

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1935

By: Adelson

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5
6 AS INTRODUCED

7 An Act relating to workers' compensation; amending 85
8 O.S. 2001, Section 3.8, which relates to court
9 proceedings; making certain language gender neutral;
10 and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 85 O.S. 2001, Section 3.8, is
13 amended to read as follows:

14 Section 3.8. A. No employee of the Administrator shall be
15 competent to testify on any matter before a court concerning any
16 information he has received through the performance of his or her
17 duties under the provisions of the Workers' Compensation Act.

18 B. The Administrator and his or her employees shall not solicit
19 employment for any attorney or physician nor shall they recommend or
20 refer any claimant or employer to an attorney or physician. If the
21 Administrator or any of his or her employees makes such a
22 solicitation, recommendation or reference, that person, upon
23 conviction, shall be guilty of a misdemeanor punishable, for each
24 offense, by a fine of not more than One Thousand Dollars (\$1,000.00)

1 or by imprisonment not to exceed one (1) year, or by both such fine
2 and imprisonment. The Administrator shall immediately terminate the
3 employment of any such employee who is guilty of such solicitation,
4 recommendation or reference. An Administrator guilty of such
5 solicitation, recommendation or reference shall be subject to
6 removal from office.

7 C. No judge of the Workers' Compensation Court shall engage in
8 any ex parte communication with any party to an action pending
9 before the Court or with any medical provider regarding the merits
10 of a specific matter pending before the judge for resolution. Any
11 violation of this provision shall subject the judge to
12 disqualification from the action or matter upon presentation of an
13 application for disqualification.

14 SECTION 2. This act shall become effective November 1, 2008.

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