

**PROPOSED STATEMENT OF BASIS AND PURPOSE FOR
AMENDMENTS TO THE WORKERS' COMPENSATION RULES OF
PROCEDURE
7 CCR 1101-3**

BASIS: §8-47-107, C.R.S. provides the Director of the Division of Workers' Compensation with authority to adopt and amend proper rules and regulations to govern the proceedings and hearings of the Division. §8-43-404(5)(a)(IV)(E) requires the Division to adopt rules in this specific area.

PURPOSE: Create a rule to implement and clarify House Bill 07-1176 that addresses the issue of injured workers and the initial selection of authorized treating physicians.

The proposed rule addresses the following subjects:

Rule 8 Authorized Treating Physician

The Workers' Compensation Act requires an employer or insurer to provide a list of at least two physicians or medical providers to an injured employee who may select a physician to attend to their injury(ies). The Act further allows an injured employee to request and obtain a one-time change in authorized treating physician by providing notice and meeting certain requirements. This rule will implement this provision of the Act and provide detailed guidance to all parties.

Pursuant to §24-4-103(4)(b), C.R.S., the Director finds that: 1) there is a demonstrated need for the rule amendments; 2) the proper statutory authority exists for this regulation; 3) to the extent practicable, the rules are clearly stated so that their meaning will be understood by any party required to comply with the regulation; 4) the rules do not conflict with other provisions of law; and 5) the duplicating or overlapping of the regulation is explained by the agency proposing the rules.

Bob Summers
Bob Summers
Director, Division of Workers' Compensation

8/16/2007
Date