



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

The following workers compensation-related bills were enacted within the one-week period ending July 5, 2019.

Connecticut

SB 921 was:

- Passed by the first chamber on April 17, 2019
- Included in NCCI's April 26, 2019 **Legislative Activity Report** (RLA-2019-15)
- Passed by the second chamber on June 5, 2019
- Included in NCCI's June 14, 2019 **Legislative Activity Report** (RLA-2019-22)
- Enacted on July 1, 2019, with an effective date of October 1, 2019

SB 921 amends numerous sections of the Connecticut General Statutes related to advanced practice registered nurses (APRNs), in part, to allow:

- Certain APRNs to diagnose a firefighter with post-traumatic stress disorder after the firefighter witnesses the death of another firefighter in the line of duty, for purposes of workers compensation (current law already applies to licensed and board-certified mental health professionals). This provision applies only to an APRN certified as a psychiatric mental health provider by the American Nurses Credentialing Center.
- APRNs to treat injured employees involved in workers compensation cases by:
 - Specifically allowing the Workers' Compensation Commission chairman to add APRNs to the list of approved providers
 - Making related changes
- APRNs to conduct physical exams for municipal firefighters and police officers upon their entry to service, which may be used in future workers compensation claims involving cardiac emergencies.

Hawaii

HB 390 HD1 SD2 was:

- Passed by the first chamber on March 1, 2019
- Included in NCCI's March 8, 2019 **Legislative Activity Report** (RLA-2019-08)
- Amended and passed by the second chamber on April 9, 2019
- Included in NCCI's April 19, 2019 **Legislative Activity Report** (RLA-2019-14)
- Enacted on July 2, 2019, with an effective date of June 29, 2019

HB 390 HD1 SD2 amends **section 4** of Act 172, Session Laws of Hawaii 2017 to make permanent Act 172, Session Laws of Hawaii 2017, which:

- Grants employees the right to have a chaperone present during a medical examination relating to a workers compensation work injury and, with the approval of the examining physician or surgeon, to record the examination

- Provides that if an employee or employee's chaperone obstructs the medical examination, the employee's right to workers compensation will be suspended until the refusal or obstruction ceases

HB 390 HD1 SD2 also amends **section 4** of Act 172, Session Laws of Hawaii 2017 as follows:

Section 4. This Act shall take effect upon its approval ~~provided that on June 30, 2019, this Act shall be repealed and section 386-79, Hawaii Revised Statute, shall be reenacted in the form in which it read on the day before the effective date of this Act.~~

Rhode Island

HB 5151 was:

- Passed by the first chamber on June 22, 2019
- Passed by the second chamber on June 27, 2019
- Included in NCCI's July 5, 2019 **Legislative Activity Report** (RLA-2019-25)
- Enacted on July 5, 2019, with an effective date of July 1, 2019

HB 5151 Substitute A, in part, amends **sections 21-28.6-4** and **21-28.6-7** of the Rhode Island Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act to read:

§ 21-28.6-4. Protections for the medical use of marijuana.

...
(e) No employer may refuse to employ, or otherwise penalize, a person solely for his or her status as a cardholder, except:

(1) To the extent employer action is taken with respect to such person's:

(i) Use or possession of marijuana or being under the influence of marijuana in any workplace;

(ii) Undertaking a task under the influence of marijuana when doing so would constitute negligence or professional malpractice or jeopardize workplace safety;

(iii) Operation, navigation or actual physical control of any motor vehicle or other transport vehicle, aircraft, motorboat, machinery or equipment, or firearms while under the influence of marijuana; or

(iv) Violation of employment conditions pursuant to the terms of a collective bargaining agreement; or

(2) Where the employer is a federal contractor or otherwise subject to federal law such that failure of the employer to take such action against the employee would cause the employer to lose a monetary or licensing related benefit.

...

§ 21-28.6-7. Scope of chapter.

...

(b) Nothing in this chapter shall be construed to require:

(1) A government medical assistance program or private health insurer or workers' compensation insurer, workers' compensation group self-insurer or employer self-insured for workers' compensation under § 28-36-1 to reimburse a person for costs associated with the medical use of marijuana; or

...

BILLS PASSING SECOND CHAMBER

There were no relevant workers compensation-related bills that passed the second chamber within the one-week period ending July 5, 2019.

BILLS PASSING FIRST CHAMBER

The following workers compensation-related bill passed the first chamber.

North Carolina

HB 220, in part, amends **section 58-36-30** of the North Carolina Insurance Law to read:

§ 58-36-30. Deviations.

...

(c) Any approved rate under subsection (b) of this section with respect to this subsection applies only to workers' compensation and employers' liability insurance written in connection therewith shall be furnished to the Bureau, therewith. A rate in excess of that promulgated by the Bureau may be charged by an insurer on any specific risk if the higher rate is charged in accordance with rules adopted by the Commissioner.

...

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
SC, TN	Amy Quinn	561-893-3812
HI, NM, NV, UT	Brett Barratt	801-401-6464
IL, MO, OK	Carla Townsend	561-893-3819
AZ, KS, KY	Clarissa Preston	561-945-4517
DC, MD, VA, WV	David Benedict	804-380-3005
FL	Dawn Ingham	561-893-3165
IN, NC	Michelle Smith	561-893-3016
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
CO, IA, NE, SD	Stephanie Paswaters	303-200-6728
AR, TX	Terri Robinson	501-333-2835
Federal Issues	Tim Tucker	202-403-8526
AK, ID, MT, OR	Todd Johnson	561-893-3814

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