

National Conference of State Legislatures
2010 Legislation on Workers Compensation
Year End Search 2010

ALABAMA

AL H 21 Mitchell J (D)
Title: Worker Compensation
Status: Failed - Adjourned
Summary: Relates to payments under Workers' Compensation, to remove certain restrictions and limitations.

AL H 633 Johnson (R)
Title: Public Safety Officer Benefits
Status: Failed - Adjourned
Summary: Amends Sections 36-30-20, 36-30-21, 36-30-22, and 36-30-23, Code of Alabama 1975, relating to the eligibility for death or disability benefits of certain municipal policemen and state law enforcement officers; provides for the definition of law enforcement officer to include any law enforcement officer in this state and to further define occupational disease.

AL H 716 DeMarco (R)
Title: Worker Compensation
Status: Failed - Adjourned
Summary: Relates to the definitions for workers' compensation laws, to define the term owner-operator for workers' compensation purposes.

AL S 487 Little Z (D)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to the definitions for workers' compensation laws, to define the term owner-operator for workers' compensation purposes.

ALASKA

AK H 104 Labor and Commerce Committee
Title: Workers Compensation Medical Treatment Fees
Status: Enacted 03/30/2009
Summary: Adjusts certain fees for treatment or services under the state Workers' Compensation Act to reflect changes in the Consumer Price Index.

AK H 207 Harris (R)
Title: Maximum Benefit From Fishermens Fund
Status: Failed - Adjourned
Summary: Increases the allowances for injury, disability, or heart attack payable from the fisherman's fund.

AK HCR 36 Labor and Commerce Committee
Title: Legislative Rule Suspension
Status: Adopted 04/18/2010
Summary: Suspends specified Uniform Rules of the State Legislature, concerning Senate Bill No. 159, increasing the maximum funeral expenses payable as a workers' compensation death benefit.

AK S 20 French (D)
Title: Workers Compensation and Medical Rehabilitation Records
Status: Failed - Adjourned
Summary: Limits the release of employee medical and rehabilitation records held or maintained by the state for purposes of the Alaska Workers' Compensation Act.

AK S 107 Labor and Commerce Committee
Title: Workers Compensation Medical Treatment Fees
Status: Failed - Adjourned
Summary: Adjusts certain fees for treatment or services under the Alaska Workers' Compensation Act to reflect changes in the Consumer Price Index; provides for an effective date.

AK S 159 Paskvan (D)
Title: Workers Compensation Funeral Expenses
Status: Enacted 06/15/2010
Summary: Relates to medical and rehabilitation information in workers' compensation matters; increases the maximum funeral expenses payable as a workers' compensation death.

AK S 163 Paskvan (D)
Title: Maximum Benefit From Fishermens Fund
Status: Enacted 06/25/2010
Summary: Relates to the duties of the Commissioner of Labor and Workforce Development and the Fishermen's Fund Advisory and Appeals Council with respect to the fishermen's fund; increases the allowances for injury, disability, or heart attack payable from the fund and allows a vessel owner to recover a portion of the deductible under a protection and indemnity insurance policy following a claim by an injured fisherman.

AK S 303 Labor and Commerce Committee
Title: Workers Compensation and Contractors
Status: Failed - Adjourned
Summary: Relates to a subcontractor's, contractor's, and project owner's liability for workers' compensation, to sole proprietors and partnerships without employees, and to managers or managing members of limited liability companies, and excluding certain persons from liability for securing the payment of workers' compensation benefits to employees; provides for an effective date.

ARIZONA

AZ H 2348 Antenori (R)
Title: Veterans and Disability Benefits
Status: Enacted 04/16/2010
Summary: Specifies that federal disability benefits awarded to veterans for service-connected disabilities pursuant to United States Code are exempt from the claim of creditors, are not subject to attachment, levy or seizure under any legal or equitable process, as provided by federal law, and may not be awarded to any other person; excludes that portion of service-connected disability benefits that is subject to child and spousal support enforcement.

AZ SCR 1042 McCune-Davis (D)
Title: Personal Injury Damages
Status: Failed - Adjourned
Summary: Proposes an amendment to the State Constitution; relates to workers' compensation; provides that a person may sue an employer for personal injury damages in addition to receiving workers' compensation.

CALIFORNIA

CA A 128 Coto (D)
Title: Workers' Compensation: Cancer Presumption
Status: Failed

Summary: Amends existing law which establishes a presumption that cancer in cases of firefighters and peace officers is presumed to arise out of, and in the course of, employment, unless the presumption is controverted by evidence that the primary site of the cancer has been established and the carcinogen is not involved in professional exposure. Extends the presumption to a member following termination of service for a period of one year for each full year of the requisite service.

CA A 361 Lowenthal B (D)

Title: Workers Compensation: Treatment Authorization

Status: Enacted 10/11/2009

Summary: Relates to workers' compensation. Provides that, regardless of whether an employer has established a medical provider network or entered into a contract with a health care organization, an employer that authorizes medical treatment shall not rescind or modify the authorization for the portion of the treatment that has been provided after that treatment has been provided for any reason. Provides these provisions shall not be construed to alter the benefits under, or the terms and conditions, of any contract.

CA A 493 Tran (R)

Title: Employment and Benefits Appeals Board

Status: Failed

Summary: Abolishes the Unemployment Insurance Appeals Board, the State Occupational Safety and Health Appeals Board, and the Workers' Compensation Appeals Board and transfers their duties to the Employment and Benefits Appeals Board, which this bill would create in the Labor and Workforce Development Agency.

CA A 516 Niello (R)

Title: Workers' Compensation: Temporary Disability: Inmates

Status: Failed

Summary: Requires, for injuries to an inmate of any county jail or an inmate assigned to a county work release program occurring on or after a specified date, for temporary disability, that the benefit amounts payable to an injured worker be not less than an amount equal to the employee's weekly earnings from all employers, or an amount according to a specified formula, whichever is greater.

CA A 586 Ma (D)

Title: Workers' Compensation: Leaves of Absence

Status: Enacted 07/15/2010

Summary: Amends existing law that provides regular full-time employees are disabled by injury or illness in the course of their duties are entitled to a leave of absence while so disabled without loss of salary in lieu of temporary disability payments or maintenance allowance payments under certain conditions, and includes certain employees to whom the provisions would not apply. Provides that the provisions will apply to certain employees of the City and County of San Francisco.

CA A 615 Niello (R)

Title: Workers' Compensation

Status: Failed

Summary: Amends existing law which requires an employer to provide a claim form and a notice of potential eligibility for workers' compensation to a injured employee whose injury results in medical treatment beyond first aid and which defines first aid as any one-time treatment, and any followup visit, for the purpose of observation of minor industrial injuries. Deletes that definition of first aid and authorizes the Administrative Director of the Division of Workers' Compensation to define various terms.

CA A 664 Skinner (D)

Title: Workers' Compensation: Hospital Employees: Presumption

Status: Failed

Summary: Relates to compensable injuries through the workers' compensation system. Provides, with respect to hospital employees, that the term injury includes a blood borne infectious disease, neck or back impairment, or methicillin-resistant Staphylococcus aureus that develops or manifests itself during the period of the person's employment with the hospital. Creates a rebuttable presumption that these injuries arise out of and in the course of the person's employment if it develops or manifests during employment.

CA A 933 Fong (D)
Title: Workers' Compensation: Medical Treatment
Status: Vetoed 09/23/2010
Summary: Amends the Workers' Compensation Law. Requires that any psychologist utilized under the Workers' Compensation Law must be licensed under state law. Requires that any physician that evaluates specified clinical issues involved in the medical treatment services under a workers' compensation medical treatment utilization review process be licensed under state law.

CA A 948 Logue (R)
Title: Workers' Compensation: Job Displacement Benefits
Status: Failed
Summary: Amends the Workers' Compensation law in regards to supplemental job displacement benefits. Provides that if an employee's work restrictions are not known within a specified time period of the last payment of temporary disability, the employer is not required to send the notice regarding the employee's supplemental job displacement benefits until after the employee's work restrictions are known.

CA A 990 Jones (D)
Title: Safety in Employment: Ski Resorts
Status: Failed
Summary: Requires the Division of Occupational Safety and Health to utilize the most current safety standards when inspecting aerial passenger tramways operated at ski resorts. Requires ski resorts to report to the Division on a quarterly basis any serious injuries or fatalities at the resort and to post the safety plan at the resort and on the resort's Internet Web site, and standardize safety signage and equipment in use at the resort.

CA A 1093 Yamada (D)
Title: Workers' Compensation
Status: Enacted 10/11/2009
Summary: Provides for purposes of determining whether to grant or deny a workers' compensation claim, if an employee is injured or killed by a 3rd party in the course of the employee's employment, no personal relationship or connection shall be deemed to exist between the employee and the 3rd party based only on a determination that the 3rd party injured or killed the employee solely because of the 3rd party's personal beliefs relating to his or her perception of the employee's personal characteristics.

CA A 1227 Feuer (D)
Title: Workers' Compensation: Public Employees: Leaves
Status: Enacted 10/11/2009
Summary: Requires that public employees be employed on a full-time basis in order to qualify for a paid leave of absence, in lieu of temporary disability benefits, for injuries occurring on the job. Provides that the provisions pertaining to a leave of absence shall not apply to certain public safety personnel who are employees of the City and County of San Francisco.

CA A 1469 Villines (R)
Title: Workers' Compensation
Status: Failed
Summary: Amends existing law which establishes a workers' compensation system to compensate an employee for injuries sustained in the course of employment.

CA A 1499 Evans (D)
Title: Horse Racing: Workers' Compensation
Status: Enacted 08/05/2009
Summary: Relates to horse racing and workers' compensation. Authorizes a fair to deduct an additional percentage of the total amount handled in exotic pari-mutuel pools of races for any breed, other than races solely for thoroughbreds, for workers' compensation insurance costs of trainers and owners. Provides this deduction would also be for similar purposes and subject to similar conditions as the quarter horse racing association and harness racing association authorizations in existing law.

CA A 1603 Solorio (D)
Title: Workers' Compensation: Temporary Partial Disability
Status: Failed - Adjourned
Summary: Amends existing law that establishes a worker's compensation system. Requires that an employee be deemed to be temporarily partially disabled during the period when the employee's disability is permanent and stationary, no more than 60 days have lapsed after the date the employee was informed that the disability is permanent and stationary, the employer has not offered the employee regular, modified, or alternative work, and the employer has not informed the employee that it will make such an offer.

CA A 1696 Berryhill B (R)
Title: Death Benefits: Payment Duration
Status: Enacted 09/25/2010
Summary: Amends existing law governing the workers' compensation that relates to workers' compensation and death benefits for dependent minor children. Extends death benefits until the youngest child attains 19 years of age if the child is still attending high school and is receiving the benefits as a child of certain public employees killed in the performance of duty.

CA A 1994 Skinner (D)
Title: Hospital Employees: Presumption
Status: Failed - Adjourned
Summary: Provides, with respect to hospital employees who provide direct patient care in an acute care hospital, that the term injury includes a blood-borne infectious disease, neck or back impairment, methicillin-resistant Staphylococcus aureus or H1N1 influenza virus that develops or manifests itself during the period of the person's employment with the hospital. Creates a rebuttable presumption that the injury arises out of and in the course of employment if it develops and manifests in a specified manner.

CA A 2123 Smyth (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Makes a technical, nonsubstantive change to existing law that establishes a workers' compensation system. Relates to provisions that the administrative director to formulate a rating schedule for determining the percentage of an injured employee's permanent disability.

CA A 2247 Niello (R)
Title: Workers' Compensation: Local Inmates
Status: Failed - Adjourned
Summary: Provides that each inmate of a county, city, or city and county jail, industrial farm, or road camp shall be entitled to workers' compensation benefits for injury arising out of, and in the course of, assigned employment and for the death of the inmate if the injury proximately causes the death, subject to specified conditions.

CA A 2253 Coto (D)
Title: Workers' Compensation: Cancer Presumption
Status: Enacted 09/30/2010
Summary: Relates to the Workers' Compensation and a compensable injury that includes cancer that develops or manifests itself during the period when a firefighter or peace officer demonstrates that he or she was exposed to a known carcinogen. Extends such presumption to a member following termination of service for a specified period.

CA A 2269 Adams (R)
Title: Workers' Compensation: Injury Presumption
Status: Failed - Adjourned
Summary: Amends existing law which provides that, in the case of certain officers and employees of the Department of Corrections and Rehabilitation and each security officer at Atascadero State Hospital, the term injury includes heart trouble that develops during a period while the employee is in the service of the hospital. Refers to the

state hospital officers as peace officers. Adds peace officers employed at other hospitals, developmental centers, and community centers to those persons that the injury applies.

CA A 2397 Solorio (D)
Title: Workers' Compensation: Leaves of Absence
Status: Vetoes 09/29/2010
Summary: Amends existing law that relates to leaves of absence for public employees in workers' compensation cases. Provides that the employees and the employer through the collective bargaining process may mutually agree to extend the leave of absence under those provisions beyond the one year period of disability, but that the extension may only be for a maximum of one additional year.

CA A 2593 Bradford (D)
Title: Workers Compensation: Official Medical Fee Schedule
Status: Failed - Adjourned
Summary: Relates to the workers' compensation medical fee schedule. Provides that for pharmacy services and drugs covered by a Medicare fee schedule payment for facility services, the maximum reasonable fees shall be the lowest of the average wholesale price, plus a professional fee for dispensing.

CA A 2625 Villines (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Makes existing law which requires the Department of Industrial Relations and the courts of the state to recognize as valid and binding any labor management agreements meeting prescribed criteria for certain employers or groups of employers, applicable to the state in its capacity as an employer.

CA A 2749 Logue (R)
Title: Workers' Compensation: Lien Claims
Status: Failed - Adjourned
Summary: Amends existing law that authorizes a medical provider to file a lien claim with the Workers Compensation Appeals Board for expenses incurred by the provider. Requires employers or their insurance carriers to include a benefit notice with an objection to a bill for services or an explanation of benefits that advises the provider of those services or benefits of the deadline for filing lien claims and the consequences for not meeting the deadline.

CA A 2779 Solorio (D)
Title: Workers' Compensation: Compound Drugs
Status: Failed - Adjourned
Summary: Amends the Workers' Compensation System that requires the Administrative Director to adopt a medical treatment utilization schedule. Provides that under the Workers' Compensation Law, a compounded drug that is dispensed on or after a specified date, shall be reimbursable only if certain conditions, including that all active ingredients in the drug are approved by specified entities, are satisfied.

CA A 2780 Solorio (D)
Title: Workers' Compensation: Identifiable Information
Status: Enacted 09/30/2010
Summary: Authorizes the State Department of Health Care Services to obtain and use individual identifiable information for the purposes of seeking recovery of Medi-Cal costs incurred by the state for treatment provided to injured workers that should have been incurred by employers and insurance carriers pursuant to the authority of the Director of Health Care Services to recover the value of the benefits from which another person or carrier is liable.

CA AJR 42 Solorio (D)
Title: Medicare Secondary Payer Enhancement Act of 2010
Status: Adopted 08/17/2010
Summary: Requests that the Congress and the President of the United States enact the Medicare Secondary Payer Enhancement Act of 2010.

CA S 3 Cedillo (D)
Title: Workers' Compensation: Permanent Disability Benefits
Status: Failed
Summary: Relates to current law establishing the workers' compensation system. Provides, for injuries occurring on or after a specified date, a supplemental job displacement benefit in the form of a voucher for up to a certain amount to cover various reeducation and skill enhancement expenses. Provides an timeframe for the vouchers. Exempts employers who make an offer of reemployment or continued employment from providing vouchers.

CA S 145 DeSaulnier (D)
Title: Workers Compensation
Status: Vetoed 09/25/2010
Summary: Provides that no workers' compensation claim shall be denied because the employee's injury or death was related to the employee's race, religious creed, color, national origin, age, gender, marital status, sex, sexual orientation, or genetic characteristics. Prohibits any of the above-mentioned factors from being considered a cause or other factor of disability considered in any determination made by a physician in preparing a report regarding permanent disability due to a claimed industrial injury.

CA S 156 Wright (D)
Title: Insurance: Fraud Prevention and Detection
Status: Enacted 09/25/2010
Summary: Amends existing law that provides for the prevention, detection, and investigation of insurance fraud to include workers' compensation and requires insurers to disclose such insurance fraud incidents. Authorizes the Department of Insurance to convene meetings with insurance companies to discuss information concerning suspected, anticipated, or completed acts of fraud. Protects a person sharing information pursuant to the authorization from civil liability for libel, slander or other cause of action.

CA S 186 DeSaulnier (D)
Title: Workers' Compensation Medical Treatment: Physicians
Status: Enacted 10/11/2009
Summary: Relates to existing law which requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of employment and provides the employee with the right to be treated by his or personal physician from the date of the injury if specified requirements are met. Deletes the repeal date for these provisions pertaining to an employee's predesignation of a personal physician.

CA S 316 Alquist (D)
Title: Health Care Coverage: Disclosures
Status: Failed - Adjourned
Summary: Amends the Knox-Keene Health Care Service Plan Act which requires health care service plans and disability insurers, when presenting a plan contract or policy for examination or sale to an individual purchaser or to the representative of a group of a specified number of individuals, to disclose the ratio of premium costs to health services paid or of incurred claims to earned premiums for the proceeding year. Increases the size of the group of purchasers to which such disclosures shall be made.

CA S 403 Benoit (R)
Title: Workers' Compensation: Lien Claims
Status: Failed
Summary: Amends existing law that requires the Workers' Compensation Appeals Board to determine and allow expenses as liens against any award of compensation. Prohibits a lien claim for expenses incurred by or on behalf of the injured employee for medical and hospital treatment from being filed more than one year from the date the health care provider, or provider's agent, was sent an explanation of benefits or review paying a bill pursuant to the official medical fee schedule or a preferred provider agreement.

CA S 764 Negrete McLeod (D)
Title: Workers' Compensation: Health Care Organization

Status: Failed
Summary: Amends existing law that requires an employer to provide medical services to an injured worker and permits employers to enter into contracts for the provision of these medical services with a health care organization that has been certified by the administrative director for this purpose. Deletes the Workers' Compensation Managed Care Fund's purpose of funding the cost of administration of certification.

CA S 773 Florez (D)
Title: Workers' Compensation: Disability Benefits
Status: Failed
Summary: States the intent of the Legislature to enact legislation that would adjust the amount of permanent partial disability benefits paid to workers in order to ensure that the benefits are fair, adequate, and more favorably aligned when compared with permanent partial disability benefits paid to workers in other states. Provides for increased permanent partial disability benefits for injuries occurring on or after a specified date. Revises the formula for computing those benefit payments.

CA S 1213 Cedillo (D)
Title: Electronic Access to Claims Information
Status: Failed - Adjourned
Summary: Requires the Division of Workers' Compensation to provide a party to a claim with single sign-on portal real-time electronic programmatic access, at no charge, to the party's data contained within the Electronic Adjudication Management System.

COLORADO

CO H 1009 Miklosi (D)
Title: Pinnacol Assurance Board of Directors
Status: Enacted 05/26/2010
Summary: Concerns the board of directors of Pinnacol Assurance for workers' compensation; requires certain employee members of the board of directors of Pinnacol Assurance to be nonmanagement employees; increases the per diem for the board members; requires the board to post the date, time, and location of board meetings on the Pinnacol Assurance web site by a specified time prior to a meeting; requires the board to allow reasonable time for public comment at all board meetings.

CO H 1012 Pace (D)
Title: Surveillance Workers Compensation Claims
Status: Failed - Adjourned
Summary: Concerns limitations on the use of surveillance of employees who have submitted a workers compensation claim; prohibits an insurer or employer from conducting surveillance of an employee who has submitted a workers compensation claim unless the insurer or employer has a reasonable basis to suspect that the employee has committed fraud or made a material misstatement concerning the claim.

CO H 1038 Miklosi (D)
Title: Workers Compensation Claims Process Brochure
Status: Enacted 05/26/2010
Summary: Concerns a brochure to describe the process for workers' compensation claims; requires an employer or the employer's insurance carrier to provide a brochure to a workers' compensation claimant, in a form approved by the Director of the Division of Workers' Compensation, that lists the entities the claimant may contact for information and describes the claimant's rights related to his or her medical treatment, rights to receive benefit payments, and the claims process.

CO H 1076 DelGrosso (R)
Title: Property Tax Work Off Program Participant Status
Status: Enacted 04/28/2010
Summary: Concerns the classification of a participant in a property tax work-off program for purposes of labor benefits; makes it permissive for a governmental entity or private nonprofit or for-profit entity that has a

contract with a governmental entity for a property tax work-off program to opt the participant in or out of the Workers' Compensation Act of Colorado or the Colorado Employment Security Act.

CO H 1109 McCann (D)
Title: Inmate Work Program Workers Compensation
Status: Enacted 04/29/2010
Summary: Concerns the availability of workers' compensation to jail inmates who are working for a program that has been certified by the federal prison industry enhancement certification program; allows public entities to select more than one method of workers' compensation insurance; provides that such benefits shall not be suspended for the period of time during which the inmate is incarcerated.

CO H 1247 Gagliardi (D)
Title: Sunset Workers Compensation Class Appeals Board
Status: Enacted 04/05/2010
Summary: Concerns the continuation of the workers' compensation classification appeals board.

CO S 11 Carroll M (D)
Title: Workers Compensation Conflicts of Interest
Status: Enacted 05/27/2010
Summary: Concerns measures to reduce conflicts of interest in workers' compensation cases; requires a physician who has been proposed by the Division of Workers' Compensation in the Department of Labor and employment to perform an independent medical examination of an injured worker to disclose any business employment, financial or advisory relationship with an insurer or self-insured employer if a party requests that information.

CO S 12 Tochtrop (D)
Title: Workers Compensation Benefits Knowing Penalty
Status: Enacted 05/26/2010
Summary: Concerns increased penalties for violation of the workers' compensation laws; changes the mental state from willfully to knowingly in the statute that penalizes denying workers' compensation medical benefits, delaying payment of medical benefits for more than 30 days, or stopping payments; allows the Director of Workers' Compensation or an Administrative Law Judge to apportion the penalties among the aggrieved party, the medical services provider, and the workers' compensation cash fund.

CO S 13 Hodge (D)
Title: Workers Compensation Accountability
Status: Enacted 05/27/2010
Summary: Concerns accountability for workers' compensation insurers; makes an appropriations; requires workers' compensation insurers to survey a limited number of injured workers at the close of each claim and report the results to the Division of Workers' Compensation; requires the Division to publicly post the survey results; requires the chief executive of Pinnacol Assurances to submit an annual report regarding the number of claims, the amount of reserves, the number of claims denied and marketing fees.

CO S 163 Tochtrop (D)
Title: Workers Compensation Procedures
Status: Enacted 03/31/2010
Summary: Amends various procedural Laws related to workers' compensation; of the bill apply the provisions of Senate Bill 09-168, which bill is declared to be procedural in nature, to all workers' compensation claims regardless of the date the claims were filed; requires the director of the division of workers' compensation in the department of labor and employment to promulgate rules biennially that establish a single life expectancy table based on mortality tables; relates to lump sum settlements.

CO S 178 Hodge (D)
Title: Fair Workers Compensation Provider Reviews
Status: Enacted 05/26/2010

Summary: Concerns fairness in workers' compensation health care provider review processes; requires credentialing, quality, and service review and performance initiative programs to be transparent, including objective and standardized criteria and full disclosure of performance program data; provides minimum due process to providers; relates to the Provider Review and Disclosure Act; includes quality and patient data in performance initiatives; provides for an appeal process; prohibits unfair competition.

CONNECTICUT

CT H 5063 Joint Labor and Public Employees
Title: Light Duty Work in the Department of Correction
Status: Failed
Summary: Concerns light duty work in the department of correction; requires the availability of light duty work for Department of Correction employees that have suffered certain compensable injuries.

CT H 5282 Joint Labor and Public Employees
Title: Workers' Compensation
Status: Enacted 05/18/2010
Summary: Provides that for the purpose of adjudication of workers' compensation claims, a member of a paid municipal or volunteer firefighter, a municipal police officer or constable or a member of a volunteer ambulance service is eligible for benefits for any disease arising in the course of employment, including hepatitis, meningococcal meningitis, tuberculosis, Kahler's Disease, non-Hodgkin's lymphoma, and prostate or testicular cancer that results in death or temporary or permanent disability.

CT S 168 Joint Labor and Public Employees
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Concerns workers' compensation and a police officer's use of deadly force on an animal; provides workers' compensation coverage for mental or emotional impairment for a police officer required to use deadly force on an animal that attempts to injure such police officer.

CT S 334 Joint Judiciary
Title: Claims Involving Workers' Compensation
Status: Failed - Adjourned
Summary: Concerns the resolution of claims involving workers' compensation claims; revises the amount of reimbursement received by an employer that has paid workers' compensation benefits to an injured employee when the employee brings an action against a third-party tortfeasor and recovers damages.

DELAWARE

DE S 38 DeLuca (D)
Title: Workers Compensation
Status: Enacted 07/06/2009
Summary: Provides a housekeeping bill for the workers compensation medical payment system that was approved by the Health Care Advisory Panel (HCAP) and the Department of Labor; provides that the health care provider portion of the Employer's Modified Duty Availability Report must be signed and returned by the health care provider to the employer by a specified time; relates to a referral to utilization review.

DE S 248 Bonini (R)
Title: Short Term Disability Benefits
Status: Pending
Summary: Requires the Office of Management and Budget to revisit short term disability denials for all otherwise eligible women who became pregnant prior to July 1, 2009 and gave birth on or after July 1, 2009 and to use the 20 day waiting period in determining eligibility for short term disability benefits.

DE S 287 Ennis (D)
Title: Workers Compensation for HAZMAT Team Members

Status: Enacted 07/12/2010
Summary: Clarifies that volunteer HAZMAT team members who are operating under the authority and direction of the Department of Natural Resources and Environmental Control and are no longer employed by private industry continue to be members of the HAZMAT team and as such remain eligible for applicable workers' compensation coverage while assisting the Department in a voluntary capacity during a HAZMAT incident; relates to currently or previously employed personnel.

FLORIDA

FL H 123 Patterson (R)
Title: Claims Law Enforcement and Correctional Officers
Status: Failed
Summary: Relates to claims law enforcement and correctional officers; provides conditions under which law enforcement officer, correctional officer, or correctional probation officer who suffers from specified medical condition and has materially departed from prescribed treatment for that condition shall lose specified presumption for claims made after specified date; provides for second medical opinions in certain situations.

FL H 359 Gibson A (D)
Title: Workplace Safety
Status: Failed
Summary: Relates to workplace safety; requires public employers to submit injury and illness data to the Division of Workers' Compensation using a specified form; requires data from reports to be available on the division's website; requires an employer to retain reports for seven years; requires a toll-free telephone number for public employees related to workplace safety; requires public employees to comply with OSHA standards; requires an analysis of work-related injuries and workers' compensation claims.

FL H 611 Taylor D (D)
Title: Attorneys Fees in Workers Compensation Cases
Status: Failed
Summary: Relates to attorneys' fees in workers' compensation cases; provides that finder of fact and law is not bound by provisions of state law relating to provision of indemnity or medical benefits for employment-related accidents or injuries when awarding attorney's fees in cases involving first responders; requires that finder of fact and law consider certain factors when awarding attorney's fees in such cases; provides statement of important state interest.

FL H 757 Weinstein (R)
Title: State Reciprocity in Workers Compensation Claims
Status: Failed
Summary: Relates to state reciprocity in workers' compensation claims; exempts certain employees working in state and employers of such workers from Florida's Workers' Compensation Law under certain conditions; provides requirements for establishment of prima facie evidence that employer carries certain workers' compensation insurance; requires courts to take judicial notice of construction of certain Laws.

FL H 5603 Gov Operations App Committee
Title: Department of Financial Services
Status: Vetoed 05/28/2010
Summary: Relates to the duties of the Department of Financial Services to include State Risk Management Trust Fund state agency premiums, the state insurance program reporting requirements, reports on agency return-to-work programs and activities, agency risk management programs, repackaged or relabeled prescription medication reimbursement, and the Workers' Compensation Administration Trust Fund.

