

AMENDMENTS TO HOUSE BILL NO. 18

Sponsor: REPRESENTATIVE NEUMAN

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) days from
22 the date of the first visit: Provided, however, That the
23 employer shall not include on the list a physician or other
24 health care provider who is employed, owned or controlled by the
25 employer or the employer's insurer unless employment, ownership
26 or control is disclosed on the list. Should invasive surgery for
27 an employe be prescribed by a physician or other health care
28 provider so designated by the employer, the employe shall be
29 permitted to receive an additional opinion from any health care
30 provider of the employe's own choice. If the additional opinion
31 differs from the opinion provided by the physician or health
32 care provider so designated by the employer, the employe shall
33 determine which course of treatment to follow: Provided, That
34 the second opinion provides a specific and detailed course of
35 treatment. If the employe chooses to follow the procedures
36 designated in the second opinion, such procedures shall be

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

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