

For over 100 years, we've cared for injured employees and promoted safe workplaces.

Contact: Valerie Kingsley  
vkingsley@nd.gov  
701-328-3885



## NORTH DAKOTA WORKFORCE SAFETY & INSURANCE

### WHO WE ARE

**260**

Full-Time Team Member Authority

**1.2**

Temporary Team Members

**15**

Average years of service

**49.5**

Average age

**9%**

Retirement-eligible

**3.75%**

Turnover rate

### WHAT WE'RE ABOUT

**Who We Are:** WSI is an exclusive, employer-financed, no-fault insurance state fund covering workplace injuries and deaths. **WSI is a special fund agency and receives no general fund dollars.**

**Core Purpose:** To care for injured workers

**Business Definition:** We provide workers' compensation and safety services

**Vision:** A safe, secure, and healthy North Dakota Workforce

**Core Values:** Loyal, Caring, and Forthright

**Strategic Anchors:** Exceptional People, Exceptional Service, and Financial Stability

### WHO WE SERVE

#### Employees

WSI's highest priority is the health and safety of our North Dakota workforce. In the event of an injury, our goal is to help an injured worker regain their health and return to work.



#### Employers

WSI provides workers' compensation coverage in North Dakota and administers safety programs and services to provide a safe and healthy workforce.



#### Medical Providers

WSI partners with medical providers to help reduce and prevent long-term disability by getting an injured worker back to work quickly and safely.



**Covered Workforce: 391,512**

**Employer Accounts: 25,452**

**Claims Filed: 17,483**

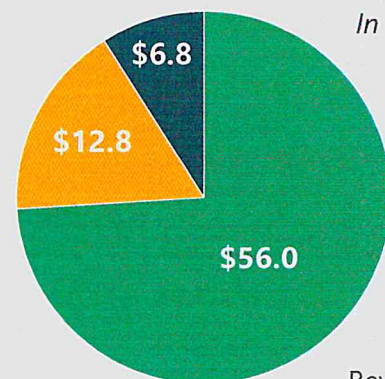
### 2023-2025 BIENNIAL BUDGET APPROPRIATION

#### Budget

#### Appropriation:

- Base Level: \$67,307,383
- Optional Budget Changes: \$8,417,572

- Salary
- Operating
- One-time Funding



In Millions

Revised 12/29/2022

# NORTH DAKOTA WORKFORCE SAFETY & INSURANCE

## WHAT WE'RE PROUD OF AND HOW WE MEASURE SUCCESS

**Safety Focus** – Injury rates have been reduced by over 30% over the last decade. In fiscal year 2022, WSI issued \$22 million in safety premium discounts to employers for successful participation in Safety Programs.

**Few Disputes & Low Litigation** – North Dakota is known to be one of the least litigious workers' compensation systems in the country. Only 0.6% of decisions issued proceed to an administrative court hearing.

**Financially Strong** – The WSI fund exceeds statutory surplus requirements. WSI issued \$1.7 billion in employer dividends in the past 17 out of 18 years. Average 5-year WSI fund investment returns was 4.2%.

**Enhance Technology** – The goal of CAPS and myWSI is to improve customer service, enhance system maintainability and create a self-service portal for our external customers and stakeholders.

**Strong Statutory Benefits** – North Dakota provides a favorable benefit package for injured workers as compared to other jurisdictions.

**Low Premiums** – Premiums were reduced for the 7<sup>th</sup> consecutive year with an average 4.2% reduction for the current policy year. North Dakota continuously ranks as the lowest premium state in the nation (2022 Oregon Premium Study).

**Good Payor** – Fair payment for medical and hospital services ensures injured workers access to quality healthcare. WSI fee schedules range from 158% to 217% of what Medicare would pay.

**Customer Satisfaction** – WSI's customer satisfaction consistently ranks high on 1 to 5-point scale: Employer – 4.39; Injured Worker – 4.12; Medical Provider – 3.94

## WHAT WE DO

### Claims Management

Assists injured workers on their journey to recovery by adjudicating and managing claims. This includes managing benefits such as medical, wage-loss, and rehabilitation.

### Policyholder Services

Guides employers through the process of securing North Dakota workers' compensation insurance. Also provides premium billing, auditing, and collection services to North Dakota policyholders.

### Customer Service

Supports WSI's internal operations by receiving and answering customer calls and inquiries.

### Safety Services

Offers employers loss control consultations, education and training, safety incentive programs, and safety grants to ensure workers have a safe and healthy workplace.

### Return to Work Services

Assists injured workers in the management of medical recovery and return to work through nurse case management, vocational case management, and retraining programs.

### Medical Services

Delivers medical providers educational and administrative services to assist in the treatment of injured workers. Services include prior authorization, billing and payment, and pharmacy services.

## Employee Engagement & Development

**Employee Engagement** – The results of the October 2022 Team ND Engagement Survey for WSI's overall employee engagement level was 4.18 (on a 5-point scale), remaining steady with the 2021 results. WSI had a response rate of 91%, compared to 80% in 2021.

**Employee Development** – WSI developed and launched a new leadership program, **bildU**, in the fall of 2022 with the goal of educating and providing our emerging leaders with the necessary tools to be successful.

**2023 Senate Bill No. 2021  
Testimony before the Senate Appropriations Committee**

**Presented by:  
Art Thompson, WSI Director  
Workforce Safety & Insurance  
January 5, 2023**

Mr. Chairman and Members of the Committee:

Good morning. My name is Art Thompson, Director of Workforce Safety & Insurance (WSI). I am here today to provide testimony on Senate Bill 2021, WSI's Appropriation bill. On behalf of WSI, I would like to thank the Chairman and the Committee for providing the agency the opportunity to testify today.

My testimony today will be brief. We have provided you with PowerPoint slides. I will reference various slides that will assist in providing you an overall picture of WSI.

**Background**

WSI is a special fund agency funded solely by employer premiums, which provide for the payment of medical and wage loss benefits as well as administrative expenses. WSI receives no General Fund dollars (**slide 2**).

WSI provides coverage to over 25,000 North Dakota businesses with an estimated covered workforce of 391,000. WSI receives approximately 18,000 claims per year (**slide 3**).

