



# Legislative Activity Report

National Council on Compensation Insurance

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Regulatory Services

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RLA-2016-03

Report Contact: Legislative\_Activity@ncci.com

State Issues Contacts: Please refer to the list of State Relations Executives at the end of this report.

## LEGISLATIVE ACTIVITY—LEGISLATIVE SESSION UPDATES

*This report contains descriptions and/or excerpts of relevant bills that passed the first chamber, passed the second chamber, or were enacted during the specific periods. In addition, a recap of significant legislative and judicial activity impacting the workers compensation system will be included in the first report published each month. This report is issued on a weekly basis throughout the legislative season, and it provides updates on the content of these bills if and when they progress through the legislative process. This report includes bills from states where NCCI provides ratemaking services (see state list under Contact Information) and the US Congress.*

### BILLS ENACTED

There were no relevant workers compensation-related bills enacted within the one-week period ending January 22, 2016.

### BILLS PASSING SECOND CHAMBER

There were no relevant workers compensation-related bills that passed the second chamber within the one-week period ending January 22, 2016.

### BILLS PASSING FIRST CHAMBER

The following workers compensation-related bills passed the first chamber within the one-week period ending January 22, 2016.

#### New Hampshire

**HB 372** amends *section 281-A:2, Definitions* of the New Hampshire Statutes as follows:

**281-A:2, Definitions.—**

...

VI.(a)(1) "Employee", with respect to private employment, means any person in the service of an employer subject to the provisions of this chapter under any express or implied, oral or written contract of hire except a railroad employee engaged in interstate commerce whose rights are governed by the Federal Employers' Liability Act. If they elect to be personally covered by this chapter, "employee" includes persons who regularly operate businesses or practice their trades, professions, or occupations, whether individually, or in partnership, or association with other persons, whether or not they hire others as employees.

(2) "Employee," with respect to private employment, shall not include:

(A) A person engaged in agriculture or farm employment for an employer whose aggregate payroll is less than \$10,000 in a calendar year, unless such employer notifies the commissioner that such employer wishes to be included within the provisions of this chapter; the existence of a contract of insurance shall be considered sufficient notice.

(B) Any employer who opts out under subparagraph (A) shall maintain coverage by such employer's liability insurance policy with total limits of not less than \$300,000 and medical payment coverage of not less than \$5,000.

(C) The burden of proof to establish an exempt status under this subparagraph is on the employer claiming the exemption.

...

**SB 409** amends *section 281-A:32-a, First Responder's Critical Injury Benefit* of the New Hampshire Statutes as follows:

**281-A:32-a First Responder's Critical Injury Benefit.—**

I. In addition to other payments made under RSA 281-A, a group II retirement system member may request additional compensation under this section. If the impairment to a group II retirement system member resulting from an injury is partial, with a determination by the department of labor that the employee has reached maximum medical improvement and that such maximum medical improvement is less than 100 percent, the governor may draw a warrant, with approval by the executive council, from funds not otherwise appropriated for payments in addition to benefits payable under this chapter for an award to be paid to such employees in amounts provided by RSA 281-A:28 for the number of weeks set forth in this section for permanent bodily loss or impairment:

(a) Permanent loss or impairment of heart, lung, or brain 208

(b) Permanent loss or impairment of other internal organs 104

(c) Permanent loss or impairment of speech, touch, taste, or smell 104

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. ~~No payments shall be made after July 1, 2016.~~ Benefits paid under this section for all claimants shall not exceed \$500,000.

### Contact Information

If you have any questions about the legislation or proposals mentioned, please contact the appropriate NCCI state relations executive (listed below) or a representative of your local insurance trade association.

State	State Relations Executive	Phone Number
CT, ME, NH, RI, VT	Laura Backus Hall	802-454-1800
FL, IA	Chris Bailey	850-322-4047
AL, GA, KY, LA, MS	Cathy Booth	205-655-2699
AZ, CO, NM, NV, UT	Maggie Karpuk	818-707-8374
DC, MD, VA, WV	David Benedict	804-380-3005
HI	Carolyn Pearl	808-524-6239
IN, NC, SC, TN	Amy Quinn	803-356-0851
AR, IL, KS, TX	Terri Robinson	501-333-2835
AK, ID, MT, OR	Jessica Epley	503-892-8919
MO, NE, OK, SD	Carla Townsend	314-843-4001
Federal Issues	Tim Tucker	202-403-8526

This report is informational and is not intended to provide an interpretation of state and federal legislation.