



**NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.—2023 ENACTED LEGISLATION YEAR TO DATE (AS OF 12/31/23)**

[Legislative Activity homepage](#)

**BILLS NEWLY ADDED SINCE THE LAST UPDATE ARE LISTED FIRST AND HIGHLIGHTED IN “YELLOW.”**

**BILLS ENACTED SINCE LAST UPDATE**

JURISDICTION	BILL	SUMMARY
New York	<a href="#">S02574</a>	Relates to tax exemptions for persons with disabilities.

**PREVIOUSLY ENACTED BILLS**

JURISDICTION	BILL	SUMMARY
Arizona	<a href="#">HB 2431</a>	Provides for the charge and collection of additional premiums from public employers to commercial workers compensation insurers that cover firefighters.
Arizona	<a href="#">SB 1164</a>	Requires the Industrial Commission of Arizona to create a fraud unit to investigate workers compensation fraud.
Arkansas	<a href="#">SB 26</a>	Makes an appropriation for personal services and operating expenses for the Department of Labor and Licensing—Workers Compensation Commission for the fiscal year ending June 30, 2024.
Arkansas	<a href="#">SB 390</a>	Amends the law regarding child labor; increases the amount of civil penalties for violations; extends the time for assessments of civil penalties by the Director of the Division of Labor; establishes criminal penalties; establishes penalties for hindering investigations; and clarifies the law regarding workers compensation related to child labor.
California	<a href="#">AB 336</a>	Relates to contractors; workers compensation insurance.
California	<a href="#">AB 489</a>	Extends the authorization to deposit indemnity payments in a prepaid card account until January 1, 2025.
California	<a href="#">AB 594</a>	Relates to Labor Code; alternative enforcement.
California	<a href="#">AB 621</a>	Relates to special death benefit.
California	<a href="#">AB 1140</a>	In part, relates to deleting the notification requirement for when the insurer or licensed rating organization reasonably believes the fraudulent act was not reported to an authorized governmental agency; makes a technical change to correct an erroneous reference in a related provision.
California	<a href="#">SB 138</a>	In part, requires vendors licensed by the department to operate those vending facilities with workers compensation insurance provided by the program through the program’s group policy; authorizes the department to secure payment of compensation through a self-insurance fund or insurance and to establish additional self-insurance or insurance against operational or financial risks, subject to certain limitations; and clarifies that vendors and their employees are not employees of the state within certain legal definitions.
California	<a href="#">SB 623</a>	Relates to post-traumatic stress disorder; requires the Commission on Health and Safety and Workers Compensation to submit reports to the Legislature analyzing the effectiveness of the presumption and a review of claims filed by specified types of employees, not included in the presumption, such as public safety dispatchers, as defined.
Colorado	<a href="#">HB 23-1076</a>	The bill: <ul style="list-style-type: none"> <li>• Relates to increasing the duration of benefits based on mental impairment</li> <li>• Removes the authority to petition over artificial devices</li> </ul>



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		<ul style="list-style-type: none"> <li>• Allows an employee to request a hearing on the loss of total temporary disability benefits under certain circumstances</li> <li>• Updates provisions related to independent medical examinations</li> <li>• Increases the amount of attorney fees that are presumed unreasonable</li> </ul>
Colorado	<u>HB 23-1196</u>	Clarifies that workers compensation is not the exclusive remedy for persons aggrieved by violations of the "Colorado Youth Employment Opportunity Act of 1971."
Colorado	<u>HB 23-1303</u>	Concerns protections in the event of an insurance company failure.
Connecticut	<u>HB 6721</u>	Provides emergency dispatchers with portal-to-portal workers compensation coverage.
Connecticut	<u>HB 6797</u>	Concerns plans for the treatment of workplace injuries and illnesses and establishes working groups to review access to medical records and partial disability payments under the Workers Compensation Act.
Connecticut	<u>HB 6941</u>	In part, requires firefighters who meet certain criteria related to having cancer (or their dependents) to receive compensation and benefits from the firefighters cancer relief account in the same amount and in the same way that they would be provided under the workers compensation law if the firefighter's death or disability qualified for workers compensation benefits; prohibits any firefighter that receives compensation under its provisions from filing a workers compensation claim for a cancer diagnosis unless the firefighters cancer relief account becomes insolvent.
Connecticut	<u>SB 913</u>	Expands workers compensation coverage for post-traumatic stress injuries for all employees.
Delaware	<u>HB 144</u>	Increases the number of members of a limited liability corporation who are eligible for exemption from workers compensation reimbursement from four to eight; and makes the number equal to the number of officers in a traditional corporation who are eligible for exemption.
District of Columbia	<u>B25-0511</u>	Provides that the payment or award of compensation under the workers compensation law of any other state shall not bar a claim for compensation under the District's workers compensation law for the same injury or death; provides that any such award under the District's workers compensation law shall be reduced by the amount of compensation received or awarded under the workers compensation law of any other state.
District of Columbia	<u>PR25-0455</u>	Declares the existence of an emergency with respect to the need to amend the District of Columbia Workers Compensation Act of 1979; provides that the payment or award of compensation under the workers compensation law of any other state shall not bar a claim for compensation under the District's workers compensation law for the same injury or death; and provides that any such award under the District's workers compensation law shall be reduced by the amount of compensation received or awarded under the workers compensation law of any other state.
Florida	<u>HB 487</u>	<p>The bill:</p> <ul style="list-style-type: none"> <li>• In part, authorizes, rather than requires, a judge of compensation claims to order an injured employee's evaluation by an expert medical advisor under certain circumstances</li> <li>• Revises the schedules of maximum reimbursement allowances determined by the three-member panel under the Workers Compensation Law</li> <li>• Revises reimbursement requirements for certain providers</li> <li>• Requires the department to annually notify carriers and self-insurers of certain schedules</li> </ul>



