

HOUSE JOINT RESOLUTION 33

Introduced by Grimes, et al.

4/17	Introduced
4/17	Referred to Business & Economic Development
4/17	First Reading
4/19	Hearing
4/19	Committee Report--Bill Passed as Amended
4/20	2nd Reading Passed
4/21	3rd Reading Passed
	Transmitted to Senate
4/21	First Reading
4/21	Referred to Workers' Compensation Select Committee
4/22	Hearing
4/22	Committee Report--Bill Concurred as Amended
4/24	2nd Reading Concurred
4/24	3rd Reading Concurred
	Returned to House with Amendments
4/24	2nd Reading Amendments Concurred
4/24	3rd Reading Amendments Concurred
4/28	Signed by Speaker
4/28	Signed by President
4/29	Filed with Secretary of State

1 House JOINT RESOLUTION NO. 33
2 INTRODUCED BY Jimie Benedict
3 HARP Emil Halbur Forrest
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
6 INTERIM STUDY OF 24-HOUR HEALTH CARE COVERAGE AND OTHER
7 ALTERNATIVES TO THE PRESENT WORKERS' COMPENSATION SYSTEM;
8 AND REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE
9 54TH LEGISLATURE.

10
11 WHEREAS, rising medical costs are contributing to the
12 problems in the workers' compensation system and have
13 outpaced increases in the general health care system; and

14 WHEREAS, the workers' compensation system could
15 incorporate many of the cost-containment measures found in
16 private health insurance plans in order to hold down costs
17 and still provide the necessary medical coverage to workers;
18 and

19 WHEREAS, there is a national movement toward health care
20 reform that could include mandated employer-provided
21 coverage and government participation in health care
22 coverage and that could include other reforms that may have
23 certain cost-containment advantages but that may also have
24 duplicative coverage and overlapping benefits and
25 administrative needs with the workers' compensation system;

1 and

2 WHEREAS, other disability programs, including Social
3 Security and programs providing assistance for long-term
4 disability, combined with the passage of the Americans with
5 Disabilities Act of 1990, bring forth other issues that may
6 indicate the need for more comprehensive health care
7 coverage; and

8 WHEREAS, 24-hour coverage is currently under study in
9 many states as an alternative system for providing cash,
10 medical benefits, or both, to injured workers; and

11 WHEREAS, 24-hour coverage could remove many medical
12 issue disputes by providing no-fault medical coverage
13 without affecting other workers' compensation benefits; and

14 WHEREAS, there are many forms of 24-hour coverage that
15 could be explored, including combining workers' compensation
16 and group health insurance claims, while maintaining
17 separate policies, combining work-related and
18 nonwork-related coverage in the same policy, examining
19 employer and worker participation in health care coverage
20 and employer participation in disability coverage, and
21 examining other forms to be explored.

22
23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
24 OF REPRESENTATIVES OF THE STATE OF MONTANA:

25 That the Legislative Council assign an appropriate

interim committee to study the feasibility of a 24-hour health care coverage program in lieu of the medical portion of workers' compensation and any necessary corresponding changes in liability coverage and that the study include:

(1) the impact, advantages, and disadvantages to Montana businesses, the existing workers' compensation fund and insurers, and health care initiatives;

(2) possible coordination with any national and state health care reform or with existing health care programs, such as managed care networks;

(3) possible integration with other disability programs, such as Social Security;

(4) a review of the effects of the Americans with Disabilities Act of 1990 on the needs of the workers' compensation system;

(5) a review of the other states that have explored 24-hour health care coverage, such as Florida, Maine, California, Iowa, Colorado, Missouri, Georgia, and Oregon;

(6) an exploration of any pilot projects that could be implemented in Montana;

(7) a review of funding sources available for pilot projects and for other means of implementing workers' compensation alternatives;

(8) a review of the practical and legal problems, such as federal preemption of the Employee Retirement Income

Security Act of 1974 (ERISA), and the exclusive remedy component;

(9) a review of options to provide incentives for private sector development of specific plans for 24-hour health care coverage;

(10) a summary of the short-term and long-term fiscal impacts of any proposals; and

(11) a review of any studies on 24-hour health care coverage by other workers' compensation departments, the insurance industry, or other groups knowledgeable in health and disability insurance.

BE IT FURTHER RESOLVED, that the committee report the findings of the study, conclusions, and options for legislative consideration to the 54th Legislature.

