



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 includes 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 is included in the first report published each month. This report is issued on a weekly basis throughout the legislative season and provides updates on the content of these bills if and when they progress through the legislative process. This report covers 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 July 27, 2018.

### BILLS PASSING SECOND CHAMBER

There were no relevant workers compensation-related bills that passed the second chamber within the one-week period ending July 27, 2018.

### BILLS PASSING FIRST CHAMBER

There were no relevant workers compensation-related bills that passed the first chamber within the one-week period ending July 27, 2018.

## FEDERAL ISSUES

| Issue                                          | Update                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <b>Terrorism Risk Insurance Program (TRIP)</b> | <p>The US Department of the Treasury's Federal Insurance Office (FIO) released its 2018 "Report on the Effectiveness of the Terrorism Risk Insurance Program" in June. FIO is required, under provisions of the Terrorism Risk Insurance Program Reauthorization Act (TRIPRA) of 2015, to collect carrier terrorism insurance data and propose annual reports on the impact of TRIPRA on insurance markets. NCCI and the state independent rating bureaus provide workers compensation data on behalf of individual carriers.</p> <p>Key findings of the report reveal that the Terrorism Risk Insurance Program:</p> <ul style="list-style-type: none"> <li>• Is effective in making terrorism insurance available and affordable</li> <li>• Does not have the effect of discouraging or impeding the property/casualty insurance marketplace</li> <li>• Serves as an important backstop for the workers compensation insurance line, given the compulsory nature of the coverage</li> </ul> <p>The "Report on the Effectiveness of the Terrorism Risk Insurance Program" is available on the federal page of <a href="http://ncci.com">ncci.com</a>.</p> |

## STATE COMMITTEE ACTIVITY

| State               | Update                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <b>South Dakota</b> | The South Dakota Workers Compensation Advisory Council met on July 26, with an agenda to review various reports, including NCCI's Medical Data Report, as well as to solicit suggestions for topics of interest to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Utah</b>         | <p>The Utah Workers' Compensation Advisory Council met on July 19. Among the highlights of the meeting, the Council:</p> <ul style="list-style-type: none"> <li>• Considered results of a previous request to have NCCI analyze the effect of increasing the most common CPT codes (99201–99215) evaluation and management (E&amp;M) from a \$50 conversion factor to \$54 and \$56 to better compensate providers. After discussion, the Council moved to have NCCI reprice the conversion factor for E&amp;M at \$58 and \$60.</li> <li>• Continued discussion of the privatization of the Employers Reinsurance Fund and moved to encourage further consideration for the Workers Compensation Fund to take the liability subject to approval by the labor commissioner, insurance commissioner, legislature, and governor.</li> <li>• Moved to increase, via rule, the burial expense amount from \$9,000 to \$10,500.</li> </ul> |

## OTHER ITEMS OF INTEREST

| State          | Update                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <b>Florida</b> | The Florida Division of Workers' Compensation announced a rule development workshop, which was to be held on August 2 in Tallahassee, Florida. A new rule is being introduced due to the passage of CS/CS/SB 376 related to first responders, which added subsections (5) and (6) to section 112.1815, Florida Statutes (F.S.). Section 112.1815(5)(f), F.S., requires the Department of Financial Services to adopt rules specifying injuries qualifying as grievous bodily harm of a nature that shocks the conscience. |
| <b>Vermont</b> | The Vermont Department of Labor proposed changes to the Workers Compensation and Occupational Disease Rules. The changes amend various definitions to conform with the recent proposed changes to the Workers Compensation Vocational Rehabilitation Rules. Notable components include changes to the average weekly wage calculation to include (rather than exclude) paid leave time during the 26 weeks prior to the injury. Public comment deadline is August 31.                                                     |

### 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 |
|--------------------|---------------------------|--------------|
| IN, NC, SC, TN     | Amy Quinn                 | 561-893-3812 |
| HI, NV, UT         | Brett Barratt             | 801-401-6464 |
| MO, NE, OK, SD     | Carla Townsend            | 561-893-3819 |
| AZ, IA, KS, KY     | Clarissa Preston          | 561-945-4517 |
| DC, MD, NM, VA, WV | David Benedict            | 804-380-3005 |
| CO, FL             | Dawn Ingham               | 561-893-3165 |
| CT, ME, NH, RI     | Justin Moulton            | 860-969-7903 |
| VT                 | Laura Backus Hall         | 802-454-1800 |
| AL, GA, LA, MS     | Laura Hart Bryan          | 225-635-4481 |
| AR, IL, TX         | Terri Robinson            | 501-333-2835 |
| Federal Issues     | Tim Tucker                | 202-403-8526 |
| AK, ID, MT, OR     | Todd Johnson              | 503-892-8919 |

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