



MISSOURI SENATE

JEFFERSON CITY

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Workers' Compensation Reform

JEFFERSON CITY – One of the first pieces of legislation approved by lawmakers and signed by the governor this year restores fairness to Missouri's workers' compensation system. Senate bills 1 and 130 will protect the rights of injured workers without threatening Missouri jobs.

Until these necessary reforms were approved, Missouri's workers' compensation system was twice the cost of similar coverage of nearly all of the states around us, and the system did not serve injured workers well. Many workers had fought the system for a number of years before receiving their proper compensation for permanent or partial permanent disabilities received on the job. The system had strayed far from its original intent – to provide coverage both in lost wages and health care for a worker who had been injured on the job.

Off-job injuries, aging problems, and abuse of alcohol and drugs had contaminated a system with a good purpose. The skyrocketing cost of workers' comp coverage was driving employers from the state or keeping them from moving to Missouri.

The legislation approved this session and signed by the governor introduces a number of improvements to the workers' compensation system. It will control premium increases by ensuring employers are liable only for injuries for which they are directly responsible. It requires the workplace accident or occupational exposure to be the "prevailing" factor in causing the injury or disability.

The new law also limits the benefits available to workers found to have been under the influence of illegal drugs or alcohol at the time of their accident. If an employee does not adhere to the employer's policy on drug and alcohol use in the workplace in conjunction with

the workplace injury, the benefits will be reduced by 50%. If alcohol or drug use is found to be the proximate cause of the injury, the benefits will be forfeited.

Senate bills 1 and 130 also increase penalties on those attempting to abuse Missouri's workers' compensation laws. Anyone who tries to defraud the system can now be charged with a Class D felony.

Administrative law judges will now be subject to performance audits and retention votes, promoting their neutrality so claimants are not unfairly favored over defendants.

These needed reforms will benefit all Missourians by improving job retention, job expansion and employee betterment.

If you have questions or comments about this or any other issue, please feel free to contact me at 573-751-8793 or by e-mail at: delbertscott@senate.state.mo.us

Senator Delbert Scott represents the people of Barton, Benton, Cedar, Dallas, Henry, Hickory, Pettis, Polk and St. Clair counties in the Missouri Senate.