

MINUTES

SUBCOMMITTEE ON IDAHO CODE 72-602

June 24, 2026

The Industrial Commission's Subcommittee on Idaho Code 72-602 met in regular meeting with Chair Chris Wagener presiding. In attendance were David Anderson, Jamie Arnold, Shellie Martin, Cody Heiner, Public Information Officer Amy Berg, Commission Chair Claire Sharp, EDI Program Analyst Claims Supervisor Richelle Flores, Workers' Compensation Audit Program Analyst Records and Reception Supervisor Kayla Pollard, Benefits Administration Manager Patti Vaughn, Commission Secretary Kamerron Slay, Law Clerk Erik Farner, Director George Gutierrez, and Commissioner Aaron White. Chair Wagener called the meeting to order at 1:04 p.m.

I. Unfinished Business

No old business

II. New Business

a. Information Item: Draft Proposed Language

- i. Chair Wagener informed the committee that the purpose of the meeting was to finalize the draft language to present it to the Advisory Committee and submit the final draft to the Idaho Legislative Services Office to meet the legislative timelines. During the May 20, 2026, Advisory Committee meeting, the subcommittee presented suggested changes to Idaho Code 72-602, and Advisory Committee members voiced concerns about obsolete language and the movement of information from IDAPA to the Idaho Code regarding the obtaining of medical records. Within the new draft presented to the subcommittee, Chair Wagener indicated that section 2 of 72-602 has been removed and added to Idaho Code 72-432 as a new section 11.

b. Information Item: Discussion on Idaho Code 72-432

- i. Chair Wagener presented the new draft language for Idaho Code 72-432, which includes the new section 11. This new section states, "A claim for payment of benefits by an employee shall be deemed to authorize release of medical records to employer, surety, manager of the industrial special indemnity fund, or their attorneys or authorized representatives, or to the commission. The release of medical records is limited to those records which are needed to process or adjudicate claims, or to coordinate care under the worker's compensation system." Several attendees voiced concern about whether the claim for payment or the filing of the claim should trigger the release of the medical records associated with the

claims. At this time, the subcommittee has agreed to leave the language as currently written. Commissioner Chair Sharp is concerned that these changes to the code will not affect the ability to obtain records from medical providers. The subcommittee will present the current language to the Advisory Committee and seek their feedback on which providers the subcommittee could consult regarding the proposed changes.

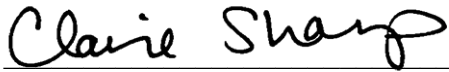
c. Action Item: Next Steps on Proposal

- i. At this time, the Industrial Commission will move forward with finalizing the language for 72-602 to present to the Advisory Committee on August 6, 2026, and will defer finalizing 72-432 until the proposed changes are presented to the Advisory Committee and the subsequent feedback is received. It was also decided that if the legislature approved the proposed code changes, the Commission would update its IDAPA concurrently.

III. Adjournment

- a. With no further new business, Chair Wagener adjourned the meeting at 1:40 p.m.

APPROVED:



Claire Sharp, Chair



Aaron White, Commissioner

ATTEST:



Amy Berg, Public Information Officer