

Stricken language would be deleted from present law. Underlined language would be added to present law.

As Engrossed: H2/3/97

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 260 OF 1997
HOUSE BILL 1298

4
5 By: Representative Young
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE 11-9-519(h), 11-9-521(h),
10 AND 11-9-522(g) TO ASSURE THAT THE IMPAIRMENT RATING GUIDE
11 ADOPTED BY THE COMMISSION WILL REMAIN IN EFFECT UNTIL
12 OTHERWISE PROVIDED BY LAW; AND FOR OTHER PURPOSES."
13

Subtitle

14
15 "RELATING TO THE IMPAIRMENT RATING GUIDE
16 ADOPTED BY THE ARKANSAS WORKERS
17 COMPENSATION COMMISSION."
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code 11-9-519(h) is amended to read as follows:

22 "~~(h)(1)(A)~~ On or before July 1, 1994, the commission, after a
23 public hearing, shall adopt an impairment rating guide to be used in the
24 assessment of anatomical impairment. Said guide shall not include pain
25 as a basis for impairment. The impairment rating guide adopted by the
26 Workers' Compensation Commission shall be subject to review by the
27 General Assembly before April 1 of every odd-numbered year beginning
28 with the regular session of 1999.

29 ~~(B) Said guide shall not include pain as a basis for impairment.~~

30 ~~-(2) Provided, the impairment rating guide adopted by the~~
31 ~~commission shall become null and void on March 1, 1997, unless reenacted~~
32 ~~by the General Assembly."~~
33

34 SECTION 2. Arkansas Code 11-9-521(h) is amended to read as
35 follows:

36 "~~(h)(1)(A)~~ On or before July 1, 1994, the commission, after a

1 public hearing, shall adopt an impairment rating guide to be used in the
 2 assessment of anatomical impairment. Said guide shall not include pain
 3 as a basis for impairment. The impairment rating guide adopted by the
 4 Workers' Compensation Commission shall be subject to review by the
 5 General Assembly before April 1 of every odd-numbered year beginning
 6 with the regular session of 1999.

7 ~~(B) Said guide shall not include pain as a basis for impairment.~~

8 ~~-(2) Provided, the impairment rating guide adopted by the~~
 9 ~~commission shall become null and void on March 1, 1997, unless reenacted~~
 10 ~~by the General Assembly."~~

11

12 SECTION 3. Arkansas Code 11-9-522(g) is amended to read as
 13 follows:

14 "(g)~~(1)~~(A) On or before July 1, 1994, the commission, after a
 15 public hearing, shall adopt an impairment rating guide to be used in the
 16 assessment of anatomical impairment. Said guide shall not include pain
 17 as a basis for impairment. The impairment rating guide adopted by the
 18 Workers' Compensation Commission shall be subject to review by the
 19 General Assembly before April 1 of every odd-numbered year beginning
 20 with the regular session of 1999.

21 ~~(B) Said guide shall not include pain as a basis for impairment.~~

22 ~~-(2) Provided, the impairment rating guide adopted by the~~
 23 ~~commission shall become null and void on March 1, 1997, unless reenacted~~
 24 ~~by the General Assembly."~~

25

26 SECTION 4. All provisions of this act of a general and permanent
 27 nature are amendatory to the Arkansas Code of 1987 Annotated and the
 28 Arkansas Code Revision Commission shall incorporate the same in the
 29 Code.

30

31 SECTION 5. If any provision of this act or the application
 32 thereof to any person or circumstance is held invalid, such invalidity
 33 shall not affect other provisions or applications of the act which can
 34 be given effect without the invalid provision or application, and to
 35 this end the provisions of this act are declared to be severable.

36

1 SECTION 6. All laws and parts of laws in conflict with this act
2 are hereby repealed.

3
4 SECTION 7. EMERGENCY. It is hereby found and determined by the
5 General Assembly that unless the General Assembly acts, the impairment
6 rating guide adopted by the Workers Compensation Commission will become
7 null and void on March 1, 1997; that if the guide is permitted to
8 expire, there will be no impairment guide in effect and injured workers
9 may be deprived of just benefits; that the purpose and intent of this
10 act is to approve the impairment guide adopted by the commission and the
11 act should be given effect immediately to assure that there will be no
12 lapse in the application of the impairment rating guide. Therefore an
13 emergency is declared to exist and this act being immediately necessary
14 for the preservation of the public peace, health and safety shall become
15 effective on the date of its approval by the Governor. If the bill is
16 neither approved nor vetoed by the Governor, it shall become effective
17 on the expiration of the period of time during which the Governor may
18 veto the bill. If the bill is vetoed by the Governor and the veto is
19 overridden, it shall become effective on the date the last house
20 overrides the veto.

21 /s/Rep. Young

22
23 APPROVED: 2-24-97

24
25
26
27
28
29
30
31
32
33
34
35