FL H 5611 Gov Operations App Committee
Title: Department of Management Services
Status: Vetoed 05/28/2010
Summary: Relates to the review of the Department of Management Services to include the electronic filing and transmission procedures for actions and proceedings, the use of wireless communication devices by agency

employees, centralizing the state vehicle fleet, workers' compensation benefits proceedings, real estate and facilities leasing and operations and maintenance, statewide purchasing operations, and a database of state-owned real property.

FL S 212 Oelrich (R)
Title: Law Enforcement and Correctional Officers Claims
Status: Failed
Summary: Relates to law enforcement and correctional officers claims; provides conditions under which a law enforcement officer, correctional officer, or correctional probation officer who suffers from a specified medical condition and has materially departed from the prescribed treatment for that condition shall lose a specified presumption for claims made on or after a specified date.

FL S 1448 Thrasher (R)
Title: Workers Compensation Claims and State Reciprocity
Status: Failed
Summary: Relates to workers' compensation claims and state reciprocity; exempts certain employees working in this state and the employers of such employees from the Workers' Compensation Law of this state under certain conditions; provides requirements for the establishment of Prima facie evidence that the employer carries certain workers' compensation insurance; requires courts to take judicial notice of the construction of certain Laws.

FL S 2124 Governmental Oversight & Accountability Committee
Title: Electronic Filing and Administrative Hearings Division
Status: Failed
Summary: Relates to electronic filing and administrative hearings division; provides procedures for filing petitions for benefits and other documents in worker's compensation benefits proceedings; authorizes the Office of the Judges of Compensation Claims to adopt rules to implement electronic procedures; requires a petitioner requesting an administrative hearing to include the petitioner's e-mail address; requires an attorney to use electronic means when filing a document with said division.

FL S 2232 Richter (R)
Title: Guaranty Associations
Status: Failed - Adjourned
Summary: Relates to guaranty associations; expands an exemption from the applicability of certain provisions of state law to include workers' compensation claims under employer liability coverage; revises the structure of the Florida Insurance Guaranty Association by combining the auto liability and auto physical damage accounts; deletes provisions relating to classification and payment of emergency assessments; provides guidelines for the calculation of recoupment factors.

FL S 2634 Smith (D)
Title: Attorneys Fees and Workers Compensation Cases
Status: Failed
Summary: Relates to attorney's fees and workers compensation cases; provides that the finder of fact and law is not bound by provisions of state law relating to the provision of indemnity or medical benefits for employment-related accidents or injuries when awarding attorney's fees in cases involving first responders; requires that the finder of fact and law consider certain factors when awarding attorney's fees in such cases; provides a statement of important state interest.

FL S 7074 Governmental Oversight & Accountability Committee
Title: Electronic Filing
Status: Failed - Adjourned
Summary: (Proposed Committee Bill) Relates to electronic filing and the administrative hearings division; provides procedures for filing petitions for benefits and other documents in worker's compensation benefits proceedings; authorizes the Office of the Judges of Compensation Claims to adopt rules to implement electronic procedures; requires a petitioner requesting an administrative hearing to include the petitioner's e-mail address.

GEORGIA

GA H 330 Coan (R)
Title: Workers' Compensation
Status: Enacted 04/21/2009
Summary: Relates to workers' compensation, service of decisions of an administrative law judge and decisions of the appellate division; provides that an employee's waiver of confidentiality includes past medical history with respect to any condition or complaint related to the condition for which the employee claims compensation; relates to compliance of construction industry employers with workers' compensation insurance coverage issued in another state; relates to compensation for injuries outside the state.

GA H 864 Smith R (R)
Title: Worker Compensation
Status: Failed - Adjourned
Summary: Relates to compensation for loss of hearing caused by harmful noise under workers' compensation, so as to revise certain provisions relating to hearing level frequencies.

GA H 1101 Coan (R)
Title: Workers Compensation
Status: Enacted 05/20/2010
Summary: Relates to workers' compensation; provides for judgment upon final orders regarding the Self-insurers Guaranty Trust Fund; modifies the notification period for revocation of a certificate of self-insurance; revises provisions relative to the Self-insurers Guaranty Trust Fund; provides immunity from liability for members of the board of trustees of the Self-insurers Guaranty Trust Fund; relates to employer's record of injuries; requires security measures when publishing decisions; relates to insolvency.

GA H 1385 Cole (R)
Title: Temporary Disability Compensation Programs
Status: Failed - Adjourned
Summary: Relates to temporary disability compensation programs; authorizes certain payments to law enforcement officers, jailers, and firefighters injured in the line of duty; provides for related matters; repeals conflicting Laws.

GA S 414 Mullis (R)
Title: State Indemnification Fund
Status: Vetoed 06/04/2010
Summary: Relates to State Indemnification Fund; provides that, in the case of death or organic brain damage suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, or prison guard, if such person does not have an unremarried spouse or dependents, the indemnification payment shall be made to the parents or siblings of such person; provides for related matters; provides for an effective date.

GA S 446 Balfour (R)
Title: Workers Compensation Subsequent Injury Trust Fund
Status: Failed - Adjourned
Summary: Relates to the Workers' Compensation Subsequent Injury Trust Fund; ensures that for purposes of assessments to fund the Subsequent Injury Trust Fund total workers' compensation claims shall not include claims related to losses arising from certain catastrophic events that cannot give rise to a Subsequent Injury Trust Fund liability; provides for an effective date and applicability; repeals conflicting laws.

HAWAII

HI H 262 Herkes (D)
Title: Insurance Fraud
Status: Enacted 06/24/2009

Summary: Expands the authority of the Insurance Division's Insurance Fraud Investigations Unit, renamed the Insurance Fraud Investigation Branch, to prevent, investigate, and prosecute -- both civilly and criminally -- insurance fraud beyond motor vehicle insurance cases to all lines of insurance except workers' compensation.

HI H 314 Herkes (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Requires the Department of Labor and Industrial Relations to develop rules for workers' compensation claims involving vocation-related medical conditions.

HI H 403 Nakashima (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Requires an employer to pay temporary total disability benefits regardless of whether the employer controverts the right to benefits; specifies that the employee's ability to return to work is to be decided by the employee's treating physician; convenes a working group; effective upon approval for the convening of the working group.

HI H 442 Lee M (D)
Title: Labor and Industrial Relations Appeals Board
Status: Enacted 04/09/2009
Summary: Authorizes the labor and industrial relations appeals board to appoint and utilize a hearings officer and allow that hearings officer to hold a hearing, in order for the appeal board to expedite hearings on certain workers' compensation matters.

HI H 602 Yamashita (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Excludes services performed by an individual who is a member of a limited liability company or a partner of a limited liability partnership who has a distributional interest in the company or partnership of at least 50%, a partner of a partnership, and a sole proprietor from the definition of "employment" under the workers' compensation law.

HI H 607 Yamashita (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Disallows workers' compensation benefits for the exacerbation of injuries sustained during after work, voluntary recreational, or social activities.

HI H 982 Lee M (D)
Title: Family Leave
Status: Enacted 07/15/2009
Summary: Establishes a new data collection system for family leave; extends applicability of the family leave law to employers with 50 or more employees and to certain emergency and casual hires of the State and counties; appropriates funds from the disability benefits special fund; includes public and private sector employees; provides for confidentiality of information.

HI H 1126 Say (D)
Title: Governors Package Bill - Workers Compensation
Status: Failed - Adjourned
Summary: (Governor's Package Bill) Excludes services for a limited liability company (LLC) or limited liability partnership (LLP) from the definition of "employment" in the workers' compensation law if the person performing services has a 50 per cent or higher transferable interest in the LLC or LLP.

HI H 1279 Nakashima (D)
Title: Workers Compensation and Medical Treatment

Status: Failed - Adjourned
Summary: Requires the employer to continue medical services to an injured employee despite disputes over whether treatment should be continued, until the director of labor and industrial relations decides whether treatment should be continued.

HI H 1363 Magaoay (D)
Title: Workers Rights and Pension Benefits
Status: Failed - Adjourned
Summary: Requires private employers who provide pension plans to their employees to allow an employee who has vested to receive pension payments upon becoming disabled, regardless of age; permits director of labor and industrial relations to reopen workers' compensation cases after settlement if settlement was obtained by exerting undue influence over any party or as a result of the disability or mental incompetence of the employee.

HI H 1390 Souki (D)
Title: Workers Compensation and Medical Rates
Status: Failed - Adjourned
Summary: Increases the fee schedule of compensation for medical care in workers' compensation cases from 110% to 150% of the Medicare Resource Based Relative Value Scale system applicable to Hawaii as prepared by the United States Department of Health and Human Services.

HI H 1500 Har (D)
Title: Workers Compensation and Soft Tissue Injuries
Status: Failed - Adjourned
Summary: Establishes a pilot program in the department of human resources development to monitor workers' compensation cases involving soft-tissue injuries that have been open for more than 6 months.

HI H 1857 Takumi (D)
Title: Vocational Rehabilitation in Workers Compensation Law
Status: Failed - Adjourned
Summary: Requires a provider in its rehabilitation plan to determine if modified or other work with the same employer represents suitable gainful employment.

HI H 2079 339 Takumi (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Repeals the possibility of the director extending the due date for written decisions on the outcome of worker compensation claims.

HI H 2258 Rhoads (D)
Title: Family Leave Insurance
Status: Failed - Adjourned
Summary: Creates a family leave insurance fund to be administered by DLIR under the workers' compensation statute; amends the definition of injuries covered under the workers' compensation statute to include family leave.

HI H 2493 Oshiro B (D)
Title: Vocational Rehabilitation
Status: Failed - Adjourned
Summary: Expands duties of the rehabilitation unit and providers of rehabilitation services; allows employer to terminate temporary total disability benefits when the employee is able to return to work and is enrolled in a non-approved plan.

HI S 62 Takamine (D)
Title: Workers Compensation and Medical Examinations
Status: Failed - Adjourned

Summary: Relates to Workers' Compensation and Medical Insurance; requires independent medical examinations and permanent impairment rating examinations to be performed by physicians mutually agreed upon by employers and employees or appointed by the director of labor and industrial relations.

HI S 63 Takamine (D)
Title: Workers Compensation of Temporary Total Disability
Status: Failed - Adjourned
Summary: Requires an employer to pay temporary total disability benefits regardless of whether the employer controverts the right to benefits; specifies that the employee's ability to return to work is to be decided by the employee's treating physician; convenes a working group.

HI S 305 Chun Oakland (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Enacts the workers' compensation injured workers bill of rights as guidelines for the handling of workers' compensation claims.

HI S 306 Chun Oakland (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Eliminates the statute of limitations for filing workers' compensation claims.

HI S 307 Chun Oakland (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Requires that an independent physician be selected by mutual agreement between injured employee and employer to conduct medical examinations in cases where major and elective surgery, or either, is contemplated or in cases where an employee or employer is dissatisfied with the medical progress.

HI S 309 Chun Oakland (D)
Title: Sheriffs Chaplains
Status: Enacted 06/22/2009
Summary: Clarifies that sheriffs' chaplains are entitled to workers' compensation.

HI S 310 Chun Oakland (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Amends workers' compensation law, including limiting an employer's ability to terminate benefits, authorizes the recovery of attorney's fees and costs by the injured employee.

HI S 319 Slom (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Disallows workers' compensation benefits for injuries sustained during after-work employer-sponsored voluntary recreational or social activities; clarifies that calculations of permanent partial disability awards are patterned after those of permanent total disability award.

HI S 321 Slom (R)
Title: Workers Compensation and Stress
Status: Failed - Adjourned
Summary: Removes workers' compensation coverage for stress claims and injuries and damages from any act of violence; appropriates funds to establish a workers' compensation fraud hotline; requires designation of a deputy attorney general to investigate and prosecute workers' compensation fraud violations.

HI S 692 Takamine (D)
Title: Workers Rights and Pension Benefits

Status: Failed - Adjourned
Summary: Requires private employers who provide pension plans to their employees to allow an employee who has vested to receive pension payments upon becoming disabled, regardless of age; permits director of labor and industrial relations to reopen workers' compensation cases after settlement if settlement was obtained by exerting undue influence over any party or as a result of the disability or mental incompetence of the employee.

HI S 695 Chun Oakland (D)
Title: Workers Compensation and Medical Treatment
Status: Enacted 07/15/2009
Summary: Relates to workers' compensation and medical treatment; requires the employer to continue medical services to an injured employee despite disputes over whether treatment should be continued, until the Director of Labor and Industrial Services decides whether treatment should be continued.

HI S 930 Hanabusa (D)
Title: Volunteer Medical Services Governors Package Bill
Status: Enacted 05/24/2010
Summary: (Governor's Package Bill) Relates to volunteer medical assistance services; provides for immunity from liability for volunteer medical assistance personnel, including physicians, psychologists, nurses, emergency medical technicians, social workers, mobile intensive care technicians, and physician assistants; excepts cases of willful or criminal misconduct, gross negligence, or reckless misconduct; provides that such personnel shall be eligible for workers' compensation benefits.

HI S 2050 Takamine (D)
Title: Vocational Rehabilitation in Workers Compensation Law
Status: Enacted 04/13/2010
Summary: Requires a workers compensation provider in its rehabilitation plan to determine if modified or other work with the same employer represents suitable gainful employment.

HI S 2167 Takamine (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Authorizes the assessment of reasonable attorney's fees to be levied on a party who brings, prosecutes, or defends a workers' compensation claim without reasonable grounds.

HI S 2339 Takamine (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Repeals the possibility of the director extending the due date for written decisions on the outcome of worker compensation claims.

HI S 2566 Takamine (D)
Title: Medical and Rehabilitation Benefits
Status: Vetoed 07/06/2010
Summary: Relates to worker's compensation; clarifies that a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation for a subspecialty diagnostic evaluation and treatment recommendations from a board certified or licensed specialist, and the request for or provision of such diagnostic services shall not be subject to contest by an insurer or employer; provides the consultation may be made even if the specialist works in a facility in which the physician or surgeon has an interest.

HI S 2608 Baker (D)
Title: Vocational Rehabilitation
Status: Failed - Adjourned
Summary: Expands duties of the rehabilitation unit and providers of rehabilitation services; allows employer to terminate temporary total disability benefits when the employee is able to return to work and is enrolled in a non-approved plan.

HI S 2731 Hanabusa (D)
Title: Workers Compensation Law
Status: Failed - Adjourned
Summary: Provides public unions and employers the same ability as private unions and their signatory employers to collectively design and enter into an alternative workers' compensation system.

HI SCR 165 Slom (R)
Title: Jones Act
Status: Failed - Adjourned
Summary: Requests Congress to exempt Hawaii, Alaska, Guam, and Puerto Rico from the Jones Act for the health, safety, and security of their residents.

HI SCR 198 Hemmings (R)
Title: Jones Act
Status: Failed - Adjourned
Summary: Requests congress to exempt Hawaii, Alaska, Guam, and Puerto Rico from the Jones act for the health, safety, and security of their residents.

HI SR 73 Slom (R)
Title: Jones Act
Status: Failed - Adjourned
Summary: Requests Congress to exempt Hawaii, Alaska, Guam, and Puerto Rico from the Jones Act for the health, safety, and security of their residents.

HI SR 97 Hemmings (R)
Title: Jones Act
Status: Failed - Adjourned
Summary: Requests congress to exempt Hawaii, Alaska, Guam, and Puerto Rico from the Jones act for the health, safety, and security of their residents.

IDAHO

ID H 508 Commerce and Human Resources Committee
Title: Crime Victims Compensation
Status: Enacted 03/29/2010
Summary: Authorizes the Industrial Commission to adopt a fee schedule to determine the allowable payments to be made to medical providers under the worker's compensation law; provides that a medical provider who accepts the full allowable payment from the commission shall be deemed to have agreed to accept those payments as payment in full for those services; specifies that in the event the commission is unable to pay the full payment, the provider may collect the unpaid balance from the victim or claimant.

ID H 527 Commerce and Human Resources Committee
Title: Industrial Commission
Status: Enacted 03/29/2010
Summary: Amends existing law relating to the Industrial Commission to revise provisions relating to required statistical information to be provided to the Commission by sureties, self-insurers, the state insurance fund, the industrial special indemnity fund and noninsured employers; makes technical corrections.

ID H 646 Revenue and Taxation Committee
Title: Employment Security Law
Status: Enacted 03/31/2010
Summary: Amends the Employment Security Law to reduce the amount of benefits paid in a compensable week by the amount equal to temporary disability benefits received for loss of wages under a worker's compensation law of any state or under a similar law of the United States; provides that no charge shall be made to a covered employer's account for benefits paid to a worker who turns down an offer of suitable work because of participation in an approved job training program.

ILLINOIS

- IL H 58 Reis (R)
Title: Workers Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act and the Workers' Occupational Diseases Act. Provides that an injury by accident is compensable only if the accident was the prevailing factor in causing the medical condition and disability. Makes changes regarding notice of accidents and in computation of compensation paid to employees who, before the accident for which an employee claims compensation, had sustained an injury. Provides no payments for injuries involving alcohol or drugs. Requires audits of arbitrators.
- IL H 549 Pihos (R)
Title: Public Safety Employee Benefits Act
Status: Pending
Summary: Amends the Public Safety Employee Benefits Act. Defines "catastrophic injury" as a grievous or serious injury or impairment of a nature that is sufficient to permanently preclude the injured employee from performing any gainful work. Provides that an employer may, at its expense, require an employee seeking benefits under the Act to submit to examination by up to 3 licensed physicians.
- IL H 1732 Madigan (D)
Title: Illinois Insurance Code
Status: Pending
Summary: Amends the Illinois Insurance Code. Makes a technical change in a Section concerning loss of time benefits.
- IL H 2116 Madigan (D)
Title: Workers' Occupational Diseases Act
Status: Pending
Summary: Amends the Workers' Occupational Diseases Act. Makes a technical change in a Section concerning the Illinois Workers' Compensation Commission.
- IL H 2488 Davis W (D)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Makes a technical change in a Section concerning the computation of time.
- IL H 3038 Cross (R)
Title: Workers Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Makes a technical change in a Section concerning the computation of time.
- IL H 3039 Cross (R)
Title: Workers Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Makes a technical change in a Section concerning the determination of questions by the Illinois Workers' Compensation Commission.
- IL H 3193 Cross (R)
Title: State Employee Article of the Illinois Pension Code
Status: Pending
Summary: Amends the State Employee Article of the Illinois Pension Code. Makes a technical change in a Section concerning a retirement annuity following non-occupational disability benefits.

IL H 3819 Brady D (R)
 Title: Public Employee Disability Act
 Status: Pending
 Summary: Amends the Public Employee Disability Act. Provides that an "eligible employee" includes any full-time or part-time correctional officer employed by any county.

IL H 3902 Connelly (R)
 Title: Downstate Police and Downstate Firefighters Pension
 Status: Pending
 Summary: Amends the Downstate Police and Downstate Firefighters Articles of the Illinois Pension Code and the Workers' Compensation Act. Provides that the receipt of disability or survivor's benefits payable under those Articles of the Illinois Pension Code shall act as a waiver of temporary total disability benefits under specified provisions of the Workers' Compensation Act.

IL H 5343 Chapa-LaVia (D)
 Title: Marriage and Dissolution of Marriage Act
 Status: Pending
 Summary: Amends the Illinois Marriage and Dissolution of Marriage Act; provides that disability compensation received from the United States Department of Veterans Affairs or a grant or other compensation received under the Military Code of Illinois for service-related injuries shall be excluded from net income for purposes of determining child support.

IL H 5697 Beiser (D)
 Title: Workers Compensation
 Status: Pending
 Summary: Amends provisions of the Workers' Compensation Act relating to compensation for an accidental injury resulting in death; provides that if payments are to be made to a child who is under 18 years of age, a guardian of the child's estate must be appointed under the Probate Act and it shall be the responsibility of the guardian of the child's estate to manage the child's estate in accordance with the Probate Act.

IL H 5721 Zalewski (D)
 Title: Workers Compensation Act
 Status: Pending
 Summary: Amends the Workers' Compensation Act; provides that no compensation is payable if an injury was caused primarily by the intoxication of the employee, the influence of alcohol or certain drugs not prescribed by a physician, or the combined influence of alcohol and drugs that affected the employee to the extent that the intoxication constituted a departure from employment; contains provisions regarding evidence, admissibility, presumptions, and other matters.

IL H 6159 Reis (R)
 Title: Workers' Compensation Act
 Status: Pending
 Summary: Amends the Workers' Compensation Act defines injury as an injury that has arisen out of and in the course of employment; provides that an injury by accident is compensable only if the accident was the prevailing factor in causing both the resulting medical condition and disability; provides that an injury is deemed to arise out of and in the course of the employment only if specified conditions are met.

IL H 6286 Arroyo (D)
 Title: Insurance Code
 Status: Pending
 Summary: Amends the Insurance Code; makes a technical change in a Section concerning loss of time benefits.

IL S 1416 Hultgren (R)
 Title: Downstate Police and Downstate Firefighters Article
 Status: Pending

Summary: Amends the Downstate Police and Downstate Firefighters Articles of the Illinois Pension Code and the Workers' Compensation Act. Provides that the receipt of disability or survivor's benefits payable under those Articles shall act as a waiver of temporary total disability benefits under specified provisions of the Workers' Compensation Act. Amends the State Mandates Act to require implementation without reimbursement.

IL S 1420 Righter (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides that the Illinois Workers' Compensation Commission may recall a decision or settlement when fraud has been determined to be committed related to the case. Provides that the Commission shall implement a rule to establish a process for recalling a decision or settlement that is subject to recall due to fraud. Provides for the fraud and insurance non-compliance unit of the Division of Insurance of the Department.

IL S 1652 DeLeo (D)
Title: Chicago Police Pension
Status: Pending
Summary: Amends the Chicago Police Article of the Illinois Pension Code. Provides that the occupational disease disability benefit shall be equal to 65% of the current salary attached from time to time to the rank held by the police officer at the time of his or her removal from the police department payroll . Amends the State Mandates Act to require implementation without reimbursement.

IL S 1653 DeLeo (D)
Title: Chicago Police Pension
Status: Pending
Summary: Amends the Chicago Police Article of the Illinois Pension Code. Beginning January 1, 2010, increases the duty disability benefit to 75% of the current salary attached from time to time to the rank held by the policeman at the time of removal from the police department payroll. Amends the State Mandates Act to require implementation without reimbursement.

IL S 1735 Cronin (R)
Title: Firefighter and Paramedic Health Impairment
Status: Pending
Summary: Amends the Workers' Compensation Act and the Workers' Occupational Diseases Act providing that the disability of a firefighter, EMT, or paramedic resulting from a condition or health impairment that results from any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer is presumed to arise out of and in the course of employment unless the person was a smoker.

IL S 2541 Wilhelmi (D)
Title: Uniform Emergency Volunteer Health Practitioners
Status: Enacted 07/02/2010
Summary: Creates the Uniform Emergency Volunteer Health Practitioners Act; provides for the registration of volunteer health practitioners for health or veterinary services for a host entity or disaster relief organization during emergency. Provides that a practitioner is not entitled to protections if any license of the practitioner is suspended, revoked, or subject to an order limiting or restricting practice privileges. Provides for licensure in another state and for workers compensation coverage.

IL S 3204 Luechtefeld (R)
Title: Insurance Code
Status: Pending
Summary: Amends the Insurance Code; makes a technical change in a section concerning loss of time benefits.

IL S 3300 Forby (D)
Title: Workers Compensation Act

Status: Pending
Summary: Amends the Workers' Compensation Act; makes a technical change in a Section concerning the computation of time.

IL S 3326 Hultgren (R)
Title: Workers Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act; makes a technical change to a section concerning compensation.

IL S 3490 Cronin (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act and the Workers' Occupational Diseases Act; in provisions stating that a condition or impairment of health of an employee employed as a firefighter, emergency medical technician, or paramedic that results directly or indirectly from specified causes resulting in any disability to the employee is rebuttably presumed, with specified exceptions, to arise out of and in the course of that employment and be causally connected to the hazards or exposures of the employment.

IL S 3571 Forby (D)
Title: Employee Classification Act
Status: Pending
Summary: Amends the Employee Classification Act; provides that the term employment does not include services performed by an individual as an operator of a truck, truck-tractor, or tractor if certain specified conditions are met; provides that an individual performing services for a contractor is deemed to be an employee of the employer, unless the contractor is a truck owner-operator as defined in the Act; effective January 1, 2011.

IL S 3640 Holmes (D)
Title: Workers Occupational Diseases Act
Status: Pending
Summary: Amends the Workers' Occupational Diseases Act; provides that any condition or impairment of health of a firefighter, emergency medical technician, or paramedic that results directly or indirectly from Parkinson's disease resulting in any disability to the employee shall be rebuttably presumed to arise out of and in the course of the employee's firefighting, EMT, or paramedic employment and shall be rebuttably presumed to be causally connected to the hazards or exposures of the employment.

IL S 3830 Brady B (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act; provides that permanent partial or total disability shall be certified by a physician and demonstrated by use of medically defined objective measurements, that subjective complaints shall not be considered unless supported by and clearly related to objective measurements, and that a specified publication shall be applied in determining the level of disability; provides that temporary total disability payments shall not exceed 104 Weeks.

IL S 3931 Righter (R)
Title: Workers Compensation Injury Definition
Status: Pending
Summary: Amends the Workers' Compensation Act; defines injury as an injury that has arisen out of and in the course of employment; provides that an injury by accident is compensable only if the accident was the prevailing factor in causing both the resulting medical condition and disability; provides that permanent partial or total disability shall be certified by a physician and demonstrated by use of medically defined objective measurements.

INDIANA

IN S 164 Bray (R)
Title: Sheriffs Department Survivor Benefits
Status: Failed - Adjourned
Summary: Relates to sheriff's department survivor benefits; provides that, without regard to any maximum statutory compensation period, the surviving spouse of a county police officer or a county sheriff who was killed in the line of duty is entitled to receive worker 's compensation benefits until the earlier of the surviving spouse's remarriage, the surviving spouse's death; makes conforming amendments and technical corrections.

IOWA

IA D 1338 Office of Senator Robert E. Dvorsky
Title: Compensation Commission
Status: Failed - Adjourned
Summary: Relates to compensation commission and open meetings.

IA D 1613 Office of Senator Daryl Beall
Title: Workers Compensation Choice of Doctor
Status: Failed - Adjourned
Summary: Relates to workers compensation choice of doctor.

IA D 5492 Isenhart (D)
Title: Injured Workers Health Care Improvements
Status: Failed - Adjourned
Summary: Relates to injured workers' health care improvements.

IA H 115 Rants (R)
Title: Willful Acts
Status: Failed - Adjourned
Summary: Relates to workers' compensation for an employee's injuries caused by certain willful acts.

IA H 359 Wenthe (D)
Title: Rights and Remedies of an Employee Injured
Status: Failed - Adjourned
Summary: Relates to the rights and remedies of an employee injured in an aircraft accident against an employer.

IA H 525 Olson D (D)
Title: Workers Compensation Benefits
Status: Failed - Adjourned
Summary: Requires an annual cost of living adjustment for certain weekly worker compensation benefits for veterans.

IA H 775 Labor Committee
Title: Workers Compensation Payments
Status: Failed - Adjourned
Summary: Requires additional workers compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

IA H 791 Labor Committee
Title: Penalty Benefits
Status: Failed - Adjourned
Summary: Relates to the imposition of penalty benefits in workers compensation cases.

IA H 795 Labor Committee
Title: Choice of Doctor
Status: Failed - Adjourned
Summary: Relates to the choice of doctor to treat an injured employee under workers compensation laws; provides effective and applicability dates.

IA H 2084 Horbach (R)
Title: Employer Injuries
Status: Failed - Adjourned
Summary: Provides that injuries incurred by an employee while participating in voluntary recreational programs such as athletic events, parties, and picnics are not compensable under workers' compensation even though the employer pays some or all of the cost of such programs; specifies that the exclusion is not applicable if the injured employee was ordered or assigned by the employer to participate in the program.

