

**Subcommittee on Idaho Code 72-602**

**April 27, 2026**

**2:00 p.m.**

*Members: Chris Wagener (Chair), Patti Vaughn, Richelle Flores, Kayla Pollard, Kamerron Slay, Commissioner Claire Sharp, Commissioner Aaron White, and Director George Gutierrez.*

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**1. Draft Proposed Language**

Chair Sharp convened the meeting at 2:40 pm. Chair Sharp noted that the Commission had updated draft language for review and possible incorporation into the statute. Chair Sharp indicated that one legislative theme is the transition of rules into statutory law and, in anticipation of these changes, two potential IDAPA rules are under consideration for inclusion in the statute. Chair Sharp turned the time over to Ms. Vaughn to elaborate on how the regulations would be integrated into the statute. Ms. Vaughn explained that, while the text was taken directly from IDAPA 17.01.01.602.01 and incorporated into the draft statutory language,

72-602.EMPLOYERS' NOTICE OF INJURY AND REPORTS. (1) First report--Notice of injury or occupational disease. As soon as practicable but not later than ten (10) days after the occurrence of an injury or occupational disease, requiring treatment by a physician or resulting in absence from work for one (1) day or more, a report thereof shall be made ~~in writing~~ by the employer to the commission in the form prescribed by the commission; ~~the mailing to the commission of the written report within the time prescribed shall be compliance.~~

(2) Filing a FROI is not an admission of liability and is not conclusive evidence of any fact stated therein.

(3) Filing of a Claim shall be considered an authorization for the release of medical records that are relevant to or bearing upon the particular injury or occupational disease for which the Claimant is seeking compensation.

~~(2) Extended disability--Sixty (60) day supplemental and final reports. If the disability extends beyond a period of sixty (60) days, the employer shall make a supplemental report to the commission at the end of such period, in the form prescribed by the commission, that the employee is still disabled.~~

~~(3) Supplemental~~ Subsequent report on termination of disability or reinstatement of benefits. Upon termination of the disability of the employee, or reinstatement of benefits, the employer shall make a ~~final supplemental~~ subsequent report to the commission, in the form prescribed by the commission, within fifteen

(15) days.

~~(45) Summary of compensation and medical services, paid and payable. Employer shall make an annual report to the commission within the first quarter of each calendar year for death or permanent total disability claims. Within such time, and under such conditions, as the commission shall prescribe by rule or regulation, but not more often than sixty (60) days after the termination of the disability of the employee, the employer or other party liable to pay the compensation provided for by this act shall file with the commission a summary showing the total compensation payments made or to be made for such employee. The time prescribed by the commission for the filing of such summaries may be different for medical and related benefit cases only as over against cases in which monetary benefits have been made to any such employee. Employer shall make a final report to the commission within thirty (30) days from the date the surety or self-insured employer closes an indemnity claim, resolves any claim by settlement agreement, or closes a death or permanent total disability claim file.~~

~~(56) Failure to file report a misdemeanor. An employer who willfully fails or refuses to make any report required by this section shall be guilty of a misdemeanor.~~

## **2. Discussion on Changes to Statutory Language**

Ms. Vaughn explained that they had sent the draft language to Matt Drake at the Legislative Services Office (LSO), who offered several suggestions. One was to repeal the section entirely and rewrite it from scratch, which would help avoid lengthy strikeout passages and simplify the revision process. Alternatively, this method could be applied to individual subsections, such as subsection (5), ensuring that removed and new language remain clearly separated. Mr. Drake had indicated that this approach helps make the final draft easier to follow and understand, and it would be acceptable to remove certain provisions only to reintroduce them later if they improve clarity. Lastly, Mr. Drake recommended referring to “The employer” instead of just “Employer,” aligning with statutory conventions and the existing terminology in that section.

## **3. Next Steps**

Chris Wagener expressed his willingness to integrate the proposed LSO changes and submit them to the subcommittee before the May 20th Advisory Committee meeting. Commissioner White made a motion to proceed accordingly, which Mr. Wagener seconded. The motion passed unanimously. The meeting adjourned at 2:50 p.m.