**WSI's Core Purpose** is "To care for injured workers". That is why WSI exists (**slide 4**).

To accomplish this, WSI has a well-established strategic plan. The strategic plan has guided our focus and has resulted in a high performing organization that is valued by our stakeholders and recognized by industry leaders (**slide 5 – 6**).

Throughout history, the North Dakota Legislature has also worked closely with WSI to develop policy to help ensure this purpose is fulfilled.

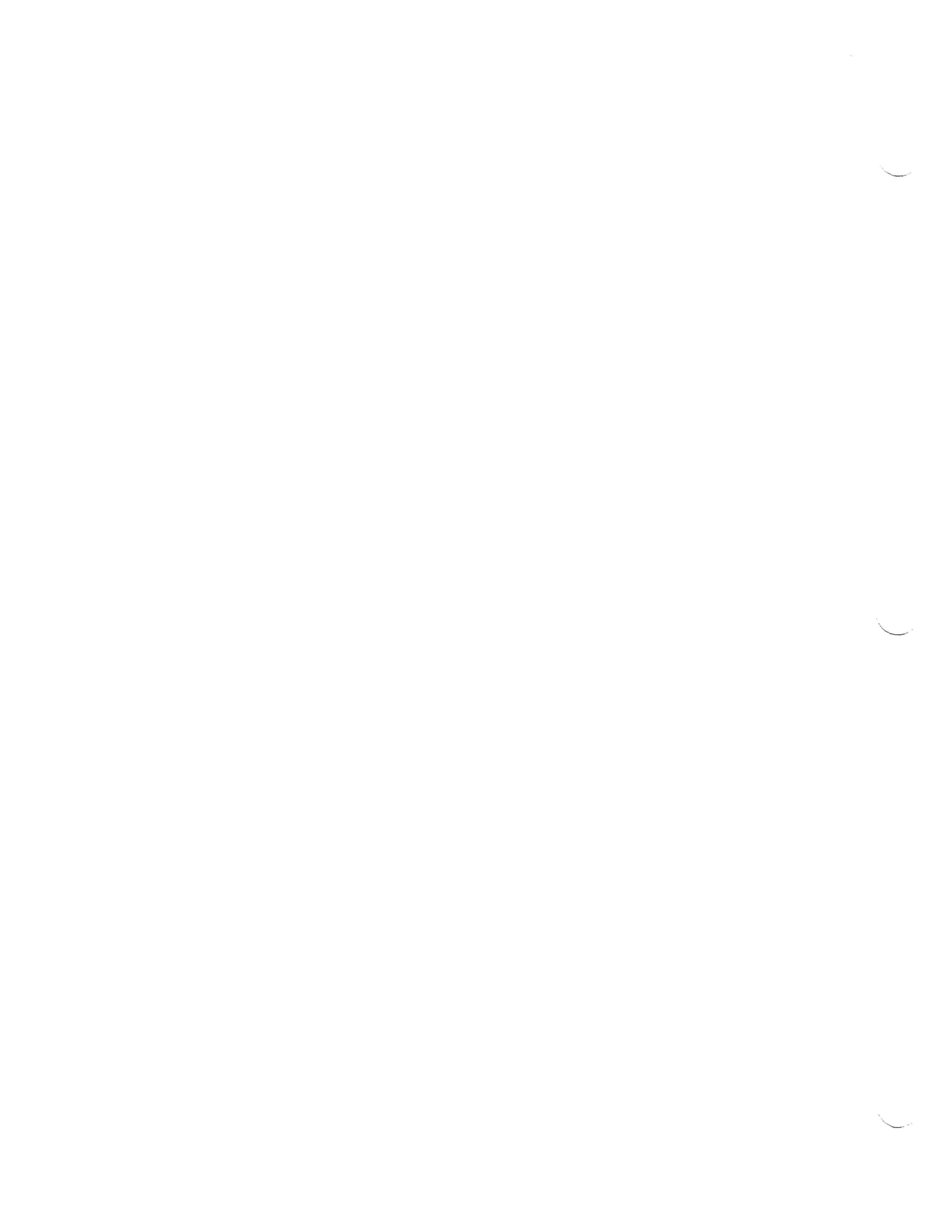
Collectively, this has resulted in a high performing workers compensation system. Success measures include a variety of performance indicators that we track on a routine bases (**slides 7 - 15**):



- Safety Focus
  - WSI has 13 Loss Control Specialists located regionally in ND to assist employers with safety assessment and safety program and grant implementation.
  - We have seen a 30% injury rate reduction in the last decade.
  - In fiscal year 2022, WSI issued \$22 million in safety premium discounts to employers for successful participation in Safety Programs.
  - WSI has issued \$64.7M in safety grants since 2005.
  
- Strong Statutory Benefits
  - North Dakota provides a favorable benefit package for injured workers as compared to other jurisdictions.
  - WSI administers a constitutionally created fund for the benefit of injured workers. Funds are not available for any other purpose.
  - North Dakota's maximum weekly benefit rate is the 3<sup>rd</sup> highest when compared to the 15 Midwest states (see **slides A8 – A11** for additional benefit information).
  
- Few Disputes & Low Litigation
  - North Dakota is known to be one of the least litigious workers' compensation systems in the country.
  - Only 0.6% of decisions issued proceed to an administrative court hearing.
  - Utilize Decision Review Office to provide initial analysis and review of disputed claims.
  
- Financially Strong
  - State law outlines WSI's required surplus levels which are 20% to 40% of reserve liabilities.
  - If WSI's surplus exceeds statutory surplus requirements; the statute requires dividends to be issued to policyholders.
  - The WSI fund exceeds statutory surplus requirements. WSI issued \$1.7 billion in employer dividends in the past 18 years.
  - For the current year, a 50% dividend credit was declared, which equates to an estimated \$80 million dividend.
  - Historically, favorable returns from WSI's investment portfolio have resulted in additional surplus growth.