IA H 2308 Isenhart (D)
Title: States Workers Compensation Laws
Status: Failed - Adjourned
Summary: Relates to the states workers' compensation laws; modifies alternate care procedures for medical treatment; creates registries of physicians who treat and evaluate work related injuries; provides for the retention of a medical director; creates a state workplace injury care providers registry fund and establishes a workers' compensation advisory board, providing for fees.

IA H 2382 Labor Committee
Title: Fire and Police Systems and Injuries
Status: Failed - Adjourned
Summary: Amends Code section 411.15 to specify that members of the municipal police and fire retirement system who are injured while in the performance of their duties and need medical attention have the right to choose the care provided.

IA HSB 245 Labor Committee
Title: Workers' Compensation Benefits for Certain Work Related
Status: Failed - Adjourned
Summary: Relates to workers' compensation benefits for certain work-related injuries that occur outside this state.

IA HSB 246 Labor Committee
Title: Workers Compensation Penalty Benefits
Status: Failed - Adjourned
Summary: Relates to the imposition of penalty benefits in workers compensation cases.

IA HSB 247 Labor Committee
Title: Additional Workers' Compensation Payments for Scheduled
Status: Failed - Adjourned
Summary: Requires additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

IA HSB 588 Labor Committee
Title: Medical Care
Status: Failed - Adjourned
Summary: Specifies that members of the municipal police and fire retirement system who are injured while in the performance of their duties and need medical attention have the right to choose the care provided.

IA HSB 686 Labor Committee
Title: Weekly Workers Compensation Benefits
Status: Failed - Adjourned

Summary: Requires certain weekly workers' compensation benefits to be calculated by including an employee's overtime and premium pay, and to include an annual cost of living adjustment.

IA S 155 Labor and Business Relations Committee
Title: Choice Of Doctor Under Workers Compensation Law
Status: Failed - Adjourned
Summary: Relates to the choice of doctor to treat an injured employee under workers' compensation laws and providing an effective and applicability date.

IA S 226 State Government Committee
Title: Work Related Presumption
Status: Enacted 05/08/2009
Summary: Concerns the statewide fire and police retirement system; establishes a presumption that cancer and infectious diseases are work-related for purposes of disability and death benefits for fire fighters; increases the contribution rate for fire fighters.

IA S 262 Labor and Business Relations Committee
Title: Penalty in Workers Compensation Cases
Status: Failed - Adjourned
Summary: Relates to the imposition of penalty benefits in workers' compensation cases.

IA SSB 1106 Labor and Business Relations Committee
Title: Penalty Benefits
Status: Failed - Adjourned
Summary: Relates to the imposition of penalty benefits in workers' compensation cases.

IA SSB 1107 Labor and Business Relations Committee
Title: Workers Compensation Benefits
Status: Failed - Adjourned
Summary: Relates to workers' compensation benefits for certain work related injuries that occur outside this state.

IA SSB 1108 Labor and Business Relations Committee
Title: Workers Compensation Payments
Status: Failed - Adjourned
Summary: Requires additional workers' compensation payments for scheduled injuries that result in a reduction in the injured employee's earning capacity.

IA SSB 1118 Labor and Business Relations Committee
Title: Assessment of Penalties for Failure to Timely Pay
Status: Failed - Adjourned
Summary: Requires the assessment of penalties for failure to timely pay certain workers' compensation benefits.

IA SSB 1119 Labor and Business Relations Committee
Title: Injured Employee
Status: Failed - Adjourned
Summary: Relates to the choice of doctor to treat an injured employee under workers' compensation laws and providing an effective and applicability date.

IA SSB 3069 State Government Committee
Title: Public Retirement Systems
Status: Failed - Adjourned
Summary: Makes numerous changes to public retirement systems, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, and the statewide fire and police retirement system; includes a state mandate.

IA SSB 3175 Labor and Business Relations Committee
Title: Workers' Compensation Benefits
Status: Failed - Adjourned
Summary: Requires certain weekly workers' compensation benefits to be calculated by including an employee's overtime and premium pay, and to include an annual cost-of-living adjustment.

KANSAS

KS H 2278 Appropriations Committee
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Concerns workers compensation; relates to bilateral scheduled injuries.

KS H 2279 Appropriations Committee
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Concerns workers compensation; relates to benefits.

KS H 2312 Federal and State Affairs Committee
Title: Workers Compensation Death Benefits
Status: Failed - Adjourned
Summary: Concerns workers compensation; relates to caps on damages and death benefits.

KS H 2425 Vision 2020
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Concerns workers compensation; pertains to firefighters' exposure to certain health conditions on the job.

KS H 2721 Appropriations Committee
Title: Workers Compensation Benefits
Status: Failed - Adjourned
Summary: Concerns workers' compensation; relates to caps on benefits.

KS S 89 Financial Institutions and Insurance Committee
Title: Workers Compensation
Status: Failed
Summary: Relates to workers compensation; concerns certain records; provides that workers compensation policy information required to be filed and amendments thereto, except an individual employer's record shall be accessible for purposes of verification of coverage or to the department of labor for the administration of the workers compensation act.

KS S 250 Ways and Means Committee
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Concerns workers compensation; relates to benefits.

KS S 258 Ways and Means Committee
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Concerns workers compensation; relates to caps on benefits.

KS S 364 Ways and Means Committee
Title: State Fair Board
Status: Failed - Adjourned

Summary: Concerns the State Fair Board; authorizes the purchase of workers compensation insurance.

KS S 547 Ways and Means Committee

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Concerns workers compensation; pertains to disability benefits; pertains to medical benefits; pertains to notice requirements.

KENTUCKY

KY BR 261 Yonts (D)

Title: American Medical Associations

Status: Failed - Adjourned

Summary: Relates to the American Medical Association's "Guides to the Evaluation of Permanent Impairment"; requires use of the fifth edition of AMA guides in disability determinations.

KY H 38 Yonts (D)

Title: Guides for Workers Compensation Determinations

Status: Enacted 04/08/2010

Summary: Relates to the American Medical Association's Guides to the Evaluation of Permanent Impairment; requires use of the fifth edition of AMA guides in disability determinations; states the section of the guide to be utilized for psychological impairments; requires a study of the new edition of the guides and make a recommendation to the General Assembly concerning the new edition; gives the General Assembly authority to approve or adopt the recommendation.

KY H 311 Henderson (D)

Title: Insurance Payments for Firefighters

Status: Failed - Adjourned

Summary: Relates to insurance payments for firefighters permanently and totally disabled in the line of duty; provides a consumer price index adjustment to the health and life insurance supplement that the state makes to firefighters, as defined in krs 61.315, who are permanently and totally disabled in the line of duty.

KY H 435 Floyd (R)

Title: Safety Violations

Status: Failed - Adjourned

Summary: Relates to safety violations; requires employers who have contracted for services be liable to employees for the payment of an increased award due to the safety violation of another entity who contracted with the employer for services; conform.

KY H 448 DeCesare (R)

Title: Workers Compensation for Volunteer Firefighters

Status: Failed - Adjourned

Summary: Relates to workers' compensation for volunteer firefighters; increases income benefits for volunteer firefighters to 100% of their regular wages; applies the provision retroactively for all injuries beginning on January 1, 2009; permits claimants to reopen claims to increase income benefits for injuries arising from January 1, 2009 through the effective date of this Act.

KY S 220 Jensen (R)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Relates to workers' compensation; amends various sections of krs Chapter 342 regarding workers' compensation to limit income and medical benefits to age 70 or 5 years after injury, change time for reopenings, and increase attorney fees; modifies the income benefits in krs 342.730; allows retention for sitting board members; creates study group for medical issues.

LOUISIANA

- LA H 170 LeBas (D)
Title: Workers Compensation Insurance
Status: Failed - Adjourned
Summary: Adds worker's compensation insurers to those entities required to generate a remittance advice for each pharmacy claim.
- LA H 358 Abramson (D)
Title: Asbestos and Silica Claims
Status: Failed - Adjourned
Summary: Provides disclosure procedures for asbestos and silica claims; relates to civil procedure.
- LA H 669 Dixon (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides relative to the rehabilitation of injured employees.
- LA H 873 Smith P (D)
Title: Workers Compensation
Status: Enacted 06/17/2010
Summary: Provides relative to workers' compensation coverage; require an increase in penalties for employers who fail to secure coverage; provides for all fines collected to be deposited in the Workers' Compensation Administrative Fund; provides that a workers' compensation judge shall issue a cease and desist order prohibiting a noncomplying employer from continuing its business operations until such time as the employer complies with R.S. 23:1168, and all fines issued are paid in full.
- LA H 1034 Richmond (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides workers' compensation coverage for reserve police officers.
- LA H 1076 Henry (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides relative to the determination of wages for professional athletes; includes workers compensation.
- LA H 1088 Ponti (R)
Title: Workers Compensation Mediation
Status: Enacted 05/26/2010
Summary: Provides relative to mediations in workers' compensation claims; adds payment of the filing fee to requirements that constitute the initiation of a claim; specifies that a mediator shall be a Workforce Commission, office of workers' compensation administration mediator; relates to service of process, notice of mediation conference, costs, fees and penalties; requires representatives to be present in person or by telephone; relates to fines and pretrial mediation.
- LA H 1097 Henry (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides relative to workers' compensation for professional athletes.
- LA H 1098 Henry (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides for a reduction or offset of workers' compensation for professional athletes.

LA H 1129 Talbot (R)
Title: Workers Compensation
Status: Enacted 06/17/2010
Summary: Provides for confidentiality of workers compensation records of an injured employee; relates to rehabilitation and employer records; provides that the office of workers compensation administration shall not provide information which shall allow a requesting party to obtain the identity of all members or insured employers of a particular carrier or group self-insurance fund; provides that the department shall not provide the effective date of coverage for a specific employer or employees.

LA H 1138 Ponti (R)
Title: Workers Compensation
Status: Enacted 06/25/2010
Summary: Relates to workers' compensation; extends the date by which rules concerning the medical treatment schedule must be promulgated; makes conforming changes to provisions relating to requests for authorization submitted to payors by medical providers and disputes as to whether care, services or treatment are in accordance with the treatment schedule.

LA S 17 Murray (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides relative to determinations of average weekly wage of professional athletes.

LA S 42 Murray (D)
Title: Workers Compensation Appeals
Status: Adopted 06/21/2010
Summary: (Joint Resolution) Proposes to amend the State Constitution; relates to courts of appeal; requires reargument before a five-judge panel when an appellate judge dissents from a majority decision to modify or reverse a judgment rendered by the Office of Workers' Compensation; specifies an election for submission of the proposition to electors.

LA S 106 Riser (R)
Title: Workers Compensation
Status: Enacted 05/11/2010
Summary: Provides relative to workers' compensation; provides for an examination of an injured employee when certain disputes arise; provides for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; provides for payors and insurers to make weekly indemnity payments by electronic funds transfer; repeals provisions requiring workers' compensation indemnity payments be mailed.

LA S 155 Murray (D)
Title: Insurance Claims
Status: Failed - Adjourned
Summary: Prohibits contractual credit to an uninsured motorist carrier for workers' compensation and medical paid.

LA S 255 Chaisson (D)
Title: Workers Compensation
Status: Enacted 05/11/2010
Summary: Relates to electronic medical billing for workers' compensation claims; provides for electronic submission of medical bills; provides for electronic processing and payment of medical bills; provides for acceptance of electronic payment; provide for rules and regulations.

LA S 314 Walsworth (R)
Title: Workers Compensation
Status: Failed - Adjourned

Summary: Provides a workers' compensation exception for owner operators of truck tractors and truck tractor trailers.

LA S 352 Martiny (R)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Provides for reciprocity with states who apply Louisiana Workers' Compensation Law to a complaint filed in that state by a professional athlete injured while employed by a Louisiana employer.

LA S 372 Amedee (D)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Relative to workers' compensation, changes the definition of covered employee to exclude illegal aliens.

LA S 398 Riser (R)

Title: Unemployment Compensation

Status: Enacted 05/11/2010

Summary: Provides relative to employment records and reports for purposes of unemployment insurance; provides relative to the confidentiality of information; removes the office of workers' compensation qualification regarding information in response to the limited questions regarding length of time benefits have been paid.

LA S 459 Martiny (R)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Provides for a credit for compensation benefits payable to a professional athlete who receives payment pursuant to the provisions, including injury provisions, contained in a contract or collective bargaining agreement.

LA S 479 Riser (R)

Title: Military Affairs

Status: Failed

Summary: Repeals provisions regarding certain lump sum payments for death or permanent disability to members of the Louisiana National Guardsmen activated by the governor or the president.

LA S 496 Martiny (R)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Provides relative to determinations of average weekly wage of professional athletes.

LA S 639 Murray (D)

Title: Workers Compensation

Status: Enacted 06/30/2010

Summary: Provides relative to the Workers' Compensation Second Injury Fund; provides for a focus on re-employment and retention of employees; provides as to the frequency of meetings of the Workers' Compensation Board; relates to interest earned by the fund; provides as to when an employer has knowledge of a preexisting permanent partial disability; provides for reporting to the National Council on Compensation Insurance; provides with respect to condition diagnoses.

LA 10 2010 Proposed Amendment NO.: 9 (Source: SB 42 2010)

Title: Workers Compensation Appeals

Status: Unofficially Approved By Voters: 11/02/2010

Summary: Proposes to amend the Constitution; relates to the judicial branch; requires re-argument before a five-judge panel when an appellate judge dissents from a majority decision to modify or reverse a judgment rendered by the Office of Workers' Compensation.

MAINE

- ME H 649 Cushing (R)
Title: Workers Compensation Action
Status: Enacted 06/08/2009
Summary: Provides that if no order or award of compensation or compensation scheme has been entered, an employer, insurer or group self-insurer may discontinue or reduce workers' compensation benefits by the actual substantiated amount paid to the employee during a specified period if the employer files the evidence of payment with the Workers' Compensation Board for the time during which an employee was actually paid by the employer.
- ME H 764 Watson (D)
Title: Workers Compensation Prior Injuries
Status: Failed - Adjourned
Summary: Concerns the State Supreme Judicial Court's decision in *Legassie v. Securitas, Inc.*; concerns the decision that authorized a reduction to an injured worker's wage replacement and medical benefits because of a previously settled workers' compensation claim; specifies that reducing an injured worker's benefits because of a prior settled injury is direct apportionment against the employee and is prohibited.
- ME H 1008 Martin Jo (D)
Title: Construction Workers
Status: Enacted 06/19/2009
Summary: Provides a person performing construction work on a construction site for a hiring agent presumed to be an employee of the agent for purposes of workers' compensation, unless the person either meets the definition of construction subcontractor or carries workers' compensation insurance; requires a list of independent contractors of subcontractors and their workers' compensation insurers from the general contractor on a public funded project to the project agency and posting of the list by the agency.
- ME H 1209 Mazurek (D)
Title: Health Care Coverage
Status: Enacted 03/31/2010
Summary: Modifies the state's so-called mini-COBRA law to make persons permanently laid off from their employment eligible to maintain, at their expense, coverage under their former employer's group health plan. Currently, the law limits eligibility to persons who are temporarily laid off or who have a condition that makes them eligible for workers' compensation.
- ME H 1299 Tuttle (D)
Title: Construction Subcontractors
Status: Enacted 03/30/2010
Summary: Clarifies construction subcontractor status for purposes of the Maine Workers' Compensation Act of 1992 by making the predetermination status valid for one year; creates a rebuttable presumption that the determination is correct in any later claim for benefits under the Maine Workers' Compensation Act of 1992; specifies that a worker, an employer or workers' compensation insurance carrier shall not be required to request predetermination.
- ME LR 667 Office of Bartlett
Title: Workers Compensation and Firefighters
Status: Failed - Adjourned
Summary: Allows workers' compensation benefits for firefighters who contract cancer.
- ME LR 1337 Hamper (R)
Title: Workers Compensation Overpayments
Status: Failed - Adjourned
Summary: Limits workers' compensation overpayments in appeal cases.

ME LR 1760 Office of Gerzofsky
Title: Multiple Work Injury Apportionment
Status: Failed - Adjourned
Summary: Clarifies apportionment of benefits for multiple work injuries.

ME LR 1802 Miller (D)
Title: Workers Compensation Medical Coverage
Status: Failed - Adjourned
Summary: Provides wrap-around medical coverage in the workers' compensation system.

ME LR 2518 Office of Jackson
Title: Workers Compensation Abuse
Status: Failed - Adjourned
Summary: Enhances cooperation between the Workers' Compensation Board's Abuse Investigation Unit and other State agencies; ensures equal application of the requirement to obtain coverage.

ME LR 2519 Office of Jackson
Title: Workers Compensation Act
Status: Failed - Adjourned
Summary: Amends the Workers' Compensation Act; concerns coordination of benefits.

ME S 232 Gerzofsky (D)
Title: Independent Medical Examiners
Status: Failed
Summary: Removes the independent medical examiner system from the Workers' Compensation Act.

ME S 235 Bartlett (D)
Title: Firefighters Benefits
Status: Enacted 06/16/2009
Summary: Creates a rebuttable presumption under the Workers' Compensation Act that a firefighter who contracts cancer has contracted the disease in the course of employment as a firefighter; requires notice of the cancer to be given; concerns a firefighter that, during the time of employment, received a test for cancer that failed to detect the cancer; makes the last employer for whom the firefighter worked at the time of the last exposure to the risk of cancer and that employer's insurer liable for the cancer.

ME S 496 Mills P (R)
Title: Shared Living Residential Services
Status: Enacted 06/08/2009
Summary: Exempts services performed by certain direct support providers, including respite care providers, from the definition of employment in the laws governing unemployment compensation and exempts certain direct support providers from the definition of employee in the laws governing minimum wages and workers' compensation; requires the creation of a work group to examine the services and tasks performed by respite care and shared living residential service providers to identify their working status.

ME S 500 Gerzofsky (D)
Title: Multiple Work Injuries
Status: Enacted 06/08/2009
Summary: Relates to workers' compensation benefits; prohibits a reduction of an employee's entitlement to benefits based on the lump sum settlement of a prior work-related injury.

ME S 586 Jackson (D)
Title: Workers Compensation Abuse
Status: Enacted 03/17/2010
Summary: Clarifies that the Workers' Compensation Board's abuse investigation unit may share information with other state agencies to enhance interagency efforts to ensure compliance with their respective laws and rules;

ensures that the coverage penalties in the Workers' Compensation Act of 1992 are applied in the same manner to all business entities.

MARYLAND

MD H 405 Economic Matters Committee
Title: Workers Compensation
Status: Enacted 05/20/2010
Summary: Authorizes an officer of a corporation to elect to be exempt from workers' compensation coverage; limits the number of officers of a corporation, other than a close corporation, who may elect to be exempt from workers' compensation coverage; clarifies that members of certain limited liability companies may elect to be exempt from workers' compensation coverage; requires the State Workers' Compensation Commission to adopt certain regulations.

MD H 618 Allegany County Delegation
Title: Workers Compensation
Status: Enacted 04/13/2010
Summary: Provides that an Allegany County deputy sheriff who suffers from heart disease or hypertension is presumed under specified circumstances to have an occupational disease suffered in the line of duty; provides for enhanced workers compensation benefits for specified Allegany County deputy sheriffs for a compensable permanent partial disability of less than a specified number of weeks.

MD H 670 Feldman (D)
Title: Joint Committee
Status: Failed - Adjourned
Summary: Expands the membership of the Joint Committee on Workers Compensation Benefit and Insurance Oversight to include a representative from a self insured local government entity.

MD H 751 Miller W (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides a credit for an employer or insurer for specified payments to a covered employee for temporary total disability benefits under specified circumstances and during a specified period.

MD H 968 Barkley (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Authorizes the introduction of specified health care records as evidence in an appeal from a decision of the Workers' Compensation Commission under specified circumstances; requires a specified notice to be served to all parties within a specified time period; establishes a specified limit on a judgment; requires a court to alter a specified award under specified circumstances.

MD H 1129 Stukes (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Extends enhanced workers' compensation benefits for specified permanent partial disability claims to sworn officers of the Baltimore City Sheriff's Office.

MD H 1243 Frank (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides for enhanced workers' compensation benefits for specified Baltimore County deputy sheriffs for a permanent partial disability award for less than a specified number of weeks.

MD H 1280 Feldman (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Alters the occupational disease presumption under the workers' compensation law as applied to specified individuals; provides that specified diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a specified manner; provides that a specified presumption applies only if specified circumstances are met.

MD H 1318 Krysiak (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Alters the authority of the Workers' Compensation Commission to make specified determinations of dependency; alters the provisions relating to calculation of death benefits for individuals who are wholly or partly dependent; provides the amount of death benefits to specified dependents who are neither a dependent spouse nor a dependent child; specifies that the Commission has continuing jurisdiction under specified circumstances.

MD S 53 Middleton (D)
Title: Average Weekly Wage
Status: Enacted 05/04/2010
Summary: Authorizes, for the purpose of computing the average weekly wage for workers compensation benefits for specified members of the organized militia, the use of actual wages earned by the member in the member's civilian employment at the time of entry into State active duty.

MD S 608 Kittleman A (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides that an employer or insurer is not liable for temporary total disability payments to a covered employee while the employee is incarcerated.

MD S 609 Kittleman A (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides a credit for an employer or insurer for specified payments to a covered employee for temporary total disability benefits under specified circumstances and during a specified period.

MD S 610 Kittleman A (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Expands the circumstances under which the Workers' Compensation Commission retains jurisdiction pending an appeal of a Commission order to include a request for approval of a proposed settlement of all or part of a claim.

MD S 646 Pugh (D)
Title: Workers Compensation Medical Presumptions
Status: Failed - Adjourned
Summary: Alters the occupational disease presumption under the workers compensation law as applied to specified individuals; provides that specified diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a specified manner; provides that a specified presumption applies only if specified circumstances are met; terminates the Act at the end of June 30, 2015.

MD S 953 Exum (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Alters the authority of the Workers Compensation Commission to make specified determinations of dependency; alters the provisions relating to calculation of death benefits for individuals who are wholly or partly

dependent; provides the amount of death benefits to specified dependents who are neither a dependent spouse nor a dependent child; specifies that the Commission has continuing jurisdiction under specified circumstances.

MD S 1100 Kittleman A (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Authorizes an employer, an employer's insurer, or the Uninsured Employers' Fund to make a specified assertion regarding the average weekly wage of a covered employee by submitting a specified wage statement to the State Workers' Compensation Commission before a specified decision is issued by the Commission.

MASSACHUSETTS

MA H 17 Exec. Office of Labor & Workforce Development
Title: Workers Compensation Stop Work Orders
Status: Pending
Summary: Relates to strengthening the enforcement of stop work orders under the Workers Compensation Statute.

MA H 63 Executive Office of Public Safety & Security
Title: Line of Duty Injured Officers
Status: Pending
Summary: Relates to compensation for officers injured in the line of duty.

MA H 1375 Fresolo (D)
Title: Public Safety Officials and AIDS Exposure
Status: Pending
Summary: Relates to the exposure of public safety officials to the AIDS virus.

MA H 1796 Dempsey (D)
Title: Workers Compensation
Status: Pending
Summary: Relates to workers compensation.

MA H 1800 Evangelidis (R)
Title: Workers Compensation Dependency Benefits
Status: Pending
Summary: Relates to workers compensation dependency benefits.

MA H 1801 Evangelidis (R)
Title: Worker Compensation Benefits
Status: Pending
Summary: Relates to the continuation of workers compensation benefits.

MA H 1811 Jones (R)
Title: Fairness in Workers Compensation Benefits
Status: Pending
Summary: Relates to fairness in workers compensation benefits.

MA H 1825 O'Flaherty (D)
Title: Workers Compensation System
Status: Pending
Summary: Improves the workers compensation system.

MA H 1826 O'Flaherty (D)
Title: Impartial Medical Examiners
Status: Pending

Summary: Relates to impartial medical examiners.

MA H 1827 O'Flaherty (D)
Title: Workers Compensation Benefits
Status: Pending
Summary: Relates to workers compensation benefits.

MA H 1828 O'Flaherty (D)
Title: Injured Workers
Status: Pending
Summary: Relates to injured workers.

MA H 1864 Torrisi (D)
Title: Workers Compensation Insurance Rates
Status: Pending
Summary: Relates to the competitive determination of workers compensation insurance rates.

MA H 1865 Torrisi (D)
Title: Burial Benefits Under the Workers Compensation
Status: Pending
Summary: Provides for burial benefits under the workers compensation act.

MA H 2409 Fresolo (D)
Title: University Police Department Employee Paid Leave
Status: Pending
Summary: Regulates leave with pay for incapacitated employees of the University of Massachusetts Police Department.

MA H 2410 Fresolo (D)
Title: Police Officers Injured in the Line of Duty
Status: Pending
Summary: Relates to police officers injured in the line of duty.

MA H 2411 Fresolo (D)
Title: Cancer Presumption for Police Officers
Status: Pending
Summary: Relates to the cancer presumption for police officers.

MA H 2413 Fresolo (D)
Title: Public Employee Disability Benefits
Status: Pending
Summary: Relates to public employee disability benefits for certain employees employed by the Commonwealth and its political subdivisions.

MA H 2416 Fresolo (D)
Title: Certain County Employees Under the Heart Law
Status: Pending
Summary: Includes certain county employees under the heart law.

MA H 2549 O'Day (D)
Title: Injured Social Workers
Status: Pending
Summary: Relates to compensation of social workers who are physically injured in the performance of duty.

MA H 2571	Reinstein (D)
Title:	Injured on Duty Benefits for Environmental Police
Status:	Pending
Summary:	Relates to injured on duty benefits for environmental police officers.
MA H 2602	Smola (R)
Title:	Application of the Heart Bill
Status:	Pending
Summary:	Relates to clarifying the application of the heart bill.
MA H 2989	Fresolo (D)
Title:	Employers First Report of Injury Notices
Status:	Pending
Summary:	Relates to an employers first report of injury notices of insured employee.
MA H 3482	Koutoujian (D)
Title:	Fire Fighter and Police Line of Duty Liability
Status:	Pending
Summary:	Relates to the liability expenses for fire fighter and police officers injured in the line of duty.
MA H 3693	Galvin (D)
Title:	Impartial Medical Examinations
Status:	Pending
Summary:	Relates to impartial medical examinations.
MA H 3742	Walsh M (D)
Title:	Firefighter Disability
Status:	Pending
Summary:	Pertaining to firefighter disability.
MA H 4425	Naughton (D)
Title:	Trial Court Officer Injuries
Status:	Pending
Summary:	Relates to injuries sustained during state service by officers of the Trial Court.
MA HD 17	Exec. Office of Labor & Workforce Development
Title:	Workers Compensation Stop Work Orders
Status:	Pending
Summary:	Relates to strengthening the enforcement of stop work orders under the Workers Compensation Statute.
MA HD 63	Executive Office of Public Safety & Security
Title:	Line of Duty Injured Officers
Status:	Pending
Summary:	Relates to compensation for officers injured in the line of duty.
MA HD 136	O'Flaherty (D)
Title:	Workers Compensation System
Status:	Pending
Summary:	Improves the workers compensation system.
MA HD 137	O'Flaherty (D)
Title:	Impartial Medical Examiners
Status:	Pending
Summary:	Relates to impartial medical examiners.

MA HD 138 O'Flaherty (D)
Title: Workers Compensation Benefits
Status: Pending
Summary: Relates to workers compensation benefits.

MA HD 139 O'Flaherty (D)
Title: Injured Workers
Status: Pending
Summary: Relates to injured workers.

MA HD 331 Fresolo (D)
Title: Public Safety Official AIDS Exposure
Status: Pending
Summary: Relates to the exposure of public safety officials to the aids virus.

MA HD 664 Koutoujian (D)
Title: Fire Fighter and Police Line of Duty Liability
Status: Pending
Summary: Relates to the liability expenses for fire fighter and police officers injured in the line of duty.

