

**Proposed cleanup amendments: MSRB and Insurance Guarantee Assoc.**

**Draft for discussion purposes 12.8.21**

1 **176.103 MEDICAL HEALTH CARE REVIEW.**

2 Subd. 3. **Medical Services Review Board; selection; powers.**

3 (a) There is created a Medical Services Review Board composed of the commissioner or the  
4 commissioner's designee as an ex officio member, and the following health care providers: two  
5 chiropractors persons representing chiropractic, one person representing hospitals, one physical  
6 therapist, one registered nurse, one occupational therapist, and six physicians representing  
7 different specialties which the commissioner determines are the most frequently utilized by injured  
8 employees. All health care provider members must maintain a license in the State of Minnesota to  
9 furnish medical or health services under their specific designation throughout their appointment  
10 period. The board shall also have one person representing hospitals, one person representing  
11 employees, and one person representing employers or insurers. The members shall be appointed  
12 by the commissioner and shall be governed by section [15.0575](#). Terms of the board's members may  
13 be renewed. The board may appoint from its members whatever subcommittees it deems  
14 appropriate. Notwithstanding section [15.059](#), this board does not expire unless the board no longer  
15 fulfills the purpose for which the board was established, the board has not met in the last 18  
16 months, or the board does not comply with the registration requirements of section [15.0599](#),  
17 [subdivision 3](#).

18 The commissioner may appoint alternates for one-year terms to serve as a member when a  
19 member is unavailable. The number of alternates shall not exceed one chiropractor, one physical  
20 therapist, one registered nurse, one hospital representative, three physicians, one employee  
21 representative, one employer or insurer representative, and one occupational therapist.

22 [For a complete version of Minn. Stat. 176.103, see  
23 <https://www.revisor.mn.gov/statutes/cite/176.103>]

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25 **176.231 REPORT OF DEATH OR INJURY TO COMMISSIONER OF DEPARTMENT OF LABOR AND**  
26 **INDUSTRY.**

27 Subd. 9a. **Access to division file without an authorization; attorney access.**

28 (a) Access to the division file established for a specific claimed date or dates of injury under this  
29 chapter is allowed without an authorization from the employee, employer, or insurer, as described  
30 in clauses (1) to (7):

31 (1) an employee, as described in subdivision 9, paragraph (c), has access to the division file  
32 established for the employee's claimed date or dates of injury;

33 (2) an employer and insurer have access to the division file for a workers' compensation claim to  
34 which the employer and insurer are parties;

- 35 (3) the Department of Administration under section [13.43, subdivision 18](#), the assigned risk plan  
36 under chapter 79, the special compensation fund established under section [176.129](#), the self-  
37 insurers security fund under chapter 79A, and the Minnesota insurance **guarantee guaranty**  
38 association under chapter 60C have access to all of the documents in the division file for a claim to  
39 which they are a party or are otherwise providing, paying, or reimbursing workers' compensation  
40 benefits under this chapter;
- 41 (4) a person who has filed a motion to intervene in a pending dispute at an agency has access to the  
42 documents in the division file that are filed in connection with the dispute in which the person has  
43 filed a motion to intervene;
- 44 (5) a registered rehabilitation provider assigned to provide rehabilitation services to an employee  
45 has access to the documents in the division file that are filed in connection with the employee's  
46 vocational rehabilitation or a dispute about vocational rehabilitation under section [176.102](#);
- 47 (6) a third-party administrator licensed under section [60A.23, subdivision 8](#), has access to the  
48 division file for a claim it has contracted to administer on behalf of any of the entities listed in this  
49 subdivision; and
- 50 (7) the program administrator for a collective bargaining agreement approved by the commissioner  
51 under section [176.1812](#) has access to the division file for a claim that is covered by the agreement.

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53 **176.2612 WORKERS' COMPENSATION CLAIMS ACCESS AND MANAGEMENT PLATFORM USER**  
54 **SYSTEM (CAMPUS).**

55 **Subd. 3. Creating a CAMPUS account.**

56 (a) For purposes of this subdivision, "employer," "insurer," and "third-party administrator" have the  
57 meanings given in section [176.253, subdivision 1](#).

58 (b) Electronic access to view or file documents in CAMPUS shall be granted according to the  
59 requirements established by the department and the Department of Information Technology  
60 Services to authenticate the identity of the person or entity creating the account and authorize  
61 access to the documents that the person or entity is entitled to under this chapter. To create an  
62 account in CAMPUS, a person must provide the commissioner of labor and industry with  
63 information needed to create the account and authenticate the person's identity. The person must  
64 also agree to terms and conditions that are needed to safeguard the security and privacy of data  
65 and comply with the requirements of this chapter related to CAMPUS.

66 (c) The persons or entities in clauses (1) to (12) must create and maintain an account in CAMPUS to  
67 electronically access or file documents:

68 (1) an employee with a workers' compensation claim or other person who has access to the division  
69 file under section [176.231, subdivision 9](#), paragraph (c);

70 (2) an employer with a workers' compensation claim;

- 71 (3) a licensed workers' compensation insurer acting on behalf of an employer with a Minnesota  
72 workers' compensation claim;
- 73 (4) an intervenor or potential intervenor in a workers' compensation dispute;
- 74 (5) a registered rehabilitation provider under section [176.102](#);
- 75 (6) the state or a political subdivision or school district that is not required to be self-insured by the  
76 commissioner of the Department of Commerce in order to pay its workers' compensation claims;
- 77 (7) the assigned risk plan under chapter 79A;
- 78 (8) the Workers' Compensation Reinsurance Association under chapter 79;
- 79 (9) the Minnesota ~~Insurance~~insurance ~~Guarantee~~guaranty ~~Association~~association established  
80 under chapter 60C;
- 81 (10) the self-insurers' security fund under chapter 79A;
- 82 (11) a third-party administrator that has contracted to act on behalf of any of the entities listed in  
83 this subdivision; and
- 84 (12) an attorney representing a person or entity listed above.
- 85 (d) The commissioner may require that any person or entity listed in paragraph (c), clauses (2) to  
86 (12), create and maintain an account in CAMPUS if the person or entity is a party to a workers'  
87 compensation claim or associated with an enforcement action of the department.
- 88 (e) A designated medical contact under section [176.135](#) and a managed care organization certified  
89 by the department under section [176.1351](#) must create and maintain an account to file and view  
90 documents related to the certified managed care plan or designated medical contact. A program  
91 administrator for a collective bargaining agreement approved by the commissioner under  
92 section [176.1812](#) must create an account to view documents related to a claim that is covered by  
93 the agreement. A health care provider must create an account to file a request for an administrative  
94 conference if permitted under section [176.136, subdivision 2](#).
- 95 (f) If a person or entity is required to create and maintain an account under this subdivision and fails  
96 to do so:
- 97 (1) unless good cause is shown, the commissioner may assess a \$500 penalty against the person or  
98 entity for each 30-day period that an account is not created or maintained following the  
99 commissioner's notice that one is required;
- 100 (2) failure to create or maintain an account shall not be a defense to untimely filing where  
101 electronic filing is required under this chapter; and
- 102 (3) failure to create or maintain an account results in the appointment of the commissioner and  
103 successors in office as the person's agent to receive service by the commissioner or the Workers'  
104 Compensation Court of Appeals where service is required under this chapter, provided that the  
105 commissioner attempts service by United States mail on the party at the last known address.