



General Assembly

February Session, 2008

Raised Bill No. 456

LCO No. 2150

02150_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING A PRIVATE RIGHT OF ACTION AGAINST A HEALTH CARE PROVIDER UNDER THE WORKERS' COMPENSATION ACT.

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

1 Section 1. Subsection (a) of section 31-294d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (a) (1) The employer, as soon as the employer has knowledge of an
5 injury, shall provide a competent physician or surgeon to attend the
6 injured employee and, in addition, shall furnish any medical and
7 surgical aid or hospital and nursing service, including medical
8 rehabilitation services and prescription drugs, as the physician or
9 surgeon deems reasonable or necessary. The employer, any insurer
10 acting on behalf of the employer, or any other entity acting on behalf of
11 the employer or insurer shall be responsible for paying the cost of such
12 medical and surgical aid or hospital and nursing service, including
13 medical rehabilitation services and prescription drugs. In the case of
14 the cost of such prescription drugs, such employer, insurer or other
15 entity shall pay the cost of prescription drugs directly to the provider.

16 No collection proceeding may be brought against the injured worker
17 for medical costs arising out of a workers' compensation injury. If an
18 injured worker is placed in a collection proceeding in violation of this
19 subsection, the employer of such worker shall be liable for damages to
20 such worker in a civil action.

21 (2) If the injured employee is a local or state police officer, state
22 marshal, judicial marshal, correction officer, emergency medical
23 technician, paramedic, ambulance driver, firefighter, or active member
24 of a volunteer fire company or fire department engaged in volunteer
25 duties, who has been exposed in the line of duty to blood or bodily
26 fluids that may carry blood-borne disease, the medical and surgical aid
27 or hospital and nursing service provided by the employer shall include
28 any relevant diagnostic and prophylactic procedure for and treatment
29 of any blood-borne disease.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	31-294d(a)

Statement of Purpose:

To allow an injured employee to have a private right of action against a health care provider for reimbursement for out-of-pocket expenditures made for medical care as a result of the employees workers' compensation claim.

[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.]