



**P.A. 266 – What's New
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WORKERS COMPENSATION PUBLIC ACT 266

- Approved by Governor Snyder 12/19/2011
- Filed with the Secretary of State 12/19/2011
- Effective 12/19/2011

KEY POINTS OF THE LEGISLATION

ONE

- Codification of prior court decisions-
Sington/Stokes/Lofton/Romero
- Inability to perform all paying suitable job
- Job search requirement by employee
- Definition of wage earning capacity
- Wage loss definition
- Partially disabled employee

KEY POINTS OF THE LEGISLATION

TWO – A

Personal Injury

- Injury must be medically distinguishable from the prior injury
- Soft tissue injuries

KEY POINTS OF THE LEGISLATION

TWO – B

- Job offer to employee
- Termination of employee

KEY POINTS OF THE LEGISLATION

THREE

- Reporting requirement of the Workers Compensation Agency.

KEY POINTS OF THE LEGISLATION

FOUR

MENTAL DISABILITY HAS BEEN CODIFIED

- Current definitions have been kept and updated to include:

Aging process

Arising out of actual events of employment

KEY POINTS OF THE LEGISLATION

FIVE

- Employee treatment by physician of choice after 28 days (was 10 days)

KEY POINTS OF THE LEGISLATION

SIX

- Deleted provisions for spouse dependency

KEY POINTS OF THE LEGISLATION

SEVEN

- Electronic submission of claim documents

KEY POINTS OF THE LEGISLATION

EIGHT

ATHLETES AND ATHLETIC EVENTS

- Exclusion for social and recreational events
- Professional athletes

Exemption from the act

Professional athlete hired by out of state employer

- must have workers compensation insurance
- reciprocal provision

KEY POINTS OF THE LEGISLATION

NINE

- Guarantee of claims for self - insured authorities

KEY POINTS OF THE LEGISLATION

TEN

- Interest rate on payments - market rate

KEY POINTS OF THE LEGISLATION

ELEVEN

- Coordination of benefits
- Social security old age benefit - 50% reduction
- Other employer paid benefits
- Date of Injury

KEY POINTS OF THE LEGISLATION

TWELVE

Magistrates

- Annual evaluation
- Criteria
- MAHS - Michigan Administrative Hearing System

KEY POINTS OF THE LEGISLATION

THIRTEEN

- Redemption Agreements