MA HD 899 Evangelidis (R)
Title: Workers Compensation Dependency Benefits
Status: Pending
Summary: Relates to workers compensation dependency benefits.

MA HD 934 Torrisi (D)
Title: Workers Compensation Insurance Rates
Status: Pending
Summary: Relates to the competitive determination of workers compensation insurance rates.

MA HD 938 Evangelidis (R)
Title: Worker Compensation Benefits
Status: Pending
Summary: Relates to the continuation of workers compensation benefits.

MA HD 1598 Jones (R)
Title: Fairness in Workers Compensation Benefits
Status: Pending
Summary: Relates to fairness in workers compensation benefits.

MA HD 1869 Reinstein (D)
Title: Injured on Duty Benefits for Environmental Police
Status: Pending
Summary: Relates to injured on duty benefits for environmental police officers.

MA HD 2235 Fresolo (D)
Title: University Police Department Employee Paid Leave
Status: Pending
Summary: Regulates leave with pay for incapacitated employees of the University of Massachusetts Police Department.

MA HD 2383 Fresolo (D)
Title: Police Officers Injured in the Line of Duty
Status: Pending
Summary: Relates to police officers injured in the line of duty.

MA HD 2417 Fresolo (D)
 Title: Cancer Presumption for Police Officers
 Status: Pending
 Summary: Relates to the cancer presumption for police officers.

MA HD 2463 Fresolo (D)
 Title: Public Employee Disability Benefits
 Status: Pending
 Summary: Relates to public employee disability benefits for certain employees employed by the Commonwealth and its political subdivisions.

MA HD 2521 Dempsey (D)
 Title: Workers Compensation
 Status: Pending
 Summary: Relates to workers compensation.

MA HD 2606 Fresolo (D)
 Title: Certain County Employees Under the Heart Law
 Status: Pending
 Summary: Includes certain county employees under the heart law.

MA HD 2744 Walsh M (D)
 Title: Firefighter Disability
 Status: Pending
 Summary: Pertaining to firefighter disability.

MA HD 2916 Smola (R)
 Title: Application of the Heart Bill
 Status: Pending
 Summary: Relates to clarifying the application of the heart bill.

MA HD 2978 Galvin (D)
 Title: Impartial Medical Examinations
 Status: Pending
 Summary: Relates to impartial medical examinations.

MA HD 3387 Fresolo (D)
 Title: Employers First Report of Injury Notices
 Status: Pending
 Summary: Relates to an employers first report of injury notices of insured employee.

MA HD 3602 Torrisi (D)
 Title: Burial Benefits Under the Workers Compensation
 Status: Pending
 Summary: Provides for burial benefits under the workers compensation act.

MA HD 4667 Naughton (D)
 Title: Trial Court Officer Injuries
 Status: Pending
 Summary: Relates to injuries sustained during state service by officers of the Trial Court.

MA S 704 Morrissey (D)
 Title: Department of Industrial Accident Claims
 Status: Pending
 Summary: Clarifies the term proceedings for Department of Industrial Accident Claims.

MA S 705 Morrissey (D)
 Title: Workman Compensation Definitions
 Status: Pending
 Summary: Clarifies a definition in workmans' compensation proceedings.

MA S 727 Tolman (D)
 Title: Protecting Social Workers From Work Related Injuries
 Status: Pending
 Summary: Protects social workers from work related injuries.

MA S 1982 Tolman (D)
 Title: Railroad Company Medical Leave
 Status: Pending
 Summary: Provides counseling services and medical leave for crew members of a railroad company involved in an accident resulting in loss of life or serious bodily injury.

MA S 2011 Morrissey (D)
 Title: Worker's Compensation for Armed Services
 Status: Pending
 Summary: Relates to worker's compensation as it relates to employees who are members of the armed services or national guard.

MA S 2365 Joint Labor & Workforce Development
 Title: Social Worker Work Related Injuries
 Status: Pending
 Summary: Protects social workers from work related injuries; provides that such employee who, while in the performance of duty, receives bodily injuries resulting from acts of violence from patients, prisoners, children or parents of children in the caseload, who would be entitled to benefits shall be paid the difference between the weekly cash benefits and the regular salary, without such absence being charged against available sick leave credits.

MA S 2375 Ways and Means Committee
 Title: Workers Compensation Insurance
 Status: Enacted 08/09/2010
 Summary: Further regulates workers' compensation insurance; provides for a civil action when facts show that an employer has failed to comply with worker's compensation insurance requirements regarding payment of compensation; requires notice to the employer; provides for costs and attorney fees.

MA SD 84 Tolman (D)
 Title: Railroad Company Medical Leave
 Status: Pending
 Summary: Provides counseling services and medical leave for crew members of a railroad company involved in an accident resulting in loss of life or serious bodily injury.

MA SD 681 Morrissey (D)
 Title: Department of Industrial Accident Claims
 Status: Pending
 Summary: Clarifies the term proceedings for Department of Industrial Accident Claims.

MA SD 684 Morrissey (D)
 Title: Workman Compensation Definitions
 Status: Pending
 Summary: Clarifies a definition in workmans' compensation proceedings.

MA SD 686 Morrissey (D)
 Title: Worker's Compensation for Armed Services
 Status: Pending

Summary: Relates to worker's compensation as it relates to employees who are members of the armed services or national guard.

MA SD 836 Tolman (D)
Title: Protecting Social Workers From Work Related Injuries
Status: Pending
Summary: Protects social workers from work related injuries.

MICHIGAN

MI H 4754 Jackson (D)
Title: Cost of Living Provision
Status: Pending
Summary: Requires workers' compensation and benefits to include a cost-of-living provision.

MI H 5108 Angerer (D)
Title: Chiropractic Service
Status: Pending
Summary: Limits worker's compensation coverage or reimbursement for chiropractic service.

MI H 5284 Bledsoe (D)
Title: Secondhand Smoke
Status: Pending
Summary: Establishes presumption of secondhand smoke aggravating certain conditions in worker's compensation claim.

MI H 5952 Tlaib (D)
Title: Workers Compensation
Status: Pending
Summary: Provides for definition of commission of crime for eligibility of worker's compensation.

MI S 615 Kahn (R)
Title: Employment Security Administration
Status: Pending
Summary: Establishes fraud control fund for Bureau of Worker's and Unemployment Compensation.

MI S 972 Richardville (R)
Title: Chiropractic Services
Status: Enacted 01/05/2010
Summary: Limits coverage or reimbursement for chiropractic services by workers compensation; provides that an employer is not required to reimburse or cause to be reimbursed charges for a chiropractic service unless that service is included in the definition of practice of chiropractic under the Public Health Code; changes references to the Bureau of Worker's Compensation to the Workers' Compensation Agency.

MINNESOTA

MN H 1794 Welti (DFL)
Title: Employment
Status: Failed - Adjourned
Summary: Relates to employment; provides standard definition of independent contractor for truck driver-operators for purposes of workers' compensation, unemployment compensation, and income taxation.

MN H 3133 Hornstein (DFL)
Title: Employment
Status: Failed - Adjourned

Summary: Relates to employment; provides for workers' compensation benefits for domestic partners; includes domestic partners of military members in employee leave requirements; provides for payment of wages due a deceased employee to a surviving domestic partner.

MN H 3188 Nornes (R)
Title: Agent Orange Equity Act
Status: Failed - Adjourned
Summary: Calls on the Congressional Delegation of the Great State of Minnesota to fully support and fund passage of the Agent Orange Equity Act of 2009.

MN S 193 Betzold (DFL)
Title: Retirement
Status: Failed - Adjourned
Summary: Relates to retirement; amends certain correctional employee disability benefit provisions; defines terms; amends age limits.

MN S 733 Skoe (DFL)
Title: Employment
Status: Failed - Adjourned
Summary: Relates to employment; provides standard definition of independent contractor for truck driver-operators for purposes of workers' compensation, unemployment compensation, and income taxation.

MN S 910 Tomassoni (DFL)
Title: Trucking Industry
Status: Enacted 05/16/2009
Summary: Relates to labor and employment; regulates the employment status of truckers and messenger and courier services for the purposes of unemployment compensation and workers' compensation; relates to independent contractors; specifies the requirements necessary to determine if the operator is an independent contractor.

MN S 1476 Bakk (DFL)
Title: Workers Compensation
Status: Enacted 05/12/2009
Summary: Relates to workers' compensation; relates to disability benefits, Rehabilitation Review Panel membership, addition of an occupational therapist to the Medical Services Review Board, notification of the denial of a claim, submission of medical bills, retention of billing data by self-insured employers, medical examinations, agency sharing of Social Security numbers, employer notice to the occupational safety and health division of a fatality or inpatient hospitalization, and workers' compensation judges.

MN S 2605 Skogen (DFL)
Title: Agent Orange Equity Act
Status: Failed - Adjourned
Summary: Calls on the Congressional Delegation of the Great State of Minnesota to fully support and fund passage of the Agent Orange Equity Act of 2009.

MN S 2764 Dibble (DFL)
Title: Employment
Status: Failed - Adjourned
Summary: Relates to employment; provides for workers' compensation benefits for domestic partners; includes domestic partners of military members in employee leave requirements; provides for payment of wages due a deceased employee to a surviving domestic partner.

MISSISSIPPI

MS H 49 Mayo (D)
Title: Workers Compensation
Status: Failed

Summary: Relates to workers' compensation; prohibits discharge of employee filing claim in good faith.

MS H 108 Upshaw (R)

Title: Workers Compensation Commission

Status: Failed

Summary: Relates to Workers' Compensation Commission; provides that appeals from commission go directly to Supreme Court.

MS H 110 Upshaw (R)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; reduces amount an employer may receive from third party for damages by employer's percentage of fault.

MS H 158 Baker M (R)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; allows interlocutory appeal to circuit court of commission's denial of employee's right to medical benefits.

MS H 280 Formby (R)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; revises criteria for drug and alcohol testing, increase benefits for disfigurement, vocational rehab and death.

MS H 286 Formby (R)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; results of drug and alcohol test, employer-administered or otherwise, are admissible for certain purposes.

MS H 438 Lane (D)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; increases amount of lump sum death benefit and benefit for funeral expenses.

MS H 790 Gardner (D)

Title: Medical Records

Status: Failed

Summary: Relates to medical records; provides that persons seeking disability benefits may obtain records at no charge until final determination of disability.

MS H 830 Watson P (D)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; prohibits discharge of employee filing claim in good faith.

MS H 831 Watson P (D)

Title: Workers Compensation

Status: Failed

Summary: Relates to workers' compensation; increases benefits for serious facial or head disfigurement.

MS H 832 Watson P (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; provides for appeal of commission decisions directly to Court of Appeals.

MS H 834 Watson P (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; requires emergency hearing upon request of either party.

MS H 908 Formby (R)
Title: Workers Compensation
Status: Failed
Summary: Increases workers' compensation benefits for disfigurement, vocational rehab and death, allows employer to request autopsy.

MS H 1352 Blackmon (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to Workers' Compensation; prohibits denial of benefits based on employee's record of a felony conviction.

MS H 1373 Robinson W (D)
Title: Workers Compensation Law
Status: Failed
Summary: Relates to Workers' Compensation Law; revises Law to clarify period after which a claim is extinguished.

MS H 1375 Robinson W (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; revises provisions of law regarding compensation for injuries where third parties are liable.

MS H 1376 Robinson W (D)
Title: Workers Compensation Law
Status: Failed
Summary: Relates to Workers' Compensation Law; revises law to increase the funeral expense reimbursement and other death benefits.

MS H 1377 Robinson W (D)
Title: Workers Compensation Law
Status: Failed
Summary: Relates to Workers' Compensation Law; revises provisions regarding owner/operator's requirement to provide motor carrier certain proof of coverage.

MS H 1378 Robinson W (D)
Title: Workers Compensation Law
Status: Failed
Summary: Relates to Workers' Compensation Law; revises provisions of regarding apportionment and the amount of compensation for disability.

MS H 1383 Hines (D)
Title: Workers Compensation Law
Status: Failed

Summary: Relates to Workers' Compensation Law; increases maximum total recovery under to 520 weeks.

MS H 1398 Clarke A (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; includes certain unmarried cohabitants in the definition of surviving spouse.

MS H 1532 Watson P (D)
Title: Workers Compensation Law
Status: Failed
Summary: Relates to Workers' Compensation Law; reduces compensation by employer's percentage of fault.

MS H 1554 Hines (D)
Title: Workers Compensation Law
Status: Failed
Summary: Relates to Workers' Compensation Law; requires every carrier to provide coverage to employees who have a nonviolent record.

MS S 2442 Harden (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to Workers' Compensation; requires workplace medical services and transportation for injured employees.

MS S 2450 Hewes (R)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; preexisting conditions do not have to be occupationally disabling for apportionment to apply.

MS S 2461 Hewes (R)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; provides for admissibility of drug and alcohol testing.

MS S 2463 Hewes (R)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; increases certain death benefits; authorizes interested party to request an autopsy.

MS S 2483 Jones K (D)
Title: Workers Compensation Disability Payments
Status: Failed
Summary: Extend time period for receiving Worker's Compensation Disability Payments.

MS S 2490 Harden (D)
Title: Workers Compensation
Status: Failed
Summary: Allows an injured employee the right to select specialists who provide type of treatment that is prescribed.

MS S 2507 Brown T (R)
Title: Executive Agency Personnel
Status: Failed

Summary: Relates to executive agency personnel; removes from certain State Personnel Board procedures.

MS S 2592 Jackson R (D)
Title: Workers Compensation Disability Payments
Status: Failed
Summary: Relates to workers' compensation disability payments; extends time period for receiving payments.

MS S 2691 Blount (D)
Title: Law Enforcement Officers and Fire Fighters
Status: Failed
Summary: Relates to law enforcement officers and fire fighters; increases death and disability benefits under trust funds.

MS S 2724 King (R)
Title: Law Enforcement Officers Disability Trust Fund
Status: Failed
Summary: Expands Coverage of Law Enforcement Officers Disability Trust Fund to include disability benefits for emergency management personnel.

MS S 2864 Blount (D)
Title: Law Enforcement Officers Disability Benefits Trust Fund
Status: Failed
Summary: Permits disability benefits to be paid to injured officer's employing government entity.

MISSOURI

MO H 1418 Fallert (D)
Title: Injured Employee Health Care Provider Choice
Status: Failed - Adjourned
Summary: Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer.

MO H 1600 Dusenberg (R)
Title: Certain Paid Police Officers
Status: Failed - Adjourned
Summary: Allows certain paid police officers of a paid police department to be eligible for workers' compensation benefits for an injury due to psychological stress.

MO H 1817 Nolte (R)
Title: Additional Compensation
Status: Failed - Adjourned
Summary: Allows additional compensation, up to 40 weeks, for an employee who is seriously and permanently disfigured near the head or neck that is a hindrance to employment.

MONTANA

MT D 67 Economic Affairs Interim Committee (2011)
Title: Workers' Compensation
Status: Pending
Summary: Relates to revising course and scope of employment for workers' compensation.

MT D 68 Economic Affairs Interim Committee (2011)
Title: Medical Claim Settlements
Status: Pending
Summary: Relates to revising medical claim settlements for workers' compensation.

MT D 69 Economic Affairs Interim Committee (2011)
 Title: Claim Closure for Workers' Compensation
 Status: Pending
 Summary: Relates to revising claim closure for workers' compensation.

MT D 627 Welborn (R) (2011)
 Title: Firefighters and Emergency Medical Services Workers
 Status: Pending
 Summary: Provides workers' compensation to retired volunteer firefighters and Emergency Medical Services workers on duty; relates to emergency and disaster services; relates to workers' compensation; relates to fires and fire protection.

MT D 655 Vance (R) (2011)
 Title: Workers' Compensation for Illegal Aliens
 Status: Pending
 Summary: Provides that illegal aliens may not receive workers' compensation; relates to workers' compensation.

NEBRASKA

NE L 194 Conrad (NP)
 Title: Workers Compensation Payments
 Status: Failed - Adjourned
 Summary: Relates to workers' compensation; changes provisions relating to lump sum settlements.

NE L 243 Conrad (NP)
 Title: Workers Compensation Adjustments
 Status: Failed - Adjourned
 Summary: Relates to Nebraska's Workers' Compensation Act; provides for annual adjustments for workers' compensation total disability income benefits.

NE L 373 Lautenbaugh (NP)
 Title: Emergency Response Personnel Death and Disability
 Status: Enacted 04/07/2010
 Summary: Changes provisions relating to death or disability presumptions for a firefighter or police officer and death or disability prima facie evidence requirements for a firefighter or firefighter-paramedic; relates to presumptions of death or disability as a result of hypertension, a heart or respiratory defect or disease, a blood-borne infectious disease, and certain other diseases.

NE L 453 Rogert (NP)
 Title: Workers Compensation Coverage Notice
 Status: Failed - Adjourned
 Summary: Changes provisions relating to an employer notice that employees are not covered by workers' compensation insurance.

NE L 556 White (NP)
 Title: Workers Compensation
 Status: Failed - Adjourned
 Summary: Changes workers' compensation third-party claims provisions.

NE L 579 Cornett (NP)
 Title: Employer Organization Registration Act
 Status: Enacted 03/17/2010

Summary: Adopts the Professional Employer Organization Registration Act to harmonize insurance, workers' compensation, safety committee, and unemployment benefit provisions among professional employer organizations; creates a fund to carry the purposes of the Act.

NE L 622 Nordquist (NP)
Title: Workers Compensation Medical Payments
Status: Failed - Adjourned
Summary: Provides time limits and penalties for late workers' compensation medical payments.

NE L 630 Business and Labor Committee
Title: Workers Compensation Act
Status: Enacted 05/26/2009
Summary: Amends the Workers' Compensation Act; relates to an employer exclusion from the act, implementation of a certain medical fee schedule, periodic compensation payments and lump-sum settlements, court procedures, informal dispute resolution approval, and mediators.

NE L 780 Lathrop (NP)
Title: Workers Compensation
Status: Enacted 04/14/2010
Summary: Changes Workers' Compensation Act; provides that personal injuries include certain mental injuries and mental illnesses of employees who are first responders.

NE L 829 Rogert (NP)
Title: Nebraska Workers Compensation Act
Status: Enacted 04/12/2010
Summary: Amends a provision of existing which exempts from the Workers' Compensation Act certain agricultural operations and employers and which requires such employers to provide notice at the time of hiring or at any time more than 30 calendar days prior to the time of an injury specifies written notice informing the employee of such exemption; clarifies liability of those employers for failure to provide the specified notice.

NE L 846 Schilz (NP)
Title: Nebraska Workers Compensation Court Awards
Status: Failed
Summary: Changes interest rate provisions for certain Nebraska Workers' Compensation Court awards.

NE L 872 Lathrop (NP)
Title: Workers Compensation Medical Fee Schedule
Status: Enacted 04/12/2010
Summary: Extends the inapplicability of the Diagnostic Related Group inpatient hospital fee schedule for workers' compensation claims for inpatient trauma services.

NE L 908 Conrad (NP)
Title: Workers Compensation
Status: Enacted 04/12/2010
Summary: Changes workers' compensation provisions relating to claims for legal services or disbursements; provides that no claim for legal services shall be an enforceable lien against damages.

NE L 994 Lathrop (NP)
Title: Workers Compensation Hearing Locations
Status: Failed - Adjourned
Summary: Changes a provision relating to workers' compensation hearing locations.

NEVADA

NV BDR 100 SubCommittee to Review U.S. Dept. of Labor Rpt on Nevada Occupational Safety/Health Program (2011)

Title: Occupational Safety and Health

Status: Pending

Summary: Makes various changes concerning assessments, fees, fines and settlements relating to occupational safety and health.

NV BDR 168 Legislative Commission's Subcommittee to Study Employee Misclassification (2011)

Title: Independent Contractor Definition

Status: Pending

Summary: Amends definition of "independent contractor" for purposes of workers' compensation law.

NV BDR 479 Office of the Attorney for Injured Workers (2011)

Title: Workers Compensation

Status: Pending

Summary: Revises the burden of proof for the reopening of workers' compensation claims for consideration of compensation for permanent partial disability.

NEW HAMPSHIRE

NH H 108 Long (D)

Title: Workers Compensation Coverage

Status: Pending

Summary: Establishes an employers' private right of action to enforce the payment of workers' compensation coverage.

NH H 163 Nixon (D)

Title: Firefighters and Police Officers

Status: Failed

Summary: Provides that firefighters, emergency medical technicians (EMTs), police officers, and other public safety officers shall not have their right to compensation for wrongfully or negligently caused injuries denied or limited by the fireman's rule, or any other similar rights-depriving rule.

NH H 216 Nixon (D)

Title: Workers Compensation Claimants

Status: Enacted 05/07/2010

Summary: Clarifies the fees for legal services rendered to workers' compensation claimants; provides that, in the event that a medical bill is voluntarily accepted less than 7 business days prior to the date of a scheduled hearing, the claimant shall be entitled to reasonable counsel fees and approved costs unless a carrier can prove a justifiable reason for the delay in accepting a bill.

NH H 240 McEachern (D)

Title: Workers Compensation for Death

Status: Enacted 06/09/2009

Summary: Increases the amount an employer pays for burial expenses under workers' compensation.

NH H 271 Reardon (D)

Title: Workers Compensation

Status: Enacted 05/25/2010

Summary: Establishes procedures and a specified notice requirement for workers' compensation insurance carriers requesting medical information relating to a workers' compensation claim.

NH H 1163 Rice (D)
Title: Definition of Employee
Status: Enacted 06/14/2010
Summary: Includes railroad employees engaged in interstate commerce in the definition of employee with respect to private employment under the workers' compensation law.

NH H 1217 Arsenault (D)
Title: Juvenile Diversion Program Liability Issues
Status: Failed
Summary: Waives liability for employers who participate in the community service component of the juvenile diversion program; exempts such employers from certain employee benefits requirements, including workers' compensation and unemployment benefits; limits liability for damages to cases of gross negligence.

NH H 1315 Richardson G (D)
Title: Workers Compensation Damages and Benefits
Status: Pending
Summary: Clarifies the division of damages and benefits recovered from third persons by employees who have received workers' compensation.

NH H 1368 Goley (D)
Title: Workers Compensation Law
Status: Enacted 06/14/2010
Summary: Clarifies the evidence required to establish a relationship between an employer and the person providing services under the workers' compensation law; provides that participants in the Department of Employment Security's return to work program shall be entitled to certain unemployment compensation benefits.

NH H 1370 Long (D)
Title: Independent Medical Examination Practitioners
Status: Failed
Summary: Requires independent medical examination practitioners to file a report with the insurance department.

NH H 1371 Long (D)
Title: Independent Medical Examinations
Status: Enacted 06/28/2010
Summary: Allows an injured employee to have a witness present during the independent medical examinations required under workers' compensation; establishes a committee to study certain aspects of independent medical examinations.

NH H 1385 Perkins L (R)
Title: Appeals Under the Workers Compensation Law
Status: Failed
Summary: Allows a claimant to proceed to the supreme court on an issue of fact in a workers' compensation case.

NH LSR 466 Long (D)
Title: Workers Compensation
Status: Pending
Summary: Establishes an employer's private right of action to enforce the payment of workers' compensation coverage premiums.

NH LSR 546 Reardon (D)
Title: Workers Compensation Claims
Status: Pending
Summary: Relates to relevant information in a workers' compensation claim.

NH LSR 655 Nixon (D)
Title: Workers Compensation Claimants
Status: Pending
Summary: Relates to fees for legal services rendered to workers' compensation claimants.

NH LSR 800 McEachern (D)
Title: Workers Compensation for Death
Status: Pending
Summary: Relates to workers' compensation for death.

NH LSR 1035 Office of Sgambati
Title: Railroad Operators
Status: Pending
Summary: Relates to liability protection for railroad operators operating alongside recreational trails.

NH LSR 2139 Richardson G (D)
Title: Liability of Third Persons Under Workers Compensation
Status: Pending
Summary: Relates to liability of third persons under workers' compensation.

NH LSR 2413 Goley (D)
Title: Employee Defined for Workers Compensation Purposes
Status: Pending
Summary: Relates to the definition of employee for workers' compensation purposes.

NH LSR 2434 Long (D)
Title: Independent Medical Examination Practitioners
Status: Pending
Summary: Requires independent medical examination practitioners to file a report with the insurance department.

NH LSR 2503 Perkins L (R)
Title: Appeals Under the Workers Compensation Law
Status: Pending
Summary: Relates to appeals under the workers' compensation law.

NH S 374 Cilley (D)
Title: Compensation of Physician Practices
Status: Failed
Summary: Requires workers' compensation carriers or other persons or entities requesting medical information pertaining to a workers' compensation case to provide reasonable compensation to the person or entity providing the information.

NH S 420 Cilley (D)
Title: Workers' Compensation Pharmacy Benefits
Status: Enacted 07/13/2010
Summary: Establishes a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law.

NH S 513 Bragdon (R)
Title: Incarcerated Persons
Status: Failed
Summary: Permits an incarcerated person to receive workers' compensation provided the payments are made to the incarcerated person's spouse or dependent children and that the incarcerated person's regular medical examinations confirm that the condition causing the disability still exists.

NH LSR 299 Weed (D) (2011)
Title: Employers and Workers' Compensation
Status: Pending
Summary: Establishes an employers private right of action to enforce the payment of workers' compensation coverage.

NEW JERSEY

NJ A 292 Rumpf (R)
Title: Workers Compensation
Status: Pending
Summary: Excludes certain illegal aliens from workers' compensation and temporary disability benefits.

NJ A 958 Johnson (D)
Title: Accidental Disability Allowance
Status: Pending
Summary: Establishes presumption of eligibility for accidental disability allowance for certain public employees who worked in certain locations following September 11, 2001 attack in New York City.

NJ A 959 Johnson (D)
Title: Accidental Disability Retirement Allowance
Status: Pending
Summary: Creates presumption regarding disability pension and workers compensation eligibility for public employees and emergency personnel participating in World Trade Center operations; requires Commissioner of Health and Senior Services to develop health regis.

NJ A 1250 Stender (D)
Title: First Responders Protection Act
Status: Pending
Summary: Relates to the Thomas P. Canzanella Twenty First Century First Responders Protection Act; concerns workers' compensation for public safety workers.

NJ A 1478 Wisniewski (D)
Title: Professional Musicians
Status: Pending
Summary: Includes services performed by professional musicians or persons otherwise engaged in performing arts as employment for purposes of unemployment insurance and workers' compensation benefits.

NJ A 1566 Scalera (D)
Title: Firefighters With Cancer Workers Compensation
Status: Pending
Summary: Concerns workers' compensation for firefighters with cancer.

NJ A 1595 Scalera (D)
Title: Volunteer Firemen Workers Compensation
Status: Pending
Summary: Grants workers' compensation coverage to volunteer firefighters going to or returning from their stations when called to a fire.

NJ A 1689 Burzichelli (D)
Title: Workers Compensation Supplemental Benefits
Status: Pending
Summary: Concerns certain workers' compensation supplemental benefits.

NJ A 2189 Moriarty (D)
Title: State Employee Sick Leave Injury Program Termination

Status: Pending
Summary: Terminates sick leave injury program for State employees injured after July 1, 2011 or upon expiration of current collective negotiation agreement.

NJ A 2448 Rumpf (R)
Title: Intoxicated Employees and Workers Compensation
Status: Pending
Summary: Prevents intoxicated employees from receiving workers' compensation.

NJ A 2459 DeCroce (R)
Title: Sick Leave and Disability Benefits
Status: Pending
Summary: Makes various changes concerning payments to public employees for unused sick leave, sick leave injury in State service, and Public Employees' Retirement System and TPAF disability retirement.

NJ A 3112 Albano (D)
Title: State Employees Sick Leave Injury Program
Status: Pending
Summary: Reinstates State sick leave injury program for State employees who are members of Police and Firemen's Retirement System or SPRS.

NJ A 3166 Egan (D)
Title: Workers Compensation
Status: Pending
Summary: Increases workers' compensation for loss of hand or foot.

