

Introduced by

Representatives Berg, N. Johnson

Senators Stenehjem, Klein, Mutch

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota
2 Century Code, relating to creation of a legislative council workers' compensation review
3 committee; and to provide an expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-35 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Workers' compensation review committee.**

- 8 1. During each interim, a legislative council interim workers' compensation review
9 committee must be appointed as follows: two members of the senate appointed by
10 the majority leader of the senate of the legislative assembly; one member of the
11 senate appointed by the minority leader of the senate of the legislative assembly;
12 two members of the house of representatives appointed by the majority leader of
13 the house of representatives; and one member of the house of representatives
14 appointed by the minority leader of the house of representatives. The chairman of
15 the legislative council shall designate the chairman of the committee. The
16 committee shall operate according to the laws and procedures governing the
17 operation of other legislative council interim committees. The committee may
18 recommend legislation relating to workers' compensation. The committee shall
19 meet once each calendar quarter or less often if the committee chairman
20 determines a meeting that quarter is not necessary because there are no claims to
21 review.
- 22 2. The committee shall review workers' compensation claims that are brought to the
23 committee by injured workers for the purpose of determining whether changes
24 should be made to the laws relating to workers' compensation. A claim may not be

1 reviewed by the committee unless the organization has issued a final determination
2 and either the injured worker has exhausted the administrative and judicial appeals
3 process or the period for appeal has expired. In order for the committee to review
4 a claim, the injured worker must first sign a release of information for constituent
5 authorization to allow the committee and legislative council staff to review the
6 injured worker's workforce safety and insurance records. Notwithstanding any
7 open meeting requirements, except as otherwise provided under this section, the
8 workforce safety and insurance records of an injured worker whose case is
9 reviewed by the committee are confidential.

- 10 3. The committee shall accept testimony of an injured worker and of a representative
11 designated by the injured worker. After the committee has received the testimony
12 of the injured worker and the injured worker's representative, the committee shall
13 request that the organization provide testimony.

14 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2007, and
15 after that date is ineffective.