

342.277 Alternative dispute resolution.

- (1) In accordance with administrative regulations promulgated by the commissioner, a collective bargaining agreement between an employer and a recognized or certified exclusive bargaining representative that contains the following provisions may be recognized as valid and binding:
 - (a) An alternative dispute resolution system to supplement, modify, or replace the provisions of this chapter that relate to the resolution of disputes, and which may include but is not limited to mediation and arbitration, the results of which may be binding upon the parties;
 - (b) The use of an agreed list of providers of medical treatment, which may be the exclusive source of all medical and related treatment provided under this chapter;
 - (c) The use of a limited list of physicians to conduct independent medical examinations;
 - (d) A light duty, modified job, or return-to-work program;
 - (e) A vocational rehabilitation or retraining program; and
 - (f) A twenty-four (24) hour health care coverage plan for medical benefits.
- (2) A system of arbitration may provide that the decision of the arbiter is subject to review by an administrative law judge.
- (3) Notwithstanding the provisions in subsection (1) of this section, no agreement shall be recognized as valid and binding that diminishes the rights of any of the parties under this chapter. Also, no agreement shall be valid and binding unless it is agreed to by the employer's insurance carrier.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1813, effective July 15, 2010. -- Created 1994 Ky. Acts ch. 181, Part 4, sec. 16, effective April 4, 1994.