

**H.B. 07-1176 Workers' compensation - notice to change authorized treating physician - list of authorized treating physicians - alternative authorized treating physician - rules.**

Allows an injured employee covered under the "Workers' Compensation Act of Colorado" to choose a treating physician from a list, prepared by the injured employee's employer, of at least 2 physicians or 2 corporate medical providers, if possible, or at least one physician and one corporate medical provider. Requires both of the designated providers to be in a distinct location and without common ownership if possible. If there are fewer than 4 physicians or providers within 30 miles of the employer's place of business who are willing to treat an injured employee, states that the employer may designate one physician or one corporate medical provider and that the employee will not be able to change his or her designated authorized treating physician. Requires each designated physician or provider on the employer's list to provide a list of all ownership interests and employment relationships, if requested by an interested party, within 5 days after receipt of the request.

Allows a health care provider or governmental entity that has its own occupational health care provider system to designate health care providers from within its own system. Allows an employer that currently has its own on-site health care facility to designate the on-site health care facility as the authorized treating physician, but allows an employee to change his or her designated authorized treating physician by submitting notice.

Allows an injured employee to submit notice to change to another treating physician from the list prepared by the employer. Specifies the conditions pursuant to which the carrier or employer is required to grant the notice for a change of physician.

Requires the newly authorized treating physician to make reasonable effort to avoid any unnecessary duplication of medical services. Requires the originally authorized treating physician to send all of the injured employee's medical records to the newly authorized treating physician within 7 calendar days after receipt of a notice to change physicians. Requires the opinion of the originally authorized treating physician regarding work restrictions and return to work to control unless and until such opinion is expressly modified by the newly authorized treating physician. Allows the newly authorized treating physician to expressly refuse, in writing within 5 days after the date of the notice to change authorized treating physicians, to treat the injured employee.

Allows the employee to request an alternative authorized treating physician from the employer. Requires the employer to provide an alternative authorized treating physician within 5 days after the employer's request. Allows the division of workers' compensation to promulgate rules concerning the failure of an employer to provide an alternative authorized treating physician to the employee.

Allows the injured employee to continue care with an authorized treating physician when the authorized treating physician moves from one facility or from one corporate medical provider to another.

Requires an insurance carrier, or an employer's authorized representative if self-insured, to track how often an injured employee requests to change his or her physician and how often such change is granted or denied and to report such information to the division upon request.

**APPROVED** by Governor May 14, 2007

**EFFECTIVE** January 1, 2008