

Minutes
Labor-Management Advisory Council Telephone Conference
February 3, 2017

Advisory Council and Subcommittee members present:

Al Smith, Montana Trial Lawyers Association
Don Judge, Injured Workers Resource Council
Larry Jones, Montana Self-Insureds Association
Lance Zanto, Workers' Compensation Management Bureau
Vicky Byrd, Montana Nurses Association

Advisory Council and Subcommittee members via telephone:

Kevin Braun, Montana State Fund
Jim Larson, Teamsters Local 190
Bill Dahlgren, Sun Mountain Sports

Others Present:

Eric Strauss, ERD Administer
Jason Swant, Project Manager
Mark Cadwallader, Legal Counsel Department of Labor and Industry
Eric Anderson, Teamsters Local No. 190

Welcome and Introductions:

Larry Jones was proxy for Annette Hoffman and Marvin Jordan
Jim Larson was proxy for Doug Buman

II. Approval of Agenda and Previous Minutes

The minutes from the January 27, 2017 meeting and agenda were approved.

III. 2017 Workers' Compensation Legislation – Eric Straus

Introduced bills being monitored:

HB 268: Create offense related to assault on healthcare and emergency providers. The bill was tabled in committee. Vicky Byrd advised of applying pressure to get it back including posting a flyer showing public support of over 76%

HB 346: Designate fiscal agent as employer for workers' compensation insurance. A hearing will be held February 7, 2017.

HB 358: Revise workers' compensation laws pertaining to release of information. Referred to committee.

SB 72: Create presumptive illness for firefighters. Hearing was held February 3, 2017.

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SB 116: Disallowing workers' compensation benefits for certain false statements. Passed with amendments. Not yet heard on the floor.

SB 142: Revise laws related to volunteer emergency personnel and worker's comp insurance. Voted due pass. Third hearing held February 3, 2017.

SB 184: Revise workers compensation to allow termination of payments due to fraud. A hearing will be held February 10, 2017.

Unintroduced bills being monitored:

LC460: Create presumptive illness under workers' compensation for firefighters

LC1891: Restrict opioid prescriptions

LC1216: Require PSC approval of certain hospital charges

Other Matters:

It was agreed to approach Senator Jeffrey Wellborn as a sponsor for the Drug Formulary bill.

Eric Strauss advised the department's budget hearing was held February 2nd and 3rd and thanked LMAC for their support.

Lance Zanto advised of a concern with physicians not timely responding to submission of the work status form as it pertains to State employees health insurance and questioned if this was a problem in the workers' compensation arena. Jason advised of the time frame for the physicians to respond or payment to them can be withheld.

Discussion also included the shrinking numbers of physicians and the inability of APRN's to sign off for physicians in certain situations. Vicky Byrd advised of the need of global signature authority.

Public Comment

No Public Comment

Next Steps

The meeting was adjourned