



Ohio Legislative Service Commission

Sub. Bill Comparative Synopsis

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Sub. H.B. 207 131st General Assembly (H. Insurance)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 0848-1)
Charging experience for certain claims to the Surplus Fund Account	Requires workers' compensation claims to be charged to the Surplus Fund Account in lieu of to a state fund employer's experience if both of the following apply: <ul style="list-style-type: none"> • The claim is based on an automobile accident involving a third party; • The Administrator of Workers' Compensation is likely to be subrogated to the rights of the workers' compensation claimant (<i>R.C. 4123.932(A)</i>). 	Revises the proposed type of claim to be charged to the Surplus Fund Account in lieu of to a state fund employer's experience to a claim in which all of the following apply: <ul style="list-style-type: none"> • The claim is based on a motor vehicle accident involving a third party. • The third party is issued a citation for violation of any law or ordinance regulating the motor vehicle's operation arising from the accident on which the claim is based. • Either of the following circumstances apply to the claim: <ul style="list-style-type: none"> ○ Any form of insurance maintained by the third party covers the claim; ○ Uninsured or underinsured

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		motorist coverage covers the claim (<i>R.C. 4123.932(A) and (B).</i>)
Procedure for charging the experience to the Surplus Fund Account	<p>Provides two avenues for charging the experience to the Surplus Fund Account:</p> <ul style="list-style-type: none"> • If the Administrator determines that a claim satisfies the requirements described immediately above; or • If an adjudicating committee appointed by the Administrator makes a final determination that a claim satisfies those requirements (<i>R.C. 4123.932(A)</i>). <p>Allows an employer who believes that a claim may qualify to be charged to the Surplus Fund Account under the bill to file a request with an adjudicating committee for a determination.</p> <p>Requires the Administrator, with the advice and consent of the Bureau of Workers' Compensation Board of Directors, to adopt rules to establish requirements and procedures for an adjudicating committee to follow when determining whether a claim is likely to be subrogated. (<i>R.C. 4123.932(B) and 4123.291.</i>)</p>	<p>Removes the proposed adjudicatory committee process and allows a claim to be charged to the Surplus Fund Account in lieu of to the employer's experience under the bill if the Administrator determines that the claim qualifies (<i>R.C. 4123.932(B)</i>).</p> <p>Allows an employer who believes that a claim may qualify to be charged to the Surplus Fund Account under the bill to file a request with the Administrator for a determination (<i>R.C. 4123.932(C)</i>).</p> <p>Requires the Administrator to make the determination upon receipt of an employer's request (<i>R.C. 4123.932(D)</i>).</p>
Applicability to the state and state institutions of higher education	No provision.	Does not allow such a claim to be charged to the Surplus Fund Account if the employer of the employee who is the subject of the claim is the state or a state institution of higher education, including its hospitals (<i>R.C. 4123.932(E)</i>).
Effective date	No provision.	Applies the bill to workers' compensation claims filed on or after July 1, 2016 (<i>Section 3</i>).

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