

342.262 Legislative findings -- Commissioner to give recommendation on new edition of "Guides to the Evaluation of Permanent Impairment" -- Approval of General Assembly required to effectuate.

- (1) The General Assembly hereby declares it to be the policy of the Commonwealth of Kentucky that the most recent and valid scientific and technological advancements in medicine be considered in evaluating the nature and extent of an injured worker's impairment.
- (2)
 - (a) Therefore, within one hundred eighty (180) days of publication by the American Medical Association of a new edition of the "Guides to the Evaluation of Permanent Impairment," the commissioner shall recommend to the General Assembly whether all or a portion of the new edition should be enacted by the General Assembly in order to produce more equitable and accurate ratings of permanent impairment resulting from work-related injuries.
 - (b) Prior to making the recommendation required in paragraph (a) of this subsection, the commissioner shall:
 1. Consult with medical providers, representatives of injured workers, employers and representatives of employers, insurance carriers, and legal representatives of employers and injured workers; and
 2. Consider studies and analyses conducted by workers' compensation rating organizations, including the National Council on Compensation Insurance (NCCI).
- (3) The recommendation of the commissioner shall not become effective unless the General Assembly approves and adopts the recommendation.

Effective: July 15, 2010

History: Created 2010 Ky. Acts ch. 90, sec. 2, effective July 15, 2010.

Legislative Research Commission Note (7/15/2010). References to the "executive director" of workers' claims in subsections (2) and (3) of this section, as created by 2010 Ky. Acts ch. 90, sec. 2, have been changed in codification to the "commissioner" of workers' claims to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.