

Oklahoma Workers' Compensation Court
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2012 WORKERS' COMPENSATION RELATED LEGISLATIVE CHANGES

The following is a general overview of workers' compensation related legislation passed by the 2nd Regular Session of the 53rd Oklahoma Legislature (2012). It is for informational purposes only. It is not a statement of policy by the Oklahoma Workers' Compensation Court, is not binding on the Court in any way and should not be relied upon as the basis of any action.

[HB 2258 - Effective 11/01/12](#)

Requires the Oklahoma Tax Commission, Workers' Compensation Court, Department of Labor, CompSource Oklahoma and the Oklahoma Employment Security Commission to share information and coordinate investigative and enforcement efforts to detect contractors that intentionally misclassify employees as independent contractors rather than employees for the purpose of affecting withholding and social security, unemployment tax or workers' compensation premiums. Provides a penalty for such misclassification. Requires contractors to include proof of their employer identification number on all public construction project bids. Creates new law sections to be codified as 68 O.S., §§1708 and 1709.

[HB 3074 - Effective 11/01/12](#)

Excludes workers' compensation from a provision authorizing hospital liens when an injured person asserts a claim against an insurer. Amends 42 O.S., §43.

[HB 3079 - Effective 08/24/12](#)

This is an omnibus measure which, as relevant, amends multiple Workers' Compensation Code sections to change "Office of State Finance" and "Department of Central Services" to "Office of Management and Enterprise Services." Strikes the Director of Central Purchasing from the CompSource Oklahoma Board of Managers, reducing the Board from 9 to 8 members, since the Department of Central Services was consolidated into the successor entity. Amends 85 O.S., §§303, 361, 365, 370, 376, 384, 387, 389, 403 and 412.

[SB 1060 - Effective 05/01/12](#)

Directs insurers to notify the Attorney General Workers' Compensation and Insurance Fraud Unit of suspected fraud by a claimant. Amends 36 O.S., §363.

SB 1246 - Effective 11/01/12

Provides that if a claimant is charged with workers' compensation fraud, any pending workers' compensation proceeding is stayed after the preliminary hearing is concluded and the claimant is bound over, and shall remain stayed until final disposition of the criminal case. Provides that all notice requirements shall continue during the stay. Amends 85 O.S., §410.

SB 1321 - Effective 11/01/12

Permits the Attorney General to contract with retired peace officers certified by the Council on Law Enforcement Education and Training (CLEET) or CLEET-certified private investigators for investigative services related to the Attorney General Workers' Compensation Fraud Unit. Amends 85 O.S., §410.