

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 521

91ST GENERAL ASSEMBLY

2001

1802L.03T

AN ACT

To repeal section 287.123, RSMo 2000, relating to workers' compensation insurance carriers, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 287.123, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 287.123, to read as follows:

287.123. 1. Each insurance carrier writing workers' compensation insurance in this state shall establish a program whereby the carrier shall have available and shall provide to each employer obtaining workers' compensation coverage from such insurance carrier comprehensive safety engineering and management services upon a request made by the employer for such services.

2. Each insurance carrier writing workers' compensation insurance in this state shall provide the director of the department of labor and industrial relations with a written outline of the safety engineering and management program required to be established under subsection 1 of this section. Such program **required to be established pursuant to subsection 1 of this section** shall require certification by the director as to its adequacy in providing safety management and loss control to the employer. An insurance carrier's program **required to be established pursuant to subsection 1 of this section** shall be reviewed by the director at least annually to determine that it is delivering comprehensive services for safety education and the elimination of and protection against unsafe acts in the workplace and frequently recognized compensable worker injuries. An insurance carrier may establish such program **required to be established pursuant to subsection 1 of this section** through contracts with private safety engineering and management service companies in the state. Each insurance carrier shall collect annual data on

what impact its program **required to be established pursuant to subsection 1 of this section** has had on compensable losses of the employers it insures, and such data shall be made available to the department of insurance and the department of labor and industrial relations. **When the employer requests services under such program and the insurance carrier provides such services, the insurance carrier shall report such services to the division.**

3. At each time the division of workers' compensation receives notice from an employer that the employer has purchased workers' compensation insurance coverage from a different insurance carrier or has made an initial purchase of workers' compensation coverage, the division shall notify the employer in writing of publicly or privately administered worker safety programs available in the state, unless such notice has been given in the prior twelve months.

4. The division shall maintain a registry of safety consultants and safety engineers certified by the department of labor and industrial relations and such registry shall be available for inspection by any employer in this state. Standards and requirements for certificates of safety consultants and safety engineers shall be determined by the department of labor and industrial relations by rule.

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