

FIRST REGULAR SESSION

# SENATE BILL NO. 236

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHATZ.

Pre-filed December 27, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1015S.011

## 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 section, to be known as section 287.980, to read as follows:

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

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

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

**4. The provisions of this section shall be fully implemented by July 1, 2018. The division shall implement the provisions of this section in a manner allowing the division to maintain a record of all claims records received through the division's website, including the identity of the potential employee and of the potential employer. Such record 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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