

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB 2367
Version:	FA1
Request Number:	
Author:	Rep. Kannady
Date:	3/13/2019
Impact:	\$0 to the CS version: removes statutory appropriation increase for the Commission and Court of Existing Claims and removes adding mental illness as a compensable injury for law enforcement

Research Analysis

The amendment to HB2367 does many things.

SECTION 1:

It deletes all changes relating to what a “compensable injury does not include”.

The amendment undoes proposed changes to the definitions of “continuing medical maintenance”, ”disability”, “permanent disability”, “permanent partial disability.”

SECTION 5:

The amendment adds language requiring an employer that violates any provision of section 5 to be liable in a district court for reasonable damages suffered by an employee as a result of the violation.

SECTION 6:

The amendment deletes Section 6 entirely.

SECTION 10:

The amendment undoes proposed changes that would have allowed the Oklahoma Workers’ Compensation Commission to meet in private to discuss policy, personnel and staffing administration and other matters related to the state's workers' compensation system.

SECTION 19:

The amendment deletes Section 19 entirely.

SECTION 20:

The amendment undoes proposed changes that would have allowed physicians to used alternative evaluation methods – outside of those established in the American Medical Association's "Guides to the Evaluation of Permanent Impairment" – approved by the Oklahoma

Workers' Compensation Commission to determine the nature and extent of a patient's permanent partial disability.

SECTION 21:

The amendment undoes the proposed changes that would have increased the total number of weeks a worker could be awarded for all permanent partial disabilities.

SECTION 23:

The amendment undoes proposed changes that would have allowed an administrative law judge to order an employer to provide detoxification treatment for employees who are prescribed opioids or other narcotics.

The amendment also gives the Workers' Compensation Commission until December 31, 2020 to approve a new fee schedule regarding reimbursement for medical care.

SECTION 30:

The amendment deletes Section 30 entirely.

SECTION 33:

The amendment undoes proposed changes that would have increased the amount of time a worker had to file a request for a hearing about a claim for compensation, before the claim was dismissed.

The amendment undoes proposed changes that would have increased the amount of time a worker had to file a request for a hearing about a claim for additional compensation, before the claim was dismissed.

SECTION 37:

The amendment removes language that would have allowed an attorney representing an employee under this act to recover fees "for good cause shown."

SECTION 41:

The amendment deletes Section 41 entirely.

SECTION 42:

The amendment adds language that requires any other benefit – beyond medical or temporary total disability benefits — available to an incarcerated employee to be limited by other provisions in the title in the same manner as for all injured employees.

SECTION 51:

The amendment deletes Section 51 entirely.

Prepared By: Emily Wendler

Fiscal Analysis

The FA1 on HB 2367 deletes section 6 which removes the language regarding adding mental illness or injury as a compensable injury and could increase the number of claims for state employees who are first responders (highway patrol, OSBI agents).

The FA1 also removes the increases to the statutory appropriation for the Workers' Compensation Commission and the Court of Existing Claims.

Therefore, FA1, once adopted, removes any fiscal implications for the state.

Prepared By: Kristina King

Other Considerations

None.