

# TITLE 72 WORKER'S COMPENSATION AND RELATED LAWS -- INDUSTRIAL COMMISSION

## CHAPTER 10 CRIME VICTIMS COMPENSATION

To Chapter 10, Title 72, Idaho Code, add a new section, numbered 72-1026, as follows:

### **72-1026. Payments to Medical Providers. –**

(1) The commission may adopt a fee schedule to determine the allowable payments to be made to medical providers under this chapter, including, but not limited to, the fee schedule the commission has adopted to determine the allowable payments to be made to medical providers under the Idaho workers' compensation law.

(2) A medical provider who accepts the full allowable payment from the commission under this chapter for medical services provided to a victim or claimant shall be deemed to have agreed to accept those payments as payment in full for those medical services. Except as provided in paragraph (3), below, a medical provider who has received payment from the commission for medical services provided to a victim or claimant under this chapter may not attempt to collect any further payment from the victim or the claimant for those same services.

(3) In the event the commission, due to a lack of available funds or some other cause, is unable to pay the full allowable payment to a medical provider for medical services provided to a victim or claimant under this chapter, the medical provider may collect the unpaid balance for those services from the victim or claimant, but in no event shall the total amount collected by the provider from the commission and the victim or claimant exceed the full allowable payment the provider would have received from the commission under this chapter.

*Statement of Purpose: This proposed legislation will provide statutory authority to the Industrial Commission to utilize and/or develop a fee for service schedule for benefits paid on behalf of crime victims that is consistent with fair market value and other government and private benefits programs. It also includes a provision that prohibits service provider from billing victims for any covered expense that is in excess of the charge allowable under the fee schedule and allows service providers to bill for those costs that are not covered by CVCP due to reductions in benefit eligibility related to statutory and rule requirements. This proposed legislation gives the Industrial Commission authority to adopt or develop a fee schedule to administer benefits.*

*Fiscal impact of legislation idea: There will be no impact to the General Fund. The Crime Victims' Compensation Program is a dedicated fund agency funded by fines and penalties assessed on criminal convictions. This proposed legislation will have a positive impact on the Crime Victims' compensation fund by providing cost containment for services paid by the program, limiting expenses to those more consistent with market value and other government and private benefit programs.*