



State or Federal Issues Contacts: Please refer to the list of State Relations Executives at the end of this report.

## LEGISLATIVE ACTIVITY—LEGISLATIVE SESSION UPDATES

*This report includes descriptions and/or excerpts of relevant bills that passed the first chamber, passed the second chamber, or were enacted during the specific periods. In addition, a recap of significant legislative and judicial activity impacting the workers compensation system is included in the first report published each month. This report is issued on a weekly basis throughout the legislative season and provides updates on the content of these bills if and when they progress through the legislative process. This report covers bills from states where NCCI provides ratemaking services (see state list under Contact Information) and the US Congress.*

### BILLS ENACTED

The following workers compensation-related bill was enacted within the one-week period ending January 11, 2019.

#### Illinois

**HB 3452** was:

- Passed by the first chamber on March 23, 2017
- Amended and passed by the second chamber on November 14, 2018
- Included in NCCI's December 7, 2018 **Legislative Activity Report** (RLA-2018-37)
- Enacted and effective on January 11, 2019

**HB 3452** amends **section 820 ILCS 305/8.2** of the Illinois Workers' Compensation Act as follows:

**(820 ILCS 305/8.2)**

**Sec. 8.2. Fee schedule.**

...

(d) When a patient notifies a provider that the treatment, procedure, or service being sought is for a work-related illness or injury and furnishes the provider the name and address of the responsible employer, the provider shall bill the employer or its designee directly. The employer or its designee shall make payment for treatment in accordance with the provisions of this Section directly to the provider, except that, if a provider has designated a third-party billing entity to bill on its behalf, payment shall be made directly to the billing entity. Providers shall submit bills and records in accordance with the provisions of this Section.

...

(3) In the case (i) of nonpayment to a provider within 30 days of receipt of the bill which contained substantially all of the required data elements necessary to adjudicate the bill, (ii) of nonpayment to a provider of a portion of such a bill, or (iii) where the provider has not been issued an explanation of benefits for a bill, the bill, or portion of the bill up to the lesser of the actual charge or the payment level set by the Commission in the fee schedule established in this Section, shall incur interest at a rate of 1% per month payable by the employer to the provider. Any required interest payments shall be made by the employer or its insurer to the provider within not later than 30 days after payment of the bill.

(4) If the employer or its insurer fails to pay interest within 30 days after payment of the bill as required pursuant to paragraph (3) this subsection (d), the provider may bring an action in circuit court for the sole purpose of seeking payment of interest pursuant to paragraph (3) enforce the provisions of this subsection (d) against the employer or its insurer responsible for insuring the employer's liability pursuant to item (3) of subsection (a) of Section 4. The circuit court's jurisdiction shall be limited to enforcing payment of interest pursuant to paragraph (3). Interest under paragraph (3) this subsection (d) is only payable to the provider. An employee is not responsible for the payment of interest under this Section. The right to interest under paragraph (3) this subsection (d) shall not delay, diminish, restrict, or alter in any way the benefits to which the employee or his or her dependents are entitled under this Act.

...

### BILLS PASSING SECOND CHAMBER

There were no relevant workers compensation-related bills that passed the second chamber within the one-week period ending January 11, 2019.

### BILLS PASSING FIRST CHAMBER

There were no relevant workers compensation-related bills that passed the first chamber within the one-week period ending January 11, 2019.

### BILLS VETOED BY GOVERNOR

The following workers compensation-related bill was vetoed by the governor within the one-week period ending January 11, 2019.

## Illinois

#### HB 200 was:

- Passed by the first chamber on June 28, 2017
- Included in NCCI's July 7, 2017 *Legislative Activity Report* (RLA-2017-26)
- Amended and passed by the second chamber on November 14, 2018
- Included in NCCI's November 23, 2018 *Legislative Activity Report* (RLA-2018-36)
- Vetoed by the governor on January 11, 2019

**HB 200** amends **section 8.2. Fee schedule** of the Illinois Workers' Compensation Act, concerning a denied claim for a work-related illness or injury, to require the employer or insurer to provide written notification to the provider and to the employee, or his or her designee, in the form of an explanation of benefits that explains the basis for the denial.

### Contact Information

If you have any questions about the legislation or proposals mentioned, please contact the appropriate NCCI state relations executive (listed below) or a representative of your local insurance trade association.

State	State Relations Executive	Phone Number
SC, TN	Amy Quinn	561-893-3812
HI, NM, NV, UT	Brett Barratt	801-401-6464
IL, MO, OK	Carla Townsend	561-893-3819
AZ, KS, KY	Clarissa Preston	561-945-4517
DC, MD, VA, WV	David Benedict	804-380-3005
CO, FL	Dawn Ingham	561-893-3165
IN, NC	Ed Marynowitz	561-893-3611
CT, ME, NH, RI	Justin Moulton	860-969-7903
VT	Laura Backus Hall	802-454-1800
AL, GA, LA, MS	Laura Hart Bryan	225-635-4481
IA, NE, SD	Stephanie Paswaters	303-200-6728
AR, TX	Terri Robinson	501-333-2835
Federal Issues	Tim Tucker	202-403-8526
AK, ID, MT, OR	Todd Johnson	561-893-3814

This report is informational and is not intended to provide an interpretation of state and federal legislation.