

HB 2617
Testimony before the
Senate Commerce Committee
Larry Karns, Workers Compensation Director
Kansas Department of Labor
March 15, 2016

Chairperson Julia Lynn and Members of the Committee:

My name is Larry Karns. I am the Director of the Kansas Department of Labor's Division of Workers Compensation. Thank you for the opportunity to appear before you today.

To facilitate the efficient adjudication of claims by injured workers, the division has undertaken a project to implement within the next two years a paperless electronic filing system. This new system will be similar to the one used by the state and federal civil courts. The current statutory framework was written for a paper driven system. The division is seeking to amend the Kansas Workers Compensation Act to allow for the filing of documents electronically in cases pending before the division. The purpose of the bill is to prepare for the adoption of the electronic filing system, including the allowance of electronic signatures.

One proposal in the bill, which mirrors the code of Civil Procedure for the State of Kansas K.S.A. 60-206, allows for an extension of filing deadlines in the event the electronic filing system we intend to create is inaccessible. To clarify that provision and to prevent an unintended suspension of time deadlines until implementation of the electronic system, we propose adding at the beginning of the proposed language for 44-534(c) at line 10 on page 4, "After implementation by rules and regulations by the Director". We would support such an amendment to the bill to prevent any misapplication of the extension of the deadlines until the system is implemented.

The Bill as amended also continues the requirement that the division have a medical doctor serve as its medical director. Currently the division utilizes a quarter time physician in this role. The medical administrator's duties primarily involve setting a schedule of allowed medical fees for treatment of injured workers. The division is requesting flexibility in filling this role and requests authority to either contract with or appoint a physician to fill this role. We support the bill as it is presented to you, provided the division is granted the flexibility to either appoint or contract with a Kansas licensed physician for that function.

Thank you for your consideration in this matter and I would be pleased to respond to any questions at this time.

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