

**FISCAL NOTE**  
**HOUSE BILL NO. 1279**  
**LC# 23.0029.04000**  
**01/31/2023**

**1 - State Fiscal Effect**

*Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2021-2023 Biennium		2023-2025 Biennium		2025-2027 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

**2 - County, City, School District, and Township Fiscal Effect**

*Identify the fiscal effect on the appropriate political subdivision.*

	2021-2023 Biennium	2023-2025 Biennium	2025-2027 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

**3 - Bill and Fiscal Impact Summary**

*Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

see attached

**4 - Fiscal Impact Sections Detail**

*Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

see attached

## **5 - Revenues Detail**

*For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

## **6 - Expenditures Detail**

*For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

## **7 - Appropriations Detail**

*For information shown under state fiscal effect in 1 or 2, please explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

## **Contact Information**

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**Date Prepared:** 01/31/2023

**WORKFORCE SAFETY & INSURANCE**  
**2023 LEGISLATION**  
**SUMMARY OF ACTUARIAL INFORMATION**

**BILL NO:** Engrossed HB 1279

**BILL DESCRIPTION:** **Presumption Clause—Cardiac Event Coverage for Law Enforcement Officers and Firefighters, Minimum Service Requirements, and Medical Examination Requirements**

**SUMMARY OF ACTUARIAL INFORMATION:** Workforce Safety & Insurance, together with its consulting actuaries, The Burkhalter Group, has reviewed the legislation proposed in this bill in conformance with Section 54-03-25 of the North Dakota Century Code.

The amended legislation provides that the five-year continuous service requirement required for full-time paid law enforcement and paid firefighter personnel for eligibility for conditions covered under the presumption clause can include full-time paid service outside of the state; adjusts requirements related to periodic medical examinations; and extends presumption coverage to full-time paid law enforcement and paid firefighter personnel with less than five years of continuous service for cardiac related events that result from strenuous activity and occur within 48 hours of engaging or participating in that activity; provides for retroactive application for claims filed after October 1, 2021; and declares the Act to be an emergency measure.

**Rate Level Impact:** To the extent future losses emerge with the expanded coverage, we would anticipate rates for the law enforcement and paid firefighter classifications to be adjusted accordingly.

**Reserve Level Impact:** The proposed legislation provides for retroactive application, specifically:

*This Act applies retroactively to a claim for workers' compensation benefits filed after October 1, 2021, regardless of date of injury. A full-time paid firefighter or law enforcement officer who submitted a claim for benefits between October 1, 2021, and the effective date of this Act may resubmit the claim if the initial claim was denied by the organization for not being a compensable injury.*

Based on current information, the reserve level impact of the proposed legislation will likely be limited to one known claim and potentially two other claims. This assumes the proposed legislation applies to injuries occurring and claims filed after October 1, 2021. We currently do not have the necessary claim cost detail information to provide an estimate of the ultimate claim costs.

**DATE:** January 31, 2023