

SECOND REGULAR SESSION

HOUSE BILL NO. 1799

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEGROOT.

5586H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 287.127, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 287.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 287.127, to read as follows:

287.127. 1. Beginning January 1, 1993, all employers shall post a notice at their place of employment, in a sufficient number of places on the premises to assure that such notice will reasonably be seen by all employees. An employer for whom services are performed by individuals who may not reasonably be expected to see a posted notice shall notify each such employee in writing of the contents of such notice. The notice shall include:

(1) That the employer is operating under and subject to the provisions of the Missouri workers' compensation law;

(2) That employees must report all injuries immediately to the employer by advising the employer personally, the employer's designated individual or the employee's immediate boss, supervisor or foreman and that the employee may lose the right to receive compensation if the injury or illness is not reported within thirty days or in the case of occupational illness or disease, within thirty days of the time he or she is reasonably aware of work relatedness of the injury or illness; employees who fail to notify their employer within thirty days may jeopardize their ability to receive compensation, and any other benefits under this chapter;

(3) The name, address and telephone number of the insurer, if insured. If self-insured, the name, address and telephone number of the employer's designated individual responsible for

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 reporting injuries or the name, address and telephone number of the adjusting company or service
18 company designated by the employer to handle workers' compensation matters;

19 (4) The name, address and the toll-free telephone number of the division of workers'
20 compensation;

21 (5) That the employer will supply, upon request, additional information provided by the
22 division of workers' compensation;

23 (6) That a fraudulent action by the employer, employee or any other person is unlawful.

24 2. The division of workers' compensation shall develop the notice to be posted ~~[and~~
25 ~~shall]~~, distribute such notice free of charge to employers and insurers upon request, **and publish**
26 **the notice on the website of the department of labor and industrial relations.** Failure to
27 request such notice does not relieve the employer of its obligation to post the notice. If the
28 employer carries workers' compensation insurance, the carrier shall provide the notice, **in paper**
29 **or electronic format**, to the insured within thirty days of the insurance policy's inception date.
30 **A carrier who elects to provide the notice in electronic format shall direct the insured to**
31 **the notice available on the website of the department of labor and industrial relations.**

32 3. Any employer who willfully violates the provisions of this section shall be guilty of
33 a class A misdemeanor and shall be punished by a fine of not less than fifty dollars nor more than
34 one thousand dollars, or by imprisonment in the county jail for not more than six months or by
35 both such fine and imprisonment, and each such violation or each day such violation continues
36 shall be deemed a separate offense.

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