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		<ul style="list-style-type: none"> <li>• Requires the publication of such schedules in a certain manner</li> <li>• Provides construction</li> <li>• Revises factors the panel must consider in establishing the uniform schedule of maximum reimbursement allowances</li> <li>• Deletes certain standards for practice parameters</li> <li>• Revises eligibility requirements for the board of directors of the Florida Self-Insurers Guaranty Association</li> <li>• Authorizes the Chief Financial Officer to remove a director under certain circumstances</li> <li>• Specifies requirements for, and restrictions on, directors</li> <li>• Prohibits directors and employees of the association from knowingly accepting certain gifts or expenditures</li> <li>• Provides penalties</li> </ul>
Florida	<a href="#">HB 837</a>	<p>The bill:</p> <ul style="list-style-type: none"> <li>• Creates a rebuttable presumption that a lodestar fee is a sufficient and reasonable attorney fee in most civil actions:</li> <li>• Provides an exception</li> <li>• Authorizes a court to award attorney fees in certain declaratory actions</li> <li>• Prohibits the transfer, assignment, or acquisition of the right to such attorney fees except by specified persons</li> <li>• Reduces the statute of limitations for negligence actions</li> <li>• Provides applicability of certain provisions to actions involving service members</li> <li>• Provides standards for bad faith actions</li> <li>• Provides for the distribution of proceeds when two or more third-party claims arising out of a single occurrence exceed policy limits</li> <li>• Provides for applicability of specified offer of judgement provisions to civil actions involving insurance contracts</li> <li>• Provides standards for the admissibility of evidence to prove the cost of damages for medical expenses in certain civil actions</li> <li>• Requires certain disclosures with respect to claims for medical expenses for treatment rendered under letters of protection</li> <li>• Specifies the damages that may be recovered by a claimant for the reasonable and necessary cost of medical care</li> <li>• Requires the trier of fact to consider the fault of certain persons who contribute to an injury</li> <li>• Provides that the owner or principal operator of a multifamily residential property which substantially implements specified security measures on that property has a presumption against liability for negligence in connection with certain criminal acts that occur on the premises</li> <li>• Requires the Florida Crime Prevention Training Institute of the Department of Legal Affairs to develop a proposed curriculum or best practices for owners or principal operators</li> <li>• Provides that a party in a negligence action who is at fault by a specified amount may not recover damages under a comparative negligence action</li> <li>• Relates to attorney fees awarded against surplus lines insurers and insurers, respectively</li> </ul>



