

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Seiler offered the following:

Amendment (with directory and title amendments)

Remove line(s) 3929-3944, and insert:

Section 22. Section 440.191, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 440.191, F.S. for present text.)

440.191 Early Intervention Office.--The Early Intervention Office is created within the department in order to facilitate the self-executing features of the workers' compensation law and to conduct early intervention programs.

(1) The primary responsibility of the Early Intervention Office is to provide information to education employees, employers, carriers and health care providers about their rights, responsibilities and obligations under this chapter and

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27 to facilitate the avoidance or resolution of disagreements as
28 provided in this section.

29 (2) Upon receiving a notice of injury that results in a
30 lost-time case, or upon obtaining by any other means knowledge
31 that a lost-time case has occurred, the Early Intervention
32 Office shall initiate contact with the injured employer by mail
33 or telephone to provide information concerning his or her
34 rights, responsibilities and obligations, unless a petition for
35 benefits has been filed for that date of accident. The Early
36 Intervention Office shall facilitate access to its services
37 through the establishment of a toll-free hot line.

38 (3) The Early Intervention Office may contact and assist
39 the parties in avoiding or resolving any disagreement regarding
40 the benefits under this chapter upon request for assistance from
41 an injured worker, provider, employer, or carrier indicating
42 that a potential disagreement regarding the provision of
43 benefits under this chapter exists. Such assistance may only be
44 rendered when there is no petition for benefits filed for that
45 date of accident.

46 (4) The Early Intervention Office may obtain and review
47 documents, conduct interviews and conferences, and collect other
48 information necessary to assist the office in facilitating the
49 resolution of the disagreement. All parties shall cooperate with
50 the Early Intervention Office. Failure of a party to provide
51 information pursuant to this subsection constitutes failure to
52 comply with s. 440.185(5)(c). Upon request, all parties shall
53 provide requested documents or participate in an interview or
54 conference within 7 calendar days after the request.

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55 (5) If, in the course of carrying out its duties as set
56 forth in this section, the Early Intervention Office identifies
57 that a party has failed to comply with this chapter, the office
58 shall refer the failure to comply to the appropriate regulator.

59 (6) The dollar value of any benefits that are provided or
60 secured as a result of the Early Intervention Office's
61 facilitation efforts may not be included in any subsequent award
62 pursuant to s. 440.34(2).

63 (7) The department may adopt rules to specify forms and
64 procedures for administering this section.

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66 ===== D I R E C T O R Y A M E N D M E N T =====

67 Remove line(s) 3907-3909, and insert:
68 Section 21. Subsection (9) of section 440.185, Florida
69 Statutes, is amended to read:
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71 ===== T I T L E A M E N D M E N T =====

72 Between lines 60 and 61, insert:
73
74 amending s. 440.191, F.S.; providing for the creation of
75 the Early Intervention Office in lieu of the Employee
76 Assistance; providing responsibilities of the office;
77 providing rule adoption authority to the Department of
78 Financial Services;