
OLR Bill Analysis

sHB 6409

AN ACT CONCERNING UNDUE DELAY IN WORKERS' COMPENSATION CLAIMS.

SUMMARY

For an employee receiving workers' compensation medical benefits, this bill requires the employer or the employer's insurer to notify the employee and the workers' compensation administrative law judge (ALJ) before taking certain action to stop or reduce payment for medication or durable medical equipment prescribed to the employee. The bill sets requirements for the notice and gives the employee a right to a hearing on the matter.

By law, when an employee is injured at work, the employer must provide a medical professional (physician, surgeon, physician assistant, or advanced practice registered nurse) to attend to the injured employee. These professionals can prescribe prescription drugs and rehabilitation services for the employee as they deem reasonable or necessary and the employer or the employer's insurance (or any representative acting on their behalf) must pay for them (CGS § 31-294d).

The bill specifies that its requirements do not apply to situations where the employee's medication or equipment is discontinued by the employee's medical professional.

EFFECTIVE DATE: October 1, 2025

NOTICE TO OBJECT TO, DISCONTINUE, OR REDUCE PRESCRIPTION MEDICATIONS OR DURABLE MEDICAL EQUIPMENT

The bill requires the employer or insurer to notify the employee if they object to the approval or renewal of, or before discontinuing or reducing payment for, medications or durable medical equipment

prescribed to the employee.

Under the bill, the notice must specify the (1) reason for the proposed objection, discontinuation, or reduction and (2) date the proposed action will start. It must be written or printed and served personally or by registered or certified mail to the employee's and workers' compensation ALJ's last-known residence or place of business.

Required Notice Information

The bill requires the notice to include the same information as existing law requires for notices to employees about reducing or discontinuing other workers' compensation payments.

The notice must substantially follow a form set in statute, which requires a heading stating, "IMPORTANT," followed by the notification of the employer's or insurer's intended action and certain required information. Specifically, it must inform the employee that a request for a hearing must be made within 15 days after receiving the notice, or it will be automatically approved. The notice also must:

1. identify the involved parties (e.g., employee, employee's attorney or other representative, employer, and insurer);
2. include information about the injury, including the date it happened, the city or town where it happened, and its nature; and
3. include medical documentation for the objection, discontinuation, or reduction, and the name of the employee's attending medical professional.

The form must instruct the employee, if he or she would like to request a hearing, to do the following: (1) call the Workers' Compensation Commission District Office where the case is pending, (2) be prepared with medical and other documentation to support the objection, and (3) note the date he or she received the notice.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 4 (03/20/2025)