

HB 1662 -- Workers' Compensation

Sponsor: Cunningham (86)

This bill makes changes to the laws regarding workers' compensation. The bill:

- (1) Redefines "accident" to mean a specific, identifiable, traumatic event during a single work shift;
- (2) Defines "dominant factor" to mean the accident is the prevailing factor in relation to any other factors contributing to the resulting medical condition;
- (3) Requires that an accident injury be compensable only if the accident was the dominant factor in causing the resulting medical condition;
- (4) Codifies that Missouri does not apply the Positional Risk Analysis or Positional Risk Doctrine;
- (5) Excludes as compensable any personal health condition manifested during employment in which the accident was not the dominant factor resulting in the need for medical treatment;
- (6) Excludes as compensable an injury resulting directly or indirectly from idiopathic causes;
- (7) Requires that a cardiovascular, pulmonary, respiratory, or other disease or cerebrovascular accident or myocardial infarction suffered by a worker is an injury only if the accident is the dominant factor in causing the resulting medical condition;
- (8) Excludes as compensable any aggravation of a pre-existing condition, except that the injury causes increased permanent disability;
- (9) Requires that an occupational disease be compensable only if occupational exposure was the dominant factor resulting in the condition or disability, rather than a substantial factor;
- (10) Requires that if the exposure to repetitive motion which is found to cause the injury is for a period of less than three months and exposure to repetitive motion with a prior employer was the dominant factor in causing the injury, the prior employer is liable for the occupational disease; and
- (11) Requires that the Labor and Industrial Relations Commission and all officials within the Division of Employment Security

apply an impartial standard of review when weighing evidence and resolving factual conflicts.