

HOUSE BILL No. 2617

By Committee on Commerce, Labor and Economic Development

2-4

1 AN ACT concerning workers compensation; relating to the medical
2 administrator; electronic filing for administrative hearings; amending
3 K.S.A. 44-534 and 44-536a and K.S.A. 2015 Supp. 44-510i and
4 repealing the existing sections.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2015 Supp. 44-510i is hereby amended to read as
8 follows: 44-510i. (a) ~~Subject to the approval of the secretary, the director~~
9 ~~shall contract with or appoint, subject to the approval of the secretary, a~~
10 ~~specialist in health services delivery, who shall be referred to as the~~
11 ~~medical administrator. The medical administrator, if appointed, shall be a~~
12 ~~person licensed to practice medicine and surgery in this state and shall be a~~
13 ~~person licensed to practice medicine and surgery in this state and, if~~
14 ~~appointed, shall be in the unclassified service under the Kansas civil~~
15 ~~service act.~~

16 (b) The medical administrator, subject to the direction of the director,
17 shall have the duty of overseeing the providing of health care services to
18 employees in accordance with the provisions of the workers compensation
19 act, including, but not limited to:

20 (1) Preparing, with the assistance of the advisory panel, the fee
21 schedule for health care services as set forth in this section;

22 (2) developing, with the assistance of the advisory panel, the
23 utilization review program for health care services as set forth in this
24 section;

25 (3) developing a system for collecting and analyzing data on
26 expenditures for health care services by each type of provider under the
27 workers compensation act; and

28 (4) carrying out such other duties as may be delegated or directed by
29 the director or secretary.

30 (c) The director shall prepare and adopt rules and regulations which
31 establish a schedule of maximum fees for medical, surgical, hospital,
32 dental, nursing, vocational rehabilitation or any other treatment or services
33 provided or ordered by health care providers and rendered to employees
34 under the workers compensation act and procedures for appeals and
35 review of disputed charges or services rendered by health care providers
36 under this section;

Proposed Amendments #1
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1 of the application to the adverse party. The administrative law judge shall
2 proceed, upon due and reasonable notice to the parties, which shall not be
3 less than 20 days, to hear all evidence in relation thereto and to make
4 findings concerning the amount of compensation, if any due to the worker.

5 (b) No proceeding for compensation shall be maintained under the
6 workers compensation act unless an application for a hearing is on file in
7 the office of the director within three years of the date of the accident or
8 within two years of the date of the last payment of compensation,
9 whichever is later.

10 ~~(c) If the workers compensation electronic filing system is~~
11 ~~inaccessible on the last day for filing, then the time for filing shall be~~
12 ~~extended to the first accessible day that is not a Saturday, Sunday or legal~~
13 ~~holiday. As used in this subsection:~~

14 (1) "Last day" means:

15 (A) For electronic or facsimile filing, at midnight in the division's
16 time zone on the final day for filing; and

17 (B) for filing by other means, at 5 p.m. in the division's time zone on
18 the final day for filing; and

19 (2) "legal holiday" means any day declared a holiday by the
20 president of the United States, the congress of the United States or the
21 legislature of this state, or any day observed as a holiday by order of the
22 governor. A half holiday shall be treated as other days and not as a
23 holiday.

24 Sec. 3. K.S.A. 44-536a is hereby amended to read as follows: 44-
25 536a. (a) Every pleading, motion and other ~~paper~~ document provided for
26 by the workers compensation act of any party, who is represented by an
27 attorney, shall be signed by at least one attorney of record in the attorney's
28 individual name, and the attorney's address ~~and~~, telephone number, fax
29 number, email address and supreme court registration number shall be
30 stated. Signature by electronic means, when utilizing the workers
31 compensation electronic filing system, satisfies the requirements for
32 signing. A pleading, motion or other ~~paper~~ document provided for by the
33 workers compensation act of any party who is not represented by an
34 attorney shall be signed by the party in writing or electronically, when
35 utilizing the workers compensation electronic filing system, and shall state
36 the party's name, address, telephone number, fax number and email
37 address, if applicable.

38 (b) Except when otherwise specifically provided by rule and
39 regulation of the director, pleadings need not be verified or accompanied
40 by an affidavit. The signature of a person constitutes a certificate by the
41 person; (1) That the person has read the pleadings; (2) that to the best of
42 the person's knowledge, information and belief formed after reasonable
43 inquiry, the pleading is well grounded in fact and is warranted by existing

After implementation by rules and regulations by the director,