

HOUSE RESEARCH

Bill Summary

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Overview

This bill makes changes to the workers' compensation statutes, most of which are technical. Substantive changes include, among others, allowing independent contractors to qualify without having an employer identification number, the addition of a nurse to the medical services review board, and a requirement that employers be current with their obligations before they can receive reimbursement from the special compensation fund.

Section

- 1 **Exception.** Current law provides that to qualify as an independent contractor for workers' compensation purposes, an entity must have an employer identification number from the Internal Revenue Service. This section would provide that the entity can instead qualify by having filed business or self-employment tax returns in the previous year.
- 2 **Disciplinary actions.** This is one of several sections that provides that payments be made to the commissioner for deposit in a particular fund, rather than made directly to the fund.
- 3 **Retraining compensation.** Similar to section 2.
- 4 **Fees.** Similar to section 2.
- 5 **Medical services review board.** Adds a registered nurse to this board.
- 6 **Interest.** Provides that interest on money in the special compensation fund goes back to the special compensation fund, rather than the general fund.
- 7 **Penalty.** Similar to section 2.
- 8 **Employer reports.** Provides that employers cannot be reimbursed from the special compensation fund unless they are current with their workers' compensation reporting and payment obligations.
- 9 **Revocation, suspension, and refusal to certify; penalties and enforcement.** Similar to section 2.

- 10 **Medical data; access.** Similar to section 2.
- 11 **Pilot program.** Extends and expands a pilot program for workers' compensation agreements entered into by employers and employees.
- 12 **Equitable apportionment.** Deletes language requiring that arbitration of equitable apportionment disputes be carried out according to general rules of arbitrator selection and procedure developed by the department of labor and industry.
- 13 **Penalties.** Similar to section 2.
- 14 **Commencement of payment.** Requires that denials of liability be served on employees as well as filed with the department, as provided by current law.
- 15 **Penalty.** Similar to section 2.
- 16 **Penalty.** Similar to section 2.
- 17 **Assessment of penalties.** Changes a reference so that penalty assessment provisions apply more comprehensively to penalties against insurers.
- 18 **Initial report, written report.** Removes a requirement that initial reports of injury include disclosures of payments already made.
- 19 **Commissioner of labor and industry; duty to keep informed.** Requires insurers and self-insured employers to keep the department informed about payments made, including amounts and dates.
- 20 **Failure to file required report; penalty.** Similar to section 2.
- 21 **Fines; violation.** Similar to section 2.
- 22 **Repealer.** Repeals language outlining the authority of compensation judges. (There have been some changes in the way dispute resolution is handled since this language went into statute.)
- 23 **Effective date.** Makes section 22 effective the day following final enactment.