

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB21-197 be amended as follows:

1 Amend printed bill, page 5, strike lines 23 through 27.

2 Strike pages 6 and 7.

3 Page 8, strike lines 1 through 3 and substitute:

4 "¶(II) (II) An employee may obtain a one-time change in the
5 designated authorized treating physician under this section by providing
6 notice that meets the following requirements:

7 (A) The notice is provided within ninety days after the date of the
8 ~~injury~~ EMPLOYEE'S FIRST PHYSICIAN DESIGNATION, but before the injured
9 ~~worker~~ EMPLOYEE reaches maximum medical improvement;

10 (B) The notice is in writing and submitted on a form designated
11 by the director. The notice provided in this ~~subparagraph (III) shall~~
12 SUBSECTION (5)(a)(II) MUST also simultaneously serve as a request and
13 authorization to the initially authorized treating physician to release all
14 relevant medical records to the newly authorized treating physician.

15 (C) The notice is directed to the ~~insurance carrier~~ INSURER or to
16 the employer's authorized representative, if self-insured, and to the
17 initially authorized treating physician and is deposited in the United States
18 mail or hand-delivered to the employer, who shall notify the ~~insurance~~
19 ~~carrier~~ INSURER, if necessary, and the initially authorized treating
20 physician;

21 (D) The new physician is ~~on the employer's designated list or~~
22 ~~provides medical services for a designated corporate medical provider on~~
23 ~~the list~~ A LEVEL I OR LEVEL II ACCREDITED PHYSICIAN LICENSED UNDER
24 THE "COLORADO MEDICAL PRACTICE ACT", ARTICLE 240 OF TITLE 12;

25 (E) The transfer of medical care does not pose a threat to the
26 health or safety of the injured employee;

27 (F) An ~~insurance carrier~~ INSURER, or an employer's authorized
28 representative if the employer is self-insured, shall track how often
29 injured employees change their authorized treating physician pursuant to
30 this ~~subparagraph (III)~~ SUBSECTION (5)(a)(II) and shall report such
31 information to the division upon request.

32 ¶(IV) (A) When an injured employee changes his or her
33 designated authorized treating physician, the newly authorized treating
34 physician shall make a reasonable effort to avoid any unnecessary
35 duplication of medical services.

36 (B) The originally authorized treating physician shall send all
37 medical records in his or her possession pertaining to the injured
38 employee to the newly authorized treating physician within seven

1 calendar days after receiving a request for medical records from the newly
2 authorized treating physician.

3 (C) The originally authorized treating physician shall continue as
4 the authorized treating physician for the injured employee until the
5 injured employee's initial visit with the newly authorized treating
6 physician, at which time the treatment relationship with the initially
7 authorized treating physician shall terminate.

8 (D) The opinion of the originally authorized treating physician
9 regarding work restrictions and return to work shall control unless and
10 until such opinion is expressly modified by the newly authorized treating
11 physician.

12 (E) The newly authorized treating physician shall be presumed to
13 have consented to treat the injured employee unless the newly authorized
14 treating physician expressly refuses in writing within five days after the
15 date of the notice to change authorized treating physicians. If the newly
16 authorized treating physician refuses to treat the injured employee, the
17 employee may ~~return to the employer to request an alternative authorized~~
18 treating physician ~~If the employer does not provide an alternative~~
19 ~~authorized treating physician within five days after the employee's~~
20 ~~request, rules established by the division shall control~~ WHO IS A LEVEL I
21 OR LEVEL II ACCREDITED PHYSICIAN LICENSED UNDER THE "COLORADO
22 MEDICAL PRACTICE ACT", ARTICLE 240 OF TITLE 12.

23 (IV) If the authorized treating physician moves from one
24 facility to another, or from one corporate medical provider to another, an
25 injured employee may continue care with the authorized treating
26 physician, and the original facility or corporate medical provider shall
27 provide the injured employee's medical records to the authorized treating
28 physician within seven days after receipt of a request for medical records
29 from the authorized treating physician.

30 (V) (A) In addition to the one-time change of physician
31 allowed in ~~subparagraph (III) of this paragraph (a) SUBSECTION (5)(a)(II)~~
32 OF THIS SECTION, upon written request".

33 Page 9, line 6, strike "(5)(a)(II)(A)" and substitute "(5)(a)(V)(A)".

34 Page 9, line 14, strike "(5)(a)(II)" and substitute "(5)(a)(V)".

35 Page 9, line 19, strike "(5)(a)(II)(A)" and substitute "(5)(a)(V)(A)".

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