

***STATEMENT***

***Insurance Association of Connecticut***

Labor Committee

February 23, 2010

**SB 61, An Act Removing The Requirement Of Employer Or Insurer Preapproval For The Provision Of Certain Medical Examinations And Treatment To Injured Workers**

The Insurance Association of Connecticut strongly opposes SB 61, An Act Removing The Requirement Of Employer Or Insurer Preapproval For The Provision Of Certain Medical Examinations And Treatment To Injured Workers, which would unfairly limit the employer/insurer's ability to legitimately question the provision of medical care under the Workers' Compensation Act.

SB 61 would establish an extraordinarily broad definition of "routine examination or treatment", and provide that no preapproval is required for any such examination or treatment in any case where there is an agreement for compensation under the Act.

SB 61 removes any semblance of balance to the Workers' Compensation System, and invites expensive and counterproductive abuse. By preventing the employer/insurer from being able to properly question the necessity or efficacy of treatment, the result will clearly be excessive, even inappropriate treatment and over-prescription of medical services.

By requiring the employer/insurer to file a notice of discontinuance under C.G.S. 31-296 to challenge treatment believed to be reasonable or excessive, the result of SB 61 will be a large increase in the number of hearings required to be held by the Workers' Compensation Commission. The resulting increased costs and delays will only bring

harm to the system, and potentially to the health of the injured worker. SB 61 will unnecessarily make the Workers' Compensation System much more adversarial, to the detriment of all parties.

Section 2 would grant the Commission "plenary authority" to review medical care decisions and determine their reasonableness and necessity. There is no apparent reason for this provision.

Section 3 would give any Commissioner, at any time, on any claim, the authority to authorize a "routine examination or treatment" without the benefit of a hearing. Again, there is no apparent reason for this provision, which further unfairly compromises the legitimate interests of employers/insurers.

IAC urges rejection of SB 61.