



# Kentucky Legislature

**HB2**

**18RS**

**WWW Version**

**The hyperlink to a bill draft that precedes a summary contains the most recent version (Introduced/GA/Enacted) of the bill. If the session has ended, the hyperlink contains the latest version of the bill at the time of sine die adjournment. Note that the summary pertains to the bill as introduced, which is often different from the most recent version.**

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HB 2/LM (BR 244) - [A. Koenig](#), [B. Rowland](#), [M. Castlen](#), [J. DeCesare](#), [T. Herald](#), [D. St. Onge](#), [S. Wells](#)

AN ACT relating to workers' compensation.

Amend KRS 342.020 to limit the time period of payment of medical expenses for certain permanent partial disabilities to 780 weeks but provide a mechanism to apply for extended benefits; limit the number of drug screens for which the employer will be liable; amend KRS 342.035 to specify circumstances upon which utilization review can be waived; mandate promulgation of treatment guidelines and a pharmaceutical formulary; clarify that a fee shall not be charged when an injured worker requests the initial copy of medical records; amend KRS 342.040 to indicate that interest will not accrue when the delay in payment of benefits was caused by the employee; amend KRS 342.125 to clarify that the four-year period in which to reopen a claim begins on the date of the original order granting or denying benefits and that subsequent orders granting or denying benefits shall not be considered an original order; amend KRS 342.185 to indicate that an application for adjustment of claim for compensation for a cumulative trauma injury must be made within five years of the last injurious exposure to the cumulative trauma; amend KRS 342.270 to require commissioner of Department of Workers' Claims to promulgate regulations establishing procedures for resolution of claims; amend KRS 342.315 to include pulmonary specialist as an examiner; amend KRS 342.316 to change procedure for filing occupational disease claims; amend KRS 342.320 to change calculation of attorney fees and increase limitation on amount of fees; amend KRS 342.610 to indicate that the employee must show that the voluntary introduction of a substance into his or her body that causes a disturbance of mental or physical capacities was not the proximate cause of his or her injury; amend KRS 342.700 to allow the recovery in subrogation of indemnity and medical expenses paid to or on behalf of the employee, less a pro rata share of the employee's legal expenses; amend KRS 342.730 to increase average weekly wage caps; set time limits for total disability benefits paid to certain professional athletes; allow payment of temporary total disability benefits to be offset by gross income minus applicable taxes paid to an employee during a period of

light-duty work or work in an alternative job position; provide an offset against temporary total disability benefits for salary continuation or wholly employer-funded disability retirement plans; indicate that benefits shall terminate when a plaintiff reaches age 67 or two years after the date of injury, whichever shall last occur; amend KRS 342.7305 to require employment for a minimum of one year in order to be the responsible employer in a hearing loss claim; amend KRS 342.732 to set forth parameters for retraining; delete provisions of KRS 342.792 requiring the commissioner of Department of Workers' Claims to adopt regulations regarding the "B" reader process; amend KRS 342.794 to require commissioner of Department of Workers' Claims to maintain a list of "B" readers who are pulmonary specialists; amend KRS 342.990 to conform; specify the applicability of substantive changes to claims arising on or after effective date of Act and remedial changes to all claims irrespective of injury date.

Feb 12, 2018 - introduced in House

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