



General Assembly

Amendment

January Session, 2013

LCO No. 7877

SB0107407877SD0

Offered by:

SEN. OSTEN, 19th Dist.

REP. TERCYAK, 26th Dist.

To: Senate Bill No. 1074

File No. 348

Cal. No. 264

"AN ACT CONCERNING WORKERS' COMPENSATION AND LIABILITY FOR HOSPITAL SERVICES."

1 Strike lines 36 to 59, inclusive, in their entirety and substitute the
2 following in lieu thereof:

3 "(d) (1) The pecuniary liability of the employer for the medical and
4 surgical service required by this section shall be limited to the charges
5 that prevail in the same community or similar communities for similar
6 treatment of injured persons of a like standard of living when the
7 similar treatment is paid for by the injured person. [The] Prior to July
8 1, 2015, or prior to the date the chairman of the Workers'
9 Compensation Commission establishes a fee schedule setting the
10 liability of employers for hospital and ambulatory surgical center
11 service pursuant to subsection (e) of this section, whichever is earlier,
12 the liability of the employer for hospital service shall be (A) the
13 [amount it actually costs] operating costs incurred by the hospital to
14 render the service, [as determined by the commissioner] plus (B) the
15 weighted state-wide average of uncompensated care costs, both of

16 which may be calculated using the ratios reported in the Twelve
17 Month Actual Filing for the most recent fiscal year prepared by such
18 hospital pursuant to section 19a-676, which is presumed to be
19 reasonable and correct as applied to the hospital's pricemaster filed
20 pursuant to section 19a-681, except in the case of state humane
21 institutions, where the liability of the employer shall be the per capita
22 cost as determined by the Comptroller under the provisions of section
23 17b-223. The employer may negotiate with the hospital at any time to
24 determine the liability of such employer for hospital services required
25 by this section. All disputes concerning liability for hospital services in
26 workers' compensation cases shall be filed not later than one year from
27 the date that the employer remits the payment or notifies the hospital
28 of such employer's dispute and shall be settled by the commissioner in
29 accordance with this chapter.

30 (2) On and after July 1, 2015, or on and after the date the chairman
31 of the Workers' Compensation Commission establishes a fee schedule
32 setting the liability of employers for hospital and ambulatory surgical
33 center services pursuant to subsection (e) of this section, whichever is
34 earlier, unless the employer and the hospital otherwise agree, the
35 liability of the employer for hospital service shall be limited to the
36 annual fee schedule published by the Workers' Compensation
37 Commission pursuant to subsection (e) of this section.

38 (e) Notwithstanding section 19a-646, the chairman of the Workers'
39 Compensation Commission shall consult with employers and their
40 insurance carriers, union representatives, hospitals, surgical centers
41 and third-party reimbursement organizations to establish, not later
42 than July 1, 2015, and publish annually thereafter, a fee schedule
43 setting the liability of employers for hospital and ambulatory surgical
44 center services required under this section."

45 In line 60, bracket "(e)" and after the closing bracket insert "(f)"