

An Act relating to workers' compensation; amending 21 O.S. 2001, Section 1663, which relates to workers' compensation fraud; modifying certain penalties; adding definition; amending 40 O.S. 2001, Section 417.1, which relates to certain fund; making certain fund a revolving fund; exempting certain fund from legislative appropriation; amending 85 O.S. 2001, Sections 2.6, 3, as amended by Section 60, Chapter 329, O.S.L. 2003, 3.10, 5, 14, as amended by Section 1, Chapter 215, O.S.L. 2002, 14.2, 14.3, 16, 17, as amended by Section 2, Chapter 215, O.S.L. 2002, 22, 43, 45, 48, 171, 172, 173, as amended by Section 4 Chapter 31, O.S.L. 2002, and 201.1, as last amended by Section 9, Chapter 229, O.S.L. 2003 (85 O.S. Supp. 2004, Sections 3, 14, 17, 173 and 201.1), which relate to exclusion of family members, definitions, mediation, discharge of employees, medical attention, schedule of compensation, limitation of actions, workplace medical plans and certification thereof, rehabilitation services, determination of disability, definition of physically impaired person, compensation for additional disability, the Multiple Injury Trust Fund and the Physician Advisory Committee; clarifying persons to whom certain exemption applies; modifying definition; modifying circumstances under which mediation shall occur; authorizing Court to order mediation under certain circumstances; modifying procedure for selection of mediators; setting forth procedure to object to mediation and burden of proof; modifying procedure for certification of mediators; prohibiting certain termination of employees; modifying procedure for selection of physician within a certified workplace medical plan; modifying basis of medical fee schedule; modifying limit on increases to medical fee schedule; setting forth formula for charges and requirements for prescribing and dispensing prescription drugs; modifying procedure for a change of physician; eliminating condition for case management; modifying circumstances under which a case manager may be replaced; modifying procedure for change of physician within a certified workplace medical plan; eliminating certain enrollment procedures; requiring certain notification; setting forth time frame for notification; reducing time a certificate of a workplace medical plan is valid; requiring certain site visits and setting forth requirements therefor; directing Commissioner of Health to implement certain protocol and setting forth requirements for protocol; providing for remediation of deficiencies; authorizing revocation or suspension of certification under certain circumstances; authorizing collection of fees and expenses; defining responsibility for payment for certain evaluations; creating requirement for appointment as an independent medical examiner; deleting prohibition on appointment as an independent medical examiner; modifying conditions under which an independent medical examiner may be appointed; requiring certain notice; providing for selection of independent medical examiners; requiring Court to follow certain findings; providing procedure for deviation from certain findings; eliminating procedures related to appointment of certain physicians; modifying certain benefits; requiring certain records be kept confidential; providing for disclosure to certain persons; prohibiting certain disclosure; providing penalty; providing definition; modifying time period to reopen certain claims; creating certain rebuttable presumption against eligibility for certain benefits; modifying certain benefit; modifying definition; clarifying circumstances under which certain disability may be awarded against certain entities; deleting obsolete language; increasing funding for certain programs within certain state agencies; clarifying references; modifying composition and duties of the Physician Advisory Committee; making compliance with certain guidelines mandatory; providing exception to mandatory compliance; allowing rates to be used prior to filing rates with certain entity; requiring filing of rates within certain time period; providing for

disapproval of filing; providing for certain income tax credits; defining terms; providing and limiting amounts of credits; authorizing Tax Commission to promulgate rules; repealing 36 O.S. 2001, Section 902.1, as last amended by Section 5, Chapter 519, O.S.L. 2004 (36 O.S. Supp. 2004, Section 902.1), which relates to increasing or decreasing base rates; repealing 40 O.S. 2001, Sections 415.1 and 415.2, which relate to certificates of non-coverage; providing for codification; and providing an effective date.