

HB 275 -- WORKERS' COMPENSATION

SPONSOR: Riley

This bill modifies the definition of "prevailing factor" which is used to determine if an injury, that arises out of and in the course of employment, is compensable under the Workers' Compensation Act. The bill provides that the prevailing factor is the primary factor, in relation to any other factor, causing the injury, the resulting medical condition, the disability, and the need for treatment.

For an employee to receive medical treatment, the accident or occupational disease shall be the prevailing factor in causing the injury, the resulting medical condition, and the need for treatment.

The bill also requires consideration of any savings or insurance of the injured employee from governmental or private sources, benefits derived from the employer's insurance, and any savings or insurance procured or sponsored by the employer, when determining compensation as specified in the bill.

Administrative law judges or the Labor and Industrial Relations Commission shall have authority to order employers to make payments only to the medical provider or providers to whom bills are due in cases where they determine the employer is responsible for disputed medical bills.

This bill is similar to HB 1716 (2022).