

[(1)](I) the covered employee has returned to the current employment of the covered employee;

[(2)](II) a treating physician chosen by the covered employee has advised the covered employee that the covered employee has reached maximum improvement from the disability of the covered employee; or

[(3)](III) the termination is made after the termination date contained in an order of the Commission.

(2) THIS SECTION DOES NOT APPLY TO A TERMINATION OF MEDICAL BENEFITS IF:

(I) THE TREATMENT BY A PHYSICIAN OR HEALTH CARE PROVIDER WAS NOT AUTHORIZED BY AN INSURER OR SELF-INSURER; OR

(II) A TREATING PHYSICIAN OR HEALTH CARE PROVIDER CHOSEN BY THE COVERED EMPLOYEE HAS ADVISED THE COVERED EMPLOYEE THAT THE COVERED EMPLOYEE HAS REACHED MAXIMUM MEDICAL IMPROVEMENT FROM THE DISABILITY OF THE COVERED EMPLOYEE.

(b) (1) (I) Before terminating the payment of temporary total disability benefits ~~OR MEDICAL BENEFITS~~, an insurer OR SELF-INSURER shall give the covered employee written notice of the date that the benefits are to be terminated. ~~IN THE CASE OF MEDICAL BENEFITS, THE WRITTEN NOTICE SHALL ALSO BE SENT TO THE COVERED EMPLOYEE'S TREATING PHYSICIAN WHERE TREATMENT HAD BEEN AUTHORIZED BY THE INSURER OR SELF-INSURER~~

(II) BEFORE TERMINATING THE PAYMENT OF MEDICAL BENEFITS, AN INSURER OR SELF-INSURER SHALL GIVE THE COVERED EMPLOYEE AND THE COVERED EMPLOYEE'S TREATING PHYSICIAN OR HEALTH CARE PROVIDER WRITTEN NOTICE OF THE DATE THAT THE BENEFITS ARE TO BE TERMINATED.

(2) ~~The~~ IN THE CASE OF TEMPORARY TOTAL BENEFITS, THE notice shall accompany the final payment of temporary total disability benefits to the covered employee.

(c) (1) The notice of termination under this section shall state:

[(1)](I) the reasons for the termination;

[(2)](II) that the covered employee has a right to request a hearing before the Commission on the issue of the termination; and

[(3)](III) the procedure and time for requesting a hearing.

(2) IN THE CASE OF MEDICAL BENEFITS, A COPY OF ANY MEDICAL RECORD OR REPORT RELIED UPON BY THE INSURER OR SELF-INSURER IN MAKING THE TERMINATION SHALL BE ATTACHED TO THE NOTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.