

The House Committee on Industrial Relations offers the following substitute to HB 1155:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, so as to provide that the State Board of Workers' Compensation shall provide certain data to state and federal government entities as authorized by law; to change certain provisions relating to certification or licensing of rehabilitation suppliers; to remove the requirement that income benefit checks must be drawn on a Georgia depository; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, is amended by striking in its entirety subsection (b) of Code Section 34-9-12, relating to employer's record of injuries, and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) The records of the board, insofar as they refer to accidents, injuries, and settlements, shall not be open to the public but only to the parties satisfying the board of their interest in such records and their right to inspect them. The board shall provide data contained on Employers' First Report of Injury forms reporting fatalities to the Georgia Department of Labor and the United States Department of Labor for use in the Census of Fatal Occupational Injuries Program. The board shall provide data to such other state and federal governmental entities or departments as required by law. Under such reasonable rules and regulations as the board may adopt, the records of the board as to any employee in any previous case in which such employee was a claimant shall be open to and made available to such claimant, to an employer or its insurance carrier which is called upon to pay compensation, medical expenses, or funeral expenses, and to any party at interest, except that the board may make such reasonable charge as it deems proper for furnishing information by mail and for copies of records."

SECTION 2.

Said chapter is further amended by striking subsection (f) of Code Section 34-9-200.1, relating to rehabilitation benefits, and inserting in lieu thereof a new subsection (f) to read as follows:

"(f) Any rehabilitation supplier shall ~~hold one of the following certifications or licenses:~~

have a certification or license as set forth by board rule

~~(1) Certified Rehabilitation Counselor (CRC);~~

~~(2) Certified Disability Management Specialist (CDMS);~~

~~(3) Certified Rehabilitation Registered Nurse (CRRN);~~

~~(4) Work Adjustment and Vocational Evaluation Specialist (WAVES); or~~

~~(5) Licensed Professional Counselor (LPC)~~

and shall be registered with the State Board of Workers' Compensation. The board shall have the authority to refuse to register an applicant as a rehabilitation supplier, to remove a rehabilitation supplier from a case, to require corrective actions of a rehabilitation supplier, to assess penalties as provided under Code Section 34-9-18 against a rehabilitation supplier, or to suspend or revoke the board registration of a rehabilitation supplier for failure to comply with this chapter or the rules and regulations of the board or the standards of ethics of the applicable licensing or certifying body. Revocation of registration shall be determined in a hearing before an administrative law judge and an adverse decision may be appealed as provided under Code Sections 34-9-103 and 34-9-105. The board ~~may~~ shall establish by rule based upon recognized qualifications, educational standards, and competency in the field of rehabilitation suppliers, as determined and set out by the board, those persons who will be authorized to provide rehabilitation services to injured employees under this chapter."

SECTION 3.

Said chapter is further amended by striking in its entirety subsection (a) of Code Section 34-9-221, relating to the payment of income benefits, and inserting in lieu thereof the following:

"(a) Income benefits shall be paid periodically, promptly, and directly to the person entitled thereto, without an award, except where liability is controverted by the employer. ~~Where the claimant's address of record is in Georgia, payment~~ Payments shall be made by ~~electronic funds transfer upon agreement of the parties,~~ in cash, ~~or by negotiable instrument, or, upon agreement of the parties, by electronic funds transfer drawn on a~~ Georgia depository, except where an application for exception is made to the State Board of Workers' Compensation and the applicant demonstrates that reasonable methods of payment exist that will assure the timely receipt of payment of compensation benefits to

1 ~~the claimant. All applicants must meet the permitting requirements of subsection (b) of~~
2 ~~Code Section 34-9-131 or of Code Section 34-9-127."~~

3 **SECTION 4.**

4 All laws and parts of laws in conflict with this Act are repealed.