

HB 1100 -- WORKERS' COMPENSATION

SPONSOR: Bernskoetter

This bill provides that a positive test result for a nonprescribed controlled drug shall give rise to a rebuttable presumption that the drug was in the employee's system. If the test is administered within 24 hours of an injury, there shall be a rebuttable presumption that the injury was sustained in conjunction with the use of the drug. The presumption may be rebutted by a preponderance of the evidence.

The bill provides that an employee may explicitly agree that a claim for specified prosthetics cannot be reactivated. If an employee voluntarily separates from employment when work is available in compliance with any medical restrictions imposed as a result of an injury, then no temporary total or temporary partial disability benefits shall be paid to the employee.

New applicants to specified self-insured trusts shall submit to the Division of Workers' Compensation proof of payment of 25% of the estimated annual premium. Self-insured trusts may invest surplus moneys from a prior trust year not needed for current obligations.

This bill is similar to SS SCS SB 113 (2017).