- WSI fund investment returns for the last five years (FYs 2018-2022) have averaged 4.2%, ranging between -9.04% and 11.57% per year.
- Low Premiums
  - Premiums were reduced for the 7th consecutive year with an average 4.2% reduction for the current policy year.
  - North Dakota continuously ranks as the lowest premium state in the nation (2022 Oregon Premium Study) this is approximately 54% lower than the median rate.
- Good Payor to Medical Providers
  - Fair payment for medical and hospital services ensures injured workers access to quality healthcare.
  - WSI fee schedules range from 158% to 217% of what Medicare would pay.
- High Customer Satisfaction
  - WSI's customer satisfaction consistently ranks high on 1 to 5-point scale: Employer – 4.39; Injured Worker – 4.12; Medical Provider – 3.94
- Enhanced Technology
  - The goal of CAPS and myWSI is to improve customer service, enhance system maintainability and create a self-service portal for our external customers and stakeholders.
  - We are committed to improving our technology and response to customer needs through two long-term system upgrades that will be discussed in more detail in our budget recommendation discussion.





**WSI 2023-2025 Appropriation Request**

**Budget Recommendation  
2023-2025 SB 2021**

Budget Overview	2021-2023 Appropriation	2023-2025 Governor's Recommendation	Variance
Salary & Fringe Benefits (base level)	51,625,492	51,408,976	
Executive Recommendation Revisions			
Agency Salary & Fringe increases		4,608,051	
<b>Total Salary &amp; Fringe</b>		<b>56,017,027</b>	
<b>Total Operating</b>	<b>10,497,436</b>	<b>12,927,928</b>	
<b>Base Budget Total</b>	<b>62,122,928</b>	<b>68,944,955</b>	<b>11.0%</b>
<b>One-Time items</b>			
CAPS	7,500,000	4,950,000	
myWSI	3,050,000	1,830,000	
Building Updates	514,000	-	
<b>Total One Time Items</b>	<b>11,064,000</b>	<b>6,780,000</b>	<b>-38.7%</b>
<b>Total Budget</b>	<b>73,186,928</b>	<b>75,724,955</b>	<b>3.5%</b>
<b>Total FTE's</b>	<b>260.14</b>	<b>260.14</b>	<b>0.0%</b>

The Governor's Budget Recommendation for WSI includes (slides 16 - 18):

- 6% and 4% salary and benefits package:
  - WSI currently is in a good position in terms of staffing compared to other agencies – concern is retaining and recruiting employees to fill roles soon to be vacated by a growing retirement eligible team.
  - This compensation package is necessary to maintain pace with the private sector as well as the continued support of state-funded benefits for employees.



- \$4.95 million in one-time funding for the continuation of the development of the claims and policy system (CAPS); and
- \$1.83 million in one-time funding for the continuation of the myWSI extranet enhancement project.

The Governor's recommended budget for 2023-25 would result in a total biennial budget increase, including one-time funding items, of 3.5% from the prior biennium. We firmly believe the technology initiatives outlined above will only serve to make us better in the services that we provide.

Additionally, and for your benefit, included within the appendix of the PowerPoint is the following:

A1 – WSI Organization Chart

A2 – Financial Audit & ARPA Funding

A3 – A7 Historical Trends

A8 – A11 State by State Average Weekly Wage & Benefit Comparisons

A12 – A13 State by State Premium Comparisons

A14 – A18 Historical Workers Compensation Benefit & Service Enhancement Legislation

WSI is financially stable, provides excellent service, and is overall functioning very well. In closing, thank you for your time today and your consideration of WSI's biennial appropriation. At this time, I would be glad to answer any questions that you may have.



Great State of  
North Dakota  
senate  
Appropriations  
Committee



Art Thompson | Director  
January 5, 2023





# Who We Are

## About Us

WSI is an exclusive, employer-financed, no-fault insurance state fund covering workplace injuries and deaths (NDCC Title 65).

**WSI is a special fund agency and receives no general fund dollars.**

## Our Vision

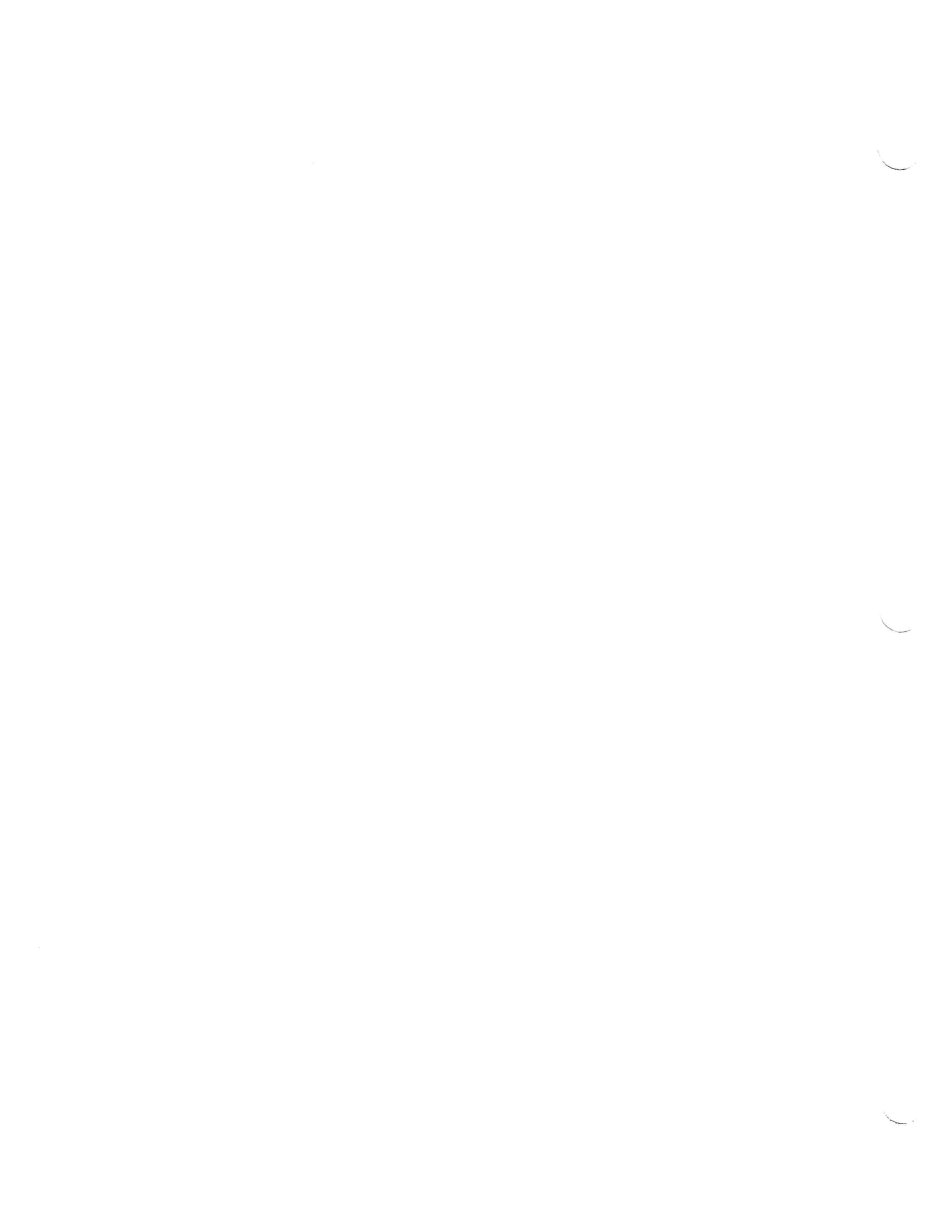
As the sole provider and administrator of workers' compensation in North Dakota, WSI's vision is a safe, secure, and healthy North Dakota workforce.





