

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A FALSE STATEMENT IN AN EMPLOYER-  
5 PROVIDED QUESTIONNAIRE UNDER CERTAIN CIRCUMSTANCES IS A BASIS FOR BARRING  
6 WORKERS' COMPENSATION BENEFITS; AND PROVIDING AN EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **NEW SECTION. Section 1. False statement on employment questionnaire.** (1) A false statement  
11 made by an employee in an employer-provided written questionnaire calling for the disclosure of an employee's  
12 medical condition that is relevant to the essential functions of the job following a conditional offer of employment  
13 bars all wage-loss or medical benefits under this chapter if all of the following conditions are met:

14 (a) the employee knowingly or willfully, by omission or commission, makes a false representation  
15 regarding the employee's physical condition that is relevant to the essential functions of the job;

16 (b) the employer relies on the false representation and that reliance is a contributing factor in the  
17 hiring of the employee; and

18 (c) there is a causal connection between the falsely represented condition and the injury or  
19 occupational disease for which wage-loss or medical benefits are claimed.

20 (2) The employee has the right to petition the workers' compensation court after satisfying the  
21 mediation requirements of this chapter if the employee disagrees with a decision to terminate benefits or bar  
22 benefits as provided under subsection (1).

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24 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
25 integral part of Title 39, chapter 71, part 1, and the provisions of Title 39, chapter 71, part 1, apply to [section 1].

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27 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2021.

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