prescribed by a physician participating in the plan;

35 [(C)] (iii) A designation of the times, places and manners in which
36 the services will be provided;

37 [(D)] (iv) A description of how the quality and quantity of medical
38 care will be managed; and

39 [(E)] (v) Such other provisions as the employer and the employees
40 may agree to, subject to the approval of the chairman.

41 (2) The election by an employee covered by a plan established under
42 this subsection to obtain medical care and treatment from a provider of
43 medical services who is not listed in the plan shall suspend the
44 employee's right to compensation, subject to the order of the

45 commissioner.

46 (d) Each plan established under subsection (c) of this section shall be
47 submitted to the chairman for his approval at least one hundred
48 twenty days before the proposed effective date of the plan and each
49 approved plan, along with any proposed changes therein, shall be
50 resubmitted to the chairman every two years thereafter for reapproval.
51 The chairman shall approve or disapprove such plans on the basis of
52 standards established by the chairman in consultation with a medical
53 advisory panel appointed by the chairman. Such standards shall
54 include, but not be limited to: (1) The ability of the plan to provide all
55 medical and health care services that may be required under this
56 chapter in a manner that is timely, effective and convenient for the
57 employees; (2) the inclusion in the plan of all categories of medical
58 service and of an adequate number of providers of each type of
59 medical service in accessible locations to ensure that employees are
60 given an adequate choice of providers; (3) the provision in the plan for
61 appropriate financial incentives to reduce service costs and utilization
62 without a reduction in the quality of service; (4) the inclusion in the
63 plan of fee screening, peer review, service utilization review and
64 dispute resolution procedures designed to prevent inappropriate or
65 excessive treatment; and (5) the inclusion in the plan of a procedure by
66 which information on medical and health care service costs and
67 utilization will be reported to the chairman in order for him to
68 determine the effectiveness of the plan.

69 (e) Any person who serves as a member of the medical advisory
70 panel, appointed by the chairman of the Workers' Compensation
71 Commission pursuant to subsection (d) of this section, shall be deemed
72 to be a state officer or employee for purposes of indemnification and
73 defense under section 5-141d.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	31-279

Statement of Purpose:

To require that compensation plans provided by insurers or employers are in accordance with what a physician or insurer deems reasonable or necessary.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]