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		<ul style="list-style-type: none"> <li>Provides for the award of costs and attorney fees in certain actions</li> <li>Relates to attorney fees</li> <li>Provides a directive to the Division of Law Revision</li> </ul>
Florida	<u>HB 1185</u>	In part, reduces the time that an insurer has to cancel a policy for reasons other than material misstatement, nonpayment of premium, or failure to comply with underwriting requirements from 90 days to 60 days.
Florida	<u>SB 418</u>	In part, the bill: <ul style="list-style-type: none"> <li>Revises the timeframe for advance notices from insurers to insureds of automatic bank withdrawal increases</li> <li>Specifies the increase threshold for such notices</li> <li>Revises the types of documents and kinds of insurance for which electronic transmission constitutes delivery to the insured or person entitled to delivery</li> <li>Deletes a requirement to include a certain notice to an insured electing to receive policy documents electronically</li> <li>Deletes a requirement to provide a paper copy of the policy upon request by such person</li> </ul>
Florida	<u>SB 914</u>	In part, permits diagnosis of posttraumatic stress disorder in first responders via telehealth for the purposes of obtaining workers compensation benefits .
Florida	<u>SB 7052</u>	Relates to insurer accountability.
Georgia	<u>HB 480</u>	The bill: <ul style="list-style-type: none"> <li>Changes provisions related to surviving spouse dependency determination and termination</li> <li>Increases the compensation benefits for total disability and temporary partial disability</li> <li>Increases the total compensation payable to a surviving spouse as a sole dependent at the time of death</li> </ul>
Georgia	<u>SB 91</u>	Extends the time period for the dissolution of the Subsequent Injury Trust Fund.
Hawaii	<u>HR 87</u>	Requests the Department of Labor and Industrial Relations to provide and produce updated actuarial studies regarding the lifespan probabilities of surviving dependent beneficiaries.
Hawaii	<u>HR 158</u>	Requests the Department of Labor and Industrial Relations to continue to recognize and accept the right of a provider of service to assign the right to participate in a workers compensation billing dispute to a billing company.
Hawaii	<u>SB 696</u>	Authorizes wages of other employees in comparable employment to be considered when computing the average weekly wages of an injured public board member, reserve police officer, police chaplain, reserve public safety law enforcement officer, sheriffs' chaplain, volunteer firefighter, volunteer boating enforcement officer, or volunteer conservation and resources enforcement officer. Clarifies computation of average weekly wages of an injured volunteer firefighter for workers compensation benefits purposes.
Hawaii	<u>SCR 134</u>	Requests the Department of Labor and Industrial Relations to continue to recognize and accept the right of a provider of service to assign the right to participate in a workers compensation billing dispute to a billing company; review the workers compensation law for proposed amendments to ensure that service providers



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[Legislative Activity homepage](#)

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		may assign the right to negotiate a bill dispute to a billing company; and include the proposed amendments in a report to the legislature prior to the regular session of 2024.
Hawaii	<u>SR 148</u>	Requests the Department of Labor and Industrial Relations to analyze the available data on Hawaii workers compensation cases relating to death benefits for the past ten years and obtain any additional data from the Hawaii Insurers Council or any other state or federal source to recommend any updates to the workers compensation law.
Idaho	<u>H 18</u>	Removes a sunset clause from a provision that makes psychological injuries suffered by first responders compensable.
Illinois	<u>HB 47</u>	In part, provides that if the entry of an Order of Liquidation occurs on or after January 1, 2023, then the obligations shall not exceed \$500,000, except that this limitation shall not apply to any workers compensation claims, or exceed without any deduction \$50,000 for any unearned premium claim or refund under any one policy.
Illinois	<u>HB 3856</u>	Concerns state government.
Illinois	<u>SB 214</u>	Amends the Public Employee Disability Act. In part, states that any salary compensation due to the ill person from workers compensation or any salary due to the employee from any type of insurance, which may be carried by the employing public entity shall revert to that entity during the time for which continuing compensation is paid to the employee under this Act.
Iowa	<u>SF 549</u>	Relates to captive insurance companies; and includes applicability provisions.
Kansas	<u>HB 2020</u>	Relates to the employment status of a driver of a motor carrier; prohibits the altering of employment status for requiring safety improvements on the vehicle; relates to the Kansas transportation network company services act; and establishes conditions for when a driver is an independent contractor for a transportation network company.
Kansas	<u>HB 2093</u>	<p>The bill:</p> <ul style="list-style-type: none"> <li>• Relates to certain group-funded insurance pools and certain municipal insurance coverage</li> <li>• Discontinues payments paid to the Group-Funded Pools Fee Fund and the Group-Funded Workers Compensation Fee Fund</li> <li>• Transfers such balances and abolishes such funds</li> <li>• Establishes the Group-Funded Pools Refund Fund</li> <li>• Refunds the balance thereof and abolishes such fund on July 1, 2024</li> <li>• Adjusts the basis upon which certain premium tax calculations are made</li> <li>• Requires such premium taxes to be paid 90 days after each calendar year and bases such premium taxes upon the gross premiums collected for the previous calendar year</li> <li>• Adds fire districts to the definition of "municipality" for purposes of the payment of COBRA premiums under certain circumstances: amends K.S.A. 12-2624, 40-1709 and 44-588</li> <li>• Repeals the existing sections</li> </ul>