NJ AR 102 Handlin (R)
Title: Jones Act Provisions Blanket Waiver
Status: Pending
Summary: Memorializes President to order blanket waiver of Jones Act provisions that impede foreign assistance with Gulf oil cleanup.

NJ S 109 Connors C (R)
Title: Illegal Alien Workers Compensation Benefits
Status: Pending
Summary: Excludes certain illegal aliens from workers' compensation and temporary disability benefits.

NJ S 190 Scutari (D)
Title: Sick Leave Injury Program Termination
Status: Pending
Summary: Terminates sick leave injury program for certain State employees injured after January 1, 2007 or expiration of current collective negotiation agreement.

NJ S 229 Kean S (R)
Title: Workers Compensation
Status: Pending
Summary: Concerns repayment of workers' compensation by pension recipients.

NJ S 676 Sarlo (D)
Title: Workers' Compensation
Status: Pending
Summary: Increases workers' compensation for loss of hand or foot.

NJ S 935 Sweeney (D)
Title: Workers Compensation Benefits
Status: Pending

Summary: Concerns certain workers' compensation supplemental benefits.

NJ S 1203 Connors C (R)
 Title: Intoxicated Workers' Compensation
 Status: Pending
 Summary: Prevents intoxicated employees from receiving workers' compensation.

NJ S 1252 Madden (D)
 Title: Surviving Spouses Workers Compensation
 Status: Pending
 Summary: Provides surviving spouses of certain fire and police personnel who die in line of duty with workers' compensation for entire period of survivorship.

NJ S 1294 Van Drew (D)
 Title: Police and Emergency Services
 Status: Pending
 Summary: Assures workers' compensation benefits to police, fire and emergency personnel rendering aid under certain emergency circumstances.

NJ S 1624 Girgenti (D)
 Title: First Responders Protection Act
 Status: Pending
 Summary: Enacts the Thomas P. Canzanella Twenty First Century First Responders Protection Act; concerns workers' compensation for public safety workers.

NJ S 1672 Pennacchio (R)
 Title: Public Safety Worker Dependent Benefits
 Status: Pending
 Summary: Concerns certain workers' compensation supplemental benefits for surviving dependents of public safety workers who die in the line of duty.

NJ S 2186 Van Drew (D)
 Title: State Sick Leave Injury Program
 Status: Pending
 Summary: Reinstates State sick leave injury program for State employees who are members of Police and Firemen's Retirement System or SPRS.

NJ S 2446 Scutari (D)
 Title: Attorney Fees for Workers Compensation Awards
 Status: Pending
 Summary: Concerns attorney fees for workers' compensation awards.

NEW MEXICO

NM H 101 Salazar (D)
 Title: Environmental Improvement Act
 Status: Enacted 03/08/2010
 Summary: Relates to the environment; enacts a new section of the Environmental Improvement Act to create the nuclear workers assistance fund for the purpose of the administration of a program to assist nuclear workers seeking claims under the federal Energy Employees Occupational Illness Compensation Program Act; makes an appropriation; declares an emergency.

NEW YORK

- NY A 395 John (D)
Title: Care and Treatment of Injured Employees
Status: Pending
Summary: Authorizes the care and treatment of injured employees by licensed clinical social workers under the workers' compensation program.
- NY A 583 Cahill (D)
Title: High Risk Duties of Law Enforcement and Benefits
Status: Pending
Summary: Provides eligibility for benefits for injuries sustained while performing the high risk duties of law enforcement.
- NY A 598 Cahill (D)
Title: Disability Benefits
Status: Pending
Summary: Provides for cost-of-living adjustments of disability benefits for an employee with a permanent total disability to be based on an increase of the Consumer Price Index as promulgated by the United States Department of Labor.
- NY A 619 Kavanagh (D)
Title: Uninterrupted Payments of Disability Payments
Status: Enacted 08/13/2010
Summary: Amends the workers' compensation law; establishes that any inquiry by the Workers' Compensation Board which requires the employee's response in order to continue disability benefits uninterrupted or unmodified shall provide a reasonable time period in which to respond and include a clear and prominent statement of the deadline for responding and consequences of failing to respond.
- NY A 681 Cahill (D)
Title: Volunteer Firefighters Benefit Claim Assistance Unit
Status: Pending
Summary: Establishes a volunteer firefighters' benefit claim assistance unit to initiate contact with injured firefighter or his or her surviving dependents and assist with filing claims and expediting payments.
- NY A 1166 Seminerio (D)
Title: Minor Volunteers and Non Profit Organizations
Status: Failed
Summary: Provides that minors aged 14 through 17 may work as volunteers for nonprofit organizations constructing affordable housing; sets forth restrictions and insurance requirements.
- NY A 1470 Wright (D)
Title: Labor Standards for Domestic Workers
Status: Enacted 08/31/2010
Summary: Amends the labor law, the executive law and the workers' compensation law; establishes regulations regarding employment of domestic workers; defines domestic worker as a person employed in a home or residence for the purpose of caring for a child, serving as a companion for a sick, convalescing or elderly person, housekeeping or for any other domestic service purpose; relates to unlawful discriminatory practices, sexual harassment, hours of labor, and wages.
- NY A 1844 Dinowitz (D)
Title: Occupational Disease
Status: Pending
Summary: Exempts occupational disease caused by occupational exposure to tobacco smoke from 2 year filing limit for workers' compensation provided such claims were filed within two years of disablement and after the claimant knew or should have known that the disease was due to the nature of employment.

NY A 1895 Morelle (D)
 Title: Injuries Related to Scaffold Use
 Status: Pending
 Summary: Amends the Civil Practice Law and Rules, in relation to the applicability of certain provisions with respect to persons injured in the use of scaffolding and other devices for use by employees; establishes a comparative negligence standard for such claims with respect to a recalcitrant worker.

NY A 2021 John (D)
 Title: Workers Compensation Lump Sum Payments
 Status: Enacted 08/26/2009
 Summary: Provides that workers' compensation payments for permanent partial disability may be made in one lump sum without commutation to a present value amount.

NY A 2057 Parment (D)
 Title: Acceptance Of Any Insurance Benefits
 Status: Pending
 Summary: Permits an employer to file an application with the department of labor to be exempted from the provisions of the workers' compensation law with respect to employees whose religious tenets or teachings oppose acceptance of any insurance benefits.

NY A 2128 John (D)
 Title: Disability Benefits Law Domestic Partners
 Status: Pending
 Summary: Amends the disability benefits law to include domestic partners in certain provisions and defines the term domestic partner: adds reference to domestic partner in provisions relating to voluntary coverage and disposition of accrued benefits upon death; defines domestic partner as a person at least 18 years old who is either dependent upon the employee for support, or who has registered as the domestic partner of the employee with any registry of domestic.

NY A 2133 John (D)
 Title: Liability Compensation
 Status: Pending
 Summary: Relates to liability for compensation of an employee exposed to a substance which the employer, state or local police, paramedics or any other official health or safety agency determines may be anthrax provided such injury occurred during the course of employment.

NY A 2135 John (D)
 Title: Permanent Total Disability
 Status: Pending
 Summary: Amends the Workers' Compensation Law, in relation to permanent total disability; creates a presumption of permanent total disability for those claimants who are subsequently also found eligible for social security disability benefits.

NY A 2214 Calhoun (R)
 Title: Birth Related Neurological Injury Compensation Act
 Status: Pending
 Summary: Enacts the New York birth-related neurological injury compensation act; directs the workers' compensation board to determine all claims for compensation for birth-related impairment, and if the injury falls within the defined scope of neurological injuries, direct compensation by the fund, similar to a no fault system.

NY A 2859 Englebright (D)
 Title: Owner Driver Protection Act
 Status: Pending

Summary: Enacts the "owner-driver protection act"; requires public work contractors and subcontractors employing owner-drivers on public work projects to pay the prevailing rate of wage, provide appropriate supplements and provide workers' compensation and disability coverage to such drivers.

NY A 2869 Schimminger (D)
Title: Executive Owner Officers
Status: Pending
Summary: Increases the number of executive owner-officers of a small corporation who may elect to be included in or excluded from workers' compensation insurance coverage from two to three.

NY A 2989 Kolb (R)
Title: Permanent Partial Disability Provisions
Status: Pending
Summary: Relates to permanent partial disability; provides that such permanent partial disability shall be based on the objective medical guidelines for determination of percentage or permanent impairment; sets forth compensation, entitlement and claim provisions; establishes objective medical guidelines, a benefit evaluation commission and pharmaceutical fee schedules; increases certain claim amounts; provides for penalties for workers' compensation fraud.

NY A 3569 Perry (D)
Title: Workers Compensation Claims
Status: Pending
Summary: Requires employers to present substantial evidence when contesting workers' compensation claims; directs the workers' compensation board to award a claimant legal fees, if it finds that an employer contested a claim without substantial evidence.

NY A 3611 Eddington (D)
Title: Funding Of Vocational Rehabilitation Services
Status: Pending
Summary: Relates to the funding of vocational rehabilitation services for injured employees.

NY A 3704 John (D)
Title: Pilot Program For Certified Nurse
Status: Pending
Summary: Authorizes as a pilot program certified nurse practitioners to provide care and treatment to injured employees pursuant to the provisions of the workers' compensation law; establishes a nurse practitioner committee to regulate the practice of nurse practitioners under such law; makes it a misdemeanor to violate provisions relating to fees which may be collected by nurse practitioners.

NY A 4103 Abbate (D)
Title: Disability Benefits For Police Officers
Status: Pending
Summary: Provides certain disability benefits for disabilities related to heart disease to sworn police officers of the division of law enforcement in the department of environmental conservation; provides that any condition of impairment of health, caused by diseases of the heart, resulting in disability or death to such sworn police officer, shall be presumptive evidence that it was incurred in the performance of such officer's duty.

NY A 4302 Canestrari (D)
Title: Rates of Payment and Delivery of Health Care Services
Status: Vetoed 09/18/2010
Summary: Relates to the establishment of rates of payment and delivery of health care services; directs the chair of the workers' compensation board to annually prepare and establish a schedule of fees, in consultation with the board's medical director.

NY A 4380 Lopez V (D)
 Title: WC Board Reimbursement of Chiropractors
 Status: Pending
 Summary: Requires the Workers' Compensation Board to reimburse chiropractors for individual diagnostic and treatment services and modalities lawfully rendered by such chiropractor in the treatment of an injured worker.

NY A 4439 Heastie (D)
 Title: Disability Benefit for the Transit Authority
 Status: Pending
 Summary: Provides for a disability benefit for employees of the New York city transit authority, and its subsidiary corporations, who are disabled by reason of an assault sustained in the course of employment.

NY A 4444 Morelle (D)
 Title: Permanent Total Disability Benefits
 Status: Pending
 Summary: Relates to permanent total disability benefits received by disabled volunteer firefighters; provides for a cost-of-living adjustment to such benefits.

NY A 4527 John (D)
 Title: World Trade Center Rescue Recovery Participants
 Status: Pending
 Summary: Includes certain workers in New York city vehicle repair shops within the definition of participant in World Trade Center rescue, recovery or cleanup operations.

NY A 4612 Morelle (D)
 Title: Increases in Permanent Disability Benefits
 Status: Pending
 Summary: Increases permanent total disability benefits for volunteer firefighters and ambulance workers from four hundred dollars to four hundred fifty dollars.

NY A 4657 Morelle (D)
 Title: Workers Compensation Payments Made By Health Insurer
 Status: Pending
 Summary: Requires a workers' compensation claimant's health insurer to pay the claimant's medical expenses in the event such expenses normally covered, pending determination of the claim; requires the provider of medical services to file the appropriate form with the insurer to receive payment.

NY A 4669 Weisenberg (D)
 Title: Life Guards Who Contract Skin Cancer Compensation
 Status: Pending
 Summary: Provides workers' compensation benefits to lifeguards who contract skin cancer; creates a rebuttable presumption that the skin cancer was contracted as a result of the individual's employment as a lifeguard.

NY A 4706 Brennan (D)
 Title: Violation of a Safety Standard
 Status: Pending
 Summary: Protects metropolitan transit authority employees and representatives of deceased MTA employees by granting them a statutory cause of action for negligent or reckless violation of a safety standard intended to protect employees; provides an offset against such recovery any amounts such paid pursuant to the workers' compensation law and collective bargaining agreements.

NY A 4876 Lifton (D)
 Title: Reduction of Retirement Pensions
 Status: Pending

Summary: Eliminates reduction of New York state and local retirement pensions based on workers' compensation lump sum payments after the expiration of the time period which is determined to be the actuarial remaining lifetime of the disability retiree.

NY A 4880 Schimminger (D)
Title: Exemptions From Workers Compensation Coverage
Status: Pending
Summary: Exempts from workers' compensation coverage an injury or occupational disease sustained in the perpetration by the employee of a felony or misdemeanor for which the employee is convicted.

NY A 4984 Brodsky (D)
Title: Lyme Disease
Status: Pending
Summary: Includes Lyme Disease (Lyme Borreliosis) as an occupational disease which is compensable under the workers' compensation law.

NY A 5289 Meng (D)
Title: Care and Treatment via Acupuncture
Status: Pending
Summary: Authorizes the care and treatment of injured employees by licensed or certified acupuncturists under the workers' compensation program.

NY A 5895 Magee (D)
Title: Volunteer Firefighters Benefits
Status: Pending
Summary: Makes permanent provisions of the volunteer firefighters' benefit law relating to claims for benefits when a firefighter suffers heart related death or disability.

NY A 6219 Barra (R)
Title: Workers' Compensation Benefits Lump Sum Payments
Status: Pending
Summary: Includes workers' compensation benefits among the lump sum payments subject to the lien of the department of social services for repayment of public assistance.

NY A 6457 Ortiz (D)
Title: Veterans Special Disability Fund
Status: Pending
Summary: Amends the Workers' Compensation Law; establishes the Veterans' Special Disability Fund to provide incentives to employer to hire veterans who have sustained an injury or physical impairment during military active duty; provides that an employer or the employer's insurance carrier may file a claim for reimbursement from the fund for wages paid to eligible employees; imposes an assessment on insurance carriers.

NY A 6563 Weprin (D)
Title: Admissibility of Itemized Bills as Evidence
Status: Pending
Summary: Amends the Civil Practice Law and Rules; modifies the limit on the amount of an itemized bill for services, supplies, or repairs which may be used as prima facie evidence of damages; provides for the use of itemized bills relating to supplies and services of medical facilities and providers paid by Workers' Compensation, automobile no fault insurance carriers, health insurance carriers, and other third-party payers, including Blue Cross, Medicare and Medicaid.

NY A 6606 Burling (R)
Title: Insurance Coverage of Person Exposed to Bodily Fluids
Status: Pending
Summary: Provides that medical care and treatment, including diagnosis and medicine, given to a state civilian employee of a correctional facility after he or she comes into contact with or is exposed to the blood or other

bodily fluids of another person shall be the responsibility of the insurance carrier of the appropriate correctional facility district.

NY A 6992 Gianaris (D)
Title: Prescription Prices
Status: Pending
Summary: Relates to prescription prices and pharmacies for injured employees; pharmacy must submit and publish prices for all available medicines, including all management fees that are paid for pharmacy services.

NY A 7122 Spano (D)
Title: Time for Filing World Trade Center Injury Claims
Status: Enacted 09/16/2009
Summary: Extends the time for filing a notice of claim for injuries suffered as a result of participation in the World Trade Center rescue, recovery, or cleanup operations.

NY A 7680 Meng (D)
Title: Request of Full Board Review of Panel Decisions
Status: Pending
Summary: Relates to Workers' Compensation Law; relates to setting a time limit for requesting full board review of unanimous board panel decisions on awards.

NY A 7767 Kellner (D)
Title: Protection in the Workplace
Status: Pending
Summary: Enacts the protection in the workplace act; provides that injuries to employees as a result of the commission of a sexual offense shall entitle such employee to all rights and benefits available pursuant to the workers' compensation law and, in addition, shall permit such employee to pursue any other remedies available at law or in equity; clarifies that workers' compensation should be exclusive remedy except when the employee suffers personal injury as a result of a sexual offense.

NY A 7796 Jaffee (D)
Title: Heart Disease
Status: Pending
Summary: Relates to applications for disability retirement allowances made by or on behalf of a member of the New York State and Local Employees Retirement System or the New York State and Local Police and Fire Retirement System; provides that an application for a disability allowance that is based on an incapacity caused by a disease of the heart shall not be required to establish that a member sustained an accident or other incident related to the performance and discharge of duty.

NY A 8151 Nolan (D)
Title: Weekly Benefit for Disabled Employees
Status: Pending
Summary: Relates to workers' compensation; provides that the weekly benefit which a disabled employee is entitled to receive for disability commencing on or after July 1, 2010 and prior to July 1, 2011 such benefit shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed a specific amount; provides that on and after July 1, 2011 the benefit shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed a certain amount.

NY A 8298 John (D)
Title: Cancer Coverage for Volunteer Firefighters
Status: Pending
Summary: Relates to the expansion of coverage for volunteer firefighters for cancer of the digestive, hematological, lymphatic, urinary, and prostate systems.

NY A 8510 Abbate (D)
 Title: Retirement Service Credit
 Status: Pending
 Summary: Provides that certain retirement system members shall be eligible for service credit while on leave resulting from an occupations injury or disease found to be compensable by the workers' compensation board.

NY A 8516 Russell (D)
 Title: Volunteer Firefighters Incurred Lung Disabilities
 Status: Pending
 Summary: Extends provisions of law relating to creating a presumption of certain lung disabilities incurred by volunteer firefighters.

NY A 8602 Abbate (D)
 Title: Continuous Coverage for Spouse of Public Employee
 Status: Pending
 Summary: Provides continuous coverage at the same rate to spouse or dependents of public employees who are injured in the performance of duty or taken ill as a result of a performance of duty until such time as the member has returned to active service, has separated from service or retires.

NY A 8716 Ball (R)
 Title: Atomic Veterans Act of 2009
 Status: Pending
 Summary: Enacts the "atomic veterans act of 2009" by establishing the "atomic veterans medal" for members of the armed forces or organized militia exposed to ionizing radiation as a result of atomic weapons tests conducted by the United States between 1945 and 1963; provides for assistance to such veterans with regard to filing claims under the Radiation Exposure Compensation Act.

NY A 8742 Silver (D)
 Title: Workers' Compensation Benefits Provisions
 Status: Pending
 Summary: Provides workers' compensation benefits for injury or sickness, pregnancy or family leave; applies to an employee and to family members taking family leave to care for an employee.

NY A 9898 Miller M (D)
 Title: Alternative Dispute Resolution System
 Status: Enacted 07/30/2010
 Summary: Relates to workers' compensation claims; makes permanent provisions relating to the establishment of an alternative dispute resolution system to resolve certain claims through collective bargaining agreements by removal of the repeal date.

NY A 9943 Abbate (D)
 Title: Continuation of Health Insurance Benefits
 Status: Pending
 Summary: Provides for the continuation of health insurance benefits for public employees injured or taken ill in the performance of duty.

NY A 10290 Reilly (D)
 Title: Workers Compensation Law
 Status: Pending
 Summary: Amends the workers' compensation law definition of employee to exclude persons during a period of orientation or training when such persons are intending to become independent contractors.

NY A 10291 Reilly (D)
 Title: Accrurance of Interest
 Status: Pending

Summary: Provides that interest shall not begin to accrue until a final determination has been made in cases or controversies commenced or decided pursuant to sections twenty, twenty-three and/or twenty-five of the workers' compensation law.

NY A 10309 Pretlow (D)

Title: Definition of Employee

Status: Pending

Summary: Relates to workers' compensation; excludes from the definition of "employee" such services rendered by a harness race driver, groom or caretaker of a harness race horse, a shipper or transporter of a harness race horse, a farrier of a harness race horse, or a veterinarian to a harness race horse.

NY A 10311 John (D)

Title: Treatment and Care of Injured Employees

Status: Pending

Summary: Relates to the rates of payments for the treatment and care of injured employees.

NY A 10323 Hoyt (D)

Title: Care and Treatment to Injured Employees

Status: Pending

Summary: Authorizes certain care and treatment to injured employees receiving workers' compensation benefits; relates to massage therapy services.

NY A 10343 John (D)

Title: Workers Compensation Hearing

Status: Pending

Summary: Provides that a hearing shall be held before a workers compensation law judge within twenty days from the filing of an application for hearing accompanied by supporting evidence made by any party in any case, except a case being initially controverted.

NY A 10741 Abbate (D)

Title: September 11th Worker Protection Force

Status: Enacted 08/13/2010

Summary: Increases the composition of the September 11th worker protection task force to 20 members including the medical director of the Mount Sinai Irving J. Selikoff Center for Occupational and Environmental Medicine and extends the expiration of such chapter.

NY A 10742 Lancman (D)

Title: Adversarial Medical Examinations

Status: Pending

Summary: Amends the Civil Practice Law; authorizes adversarial medical examinations and limits any physician-patient relationship from resulting from such a medical examination; provides that the person subject to the examination shall have the right to representation.

NY A 11031 John (D)

Title: Workers Compensation Investigation Transcripts

Status: Pending

Summary: Relates to the recording of workers' compensation investigation transcripts.

NY A 11152 John (D)

Title: Health Care Services

Status: Pending

Summary: Amends the Workers' Compensation Law; relates to the establishment of rates of payment and delivery of health care services.

NY A 11337 Rules Committee
 Title: Uncontroverted Workers Compensation Claim Hearings
 Status: Pending
 Summary: Requires uncontroverted workers' compensation claim hearings to be heard within 20 days of the filing of an application therefor.

NY A 11425 Morelle (D)
 Title: Claimants Structured Settlement Broker
 Status: Pending
 Summary: Relates to tortious claims and workers' compensation claims; provides that a claimant shall have a structured settlement broker to objectively review the terms of agreement and ensure that they are in the best interests of the claimant.

NY A 11569 Labor Committee
 Title: Farmworkers Fair Labor Practices Act
 Status: Pending
 Summary: Relates to the Farmworkers' Fair Labor Practices Act; relates to overtime compensation and unemployment insurance collective bargaining rights, application of the sanitary code to farm and food processing camps, and disability benefit.

NY A 11599 Labor Committee
 Title: Rates of Payment and Delivery of Health Care Services
 Status: Pending
 Summary: Amends the Workers' Compensation Law; relates to rates of payment and delivery of health care services.

NY A 11711 Labor Committee
 Title: Workers Compensation Disability Benefits
 Status: Pending
 Summary: Amends the Workers' Compensation Law in relation to the payment of disability payments; provides that any inquiry that requires the employee's response in order to continue benefits uninterrupted or unmodified shall provide a reasonable time period in which to respond and includes a clear and prominent statement of the deadline for responding and the consequences of failing to respond.

NY S 217 Kruger (D)
 Title: Chronic Pain Disorder
 Status: Pending
 Summary: Adds chronic pain disorder as a justifiable ailment for which one may receive compensatory payments under the Worker's Compensation Law.

NY S 461 Kruger (D)
 Title: Veteran Eligibility for Housing Company Projects
 Status: Pending
 Summary: Excludes a veteran's disability benefits paid by the federal government to veterans for a service connected disability from the computation of probable aggregate annual income for purposes of determining the eligibility at such veteran for admission to limited-profit housing company projects.

NY S 508 Lanza (R)
 Title: Eligibility for Workers Compensation
 Status: Pending
 Summary: Provides for presumptive eligibility for workers' compensation benefits for certain persons engaged in World Trade Center rescue, recovery, or cleanup operations; requires having passed a physical examination for entry into public service which did not disclose the basis for the disability; sets criteria for qualifying for and qualifying condition or impairment of health; defines applicable work sites; establishes procedure for filing for claims.

NY S 528 Alesi (R)
 Title: Disability Benefits for Disabled Firefighters
 Status: Pending
 Summary: Relates to permanent total disability benefits received by disabled volunteer firefighters; provides for a cost-of-living adjustment to such benefits.

NY S 530 Alesi (R)
 Title: Workers Compensation for Occupational Disease
 Status: Pending
 Summary: Exempts from workers' compensation coverage an injury or occupational disease sustained in the perpetration by the employee of a felony or misdemeanor for which the employee is convicted.

NY S 776 Alesi (R)
 Title: Permanent Total Disability Benefits
 Status: Pending
 Summary: Increases permanent total disability benefits for volunteer firefighters and ambulance workers from four hundred dollars to four hundred fifty dollars.

NY S 1795 Duane (D)
 Title: Protection in the Workplace Act
 Status: Pending
 Summary: Enacts the Protection in the Workplace Act; provides that injuries to employees as a result of the commission of a sexual offense shall entitle such employee to all rights and benefits available pursuant to the workers' compensation law and, in addition, shall permit such employee to pursue any other remedies available at law or in equity; clarifies that workers' compensation should be exclusive remedy except when the employee suffers personal injury.

NY S 1824 Morahan (R)
 Title: Temporary Disability Benefits
 Status: Pending
 Summary: Amends the Workers' Compensation Law and the Insurance Law; provides for paid family leave benefits.

NY S 2173 Diaz Ru (D)
 Title: New York Black Car Operators Injury Fund
 Status: Pending
 Summary: Relates to the Workers' Compensation Law; relates to workers' compensation benefits secured by the New York Black Car Operators' Injury Compensation Fund, Inc.

NY S 2351 Sampson (D)
 Title: Disability Benefits
 Status: Pending
 Summary: Requires persons or entities providing benefits in the event of disability to not impose "onerous or unreasonable conditions" for the payment or continued payment of benefits thereunder, and provides for the enforcement thereof including actual damages, interest and penalties, reasonable costs and attorney's fees, and in the court's discretion, exemplary damages; exempts worker's compensation and NYS disability insurance.

NY S 2364 Onorato (D)
 Title: Workers Compensation Medical Provider
 Status: Pending
 Summary: Permits any medical provider authorized by the workers' compensation board to treat injured workers.

NY S 2557 Addabbo (D)
 Title: Heart Presumption for Peace Officers Parole Division
 Status: Pending

Summary: Adds a heart presumption for peace officers of the Division of Parole who are members of the New York State and Local Employees Retirement System; relates to benefits payable to, or on behalf of, certain employees of the Division of Parole injured or killed in the performance of duty.

NY S 2669 Morahan (R)
Title: Disability Examinations
Status: Pending
Summary: Provides that if a practitioner shall find no disability while performing an independent medical examination then such practitioner, or another member of a preferred provider organization or managed care provider to which the practitioner belongs is not eligible to perform any subsequent independent medical examination of the claimant for the original claim or any new claim.

NY S 2732 LaValle (R)
Title: Lyme Disease
Status: Pending
Summary: Includes Lyme Disease (Lyme Borreliosis) as an occupational disease which is compensable under the workers' compensation law.

NY S 2776 Onorato (D)
Title: Lump Sum Workers' Compensation Payments
Status: Pending
Summary: Provides that certain workers' compensation payments may be made in one lump sum without commutation to a present value amount.

NY S 2781 Onorato (D)
Title: Permanent Total Disability
Status: Pending
Summary: Relates to permanent total disability.

NY S 2978 Savino (D)
Title: Prescription Prices for Injured Employees
Status: Pending
Summary: Relates to prescription prices and pharmacies for injured employees; pharmacy must submit and publish prices for all available medicines, including all management fees that are paid for pharmacy services.

NY S 3273 Nozzolio (R)
Title: Certain Religious Sects
Status: Pending
Summary: Provides members of certain religious sects and their immediate families shall not be included in the definition of the term "employees" for workers' compensation purposes.

NY S 3325 Stewart-Cousins (D)
Title: Claims for Injury in World Trade Center Rescue
Status: Pending
Summary: Extends the time for filing a notice of claim for injuries suffered as a result of participation in the World Trade Center rescue, recovery, or cleanup operations and sustained such injuries during such participation.

NY S 3381 Onorato (D)
Title: Workers Compensation Board Panel Decisions
Status: Pending
Summary: Relates to Workers' Compensation Law; relates to setting a time limit for requesting full board review of unanimous board panel decisions.

