

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: HB-6550

AN ACT REQUIRING NOTICE OF DISCONTINUANCE OF PRESCRIPTION

Title: MEDICATION UNDER A WORKERS' COMPENSATION CLAIM.

Vote Date: 2/16/2023

Vote Action: Joint Favorable

PH Date: 1/31/2023

File No.:

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SPONSORS OF BILL:

Labor and Public Employees Committee

REASONS FOR BILL:

The purpose of this legislation is to require employers, or insurers acting on behalf of employers, to promptly notify both the employee and the Workers Compensation Commission in cases where employers plan to discontinue prescription drug coverage. The notification of discontinuance or reduction will also provide the employee information regarding their right to request a hearing on the matter. Additionally, this proposal requires discontinuance or reductions to be approved in writing by the administrative law judge. This would help to protect individuals who rely on prescription medications under worker's compensation, to ensure their medications were not suddenly discontinued without notice or input.

RESPONSE FROM ADMINISTRATION/AGENCY:

No response was provided from the administration or relevant state agencies.

NATURE AND SOURCES OF SUPPORT:

Ed Hawthorne, President, CT AFL-CIO: They support this proposal, stating that it would help protect workers by informing them of any reduction against their prescriptions and of their right to request a hearing. They strongly urge that this proposal is passed into law.

Meghan Lyon, CT Trial Lawyers Association: They offered comments in support of this legislation. They stated that currently employees can be cut off from their medication without

any approval, causing a negative impact on their quality of life. This proposal would address this issue, providing protections for employees, by requiring approval for discontinuance.

Susan Schaffman, Executive Director, CT Orthopaedic Society: They offered comments on H.B. 6550. They stated that this proposal would allow patients to object to discontinuance and request a hearing allowing them to advocate on their own behalf. Furthermore, they emphasized that medical decisions made by non-medical persons based strictly on costs are harmful, and they thanked the committee for addressing this important issue.

NATURE AND SOURCES OF OPPOSITION:

Brooke Foley, General Counsel, IAC: They offered comments in opposition to this proposal stating that it would interfere with the Workers Compensation Commissions' current duties. Additionally, they stated that the process of requiring notification and hearings would be burdensome and costly. They urge rejection of this proposal.

Kristina Baldwin, APCIA: They offered testimony in opposition to this proposal. They argued that this legislation would make it harder to change ineffective and dangerous drug prescriptions, cause unnecessary delays, dispute costs and potentially harm workers by keeping them on ineffective treatments. They also believe that this proposal would lead to an increase in pharmaceutical costs. Additionally, they suggested evidence based medical care and restrictions on opioid prescriptions would be more effective solutions to ensure workers receive appropriate medical care.

Peter Myers, Public Policy Associate, CBIA: They oppose this legislation for the following reasons. They believe additional hearings under this proposal would be burdensome on the workers compensation system. Secondly, they believe this proposal is not needed, as the system is currently well functioning with the majority of claims being handled without a single hearing. Finally, they suggest that proposed attorney fees to be paid by the employer would incentivize attorneys to request unnecessary hearings.

Zachary McKeown, Senior Legislative Associate, CCM: They oppose this legislation. They see no need for the proposed legislation, arguing that it would only increase litigation and confusion.

Reported by:

Date: 2/27/2023

Sebastian Musante, Assistant Clerk