

HB 802 INTRODUCED BY RAPP-SVRCEK, ET AL.
REVISE PROCESSING PROCEDURE FOR WORKERS'
COMPENSATION PLAN NO. 3

2/17 INTRODUCED
2/17 REFERRED TO BUSINESS & LABOR
2/17 FISCAL NOTE REQUESTED
2/19 HEARING
2/19 TABLED IN COMMITTEE
2/24 FISCAL NOTE RECEIVED

1 House BILL NO. 802
2 INTRODUCED BY Roger Swartz Blakes
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE WORKERS'
5 COMPENSATION DIVISION TO PROCESS ALL CURRENT PLAN NO. 3
6 CLAIMS WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS ACT AND
7 TO MAKE INITIAL CONTACT WITH A CLAIMANT WITHIN 5 WORKING
8 DAYS OF RECEIPT OF A CLAIM; PROVIDING AN APPROPRIATION;
9 AMENDING SECTION 39-71-604, MCA; AND PROVIDING AN IMMEDIATE
10 EFFECTIVE DATE."
11

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 NEW SECTION. Section 1. Processing of current
14 workers' compensation claims. (1) Within 90 days of the
15 effective date of this act, the workers' compensation
16 division shall complete the processing of all claims for
17 benefits made under the Workers' Compensation Act plan No. 3
18 that have been filed and for which the state fund is liable.

19 (2) The division shall employ sufficient temporary
20 personnel to allow it to implement subsection (1).

21 Section 2. Section 39-71-604, MCA, is amended to read:

22 "39-71-604. Application for compensation. (1) Where a
23 worker is entitled to benefits under this chapter, the
24 worker shall file with the insurer or the division all
25 reasonable information needed by the insurer to determine

1 compensability. It is the duty of the worker's attending
2 physician to lend all necessary assistance in making
3 application for compensation and such proof of other matters
4 as may be required by the rules of the division without
5 charge to the worker. The filing of forms or other
6 documentation by the attending physician does not constitute
7 a claim for compensation.

8 (2) Where death results from an injury, the parties
9 entitled to compensation or someone in their behalf shall
10 file a claim with the insurer or the division. The claim
11 must be accompanied with proof of death and proof of
12 relationship, showing the parties entitled to compensation,
13 certificate of the attending physician, if any, and such
14 other proof as may be required by the division.

15 (3) Within 5 working days of receipt of a claim for
16 compensation, the division shall make an initial contact
17 with the worker regarding the claim."

18 NEW SECTION. Section 3. Appropriation. There is
19 appropriated from the state special revenue fund an amount
20 sufficient to implement section 1.

21 NEW SECTION. Section 4. Extension of authority. Any
22 existing authority of the division of workers' compensation
23 to make rules on the subject of the provisions of this act
24 is extended to the provisions of this act.

25 NEW SECTION. Section 5. Effective date. This act is



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INTRODUCED BILL
HB-802

LC 0921/01

1 effective on passage and approval.

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