-End-

APPROVED BY COMM. ON BUSINESS
AND ECONOMIC DEVELOPMENT

HOUSE JOINT RESOLUTION NO. 33

INTRODUCED BY GRIMES, BENEDICT, DRISCOLL, HARP, EWER,
HIBBARD, FORRESTER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
INTERIM STUDY OF 24-HOUR HEALTH CARE COVERAGE AND OTHER
ALTERNATIVES TO THE PRESENT WORKERS' COMPENSATION SYSTEM;
AND REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE
54TH LEGISLATURE.

WHEREAS, rising medical costs are contributing to the
problems in the workers' compensation system and have
outpaced increases in the general health care system; and

WHEREAS, the workers' compensation system could
incorporate many of the cost-containment measures found in
private health insurance plans in order to hold down costs
and still provide the necessary medical coverage to workers;
and

WHEREAS, there is a national movement toward health care
reform that could include mandated employer-provided
coverage and government participation in health care
coverage and that could include other reforms that may have
certain cost-containment advantages but that may also have
duplicative coverage and overlapping benefits and

administrative needs with the workers' compensation system;
and

WHEREAS, other disability programs, including Social
Security and programs providing assistance for long-term
disability, combined with the passage of the Americans with
Disabilities Act of 1990, bring forth other issues that may
indicate the need for more comprehensive health care
coverage; and

WHEREAS, 24-hour coverage is currently under study in
many states as an alternative system for providing cash,
medical benefits, or both, to injured workers; and

WHEREAS, 24-hour coverage could remove many medical
issue disputes by providing no-fault medical coverage
without affecting other workers' compensation benefits; and

WHEREAS, there are many forms of 24-hour coverage that
could be explored, including combining workers' compensation
and group health insurance claims, while maintaining
separate policies, combining work-related and
nonwork-related coverage in the same policy, examining
employer and worker participation in health care coverage
and employer participation in disability coverage, and
examining other forms to be explored.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
OF REPRESENTATIVES OF THE STATE OF MONTANA:

1 ~~That the legislative Council assign an appropriate~~ A
2 SPECIAL JOINT interim committee BE ESTABLISHED to study the
3 feasibility of a 24-hour health care coverage program in
4 lieu of the medical portion of workers' compensation and any
5 necessary corresponding changes in liability coverage and
6 that the study include:

7 (1) the impact, advantages, and disadvantages to
8 Montana businesses, the existing workers' compensation fund
9 and insurers, and health care initiatives;

10 (2) possible coordination with any national and state
11 health care reform or with existing health care programs,
12 such as managed care networks;

13 (3) possible integration with other disability
14 programs, such as Social Security;

15 (4) a review of the effects of the Americans with
16 Disabilities Act of 1990 on the needs of the workers'
17 compensation system;

18 (5) a review of the other states that have explored
19 24-hour health care coverage, such as Florida, Maine,
20 California, Iowa, Colorado, Missouri, Georgia, and Oregon;

21 (6) an exploration of any pilot projects that could be
22 implemented in Montana;

23 (7) a review of funding sources available for pilot
24 projects and for other means of implementing workers'
25 compensation alternatives;

1 (8) a review of the practical and legal problems, such
2 as federal preemption of the Employee Retirement Income
3 Security Act of 1974 (ERISA), and the exclusive remedy
4 component;

5 (9) a review of options to provide incentives for
6 private sector development of specific plans for 24-hour
7 health care coverage;

8 (10) a summary of the short-term and long-term fiscal
9 impacts of any proposals; and

10 (11) a review of any studies on 24-hour health care
11 coverage by other workers' compensation departments, the
12 insurance industry, or other groups knowledgeable in health
13 and disability insurance.

14 BE IT FURTHER RESOLVED, that the committee report the
15 findings of the study, conclusions, and options for
16 legislative consideration to the 54th Legislature.

-End-

HOUSE JOINT RESOLUTION NO. 33

INTRODUCED BY GRIMES, BENEDICT, DRISCOLL, HARP, EWER,
HIBBARD, FORRESTER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
INTERIM STUDY OF 24-HOUR HEALTH CARE COVERAGE AND OTHER
ALTERNATIVES TO THE PRESENT WORKERS' COMPENSATION SYSTEM;
AND REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE
54TH LEGISLATURE.

