

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Rep. Anthony Hensley Chairperson a:

10:05 a.m./~~p.m.~~ on March 1, 1991 in room 526-S of the Capitol

All members were present except:

Rep. Douville - excused
Rep. Wagle - excused
Committee staff present:

Jim Wilson, Revisor
Jerry Donaldson, Research Assistant
Barbara Dudney, Committee Secretary

Conferees appearing before the committee:

Richard Morrissey, Ks. Div. of Workers' Compensation

The meeting was called to order at 10:05 a.m. by the chairman, Rep. Anthony Hensley.

Chairman Hensley handed out a list of the current status of bills in the committee (attachment #1). He urged members to contact him on any bill previously heard that they want brought up for discussion and final action by the committee.

The chairman announced that the hearings on House Bill No. 2313 and 2401 would be resumed next week.

The chairman introduced Richard Morrissey, Assistant Director, Kansas Division of Workers' Compensation, who presented information on House Bill No. 2207 by comparing the computation of benefits for bilateral carpal tunnel syndrome as a scheduled and as a general body injury (attachment #2 and #3). Mr. Morrissey answered questions from several members of the committee.

The chairman then announced discussion and final action on House Bill No. 2207, the carpal tunnel syndrome bill. He recognized Rep. Gjerstad.

Rep. Gjerstad moved to report House Bill No. 2207 favorable for passage. Rep. Dick Edlund seconded the motion.

On a substitute motion, Rep. Al Lane moved that House Bill No. 2207 be tabled, Rep. Darlene Cornfield seconded the motion. Motion failed by a vote of 8 to 9.

Rep. Gjerstad renewed her motion that House Bill No. 2207 be reported favorable for passage. Motion carried.

The meeting was adjourned at 10:45 a.m.

Current Status of Labor and Industry Bills

<u>House Bill No.</u>	<u>Description</u>	<u>Current Status</u>
2076	Family and Medical Leave Act	Hearing held and Subcommittee reported.
2087	"Conservation Camps" technical cleanup	Passed floor action.
2153	90 to 200 days notice of occupational disease	Hearing held.
2154	Removal of \$125,000 cap on permanent total	Hearing held.
2155	\$350 to \$1,000 on unauthorized medical	Hearing held.
2156	25% more benefits if injury is from employer negligence	Hearing held.
2157	Unauthorized vocational assessment at \$500	Hearing held.
2196	Employee choice of health care provider	To be heard.
2207	Bi-lateral carpal tunnel syndrome	Hearing held.
2278	Prevailing wage	On General Orders
2313	Premium discount for employers	Hearing to be continued.
2401	Competitive bidding on legal services	Hearing to be continued.
2418	VTD safety and health standards for state employees.	To be heard.
2419	Repeal of PEER "local option"	To be heard.
2523	State Worker's Compensation Insurance Fund	To be heard.

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Attachment # 1
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Division of Workers Compensation

600 Merchants Bank Tower, 800 S.W. Jackson, Topeka, KS 66612-1227
Information -- 913-296-3441 / Fax -- 913-296-0839

Director's Office -- 913-296-4000 Claims Advisory -- 913-296-2996
Topeka Law Judges -- 913-296-7012 Self Insurance -- 913-296-3606
Rehabilitation -- 913-296-2050 Medical Utilization Review -- 913-296-0846

Joan Finney, Governor

Michael L. Johnston, Secretary

Comparison of Computation for scheduled vs. general body injury

EXAMPLE # 1

Assume: a). \$417.00 wage
b). no lost time from work
c). 15% functional impairment to wrists (forearm)
d). 17% general body functional impairment
with no work disability (AMA Guides conversion)

1) 200 weeks for schedule injury to forearm

Weekly benefit: wage (\$417.00) times .6667 = \$278.00

200 weeks times 15% = 30 weeks

30 weeks times \$278.00 = \$8,340.00

left forearm	\$	8,340.00
right forearm		<u>8,340.00</u>
subtotal		16,680.00
20% increase		<u>3,336.00</u>
Total as schedule	\$	20,016.00

2) 415 weeks for general body injury

Weekly benefit: wage (\$417.00) times .6667 times percent of disability (17%) = \$47.26

415 weeks times \$47.26 = \$ 19,612.90

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Attachment # 2



Division of Workers Compensation

600 Merchants Bank Tower, 800 S.W. Jackson, Topeka, KS 66612-1227
 Information -- 913-296-3441 / Fax -- 913-296-0839

Director's Office -- 913-296-4000
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Joan Finney, Governor

Michael L. Johnston, Secretary

Comparison of Computation for scheduled vs. general body injury

EXAMPLE # 2

Assume: a). \$600.00 wage
 b). no lost time from work
 c). 15% functional impairment to wrists (forearm)
 d). 17% general body functional impairment
 with no work disability (AMA Guides conversion)

1) 200 weeks for schedule injury to forearm

Weekly benefit: wage (\$600.00) times .6667 = \$278.00

200 weeks times 15% = 30 weeks

30 weeks times \$278.00 = \$8,340.00

left forearm	\$	8,340.00
right forearm		<u>8,340.00</u>
subtotal		16,680.00
20% increase		<u>3,336.00</u>
Total as schedule	\$	20,016.00

2) 415 weeks for general body injury

Weekly benefit: wage (\$600.00) times .6667 times percent of disability (17%) = \$68.00

415 weeks times \$68.00 = \$ 28,220.00

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 Attachment # 3
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