

NEWS RELEASE

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MO HOUSE BILL 321: EVANS & DIXON PLAYS INTEGRAL ROLE IN EFFORT TO REFORM WORKERS' COMPENSATION SYSTEM

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ST. LOUIS, June 28, 2003 – House Bill 321 passed in the House, but was filibustered when it reached the Senate floor, much to the dismay of its supporters. Since the beginning of the 2003 Legislative Session, the Missouri Merchants and Manufacturers Association (MMMA) and the Missouri Chamber of Commerce and Industry with the support of countless hours devoted by **Evans & Dixon, L.L.C.** members **Michael Banahan, Robert Evans and William Ringer**, worked on passing House Bill 321.

The proposed legislation was intended to reform workers' compensation law by tightening the definition of a compensable injury and restoring a meaningful definition of "accident" and "occupational exposure." Business advocates felt this legislation was necessary given that Missouri lost 77,700 jobs in 2002—dramatically more than any other state in the nation.

The Missouri House passed the bill in February after more than five hours of debate. Labor advocates opposed the bill. They have little motivation to support the passage of workers' compensation reforms since the current system favors their causes.

At the request of Senate leadership, MMMA with the assistance of Evans & Dixon and other selected business groups met with representatives of labor and trial attorneys in attempts to negotiate a bill that would be signed by the governor. Among numerous reforms in the bill was a provision that would have tightened the definition of an injury and required that work be "the dominant" factor rather than "a substantial" factor in determining whether an injury or occupational disease is compensable.

House Bill 321 came up for Senate floor debate on April 24. After seven hours of filibustering by Democrats, the bill was set aside for the possibility of more debate in the future.

On May 2, two weeks prior to the end of the session, the governor brought the interested parties together again. The parties agreed to address meaningful change to the definition of

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House Bill 321: E&D Plays Role in Effort to Reform Workers' Compensation System – add one

accident and occupational exposure, cap the Second Injury Fund surcharge, and provide benefits for injured employees of uninsured employers. Labor and trial attorneys demanded more concessions from employers and negotiations ended.

Members of the Missouri Chamber of Commerce and Industry were an integral part in the legislation process. The MMMA plans to continue its efforts to reform Missouri's Workers' Compensation system next session.

Founded in 1945 to represent the insurance industry and self-insured employers, Evans & Dixon, L.L.C. is engaged in the practice of workers' compensation and civil litigation defense in the states of Missouri, Illinois and Kansas. Headquartered in St. Louis, the firm also operates offices in Kansas City, Mo., Springfield, Mo., and Leawood, Kan. For more information, visit www.evans-dixon.com.

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