

**SENATORS GRENDALL - BUEHRER - SEITZ - JONES - SCHAFFER - GIBBS - FABER - CAREY -  
CATES - GOODMAN - HARRIS**

*To create the Competitive Workers' Compensation Task Force to review the feasibility of allowing employers the option to obtain private insurance to insure their obligations under the workers' compensation system of Ohio.*

*Be it resolved by the Senate of the State of Ohio:*

*WHEREAS, The Senate is dedicated to ensuring the long-term viability of a workers' compensation program in Ohio that protects injured workers and is affordable and reliable for employers as part of Ohio's efforts to stimulate economic growth in order to create, maintain, and expand jobs in Ohio; and*

*WHEREAS, The Senate desires to create a Competitive Workers' Compensation Task Force to review the feasibility of allowing employers the option to obtain private insurance to insure their obligations under the workers' compensation system of this state; now therefore be it*

*RESOLVED, That the mission of the Competitive Workers' Compensation Task Force is to do, and to issue a report concerning, all of the following:*

*(1) Evaluate the current workers' compensation insurance offerings offered by the Bureau of Workers' Compensation to determine if such offerings are actuarially sound and competitive with similar offerings in other states while taking into account variations in available benefit levels;*

*(2) Evaluate and describe the efforts made by other states within the last fifteen years to open those states' workers' compensation markets to private competition, which shall include the identification and description of those states' best practices in planning for and implementing a transition from a state-fund monopolistic workers' compensation system to a market that includes private competition;*

*(3) Identify at least three business plan options through which this state can introduce viable private workers' compensation competition along with or without the current state fund administered by the Bureau of Workers' Compensation and the Industrial Commission; and be it further*

*RESOLVED, That the task force may contract with a firm that possesses significant property and casualty and workers' compensation insurance actuarial evaluation experience to assist in carrying out its mission. If the task force contracts with a firm, the task force shall solicit bids from appropriate vendors and award the contract in a competitive manner; and be it further*

*RESOLVED, That the agenda, discussions, or outcomes of the work of the task force, or any firm with which the task force contracts, shall not be constrained in any manner by current law with respect to workers' compensation insurance; and be it further*

*RESOLVED, That the Competitive Workers' Compensation Task Force shall be composed of the following members appointed by the President of the Senate:*

*(1) Two representatives of employees (claimants) that fulfill both of the following criteria:*

*(a) One representative shall be employed by a state fund employer and one shall be employed by a self-insuring employer;*

*(b) One representative shall be employed by an employer that employs employees who are represented by a labor organization and one shall be employed by an employer that does not employ employees who are represented by a labor organization.*

*(2) One representative who is a state fund employer domiciled in this state;*

*(3) One representative who is a self-insuring employer domiciled in this state;*

*(4) One representative who is a lawyer admitted to the practice of law in this state who primarily represents claimants before the Industrial Commission;*

*(5) One representative who is a lawyer admitted to the practice of law in this state who primarily represents employers before the Industrial Commission;*

*(6) One representative who is a full-time employee of a third-party administrator that does business in this state;*

*(7) One representative who is a full-time employee of a managed care organization that does business in this state;*

*(8) Two representatives of political subdivisions recommended by associations representing county commissioners, municipal corporations, townships, or school districts;*

*(9) Two representatives who are full-time employees of property and casualty insurance companies that are domiciled in this state that offer to write workers' compensation coverage in at least ten states other than this state;*

*(10) Two representatives who are full-time employees of property and casualty insurance companies that are not domiciled in this state that offer to write workers' compensation coverage in at least thirty states other than this state;*

*(11) One representative who is a state fund employer who conducts business in this state and at least one other state;*

*(12) One representative who is a self-insuring employer who conducts business in this state and at least one other state;*

*(13) Four members of the Senate, two from each party. A member appointed from the majority party shall serve as a co-chairperson of the task force and shall be appointed as such by the President of the Senate.*

*(14) The Administrator of Workers' Compensation, or the Administrator's designee, the Chairperson of the Bureau of Workers' Compensation Board of Directors, or the Chairperson's designee, and the Superintendent of Insurance shall be members of the task force. The Superintendent of Insurance shall serve as a co-chairperson of the task force; and be it further*

*RESOLVED, That the task force shall make its findings on the issues and shall report its findings to the Governor, the Speaker of the House of Representatives, and the President of the Senate not later than June 30, 2010.*