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		<ul style="list-style-type: none"> <li>Repeals K.S.A. 12-2623 and 44-587</li> </ul>
Kentucky	<u>HB 157</u>	Relates to urban search and rescue and makes an appropriation therefor.
Kentucky	<u>HB 210</u>	Relates to the Kentucky Insurance Guaranty Association Act.
Kentucky	<u>HB 394</u>	Relates to professional employer organizations.
Kentucky	<u>HB 502</u>	Relates to healthcare services agencies.
Kentucky	<u>SB 10</u>	Relates to registration of professional employer organizations.
Kentucky	<u>SB 47</u>	Relates to medicinal cannabis.
Louisiana	<u>HB 281</u>	Expands the purpose of the Louisiana Automobile Theft and Insurance Fraud Prevention Authority to, in part, include workers compensation fraud, whether committed by or on behalf of a claimant, insured, or insurer.
Louisiana	<u>HB 489</u>	Relates to ratemaking systems utilized by insurers and rate service organizations.
Louisiana	<u>SB 96</u>	Relates to the Louisiana Insurance Guaranty Association and the Louisiana Citizens Property Insurance Corporation; provides immunity from any penalties awarded in regard to property insurance claims; and provides for exceptions.
Maine	<u>LD 53</u>	Ensures accountability for workplace sexual harassment and sexual assault by removing certain intentional torts from workers compensation exemptions.
Maine	<u>LD 1123</u>	Creates a presumption that a cardiovascular injury or disease or pulmonary disease suffered by certain law enforcement officers is in the course of employment.
Maine	<u>LD 1372</u>	Amends the workers compensation self-insurance laws to allow for the use of fronting companies.
Maine	<u>LD 1803</u>	Improves the Maine Workers Compensation Act of 1992.
Maryland	<u>HB 800</u>	Specifies that 25% of the net recovery by the debtor on a claim for workers compensation is subject to execution on a judgment for a child support arrearage.
Maryland	<u>HB 902</u>	Establishes that a hernia caused as a result of repetitive trauma may be considered an occupational disease and be compensable subject to certain provisions of the workers compensation law.
Maryland	<u>SB 71</u>	Specifies that 25% of the net recovery by the debtor on a claim for workers compensation is subject to execution on a judgment for a child support arrearage.
Maryland	<u>SB 377</u>	Alters the circumstances under which the payment of a benefit by a governmental unit or quasi-public corporation to a covered employee offsets the liability for benefits under the workers compensation law; and states that it is the intent of the General Assembly that the Maryland Association of Counties and the Professional Fire Fighters of Maryland jointly research and report data and analysis on the effects of the Act by December 1, 2024, to interested parties and certain committees of the General Assembly.
Maryland	<u>SB 839</u>	Establishes that a hernia caused as a result of repetitive trauma may be considered an occupational disease and be compensable subject to certain provisions of the workers compensation law.
Minnesota	<u>HF 2988</u>	<p>The bill:</p> <ul style="list-style-type: none"> <li>Adopts recommendations of the 2023 Workers Compensation Advisory Committee</li> <li>Modifies workers compensation self-insurance</li> </ul>



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[Legislative Activity homepage](#)

