

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB272

Chairperson: Senator Steve Lathrop

Committee: Business and Labor

Date of Hearing:

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB272 is designed to provide confidentiality for first injury reports filed with the Nebraska Workers' Compensation Court and to provide that such reports, subject to specific exceptions for certain persons or purposes, are not open to public inspection or copying.

The bill provides that the Workers' Compensation Court is to deny any request to inspect or copy a first injury report unless: (a) the requester is the employee who is the subject of the report or an attorney or authorized agent of the employee;

(b) the requester is the employer of the injured employee, or the employer's insurance carrier, risk management pool, third-party administrator, or an attorney or authorized agent of such party;

(c) the requester is an authorized agent, representative, attorney, investigator, consultant, or adjuster of an insurance carrier or a third party administrator who is involved in administering any claim for insurance benefits related to any injury of the employee whose report is filed with the compensation court or an attorney representing a party to a lawsuit filed by or on behalf of the employee whose report is filed with the compensation court;

(d) the report will be used for the purpose of state or federal investigation or examinations or for the state or federal government to compile statistical information;

(e) the report requested identifies the number and nature of any injuries to employees of an employer identified in the request, without revealing the identity of any employee; or

(f) unless otherwise ordered by a court of competent jurisdiction.

Principal Introducer: _____

Senator Tony Fulton