

AMENDMENTS TO HOUSE BILL NO. 18

Sponsor: REPRESENTATIVE BIZZARRO

Printer's No. 2014

1 Amend Bill, page 1, lines 17 through 20, by striking out all
2 of said lines and inserting

3 Section 1. Section 306(f.1)(1)(i) and (6)(ii) of the act of
4 June 2, 1915 (P.L.736, No.338), known as the Workers'
5 Compensation Act, are amended, paragraph (3)(vi) is amended by
6 adding a subclause and paragraph (6) is amended by adding a
7 subparagraph to read:

8 Amend Bill, page 2, line 3, by striking out "* * *" and
9 inserting

10 (1) (i) The employer shall provide payment in accordance
11 with this section for reasonable surgical and medical services,
12 services rendered by physicians or other health care providers,
13 including an additional opinion when invasive surgery may be
14 necessary, medicines and supplies, as and when needed. Provided
15 an employer establishes a list of at least six designated health
16 care providers, no more than four of whom may be a coordinated
17 care organization and no fewer than three of whom shall be
18 physicians, the employe shall be required to visit one of the
19 physicians or other health care providers so designated and
20 shall continue to visit the same or another designated physician
21 or health care provider for a period of [ninety (90)] fourteen
22 (14) days from the date of the first visit: Provided, however,
23 That the employer shall not include on the list a physician or
24 other health care provider who is employed, owned or controlled
25 by the employer or the employer's insurer unless employment,
26 ownership or control is disclosed on the list. Should invasive
27 surgery for an employe be prescribed by a physician or other
28 health care provider so designated by the employer, the employe
29 shall be permitted to receive an additional opinion from any
30 health care provider of the employe's own choice. If the
31 additional opinion differs from the opinion provided by the
32 physician or health care provider so designated by the employer,
33 the employe shall determine which course of treatment to follow:
34 Provided, That the second opinion provides a specific and
35 detailed course of treatment. If the employe chooses to follow
36 the procedures designated in the second opinion, such procedures

1 shall be performed by one of the physicians or other health care
2 providers so designated by the employer for a period of [ninety
3 (90)] fourteen (14) days from the date of the visit to the
4 physician or other health care provider of the employe's own
5 choice. Should the employe not comply with the foregoing, the
6 employer will be relieved from liability for the payment for the
7 services rendered during such applicable period. It shall be the
8 duty of the employer to provide a clearly written notification
9 of the employe's rights and duties under this section to the
10 employe. The employer shall further ensure that the employe has
11 been informed and that he understands these rights and duties.
12 This duty shall be evidenced only by the employe's written
13 acknowledgment of having been informed and having understood his
14 rights and duties. Any failure of the employer to provide and
15 evidence such notification shall relieve the employe from any
16 notification duty owed, notwithstanding any provision of this
17 act to the contrary, and the employer shall remain liable for
18 all rendered treatment. Subsequent treatment may be provided by
19 any health care provider of the employe's own choice. Any
20 employe who, next following termination of the applicable
21 period, is provided treatment from a nondesignated health care
22 provider shall notify the employer within five (5) days of the
23 first visit to said health care provider. Failure to so notify
24 the employer will relieve the employer from liability for the
25 payment for the services rendered prior to appropriate notice if
26 such services are determined pursuant to paragraph (6) to have
27 been unreasonable or unnecessary.
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