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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. 1865

March 8, 2007

Authored by Poppe, Rukavina, Hilstrom, Greiling, Hilty and others

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to workers' compensation; requiring the commissioner of labor and
1.3 industry to adopt rules regarding common carrier railroad employees; requiring a
1.4 report; appropriating money.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. COMMON CARRIER RAILROAD EMPLOYEE RULES.

1.7 Subdivision 1. Rulemaking. The commissioner of labor and industry shall adopt
1.8 rules covering admission of injured common carrier railroad employees to a medical
1.9 care facility; maintenance and authorized release of railroad employee medical records;
1.10 access to medical care staff by representatives of railroad management; and billing for
1.11 a payment of fees for treatment of railroad employees. These rules shall: (1) make
1.12 certain all medical care providers in Minnesota recognize that common carrier railroad
1.13 employees are excluded from workers' compensation coverage under Minnesota Statutes,
1.14 section 176.041; (2) be liberally construed in favor of the employee; and (3) shall apply to
1.15 all medical care providers accepting payment under any provision of Minnesota Statutes,
1.16 chapter 176.

1.17 Subd. 2. Limitations on rulemaking. The rulemaking authority of the
1.18 commissioner under subdivision 1 is limited solely to guaranteeing recognition of and
1.19 obedience to the provisions of Minnesota Statutes, section 176.041, by all medical care
1.20 providers and by common carrier railroads in Minnesota.

1.21 Subd. 3. Reporting. The commissioner shall present to the 2008 session of the
1.22 legislature the rules drafted pursuant to this section as well as a plan to recover costs
1.23 of this rulemaking.

2.1 Sec. 2. **APPROPRIATION.**

2.2 \$..... in fiscal year 2008 is appropriated from the general fund to the commissioner
2.3 of labor and industry for the rulemaking required by section 1.