

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0302.01 Duane Gall x4335

HOUSE BILL 14-1278

HOUSE SPONSORSHIP

Rosenthal,

SENATE SPONSORSHIP

Tochtrop,

House Committees

Business, Labor, Economic, & Workforce Development

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CONTINUATION OF THE WORKERS' COMPENSATION
102 ACCREDITATION PROGRAM ADMINISTERED BY THE DIVISION OF
103 WORKERS' COMPENSATION, AND, IN CONNECTION THEREWITH,
104 IMPLEMENTING THE RECOMMENDATIONS OF THE 2013 SUNSET
105 REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

Sunset Process - House Business, Labor, Economic, and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Workforce Development Committee. The bill implements the recommendations of the sunset review and report on the workers' compensation accreditation program (WCAP) for medical professionals, administered by the division of workers' compensation in the department of labor and employment, by:

- ! Continuing the program for 11 years, until 2025 (**Sections 1 and 2**);
- ! Directing the division to study whether Colorado should adopt an edition of the American Medical Association's guide to the evaluation of permanent impairment more recent than the 1991 edition, which is the edition currently specified by statute, as the standard that governs assessments of the degree of impairment in workers' compensation cases (**Section 3**); and
- ! Allowing the division to set fees for WCAP training programs and materials administratively rather than specifying the amount of the fees in statute (**Section 4**).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 8-42-101, **amend**
3 (3.5) (c) (I) and (3.6) (r) (I) as follows:

4 **8-42-101. Employer must furnish medical aid - approval of**
5 **plan - fee schedule - contracting for treatment - no recovery from**
6 **employee - medical treatment guidelines - accreditation of physicians**
7 **- rules - repeal.** (3.5) (c) (I) This subsection (3.5) is repealed, effective
8 ~~July 1, 2014~~ SEPTEMBER 1, 2025.

9 (3.6) The two-tier accreditation system shall comprise the
10 following programs:

11 (r) (I) This subsection (3.6) is repealed, effective ~~July 1, 2014~~
12 SEPTEMBER 1, 2025.

13 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**
14 (45) (a); and **add** (56) as follows:

15 **24-34-104. General assembly review of regulatory agencies**
16 **and functions for termination, continuation, or reestablishment.**

1 (45) The following agencies, functions, or both, terminate on July 1,
2 2014:

3 (a) ~~The accreditation of health care providers under the workers'~~
4 ~~compensation system in accordance with section 8-42-101 (3.5) and (3.6);~~
5 ~~C.R.S.;~~

6 (56) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, TERMINATE
7 ON SEPTEMBER 1, 2025:

8 (a) THE ACCREDITATION OF HEALTH CARE PROVIDERS UNDER THE
9 WORKERS' COMPENSATION SYSTEM IN ACCORDANCE WITH SECTION
10 8-42-101 (3.5) AND (3.6), C.R.S.

11 **SECTION 3.** In Colorado Revised Statutes, **add** 8-42-126 as
12 follows:

13 **8-42-126. Division to study adoption of more recent AMA**
14 **guides - report to general assembly - repeal.** (1) THE DIVISION SHALL
15 STUDY THE COSTS, BENEFITS, AND COMPREHENSIVE EFFECTS OF ADOPTING
16 AS THE STANDARD FOR PHYSICAL IMPAIRMENT RATINGS UNDER ARTICLES
17 40 TO 47 OF THIS TITLE THE MOST CURRENT VERSION OF THE "AMERICAN
18 MEDICAL ASSOCIATION GUIDES TO THE EVALUATION OF PERMANENT
19 IMPAIRMENT", AND SHALL REPORT ITS FINDINGS, TOGETHER WITH ITS
20 RECOMMENDATIONS FOR LEGISLATIVE CHANGES, TO THE GENERAL
21 ASSEMBLY ON OR BEFORE DECEMBER 31, 2014.

22 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

23 **SECTION 4.** In Colorado Revised Statutes, 8-42-101, **amend**
24 (3.6) (d) as follows:

25 **8-42-101. Employer must furnish medical aid - approval of**
26 **plan - fee schedule - contracting for treatment - no recovery from**
27 **employee - medical treatment guidelines - accreditation of physicians**

1 **- rules - repeal.** (3.6) The two-tier accreditation system shall comprise
2 the following programs:

3 (d) The level I and level II accreditation programs shall operate in
4 such a manner that the costs ~~thereof shall be~~ OF THE PROGRAM ARE fully
5 met by registration fees paid by the physicians. ~~The registration fee for~~
6 ~~level I accreditation shall not exceed two hundred fifty dollars, and the~~
7 ~~registration fee for level II accreditation shall not exceed four hundred~~
8 ~~dollars.~~ The registration fee for each program shall MUST cover the cost
9 of all accreditation course work and materials.

10 **SECTION 5. Effective date.** This act takes effect July 1, 2014.

11 **SECTION 6. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.