

Ohio's Workers' Compensation Legislative Proposal

Senate Bill 7
House Bill 72

Reduce the statute of limitations for workers' compensation indemnity claims from 10 years to 4 and medical-only claims from 6 years to 4	Permit Administrator to add penalties and fines to a self-insured employer for late payment of assessments
Reduce the 40 week "gap" between the termination of Temporary Total Disability benefits and Permanent Partial Disability awards	Permit Administrator to assess fines for self-insured employer violations
Limit non-medical disability factors (i.e. age, education, work experience, etc.) from consideration when determining Permanent Total Disability awards	Prohibit county prisoners from receiving benefits matching current federal and state policy
Allow BWC to settle claims outside the employer's experience period	Designate BWC's Special Investigations Unit (SUI) as a "criminal justice agency"
Require "substantial" aggravation of a pre-existing condition in order to allow as a compensable injury	Permit cross-match of BWC data with the Ohio Department of Taxation
Strengthen employer fraud statute to allow for felony penalties	Permit recoupment from future awards of Temporary Total (TT) compensation that is paid pending a maximum medical improvement (MMI) hearing before the IC
Eliminate non-medical disability factors when determining percent of Permanent Partial Disability awards	Streamline alternative dispute resolution process (ADR) where there are medically accepted treatment guidelines
Allow employment for those with traumatic brain injury on Permanent Total Disability	Clarify the loss or loss of use of multiple body parts required for statutory Permanent Total Disability
Change maximum length of "non-working wage loss" benefits from 200 weeks to 26, mirroring the maximum length of unemployment compensation benefits	Clarify payment of multiple awards for loss of use where there are death benefits resulting from the same injury causing death
Eliminate claimant's ability to dismiss an employer's appeal in court	Equalize Temporary Total and Living Maintenance benefits
Exempt injured worker home address and telephone number from public record	Eliminate Qualified Health Plan reporting
Make rape or sexual assault at the workplace a compensable injury	Revise finger numbering under Ohio law to conform to medical standards
Strengthen medical/provider fraud statute to allow for stronger penalties	Prevent dual payments from both Ohio workers' compensation fund and the federal Energy Employees Occupational Illness Compensation Program Act (EEOICPA) fund
Require employers to show proof of certificate of coverage to obtain building permit	Permit the Administrator to require electronic funds transfers (EFT) for payment of fees, benefits, etc.
Increase fines and penalties for employers' lapse in workers' compensation coverage	