

2023 -- S 0421

LC001918

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION --
BENEFITS

Introduced By: Senators Rogers, de la Cruz, DeLuca, and Paolino

Date Introduced: February 16, 2023

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-33-5 of the General Laws in Chapter 28-33 entitled "Workers'
2 Compensation — Benefits" is hereby amended to read as follows:

3 **28-33-5. Medical services provided by employer.**

4 (a) The employer shall, subject to the choice of the employee as provided in § 28-33-8,
5 promptly provide for an injured employee any reasonable medical, surgical, dental, optical, or other
6 attendance or treatment, nurse and hospital service, medicines, crutches, and apparatus for such
7 period as is necessary, in order to cure, rehabilitate, or relieve the employee from the effects of the
8 employee's injury; provided, that no fee for major surgery shall be paid unless permission for it is
9 first obtained from the workers' compensation court, the employer, or the insurance carrier
10 involved, except where compliance with it may prove fatal or detrimental to the employee.
11 Irrespective of the date of injury, the liability of the employer for hospital service rendered under
12 this section to the injured employee shall be the cost to the hospital of rendering the service at the
13 time the service is rendered. The director, after consultations with representatives of hospitals,
14 employers, and insurance companies, shall establish administrative procedures regarding the
15 furnishing and filing of data and the time and method of billing and may accept as representing the
16 costs for both routine and special services to patients, costs as computed for the federal Medicare
17 program. Each hospital licensed under chapter 17 of title 23 that renders services to injured
18 employees under the workers' compensation act, chapters 29 — 38 of this title, shall submit and

1 certify to the director, in accordance with requirements of the administrative procedures established
2 by him or her, its costs for those services. The employer shall also provide all medical, optical,
3 dental, and surgical appliances and apparatus required to cure or relieve the employee from the
4 effects of the injury, including, but not limited to, the following: ambulance and nursing service,
5 eyeglasses, dentures, braces and supports, artificial limbs, crutches, and other similar appliances;
6 provided, that the employer shall not be liable to pay for or provide hearing aids or other
7 amplification devices.

8 (b) Where an employee receives a COVID-19 vaccine in compliance with an employer's
9 mandate, and the employee, thereafter suffers an adverse medical event resulting from the
10 vaccination, all associated medical expenses shall be paid by workers' compensation insurance.

11 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION --
BENEFITS

1 This act would require the employer's workers' compensation insurance carrier to cover all
2 of an employee's associated medical expenses from any adverse medical event resulting from the
3 employer mandating that the employee receive the COVID-19 vaccine.

4 This act would take effect upon passage.

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