

An Act relating to workers' compensation; amending Section 4, Chapter 355, O.S.L. 1993 (40 O.S. Supp. 2000, Section 554), which relates to drug testing by employers; authorizing employer to require drug testing under certain circumstances; clarifying certain property damage; stating burden of proof in certain cases of substance abuse; defining terms; authorizing certain tax credit; stating amount of credit for certain entities; requiring specified information on invoices; providing for certain refund; amending 85 O.S. 1991, Sections 1.2, as last amended by Section 1, Chapter 349, O.S.L. 1993, 3, as last amended by Section 3, Chapter 361, O.S.L. 1997, 3.4, as amended by Section 3, Chapter 349, O.S.L. 1993, 5, as last amended by Section 1, Chapter 353, O.S.L. 1998, 11, as last amended by Section 5, Chapter 361, O.S.L. 1997, 14, as last amended by Section 2, Chapter 248, O.S.L. 2000, Section 24, Chapter 1, 2nd Extraordinary Session, O.S.L. 1994, as last amended by Section 4, Chapter 353, O.S.L. 1998, Section 25, Chapter 1, 2nd Extraordinary Session, O.S.L. 1994, as amended by Section 5, Chapter 363, O.S.L. 1996, 17, as last amended by Section 8, Chapter 361, O.S.L. 1997, 22, as last amended by Section 5, Chapter 420, O.S.L. 1999, 28, 30, as last amended by Section 11, Chapter 361, O.S.L. 1997, 42, as last amended by Section 6, Chapter 420, O.S.L. 1999, 43, as last amended by Section 12, Chapter 361, O.S.L. 1997, 80, 173, as last amended by Section 182 of Enrolled House Bill No. 1214 of the 1st Session of the 48th Oklahoma Legislature, and 174, as last amended by Section 13, Chapter 248, O.S.L. 2000 (85 O.S. Supp. 2000, Sections 1.2, 3, 3.4, 5, 11, 14, 14.2, 14.3, 17, 22, 30, 42, 43 and 174), which relate to workers' compensation; making language gender neutral; clarifying certain powers of judges; adding definitions; conforming language; adding settlement conferences to proceedings requiring assignment of judge; authorizing the court to set and conduct settlement conferences; requiring conference be held before specified judges; prohibiting certain judge from hearing conference; stating purpose; prohibiting certain communication by settlement judge; stating exception; conforming language; modifying terms prohibiting discharge of employee; modifying circumstances authorizing discharge of certain employee; making language gender neutral; clarifying use and type of certain substances; modifying burden of proof in certain cases; clarifying liability for compensation for cumulative trauma injury; granting certain physician right to treat employee; modifying certain notice requirements; stating exceptions for physician selection; conforming language; providing for change of physician under certain circumstances; prohibiting alteration of certain schedule before specified date; stating exceptions; stating application of certain schedule; clarifying certain medical costs; authorizing one change of physician under certain circumstances; providing procedure for certain change of physician; specifying when an independent medical examiner may be appointed; prohibiting certain physician from performing surgery; stating exception; authorizing case management in certain cases; requiring Court to appoint case manager from maintained list under certain circumstances; requiring respondent to pay certain costs; authorizing replacement of case manager under certain circumstances; stating exception; conforming language; clarifying circumstances when employee may petition Court for change of physician; conforming language; requiring certain evidence for specified permanent disability awards; providing procedure for certain dispute; prohibiting an independent medical examiner from treating certain employees; stating exception; limiting application of certain schedule; increasing compensation period for certain injuries; requiring certain evaluation for specified injuries; authorizing specified committee to make certain recommendations; providing for adoption of method to evaluate specified injuries; requiring certain evaluation to include apportionment of injury

causation; stating application of certain evaluation method; providing for the adoption of certain guide revisions; prohibiting certain deviations from and use of certain guide; stating injury equivalencies; stating compensation payable for certain injuries; reducing hernia injury compensation; defining disability in certain cases; exempting certain awards from calculation of specified benefits; modifying calculation of maximum income benefits for death; specifying awards that can be reviewed and amended by the Court; assessing specified penalty under certain circumstances; modifying interest rate on certain awards; modifying time period for reopening certain claims; granting Court authority to punish certain act as contempt; stating method for Court to compel certain act; stating fine for contempt; stating exception; directing payment of fine to certain fund; conforming language; limiting time period for certain assessments and payments; conforming language; requiring Administrator to assess certain amounts against specified entities for stated obligations; stating time period for assessment; requiring certain Board to determine obligations of Fund; directing the Oklahoma Tax Commission to assess and collect certain assessment from specified entities for stated time period; providing time period and manner in which assessments are payable; defining term; prohibiting specific assessments from being considered in certain rate decisions; prohibiting specific entities from disclosing assessment under certain circumstances; stating proportion of assessment against specified entities; defining term; requiring designated entities to provide certain information to Administrator for stated purpose; authorizing the Administrator to determine information to be provided; requiring Administrator to provide written notice of assessment to specified entities by certain date; prohibiting assessment rates greater than six percent; requiring certain unpaid obligations to be paid when funds are available; stating liability against certain entities; modifying entity to advise of Fund status; modifying recipients of Fund status information; eliminating certain duties of the Oklahoma Tax Commission; eliminating certain duties of the Administrator; modifying calculation of certain credits; conforming language; authorizing Administrator to promulgate rules; modifying assessments against political or municipal subdivisions; providing for codification; and declaring an emergency.