

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 526
97TH GENERAL ASSEMBLY

Reported from the Committee on Small Business, Insurance and Industry, February 10, 2014, with recommendation that the Senate Committee Substitute do pass.

4280S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

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

Section A. Chapter 287, RSMo, is amended by adding thereto one new
2 section, to be known as section 287.980, to read as follows:

287.980. 1. The division shall develop and maintain a workers'
2 **compensation claims database, accessible to potential employers**
3 **through the division's website, containing all claims filed for**
4 **compensation under this chapter. Claims records shall be retrievable**
5 **only by an employer who during a pre-hire period obtains written**
6 **consent from a potential employee to acquire such records and**
7 **provides a potential employee's name and social security number. The**
8 **record shall, upon retrieval, identify the date of any claim made by**
9 **such potential employee and whether the claim is open or closed.**

10 **2. An employer shall not compel or coerce a potential employee**
11 **to provide written consent for an employer to acquire claims records**
12 **or require such consent as a condition of employment.**

13 **3. The records in the workers' compensation claims database**
14 **shall not be considered reports or records for the purposes of the**
15 **record retention requirements under section 287.650.**

16 **4. The provisions of this section shall be fully implemented by**
17 **July 1, 2015. The division shall implement the provisions of this section**
18 **in a manner allowing the division to maintain a record of all claims**
19 **records received through the division's website, including the identity**
20 **of the potential employee and of the potential employer. Such record**

21 shall be maintained by the division.

22 5. Any person who fraudulently accesses the database described
23 in subsection 1 of this section, compels or coerces a potential employee
24 to provide written consent to acquire claims records, or requires such
25 consent as a condition of employment shall be guilty of a class A
26 misdemeanor.

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