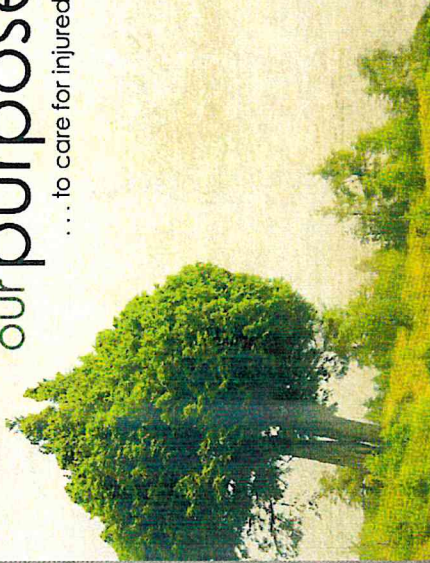
# Who We Serve

State Population:	779,000
Covered Workforce	391,512
Employer Accounts	25,452
Number of Claims Filed Per Fiscal Year	17,483
WSI Staff	260 FTE
Net Earned Premiums	\$163M
WSI Assets	\$2.1B



# WSI's Strategic Direction

our purpose  
... to care for injured workers



Loyal  
Caring  
Forthright

our core values

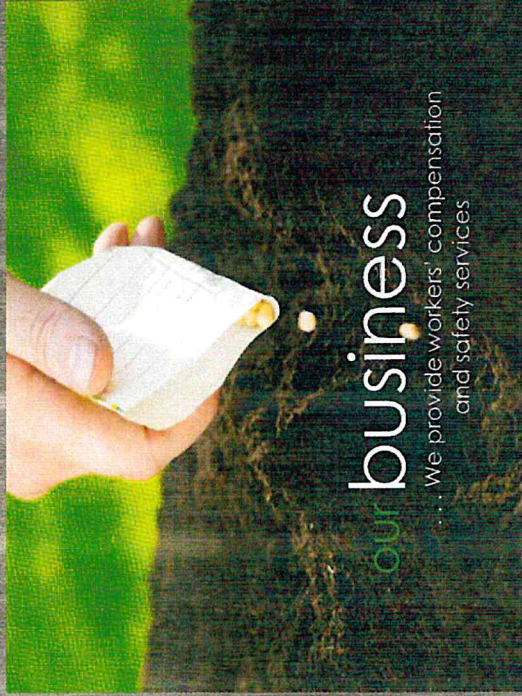


our strategy

- ✓ Exceptional People
- ✓ Exceptional Service
- ✓ Financial Stability

our business

... We provide workers' compensation  
and safety services





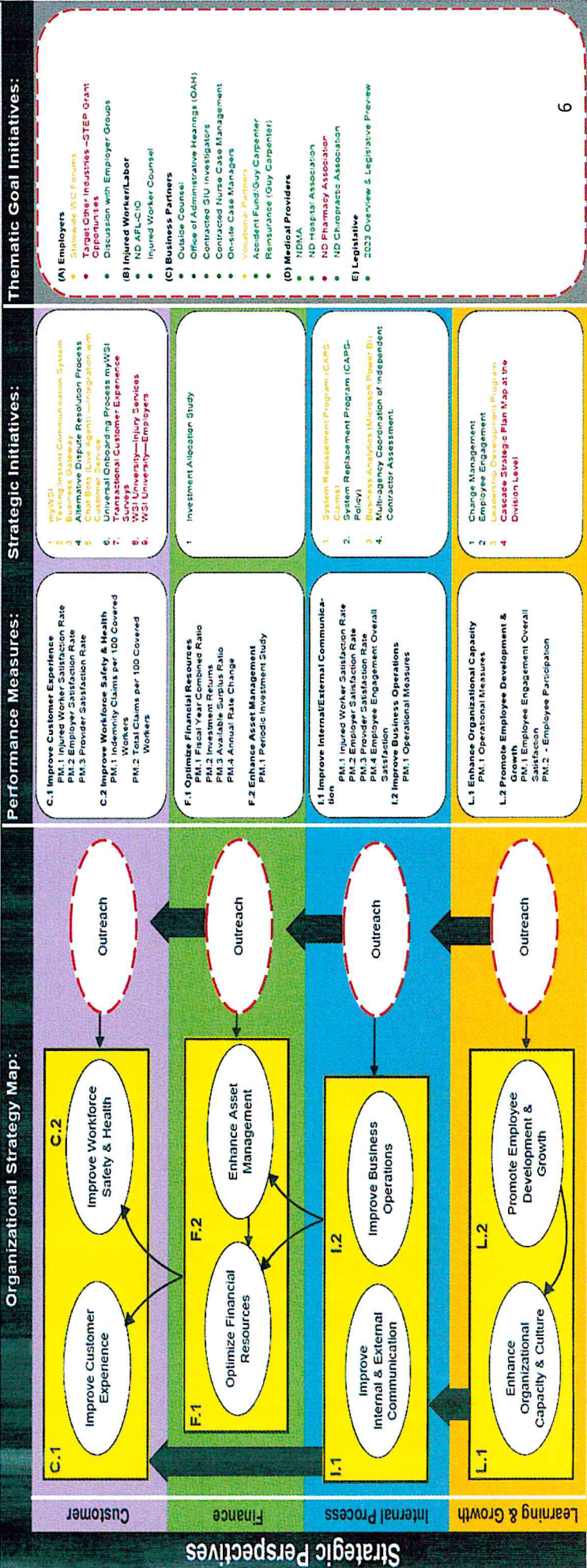
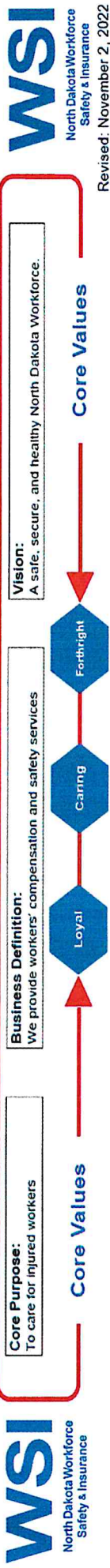
# WSI's Business

