

WORKERS' COMPENSATION LEGISLATIVE UPDATE  
SB 1066 NOT CALLED FOR A VOTE

On January 11, 2011, the Illinois 96<sup>th</sup> General Assembly adjourned *sine die* on without presenting any versions of the workers' compensation bill for a vote on the floor of the House or the Senate. To that end, no amendments to the Workers' Compensation Act were enacted. On January 12, 2011, the new leadership of the State legislature under the 97<sup>th</sup> General Assembly convened.

Highlights of the legislation included:

- Restrictions on choice of doctor
- An intoxication defense
- Limitations on wage-differential awards
- Increasing the strength of Utilization Review
- Reduction of the fee schedule by 15%
- Adoption of Rule 137 for workers' compensation cases
- A requirement that any new Arbitrators must be lawyers
- Recalculation of premiums

Notably absent from the proposed legislation was any change in the causation standard. Specifically, the amendment would not move toward a "primary cause" standard. The amendment also failed to include the AMA guidelines for addressing permanent partial disability.

With income taxes now scheduled to increase both for the individuals and on a corporate level, this is not good news for the business community in Illinois that wanted and needed relief and reform of the current workers' compensation laws. Whether the 97<sup>th</sup> General Assembly will be willing to take up the issue is the next question.