

CHAPTER 284

LABOR AND INDUSTRY

HOUSE BILL 05-1213

BY REPRESENTATIVE(S) Buescher, Hall, Plant, and Butcher;
also SENATOR(S) Owen, Keller, and Tapia.

AN ACT

CONCERNING THE REPEAL OF REQUIREMENTS FOR THE COLLECTION OF CERTAIN STATISTICS RELATED TO THE WORKERS' COMPENSATION SYSTEM, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Repeal. 8-44-113, Colorado Revised Statutes, is repealed as follows:

8-44-113. Data from insurance carriers and self-insured employers related to workers' compensation - studies related to workers' compensation system.

~~(1) (a) Beginning July 1, 2005, the director shall work with the commissioner of insurance, who shall promulgate rules for the purpose of collecting data and statistics regarding the workers' compensation system of Colorado and insurance companies covering such risk. The rules shall provide for the collection of statistics from licensed insurance carriers and Pinnacol Assurance concerning the costs of providing benefits pursuant to articles 40 to 47 of this title. The data collected pursuant to this paragraph (a) shall be for the confidential use of the commissioner and employees of the division of insurance. Any person who releases confidential data obtained under this paragraph (a) commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

~~(b) Repealed:~~

~~(c) Beginning July 1, 2005, the commissioner of insurance shall have the authority to suspend or revoke the license or authority of any insurance carrier who does not fully comply with the commissioner's data collection rules promulgated pursuant to this section:~~

~~(2) and (3) (Deleted by amendment, L. 93, p. 1276, § 1, effective June 6, 1993.)~~

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

~~(4) (a) Self-insured employers shall continue under the authority of the executive director as provided in part 2 of this article.~~

~~(b) Beginning July 1, 2005, the executive director annually shall collect data from self-insured employers comparable to the data collected from insurers by the commissioner of insurance for purposes of updating the 1993 Colorado workers' compensation closed claim study. The general assembly intends that this data collection requirement be no more burdensome than necessary and that each element of the data collected and all elements of data be no more inclusive than the corresponding element of data and all elements collected by the commissioner of insurance. In addition:~~

~~(I) Elements of data required to be collected pursuant to this paragraph (b) that have been previously reported by self-insured employers to the executive director shall be extracted from the department's data base and forwarded to the commissioner rather than required to be reported pursuant to this section.~~

~~(II) Data shall be collected on closed indemnity claims only.~~

~~(III) Data shall be collected annually on November 15 of each year.~~

~~(IV) Data shall be collected on a random-sample basis. The number of claims selected for data collection shall be no greater than that established by the commissioner for purposes of the report pursuant to this paragraph (b).~~

~~(5) and (6) Repealed.~~

SECTION 2. Appropriation in the 2005 long bill to be adjusted. For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2005 shall be adjusted as follows: The cash fund appropriation to the department of regulatory agencies, division of insurance, for workers' compensation studies, from the workers' compensation cash fund created in section 8-44-112 (7) (a), Colorado Revised Statutes, is decreased by seventy-five thousand dollars (\$75,000).

SECTION 3. Effective date. This act shall take effect July 1, 2005.

SECTION 4. 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: June 3, 2005