
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 367 by Senator Riser

1 AMENDMENT NO. 1

2 On page 1, line 2, change "1142(A)(1)" to "1142(A) and (B)(1)"

3 AMENDMENT NO. 2

4 On page 1, line 7, change "1142(A)(1)" to "1142(A) and (B)(1)"

5 AMENDMENT NO. 3

6 On page 1, line 12 after "work," delete "or the current medical treatment for the employee,"

7 AMENDMENT NO. 4

8 On page 2, line 7, delete "or the utilization review company retained by that entity"

9 AMENDMENT NO. 5

10 On page 2, between lines 7 and 8, insert the following:

11 **"(2) "Utilization review company" shall mean the company or entity**
12 **which contracts with the payor and reviews the claimant's medical records and**
13 **information and makes the determination of medical necessity in accordance**
14 **with this Chapter, for the purposes of assisting the payor with the authorization**
15 **of the claimant's medical care, services and treatment requested pursuant to**
16 **this Chapter.**

17 B. Nonemergency care. (1)(a) Except as provided herein, each health care
18 provider may not incur more than a total of seven hundred fifty dollars in
19 nonemergency diagnostic testing or treatment without the mutual consent of the
20 payor and the employee as provided by regulation. Except as provided herein, that
21 portion of the fees for nonemergency services of each health care provider in excess
22 of seven hundred fifty dollars shall not be an enforceable obligation against the
23 employee or the employer or the employer's workers' compensation insurer unless
24 the employee and the payor have agreed upon the diagnostic testing or treatment by
25 the health care provider.

26 **(b)(i) The payor may contract with a utilization review company to assist**
27 **the payor in determining if the request for nonemergency diagnostic testing or**
28 **treatment, in an amount which exceeds seven hundred fifty dollars, is a medical**
29 **necessity pursuant to this Chapter.**

30 **(ii) A medical necessity determination by a utilization review company**
31 **and the payor's consent to authorize the requested nonemergency diagnostic**
32 **testing and treatment shall only require a review of the claimant's medical**
33 **records and shall not require an examination of the employee."**