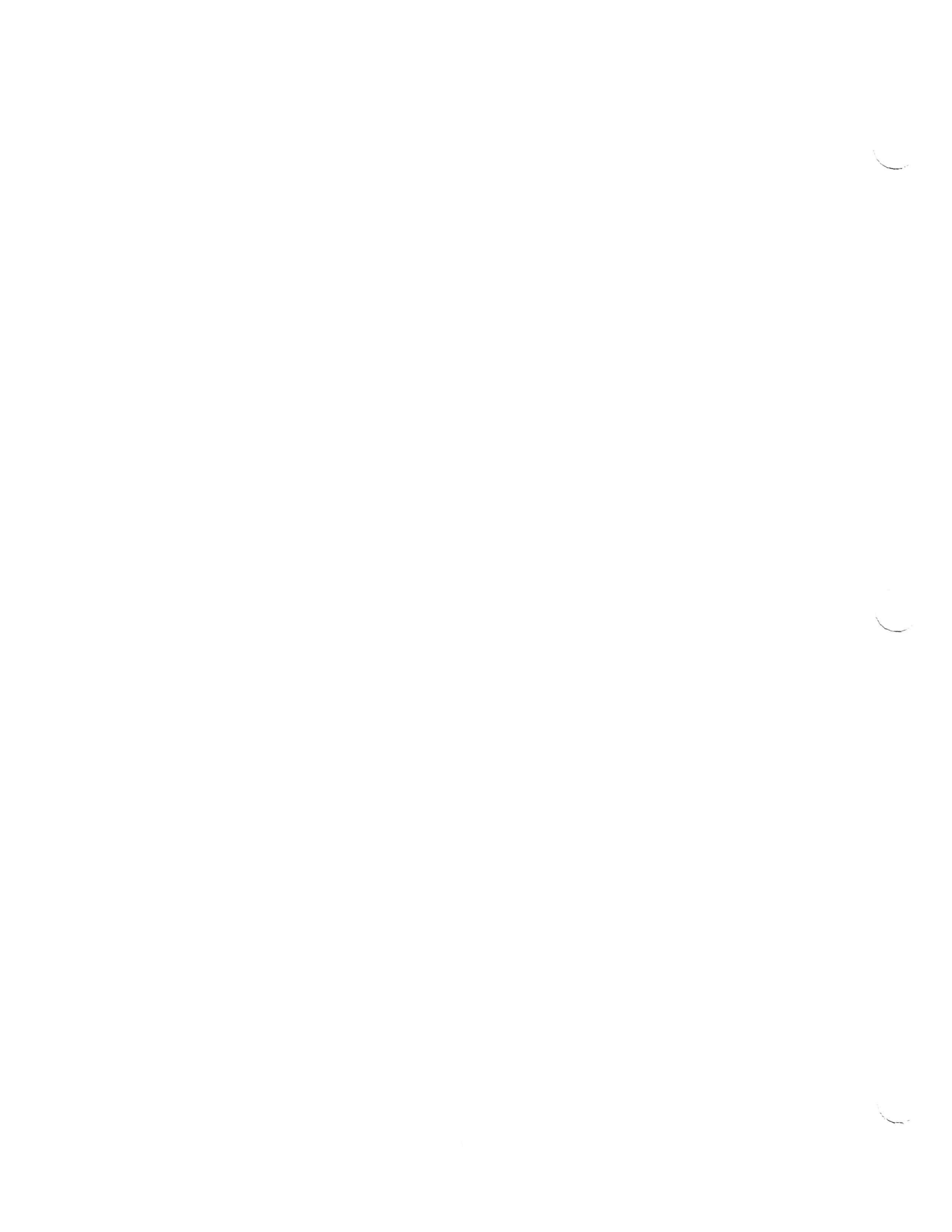
WSI's strategic plan has guided our focus and has resulted in a high performing organization that is valued by our stakeholders and recognized by industry leaders. **Our business is about relationships and partnerships.**



# WSI's Strategic Direction

2022 N.D. Workforce Safety & Insurance – Strategic Management System







# HOW WSI MEASURES SUCCESS

## Safety Focus

Injury rates have been reduced by over 30% over the last decade. In fiscal year 2022, WSI issued \$22 million in safety premium discounts to employers for successful participation in Safety Programs.

## Few Disputes & Low Litigation

North Dakota is known to be one of the least litigious workers' compensation systems in the country. Only 0.6% of decisions issued proceed to an administrative court hearing.

## Financially Strong

The WSI fund exceeds statutory surplus requirements. WSI issued \$1.7 billion in employer dividends in the past 17 out of 18 years. Average 5-year WSI fund investment returns was 4.2%.

## Enhance Technology

The goal of CAPS and myWSI is to improve customer service, enhance system maintainability and create a self-service portal for our external customers and stakeholders.

