

ISSUES FOR CONSIDERATION AT APRIL 19, 2013 WORKERS COMPENSATION TASK FORCE MEETING

This list consists of previously discussed items that were intentionally postponed from last week's meeting, and two new items that were specifically raised by task force members as proposals to be discussed at this Friday's meeting.

- Freeze inflation-based fee increases for medical providers for a period of two years.
- Revise 19 Del.C. § 2379 to require higher level of scrutiny of workplace safety credit inspectors.
- Change Delaware statute to permit payment of total disability benefits to injured workers for a period of 90 days notwithstanding their performance of light duty in the workplace. This recommendation is subject to provisions to be drafted by task force members designed to ensure that the employee's return to the workplace does not prejudice his or her workers compensation claim.
- Change 19 Del.C. §2301E to provide that data received by Data Collection Committee will be transmitted to a third party for analysis.
- Change Delaware statute to require that once an injury is deemed a compensable "lost time" case and an Agreement as to Compensation is entered into by the carrier/employer and the injured worker, the insurance carrier shall send a Modified Duty Availability Report to the employer for completion. The trigger for the Modified Duty Report would no longer be the Physician's Report of Workers' Compensation Injury. Rather, the Agreement becomes the trigger and the responsibility for sending the form to the employer is placed on the carrier.
- Change 19 Del.C. § 2322B(9) to replace existing statutory formula for reimbursement of ambulatory surgical centers with a fee schedule based reimbursement schedule calculated in a manner similar to that created by Sections 2322B(1) through 2322B(4).