



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB2919

Introduced 2/18/2016, by Sen. Toi W. Hutchinson

#### SYNOPSIS AS INTRODUCED:

820 ILCS 305/29.3 new

Amends the Workers' Compensation Act. Provides that employers may file safety and return to work programs with the Illinois Workers' Compensation Commission. Authorizes the Commission to certify the programs upon review for certain minimum requirements. Provides that the Director of Insurance shall direct any workers' compensation rate setting advisory organization to recalculate rates with respect to employers that file safety and return to work programs. Provides for the Director of Insurance to waive the Workers' Compensation Commission Operations Fund fee with respect to self-insured employers that file the plans.

LRB099 17100 JLS 41458 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Workers' Compensation Act is amended by  
5 adding Section 29.3 as follows:

6 (820 ILCS 305/29.3 new)

7 Sec. 29.3. Safety programs and return to work programs;  
8 recalculation of premiums and waiver of self-insurers fee.

9 (a) An employer may file with the Commission a workers'  
10 compensation safety program. An employer may file with the  
11 Commission a workers' compensation return to work program. The  
12 Commission may certify any such safety program as a bona fide  
13 safety program after reviewing the program for the following  
14 minimum requirements: adequate safety training for employees;  
15 establishment of joint employer-employee safety committees;  
16 use of safety devices; and consultation with safety  
17 organizations. The Commission may certify any such return to  
18 work program as a bona fide return to work program after  
19 reviewing the program for the following minimum requirements:  
20 light duty or restricted duty work; leave of absence policy;  
21 and full duty return to work policy.

22 (b) This subsection applies to all employers that have  
23 received certification from the Commission of a bona fide

1 safety program or a bona fide return to work program.

2 On the effective date of this amendatory Act of the 99th  
3 General Assembly, the Director of Insurance shall immediately  
4 direct in writing any workers' compensation rate setting  
5 advisory organization to recalculate workers' compensation  
6 advisory premium rates and assigned risk pool premium rates for  
7 any employer complying with this Section so that those premium  
8 rates incorporate and take into account the provisions of this  
9 amendatory Act of the 99th General Assembly and to publish such  
10 rates on or before 90 days after the effective date of this  
11 amendatory Act of the 99th General Assembly.

12 On the effective date of this amendatory Act of the 99th  
13 General Assembly, the Director of Insurance shall immediately  
14 direct in writing that the fee under Section 4d of this Act is  
15 waived as to any self-insured employer complying with this  
16 Section to incorporate and take into account the provisions of  
17 this amendatory Act of the 99th General Assembly and to publish  
18 such waiver on or before 90 days after the effective date of  
19 this amendatory Act of the 99th General Assembly.