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		<ul style="list-style-type: none"> <li>Improves system efficiencies</li> <li>Modifies the permanent partial disability schedule; requires a post-traumatic stress disorder study and report</li> </ul>
Minnesota	<u>SF 2909</u>	<p>The bill:</p> <ul style="list-style-type: none"> <li>Provides law for judiciary, public safety, crime, sentencing, evidence, courts, law enforcement, firearms, controlled substances, corrections, clemency, expungement, rehabilitation and reinvestment, civil law, community supervision, supervised release, and human rights</li> <li>Provides for rulemaking</li> <li>Provides for reports</li> <li>Provides for criminal and civil penalties</li> <li>Appropriates money for judiciary, Guardian ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, human rights, sentencing guidelines, public safety, fire marshal, Office of Justice programs, emergency communication, Peace Officer Standards and Training Board, Private Detective Board, corrections, Ombudsperson for Corrections, Board of Public Defense, juvenile justice, and law enforcement education and training</li> </ul>
Minnesota	<u>SF 2995</u>	Relates to Omnibus Health and Human Services appropriations.
Mississippi	<u>HB 917</u>	Places the Mississippi Workers Compensation Commission office building under the supervision and care of the Department of Finance and Administration.
Missouri	<u>SB 24</u>	In part, establishes post-traumatic stress disorder (PTSD), as described in the Diagnostic and Statistical Manual of Mental Health Disorders, Fifth Edition (DSM-5), as a compensable occupational disease under workers compensation when diagnosed in first responders.
Missouri	<u>SB 101</u>	Relates to property and casualty insurance; repeals the law establishing Missouri Employers Mutual (MEM) as a public corporation and all connected statutes; and specifies a process under which MEM may convert to a private mutual insurance corporation under the general insurance laws, authorized to write any lines of insurance permitted under Missouri law.
Missouri	<u>SB 186</u>	In part, establishes post-traumatic stress disorder (PTSD), as described in the Diagnostic and Statistical Manual of Mental Health Disorders, Fifth Edition (DSM-5), as a compensable occupational disease under workers compensation when diagnosed in first responders.
Montana	<u>HB 178</u>	Revises laws relating to employee injuries during social or recreational activities at the worksite of the employer.
Montana	<u>HB 427</u>	Provides that members of the National Guard and Air National Guard are entitled to workers compensation while on state duty; provides that the Department of Military Affairs must cover the difference between workers compensation benefits and the injured member's federal compensation rate.
Montana	<u>HB 490</u>	Relates to independent contractor tax evasion and fraud; clarifies business practices for construction contractors who hire independent contractors; revises independent contractor violation penalties; requires the Department of Labor and Industry to order an uninsured employer to cease operations.
Montana	<u>HB 590</u>	Relates to violence against health care workers and workers employed by health care providers; provides for reporting of violence against a health care worker; requires a report to the Department of Justice of violence against health care workers.
Montana	<u>HB 636</u>	Relates to exemptions from the Workers Compensation Act; revises ownership interest requirements relating to a corporation or a limited liability company.
Montana	<u>HB 702</u>	Repeals the termination date related to reimbursement of workers compensation premiums for certain work-based learning opportunities.



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[Legislative Activity homepage](#)

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Montana	<u>HB 836</u>	The bill: <ul style="list-style-type: none"> <li>• Provides for the Commissioner of Insurance to issue a regulatory sandbox waiver</li> <li>• Allows the Commissioner to grant a variance or waiver with respect to requirements of the insurance code</li> <li>• Provides for applications to the Commissioner</li> <li>• Provides for considerations in granting the waiver</li> <li>• Provides limits on the grant of a waiver</li> <li>• Provides for consumer disclosures</li> <li>• Provides for time limitations on the grant of a waiver</li> <li>• Provides for fees and penalties</li> <li>• Provides rulemaking authority</li> <li>• Provides a termination date</li> </ul>
Montana	<u>SB 22</u>	Revises independent contractor laws; provides Department of Labor and Industry analysis relating to the employment status of a person; revises laws related to independent contractor exemption certificates; and requires Department of Labor and Industry analysis in certain circumstances.
Montana	<u>SB 310</u>	Adds presumptive occupational diseases proximately caused by firefighting activities.
Montana	<u>SB 492</u>	The bill: <ul style="list-style-type: none"> <li>• Relates to the recovery of costs in an action for which an insurer has been found to not owe a duty to defend the insured</li> <li>• Prohibits an insurer from recovering certain costs</li> <li>• Provides an exception allowing an insurer to recover certain costs</li> <li>• Provides exceptions to applicability</li> </ul>
Nebraska	<u>LB 191</u>	Adopts the Critical Infrastructure Utility Worker Protection Act and changes provisions relating to the Contractor Registration Act, the Employment Security Law, the Nebraska Workers Compensation Act, and the Rural Workforce Housing Investment Act.
Nebraska	<u>LB 799</u>	Changes judges' salaries, judgeships in county courts and the Nebraska Workers Compensation Court; relates to the Supreme Court and the College of Law.
Nevada	<u>AB 165</u>	Revises provisions governing the payment in a lump sum for certain claimants with a permanent partial disability.
Nevada	<u>AB 239</u>	In part, revises the term of membership of the Chair of the Appeals Panel for Industrial Insurance; and authorizes the Commissioner of Insurance to perform certain actions relating to meetings of the Appeals Panel.
Nevada	<u>AB 410</u>	Revises the circumstances in which certain employees are authorized to receive compensation under industrial insurance for certain stress-related claims.
Nevada	<u>SB 145</u>	The bill: <ul style="list-style-type: none"> <li>• Relates to employee misclassification; authorizes the Labor Commissioner to collect investigative costs</li> <li>• Revises provisions relating to the communication between offices of certain state agencies of information relating to employee misclassification</li> </ul>



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[Legislative Activity homepage](#)

