

2012 SESSION

INTRODUCED

12102343D

HOUSE BILL NO. 128

Offered January 11, 2012

Prefiled January 4, 2012

A *BILL to amend and reenact § 65.2-903 of the Code of Virginia, relating to workers' compensation; access to records.*

Patron—Kilgore

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-903 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-903. Records not public.

A. The records of the Commission, insofar as they refer to accidents, injuries and settlements, shall not be open to the public but only to the parties satisfying the Commission of their interest in such records and their right to inspect them; ~~however, the~~.

B. *In addition to making its records open to parties as provided in subsection A, the Commission shall make:*

1. *Make its records about an injured employee available to the Virginia Employment Commission, the Department of Social Services, or the Virginia Retirement System if any such entity requests such records; and*

2. *Make its records available to an organization that conducts a computerized file match program that permits an electronic comparison of its members' records to the Commission's records in order to identify duplication of coverage under this title and under health benefits programs provided by the organization's members, provided that the organization shall be responsible for all costs associated with providing access to such records and that the Commission shall promulgate rules to ensure that information is used only for the purpose described in this subdivision and that personal identifying information is not released to any third party.*

C. The Commission shall promulgate rules to ensure that information for the purpose of determining eligibility for employment shall not be provided without the written consent of the employee.

INTRODUCED

HB128