

Workers' Comp LAW BLOG

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Ever Heard of the South Carolina Workers' Compensation Commission Advisory Committee?

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Practice Areas:

- Workers' Compensation

South Carolina's Workers' Compensation Act provides for an Advisory Committee whose purpose it is to monitor the effectiveness of existing laws and annually make recommendations to the General Assembly on ways to improve those laws. The Committee is often called the "Governor's Committee" because the five members are appointed by the governor, but in reality, the Committee does not speak for the governor. It reports to the General Assembly. The statute requires the members represent various interests in the compensation industry, so the Committee has input from five factions of the system: the defense bar; the claimant's bar; labor; management; and the general public.

Other than meeting quarterly and issuing an annual report, the Committee has no real power. Unlike Tennessee where an advisory committee exists to actually review and comment on proposed legislation and its opinions carry great weight (few, if any, bills involving workers' compensation become law in Tennessee without the committee's endorsement), South Carolina's Workers' Compensation Advisory Committee is frequently and wholly ignored by the legislature. This can be frustrating because the Committee has addressed important problems like insuring benefits for workers in the construction industry by finding ways to keep subs in compliance with the Act, a very real problem in South Carolina.

The Advisory Committee met this past Friday. Its meetings are open to the public, so I attended to learn more about the committee. I was delighted to see that one topic for discussion was how to make the Committee more visible, relevant, and effective. The public needs access to the Committee to voice concerns, raise awareness of problems in the system, and put forth ideas to make the system more effective. One way is for the Committee to hold a town hall meeting, perhaps at the South Carolina Workers' Compensation Association's Annual Educational Conference in the Fall. This would allow attendees to voice their concerns in an open forum. The more exposure the Committee has, the more visible it will be with the General Assembly and better it will fulfill its purpose.

The Committee is designed to look at all workers' compensation issues from all sides for the common good. It is, and has always been, a great idea. I am confident the Committee we have now can make it work. If you have issues you'd like to raise with the Committee, please send them to me at slacy@collinsandlacy.com.

About Collins & Lacy, P.C.

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