



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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<b>Drafting Number:</b>	LLS 21-0757	<b>Date:</b>	March 31, 2021
<b>Prime Sponsors:</b>	Sen. Rodriguez Rep. Woodrow	<b>Bill Status:</b>	Senate Business
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**Bill Topic:** **WORKERS' COMPENSATION PHYSICIAN**

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**Summary of Fiscal Impact:**

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill modifies the selection process for a treating physician in a workers' compensation case. It will increase state workload and may increase state and local expenditures on an ongoing basis.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** The fiscal note reflects the introduced bill.

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## Summary of Legislation

Under current law, when a worker is injured on the job, the worker's employer or worker's compensation insurer is required to provide a list of designated providers from which the injured worker may select a physician or corporate medical provider for treatment. This bill allows the injured worker to choose their treating physician from any level I or level II accredited physician from the Physician's Accreditation Program in the Division of Workers' Compensation in the Department of Labor and Employment. If an injured worker is unable or unwilling to select the treating physician, the employer or insurer is required to choose the physician.

## State Expenditures

The bill will increase state workload in the Department of Labor and Employment and the Department of Regulatory Agencies, and may increase expenditures the Department of Personnel and Administration beginning in FY 2021-22.

**Department of Labor and Employment.** The Division of Workers' Compensation will conduct rulemaking to reflect the change in the Workers' Compensation Rules of Procedure. The division director will also need to prescribe an authorized treating physician designation form. This increase in workload can be accomplished within existing appropriations.

**Department of Regulatory Agencies.** The Division of Professions and Occupations will conduct outreach and education to physicians and respond to any new complaints. This increase in workload can be accomplished within existing appropriations.

**Department of Personnel and Administration.** Any increase in workers' compensation costs is expected to be minimal as the bill requires the choice of a Level I and II certified physician and these physicians are familiar with workers' compensation and the requirements of all the involved parties. For informational purposes, state workers' compensation claims are primarily filed by the employees with Colorado State Patrol, the Department of Human Services, and the Department of Corrections. Any adjustment to state workers' compensation costs will be made through the annual budget process based on an actuarial analysis of actual claims and payments made.

## **Local Government.**

Like the state, this bill may increase workers' compensation costs for local governments, but any increase is expected to be minimal.

## **Effective Date**

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## **State and Local Government Contacts**

Information Technology  
Personnel

Labor  
Regulatory Agencies

Law