

As Introduced

**128th General Assembly
Regular Session
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S. R. No. 118

Senator Grendell

Cosponsors: Senators Buehrer, Seitz, Jones, Schaffer, Gibbs, Faber

RESOLUTION

To create the Competitive Workers' Compensation Task Force to review the feasibility of allowing employers the option to obtain private insurance to insure their obligations under the workers' compensation system of Ohio. 1
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BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO:

WHEREAS, The Senate is dedicated to ensuring the long-term viability of a workers' compensation program in Ohio that protects injured workers and is affordable and reliable for employers as part of Ohio's efforts to stimulate economic growth in order to create, maintain, and expand jobs in Ohio; and 6
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WHEREAS, The Senate desires to create a Competitive Workers' Compensation Task Force to review the feasibility of allowing employers the option to obtain private insurance to insure their obligations under the workers' compensation system of this state; now therefore be it 11
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RESOLVED, That the mission of the Competitive Workers' Compensation Task Force is to do, and to issue a report concerning, all of the following: 16
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(1) Evaluate the current workers' compensation insurance offerings offered by the Bureau of Workers' Compensation to 19
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determine if such offerings are actuarially sound and competitive 21
with similar offerings in other states while taking into account 22
variations in available benefit levels; 23

(2) Evaluate and describe the efforts made by other states 24
within the last fifteen years to open those states' workers' 25
compensation markets to private competition, which shall include 26
the identification and description of those states' best practices 27
in planning for and implementing a transition from a state-fund 28
monopolistic workers' compensation system to a market that 29
includes private competition; 30

(3) Identify at least three business plan options through 31
which this state can introduce viable private workers' 32
compensation competition along with or without the current state 33
fund administered by the Bureau of Workers' Compensation and the 34
Industrial Commission; and be it further 35

RESOLVED, That the task force may contract with a firm that 36
possesses significant property and casualty and workers' 37
compensation insurance actuarial evaluation experience to assist 38
in carrying out its mission. If the task force contracts with a 39
firm, the task force shall solicit bids from appropriate vendors 40
and award the contract in a competitive manner; and be it further 41

RESOLVED, That the agenda, discussions, or outcomes of the 42
work of the task force, or any firm with which the task force 43
contracts, shall not be constrained in any manner by current law 44
with respect to workers' compensation insurance; and be it further 45

RESOLVED, That the Competitive Workers' Compensation Task 46
Force shall be composed of the following members appointed by the 47
President of the Senate: 48

(1) Two representatives of employees (claimants) that fulfill 49
both of the following criteria: 50

(a) One representative shall be employed by a state fund 51

employer and one shall be employed by a self-insuring employer;	52
(b) One representative shall be employed by an employer that	53
employs employees who are represented by a labor organization and	54
one shall be employed by an employer that does not employ	55
employees who are represented by a labor organization.	56
(2) One representative who is a state fund employer domiciled	57
in this state;	58
(3) One representative who is a self-insuring employer	59
domiciled in this state;	60
(4) One representative who is a lawyer admitted to the	61
practice of law in this state who primarily represents claimants	62
before the Industrial Commission;	63
(5) One representative who is a lawyer admitted to the	64
practice of law in this state who primarily represents employers	65
before the Industrial Commission;	66
(6) One representative who is a full-time employee of a	67
third-party administrator that does business in this state;	68
(7) One representative who is a full-time employee of a	69
managed care organization that does business in this state;	70
(8) Two representatives who are full-time employees of	71
property and casualty insurance companies that are domiciled in	72
this state or that are otherwise doing business in this state that	73
offer to write workers' compensation coverage in at least ten	74
states other than this state;	75
(9) One representative who is a state fund employer who	76
conducts business in this state and at least one other state;	77
(10) One representative who is a self-insuring employer who	78
conducts business in this state and at least one other state;	79
(11) Four members of the Senate, two from each party, who	80
shall be appointed by the President of the Senate. A member	81

appointed from the majority party shall serve as a co-chairperson 82
of the task force and shall be appointed as such by the President 83
of the Senate. 84

(12) The Administrator of Workers' Compensation, or the 85
Administrator's designee, the Chairperson of the Bureau of 86
Workers' Compensation Board of Directors, or the Chairperson's 87
designee, and the Superintendent of Insurance shall be members of 88
the task force. The Superintendent of Insurance shall serve as a 89
co-chairperson of the task force; and be it further 90

RESOLVED, That the task force shall make its findings on the 91
issues and shall report its findings to the Governor, the Speaker 92
of the House of Representatives, and the President of the Senate 93
not later than June 30, 2010. Members of the task force shall be 94
reimbursed for any travel expenses. 95