WHEREAS, rising medical costs are contributing to the
problems in the workers' compensation system and have
outpaced increases in the general health care system; and

WHEREAS, the workers' compensation system could
incorporate many of the cost-containment measures found in
private health insurance plans in order to hold down costs
and still provide the necessary medical coverage to workers;
and

WHEREAS, there is a national movement toward health care
reform that could include mandated employer-provided
coverage and government participation in health care
coverage and that could include other reforms that may have
certain cost-containment advantages but that may also have
duplicative coverage and overlapping benefits and

administrative needs with the workers' compensation system;
and

WHEREAS, other disability programs, including Social
Security and programs providing assistance for long-term
disability, combined with the passage of the Americans with
Disabilities Act of 1990, bring forth other issues that may
indicate the need for more comprehensive health care
coverage; and

WHEREAS, 24-hour coverage is currently under study in
many states as an alternative system for providing cash,
medical benefits, or both, to injured workers; and

WHEREAS, 24-hour coverage could remove many medical
issue disputes by providing no-fault medical coverage
without affecting other workers' compensation benefits; and

WHEREAS, there are many forms of 24-hour coverage that
could be explored, including combining workers' compensation
and group health insurance claims, while maintaining
separate policies, combining work-related and
nonwork-related coverage in the same policy, examining
employer and worker participation in health care coverage
and employer participation in disability coverage, and
examining other forms to be explored.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
OF REPRESENTATIVES OF THE STATE OF MONTANA:

1 That the ~~Legislative Council~~ assign an appropriate A
 2 SPECIAL JOINT interim committee BE ESTABLISHED to study the
 3 feasibility of a 24-hour health care coverage program in
 4 lieu of the medical portion of workers' compensation and any
 5 necessary corresponding changes in liability coverage and
 6 that the study include:

7 (1) the impact, advantages, and disadvantages to
 8 Montana businesses, the existing workers' compensation fund
 9 and insurers, and health care initiatives;

10 (2) possible coordination with any national and state
 11 health care reform or with existing health care programs,
 12 such as managed care networks;

13 (3) possible integration with other disability
 14 programs, such as Social Security;

15 (4) a review of the effects of the Americans with
 16 Disabilities Act of 1990 on the needs of the workers'
 17 compensation system;

18 (5) a review of the other states that have explored
 19 24-hour health care coverage, such as Florida, Maine,
 20 California, Iowa, Colorado, Missouri, Georgia, and Oregon;

21 (6) an exploration of any pilot projects that could be
 22 implemented in Montana;

23 (7) a review of funding sources available for pilot
 24 projects and for other means of implementing workers'
 25 compensation alternatives;

1 (8) a review of the practical and legal problems, such
 2 as federal preemption of the Employee Retirement Income
 3 Security Act of 1974 (ERISA), and the exclusive remedy
 4 component;

5 (9) a review of options to provide incentives for
 6 private sector development of specific plans for 24-hour
 7 health care coverage;

8 (10) a summary of the short-term and long-term fiscal
 9 impacts of any proposals; and

10 (11) a review of any studies on 24-hour health care
 11 coverage by other workers' compensation departments, the
 12 insurance industry, or other groups knowledgeable in health
 13 and disability insurance.

14 BE IT FURTHER RESOLVED, that the committee report the
 15 findings of the study, conclusions, and options for
 16 legislative consideration to the 54th Legislature.

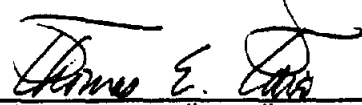
-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 22, 1993

MR. PRESIDENT:

We, your select committee on Workers' Compensation having had under consideration House Joint Resolution No. 33 (third reading copy -- blue), respectfully report that House Joint Resolution No. 33 be amended as follows and as so amended be concurred in.

Signed: 
Senator Thomas E. "Tom" Towe, Chair

That such amendments read:

1. Title, line 8.

Following: "SYSTEM;"

Insert: "AND A REVIEW OF WORKERS' COMPENSATION LEGISLATION PASSED
BY THE 53RD LEGISLATURE;"

2. Page 3, line 1.

Strike: "A"

Insert: "the Legislative Council assign an appropriate"

3. Page 3, line 2.

Strike: "SPECIAL JOINT"

Strike: "BE ESTABLISHED"

4. Page 3, line 8.

Following: "businesses,"

Insert: "Montana workers,"

5. Page 4, line 9.

Strike: "and"


6. Page 4, line 13.

Strike: "."

Insert: "; and

(12) a review of the safety program created under Senate Bill No. 163, the fraud program created under Senate Bill No. 164, the cost containment program created under Senate Bill No. 347, and other programs created and improved by legislation adopted in the 53rd session."

