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PROPOSED LEGISLATIVE CHANGES TO KRS 342

HB 296 filed by A. Koenig, B. Rowland, J. DeCesare, M. Dossett

This is a big one, with several proposed changes that will drastically affect claims handling and values, particularly on medical expenses area. We suggest that you click on the link to the proposed bill to see that proposed changes in full display. Again, please remember that this is proposed legislation.

This bill provides, *inter alia*, and among other changes:

- A limit on the obligation to pay medical expenses indefinitely for certain permanent partial disabilities to 780 weeks, or 15 years;
- For older injured workers, a limit to benefits to age 70, or four years after date of injury, whichever is later, except for total permanent total awards involving prosthetic devices;
- Limiting the number of urine drugs screens for which an employer is obligated to pay;
- Requiring the Commissioner to develop and adopt and implement guidelines and a pharmaceutical formulary;
- Reduce interest paid on awards;
- Clarify that the four-year reopening window begins only from the date of the original order granting or denying benefits;
- Providing a statute of repose for cumulative trauma claims;
- Allowing payment of TTD benefits to be offset for net wages paid to an employee during a period of light-duty work or work in an alternative job position;
- Changes in attorney fees and subrogation recovery.

(Click here to view the proposed legislation)