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		<ul style="list-style-type: none"> <li>Revises the administrative penalties that may be imposed for certain conduct relating to employee misclassification</li> <li>Eliminates the Task Force on Employee Misclassification</li> </ul>
Nevada	<u>SB 274</u>	<p>The bill:</p> <ul style="list-style-type: none"> <li>Revises requirements for the administration of certain insurance claims and the maintenance and accessibility of certain insurance records</li> <li>Removes the requirement that certain entities maintain a telephone service to accept collect calls from injured employees</li> <li>Revises the circumstances under which the Administrator of the Division of Industrial Relations of the Department of Business and Industry is authorized to remove a physician or chiropractic physician from a list or panel of physicians and chiropractic physicians who may provide certain services relating to the Nevada Industrial Insurance Act</li> <li>Requires the Administrator to publish certain reports</li> <li>Authorizes certain physicians and chiropractic physicians to decline to perform certain evaluations; revises procedures for the selection of a physician or chiropractic physician to perform certain evaluations and examinations</li> <li>Revises provisions relating to independent medical examinations</li> <li>Revises provisions relating to benefits for a permanent partial disability</li> <li>Revises provisions relating to an appeal of certain determinations of the Administrator</li> <li>Revises procedures for the reimbursement of an insurer that pays for an increase in certain compensation or benefits</li> <li>Requires the Administrator to post certain information on the Internet website of the Division</li> <li>Increases the amount of certain penalties for certain violations of the Nevada Industrial Insurance Act or the Nevada Occupational Diseases Act</li> <li>Revises provisions relating to the imposition and payment of benefit penalties</li> <li>Revises certain requirements for certain investigations conducted by the Administrator</li> </ul>
New Hampshire	<u>HB 2</u>	In part, redirects workers compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process; and alters the composition of the workers compensation appeal board.
New Hampshire	<u>SB 71</u>	Allows for workers compensation for firefighter cancer disease of all types.
New Jersey	<u>S 3309</u>	Raises maximum workers compensation fees for evaluating physicians; expands circumstances for which physician legal fees are permitted.
New Mexico	<u>HM 83</u>	Requests the Workers Compensation Administration to convene a task force to study the impact and effect of attorney fees and attorney fee caps on the workers compensation system in New Mexico.
New York	<u>A05609</u>	Relates to providing language access services.
New York	<u>S01161</u>	Relates to schedule in case of disability.
New York	<u>S06410</u>	Relates to deductibles offered by public group self-insurers.
North Carolina	<u>HB 259</u>	Makes base budget appropriations for current operations of state agencies, departments, and institutions.



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[Legislative Activity homepage](#)

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North Carolina	<u>SB 409</u>	Makes various changes to criminal and civil laws. In part, establishes an independent Office of the State Fire Marshal in the Department of Insurance, prescribes the powers and duties of that office, and amends certain firefighter programs.
North Carolina	<u>SB 452</u>	Makes various changes to the insurance laws of North Carolina. In part, amends the insurance rate-making laws.
North Dakota	<u>HB 1052</u>	Relates to preventive treatment, requests for reconsideration of claim decisions issued by Workforce Safety and Insurance; provides employer account information, calculation of an employer's premium and creates a presumption of accuracy, an employer conducting business with a known uninsured employer, requests for reconsideration of employer decisions issued by Workforce Safety and Insurance, and privacy of records; and provides for a legislative management report; provides for application.
North Dakota	<u>HB 1279</u>	Relates to compensability for cardiac events for firefighters and law enforcement officers; relates to documentation required for firefighters and law enforcement officers and the presumption of compensability for firefighters and law enforcement officers; provides for retroactive application.
North Dakota	<u>HB 1381</u>	Relates to classifying a transportation network company driver as an independent contractor.
North Dakota	<u>SB 2039</u>	Repeals sections 65-01-19 and 65-03-05 of the North Dakota Century Code relating to workforce safety and insurance pilot programs and safety grant programs reports to the legislative management.
North Dakota	<u>SB 2040</u>	Relates to quadrennial performance evaluation of workforce safety and insurance and the workers compensation review committee.
Ohio	<u>HB 31</u>	Makes appropriations for the Bureau of Workers Compensation for the biennium beginning July 1, 2023, and ending June 30, 2025; provides authorization and conditions for the operation of the Bureau's programs, and makes changes to the Workers Compensation Law.
Oklahoma	<u>HB 1028</u>	Relates to the Administrative Workers Compensation Act; relates to costs of administering the act; modifies distribution of certain funds; limits period of certain distribution; provides for return of distributions on certain date.
Oklahoma	<u>HB 1738</u>	Relates to death benefits for certain survivors; increases death benefit amount.
Oklahoma	<u>SB 1069</u>	Relates to insurance; rehabilitation and liquidation; contracts; and establishes requirements for insurance receivers.
Oregon	<u>HB 3412</u>	Authorizes physician assistants to provide same level of service as nurse practitioners for workers compensation claims in managed care organization setting; and increases from 60 days to 180 days period beginning on first visit on initial claim that physician assistant may be primarily responsible for treatment of workers compensable injury.
Oregon	<u>HB 3471</u>	The bill: <ul style="list-style-type: none"> <li>• Makes unlawful employment practice for employer to make offer to negotiate settlement agreement conditional upon worker also entering into agreement that includes no-rehire provision</li> <li>• Makes unlawful employment practice for employer to make offer for settlement agreement conditional upon worker also entering into agreement that includes no-rehire provision unless certain criteria are met</li> <li>• Specifies actions that would not constitute violation</li> <li>• Makes violation enforceable by Commissioner of Bureau of Labor and Industries or by civil action</li> </ul>



**NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.—2023 ENACTED LEGISLATION YEAR TO DATE (AS OF 12/31/23)**

[Legislative Activity homepage](#)

**BILLS NEWLY ADDED SINCE THE LAST UPDATE ARE LISTED FIRST AND HIGHLIGHTED IN “YELLOW.”**

JURISDICTION	BILL	SUMMARY
Oregon	<u>SB 418</u>	Removes minimum time period that injured worker must be absent from work for compensable medical services before injured worker may receive temporary disability benefits for such absence. Provides that notice required before insurer or self-insured employer may end temporary disability benefits does not apply to benefits paid for such absence.
Rhode Island	<u>H5710</u>	Relates to labor and labor relations; workers compensation; and general provisions.
Rhode Island	<u>H5870</u>	Relates to health and safety; and licensing of nursing service agencies.
Rhode Island	<u>H6461</u>	Relates to labor and labor relations; workers compensation; and benefits.
Rhode Island	<u>S0427</u>	Relates to labor and labor relations; workers compensation; and general provisions.
Rhode Island	<u>S0927</u>	Relates to health and safety; and licensing of nursing service agencies.
Rhode Island	<u>S1081</u>	Relates to labor and labor relations; workers compensation; and benefits.
Tennessee	<u>SB 97</u>	Enacts the Garrison-Jordan Survivor Benefits Act. Relates to: <ul style="list-style-type: none"> <li>• Remarriage of a surviving spouse</li> <li>• Death benefits</li> <li>• Compensation paid to children</li> <li>• Compensation paid to dependents</li> </ul>
Tennessee	<u>SB 263</u>	Makes various changes to the Workers Compensation Law.
Tennessee	<u>SB 856</u>	Enacts the "James 'Dustin' Samples Act."
Texas	<u>HB 90</u>	Relates to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.
Texas	<u>HB 471</u>	Relates to the entitlement to and claims for benefits for certain first responders and other employees related to illness and injury.
Texas	<u>HB 679</u>	Relates to limitations on the use of workers compensation insurance experience modifier values in soliciting and awarding public construction contracts.
Texas	<u>HB 2314</u>	Relates to filing death benefits claims under the workers compensation system.
Texas	<u>HB 2468</u>	Relates to the entitlement of an injured employee to lifetime income benefits under the workers compensation system.
Texas	<u>HB 3335</u>	Relates to employment activities of certain peace officers responding to an emergency call for purposes of the Texas Workers Compensation Act.
Texas	<u>SB 833</u>	Relates to consideration by insurers of certain prohibited criteria for ratemaking.
Texas	<u>SB 1122</u>	Relates to the exclusion of certain medical services performed to determine an appropriate level of workers compensation benefits from sales and use taxes.
Texas	<u>SB 1659</u>	Relates to the sunset review process and certain governmental entities subject to that process.
Utah	<u>HB 11</u>	Relates to volunteer government workers amendments.
Utah	<u>HB 555</u>	Relates to Talent Ready Utah Program modifications.
Utah	<u>SB 159</u>	Relates to occupational injuries amendments.
Vermont	<u>H 217</u>	Relates to child care, early education, workers compensation, and unemployment insurance.



**NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.—2023 ENACTED LEGISLATION YEAR TO DATE (AS OF 12/31/23)**

[Legislative Activity homepage](#)

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JURISDICTION	BILL	SUMMARY
Vermont	<u>H 471</u>	Makes numerous changes to Vermont’s tax laws, including to personal income tax, meals and rooms tax, sales and use tax, use value appraisal, property valuation, the homestead property tax credit, and property transfer tax.
Vermont	<u>S 73</u>	Adds breast cancer, lung cancer, thyroid cancer, and cancers originating in the reproductive system to the cancers for which a firefighter may be eligible to receive workers compensation.
Virginia	<u>HB 1408</u>	Expands the workers compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include bladder and thyroid cancer. The presumption for these cancers does not apply for any individual diagnosed with such a condition before July 1, 2023.
Virginia	<u>HB 1410</u>	Expands the workers compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include (i) arson investigators or bomb investigators employed by the Department of State Police and (ii) members of the State Police Officers' Retirement System who collect, analyze, or handle hazardous materials, infectious biological substances and radiological agents, fentanyl, or methamphetamine.
Virginia	<u>HB 1775</u>	Provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers Compensation Act on the same basis as post-traumatic stress disorder, except in the case of responding to crime scenes for investigation; provides that a mental health professional must diagnose the covered individual as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, defined in the bill as an incident or exposure occurring in the line of duty on or after July 1, 2023, and includes other conditions for compensability.
Virginia	<u>HB 2418</u>	Provides that, subject to approval of the State Corporation Commission, two or more workers compensation group self-insurance associations may merge if the resulting group self-insurance association assumes in full all obligations of the merged group self-insurance associations.
Virginia	<u>SB 904</u>	Provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers Compensation Act on the same basis as post-traumatic stress disorder, except in the case of responding to crime scenes for investigation; provides that a mental health professional must diagnose the covered individual as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, defined in the bill as an incident or exposure occurring in the line of duty on or after July 1, 2023, and includes other conditions for compensability.
Virginia	<u>SB 906</u>	Expands the workers compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include bladder and thyroid cancer. The presumption for these cancers does not apply for any individual diagnosed with such a condition before July 1, 2023.
Virginia	<u>SB 975</u>	Changes references to certain practitioners in the Code to advanced practice registered nurse in order to align the Code with the professional designations established by the Consensus Model for Advanced Practice Registered Nurses Regulation established by the National Council of State Boards of Nursing.
Virginia	<u>SB 1038</u>	Expands the workers compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include (i) arson investigators or bomb investigators employed by the Department of State Police and (ii) members of the



**NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.—2023 ENACTED LEGISLATION YEAR TO DATE (AS OF 12/31/23)**

[Legislative Activity homepage](#)

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JURISDICTION	BILL	SUMMARY
		State Police Officers' Retirement System who collect, analyze, or handle hazardous materials, infectious biological substances and radiological agents, fentanyl, or methamphetamine.
Washington	<u>HB 1068</u>	Concerns injured workers' rights during compelled medical examinations.
Washington	<u>HB 1197</u>	Defines attending provider and clarifies other provider functions for workers compensation claims; adds psychologists as attending providers for mental health-only claims.
Washington	<u>HB 1262</u>	Establishes a lump-sum reporting system.
Washington	<u>HB 1452</u>	Establishes a state medical reserve corps.
Washington	<u>HB 1521</u>	Relates to industrial insurance self-insured employer and third-party administrator penalties and duties.
Washington	<u>SB 5156</u>	Expands the farm internship program.
Washington	<u>SB 5454</u>	Concerns industrial insurance coverage for post-traumatic stress disorders affecting registered nurses.
West Virginia	<u>HB 2029</u>	Repeals the creation of an all-payer claims database.
West Virginia	<u>HB 3270</u>	Relates to the deliberate intent exception to the immunities provided under Workers Compensation; clarifies certain definitions of employee; clarifies the proof required for certain claims; clarifies the recoverable amount payable for compensatory damages for noneconomic losses; and requires a yearly increase in certain limitations for compensatory damages to account for inflation.
West Virginia	<u>SB 661</u>	Relates to the preferential recall rights of an employee who is off work due to a compensable injury: <ul style="list-style-type: none"> <li>• Provides that any demand for reinstatement made by an injured employee must be made in writing</li> <li>• Provides for how and where the demand for reinstatement must be mailed</li> <li>• Provides requirements for an injured employee’s reinstatement to his or her former position</li> <li>• Provides for a preferential recall time period of 120 days when the injured employee is employed by contractors</li> <li>• States that it is the employee’s obligation to continually seek the possibility of employment during the preferential recall period</li> <li>• Provides that the employee’s right to preferential recall terminates once the employer offers the employee his or her former position or a comparable position</li> </ul>
Wyoming	<u>SF 4</u>	Amends the extra hazardous industries codes to conform with changes to the North American Industry Classification System manual.



## NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.—2023 ENACTED LEGISLATION YEAR TO DATE (AS OF 12/31/23)

[Legislative Activity homepage](#)

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### Contact Information

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

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