-END-

m- Amd. Coord.
 Sec. of Senate


Senator Carrying Bill

HJR 33
SENATE

HOUSE JOINT RESOLUTION NO. 33

INTRODUCED BY GRIMES, BENEDICT, DRISCOLL, HARP, EWER,
HIBBARD, FORRESTER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
INTERIM STUDY OF 24-HOUR HEALTH CARE COVERAGE AND OTHER
ALTERNATIVES TO THE PRESENT WORKERS' COMPENSATION SYSTEM AND
A REVIEW OF WORKERS' COMPENSATION LEGISLATION PASSED BY THE
53RD LEGISLATURE; AND REQUIRING A REPORT OF THE FINDINGS OF
THE STUDY TO THE 54TH LEGISLATURE.

WHEREAS, rising medical costs are contributing to the
problems in the workers' compensation system and have
outpaced increases in the general health care system; and

WHEREAS, the workers' compensation system could
incorporate many of the cost-containment measures found in
private health insurance plans in order to hold down costs
and still provide the necessary medical coverage to workers;
and

WHEREAS, there is a national movement toward health care
reform that could include mandated employer-provided
coverage and government participation in health care
coverage and that could include other reforms that may have
certain cost-containment advantages but that may also have

duplicative coverage and overlapping benefits and
administrative needs with the workers' compensation system;
and

WHEREAS, other disability programs, including Social
Security and programs providing assistance for long-term
disability, combined with the passage of the Americans with
Disabilities Act of 1990, bring forth other issues that may
indicate the need for more comprehensive health care
coverage; and

WHEREAS, 24-hour coverage is currently under study in
many states as an alternative system for providing cash,
medical benefits, or both, to injured workers; and

WHEREAS, 24-hour coverage could remove many medical
issue disputes by providing no-fault medical coverage
without affecting other workers' compensation benefits; and

WHEREAS, there are many forms of 24-hour coverage that
could be explored, including combining workers' compensation
and group health insurance claims, while maintaining
separate policies, combining work-related and
nonwork-related coverage in the same policy, examining
employer and worker participation in health care coverage
and employer participation in disability coverage, and
examining other forms to be explored.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE

OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the ~~Legislative Council assign an appropriate~~ A THE
LEGISLATIVE COUNCIL ASSIGN AN APPROPRIATE SPECIAL--JOINT
interim committee ~~BE-ESTABLISHED~~ to study the feasibility of
a 24-hour health care coverage program in lieu of the
medical portion of workers' compensation and any necessary
corresponding changes in liability coverage and that the
study include:

(1) the impact, advantages, and disadvantages to
Montana businesses, MONTANA WORKERS, the existing workers'
compensation fund and insurers, and health care initiatives;

(2) possible coordination with any national and state
health care reform or with existing health care programs,
such as managed care networks;

(3) possible integration with other disability
programs, such as Social Security;

(4) a review of the effects of the Americans with
Disabilities Act of 1990 on the needs of the workers'
compensation system;

(5) a review of the other states that have explored
24-hour health care coverage, such as Florida, Maine,
California, Iowa, Colorado, Missouri, Georgia, and Oregon;

(6) an exploration of any pilot projects that could be
implemented in Montana;

(7) a review of funding sources available for pilot

projects and for other means of implementing workers'
compensation alternatives;

(8) a review of the practical and legal problems, such
as federal preemption of the Employee Retirement Income
Security Act of 1974 (ERISA), and the exclusive remedy
component;

(9) a review of options to provide incentives for
private sector development of specific plans for 24-hour
health care coverage;

(10) a summary of the short-term and long-term fiscal
impacts of any proposals; and

(11) a review of any studies on 24-hour health care
coverage by other workers' compensation departments, the
insurance industry, or other groups knowledgeable in health
and disability insurance; AND

(12) A REVIEW OF THE SAFETY PROGRAM CREATED UNDER SENATE
BILL NO. 163, THE FRAUD PROGRAM CREATED UNDER SENATE BILL
NO. 164, THE COST CONTAINMENT PROGRAM CREATED UNDER SENATE
BILL NO. 347, AND OTHER PROGRAMS CREATED AND IMPROVED BY
LEGISLATION ADOPTED IN THE 53RD SESSION.

BE IT FURTHER RESOLVED, that the committee report the
findings of the study, conclusions, and options for
legislative consideration to the 54th Legislature.

-End-