NY S 3382 Onorato (D)
Title: Independent medical Examination Reports
Status: Pending

Summary: Relates to eliminating the requirement that copies of the report of independent medical examination must be submitted to all parties in the same manner.

NY S 3779 Hassell-Thompso (D)
Title: Livery Driver Benefit Fund
Status: Pending
Summary: Relates to the Livery Driver Benefit Fund; authorizes the chair of the workers' compensation board to review and approve certain affirmations ; provides that any monetary penalty imposed to be retained by the workers' compensation board.

NY S 3908 Duane (D)
Title: Certified Nurse Practitioners
Status: Pending
Summary: Authorizes as a pilot program certified nurse practitioners to provide care and treatment to injured employees pursuant to the provisions of the workers' compensation law; establishes a nurse practitioner committee to regulate the practice of nurse practitioners under such law; makes it a misdemeanor to violate provisions relating to fees which may be collected by nurse practitioners.

NY S 4074 Addabbo (D)
Title: Workers Compensation Benefits for Family Care
Status: Pending
Summary: Provides workers' compensation benefits for family care; applies to employee and family member's taking family leave to care for the employee.

NY S 4371 LaValle (R)
Title: Lung Disabilities
Status: Pending
Summary: Revives the presumption relating to certain lung disabilities incurred by firefighters.

NY S 4482 Adams (D)
Title: Suicide of a Police Officer
Status: Pending
Summary: Relates to the suicide of a police officer due to the stress of the occupation.

NY S 4616 Onorato (D)
Title: Police Officer
Status: Pending
Summary: Provides that exposure of a police officer (including corrections officers) to significant risk of HIV infection in the course of the performance of his or her duties is presumptive evidence that any HIV illness resulting was so incurred; any police officer so contracting HIV illness to be paid his or her salary and medical expenses; authorizes public health officers to test the person exposing the police officer to the risk for HIV; applies to all police and peace officers employed by the state.

NY S 4763 Savino (D)
Title: Payment to State Police with Injuries or Illness
Status: Pending
Summary: Provides for payment of salary, wages, medical and hospital expenses of members of the state police with injuries or illness incurred in the performance of their duties.

NY S 4850 Leibell (R)
Title: Weekly Benefit For Disabled Employees Provisions
Status: Pending
Summary: Provides that the weekly benefit which a disabled employee is entitled to receive for disability commencing on or after July 1, 2010 and prior to July 1, 2011 such benefit shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed \$380; provides that on and after July 1, 2011 the benefit shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed \$440.

NY S 4987 Foley (D)
 Title: Volunteer Firefighters
 Status: Pending
 Summary: Relates to the expansion of coverage for volunteer firefighters for cancer of the digestive, hematological, lymphatic, urinary, and prostate systems.

NY S 5024 Savino (D)
 Title: Commissioner of Health
 Status: Pending
 Summary: Directs the commissioner of health to establish, promote and maintain a bladder cancer screening program for firefighters in order to encourage such firefighters to seek medical care for the prevention or treatment of any malignant conditions resulting from occupational exposure to hazardous materials; requires an annual report to be submitted to the legislature concerning findings and recommendations for the special programs.

NY S 5108 Savino (D)
 Title: Uninterrupted Payment of Disability Benefits
 Status: Pending
 Summary: Provides for the uninterrupted payment of disability benefits; requires adequate notice and time to respond to inquiries for continued benefits.

NY S 5109 Savino (D)
 Title: Damages Against a Contractor
 Status: Pending
 Summary: Creates an action for damages against a contractor for failure to pay prevailing wages or taxes, contributions, assessments, or benefits.

NY S 5114 Foley (D)
 Title: Lung Disabilities and Firemen
 Status: Enacted 07/30/2010
 Summary: Amends the Volunteer Firefighters' Benefit Law; extends provisions of law relating to creating a presumption of certain lung disabilities incurred by volunteer firefighters.

NY S 5196 Savino (D)
 Title: Disability Benefits Law
 Status: Pending
 Summary: Amends the disability benefits law to include domestic partners in certain provisions and defines the term domestic partner; adds reference to domestic partner in provisions relating to voluntary coverage and disposition of accrued benefits upon death; defines domestic partner as a person at least 18 years old who is either dependent upon the employee for support, or who has registered as the domestic partner of the employee with any registry of domestic partnerships.

NY S 5201 Savino (D)
 Title: Vehicle Repair Shops
 Status: Pending
 Summary: Includes certain workers in New York city vehicle repair shops within the definition of participant in World Trade Center rescue, recovery or cleanup operations.

NY S 5233 Savino (D)
 Title: Chiropractic Care
 Status: Pending
 Summary: Requires the availability of and reimbursement for chiropractic care under the workers' compensation law to be provided on the same basis as care by a physician under such law.

NY S 5262 Sampson (D)
 Title: Bills and Invoices Used as Prima Facie Evidence
 Status: Pending
 Summary: Provides that itemized bills or invoices, receipted or marked paid, for services, supplies or repairs of an amount not in excess of ten thousand dollars are admissible in evidence and are prima facie evidence of the reasonable value and necessity of such services, supplies or repairs itemized therein in any civil action.

NY S 5704 Savino (D)
 Title: Continued Coverage For Surviving Public Employee Spouse
 Status: Pending
 Summary: Provides continuous coverage at the same rate to spouse or dependents of public employees who are injured in the performance of duty or taken ill as a result of a performance of duty until such time as the member has returned to active service, has separated from service or retires.

NY S 5791 Savino (D)
 Title: Workers' Compensation Benefits Provisions
 Status: Pending
 Summary: Provides workers' compensation benefits for injury or sickness, pregnancy or family leave; applies to an employee and to family members taking family leave to care for an employee.

NY S 6785 Savino (D)
 Title: Continuation of Health Insurance Benefits
 Status: Vetoed 07/30/2010
 Summary: Provides for the continuation of health insurance benefits for public employees injured or taken ill in the performance of duty until the member has returned to active service, has separated from service or retires.

NY S 7072 Adams (D)
 Title: Definition of Employee
 Status: Pending
 Summary: Excludes from the definition of employee certain harness race drivers, grooms and/or caretakers of harness race horses, shippers or transporters of harness race horses, farriers and veterinarians for workers' compensation purposes.

NY S 7455 Savino (D)
 Title: Workers Compensation Payments
 Status: Vetoed 08/30/2010
 Summary: Amends the Workers' Compensation law; relates to the rate of payment to hospitals for certain spinal procedures.

NY S 7500 Addabbo (D)
 Title: State Workforce Injury Reduction Act
 Status: Vetoed 10/01/2010
 Summary: Enacts the State Workforce Injury Reduction Act; requires state agencies to submit a written action plan for reducing the occurrence of injuries in the coming year to the Governor and the Legislature.

NY S 8015 Peralta (D)
 Title: Uncontroverted Workers Compensation Claim Hearings
 Status: Pending
 Summary: Requires uncontroverted workers' compensation claim hearings to be heard within 20 days of the filing of an application therefor.

NY S 8201 Parker (D)
 Title: Disability Benefits
 Status: Pending
 Summary: Requires persons or entities providing benefits in the event of disability to not impose onerous or unreasonable conditions for the payment or continued payment of benefits thereunder, and provides for the

enforcement thereof including actual damages, interest and penalties, reasonable costs and attorney's fees, and in the court's discretion, exemplary damages; exempts worker's compensation and New York State disability insurance.

NY S 8287 Stachowski (D)
Title: Workers Compensation Benefits
Status: Pending
Summary: Authorizes certain care and treatment to injured employees receiving workers' compensation benefits; relates to massage therapy services.

NY S 8299 Thompson A (D)
Title: Surgical First Assistant Services
Status: Pending
Summary: Requires reimbursement for surgical first assistant services under private health care medical assistance and workers' compensation.

NY S 8449 Oppenheimer (D)
Title: Rates of Payment and Delivery of Health Care Services
Status: Pending
Summary: Amends the Workers' Compensation Law; relates to rates of payment and delivery of health care services.

NORTH CAROLINA

NC H 805 Glazier (D)
Title: Workers Compensation Income Calculation
Status: Failed - Adjourned
Summary: Provides that an employers contributions to an employees retirement accounts are included in the calculation of average weekly wage under the Workers Compensation Act.

NC H 1022 Goforth (D)
Title: Workers Compensation and Total Disability
Status: Failed - Adjourned
Summary: Relates to the duration of the compensation for temporary total disability under the Workers' Compensation Act.

NC H 1458 Stewart (D)
Title: Insurance Guaranty Association Limits
Status: Failed - Adjourned
Summary: Raises the liability cap of the workers compensation insurance guaranty association to the level recommended by the current version of the Model Act and to make other conforming changes.

NC H 1465 Folwell (R)
Title: Business Recovery Act
Status: Failed - Adjourned
Summary: Substitutes uninsured or underinsured motorist coverage for workers compensation coverage when an employee is injured or killed in an employer's vehicle due to the negligence of an underinsured or uninsured third party.

NC S 639 Berger P (R)
Title: Workers Compensation Claim Deadline
Status: Failed - Adjourned
Summary: Clarifies the deadline for filing claims with the insurance guaranty association for benefits under a workers compensation insurance coverage.

NC S 975 Apodaca (R)
Title: Workers Compensation and Total Disability
Status: Failed - Adjourned
Summary: Relates to the duration of the compensation for total disability under the Workers Compensation Act.

NORTH DAKOTA

ND D 10206 Office of Legislative Council (2011)
Title: Vocational Rehabilitation
Status: Pending
Summary: Relates to a workers' compensation grant program for vocational rehabilitation; provides a continuing appropriation.

ND D 10207 Office of Legislative Council (2011)
Title: Workers' Compensation Additional Benefits
Status: Pending
Summary: Relates to workers' compensation additional benefits payable; provides for application.

ND D 10208 Office of Legislative Council (2011)
Title: Workers' Compensation Retirement Benefits
Status: Pending
Summary: Relates to workers' compensation benefits upon attaining retirement age; provides for application.

ND D 10211 Office of Legislative Council (2011)
Title: Permanent Partial Impairment Benefits
Status: Pending
Summary: Relates to workers' compensation permanent partial impairment benefits; provides for application.

ND D 10212 Office of Legislative Council (2011)
Title: Workers' Compensation Managed Care Program
Status: Pending
Summary: Relates to information and analysis of managed care under the workers' compensation managed care program.

ND D 10213 Office of Legislative Council (2011)
Title: Workers' Compensation Aggravation Law
Status: Pending
Summary: Relates to cross-references to the repealed workers' compensation aggravation law; relates to the workers' compensation aggravation law.

ND D 10219 Office of Legislative Council (2011)
Title: Workers' Compensation Generic Drugs
Status: Pending
Summary: Relates to workers' compensation benefits for generic drugs.

ND D 10220 Office of Legislative Council (2011)
Title: Permanent Impairment Multiplier Schedule
Status: Pending
Summary: Relates to the workers' compensation permanent impairment multiplier schedule.

ND D 10221 Office of Legislative Council (2011)
Title: Workers' Compensation Prescriptive Drugs
Status: Pending
Summary: Relates to workers' compensation coverage of prescription drugs as part of pain therapy.

OHIO

OH H 15 Sykes V (D)
Title: Workers Compensation Funds
Status: Line Item Vetoed: 06/30/2009
Summary: Creates the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund; makes appropriations for the Bureau of Workers' Compensation; provides authorization and conditions for operation of the Bureau's programs; provides for investigation of wrongful acts or omissions by the bureau of workers' compensation and the industrial commission; provides for transfer of surplus funds.

OH H 246 Yuko (D)
Title: Public Safety Personnel and Workers Compensation
Status: Pending
Summary: Provides that a firefighter, police officer, or public emergency medical services worker who is disabled as a result of specified types of cancer or certain contagious or infectious diseases is presumed for purposes of the Laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the disease while performing official duties as a firefighter, police officer, or public emergency medical services worker.

OH H 249 Heard (D)
Title: Workers Compensation Records Journalist Request Method
Status: Pending
Summary: Clarifies the method by which journalists may request Bureau of Workers' Compensation Records for multiple claimants, add to the definition of "journalist," and allow a person to solicit authority from a claimant or employer to represent the claimant or employer in any claim or appeal filed with the Bureau.

OH S 94 Patton (R)
Title: Firefighter and Police Officer and Emergency Worker
Status: Pending
Summary: Provides that a firefighter, police officer, or public emergency medical services worker who is disabled as a result of specified types of cancer or certain contagious or infectious diseases is presumed for purposes of the Laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the disease while performing official duties as a firefighter, police officer, or public emergency medical services worker.

OH S 238 Seitz (R)
Title: Illegal and Unauthorized Aliens Compensation
Status: Pending
Summary: Prohibits Illegal and Unauthorized Aliens from receiving compensation and benefits under Ohio's Workers' Compensation Law.

OKLAHOMA

OK H 1003 Kern (R)
Title: Workers' Compensation
Status: Enacted 05/20/2009
Summary: Clarifies that certain small employers whose employees are related by blood or marriage to the employer, a partner in a partnership, a member of a limited liability company, or the incorporator of a corporation, are exempt from provisions of the Workers' Compensation Act.

OK H 1600 Sullivan (R)
Title: Workers' Compensation
Status: Vetoed 05/12/2009
Summary: Relates to workers' compensation; relates to schedule of compensation; modifies eligibility for extension of benefits in certain circumstances; provides for maximum time limit of temporary total compensation for soft tissue injury; provides an effective date.

OK H 1685 Scott (D)
Title: Labor
Status: Failed - Adjourned
Summary: Relates to labor; provides for legislative findings; states purpose; defines terms; makes certain actions unlawful; provides for employer and employee liability; provides defenses; provides remedies for employer violations; provides for a private right of action; provides certain time limitation for commencing action; provides scope of remedies; modifies workers' compensation remedies under certain circumstances; provides for codification.

OK H 1962 Benge (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; creates the Twenty-four-hour Pilot Insurance Program; states duration of pilot program; states purpose; provides for certain treatment without payment of deductibles, co-payments, or share of the premium; requires coverage of certain dependents; provides exceptions; defines terms; requires Insurance Commissioner to develop and promulgate certain rules; allows for combination of certain insurers.

OK H 2190 Moore L (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to awards of compensation; prohibits lump sum payments to attorneys for certain services or fees; provides an effective date.

OK H 2210 Kiesel (D)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to volunteer fire departments; modifies definition; provides an effective date.

OK H 2639 McCullough (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to the creation and content of the Workers' Compensation Court; creates Workers' Compensation Court of Existing Claims; provides for the appointment of four judges; vacates all existing court positions; provides for the selection of new judges; modifies agency designation; requires Senate confirmation of new judges; provides for appointments to the court.

OK H 2659 Sullivan (R)
Title: Workers Compensation Language Clarification
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to the Workers' Compensation Act; clarifies language; provides an effective date.

OK H 3169 Hickman (R)
Title: Workers Compensation
Status: Enacted 04/12/2010
Summary: Relates to exemptions from the Workers' Compensation Act; provides that the spouse of any employer who is exempt from the Act shall also be exempt.

OK H 3364 Duncan (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; relates to general provisions; clarifies language; provides an effective date.

OK S 485 Leftwich (D)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Amends provisions concerning Workers' Compensation; provides that an employer's selected physician shall have the right to examine an injured employee; provides employees not participating in a workplace medical plan with the right to select a physician to treat a work-related injury; provides for changes of physician and case managers.

OK S 901 Brown B (R)
Title: Workers' Compensation
Status: Enacted 05/11/2009
Summary: Modifies the average weekly wage determination for calculating workers' compensation benefit amounts.

OK S 988 Crain (R)
Title: Workers' Compensation
Status: Failed
Summary: Relates to workers' compensation; allows certain requirements; limits coverage; establishes resolution; provides codification; provides an effective date.

OK S 1234 Jolley (R)
Title: Workers' Compensation
Status: Enacted 05/11/2009
Summary: Provides that execution of an Affidavit of Exempt Status Under the Workers' Compensation Act shall establish a rebuttable presumption that the executor is not an employee for purposes of the Workers' Compensation Act and that an individual or company possessing the affidavit is in compliance and therefore shall not be responsible for workers' compensation claims made by the executor.

OK S 1746 Coffee (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to liability; clarifies language; provides an effective date.

OK S 1747 Coffee (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to liability; clarifies language; provides an effective date.

OK S 1973 Coffee (R)
Title: Workers Compensation
Status: Enacted 06/08/2010
Summary: Relates to the workers' compensation claim process; relates to appellate procedure, counselors, mediation, collection and payment of fees, and medical practices; requires recording of certain proceedings; provides for certain court fees; authorizes the Supreme Court to modify, reverse, remand for rehearing, or set aside an order or award upon certain grounds; modifies application fees for group self-insureds and self-insured employers.

OK S 1979 Anderson (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to liability; clarifies language; provides an effective date.

OK S 1995 Sykes (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to liability; clarifies language; provides an effective date.

OK S 2085 Marlatt (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to compensation for disability or death; modifies certain exception; provides an effective date.

OK S 2299 Sykes (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to exclusive remedy; prohibits certain action by employee; allows for certain exception; provides an effective date.

PENNSYLVANIA

PA H 12 Roebuck (D)
Title: Public School Code of 1949
Status: Pending
Summary: Amends the Public School Code of 1949. Relates to duties and Powers of boards of school directors. Establishes parent involvement programs and policies in school districts. Relates to school finances and, provides for workers' compensation. Further provides for annual budget and for limitation on certain unreserved fund balances. Relates to grounds and buildings. Further provides for referendum or public hearing required prior to construction or lease. Provides for certification of teachers.

PA H 658 Sonney (R)
Title: Lottery Act
Status: Pending
Summary: Amends the State Lottery Law. Provides for the definition of income. All income from whatever source derived, including, but not limited to, salaries, income from self-employment, alimony, support money, cash public assistance, the gross amount of any pensions or annuities, all benefits received under the Social Security Act, State unemployment insurance laws and veterans' disability payments, workmen's compensation, the principal and any interest accrued from a savings bond or property tax rebate.

PA H 664 DiGirolamo (R)
Title: Workers Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Defines employee as individuals who have completed the Community Emergency Response Team program, authorized by a municipality to assist first responders in disaster assistance, volunteers to assist first responders and injured while actively engaged in assisting first responders. Provides that insurers and the state workers' insurance fund is authorized to provide workers' compensation insurance to sole proprietors, partnerships and limited liability company.

PA H 699 Hennessey (R)
Title: Defines Household Income
Status: Pending
Summary: Amends the Taxpayer Relief Act. Defines household income as all income received by a claimant and the claimant's spouse while residing in the homestead during the calendar year for which a rebate is claimed. Defines income as salaries, alimony, support money, cash public assistance, the gross amount of any pensions or annuities, social security benefits, state unemployment insurance, veterans' disability payments, and workers' compensation.

PA H 723 Hickernell (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides for the schedule of compensation.

PA H 900 Denlinger (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides for appeals concerning the State Workers' Insurance Fund. Establishes the State Workers' Insurance Appeal Board. Provides that a subscriber aggrieved by the application of the board's auditing or premium findings has the right to a hearing before the appeal board. Provides for procedures before the appeal board shall be in accordance with regulations promulgated by the department.

PA H 1094 White J (D)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides for schedules of compensation. Provides that when an employee collects total disability benefits for five hundred weeks, the employee has the right to request a resolution hearing before a workers' compensation judge.

PA H 1200 Buxton (D)
Title: Occupational Safety and Health
Status: Pending
Summary: Requires public employers to protect the occupational safety and health of their employees. Provides for enforcement and penalties.

PA H 1231 Murphy (D)
Title: Workers Compensation Act
Status: To Governor
Summary: Amends the Workers' Compensation Act. Defines occupational disease, injury and personal injury. Provides for cancer in the occupation of firefighter that results in death occurring within 300 weeks after the last date of employment and either temporary or permanent total or partial disability after four years or more of continuous service. Provides for rebuttal of any presumption based on certain evidence.

PA H 1267 Dally (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Defines occupational disease as Hepatitis C in the occupations of professional and volunteer firefighters, ambulance corps, rescue and lifesaving squad, emergency medical services, paramedics, State police officers, Capitol Police employed by the Department of General Services, Bureau of Narcotics Investigators employed by the Office of Attorney General, Liquor Control Enforcement Officers employed by the Pennsylvania State Police, sheriffs and deputy sheriffs.

PA H 1513 Harkins (D)
Title: Enforcement Officer Disability Benefits Act
Status: Pending
Summary: Amends the Enforcement Officer Disability Benefits Act of 1935. Extends benefits to certain employees of the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission. Makes editorial changes.

PA H 1546 Cohen (D)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides for schedule of compensation. Provides that the employee, his legal representative, husband or wife, parents, dependents, next of kin or anyone otherwise are entitled to damages from a cause of action against an employer who's negligence caused injury or death to the

employee. Provides that it shall not be a defense if the injury was caused by the negligence of a fellow employee or the by negligence of the employee, such as the intoxication of the employee.

PA H 2181 Hanna (D)
Title: Emergency Services Worker Compensation
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides that a municipality or an area of a municipality which receives emergency services pursuant to a contract, standing agreement or arrangement from a volunteer emergency service provider located in a host municipality shall reimburse by a specified time prior to the premium due date, the host municipality.

PA H 2386 Sabatina (D)
Title: Workers Compensation Schedule of Compensation
Status: Pending
Summary: Amends the Workers' Compensation Act. Further provides for schedule of compensation. Relates to disability from permanent injuries. Provides that disfigurement benefits paid to the injured worker shall be made separate and apart from total or partial disability. Provides that a claimant is not precluded from collecting both total or partial disability benefits and a disfigurement benefit simultaneously.

PA H 2540 Harkins (D)
Title: Public School Code of 1949
Status: Pending
Summary: Amends the Public School Code of 1949. Provides for payment of salaries in cases of sickness, injury or death.

PA S 635 Kasunic (D)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides for cost-of-living increases in the amount of compensation payable.

PA S 797 Boscola (D)
Title: Workers Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Defines occupational disease. Further provides for the scope of injury, personal injury and injury arising in the course of his employment.

PA S 823 Stack (D)
Title: Enforcement Officer Disability Benefits
Status: Pending
Summary: Amends the Enforcement Officer Disability Benefits Act of 1935. Extends the scope of the act to certain school police officers.

PA S 914 Erickson (R)
Title: Workers' Compensation Act
Status: Pending
Summary: Amends the Workers' Compensation Act. Provides for the definition of employee and for the definition of volunteer emergency service provider.

PUERTO RICO

PR H 16 Rodriguez Aguil (PNP)
Title: Health Benefit Card Rejection Notices
Status: Enacted 10/19/2009
Summary: Requires a written notice regarding the acceptance or rejection of the health benefit card to the dependents of a police officer to be killed by any circumstance.

PR H 120 Ruiz Class (PNP)
Title: State Job Reinstatement
Status: Pending
Summary: Amends the Law on Workers Compensation for the purposes of the right to reinstate a worker or employee, when the Administrator of the Workers Compensation Fund gives a determination to discharge a worker, certifying that the employee is physically and mentally fit to perform the duties of their employment.

PR H 172 Rivera Ramirez (PNP)
Title: Individual Employment Contract Violations
Status: Pending
Summary: Amends the Labor Law Claims Patron to extend its application to cases in which workers can claim compensation for violation of individual employment contracts or violations of contracts for services as specified in Article 1434 of the Civil Code.

PR H 337 Varela Fernande (PPD)
Title: State Pension Provisions
Status: Pending
Summary: Provides that a pension granted by the State Insurance Fund for permanent total disability shall not be less than the amount of four hundred and thirty dollars a month.

PR H 1079 Mendez Nunez (PNP)
Title: Law on Protection of Working Mothers
Status: Pending
Summary: Amends the Law on Protection of Working Mothers; clarifies specifically the area of protection coverage offered to mothers; refers to working mothers; extends coverage to workers employed under contract.

PR H 1490 Torres Cruz (PPD)
Title: Discrimination or Harassment Provisions
Status: Pending
Summary: Amends the Workers Compensation System Act; prohibits an employer from discrimination or harassment of an employee who files a authorizes courts to require employers to reimburse the Corporation the cost of expenses incurred in treatment or compensation of the worker or employee if it determines that these are the main cause of discrimination or harassment.

PR H 1720 Pena Ramirez (PNP)
Title: Shipping Employee Accident Benefits
Status: Pending
Summary: Amends the law on Workers Compensation in order to ensure the greatest benefit of compensation, scope and protection to employees in the industries of shipping and ports that suffer injuries or illnesses related to service or its successor in the event that the employee lost their life performing their duties.

PR H 1737 Perez Ortiz (PNP)
Title: Chiropractic Service Benefits
Status: Pending
Summary: Amends the law on Workers' Compensation to include chiropractic services among those benefits available to workers who suffer accidents in the workplace.

PR H 1794 Colberg Toro (PPD)
Title: Housewife Medical Benefits
Status: Pending
Summary: Amends the Workers' Compensation law; requires the Administrator of the State Insurance Fund to extend to medical benefits and hospital law in order to provide for all the housewives of Puerto Rico.

PR H 2534 Gonzalez Colon (PNP)
Title: Medical Service Provider Lawsuit Exemptions

Status: Pending
Summary: Amends the Insurance Code to provide that all health care professionals that provide medical services to patients of the State Insurance Fund shall be exempt from lawsuits and that the risk shall fall on the State Insurance Fund.

PR H 2549 Ramos Pena (PNP)
Title: Police Salary
Status: Pending
Summary: Amends the Law on the Police of Puerto Rico; grants the full salary for members of the Police during the time they remain in convalescence, certified by a doctor from the State Insurance Fund and a doctor of Police of Puerto Rico, as a consequence of any accident or injury sustained in the performance of their duties.

PR H 2550 Ramos Pena (PNP)
Title: Fire Brigade Salary
Status: Pending
Summary: Amends the Fire Brigade Act of Puerto Rico; grants the full salary for members of the Fire Department during the time they remain in convalescence, certified by a doctor from the State Insurance Fund and a physician designated by the Fire Department, as a consequence of any accident or injury sustained in the performance of their functions.

PR H 2701 Cruz Soto (PPD)
Title: Employment Reinstatement Requests
Status: Pending
Summary: Amends Act No. 45 of 1935; relates to the Corporation of the State Insurance fund; relates to major accidents that require prolonged treatment, as defined by regulation; provides for the term for requesting reinstatement of employment to be fifteen days after being discharged, provided that twenty-four months have elapsed from the date of the accident.

PR H 3016 Gonzalez Colon (PNP)
Title: Injured Worker Programs
Status: Pending
Summary: Repeals the deadline for completing the inherent function and grants the Right to Employment Administration and the Department of Labor and Human Resources to develop programs for injured workers and their dependents and beneficiaries.

PR HCR 102 Lopez Munoz (PNP)
Title: United States Open Water Act Support
Status: Pending
Summary: Expresses the endorsement and support of the Legislature of Puerto Rico to the Senate bill numbered 3525, titled America's Open Waters Act, introduced by Senator John McCain in the Senate of the United States to remove restrictions on shipping imposed by the Jones Act, commonly known as the Cabotage Act.

PR HR 1286 Navarro Suarez (PNP)
Title: Occupational Medicine Doctor Certification
Status: Pending
Summary: Directs the Health Committee of the House of Representatives to make an investigation on the Specialty Certification in Occupational Medicine granted for doctors including those that work in government agencies such as the Insurance Fund, the State Institute of Vocational Rehabilitation and the Industrial Hospital.

PR S 283 Tirado Rivera (PPD)
Title: Repair or Replacement of Prescribed Special Devices
Status: Vetoed 08/11/2009
Summary: Amends the Workers' Compensation Law; provides that special devices prescribed by the doctor of the State Insurance Fund in cases of permanent total disability can be repaired or replaced for cause.

PR S 291 Arce Ferrer (PNP)

Title: Police Member Injury and Convalescence
Status: Vetoed 08/13/2009
Summary: Amends the Law on the Police of Puerto Rico in order to grant full salary for members of the Police while they remain in convalescence, certified by a doctor, as a result of an accident or injury incurred in the performance of their duties.