## Strong Statutory Benefits

North Dakota provides a favorable benefit package for injured workers as compared to other jurisdictions.

## Low Premiums

Premiums were reduced for the 7<sup>th</sup> consecutive year with an average 4.2% reduction for the current policy year. North Dakota continuously ranks as the lowest premium state in the nation (2022 Oregon Premium Study).

## Good Payor

Fair payment for medical and hospital services ensures injured workers access to quality healthcare. WSI fee schedules range from 158% to 217% of what Medicare would pay.

## Customer Satisfaction

WSI's customer satisfaction consistently ranks high on 1 to 5-point scale: Employer – 4.39; Injured Worker – 4.12; Medical Provider – 3.94



# WSI's SUCCESS

## **Safety Focus**

Injury rates have been reduced by over 30% over the last decade. In fiscal year 2022, WSI issued \$22 million in safety premium discounts to employers for successful participation in Safety Programs.



# WSI's SUCCESS

## **Strong Statutory Benefits**

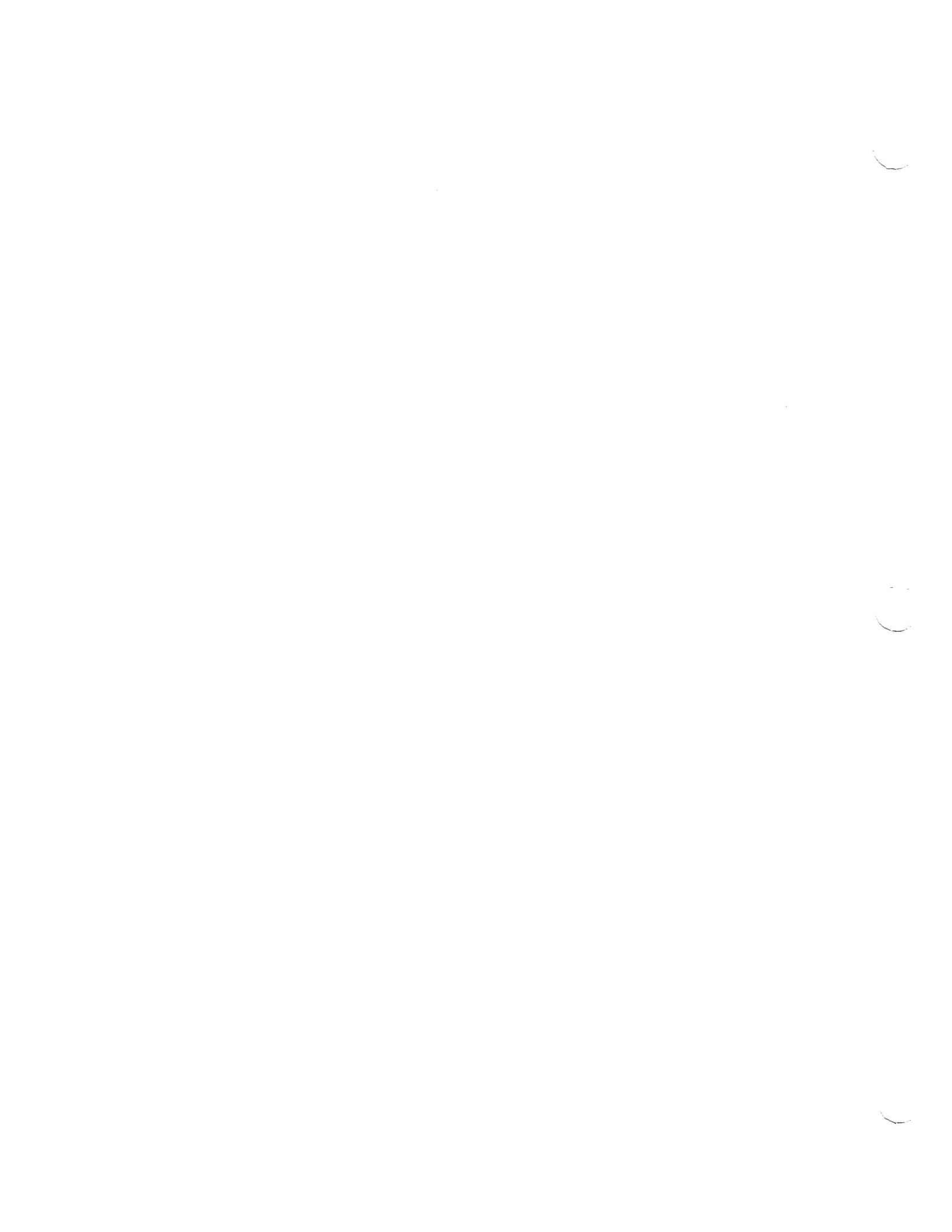
North Dakota provides a favorable benefit package for injured workers as compared to other jurisdictions.



# WSI's SUCCESS

## **Few Disputes & Low Litigation**

North Dakota is known to be one of the least litigious workers' compensation systems in the country. Only 0.6% of decisions issued proceed to an administrative court hearing.





# WSI'S SUCCESS

## Financially Strong

The WSI fund exceeds statutory surplus requirements. WSI issued \$1.7 billion in employer dividends in the past 17 out of 18 years. Average 5-year WSI fund investment returns was 4.2%.



# WSI'S SUCCESS

## **Low Premiums**

Premiums were reduced for the 7<sup>th</sup> consecutive year with an average 4.2% reduction for the current policy year. North Dakota continuously ranks as the lowest premium state in the nation (2022 Oregon Premium Study).



# WSI's SUCCESS

## **Good Payor**

Fair payment for medical and hospital services ensures injured workers access to quality healthcare. WSI fee schedules range from 158% to 217% of what Medicare would pay.



# WSI's SUCCESS

## High Customer Satisfaction

WSI's customer satisfaction consistently ranks high on 1 to 5-point scale:  
Employer – 4.39; Injured Worker – 4.12;  
Medical Provider – 3.94





# WSI's SUCCESS

## **Enhance Technology**

The goal of CAPS and myWSI is to improve customer service, enhance system maintainability and create a self-service portal for our external customers and stakeholders.





