

# Governor Polis Signs Workers' Compensation Physician Choice Bill (HB25-1300) To Take Effect January 1, 2028

This Blog Post is to advise CIRSA Workers' Compensation Pool members and other interested parties of the status of [House Bill 25-1300](#), the Workers' Compensation Benefits Proof of Entitlement bill ("HB 1300" or "the Bill").

Governor Polis signed HB 1300 into law on June 4, 2025. As passed, the Bill has a January 1, 2028, effective date, and applies to workers' compensation claims filed on or after that date.

The most prominent amendment to the Workers' Compensation Act ("Act") made by HB 1300 is to fundamentally change the rules for selection of the authorized treating physician (ATP) in workers' compensation cases. The Bill replaces the current employer right to designate a list of four or more physicians from whom the employee selects an ATP with a right for the employee to select any Level I or Level II physician accredited by the Division of Workers' Compensation ("DOWC"). The DOWC currently maintains a directory of approximately 1,000 accredited physicians/providers.

In addition, HB 1300 extends certain timelines for changes of physicians, allowing an employee to make a change later in the life of their workers' compensation claim. The Bill also adds language to the Act expressly stating that employers and insurers must use the DOWC utilization standards when responding to requests for treatment authorization from a treating physician. Lastly, the Bill appears to eliminate the ability for employers with qualified onsite healthcare facilities to designate them as ATPs.

During the final days of the legislative session, the Bill was amended to delay its implementation from 2026 to 2028. While CIRSA and other stakeholders requested Governor Polis veto the Bill, ultimately, he signed it on June 4. In his accompanying [signing statement](#), Governor Polis called for the creation of a working group of stakeholders to develop recommendations around implementation of the Bill and legislation for the 2026 session. He noted the delayed effective date provides ample opportunity for action to address implementation issues.

Among other topics, Governor Polis stated the working group should consider and address the following:

- Further clarifying the permissibility of in-house clinics that employ level I or level II accredited physicians as an option available to injured workers;
- Clarifying that nothing precludes an employer or insurer from selecting any number of level I or level II accredited physicians to provide as a list of recommendations;
- The functionality of the DOWC's provider directory and clarifications around appropriate provider types to serve as a designated provider;
- The accreditation process for providers; and
- Clarification of any timelines, as needed to ensure workers receive prompt care.

CIRSA will be working with its lobbyist to participate in and track the efforts of the working group called for by the Governor and will provide further updates and information to members as we work toward the effective date of the Bill.

If you have questions about this article, contact CIRSA's Deputy Executive Director/ General Counsel, Sam Light at [saml@cirsa.org](mailto:saml@cirsa.org), or CIRSA's Associate General Counsel, Nick Cotton-Baez at [nickc@cirsa.org](mailto:nickc@cirsa.org).

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