

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 250

(Senator Exum, *et al.*)

Finance

Economic Matters

Workers' Compensation - Selection of Health Care Provider - Employee's Choice

This bill specifies that a covered employee seeking medical treatment for a workers' compensation claim may select a physician or health care provider of the employee's choice.

Fiscal Summary

State Effect: None. The bill codifies existing practice.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: While State law does not specifically provide that an injured employee may select a physician or health care provider of the employee's choice, case law provides that an employee may so choose.

Background: Numerous states across the country have statutory requirements allowing an injured worker to select the treating provider of their choice. Other states allow the employer to make or limit the employee's choice. For example, Alaska and Illinois expressly allow an injured worker's choice of physician. Virginia allows an injured worker to choose from a panel of three providers selected by the employer. Kansas allows the employer to choose the physician and has a procedure for allowing the employee to request an alternative physician from a list provided by the employer.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): National Council on Compensation Insurance, Uninsured Employers' Fund, Workers' Compensation Commission, Injured Workers' Insurance Fund, Subsequent Injury Fund, Maryland Insurance Administration, Department of Legislative Services

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