



HOUSE BILL 00-1180

BY REPRESENTATIVES Veiga, Clapp, Decker, Hagedorn, Larson, T. Williams, Coleman, Gagliardi, Mace, Plant, Tapia, Vigil, and S. Williams;
also SENATORS Owen, Anderson, Andrews, Hernandez, Tebedo, and Weddig.

CONCERNING A REQUIREMENT FOR THE ISSUANCE OF WRITTEN FINDINGS OF FACT AND CONCLUSIONS OF LAW WITHIN A CERTAIN PERIOD OF TIME AFTER THE CONCLUSION OF HEARINGS IN WORKERS' COMPENSATION CASES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-43-215, Colorado Revised Statutes, is amended to read:

8-43-215. Orders - repeal. (1) Any hearing conducted under this article shall be completed within one hundred twenty days, or in the case where an extension of time of sixty days is allowable under the provisions of section 8-43-209, one hundred sixty days, after a request therefor pursuant to section 8-43-211 (2). At the conclusion of a hearing, the administrative law judge or director shall ~~make a summary~~ ISSUE A WRITTEN order allowing or denying said claim. ~~without being required to make specific findings of fact.~~ SUCH WRITTEN ORDER SHALL CONTAIN SPECIFIC

~~FINDINGS OF FACT AND CONCLUSIONS OF LAW. If compensation benefits are granted, it shall be sufficient to SUCH WRITTEN ORDER SHALL specify the amounts thereof, the disability for which compensation benefits are granted, by whom and to whom such benefits shall be paid, and the method and time of such payments. SUCH WRITTEN ORDER SHALL BE ISSUED within fifteen working THIRTY CALENDAR days after the conclusion of such hearing, the administrative law judge or director shall reduce such order to writing; AND a certificate of mailing and a copy of such WRITTEN order shall be mailed, BY REGULAR OR ELECTRONIC MAIL, to each of the parties in interest, the original of which shall be a part of the records in said case. Said SUCH WRITTEN order shall be entered as the final award of the administrative law judge or director subject to review as provided in this article. Any party dissatisfied with a summary order may request specific findings of fact and conclusions of law in writing within fifteen days after the date of the certificate of mailing of the summary order. Such request shall be a prerequisite to a petition to review under section 8-43-301, and such request shall stay the time within which to file a petition to review until after the mailing of the specific findings and conclusions. Thereafter, time limits shall be governed by section 8-43-301. Specific findings of fact and conclusions of law requested pursuant to this section shall be completed within twenty-five days after such request.~~

(2) (a) BY JULY 1, 2003, THE DIVISION OF ADMINISTRATIVE HEARINGS IN THE DEPARTMENT OF PERSONNEL SHALL REPORT IN WRITING TO THE BUSINESS AFFAIRS AND LABOR COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES ON THE EFFECT OF ELIMINATING THE ISSUANCE OF SUMMARY ORDERS THAT DO NOT CONTAIN SPECIFIC FINDINGS OF FACT OR CONCLUSIONS OF LAW FROM THE PROCESS OF ADJUDICATING WORKERS' COMPENSATION CLAIMS.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2004.

SECTION 2. Effective date - applicability. This act shall take effect upon passage and shall apply to workers' compensation claims filed or pending on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Russell George
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Ray Powers
PRESIDENT OF
THE SENATE

Judith M. Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Patricia K. Dicks
SECRETARY OF
THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO