

# H.B. 10

## INJURED WORKER REEMPLOYMENT AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

JANUARY 24, 2014 5:20 PM

Representative **James A. Dunnigan** proposes the following amendments:

1. Page 11, Line 311:

311 (b) "Initial written report" means a report ~~{required under}~~ described in Subsection (5).

2. Page 12, Lines 338 through 339:

338 (2) (a) This section applies only to an industrial injury or occupational disease that occurs  
339 on or after July 1, 1990.

(b) This section is intended to promote and monitor the state's and the employer's capacity to assist the injured worker in returning to the workforce by evaluating the effectiveness of the voluntary efforts of employers under this section.

3. Page 12, Lines 343 through 365:

343 (5) An employer or the employer's workers' compensation insurance carrier ~~{shall}~~ may  
voluntarily

344 prepare an initial written report assessing an injured worker's need or lack of need for  
345 vocational assistance in reemployment if:

346 (a) it appears that the injured worker is or will be an injured worker with a disability; or

347 (b) the period of the injured worker's temporary total disability compensation period

348 exceeds 90 days.

349 (6) (a) Subject to Subsection (6)(b), an employer or the employer's workers'

350 compensation insurance carrier ~~{shall}~~ may serve the initial written report , if one has been  
prepared, on the injured worker.

351 (b) ~~{An}~~ If an employer or the employer's workers' compensation insurance carrier serves  
an initial written report on an injured worker, the employer or the employer's workers' compensation  
insurance carrier shall

352 comply with Subsection (6)(a) by no later than 30 days after the earlier of the day on which:

353 (i) it appears that the injured worker is or will be an injured worker with a disability; or

354 (ii) the 90-day period described in Subsection (5)(b) ends.

355 (7) With the initial written report, if one is prepared and used in the determination process, an  
employer or the employer's workers'

356 compensation insurance carrier shall provide an injured worker information regarding  
357 reemployment.

358 (8) Subject to the other provisions of this section, if an injured worker is an injured

359 worker with a disability, the employer or the employer's workers' compensation insurance  
360 carrier {~~shall~~} may , within 10 days after the day on which the employer or workers' compensation  
361 insurance carrier serves the initial written report on the injured worker, refer the injured worker  
362 with a disability to:  
363 (a) the Utah State Office of Rehabilitation; or  
364 (b) at the employer's or workers' compensation insurance carrier's option, a private  
365 rehabilitation or reemployment service.