PR S 644 Santiago Gonzal (PNP)
Title: Workers Compensation Rehabilitation
Status: Enacted 12/29/2009
Summary: Amends the Workmen's Compensation Law; requires the State Insurance Fund and the Technology Assistance Program to develop a collaborative agreement which incorporates Assistive Technology, or AT, as a tool or resource provided to injured people with constraints and impediments caused by accidents in their workplace in order to take up those essential tasks of his position.

PR S 694 Dalmau Santiago (PPD)
Title: Compensation Pay
Status: Pending
Summary: Relates to consideration and allowance of workers' compensation and progressive compensation pay any amount received by a worker for settlement at any case of dismissal for the reasons stated in Law to establish that any compensation to a worker dismissed for the reasons stated in Law should not cause any deduction payroll considered exempt from paying contributions on earnings.

PR S 695 Dalmau Santiago (PPD)
Title: Compensation Pay
Status: Pending
Summary: Relates to consideration and allowance of workers' compensation and progressive compensation pay any amount received by a worker for settlement at any case of dismissal for the reasons stated in Law to establish that any compensation to a worker dismissed for the reasons stated Law should not cause any deduction payroll considered exempt from paying contributions on earnings.

PR S 704 Rivera Schatz (PNP)
Title: Injured Employee and Accident Compensation
Status: Enacted 09/18/2009
Summary: Amends the Workers Compensation Law; adds as part of the functions and duties of Administrator authorizing the issuance of payments to contractors and suppliers that have no current contract with the State Insurance Fund for professional services rendered and medical hospital billed or any other matter relating to the health service and treatment injured worker or employee.

PR S 859 Ortiz Ortiz (PPD)
Title: Worker Incapacity Benefits
Status: Pending
Summary: Increases the five percent of the amount of disability benefits to an insured worker who suffers the loss of wages as a result of incapacity due to occupational illness or accident not related to employment.

PR S 866 Ortiz Ortiz (PPD)
Title: Law of Compensation System Accidents
Status: Pending
Summary: Amends the Law of Workers Compensation System; increases the ceiling of total compensation to be paid for permanent disability.

PR S 1205 Tirado Rivera (PPD)
Title: Compensation System Occupational Accidents
Status: Pending
Summary: Amends the Law of Compensation System Occupational Accidents in order to provide that special shoe inserts prescribed by a doctor of the Corporation of the State Insurance Fund, in cases of partial or total permanent disability, can be repaired or replaced for cause.

PR S 1229 Ortiz Ortiz (PPD)
Title: State Insurance Fund Corporation Annuity
Status: Pending
Summary: Amends the Workers Compensation Law for purposes that in addition to the annuity granted by the Corporation of the State Insurance Fund that shall be allocated an annual bonus of three hundred dollars for maintenance and medications for injured worker's disability.

PR S 1297 Rivera Schatz (PNP)
Title: Law of Accident Compensation and Labor Benefits
Status: Pending
Summary: Amends the Workers Compensation Law; provides an additional benefit for the loss of work to assist the injured to pay studies leading to a re-training at an accredited institution or approved by the Government of Puerto Rico including a requirement that the Administrator will establish and maintain, permanently, on the website of the State Insurance Fund in the World Wide Web.

PR S 1757 Hernandez Mayor (PPD)
Title: Organic Law
Status: Pending
Summary: Amends the Organic Law of the Department of Recreation and Sports for the purpose of providing disability insurance for athletes representing Puerto Ricans in Puerto Rico, Central American and Caribbean Games, Pan American and Olympic that suffer injury, temporary or permanent, and that have contracts with sports leagues, clubs or organizations abroad, and for other purposes.

PR SR 1152 Martinez Santia (PNP)
Title: Occupational Medicine Certification Study
Status: Adopted 11/08/2010
Summary: Directs the Health Committee of the Senate to conduct an investigation into the Specialty Certification in Occupational Medicine granted for doctors, who among others worked and work in the Corporation of the State Insurance Fund and demand information on the manner of granting certificates through alternative routes; considers options for legislation for physicians who hold these certificates in occupational medicine.

RHODE ISLAND

RI H 5140 Silva (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow an employer access to an employee's workers' compensation claim history. This act would take effect upon passage.

RI H 5251 Gemma (D)
Title: Towns and Cities
Status: Failed - Adjourned
Summary: Allows firefighters and/or police officers who are wholly or partially incapacitated by reason of injuries or sickness contracted in the performance of his or her duties to receive eighty percent (80%) of the salary or wages together with benefits; takes effect upon passage.

RI H 5434 Naughton (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Repeals an inconsistent part of the workers' compensation law concerning the payment of specific compensation for hearing loss which will clarify the benefit entitlement for permanently injured workers.

RI H 5436 Trillo (R)
Title: Labor and Labor Relations
Status: Failed

Summary: Excludes illegal immigrants who are not authorized to work in the United States from coverage under the workers' compensation law; imposes a penalty of \$5,000 upon those employers who knowingly employ an unauthorized worker.

RI H 5438 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Expands the obligation of an employee receiving workers' compensation to report earnings of all types.

RI H 5439 Winfield (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Requires that before an injured worker receiving weekly total workers' compensation benefits can receive an annual increase to new dependency benefits allowance, the worker must be totally disabled for at least fifty-two (52) consecutive weeks.

RI H 5440 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Relates to Workers' Compensation; provides that neither party filing a petition to show a recurrence or decrease of incapacity, be required to document a comparative change of condition.

RI H 5441 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Provides that a reduction in a workers' weekly compensation shall not be delayed for more than ninety (90) days after maximum medical improvement has been found.

RI H 5442 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Provides an employer or insurer with notice and opportunity to accept a workers' compensation claim.

RI H 5591 Serpa (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would entitle an attorney for an injured worker to receive a reasonable counsel fee for the services rendered on behalf of the injured worker in recovering relief for the worker. This act would take effect upon passage.

RI H 5592 Serpa (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow for counsel fees to be awarded when an attorney successfully secures relief for an injured worker from certain memorandum of agreements and suspension agreements. This act would take effect upon passage.

RI H 5672 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require workers who claim disfigurement as a result of a work related incident to wait one year from the disfiguring event before filing a petition for disfigurement benefits. This act would take effect upon passage.

RI H 5751 Kilmartin (D)
Title: Public Officers and Employees
Status: Failed - Adjourned
Summary: Would amend the formula under which there is an offset of amounts received from workers' compensation as damages on account of death or disability of a member of the state retirement system for the period of time prior to the receipt of retirement benefits. This act would take effect upon passage.

RI H 5752 Kilmartin (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require employers to pay the reasonable costs of transportation to and from health care providers which costs are incurred by employees receiving workers' compensation benefits. This act would take effect upon passage.

RI H 5753 Kilmartin (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide for a surcharge on any payment payable under a workers' compensation order or decree when the payment is 14 days or more late. This act would take effect upon passage.

RI H 5754 Kilmartin (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would clarify the instances when an employer/workers' compensation insurance carrier must file an accounting statement for benefits paid to or on behalf of an insured employee. This act would take effect upon passage.

RI H 5758 Kilmartin (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require all employers, insurance companies and third-party administrators to make written demand upon employees and their attorneys of record twenty-one (21) days before filing any petitions for relief. This act would take effect upon passage.

RI H 5759 Kilmartin (D)
Title: Workers Compensation Weekly Benefits
Status: Failed - Adjourned
Summary: Relates to workers compensation; requires that prior to a petition to reduce an employee's weekly benefits there must be a final determination of maximum medical improvement rendered by the court.

RI H 7023 Vaudreuil (D)
Title: Temporary Disability Insurance Benefits
Status: Failed - Adjourned
Summary: Would prevent injured in the line of duty personnel who receive full pay and benefits for their work related disability from simultaneously receiving temporary disability insurance benefits. However, if they are also unable to perform the duties of their second job, they would still be eligible to receive temporary disability insurance benefits if they are available through that job. This act would take effect upon passage.

RI H 7290 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Relates to workers' compensation; prevents a petition being filed during the pendency of a non-prejudicial memorandum of agreement, or up until the notification that payments have been terminated.

RI H 7291 Winfield (D)
Title: Labor and Labor Relations

Status: Failed - Adjourned
Summary: Relates to workers' compensation; provides that neither party filing a petition to show a recurrence or decrease of incapacity, be required to document a comparative change of condition. This act would take effect upon passage.

RI H 7292 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Relates to workers' compensation; provides that a reduction in a workers' weekly compensation shall not be delayed for more than ninety (90) days after maximum medical improvement has been found. This act would take effect upon passage.

RI H 7293 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide an employer or insurer with notice and opportunity to accept a workers' compensation claim. This act would take effect upon passage.

RI H 7294 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would expand the obligation of an employee receiving workers' compensation to report earnings of all types and to increase the penalty accordingly for failure to do so. This act would take effect upon passage.

RI H 7295 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Relates to workers' compensation; requires workers who claim disfigurement as a result of a work related incident to wait one year from the disfiguring event before filing a petition for disfigurement benefits. This act would take effect upon passage.

RI H 7395 Fierro (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would make changes in the medical review procedure for claimants receiving workers' compensation benefits. This act would take effect upon passage.

RI H 7464 Silva (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow an employer access to a prospective employee's workers' compensation claim history. This act would take effect upon passage.

RI H 7471 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would prohibit workers compensation petitions for "no lost time" claims or claims where the incapacity does not exceed three (3) days. This act would take effect upon passage.

RI H 7472 Winfield (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow an employer or insurer to recover any overpayments made for indemnity benefits by a set-off against payments due to an employee for loss of use or disfigurement. This act would take effect upon passage.

RI H 7562 Lally (D)
Title: Towns and Cities
Status: Failed - Adjourned
Summary: Would entitle police and firefighter retirees to receive certain medical benefits and hospital services from the respective city, town or State of Rhode Island, where said person was employed prior to becoming ill or injured during the course of their employment. This act would take effect upon passage.

RI H 7689 Driver (D)
Title: Insurance
Status: Failed - Adjourned
Summary: Would require insurers of an accident or loss that occurred in the State of Rhode Island, for third-party, for personal injury or workers' compensation benefits under a contract of insurance, to review information provided by the department of human services indicating whether the claimant has received medical assistance and provides for DHS to recover by way of intercept, medical assistance payments from the insurance settlement. This act would take effect upon passage.

RI H 7697 Watson (R)
Title: Insurance
Status: Failed - Adjourned
Summary: Would require insurers of an accident or loss that occurred in the State of Rhode Island, for third party for personal injury or workers' compensation benefits under a contract of insurance, to review information provided by the department of human services indicating whether the claimant has received medical assistance and provides for DHS to recover by way of intercept, medical assistance payments from the insurance settlement. This act would take effect upon passage.

RI H 7793 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require the number of exemptions used to calculate the spendable base wage to be recalculated at the time the employee's exemption status changes when calculating workers' compensation benefits. This act would take effect upon passage.

RI H 7794 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would not allow a petition to reduce an employee's weekly benefits until a final determination of maximum medical improvement has been rendered by a court of competent jurisdiction. This act would take effect upon passage.

RI H 7795 Vaudreuil (D)
Title: Public Officers and Employees
Status: Failed - Adjourned
Summary: Would provide for an offset against benefits for workers compensation, death or disability claims for this period of time prior to the receipt of retirement benefits. This act would take effect upon passage.

RI H 7797 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require employers, insurance companies and third-party administrators to make a written demand upon employees and their attorneys twenty-one (21) days before filing a petition when there is a dispute involving compensation or other obligations. This act would take effect upon passage.

RI H 7798 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned

Summary: Would allow for counsel fees to be awarded when an attorney successfully secures relief for an injured worker from certain memorandum of agreements and suspension agreements. This act would take effect upon passage.

RI H 7799 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide that the attorney for an injured worker shall be entitled to a counsel fee reasonably compensating him or her for the services he or she rendered on behalf of the injured worker in securing the relief sought. This act would take effect upon passage.

RI H 7800 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would increase the additional workers' compensation paid for specific injuries from a maximum of ninety dollars (\$90.00) to a maximum of one hundred eighty dollars (\$180) and from a minimum of forty-five dollars (\$45.00) to a minimum of ninety dollars (\$90.00). In addition, if payment is not made within fourteen (14) days, twenty percent (20%) of the unpaid amount would be added as a penalty. This act would take effect upon passage.

RI H 7801 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require that the cost of transportation for an injured worker to and from health care providers as a workers' compensation benefit be paid for by or reimbursed to the injured worker. This act would take effect upon passage.

RI H 7802 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require the treating physician of a workers compensation claimant to furnish a report to the employee or legal representative within ten days of request stating the diagnosis, disability, loss of use, end result and/or causal relationship of the employee's condition. This act would take effect upon passage.

RI H 8021 Williamson (D)
Title: Towns and Cities
Status: Failed - Adjourned
Summary: Would provide for salary payments to uniformed police officers, firefighters and rescue personnel who become sick or are injured on duty. This act would take effect upon passage.

RI H 8114 Williams (D)
Title: Workers Compensation
Status: Enacted 06/22/2010
Summary: Relates medical review procedure for claimants receiving workers' compensation benefits; voids any contract which restricts a health care provider's ability to make referrals or an injured employee's choice of health care provider, substitutes certain treatment protocols, or attempts to evade the jurisdiction of the workers' compensation court; requires a physician to furnish a medical report within a specified time period of a request; makes changes concerning compensation for certain injuries.

RI H 8155 Vaudreuil (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide in approving a workers' compensation settlement for a lump sum or structured-type periodic payment, the employer and/or the insurer would not be relieved from ongoing responsibility for medical services and charges reasonably related to treatment as provided in chapters 28-33 through 28-35 inclusive. This act would take effect on January 1, 2011.

RI S 279 Connors (D)
 Title: Underground Economy Joint Task Force
 Status: Failed - Adjourned
 Summary: (Joint Resolution) Reinstates the life of and extend the reporting date of the special legislative commission to study the underground economy and employee misclassification from January 27, 2009 to June 30, 2009, and said commission would expire on August 30, 2009.

RI S 329 Doyle (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Allows for counsel fees to be awarded when an attorney successfully secures relief for an injured worker from certain memorandum of agreements and suspension agreements.

RI S 334 McCaffrey (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Requires that prior to a petition to reduce an employee's weekly benefits there must be a final determination of maximum medical improvement rendered by the court.

RI S 338 McCaffrey (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Requires a treating physician to furnish to an employee or his or her legal representative a medical report, within 10 days of a request, stating a diagnosis, disability, loss of use, end result and/or causal relationship of the employee's condition associated with a work-related injury.

RI S 339 McCaffrey (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Redefines the terms under which an employer or insurer of a person injured on the job may share in a third-party recovery.

RI S 340 McCaffrey (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Clarifies the instances when an employer/workers' compensation insurance carrier must file an accounting statement for benefits paid to or on behalf of an insured employee.

RI S 341 McCaffrey (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Provides for a surcharge on any payment payable under a workers' compensation order or decree when the payment is 14 days or more late.

RI S 342 McCaffrey (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Requires employers to pay the reasonable costs of transportation to and from health care providers which costs are incurred by employees receiving workers' compensation benefits.

RI S 344 Doyle (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Entitles an attorney for an injured worker to receive a reasonable counsel fee for the services rendered on behalf of the injured worker in recovering relief for the worker.

RI S 446 Picard (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Provides an employer or insurer with notice and opportunity to accept a workers' compensation claim.

RI S 448 Picard (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Would provide that a reduction in a workers' weekly compensation shall not be delayed for more than ninety (90) days after maximum medical improvement has been found. This act would take effect upon passage.

RI S 645 Ruggerio (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Would change the spendable base wage calculation from seventy-five percent (75%) to eighty-five percent (85%) under the workers' compensation law. This act would also make additional changes to the law relating to partial incapacity. This act would take effect upon passage and would apply retroactively, regardless of the date of injury.

RI S 646 Ruggerio (D)
 Title: Workers' Compensation
 Status: Failed - Adjourned
 Summary: Would change the definition of special employers under workers' compensation. This act would take effect upon passage.

RI S 647 Ruggerio (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Would require an employee, after an injury, to submit to an examination by a physician no earlier than four (4) month intervals after the injury if requested to do so by his or her employer. This act would take effect upon passage.

RI S 648 Ruggerio (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Would require employers to pay the reasonable transportation costs for employees that travel to receive workers' compensation health care services. This act would take effect upon passage.

RI S 649 Ruggerio (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Would repeal the section of the law relating to continuation of workers' compensation benefits for partial incapacity. This act would take effect upon passage and would apply retroactively regardless of the date of injury.

RI S 650 Ruggerio (D)
 Title: Labor and Labor Relations
 Status: Failed - Adjourned
 Summary: Would raise workers' compensation payments for specific injuries. This act would take effect upon passage.

RI S 651 Ruggerio (D)
 Title: Workers Compensation

Status: Failed - Adjourned
Summary: Relates to worker's compensation; clarifies employees' right to choose an initial treating physician.

RI S 661 Tassoni (D)
Title: Public Property and Works
Status: Failed - Adjourned
Summary: Would require worker's compensation for all workers on public works and eliminate the existing exemption for such workers. This act would take effect upon passage.

RI S 692 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require workers who claim disfigurement as a result of a work related incident to wait one year from the disfiguring event before filing a petition for disfigurement benefits. This act would take effect upon passage.

RI S 876 Ruggerio (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow individuals who receive workers' compensation benefits and/or a lump sum settlement to also be eligible for waiting period credits benefits or dependents' allowances under the applicable provisions of the general laws, providing that the injury and/or medical condition did not result from the injury for which the individual was paid workers' compensation benefits. This act would take effect upon passage.

RI S 2083 Fogarty (D)
Title: Workers Compensation
Status: Enacted 06/19/2010
Summary: Relates medical review procedure for claimants receiving workers' compensation benefits; voids any contract which restricts a health care provider's ability to make referrals or an injured employee's choice of health care provider, substitutes certain treatment protocols, or attempts to evade the jurisdiction of the workers' compensation court; requires a physician to furnish a medical report within a specified time period of a request; makes changes concerning compensation for certain injuries.

RI S 2162 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide an employer or insurer with notice and opportunity to accept a workers' compensation claim. This act would take effect upon passage.

RI S 2166 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide that neither party filing a petition to show a recurrence or decrease of incapacity, be required to document a comparative change of condition. This act would take effect upon passage.

RI S 2168 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide that any workers' compensation case resulting in partial incapacity shall not have any reduction in benefits delayed more than ninety (90) days after maximum medical improvement has been found. This act would take effect upon passage.

RI S 2169 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned

Summary: Would provide that no petition for workers compensation benefits for permanent disfigurement injuries be filed until one year has passed from the date of the disfiguring event. This act would take effect upon passage.

RI S 2333 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow an employer or insurer to recover overpayments made for indemnity benefits by set-off against disfigurement payments. This act would take effect upon passage.

RI S 2335 Picard (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide that no petition shall be filed for "no loss of time" where the incapacity for work has not exceeded three (3) days. This act would take effect upon passage.

RI S 2360 Ruggiero (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require employers to pay the reasonable transportation costs for employees that travel to receive workers' compensation related health care services. This act would take effect upon passage.

RI S 2361 Ruggiero (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Relates to workers' compensation benefits; would clarify employees' right to choose an initial treating physician. This act would take effect upon passage.

RI S 2362 Ruggiero (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would raise workers' compensation payments for specific injuries. This act would take effect upon passage.

RI S 2365 Ruggiero (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require an employee, after an injury, to submit to an examination by a physician no earlier than four (4) month intervals after the injury if requested to do so by his or her employer. This act would take effect upon passage.

RI S 2366 Ruggiero (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would repeal the section of the Rhode Island General Laws relating to continuation of workers' compensation benefits for partial incapacity. This act would take effect upon passage and would apply retroactively regardless of the date of injury.

RI S 2369 Ruggiero (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would change the spendable base wage calculation from seventy-five percent (75%) to eighty-five percent (85%) under the workers' compensation law. This act would also make additional changes to the law relating to partial incapacity. This act would take effect upon passage and would apply retroactively, regardless of the date of injury.

RI S 2387 Ruggerio (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would allow individuals who receive workers' compensation benefits and/or a lump sum settlement to also be eligible for waiting period credits benefits or dependents' allowances under the applicable provisions of the general laws, providing that the injury and/or medical condition did not result from the injury for which the individual was paid workers' compensation benefits. This act would take effect upon passage.

RI S 2549 Levesque (D)
Title: Insurance
Status: Failed - Adjourned
Summary: Would require insurers of an accident or loss that occurred in the State of Rhode Island, for third-party, personal injury, or workers' compensation benefits under a contract of insurance, to review information provided by the department of human services indicating whether the claimant has received medical assistance and provides for DHS to recover by way of intercept, medical assistance payments from the insurance settlement. This act would take effect upon passage.

RI S 2595 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require the number of exemptions used to calculate the spendable base wage to be recalculated at the time the employee's exemption status changes when calculating workers' compensation benefits. This act would take effect upon passage.

RI S 2596 McCaffrey (D)
Title: Public Officers and Employees
Status: Failed - Adjourned
Summary: Would provide for an offset against benefits for workers compensation, death or disability claims for this period of time prior to the receipt of retirement benefits. This act would take effect upon passage.

RI S 2597 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require the treating physician of a workers compensation claimant to furnish a report to the employee or legal representative within ten days of request stating the diagnosis, disability, loss of use, end result and/or causal relationship of the employee's condition. This act would take effect upon passage.

RI S 2598 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would increase the additional workers' compensation paid for specific injuries from a maximum of ninety dollars (\$90.00) to a maximum of one hundred eighty dollars (\$180) and from a minimum of forty-five dollars (\$45.00) to a minimum of ninety dollars (\$90.00). In addition, if payment is not made within fourteen (14) days, twenty percent (20%) of the unpaid amount would be added as a penalty. This act would take effect upon passage.

RI S 2599 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would not allow a petition to reduce an employee's weekly benefits until a final determination of maximum medical improvement has been rendered by a court of competent jurisdiction. This act would take effect upon passage.

RI S 2600 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned

Summary: Would require that the cost of transportation for an injured worker to and from health care providers as a workers' compensation benefit be paid for by or reimbursed to the injured worker. This act would take effect upon passage.

RI S 2601 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require employers, insurance companies and third-party administrators to make a written demand upon employees and their attorneys twenty-one (21) days before filing a petition when there is a dispute involving compensation or other obligations. This act would take effect upon passage.

RI S 2602 McCaffrey (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would provide that the attorney for an injured worker shall be entitled to a counsel fee reasonably compensating him or her for the services he or she rendered on behalf of the injured worker in securing the relief sought. This act would take effect upon passage.

RI S 2956 Miller (D)
Title: Labor and Labor Relations
Status: Failed - Adjourned
Summary: Would require employers to give employees 15 days notice prior to denying payment for ongoing medical services. It would also create a rebuttable presumption that particular medical services regularly provided for three (3) years post injury are work related and valid under the workers' compensation act. This act would take effect upon passage.

RI S 2985 DaPonte (D)
Title: Towns and Cities
Status: Failed - Adjourned
Summary: Would make various changes to the chapter of general laws that relate to relief of injured and deceased firefighters and police officers. Sections 6, 7, 8, and 9 would take effect upon passage and the amendments to these sections would only apply to new applications submitted after passage of this act. The remainder of this act would take effect upon passage.

SOUTH CAROLINA

SC H 3948 Rice (R)
Title: Employee Definition
Status: Failed - Adjourned
Summary: Relates to the definition of employee, include legal immigrants and illegal immigrants, provided the employer was not aware of the immigrant's illegal status prior to the employee's injury; relates to persons not covered under the workers' compensation law, so as to exclude from workers' compensation illegal immigrants whose illegal status was known to the employer at the time of the immigrants' hire and illegal immigrants whom the employer discovers the illegal status during employment.

SC H 5102 Limehouse (R)
Title: Oil Cleanup Operations
Status: Failed - Adjourned
Summary: (Resolution) Memorializes the president of the united states to waive provisions of the jones act that restrict the acceptance of offers of assistance from foreign-built and foreign-crewed vessels in conducting oil cleanup operations in the gulf of mexico.

SC S 187 McConnell (R)
Title: State Insurance Plan Eligibility
Status: Failed - Adjourned

Summary: Provides that an active, fulltime permanent employee of a state-covered entity approved for disability retirement is eligible to participate in plans with state-paid premiums if the disability is the result of an injury arising out of and in the course of the performance of the person's official duties.

SC S 225 Knotts (R)
Title: State Guard Emergency Air Wing
Status: Failed - Adjourned
Summary: Establishes an emergency air wing within the state guard; provides for the liability of airplanes used by volunteer participants; provides that recovery of workers' compensation benefits by members of the emergency air wing shall be payable from the general fund.

SC S 362 Alexander Th (R)
Title: Firefighters Workers Compensation Law
Status: Enacted 02/25/2010
Summary: Relates to firefighters covered under workers' compensation law and the presumption regarding impairment or injury from heart disease and or respiratory disease; provides that the impairment or injury is considered to have arisen out of and in the course of employment if they have successfully passed a physical exam within the last ten years.

SC S 955 Cromer (R)
Title: Workers Compensation Licensure
Status: Failed - Adjourned
Summary: Relates to qualifications that a contractor must meet for licensure, to require a certificate of workers' compensation insurance coverage; and relates to evidence of license as a prerequisite to a building permit, to prohibit building permits from being issued to contractors that do not have workers' compensation coverage.

SOUTH DAKOTA

SD H 1118 Solum (R)
Title: Health Services
Status: Enacted 03/11/2010
Summary: Revises the provisions regarding fees for health services provided to injured workers treated by out-of-state medical providers; increases the maximum burial and headstone expenses when death results from injuries to workers that the employer is responsible to pay.

SD H 1147 Rounds (R)
Title: Insurance Benefits
Status: Failed
Summary: Permits townships to provide certain health, life, and disability income insurance benefits.

SD S 169 Turbak (D)
Title: Subrogation of Insurers Limitations
Status: Vetoed 03/25/2010
Summary: Limits the subrogation of certain insurers unless and until the insurer is made whole; provides that no insurer under this chapter is entitled to participate in any recovery from any tortfeasor on account of bodily injury or death or damage to property unless and until its insured has first been made whole; provides that this does not apply to any workers' compensation recovery.

TENNESSEE

TN H 765 Turner M (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; establishes a conclusive presumption that a beryllium employee, employee with cancer or silicosis, or other employee covered under the federal Energy Employees Occupational Illness Compensation Act has an occupational disease for the purposes of state workers' compensation claim.

TN H 833 Moore (D)
Title: Firefighters
Status: Failed
Summary: Relates to firefighters; requires compensation paid to firefighters due to injury or death in the line of duty or course of employment be administered by the commission on firefighting personnel standards and education; reduces death benefits paid from \$25,000 to \$12,500.

TN H 834 Moore (D)
Title: Firefighters
Status: Failed
Summary: Relates to firefighters; requires compensation paid to firefighters due to injury or death in the line of duty or course of employment be administered by the commission on firefighting personnel standards and education.

TN H 900 Casada (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; limits definition of injury when it occurs at employee's residence to certain circumstances.

TN H 981 McDaniel (R)
Title: Insurance Companies Agents Brokers Policies
Status: Enacted 05/07/2009
Summary: Relates to insurance companies agents brokers policies; increases the maximum obligation of the Tennessee insurance guaranty association for any covered workers' compensation claim.

TN H 1192 Mumpower (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; requires that certain fees paid after January 1, 2010, involving PPO networks meet certain requirements.

TN H 1229 Fitzhugh (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; excludes from workers' compensation injuries that occur during recreational activities, are not required by the employer, and do not directly benefit the employer.

TN H 1459 Mumpower (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; requires insurer to give written notice of claim amount to division of workers' compensation when apparent to insurer that the amount of medical benefits to which the employee may be entitled will exceed \$10,000, rather than \$5,000.

TN H 1500 Fitzhugh (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; adds additional injuries that are not covered by workers' compensation.

