

New workers' comp plan gets good rating from Cruce, Faust

GOV. JAMES Blanchard's new proposal to cut workers' compensation costs by addressing only administrative issues has won immediate support from some key lawmakers, General Motors and the United Auto Workers. But it drew sharp criticism from some business officials.

The governor said he expects the plan, which will go to a legislative task force, to be approved before the summer recess.

The proposal evades the controversy over the definition of "disability" while focusing on streamlining the system's administrative procedures.

As such, it reflects many of the December recommendations of University of Michigan law professor Theodore St. Antoine, appointed by the governor as special counsel on worker's compensation.

DRAWING THE MOST fire are the governor's proposals to eliminate the June 30 sunset on the disability definition, to appoint an advisory council of business and labor to study the issue, and to eliminate the ability of the appeals board to review the entire record of a case decided by administrative law examiners.

Blanchard said the proposal would make the system more cost competitive and equitable for injured workers. Aides said exact cost savings are impossible to calculate.

And alluding to GM's forthcoming decision on a site for its Saturn project, he said, "We are trying to do everything we can to improve cooperation because that could affect future business decisions."

The governor said the administrative reforms will be a major improvement in the job climate and in administrative costs. "Further reforms will be much more attainable if we can move out and clear up administrative problems," he said.

The governor said he would create, by executive order, an advisory council equally represented by business and la-



Michigan mirror

Warren Hoyt

of the Michigan Press Association

bor to address the definition issue as quickly as possible.

ST. ANTOINE said he was delighted with the proposals to address administrative problems. He said they constitute "the one universally acknowledged failure of the system — the crushing backlog of cases (five years)."

Senate Labor Committee Chairman Doug Cruce, R-Troy, co-chairman of the task force, said he was encouraged by the proposal, saying, "It will be 95 percent of what we'll end up passing. I believe it does have the foundation to reduce costs."

Task force member Sen. William Faust, D-Westland, said it appears to be a framework for a solution.

House Minority Leader Michael Busch, R-Saginaw, said he was skeptical that another advisory council would be helpful in addressing the longstanding battle over the definition of disability.

MICHIGAN MANUFACTURERS Association President John Thodis strongly opposed delaying action on the definition question, while applauding the proposed changes in administrative procedures.

Commerce Director Doug Ross, who helped win the support of the UAW and GM, said the advisory council would not simply study the definition, but would be charged with the responsibility to resolve the issue as fast as possible.

Major points to the governor's plan are to:

- Make the disability definition for occupational disease consistent with that for traumatic injury.

- Streamline the appeals process with a new appellate commission to hear new appeals while the existing board would clear away the existing backlog.
- Set time limits on appeals.
- Encourage voluntary arbitration.
- Set new qualification for administrative law examiners.

• Encourage alternatives to contested cases, in part through expanded mediation.

• Limit attorney fees by limiting the time period on which fees are calculated to 104 weeks and basing fees on benefits after deductions for other coverages.

• Set a priority hearing calendar for cases.

• Adopt rules limiting medical fees to the maximum allowed by out-state Blue Cross trust fee schedule.

Warren Hoyt is executive director of the Michigan Press Association.

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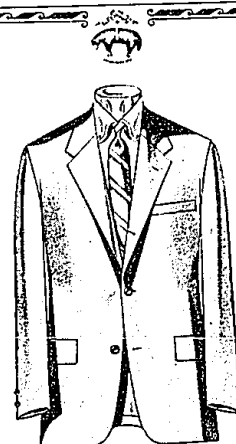
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