

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 771

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to the Workers' Compensation
8 Arbitration Act; amending Section 122, Chapter 208,
9 O.S.L. 2013 (85A O.S. Supp. 2014, Section 301), which
10 relates to arbitration agreements; modifying
11 requirements for validity of certain agreements; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY Section 122, Chapter 208, O.S.L.
15 2013 (85A O.S. Supp. 2014, Section 301), is amended to read as
16 follows:

17 Section 301. All agreements to arbitrate claims for injuries
18 covered by the Administrative Workers' Compensation Act shall be
19 valid and enforceable in this state when:

20 1. The employer provides notice of the existence of an
21 agreement to arbitrate to both the employee and the employer's
22 workers' compensation insurance provider;

23 2. The employer files an alternative dispute resolution program
24 with the Workers' Compensation Commission, as defined in the
Administrative Workers' Compensation Act;

1 3. The employers' Certified Medical Plan files an alternative
2 dispute resolution program with the Commission, as defined in the
3 Administrative Workers' Compensation Act; ~~or~~ and

4 4. The agreement is subject to the Federal Arbitration Act and
5 contains a provision that requires that, in addition to other
6 remedies, any party to the arbitration be given the opportunity to
7 appeal any decision on any issue of the arbitrator to the Workers'
8 Compensation Commission.

9 SECTION 2. This act shall become effective November 1, 2015.

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