TN H 1564 West (D)
Title: Workers Compensation
Status: Failed - Adjourned

Summary: Relates to workers compensation; authorizes workers' compensation penalties to be abated and then voided after one year if employer obtains and maintains workers' compensation coverage.

TN H 1604 Brooks Ha (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; changes standard for denying workers' compensation benefits in cases involving alcohol and drug use from such use being a proximate cause of the injury or death to such use being a contributing cause of such injury or death.

TN H 1776 Moore (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; revises reporting dates for certain specified reports related to workers' compensation to January 1 of each year.

TN H 1777 Hackworth (D)
Title: Workers Compensation
Status: Enacted 07/08/2009
Summary: Relates to workers compensation; provides the maximum total benefit amount; provides that an employee claiming a mental injury shall be conclusively presumed to be at maximum medical improvement under specified conditions.

TN H 1899 Pitts (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; changes the effective date of Chapter 1041 of the Public Acts of 2008 from December 31, 2009, to July 1, 2012.

TN H 1963 Sargent (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; imposes certain penalties on employers and employees in certain cases involving employees not authorized to work in the U.S. under federal immigration laws.

TN H 1964 Sargent (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; limits claims by employees for certain injuries arising in time up through settlement approval or final trial order for an existing claim even if the injury occurred during medical treatment.

TN H 2102 Sargent (R)
Title: Workers Compensation of Illegal Immigrants
Status: Failed
Summary: Relates to workers compensation; provides that illegal immigrants receive lesser workers' compensation benefits unless it is demonstrated that the employer had actual knowledge that the worker was an illegal immigrant at the time of being hired.

TN H 2253 Turner M (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; revises venue requirements for workers' compensation claims that do not resolve at benefit review conference.

TN H 2420 Weaver (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Removes requirement that certain sole proprietors and certain partnerships engaged in the construction industry carry workers' compensation coverage.

TN H 2428 Weaver (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Removes requirement that certain sole proprietors and certain partnerships engaged in the construction industry carry workers compensation coverage.

TN H 2583 Curtiss (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Allows up to three officers of a corporation engaged in the construction industry to be exempt from workers' compensation provisions by filing written notice with the department of labor and workforce development.

TN H 2869 Hackworth (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to Workers Compensation; revises the definition of average weekly wage.

TN H 2928 Sargent (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; revises determination of meaningful return to work in cases of permanent partial disability by tying it to average weekly wage.

TN H 3015 Sargent (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; establishes date for maximum medical improvement in cases involving pain management treatments.

TN H 3043 Sargent (R)
Title: Workers' Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; reduces the period of time permitted for compromise and settlement of future medical benefits in a case.

TN H 3049 Favors (D)
Title: Medical Occupations
Status: Enacted 04/30/2010
Summary: Relates to charges for copying and certifying medical records; specifies that a health care provider shall not charge a fee for copying or notarizing a medical record when requested by the Department of Human Services pursuant to a complaint, inspection or survey; revises the fee for certifying medical records requiring notarization; provides a separate fee schedule for records involving workers' compensation cases.

TN H 3127 Shepard (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; increases from \$100-\$1,000 to \$200-\$2,000 the range of the civil penalty that may be charged to a health care provider that renders excessive or inappropriate services.

TN H 3299 McCormick (R)
Title: Insurance
Status: Failed - Adjourned
Summary: Permits association captive insurance companies to insure obligations under certain federal legislation that provides compensation and benefits to workers for job-related injuries, and further allows association captive insurance companies to hold any interest in qualified headquarters property.

TN H 3358 Fincher (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Revises procedures governing approval of settlements of workers compensation cases by courts.

TN H 3514 McDonald (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Exempts certain employers and employees from certain provisions of the Workers' Compensation Law on religious grounds.

TN H 3582 Coleman (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Establishes a procedure for handling disputes involving future medicals in a workers compensation case after judgment or settlement.

TN H 3889 Harrison (R)
Title: Unemployment Compensation
Status: Failed - Adjourned
Summary: Relates to Unemployment Compensation; excludes periods of temporary total disability under the workers compensation law from calculation of base period for purposes of unemployment compensation.

TN S 430 Bunch (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; defines the AMA guide for impairment ratings to mean the 5th edition of the Guides, instead of either the 6th edition or any new edition that is designated by the general assembly.

TN S 487 Burchett (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; authorizes workers' compensation penalties to be abated and then voided after one year if employer obtains and maintains workers' compensation coverage.

TN S 545 Norris (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; limits definition of injury when it occurs at employee's residence to certain circumstances.

TN S 661 Stanley (R)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers compensation; excludes from workers' compensation injuries that occur during recreational activities, are not required by the employer, and do not directly benefit the employer.

TN S 824 Marrero (D)
Title: Workers Compensation

Status: Failed - Adjourned
Summary: Relates to workers compensation; establishes a conclusive presumption that a beryllium employee, employee with cancer or silicosis, or other employee covered under the federal Energy Employees Occupational Illness Compensation Act has an occupational disease for the purposes of state workers' compensation claim.

TN S 1297 Crowe (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; imposes various requirements on contracting agents who sell, lease, assign, transfer, or convey their lists of contracted health care providers and their contracted reimbursement rate; applies under the Workers' Compensation Law.

TN S 1376 Johnson J (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; requires insurer to give written notice of claim amount to division of workers' compensation when apparent to insurer that the amount of medical benefits to which the employee may be entitled will exceed \$10,000, rather than \$5,000.

TN S 1524 Burchett (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; changes standard for denying workers' compensation benefits in cases involving alcohol and drug use from such use being a proximate cause of the injury or death to such use being a contributing cause of such injury or death.

TN S 1567 Norris (R)
Title: Workers Compensation
Status: Enacted 06/05/2009
Summary: Provides that an employee who retains the right to reconsideration of an award of permanent partial disability benefits for a workers' compensation injury and whose pre-injury employer is sold or acquired after such award is made, will be authorized to seek reconsideration from the successor employer if either the employee's employment with the successor is, at no personal fault, involuntarily terminated or their rate of pay is reduced to a level below the rate they received at the time of the injury.

TN S 1574 Norris (R)
Title: Workers Compensation
Status: Enacted 06/23/2009
Summary: Relates to workers compensation claims, medical and surgical treatment, medical and surgical supplies, hospitalization, nursing services, psychological services, dental services, crutches, artificial members and prescription eyeglasses; limits charges for medical reports, medical records or documents pertaining to medical treatment or hospitalization of an employee; provides for a medical authorization form for access to medical records.

TN S 1767 Herron (D)
Title: Insurance Companies Agents Brokers Policies
Status: Failed - Adjourned
Summary: Relates to insurance companies agents brokers policies; increases from \$100,000 to \$250,000 the maximum obligation of the state insurance guaranty association for any covered workers' compensation claim.

TN S 1909 Norris (R)
Title: Workers Compensation
Status: Enacted 06/11/2009
Summary: Relates to workers compensation; provides that no compensation shall be allowed for an injury or death due to an employee's willful misconduct, intentional self-inflicted injury, intoxication or illegal drug use, willful failure or refusal to use a safety device, willful failure to perform a duty required by law; voluntary participation in recreational, social, or athletic or exercise events unless certain conditions apply.

TN S 2000 Haynes J (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; requires the Advisory Council on Workers' Compensation to report concerning rules promulgated by the Department of Labor and Workforce Development relative to medical impairment ratings.

TN S 2162 Tracy (R)
Title: Workers Compensation
Status: Enacted 06/25/2009
Summary: Relates to workers' compensation and partial disability benefits; specifies the maximum permanent partial disability benefits that an employee may receive, provided an employer did not knowingly hire the employee at a time when the employee was not eligible or authorized to work in the United States under federal immigration laws; provides that an employer is liable to pay a sum equal to five times the medical impairment rating if the employer is found to have knowingly hired an unauthorized worker.

TN S 2231 Southerland (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; provides that illegal immigrants receive lesser workers' compensation benefits unless it is demonstrated that the employer had actual knowledge that the worker was an illegal immigrant at the time of being hired.

TN S 2292 Kyle (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers compensation; revises venue requirements for workers' compensation claims that do not resolve at benefit review conference.

TN S 2383 Beavers (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Removes requirement that certain sole proprietors and certain partnerships engaged in the construction industry carry workers compensation coverage.

TN S 2384 Beavers (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Removes requirement that certain sole proprietors and certain partnerships engaged in the construction industry carry workers' compensation coverage.

TN S 2409 Faulk (R)
Title: Unemployment Compensation
Status: Failed - Adjourned
Summary: Excludes periods of temporary total disability under the workers compensation law from calculation of base period for purposes of unemployment compensation.

TN S 2559 Haynes J (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Revises definition of average weekly wage.

TN S 2928 Johnson J (R)
Title: Workers' Compensation
Status: Enacted 05/26/2010

Summary: Relates to workers' compensation; provides that if a treating physician determines that pain is persisting for an injured worker beyond and expected period for healing, the physician may refer the worker for pain management, encompassing pharmacological, non-pharmacological and other approaches to reduce or stop pain sensations; provides conditions under which the worker shall be presumed to have reached maximum medical improvement.

TN S 2943 Norris (R)

Title: Workers Compensation

Status: Enacted 06/11/2010

Summary: Specifies that employees who have had a reduction in pay or a reduction in hours due to economic conditions will not be entitled to reopen a workers' compensation claim if the reduction in pay or reduction in hours affected a specified percentage of other hourly employees operating at or out of the same location.

TN S 2977 Berke (D)

Title: Insurance Companies Agents Brokers Policies

Status: Enacted 04/30/2010

Summary: Authorizes any interlocal arrangement that is administered by an association captive insurance company to provide for the insuring or self-insuring of obligations and liabilities arising under the federal Longshoremen's and Harbor Workers' Compensation Act or any other federal law for compensation and benefits to workers for job-related injuries; requires that the company maintain a specified total surplus, without regard to the qualified headquarters property.

TN S 3162 Johnson J (R)

Title: Workers Compensation

Status: Enacted 04/19/2010

Summary: Relates to workers' compensation medical payments and the provision of workers' compensation preferred provider organization services; imposes requirements on contracting agents that are in contract with a medical provider to reimburse the provider for services provided to an injured worker; permits medical providers to decline to participate in certain networks; requires certain disclosures; requires an explanation of payment transmitted to a provider to include certain employer and employee information.

TN S 3250 Tate (D)

Title: Public Employees

Status: Failed - Adjourned

Summary: Creates a presumption that an infectious disease acquired by a firefighter, paramedic, emergency medical technician, or emergency medical technician advanced was suffered in the line of duty unless the contrary is shown by competent evidence.

TN S 3468 Stewart E (D)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Increases the range of the civil penalty that may be charged to a health care provider that renders excessive or inappropriate services as a part of a workers' compensation claim.

TN S 3730 Haynes J (D)

Title: Workers Compensation

Status: Failed - Adjourned

Summary: Relates to workers compensation; revises procedures governing approval of settlements of workers compensation cases by courts.

TN S 3731 Haynes J (D)

Title: Workers Compensation

Status: Enacted 04/30/2010

Summary: Establishes a procedure for handling disputes involving future medicals in a workers compensation case after judgment or settlement.

TN S 3750 Bunch (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Establishes certain presumptions and conclusive determinations regarding the determination of whether a person is an employee or an independent contractor for purposes of the workers compensation law.

TEXAS

TX S 93 Lucio Ed (D) (2011)
Title: Attorney for a Workers Compensation Claimant
Status: Pending
Summary: Relates to the appointment of an attorney for a workers' compensation claimant in certain proceedings initiated by a workers' compensation insurance carrier.

UTAH

UT H 188 Harper (R)
Title: Workers Compensation Act
Status: Enacted 03/22/2010
Summary: Modifies the Workers' Compensation Act to remove a reduction in workers' compensation benefits on the basis of the receipt of Social Security retirement benefits.

UT H 339 Barrus (R)
Title: Short Title - Workers Compensation
Status: Failed - Adjourned
Summary: (Short Title) Relates to workers' compensation death benefits.

UT S 231 Buttars (R)
Title: Workers Compensation Amendments
Status: Enacted 03/25/2010
Summary: Modifies the Workers' Compensation Act to address issues related to the payment of medical benefits in the case of an industrial accident; provides that legislative changes in the time limits in seeking medical benefits made in 2007 are to be applied retroactively; addresses what constitutes a medical expense necessary to the industrial accident, including for cases that occur before the prior legislative action.

VERMONT

VT H 81 Poirier (D)
Title: Mental Injury
Status: Failed - Adjourned
Summary: Assures that a mental injury suffered in the course of employment is compensable as if it were a physical injury.

VT H 162 Maier (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Creates a process for health care providers to submit, dispute, and collect payment, including interest on bills for medical treatment provided to an injured employee eligible for workers' compensation.

VT S 21 Campbell (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Penalizes workers' compensation insurers with a late fee for failure to pay workers' compensation benefits when they are due and owed.

VT S 128 Economic Development, Housing & General Committee
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Provides workers' compensation claimants with sufficient opportunity to dispute a termination of temporary total disability benefits and to institute a minimum fee for late payment of benefits. A further purpose of this bill is to decrease the incidents of misclassification of employees and jobs for workers' compensation by increasing the penalties for classification violations; by improving investigation and enforcement; and by requiring more detailed workers' compensation classification information.

VT S 251 Snelling (R)
Title: Employee Classification of Independent Contractors
Status: Failed - Adjourned
Summary: Proposes to clarify that independent contractors in the employ of a delivery or messenger business are not employees for purposes of the workers' compensation and unemployment compensation statutes.

VT S 266 Illuzzi (R)
Title: Workers Compensation Benefits
Status: Failed - Adjourned
Summary: Proposes to provide for employer penalty for late payment of workers compensation benefits; permits an injured employer to video insurance medical examinations; changes the burden of proof regarding termination of temporary total disability benefits.

VIRGINIA

VA H 71 Carrico (R)
Title: Line of Duty Act
Status: Failed
Summary: Relates to line of Duty Act; relates to short-term disability benefits for state police officers.

VA H 156 Dance (D)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; expands the presumption that specific types of cancers in firefighters and certain other public safety employees are occupational diseases compensable under the Workers' Compensation Act to include kidney cancer and any other type of cancer that results from the inhalation, ingestion, or absorption of a toxic substance.

VA H 446 Ware R (R)
Title: Workers Compensation
Status: Failed
Summary: Excludes a person from coverage under the State Workers' Compensation Act if he is covered by or eligible for benefits with respect to disability or death under the Longshore and Harbor Workers' Compensation Act or the Jones Act; provides that such persons continue to be employees for purposes of the Act with respect to injury by accident that occurred prior to a specified date.

VA H 603 Loupassi (R)
Title: Workers Compensation Commission
Status: Enacted 04/08/2010
Summary: Authorizes the Workers' Compensation Commission to satisfy its obligations to provide copies of notices, opinions, orders, and awards by sending them by electronic communications in the manner prescribed by the Commission.

VA H 705 Merricks (R)
Title: Workers Compensation Commission
Status: Enacted 04/11/2010

Summary: Repeals provisions that require the Workers' Compensation Commission to send copies of awards by priority mail with delivery confirmation or equivalent mailing option; increases the period in which an application for review of an award may be made.

VA H 955 Lingamfelter (R)
Title: Workers Compensation
Status: Failed
Summary: Adds salaried and volunteer lifesaving and rescue squad members to the list of public safety personnel who are entitled to a presumption that hypertension and heart disease are occupational diseases suffered in the line of duty that are covered under the Workers' Compensation Act.

VA H 1326 Merricks (R)
Title: Workers Compensation
Status: Pending - Carryover
Summary: Provides that a health care provider rendering medical services outside Virginia to an injured worker whose claim and injuries have been accepted as compensable under the Virginia Workers' Compensation Act shall be reimbursed for medical treatment in an amount equal to the workers' compensation fee schedule, if any, adopted by that state.

VA H 1346 Barlow (D)
Title: Workers Compensation
Status: Failed
Summary: Establishes a limitations period during which a public safety employee may bring a claim under the Workers' Compensation Act for hepatitis at two years after the employee receives notice of a positive test for exposure to hepatitis.

VA S 88 Howell J (D)
Title: Criminal Injuries Compensation Fund
Status: Enacted 04/21/2010
Summary: Relates to the Criminal Injuries Compensation Fund; requires health care providers who provide services under the Criminal Injuries Compensation Fund to negotiate with the Worker's Compensation Commission to establish agreements relating to rates for payment of claims; provides that the rates will discharge the obligation to the provider in full except where the provider is an agency of the Commonwealth and the claimant receives a third party recovery in addition to the payment from the Fund.

VA S 95 Quayle (R)
Title: Line of Duty Act
Status: Enacted 04/12/2010
Summary: Provides that a state police officer who incurs a work-related injury in the line of duty shall receive supplemental short-term disability coverage providing income replacement for 100 percent of the officer's creditable compensation for up to one calendar year; provides that officer would then be eligible for supplemental long-term disability benefits which provide replacement of 60% of the officer's creditable compensation.

VA S 367 Puckett (D)
Title: Workers Compensation
Status: Pending - Carryover
Summary: Limits the liability of an employer for certain costs of an employee's surgical procedures in connection with an award under the Virginia Workers' Compensation Act; specifies terms.

VA S 610 Edwards (D)
Title: Workers Compensation Commission Filings
Status: Enacted 03/11/2010
Summary: Expands options for filing materials with the Workers' Compensation Commission to include means of electronic transmission that have been approved by the Commission.

VA S 612 Wagner (R)
Title: Workers Compensation Awards
Status: Enacted 03/11/2010
Summary: Repeals provisions that require the Workers' Compensation Commission to send copies of awards by priority mail with delivery confirmation or equivalent mailing option; increases the period in which an application for review of an award may be made.

WASHINGTON

WA H 1212 Kirby (D)
Title: Industrial Insurance Death Benefits
Status: Failed - Adjourned
Summary: Modifies industrial insurance death benefits for surviving spouses of members of the law enforcement officers' and firefighters' retirement system and the state patrol retirement system. Provides that the act applies to remarriages entered into on or after the effective date of the act.

WA H 1386 Condotta (R)
Title: Industrial Insurance Funds
Status: Failed - Adjourned
Summary: Restricts the use of industrial insurance funds; provides that expenditures from the accident fund and the medical aid fund shall be made for purposes related to the payment of benefits or the administration of industrial insurance programs.

WA H 1402 Williams (D)
Title: Industrial Insurance Appeals
Status: Enacted 05/07/2009
Summary: Restricts contact by employers, workers, and the Department of Labor and Industries with medical providers at specified stages after an appeal has been received in industrial insurance cases.

WA H 1554 Conway (D)
Title: Department of Labor and Industries
Status: Failed - Adjourned
Summary: Authorizes the director of the department of labor and industries to issue a stop work order against an employer requiring the cessation of all business operations of the employer if the employer is found to be in violation of certain worker's compensation provisions.

WA H 2145 Condotta (R)
Title: Industrial Insurance Final Settlement Agreements
Status: Failed - Adjourned
Summary: Establishes requirements for industrial insurance final settlement agreements; directs the department of labor and industries to develop and maintain a registry system by which it records final settlement agreements entered into between the parties.

WA S 5306 Schoesler (R)
Title: Studying Disability Benefit Options For Members Of
Status: Failed - Adjourned
Summary: Studies disability benefit options for members of the public employees' retirement system plan 2 and plan 3, the teachers' retirement system plan 2 and plan 3, and the school employees' retirement system plan 2 and plan 3; directs the Washington state institute for public policy, with the assistance and support of the office of the state actuary, to study, during the 2009 legislative interim, the options available to the legislature.

WA S 5462 Holmquist (R)
Title: Workers Compensation Benefits
Status: Failed - Adjourned
Summary: Simplifies and adding certainty to the calculation of workers' compensation benefits.

WA S 5613 Kohl-Welles (D)
Title: Workers Compensation Violations
Status: Enacted 04/23/2009
Summary: Authorizes the director of the department of labor and industries to issue a stop work order against an employer requiring the cessation of all business operations of the employer if the employer is found to be in violation of certain worker's compensation provisions.

WA S 5614 Kohl-Welles (D)
Title: Joint Legislative Task Force
Status: Failed - Adjourned
Summary: Addresses the recommendations of the joint legislative task force on the underground economy in the construction industry; requires the department of labor and industries to: Approve training on state law for applicants for contractor registration; Work with representatives of the business community to explore the need for continuing education for contractors.

WA S 5627 McDermott (D)
Title: Medical Providers Appeals
Status: Failed - Adjourned
Summary: Restricts contact with medical providers after appeals have been filed under industrial insurance; restricts contact with medical providers after appeals have been filed under industrial insurance; provides that the act applies to orders entered on or after the effective date of the act.

WA S 5771 Jarrett (D)
Title: Language Service Providers
Status: Failed - Adjourned
Summary: Exempts language service providers from the definition of employment and worker for the purposes of unemployment compensation and industrial insurance.

WA S 5949 Marr (D)
Title: Statewide Centers of Occupational Health and Education
Status: Failed - Adjourned
Summary: Creates a statewide centers of occupational health and education program; declares that the centers of occupational health and education program has been: Very successful at reducing costs associated with workers' compensation claims; and Operating on a pilot basis, limiting access to these services to a small percentage of the Washington employee population and reducing potential cost savings.

WA S 6003 Haugen (D)
Title: Seamen
Status: Failed - Adjourned
Summary: Concerns claims brought for the injury, illness, or death of seamen occurring from employment with the state.

WA S 6349 Ranker (D)
Title: Farm Internship Program
Status: Line Item Veoted: 03/22/2010
Summary: Establishes a farm internship program to provide for the employment of farm interns subject to certain limitations; provides that the application for such interns must be made by the farm upon specified forms; provides the required contents of the application; provides the qualifications for a farm program to receive certification; provides procedures for related workers' compensation; specifies the services to be rendered by an employee under such program.

WA S 6585 Holmquist (R)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Defines individuals eligible for benefits under workers' compensation and unemployment insurance.

WA 6 2010 Initiative Measure No.: 1082
Title: Industrial Insurance Reform
Status: Unofficially Rejected By Voters: 11/02/2010
Summary: Creates an industrial insurance privatization system introducing competition into the system through a choice of insurance providers; requires that each industrial insurance insurer offering to sell industrial insurance shall hold a certificate of authority; creates the Industrial Insurance Administrative Fund for the payment of industrial insurance appeals.

WEST VIRGINIA

WV H 2430 Doyle (D)
Title: Worker's Compensation
Status: Failed - Adjourned
Summary: Provides workers' compensation coverage for certain employees who perform duties attendant to horse and dog racing activities.

WV H 2854 Louisos (D)
Title: Extending Permanent Total Disability Benefits to Worker
Status: Failed - Adjourned
Summary: Extends permanent total disability benefits to workers' compensation benefits claimants for life.

WV H 2874 Stagers (D)
Title: Providing a Rebuttable Presumption
Status: Failed - Adjourned
Summary: Provides a rebuttable presumption that a firefighter has developed a pulmonary disease or sustained a cardiovascular injury for worker's compensation benefits.

WV H 3143 Hall D (D)
Title: Cardiac Arrest As A Compensable Injury
Status: Failed - Adjourned
Summary: Renders cardiac arrest as a compensable injury pursuant to West Virginia workers' compensation law.

WV H 3296 Manchin (D)
Title: Workers Compensation Claimant Attorney Fees
Status: Failed - Adjourned
Summary: Relates to the worker's compensation claimant attorney fees.

WV H 4214 Fleischauer (D)
Title: Final Settlements
Status: Failed - Adjourned
Summary: Requires review and approval of final settlements of Workers' Compensation awards.

WV H 4409 Louisos (D)
Title: Workers Lifetime Total Disability Fund
Status: Failed - Adjourned
Summary: Creates the Workers' Lifetime Total Disability Fund and the Supplemental Personal Needs Allowance Fund.

WV H 4459 Caputo (D)
Title: Workers Compensation Death Benefits
Status: Enacted 03/17/2010
Summary: Increases the time in which a dependent may apply for Workers Compensation death benefits where occupational pneumoconiosis is determined to be a cause of death; provides that a form must be sent to the

dependent that advises the dependent that the benefits will stop as of a date certain and that the dependent may be eligible for additional benefits.

WV H 4660 Ennis (D)
Title: Disability Benefits
Status: Failed - Adjourned
Summary: Sets forth disability benefits for employees that receive a foreseeable injury in an inherently dangerous function required by their employer but outside scope of employment.

WV S 48 White (D)
Title: Permanent Total Disability Benefits
Status: Failed - Adjourned
Summary: Extends permanent total disability benefits to claimants for life.

WV S 100 White (D)
Title: Workers' Compensation Claims
Status: Failed - Adjourned
Summary: Relates to volunteer firefighters' rebuttable presumptions for workers' compensation claims.

WV S 337 Snyder (D)
Title: Racing Commission Special Accounts
Status: Enacted 04/02/2010
Summary: Relates to the use of the Racing Commission Special Account, Unredeemed Pari-Mutuel Tickets Account, the Greyhound Breeding Development Fund and the Thoroughbred Development Fund; eliminates an annual payment for jockey's health and disability benefits; authorizes the Racing Commission to use funds to pay for previously incurred obligations; requires certain receipts from thoroughbred and greyhound racetracks be divided on a pro rata basis; relates to funds for greyhound adoption, spaying and neutering.

WV S 582 White (D)
Title: Time Dependent and Workers Compensation Death Benefits
Status: Failed - Adjourned
Summary: Increases time dependent may apply for certain workers compensation death benefits.

WV S 652 Kessler (D)
Title: Workers' Compensation Benefits
Status: Failed - Adjourned
Summary: Extends workers' compensation benefits for certain crime victim-related mental illnesses.

WV S 674 Kessler (D)
Title: Firefighters Workers' Compensation Claims
Status: Failed - Adjourned
Summary: Relates to certain firefighters workers' compensation claims.

WISCONSIN

WI A 319 Joint Legislative Council
Title: Regional Structural Collapse Teams
Status: Enacted 10/06/2009
Summary: Relates to regional structural collapse teams and granting rule-making authority; governs regional teams established to respond to structural collapse emergencies; considers a contracted team member as an employee of the state for purposes of worker's compensation benefits; specifies circumstances in which the division will reimburse a team for costs incurred in responding to a structural collapse emergency, as well as the obligation of a person responsible for the structural collapse.

WI A 586 Sherman (D)
Title: Reimbursement for Payment for Medical Costs
Status: Failed
Summary: Requires an employer or insurance carrier to reimburse a governmental unit that provides public assistance to pay medical costs occasioned by an injury for which worker's compensation is claimed and payment of a percentage of that reimbursement to an injured employee's attorney who obtains an award of worker's compensation for that injury.

WI S 429 Sullivan (D)
Title: Employment Connected Communicable Diseases
Status: Enacted 05/12/2010
Summary: Relates to establishing a presumption for employment-connected communicable diseases for fire fighters, emergency medical service providers, law enforcement officers, and certain correctional employees.

WI S 522 Coggs (D)
Title: Workers Compensation Law
Status: Enacted 04/21/2010
Summary: Makes various changes to the worker's compensation law; specifies eligibility for volunteer fire fighters, first responders, emergency medical technicians, rescue squad members, and diving team members; increases the maximum compensation rate for certain injuries; makes changes concerning vocational rehabilitation services and certain benefit offsets, burial costs, illegally employed minors, incarcerated employees, occupational deafness, insurer assessments, bad faith claims, and other matters.

WYOMING

WY H 71 Zwonitzer Da (R)
Title: Workers Compensation
Status: Failed
Summary: Relates to workers' compensation; provides for direct appeal of worker's compensation small claims and contested case decisions to the supreme court; specifies applicability; provides for an effective date.

WY S 59 Dockstader (R)
Title: Workers Compensation
Status: Enacted 03/11/2010
Summary: Relates to workers' compensation; provides that coverage for firefighters includes competition during employer sanctioned training events, construction, maintenance or improvement of equipment or facilities utilized in fire protection activities, fundraising, civic affairs or other similar authorized activities.

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