

Approved March 26, 1987
Date

MINUTES OF THE SENATE COMMITTEE ON LABOR, INDUSTRY AND SMALL BUSINESS

The meeting was called to order by Senator Dan Thiessen at
Chairperson

1:30 ~~am~~/p.m. on Tuesday, March 24, 1987 in room 527-S of the Capitol.

All members were present except:

Senator Eric Yost

Committee staff present:

Jerry Ann Donaldson, Research Department

Gordon Self, Revisor's Office

Marion Anzek, Committee Secretary

Conferees appearing before the committee:

Ron Gaches, Public Affairs Manager - Boeing Military Airplane Company

Chairman Thiessen called the meeting to order at 1:30 p.m. calling attention to HB2186.

HB2186 relating to workers compensation: concerning legislation intent; medical compensation; compensation for death and temporary and permanent disabilities; limitations on compensation and attorney fees; failure to pay compensation due; medical evidence; review of awards, citation of act.

Chairman Thiessen called upon Ron Gaches, a proponent of the bill.

Ron Gaches said thank you Mr. Chairman, for this opportunity to share with your committee our support for HB2186, a comprehensive reform of the Kansas Workers Compensation law.

The Workman's Compensation Insurance program is not working as it was originally intended. Recent judicial interpretations and administrative applications of the Act have departed from the original legislative intent and increased costs to employers.

Over the years, our workers compensation program has evolved into a system that discourages the injured employee from trying to return to work as soon as possible and discourages the employer from providing the employee any assistance in learning new skills when disabled. Only lawyers have found a way to make the workers compensation laws work to their benefit.

HB2186 addresses many of the problems that have developed, and Boeing strongly endorses taking positive action on workers compensation reform this year. Your support of HB2186 would be greatly appreciated. (See Attachment 1)

Senator Morris made a motion to approve HB2186 favorable for passage, seconded by Senator Ehrlich. The motion carried.

Chairman Thiessen said he would schedule SB351 for next week, and adjourned the meeting at 2:52 p.m.

**TESTIMONY BEFORE
SENATE LABOR AND INDUSTRY COMMITTEE**

**Presented By
Boeing Military Airplane Company
Ron Gaches, Public Affairs Manager**

**Workers Compensation, H.B. 2186
March 24, 1987**

Thank you, Mr. Chairman, for this opportunity to share with your committee our support for H.B. 2186, a comprehensive reform of the Kansas workers compensation law.

The Workman's Compensation Insurance program is not working as it was originally intended. Recent judicial interpretations and administrative applications of the Act have departed from the original legislative intent and increased costs to employers.

As originally devised, a workers compensation plan was an alternative to full-blown tort litigation of claims. Both parties gave up some of their legal rights to participate in a program that compensates all work related injuries at an affordable level and in a reasonable and predictable manner.

Over the years, our workers compensation program has evolved into a system that discourages the injured employee from trying to return to work as soon as possible and discourages the employer from providing the employee any assistance in learning new skills when disabled. Only lawyers have found a way to make the workers compensation laws work to their benefit.

H.B. 2186 addresses many of the problems that have developed. The bill clarifies the law in several areas including: providing balance to judicial interpretation of the Act, reversal of the Antwi decision impacting vocational rehabilitation, definition of permanent partial general disability, and exclusion of employer paid taxes in calculating compensation benefits.

The bill is not without balance. Maximum benefit levels are increased in several areas. Employers that refuse to pay benefits on schedule are subjected to tougher penalties. And vocational rehabilitation incentives will help return many disabled employees to meaningful employment.

Boeing strongly endorses taking positive action on workers compensation reform this year. Your support of H.B. 2186 would be greatly appreciated.