

Unofficial Draft Copy

As of: May 17, 2010 (10:19am)

LCwc#3

**** Bill No. ****

Introduced By *****

By Request of the *****

A Bill for an Act entitled: "An Act authorizing an injured worker's employer to ask the workers' compensation insurer or the agent of the workers' compensation insurer to obtain from the health care provider certain information, including health care information pertaining to the injured employee's return to work."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Employer obtaining certain information respecting injured worker.** If an injured worker files a claim for benefits the injured worker's employer may request the workers' compensation insurer, as defined in 39-71-116, or the agent of the workers' compensation insurer to obtain from the health care provider, and the health care provider may disclose, the following information, including health care information that pertains to the injured worker's return to work:

(1) the employee's restrictions related to the employee's claim;

(2) the date or anticipated date the employee is released to return to work;

(3) the approval or disapproval of job descriptions for the employee;

(4) the date or anticipated date of maximum medical

improvement; and

(5) other information that is limited to that which is reasonably necessary and is otherwise permitted or required by law and is limited to information that pertains to the issue of the employee's return to work.

NEW SECTION. **Section 2. {standard} Codification**

instruction. [Section 1] is intended to be codified as an integral part of Title 39, chapter 71, and the provisions of Title 39, chapter 71, apply to [section 1].

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