

## 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)] thirty  
22 (30) 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)] thirty (30) 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.  
28 \* \* \*