

**TESTIMONY BEFORE THE
MANAGEMENT-LABOR ADVISORY COMMITTEE
IN OPPOSITION TO
HB 4052**

**Submitted by Ramona St. George
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Co-Chairs and Members of the Committee:

Thank you for the opportunity to offer these comments in opposition to HB 4052. As some of you know, this issue, in virtually the same form, has been brought before this committee repeatedly for the last several years. It has failed to garner support each time, and this version should be no different.

To begin, Dr. Saboe had indicated in the past that his concern is that there be a signature documenting that worker was adequately advised of their rights in choosing a medical provider. This could be easily accomplished by the Department issuing a revision to the 801 or 827 form, without creating legislation that could conceivably be interpreted with adverse consequences.

Further, the language requires that the medical providers be responsible for providing a separate form, obtaining the workers' signature, and submitting it to the insurer. Providers are already feeling inundated with paperwork from the workers' compensation system, with many choosing to limit or eliminate workers' compensation patients from the practices. We should be working to reduce, not add, to this burden. In addition, the providers may not be equipped to accurately answer questions that may arise as a result of this form, and may perpetuate erroneous information being given to workers.

To that end, the language proposed in the bill is itself erroneous. Despite a section confirming that an MCO may indeed limit a workers' choice of physician, the language in the bill advises the worker that "Neither the worker's employer **nor any other person** may require that the worker seek treatment from a medical service provider other than the provider selected by the worker." This is clearly not the case, as both an MCO, and in some instances, the statute itself limits a workers' choice of medical provider. In fact, the worker, if enrolled in an MCO, will be given, by law, information that conflicts with this proposed notice. This will serve only to confuse, not clarify, the injured worker's rights.

For these reasons, I encourage MLAC to vote no to a recommendation for this bill. I will be happy to answer any questions you may have.