



State or Federal 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 October 27, 2017.

BILLS PASSING SECOND CHAMBER

There were no relevant workers compensation-related bills that passed the second chamber within the one-week period ending October 27, 2017.

BILLS PASSING FIRST CHAMBER

There were no relevant workers compensation-related bills that passed the first chamber within the one-week period ending October 27, 2017.

FEDERAL ISSUES

Issue	Update
Congressional Hearing on Insurance Regulation	<p>The House of Representatives Committee on Financial Services' Subcommittee on Housing and Insurance held a hearing on the federal government's role in insurance regulation. The principal focus of the hearing was on the current role of the Federal Insurance Office (FIO) in both domestic and international insurance issues. The testimony of witnesses and questions posed by subcommittee members were directed to regulatory framework issues and the proper role of the federal government.</p> <p>Many of the points raised during the hearing were based on two bipartisan bills:</p> <ul style="list-style-type: none"> • The Federal Insurance Office Reform Act of 2017 (HR 3861) would make several changes to the FIO, including: <ul style="list-style-type: none"> ○ Elevating the authority to preempt state insurance measures from the FIO Director to the Secretary of Treasury ○ Limiting the FIO staff to five (5) excluding the Director ○ Limiting the FIO's ability to collect data from the insurance industry ○ Removing certain provisions requiring FIO to conduct studies and issue reports • The International Insurance Standards Act of 2017 (HR 3762) would: <ul style="list-style-type: none"> ○ Clarify federal agencies' roles in insurance regulation ○ Require greater consultation with Congress on international insurance issues ○ Create a mechanism for Congress to stop an international insurance agreement from being enforced ○ Prevent negotiators from agreeing to any international agreement that is inconsistent with or does not reflect federal or state regulations, laws, and policies on the regulation of insurance

The bills included in the following section have been filed, but have not yet passed the first chamber.

STATE LEGISLATIVE ACTIVITY

State	Update
Florida	<p>Although the legislature is not scheduled to convene until January 9, 2018, a few workers compensation measures specific to first responders have been prefiled, including:</p> <ul style="list-style-type: none"> • HB 227 and SB 376, which extend workers compensation benefits for first responders providing that, under specified circumstances, law enforcement officers, firefighters, emergency medical technicians, and paramedics are entitled to benefits for mental or nervous injuries, regardless of whether the injuries are accompanied by physical injuries requiring medical treatment. • SB 126, which revises the standard of proof by which a mental or nervous injury must be demonstrated in first responders when determining eligibility for benefits for employment-related accidents and injuries. This measure also removes the limitation that, for first responders, only medical benefits are payable for a mental or nervous injury unaccompanied by a physical injury.
Illinois	<p>The House failed to override Gov. Bruce Rauner’s veto of HB 2622, a bill that would have created a state-chartered mutual insurance company to compete against private carriers. Rauner said in his August veto message that the bill did “... nothing to address the actual cost drivers and broken aspects of our workers’ compensation system ...” and amounted to “... government interference due to an unfounded belief that the current competitive system is broken.” A three-fifths majority was required to override Rauner’s veto, but House Democrats were only able to obtain 65 of the 71 votes needed.</p>

STATE COMMITTEE ACTIVITY

State	Update
Oregon	<p>Proposed amendments to two regulations have recently been approved:</p> <ul style="list-style-type: none"> • OAR 836-042-0015(8)-(9) previously had required insurers to duplicate filings made to the Department of Consumer and Business Services and submit them to its rating organization for review. The final rule now eliminates the requirement to submit duplicate filings to the rating organization for review. • ORS 737.225 directs the Director to designate the statistical plan for workers compensation insurance, and OAR 836-042-0045 designates the Statistical Plan for Workers Compensation and Employers Liability Insurance. The final rule designates this plan as the NCCI’s Statistical Plan as revised effective January 1, 2018.

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.

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