

**Interim Committee to Study Issues Related to
Pinnacol Assurance Interim Committee- Bill Requests**

- (1) Accountability and Transparency Act (Hodge)
 - Create a complaint department in the Division of Workers' Compensation within the Department of Labor and Employment.
 - Conduct surveys on injured workers.
 - Require Pinnacol Assurance to report annually to the Senate and House Business and Health committees.

- (2) Pinnacol Board Transparency Act (Miklosi)
 - Structure the Pinnacol Board so that 2 employee members are non-management employees. Add 2 additional members: an injured worker and a representative of CDLE.
 - Post board meetings on the Pinnacol website at least 7 days in advance of meetings and allow for public comment at the meetings.
 - Increase compensation to the board members beyond the existing per diem to \$1,000 per month.

- (3) Penalties for Wrongful Denials of Claims (Tochtrop)
 - Create a penalty of \$1,000/day for fraudulent violations of the workers' comp act where an injured worker's claim has been fraudulently delayed or denied.

- (4) Injured Workers Privacy Act (Pace)
 - Require an insurer to have a good faith belief that an injured worker's claim is fraudulent before taking any surveillance video.
 - Require the insurer to send the video to the worker when no fraud is found.

- Allow expedited hearing before ALJ's in situations where injured the injured worker believes these provisions are violated.
- (5) Create Workers' Advocate Office (Pace)
- Create a workers' advocate office to assist injured workers (*Possibly similar to Nevada*).
- (6) Ratepayer Relief/Policyholder Protection (Ryden)
- Lower rates by requiring the insurance commissioner to choose the lower of the two rate percentages presented by NCCI and the independent actuary.
 - Require prior approval of the loss cost multipliers or the supplemental rate deviations.
- (7) Agreements with Drug Manufacturers that Affect Rates (Tochtrop)
- Address pharmacists concerns regarding pharmacy benefit managers
- (8) Injured Worker Bill of Rights and Disclosure (Miklosi)
- Require insurers to notify an injured worker of his or her rights once a claim is filed. Include the process and options available to the worker.
- (9) Prohibit Incentives for Denying Claims (Carroll)
- Prohibit any financial incentives for employees of workers' compensation insurers or authorized medical providers to deny or delay a claim..
- (10) Disclosure of Conflicts of Interest by Doctors (Carroll)
- Require the three doctors on the DIME panel to disclose financial interests in the insurer to the injured worker prior to choosing the examiner.
- (11) Make CEO of Pinnacol an Ex Officio Member of the Board (Gardner)
- (12) Require Pinnacol to Charge Less, Pay More, and Don't Ask Hard Questions of Injured Workers (Mitchell)

- (13) Create a Trigger that these Interim Committee Bills will Not Take Effect Unless they're Job Friendly (Mitchell)
 - Require certifications by divisions of workers' comp and insurance that any proposed changes would not create upward pressure on workers' compensation rates, and a certification by the office of economic development that any proposed changes would not create comparative disadvantages for Colorado companies or have downward pressure on employment.
- (14) Disclosure of Conflicts of Interests when Legislators Vote on Workers' Comp Bills (Mitchell)
 - Require disclosure when co-sponsoring, sponsoring, or voting on a bill.
- (15) Reinstitute Vocational Rehabilitation Benefit (Ryden)
- (16) Organization, Structure, and Operation of Pinnacol's Board (Gardner)
- (17) Make Pinnacol an Independent, Private Mutual Assurance Company (Mitchell)
- (18) Penalties and Guidelines for Employers who Classify Employees as Independent Contractors and thereby Avoid Paying Workers' Comp/Enforcement by AG's Office (Mitchell)
- (19) Process for Hiring Pinnacol's CEO and President (Pace)