NCCI The Source You Trust

2026 Legislative and Regulatory Trends Report

NCCI reviews several thousand bills and regulations each year to identify legislation that may impact the workers compensation system.

2026 Legislative and Regulatory Activity by the Numbers*

1,102 State and Federal Bills Monitored

210 Proposed Workers Compensation-Related Regulations

167 Bills Enacted

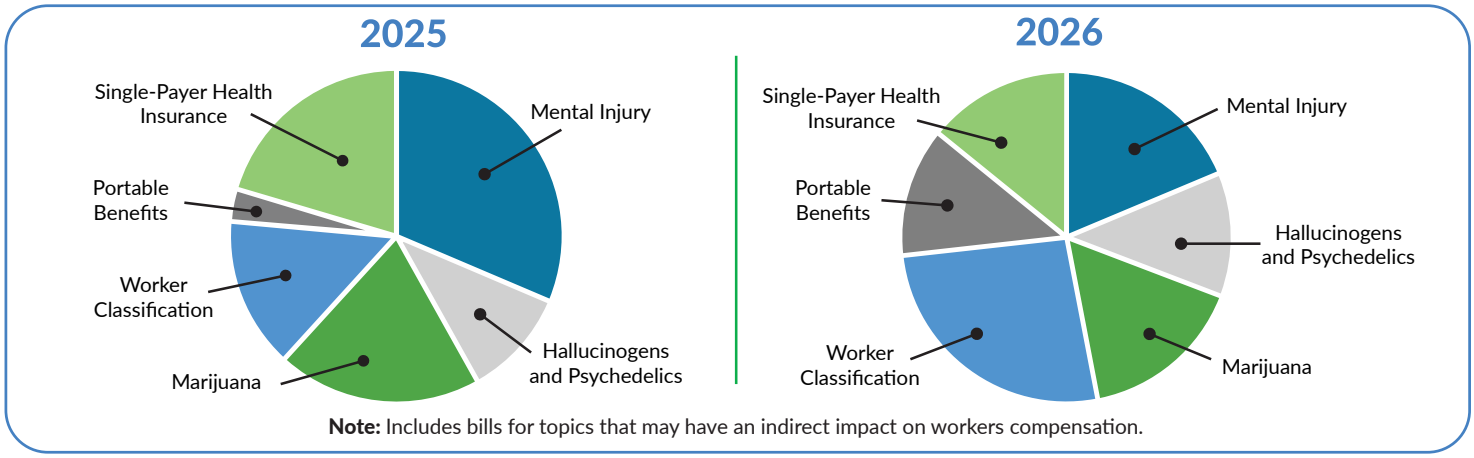
90 Regulations Adopted

*Bills or regulations monitored by NCCI as of 7/31/26 across all jurisdictions.

Topics of Interest at a Glance:

While the topics of interest identified in 2026 are mainly consistent with topics from prior years, the distribution of the number of bills for each issue varies year to year, offering valuable insight.

This year, we saw a shift in the bill mix, with a noticeable increase in worker classification-related bills, primarily driven by numerous portable benefits for independent-contractor legislation across states.



Note: Includes bills for topics that may have an indirect impact on workers compensation.

Worker Classification

The question of whether a worker is an employee or an independent contractor continues to be a focus of public policymakers at both the state and federal levels. **Louisiana**, **Oklahoma**, and **Virginia** have enacted bills regarding worker classification. Other states, including **Alaska**, **California**, **Colorado**, and **New Jersey**, considered legislation that would classify certain workers as independent contractors under certain circumstances.

At the **federal** level, Congress is considering **US** HR 6646, the "Empowering App-Based Workers Act," which promotes transparency and accountability in covered digital labor platform work. This bill addresses, in part, forms of employer control exercised by algorithmic management and may have implications for the classification of app-based workers as independent contractors and, in turn, their access to workers compensation benefits.

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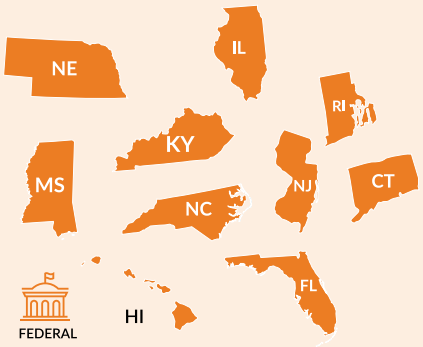
Portable Benefits

Portable benefits are employee benefits—such as workers compensation, health insurance, retirement plans, and paid leave—that are attached to the worker rather than a specific employer, allowing coverage to follow the worker from job to job.

Recent **federal** legislative activity includes a pending bill, which would ensure that the provision of portable benefits to an individual is not considered in determining whether such individual is an employee of a person.

CONSIDERED
PORTABLE BENEFITS LEGISLATION

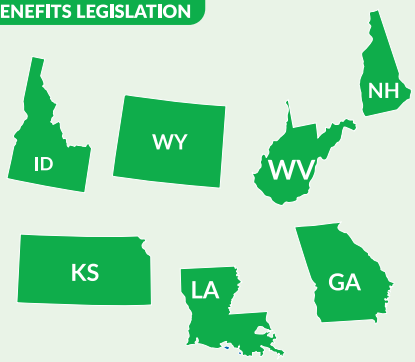
- Connecticut
- Federal
- Florida
- Hawaii
- Illinois
- Kentucky
- Mississippi
- Nebraska
- New Jersey
- North Carolina
- Rhode Island



ENACTED
PORTABLE BENEFITS LEGISLATION

- Georgia
- Idaho*
- Kansas
- Louisiana*
- New Hampshire
- West Virginia*
- Wyoming

*Enacted portable benefits-related bills with a workers compensation component.



Mental Injury

Mental injury-related legislation has been a trending topic in workers compensation for several years. While majority of mental injury bills continue to be related to first responders, most of the mental injury-related legislation in 2026 so far has centered on who can qualify for the coverage, what conditions qualify for coverage, and which medical professionals are authorized to diagnose qualifying conditions.

Several states considered legislation to expand mental injury/PTSD coverage to additional workers, including **Idaho**, **Vermont**, **Washington**, and **West Virginia**. Additionally, several states considered bills to add practitioners who are authorized to diagnose certain mental disorders, including **Maryland**, **Minnesota**, and **New York**.

Other topics of interest also include:

- **Single-Payer Health Insurance**
- **Marijuana Legalization and Reimbursement**
- **Hallucinogens/Psychedelics**

2026 Issues Spotlight

NCCI continues to monitor emerging topics of interest that may directly or indirectly impact workers compensation. As NCCI stays on the pulse of legislative and regulatory activity, new and emerging topics provide insight on potential future changes to workers compensation, including:

- **Workers Compensation Alternatives**
- **Workplace Safety**
- **Artificial Intelligence**
- **Zero-Estimated Exposure Policies**

For More Information Visit:

2026 Legislative and Regulatory Trends Report (PDF)
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