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State of Montana
Office of the Governor



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Executive Order No. 13-97

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EXECUTIVE ORDER CREATING THE
WORKERS' COMPENSATION REGULATION ADVISORY COUNCIL

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WHEREAS, the purpose of the workers' compensation system is to provide speedily obtainable benefits to injured workers at a reasonable cost to employers, to return injured workers to work as soon as possible, and to have a system that minimizes reliance on lawyers and the courts to obtain benefits and interpret liabilities; and

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WHEREAS, the workers' compensation system in Montana has undergone significant change over the past decade; and

WHEREAS, benefit reform, fraud control, safety awareness, medical cost containment, and workers' compensation data management efforts have been implemented; and

WHEREAS, a competitive insurance marketplace has been restored and workers' compensation rates have been reduced; and

WHEREAS, it is critical to all Montanans that we hold the gains we have made in reforming our system; and

WHEREAS, a sound and effective regulatory program is needed to ensure our workers' compensation system is fair, effective

1 and efficient.

2 NOW, THEREFORE, I, MARC RACICOT, Governor of the State of
3 Montana, pursuant to the authority vested in me by the laws and
4 Constitution of the State of Montana, and specifically pursuant
5 to 2-15-122, MCA, do hereby create the Workers' Compensation
6 Regulation Advisory Council.

7 I. PURPOSE

8 The Council shall:

- 9 a. review our state's current workers' compensation
10 regulatory system, and the systems of other state programs;
11 b. identify the mission and goals of a regulatory system
12 that promotes fairness, effectiveness and efficiency in the
13 workers' compensation system, using broad input and
14 national benchmarks as appropriate;
15 c. describe what regulatory activities and programs are
16 needed to meet the mission and goals, and what funding
17 mechanisms should be used to support those activities;
18 d. recommend what legislative and executive actions would
19 be needed to implement those goals, activities, and funding
20 strategies agreed to by the Council.

21 II. COMPOSITION

22 The Council shall consist of at least 10 but not more
23 than 19 members who shall serve at the pleasure of the
24 Governor. The members shall include but not be limited to
25 representatives of:

- 26 * Workers' Compensation Insurers;
27 * Insured and Self-Insured Employers;

- 1 * Organized Labor;
- 2 * The Montana Chamber of Commerce;
- 3 * The Montana Hospital Association;
- 4 * The Montana Medical Association;
- 5 * The Department of Labor and Industry;
- 6 * The Montana Senate;
- 7 * The Montana House of Representatives; and
- 8 * The Public.

9 The names and addresses of members are submitted by
10 separate letter to the Secretary of State and the Department of
11 Labor and Industry. The Governor shall appoint the Chairman and
12 Vice-Chairman of the Council.

13 III. COMPENSATION

14 Council members may be compensated by the Department of
15 Labor and Industry as provided by section 2-15-122(5), MCA.

16 IV. STAFF ASSISTANCE

17 The Council shall be staffed by the Department of Labor and
18 Industry as directed by the Commissioner of the Department.

19 V. DURATION

20 This Council shall exist until December 31, 1998, unless
21 extended by subsequent executive order. This order is effective
22 immediately.

23 GIVEN under my hand and the GREAT
24 SEAL of the State of Montana,
25 this 24th day of July, 1997.

26 Marc Racicot
27 MARC RACICOT, Governor

28 ATTEST:

29 Mike Cooney
30 MIKE COONEY, Secretary of State
31 by Justice Sowell, Deputy