## WSI 2023-2025 Biennial Appropriation Request

WSI Base Level Appropriation		2021-2023 WSI Appropriation	2023-2025 Governor's Recommendations
1	<b>One-Time Funding Description</b>	\$62,122,928	\$68,944,955
	Claims and Policy System (CAPS)	\$7,500,000	\$4,950,000
	myWSI	\$3,050,000	\$1,830,000
	Building Updates	\$514,000	-
2	Total One-Time Funding	\$11,064,000	\$6,780,000
	WSI Biennial Appropriation (1 + 2)	\$73,186,928	\$75,724,955
	FTE Authority	260	260
	<ul style="list-style-type: none"> <li>Many of WSI's key initiatives are heavily dependent on the continued development CAPS and myWSI</li> <li>The ongoing technology initiatives, primarily the two major projects, will be the key budget priorities</li> <li>Unspent funds are returned to the WSI fund</li> </ul>		

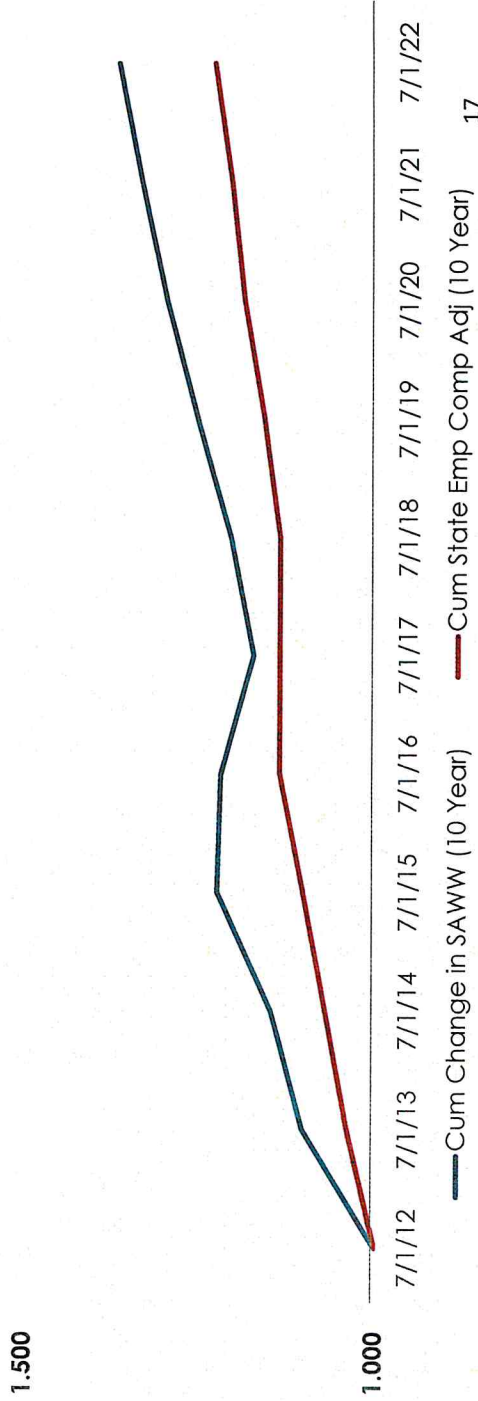


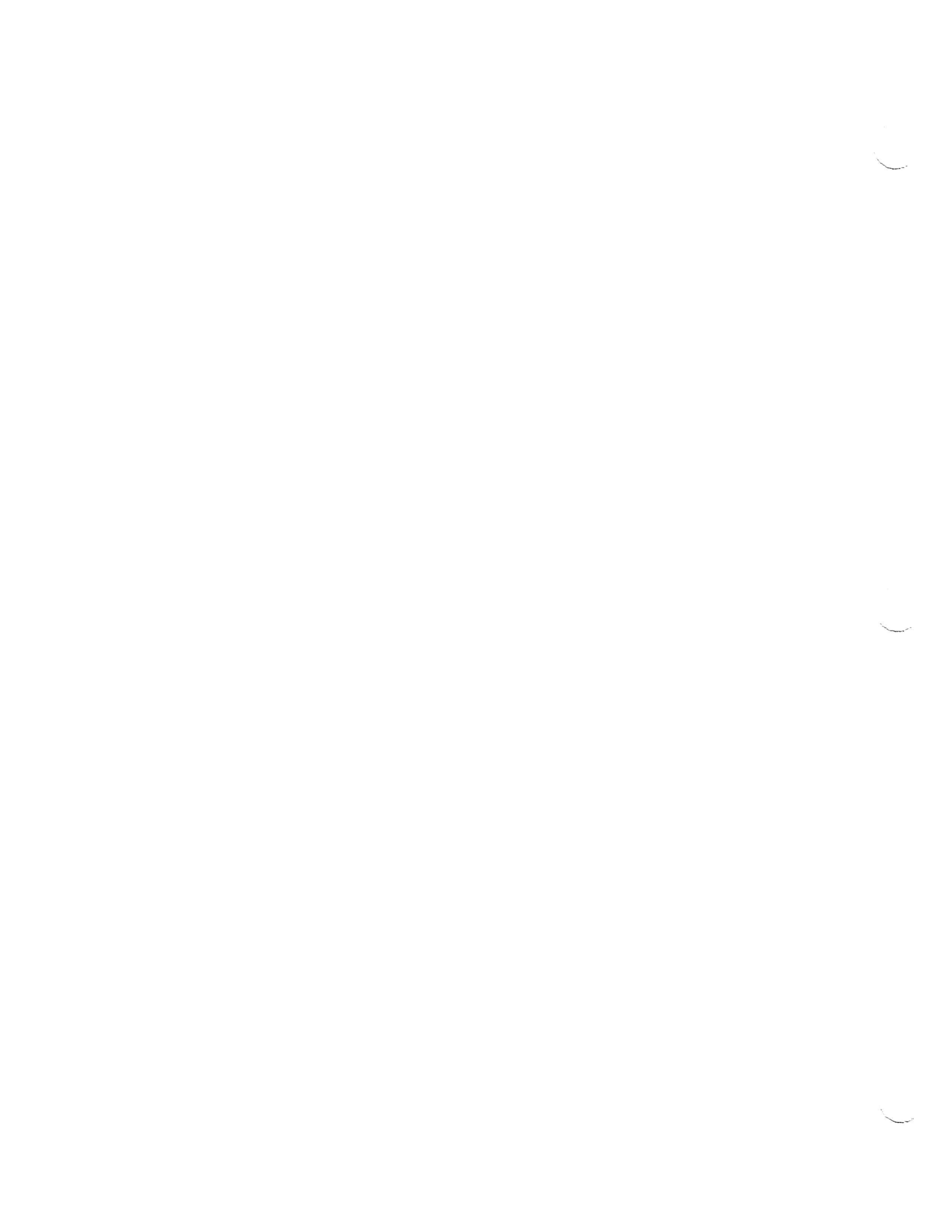


## Governor's Compensation Package (6 + 4)

- Over the last decade, State's Average Weekly Wage growth rate has outpaced state employee authorized compensation adjustments by about 2:1
- The continued trend will impact state employee retention

Cumulative SAWW Change vs. State Employee Compensation Adjustments





