

An Act relating to workers' compensation; amending 85 O.S. 1991, Sections 1, 1.2, as last amended by Section 1, Chapter 349, O.S.L. 1993, 1.3, 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, 3.6, as last amended by Section 1, Chapter 262, O.S.L. 1997, 3.7, as amended by Section 19, Chapter 1, 2nd Extraordinary Session, O.S.L. 1994, 3.8, as amended by Section 5, Chapter 349, O.S.L. 1993, 4, 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, 16, as last amended by Section 7, Chapter 361, O.S.L. 1997, 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, 24.1, as amended by Section 32, Chapter 335, O.S.L. 1992, 24.2, as last amended by Section 10, Chapter 361, O.S.L. 1997, 28, 41, as amended by Section 9, Chapter 294, O.S.L. 1992, 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, 44, 61, as last amended by Section 2, Chapter 22, O.S.L. 1994, Section 14, Chapter 1, 2nd Extraordinary Session, O.S.L. 1994, 63, 66.1, 66.2, 69.5, 85, 93, as last amended by Section 2, Chapter 262, O.S.L. 1997, 93.2, 102, 104, 112, as amended by Section 37, Chapter 1, 2nd Extraordinary Session, O.S.L. 1994, 149.1, as amended by Section 12, Chapter 363, O.S.L. 1996, 149.2, 173, as last amended by Section 10, Chapter 248, O.S.L. 2000, 175, as amended by Section 11, Chapter 420, O.S.L. 1999, 177, as last amended by Section 28, Chapter 5, O.S.L. 1998, 201, as last amended by Section 14, Chapter 361, O.S.L. 1997, Section 18, Chapter 349, O.S.L. 1993, as last amended by Section 15, Chapter 361, O.S.L. 1997, Section 34, Chapter 349, O.S.L. 1993, as last amended by Section 12, Chapter 420, O.S.L. 1999 (85 O.S. Supp. 2000, Sections 1.2, 3, 3.4, 3.6, 3.7, 3.8, 11, 14, 14.2, 14.3, 16, 17, 22, 24.1, 24.2, 41, 42, 43, 61, 61.2, 93, 112, 149.1, 173, 175, 177, 201, 201.1 and 211), which relate to the Workers' Compensation Act and the Workers' Compensation Court; modifying short title; eliminating the Workers' Compensation Court and the office of Workers' Compensation Court Administrator; creating position of magistrate within the Workers' Compensation System; specifying number of magistrates, jurisdiction, number of position, and term of office; making judges of the Workers' Compensation Court magistrates; providing for appointment of magistrates; deleting obsolete language; stating qualifications of magistrates; making magistrates eligible for reappointment; providing for salary of magistrates; creating office of Chief Magistrate, providing for appointment, stating term, limiting terms, and stating powers and duties; providing for acting Chief Magistrate under certain circumstances; providing for adoption of administrative rules; stating quorum requirement for certain meetings; deleting requirement for rules to be submitted to Supreme Court; declaring findings of magistrates to be findings of court of record; providing for principal office of Workers' Compensation System; requiring county commissioners and district judges to provide quarters for hearings; authorizing magistrates to punish for contempt; creating office of Workers' Compensation System Administrator and providing for appointment, salary and removal, stating qualifications, and stating powers and duties; requiring administrator maintain list of certified facilitators; creating Workers' Compensation Nominating Commission, stating membership, stating chair, requiring majority vote, stating duties, and providing for expenses; requiring Governor to make appointments from candidates provided; defining terms and modifying definitions; modifying procedures for workers' compensation claims, allowing current claimants to use modified procedures, and stating

duties of parties, Administrator, facilitators, and magistrates; providing for appearance of various parties; limiting fees of attorneys; providing procedures for assignment of requests for assistance, and disputes to facilitators and magistrates; stating time limits for various procedures and acts; providing for burden of proof; prohibiting certain discovery with certain exception; limiting extension or continuance of hearing in certain cases; modifying appellate procedures; stating duties of Administrator of Workers' Compensation Court and limiting duration; conforming language; prohibiting solicitations by Administrator and employees; stating penalties; prohibiting ex parte communications with magistrate; providing procedures for submission and resolution of requests for assistance; providing for forms and specifying contents; requiring signature and verification; stating venue for dispute process; stating duties of Administrator; requiring selection of facilitators; stating duties of facilitators and providing related procedures; requiring disclosure of certain information; stating penalty for failure to provide requested information; providing for payment of fees and certain reimbursement; providing for recommendations, providing forms, and specifying contents; stating when recommendations become final, binding, enforceable and closed; providing procedures for objections; requiring physicians to state opinion regarding impairment; requiring certain determination on opinion testimony; requiring physician to make report and specifying contents; providing for maintenance of records; requiring Administrator to establish and maintain facilitator pool and providing for establishment of qualifications and procedures for certification of facilitators; exempting appointment from Central Purchasing Act; stating employment status of facilitators, and providing for reimbursement for services and travel; providing for designation and assignment of facilitators from pool upon request for assistance; stating request for assistance forms are subject to Oklahoma Open Records Act; clarifying and conforming language; modifying procedures for changing physician; requiring attending physician to issue treatment plan and detail and specify certain information within certain time period; restricting treatment of plan and modifying provisions for release from care; providing for objection to treatment plan and for selection of physician by employer; deleting certain fee provision; modifying provisions relating to certified workplace medical plans and to rehabilitation services; modifying procedures for determination of disability; modifying procedures and requirements for notices and selection of physician from independent medical examiner system; providing for initiation of claims process under certain circumstances and modifying procedure for resolving differences in impairment rating; prohibiting splitting difference of opinion; prohibiting certain treatment of employee; requiring certain benefits cease if independent medical examiner determines employee is able to return to work; requiring consideration of impairment rating by independent medical examiner; deleting requirement that certain recommendations, methods, and rules be submitted to Legislature and subject to legislative disapproval; providing for requests for assistance and modifying procedures for certain awards; modifying certain notice provisions; making language consistent with changes in certain powers, duties, and authority; deleting certain filing requirements and deleting related obligations; transferring powers, duties, and responsibilities for regulation of workers' compensation group self-insurance associations from Workers' Compensation Court Administrator to Insurance Commissioner and stating certain responsibilities and providing for transition; conforming procedures relating to the Multiple Injury Trust Fund; providing for representation of employer in proceedings before magistrate;

repealing Section 8, Chapter 384, O.S.L. 1997, Section 4, Chapter 361, O.S.L. 1997, as amended by Section 4, Chapter 420, O.S.L. 1999, and 85 O.S. 1991, Sections 3.5, 26, as amended by Section 30, Chapter 1, 2nd Extraordinary Session, O.S.L. 1994, 80, and 151 (85 O.S. Supp. 2000, Section 1.2A, 3.10 and 26), which relate to salaries of judges of the Workers' Compensation Court, venue, mediation, notice forms, enforcement of orders, and severability; providing for codification; and providing an effective date.