

HB 1540 -- WORKERS' COMPENSATION

This bill changes the laws regarding workers' compensation. The bill:

(1) Specifies that an employee will not be liable for a co-employee's workplace injury or death for which compensation is recoverable under the workers' compensation laws, except that an employee will not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury (Section 287.120, RSMo);

(2) Allows the Division of Workers' Compensation within the Department of Labor and Industrial Relations to determine the manner in which an application for a hearing on a compensation dispute is to be made (Section 287.450);

(3) Requires a copy of an award to immediately be sent by electronic means to the parties in dispute and the employer's insurer or by United States mail in the case of an unrepresented employee (Section 287.460);

(4) Allows the division to serve or send any required notices regarding workers' compensation claims by electronic means except that any required notice to an employee not represented by counsel must be sent by registered or certified mail unless the employee consents to receive notices by electronic means. If the employee is represented by counsel and counsel is sent the proper notice, the notice to the employee may be sent by regular mail (Section 287.520);

(5) Authorizes the division to use electronic processes in carrying out the provisions of the workers' compensation laws (Section 287.650); and

(6) Requires a notice that a claim has been dismissed for failure to prosecute to be made in a manner determined by the division, except that the notice to the employee must be by certified or registered mail unless the employee is represented by counsel and counsel is also given the notice (Section 287.655).