

CHAPTER 23

LABOR AND INDUSTRY

HOUSE BILL 01-1116

BY REPRESENTATIVE(S) Paschall and Marshall;
also SENATOR(S) Takis and Hernandez.

AN ACT

CONCERNING CIRCUMSTANCES IN WHICH AN INDEPENDENT MEDICAL EXAMINER MAY BE SELECTED.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-43-203 (2) (b) (II), Colorado Revised Statutes, is amended to read:

8-43-203. Notice concerning liability - notice to claimant. (2) (b) (II) An admission of liability for final payment of compensation shall include a statement that this is the final admission by the workers' compensation insurance carrier in the case, that the claimant may contest this admission if the claimant feels entitled to more compensation, to whom the claimant should provide written objection, and notice to the claimant that the case will be automatically closed as to the issues admitted in the final admission if the claimant does not, within thirty days after the date of the final admission, contest the final admission in writing and request a hearing on any disputed issues that are ripe for hearing, including the selection of an independent medical examiner pursuant to section 8-42-107.2 if an independent medical examination has not already been conducted. HOWEVER, IF AN INDEPENDENT MEDICAL EXAMINATION IS REQUESTED PURSUANT TO SECTION 8-42-107.2, THE REQUEST FOR HEARING ON DISPUTED ISSUES THAT ARE RIPE FOR HEARING NEED NOT BE FILED UNTIL AFTER COMPLETION OF THE DIVISION'S INDEPENDENT MEDICAL EXAMINATION. THE RESPONDENTS SHALL HAVE THIRTY DAYS AFTER THE DATE OF MAILING OF THE REPORT FROM THE DIVISION'S INDEPENDENT MEDICAL EXAMINER TO FILE A REVISED FINAL ADMISSION OR TO FILE AN APPLICATION FOR HEARING. THE CLAIMANT SHALL HAVE THIRTY DAYS AFTER THE DATE RESPONDENTS FILE THE REVISED FINAL ADMISSION OR APPLICATION FOR HEARING TO FILE AN APPLICATION OR RESPONSE FOR HEARING ON ANY ISSUES THAT ARE RIPE FOR HEARING. THE REVISED FINAL ADMISSION SHALL CONTAIN THE STATEMENT REQUIRED BY THIS SUBPARAGRAPH (II) AND THE PROVISIONS RELATING TO CONTESTING THE REVISED FINAL ADMISSION

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SHALL APPLY. When the final admission is predicated upon medical reports, such reports shall accompany the final admission.

SECTION 2. Effective date - applicability. This act shall take effect upon passage and shall apply to final admissions issued on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 11, 2001