

SB21-197 Workers' Compensation Physician  
Thursday, May 27, 2021  
Business Affairs & Labor  
Kelly Brough, President & CEO, Denver Metro Chamber of Commerce  
Opposition Testimony

Thank you, Mister Chair and members of the committee, for the opportunity to provide this written testimony today. My name is Kelly Brough and I am the President and CEO of the Denver Metro Chamber of Commerce. I submit this testimony on behalf of the Chamber, our 3,000 members and their 400,000 employees, to express our opposition of Senate Bill 197.

As you likely know, our workers compensation system is the result of years of negotiation and compromise between employers, employees, the plaintiff's bar and organized labor. Senate Bill 197 did not involve any stakeholder outreach and represents a significant departure from our current system. Allowing an injured worker to choose a physician outside of the network or to switch physicians multiple times through the course of their treatment leads to continuity of care concerns, increased administrative costs which fall squarely on the shoulders of employers, which will result in increased premiums. Considering that half of the workers in Colorado work for small businesses, this will have a huge impact on our smallest employers.

The network of physicians currently available through workers' compensation provides high-quality care to workers as providers are thoroughly vetted and screened for both quality and cost. According to Pinnacol Assurance, 77% of workers are satisfied or very satisfied with the care they receive from the existing network of physicians, and only 0.002% of the 40,000 workers that Pinnacol covered in 2019 took advantage of their already established statutory right to change physicians. While the goal of this legislation is to give injured workers more choices, the result is that it adds complexity to the current system and will place new burdens on injured workers; the exact opposite of what it sets out to do.

The bill would also increase costs for employers and employees. Pinnacol estimates that the shift from in-network to out-of-network physicians could increase its claims costs over the next two years by a minimum of 11% and increase premiums by up to 14.9% annually. Further, we know that high quality

narrow networks have the potential to deliver great outcomes at lower costs, and this is completely contrary to that approach.

We respectfully ask the committee to oppose Senate Bill 21-197. Thank you.