

## Session 121 - (2015-2016)

### **S 0674 General Bill, By S. Martin**

#### **Summary:** Workers' Compensation Act

A BILL TO REPEAL TITLE 42 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA WORKERS' COMPENSATION ACT; TO AMEND THE 1976 CODE, BY ADDING TITLE 64 TO ENACT THE SOUTH CAROLINA WORKERS' COMPENSATION ACT; TO PROVIDE FOR PROVISIONS RELATING TO COMPUTATION OF INTEREST OR DISCOUNT RATES UNDER THIS TITLE; TO PROVIDE FOR PROVISIONS RELATING TO THE METHOD OF TRANSMISSION OF INFORMATION; TO PROVIDE PROVISIONS RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA WORKERS' COMPENSATION DIVISION; TO PROVIDE FOR PROVISIONS RELATING TO THE GENERAL OPERATION AND ADMINISTRATION OF THE SOUTH CAROLINA WORKERS' COMPENSATION DIVISION BY THE SOUTH CAROLINA DEPARTMENT OF INSURANCE; TO PROVIDE PROVISIONS RELATING TO THE LEGISLATIVE INTENT, GOALS, AND MISSION OF THE SOUTH CAROLINA WORKERS' COMPENSATION DIVISION; TO PROVIDE FOR PROVISIONS RELATING TO THE APPOINTMENT PROCEDURES, QUALIFICATIONS, COMPENSATION, AND RESPONSIBILITIES OF PERSONNEL EMPLOYED BY THE DIVISION; TO PROVIDE FOR PROVISIONS RELATING TO THE GENERAL POWERS, OPERATING PROCEDURES, AND DUTIES OF THE DIVISION; TO PROVIDE PROVISIONS RELATING TO THE PROCEDURES FOR THE HANDLING OF DIVISION RECORDS AND EMPLOYMENT INFORMATION; TO PROVIDE FOR PROVISIONS RELATING TO THE HANDLING OF MONIES COLLECTED UNDER AND FOR THE ADMINISTRATION OF THIS TITLE; TO PROVIDE FOR PROVISIONS RELATING TO THE ESTABLISHMENT OF THE OFFICE OF INJURED EMPLOYEE COUNSEL TO REPRESENT THE INTERESTS OF WORKERS' COMPENSATION CLAIMANTS AND TO PROVIDE FOR THE QUALIFICATIONS, DUTIES, RULES, AND PROCEDURES OF THAT OFFICE; TO PROVIDE FOR PROVISIONS RELATING TO THE CREATION OF AN OMBUDSMAN PROGRAM MAINTAINED BY THE OFFICE TO ASSIST INJURED EMPLOYEES AND CLAIMANTS; TO PROVIDE FOR PROVISIONS RELATING TO THE WORKERS' COMPENSATION RESEARCH AND EVALUATION GROUP THAT WILL CONDUCT PROFESSIONAL STUDIES RELATED TO WORKERS' COMPENSATION ISSUES; TO PROVIDE FOR PROVISIONS RELATING TO WORKERS' COMPENSATION COVERAGE OF PERSONS COVERED UNDER THIS ACT; TO PROVIDE FOR PROVISIONS RELATING TO SELF-INSURANCE AND COVERAGE; TO PROVIDE FOR PROVISIONS RELATING TO THE ESTABLISHMENT OF A SOUTH CAROLINA SELF-INSURANCE GROUP GUARANTY FUND TO PROVIDE FOR PAYMENT OF WORKERS' COMPENSATION INSURANCE BENEFITS; TO PROVIDE FOR PROVISIONS RELATING TO THE PLAN AND OPERATION OF THE BOARD THAT SHALL CREATE AND MAINTAIN THE FUND; TO PROVIDE FOR PROVISIONS RELATING TO WORKERS' COMPENSATION BENEFITS, PAYMENTS, REMEDIES, AND DAMAGES; TO PROVIDE FOR PROVISIONS RELATING TO COMPENSATION AND REIMBURSEMENT PROCEDURES OF BENEFITS; TO PROVIDE FOR PROVISIONS RELATING TO CLAIM NOTIFICATIONS PROCEDURES AND TIMEFRAMES AND EMPLOYEE'S RIGHTS; TO PROVIDE FOR PROVISIONS RELATING TO THE PROCEDURES OF ADJUDICATION OF DISPUTES AND JUDICIAL REVIEW; TO PROVIDE FOR PROVISIONS RELATING TO GENERAL PROVISIONS OF WORKERS' HEALTH AND SAFETY ISSUES; TO PROVIDE PROVISIONS RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA OFFICE OF RISK MANAGEMENT; TO PROVIDE FOR PROVISIONS RELATING TO MEDICAL REVIEW OF PROVIDERS AND SERVICES RECEIVED TO ENSURE COMPLIANCE; TO PROVIDE FOR PROVISIONS RELATING TO ENFORCEMENT OF COMPLIANCE AND PRACTICE REQUIREMENTS OF PERSONS SUBJECT TO THIS ACT; TO PROVIDE FOR PROVISIONS RELATING TO ADMINISTRATIVE VIOLATIONS, ASSESSMENT OF ADMINISTRATIVE PENALTIES AND SANCTIONS; TO PROVIDE PROVISIONS RELATING TO THIRD-PARTY LIABILITY; TO PROVIDE FOR PROVISIONS RELATING TO CRIMINAL PENALTIES FOR FRAUDULENTLY OBTAINING OR DENYING BENEFITS; TO PROVIDE PROVISIONS RELATING TO MISUSE OF THE WORKERS' COMPENSATION DIVISION NAME; TO PROVIDE PROVISIONS RELATING TO THE PROHIBITION OF DISCRIMINATION AGAINST EMPLOYEES; TO PROVIDE FOR PROVISIONS RELATING TO WORKERS' COMPENSATION COVERAGE FOR EMPLOYEES OF POLITICAL SUBDIVISIONS AND THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; AND TO DEFINE NECESSARY TERMS.

**04/16/15 Senate Introduced and read first time (Senate Journal-page 4)**

**04/16/15 Senate Referred to Committee on Judiciary (Senate Journal-page 4)**

**02/05/16 Senate Referred to Subcommittee: Gregory (ch), Bright, Coleman, Turner, Kimpson**