GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2016 REGULAR SESSION

HOUSE CONCURRENT RESOLUTION NO. 185

FRIDAY, MARCH 18, 2016

The following concurrent resolution was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE April 27, 2016
4:50pm - Filed without
Governor's signature
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 A CONCURRENT RESOLUTION establishing the Kentucky Workers'
2 Compensation Task Force.
3 WHEREAS, workers' compensation was enacted by the 1916 Kentucky General
4 Assembly to establish wage replacement and medical benefits for employees who sustain
5 injuries arising out of and in the scope of employment, and to grant protections to
6 employers against the expense and liability of defending and paying claims of negligence
7 associated with work-related injuries; and
8 WHEREAS, the original Workers' Compensation Act has continuously evolved to
9 accommodate changes occurring over time, including provisions enacted by the General
10 Assembly establishing professional administration of the Worker's Compensation
11 Program in 1987, providing more affordable insurance coverage for high-risk employers
12 in 1994, modifying the indemnity benefit structure in 1996, revising some of the changes
13 made in 1996 in 2000, and altering the manner in which black lung claims were
14 adjudicated in 2002; and
15 WHEREAS, since no major changes to the workers' compensation system have
16 been undertaken since 2002, consideration must now be given to possible changes to the
17 workers' compensation system to allow it to continue to evolve to meet the challenges of
18 a constantly changing workers' compensation landscape, such as increased cost of
19 medical care for injured workers; and
20 WHEREAS, all aspects of the Kentucky workers' compensation system must be
21 studied and potentially realigned to adequately safeguard the rights of both employees and
22 employers under the workers' compensation system and to ensure that income, medical,
23 and vocational benefits continue to be delivered to injured workers in a timely and
24 efficient manner;
25 NOW, THEREFORE,
26 ***Be it resolved by the House of Representatives of the General Assembly of the***
27 ***Commonwealth of Kentucky, the Senate concurring therein:***

1 ➔Section 1. The Legislative Research Commission is hereby directed to create a
2 Kentucky Workers' Compensation Task Force that shall study and develop consensus
3 recommendations concerning possible procedural and substantive changes to the workers'
4 compensation system in Kentucky, with particular focus on enhancing the system of
5 delivering income, medical, and vocational benefits to injured workers and improving the
6 administration of the Kentucky workers' compensation system.
7 ➔Section 2. The task force shall be composed of the following members, with
8 final membership of the task force being subject to the consideration and approval of the
9 Legislative Research Commission:
10 (1) Two members of the Senate, to be appointed by the President of the Senate,
11 with one member being of the majority party in the Senate and who will serve as co-chair,
12 and one member being of the minority party in the Senate;
13 (2) Two members of the House of Representatives, to be appointed by the
14 Speaker of the House, with one member being of the majority party in the House of
15 Representatives and who will serve as co-chair, and one member being of the minority
16 party in the House of Representatives;
17 (3) Five representatives of the Kentucky AFL-CIO;
18 (4) Two representatives of the Kentucky Justice Association;
19 (5) Two representatives of the Kentucky Workers' Association;
20 (6) A representative of the Kentucky Chamber of Commerce;
21 (7) A representative of the Kentucky Association of Manufacturers;
22 (8) A representative of National Federation of Independent Business/Kentucky;
23 (9) A representative of the Kentucky Employers' Mutual Insurance Authority;
24 (10) A representative of the Kentucky Retail Federation;
25 (11) A representative of the Kentucky League of Cities;
26 (12) A representative of the Kentucky Association of Counties;
27 (13) A representative of self-insured employers in Kentucky to be selected jointly

1 by the Kentucky League of Cities, the Kentucky Association of Counties, and the
2 Kentucky Chamber of Commerce;
3 (14) A representative of Kentucky workers' compensation insurance carriers to be
4 selected by the Commissioner of the Department of Insurance;
5 (15) The Secretary of the Labor Cabinet or his or her designee as an ex officio
6 member; and
7 (16) The Commissioner of the Department of Workers' Claims or his or her
8 designee as an ex officio member.
9 ➔Section 3. The task force shall meet a minimum of three times during the 2016
10 Interim of the General Assembly and shall submit a report to the Legislative Research
11 Commission for referral to the appropriate committee or committees by December 1,
12 2016. The report shall, at a minimum, include a detailed analysis of the current workers'
13 compensation system and recommendations regarding proposed legislation, related to
14 improving the delivery of workers' compensation benefits to injured workers.
15 ➔Section 4. Provisions of this Resolution to the contrary notwithstanding, the
16 Legislative Research Commission shall have the authority to alternatively assign the
17 issues identified herein to an interim joint committee or subcommittee thereof, and to
18 designate a study completion date.

Jody Richards
Speaker-House of Representatives

President of Senate

Attest: Sean T. Dunagan
Chief Clerk of House of Representatives

Approved _____
Governor

Date _____