

BILL 4_AMENDMENT 1

INTERIM COMMITTEE AMENDMENT

Interim Committee to Study Issues Related to Pinnacol Assurance

BY REPRESENTATIVE Pace and SENATOR Carroll

BILL 4 be amended as follows:

1 Amend BILL 4, page 2, strike lines 17 through 21 and substitute "UNLESS
2 THE INSURER OR EMPLOYER HAS A REASONABLE BASIS TO SUSPECT THAT
3 THE EMPLOYEE HAS COMMITTED FRAUD OR MADE A MATERIAL
4 MISSTATEMENT CONCERNING THE CLAIM. THE EMPLOYEE MAY REQUEST
5 AN EXPEDITED HEARING BEFORE A PREHEARING ADMINISTRATIVE LAW
6 JUDGE PURSUANT TO SECTION 8-43-207.5 (1) (a) (II). THE INSURER OR
7 EMPLOYER SHALL PROVIDE ALL".

8 Page 3, strike lines 23 through 27.

9 Page 4, strike lines 1 through 7 and substitute:

10 "(II) A REQUEST FOR AN EXPEDITED HEARING SUBMITTED BY AN
11 EMPLOYEE PURSUANT TO SECTION 8-43-304 (2) (b) CONCERNING
12 SURVEILLANCE OF THE EMPLOYEE. THE PREHEARING ADMINISTRATIVE
13 LAW JUDGE SHALL ISSUE AN INJUNCTION AGAINST THE SURVEILLANCE
14 UNLESS THE INSURER OR EMPLOYER SHOWS THAT IT HAS A REASONABLE
15 BASIS TO SUSPECT THAT THE EMPLOYEE HAS COMMITTED FRAUD OR MADE
16 A MATERIAL MISSTATEMENT CONCERNING THE CLAIM. THE IDENTITY OF
17 A WITNESS OR WHISTLEBLOWER WHO PROVIDES EVIDENCE USED TO PROVE
18 FRAUD MAY BE WITHHELD OR LIMITED TO AN IN CAMERA REVIEW."

19 Page 4, strike lines 15 through 26.

20 Renumber succeeding section accordingly.

21 Page 5, line 9, strike "governor; and" and substitute "governor."

22 Page 5, strike lines 10 and 11.

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