Interim Committee to Study Issues Related to
Pinnacol Assurance Interim Committee- Bill Requests

(1) Accountability and Transparency Act (Hodge)

- Create a complaint department in the Division of Workers' Compensation within the Department of Labor and Employment.
- Conduct surveys on injured workers.
- Require Pinnacol Assurance to report annually to the Senate and House Business and Health committees.

(2) Pinnacol Board Transparency Act (Miklosi)

- Structure the Pinnacol Board so that 2 employee members are non-management employees. Add 2 additional members: an injured worker and a representative of CDLE.
- Post board meetings on the Pinnacol website at least 7 days in advance of meetings and allow for public comment at the meetings.
- Increase compensation to the board members beyond the existing per diem to $1,000 per month.

(3) Penalties for Wrongful Denials of Claims (Tochtrop)

- Create a penalty of $1,000/day for fraudulent violations of the workers' comp act where an injured worker's claim has been fraudulently delayed or denied.

(4) Injured Workers Privacy Act (Pace)

- Require an insurer to have a good faith belief that an injured worker's claim is fraudulent before taking any surveillance video.
- Require the insurer to send the video to the worker when no fraud is found.

- Allow expedited hearing before ALJ's in situations where injured the injured worker believes these provisions are violated.

(5) Create Workers' Advocate Office (Pace)

- Create a workers' advocate office to assist injured workers *(Possibly similar to Nevada)*.

(6) Ratepayer Relief/Policyholder Protection (Ryden)

- Lower rates by requiring the insurance commissioner to choose the lower of the two rate percentages presented by NCCI and the independent actuary.

- Require prior approval of the loss cost multipliers or the supplemental rate deviations.

(7) Agreements with Drug Manufacturers that Affect Rates (Tochtrop)

- Address pharmacists concerns regarding pharmacy benefit managers

(8) Injured Worker Bill of Rights and Disclosure (Miklosi)

- Require insurers to notify an injured worker of his or her rights once a claim is filed. Include the process and options available to the worker.

(9) Prohibit Incentives for Denying Claims (Carroll)

- Prohibit any financial incentives for employees of workers' compensation insurers or authorized medical providers to deny or delay a claim..

(10) Disclosure of Conflicts of Interest by Doctors (Carroll)

- Require the three doctors on the DIME panel to disclose financial interests in the insurer to the injured worker prior to choosing the examiner.

(11) Make CEO of Pinnacol an Ex Officio Member of the Board (Gardner)

(12) Require Pinnacol to Charge Less, Pay More, and Don't Ask Hard Questions of Injured Workers (Mitchell)

(13) Create a Trigger that these Interim Committee Bills will Not Take Effect Unless they're Job Friendly (Mitchell)

- Require certifications by divisions of workers' comp and insurance that any proposed changes would not create upward pressure on workers' compensation rates, and a certification by the office of economic development that any proposed changes would not create comparative disadvantages for Colorado companies or have downward pressure on employment.

(14) Disclosure of Conflicts of Interests when Legislators Vote on Workers' Comp Bills (Mitchell)

- Require disclosure when co-sponsoring, sponsoring, or voting on a bill.

(15) Reinstitute Vocational Rehabilitation Benefit (Ryden)

(16) Organization, Structure, and Operation of Pinnacol's Board (Gardner)

(17) Make Pinnacol an Independent, Private Mutual Assurance Company (Mitchell)

(18) Penalties and Guidelines for Employers who Classify Employees as Independent Contractors and thereby Avoid Paying Workers' Comp/Enforcement by AG's Office (Mitchell)

(19) Process for Hiring Pinnacol's CEO and President (Pace)