Summary of Labor Proposals for the Worker's Compensation Agreed Bill – May 27, 2015

Permanent Partial Disability Benefit Rate:
Increase the PPD rate for each of the next two years by $30 in 2016 and $15 in 2017. This would increase the weekly maximum PPD rate from $322 to $352 for injuries occurring in 2016, and $367 for injuries beginning 1/1/17.

Supplemental Benefits Rate:
A two year bump in eligible dates/rates. Current law provides supplemental benefits for those with a date of injury occurring before 1/1/2001 with a supplement to a maximum rate of $582. This would provide supplemental benefits for those injured prior to 01/01/2003 at a maximum rate of $669.

Supplemental Benefits – Future payments from Division Operating Fund:
Switch responsibility for payment of future SBF payments from the work injury Supplemental Benefit Fund (WISBF) to Division Operating Funds, with carriers to reimburse Division by proportion.

Indexing of Permanent Total Disability Rate:
Indexing with 6 year lag. For injuries beginning 1/1/16, index weekly benefits for permanent total disability or continuous temporary total disability for more than 24 months after the date of injury to the rate in effect at the time the benefit accrues for periods more than six years after the date of injury.

Indexing of Permanent Partial Disability Benefits After 200 Weeks:
An employee receiving PPD benefits after 200 weeks is entitled to the same proportion of the maximum rate of PPD in effect at the time of payment beginning with the 201st week of PPD benefit.

Vocational Retraining – Reinstate no reduction of TTD for Part Time Work During Retraining:
Reinstate Section 102.43(5)(c) (which sunsetted on 04/30/14 for lack of passage of the last agreed bill) that provided for no reduction in TTD benefits for vocational retraining for part time work up to 24 hours per week during periods of instruction.

Vocational Retraining – Prospective Orders:
Allow ALJs to issue prospective orders directing the insurer to pay for a future course of instruction or training.

Continuation of Health Care Coverage:
If an employer fails to continue to maintain group health care coverage for an injured worker during the period of temporary disability, the employee is due an additional benefit equal to 100% of the employer contributions that the employer failed to pay, in addition to any temporary disability benefits under the Act.

Prescription Drugs – Provider Dispensing:
If a prescription drug is dispensed to the patient by the provider, the price is limited to the pharmacy fee schedule.

Electronic Medical Record Costs:
Records provided in electronic format are limited to a flat rate of $26 per request, regardless of the number of pages of electronic records.

Funding of DOJ Position – Fraud
Provide funding for one position at DOJ for the investigation and prosecution of fraud by employees, employers, insurers or providers.