



General Assembly

February Session, 2022

Raised Bill No. 222

LCO No. 1765



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT REQUIRING NOTICE OF DISCONTINUING PRESCRIPTION
MEDICINE UNDER A WORKERS' COMPENSATION CLAIM.***

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 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2022*):

4 (a) (1) The employer, as soon as the employer has knowledge of an
5 injury, shall provide a competent physician, surgeon, physician
6 assistant or advanced practice registered nurse to attend the injured
7 employee and, in addition, shall furnish any medical and surgical aid or
8 hospital and nursing service, including medical rehabilitation services
9 and prescription drugs, as the physician, surgeon, physician assistant or
10 advanced practice registered nurse deems reasonable or necessary. The
11 employer, any insurer acting on behalf of the employer, or any other
12 entity acting on behalf of the employer or insurer shall be responsible
13 for paying the cost of such prescription drugs directly to the provider.
14 If the employer utilizes an approved providers list, when an employee
15 reports a work-related injury or condition to the employer the employer

16 shall provide the employee with such approved providers list within
17 two business days of such reporting.

18 (2) Before discontinuing payment for prescriptions which a physician
19 has deemed reasonable or necessary under this section, the employer,
20 or any insurer acting on behalf of the employer, shall notify the
21 commissioner and the employee, by certified mail, of the proposed
22 discontinuance of such payments. Such notice shall specify the reason
23 for the proposed discontinuance and the date such proposed
24 discontinuance or reduction will commence. The employer's or insurer's
25 notice of intention to discontinue payments shall (A) identify the
26 claimant, the claimant's attorney or other representative, the employer,
27 the insurer, and the injury, including the date of the injury, the city or
28 town in which the injury occurred and the nature of the injury, (B)
29 include medical documentation that (i) establishes the basis for the
30 discontinuance or reduction of payments, and (ii) identifies the
31 claimant's attending physician or advanced practice registered nurse,
32 and (C) be in substantially the following form:

33 IMPORTANT

34 STATE OF CONNECTICUT WORKERS' COMPENSATION
35 COMMISSION

36 YOU ARE HEREBY NOTIFIED THAT THE EMPLOYER OR
37 INSURER INTENDS TO REDUCE OR DISCONTINUE YOUR
38 PRESCRIPTION PAYMENTS ON ... (date) FOR THE FOLLOWING
39 REASONS:

40 If you object to the discontinuance of prescription payments as stated
41 in this notice, YOU MUST REQUEST A HEARING NOT LATER THAN
42 15 DAYS after your receipt of this notice, or this notice will
43 automatically be approved.

44 To request an Informal Hearing, call the Workers' Compensation
45 Commission District Office in which your case is pending.

46 Be prepared to provide medical and other documentation to support
47 your objection. For your protection, note the date when you received
48 this notice.

49 (3) No discontinuance or reduction shall become effective unless
50 specifically approved in writing by the commissioner. The employee
51 may request a hearing on any such proposed discontinuance not later
52 than fifteen days after receipt of such notice. Any such request for a
53 hearing shall be given priority over requests for hearings on other
54 matters. The commissioner shall not approve any such discontinuance
55 or reduction prior to the expiration of the period for requesting a
56 hearing or the completion of such hearing, whichever is later.

57 (4) In any case where the commissioner finds that an employer has
58 discontinued or reduced any payments made in accordance with this
59 section without the approval of the commissioner, such employer shall
60 be required to pay to the employee the total amount of all payments so
61 discontinued and shall be required to pay interest to the employee, at a
62 rate of one and one-quarter per cent per month or portion of a month,
63 on any payments so discontinued or on the total amount by which such
64 payments were reduced, as the case may be, plus reasonable attorney's
65 fees incurred by the employee in relation to such discontinuance or
66 reduction.

67 [(2)] (5) If the injured employee is a local or state police officer, state
68 marshal, judicial marshal, correction officer, emergency medical
69 technician, paramedic, ambulance driver, firefighter, or active member
70 of a volunteer fire company or fire department engaged in volunteer
71 duties, who has been exposed in the line of duty to blood or bodily fluids
72 that may carry blood-borne disease, the medical and surgical aid or
73 hospital and nursing service provided by the employer shall include any
74 relevant diagnostic and prophylactic procedure for and treatment of any
75 blood-borne disease.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2022	31-294d(a)
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Statement of Purpose:

To require employers or insurers acting on behalf of employers to provide notice and get approval before discontinuing coverage for prescriptions.

[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.]