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Written Testimony in Opposition to SB167
Before Senate Commerce Committee

Mr. Daniel Murray, Kansas State Director
National Federation of Independent Business

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On behalf of the National Federation of Independent Business (NFIB), I want to thank you for the opportunity to submit written testimony on SB167. The NFIB is the state's leading small business advocacy organization representing the consensus views of over 4,200 small business owners across Kansas.

The NFIB opposes SB167, a bill which would turn back the clock on an important update to our Kansas workers compensation law. The bill seeks to revert from the American Medical Association (AMA) *Guides for Evaluation of Permanent Impairment, Sixth Edition,* the most updated version of the guides, back to the *Fourth Edition*. The legislature thoughtfully and thoroughly considered this change in 2013, when NFIB and others supported the update to the *Sixth Edition* as part of a carefully crafted package to modernize and improve the Kansas workers compensation system.

As a reminder, we supported moving from the *Fourth* to the *Sixth Edition* for many reasons, including:

- The AMA periodically releases updated guides in order to keep pace with advances in medical treatment, diagnoses and philosophy. Each new edition should provide a fair and authoritative impairment guide based on the most recent medical advances. The *Sixth Edition* represents the "latest and greatest".
- The *Sixth Edition* promotes a new approach of determining an impairment rating that is both transparent and reproducible.
- The *Sixth Edition* applies objective, verifiable evidence to arrive at its ratings, while the *Fourth* is open to more subjectivity. Ratings under the *Sixth Edition* are based upon diagnoses that are evidence-based when possible.

The *Sixth Edition* became effective in Kansas on January 1, 2015. Reverting back to a previous edition is premature, unfounded, and injects uncertainty into the workers compensation system and medical community.

We urge the Committee to oppose SB167.