

FINAL BILL REPORT

EHB 2105

C 134 L 07

Synopsis as Enacted

Brief Description: Requiring payment of prescription drugs for industrial insurance medical aid claims for initial visits.

Sponsors: By Representatives Conway, Condotta, Kenney, Simpson and Ormsby.

House Committee on Commerce & Labor

Senate Committee on Labor, Commerce, Research & Development

Background:

Industrial insurance is a no-fault state workers' compensation program that provides medical and partial wage replacement benefits to covered workers who are injured on the job or who develop an occupational disease. Employers must insure with the state fund administered by the Department of Labor and Industries (Department) or, if qualified, may self-insure.

Under the Industrial Insurance Act, a worker injured in the course of employment may be entitled to proper and necessary medical and surgical services from a physician of his or her choice. All fees and medical charges must comply with a fee schedule established by the Department and must be paid within 60 days of the Department or self-insured employer receiving a proper billing, or 60 days after the claim is allowed by final order or judgment, if an otherwise proper billing is received by the Department or self-insured employer prior to final adjudication of claim allowance.

Under Department policy, initial prescription drug costs associated with a potential claim are not paid until a decision is made to allow or reject the claim. In addition, if a claim is initially allowed, but later rejected, overpayments may be assessed for the cost of treatment and benefits, including any related prescription drug costs.

Summary:

For state fund claims, the Department must pay for any initial prescription drugs provided in an initial medical visit for any injury for which a worker files a claim. Payment must be made without regard to whether the worker's claim for benefits is ultimately allowed. Payments must be made in accordance with the Department's fee schedule.

By December 1, 2009, the Department must report to the Legislature on implementation.

Votes on Final Passage:

House	96	0
Senate	48	0

Effective: January 1, 2008