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WORKERS' COMPENSATIONSM

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House OKs changes to Workers' Compensation

The state House endorsed legislation Tuesday designed to undo unexpected fallout from lawmakers' attempts six years ago to establish tougher standards for injured Missouri residents to qualify under the workers' compensation system.

The new legislation given first-round approval would specifically bar employees from filing lawsuits against their co-workers for injuries that qualify under the workers' compensation system. The measure also would expressly state that occupational diseases are covered by the workers' compensation system and therefore would not be handled as lawsuits filed against employers.

Backers say the changes are needed to fix problems that have arisen since the Legislature approved a 2005 workers' compensation law that supporters said was needed to help make Missouri more attractive to prospective employers.

The workers' compensation system was created 80 years ago as a way to resolve injury claims through administrative proceedings rather than the courts. In 2005, the Legislature approved a series of changes to that system, including a requirement that work be the "prevailing factor" instead of a "substantial factor" for a workplace injury and giving preference to objective medical findings over complaints of pain.

Among the changes was also an instruction for the courts to interpret the workers' compensation law strictly, which overturned a variety of earlier rulings dealing with workers' compensation.