# One-Time Funding

## Continued Development of Claims and Policy System (CAPS)

The goal of CAPS is to replace WSI's core business system software with web-based technology in order to improve customer service, enhance system maintainability and provide enhanced reporting and accessibility to information.

**Current Biennium - \$7,500,000    Next Biennium - \$4,950,000**

## Continued Development of myWSI

The goal of myWSI is to create a secure, self-service portal for external customers and stakeholders to view, update, submit and retrieve information relating to interactions with WSI.

**Current Biennium - \$3,050,000    Next Biennium - \$1,830,000**





# WSI Summary

- ✓ WSI is financially stable, with proven programs to reduce workplace injuries and to treat and return Injured Workers to the job.
- ✓ WSI is a good steward of premium dollars.
- ✓ WSI is a strong partner with the medical community.
- ✓ WSI is recognized for strong employee engagement and morale; Support of proposed total rewards package will help maintain and grow team.
- ✓ Governor's proposal would result in a total biennial increase, including one-time funding, of 3.5% from the prior biennium.



# Questions

**WSI**

North Dakota Workforce  
Safety & Insurance

NORTH  
**Dakota** Be Legendary.



# Appendix

**A1 – WSI Organization Chart**

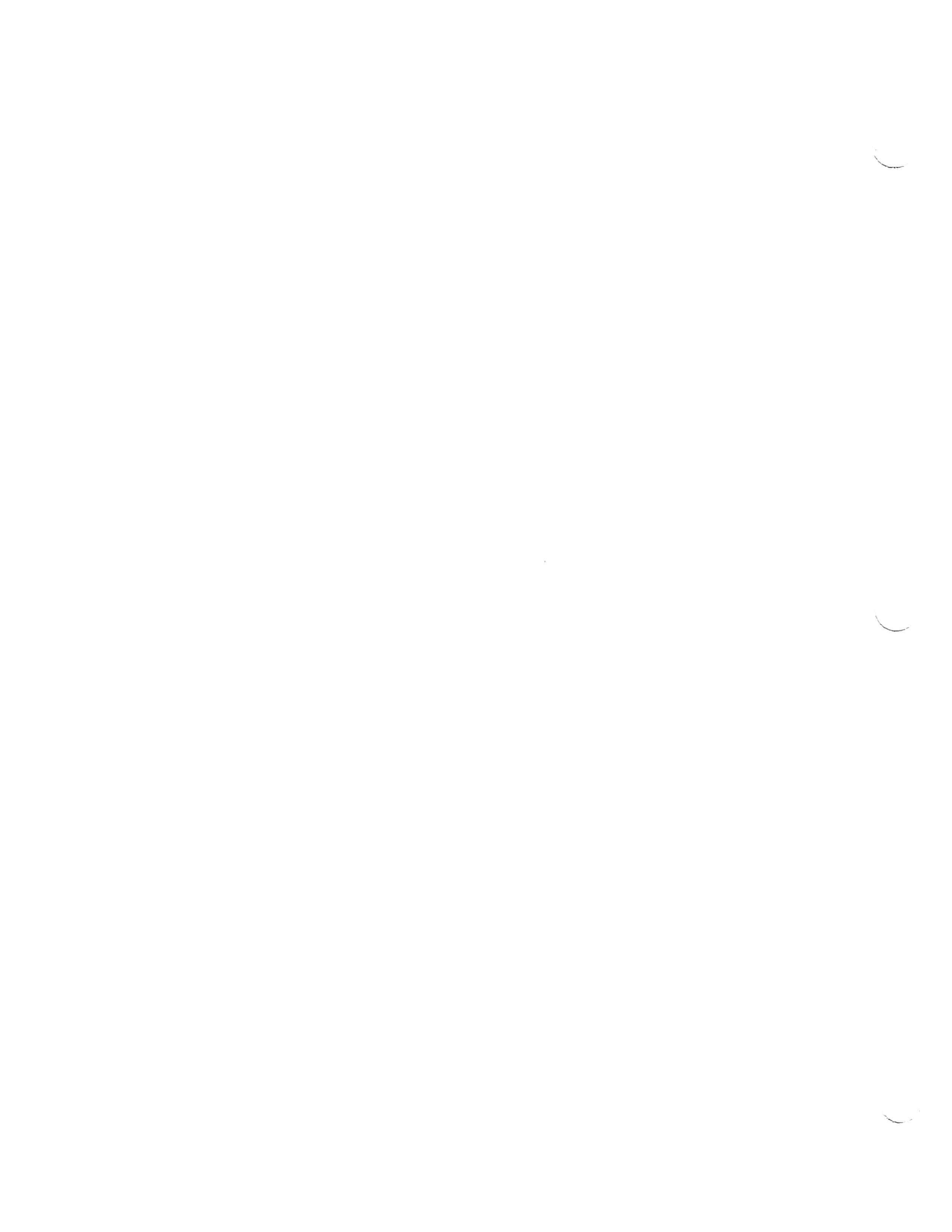
**A2 – 2022 Financial Audit & ARPA Funding**

**A3 – A7 Historical Trends**

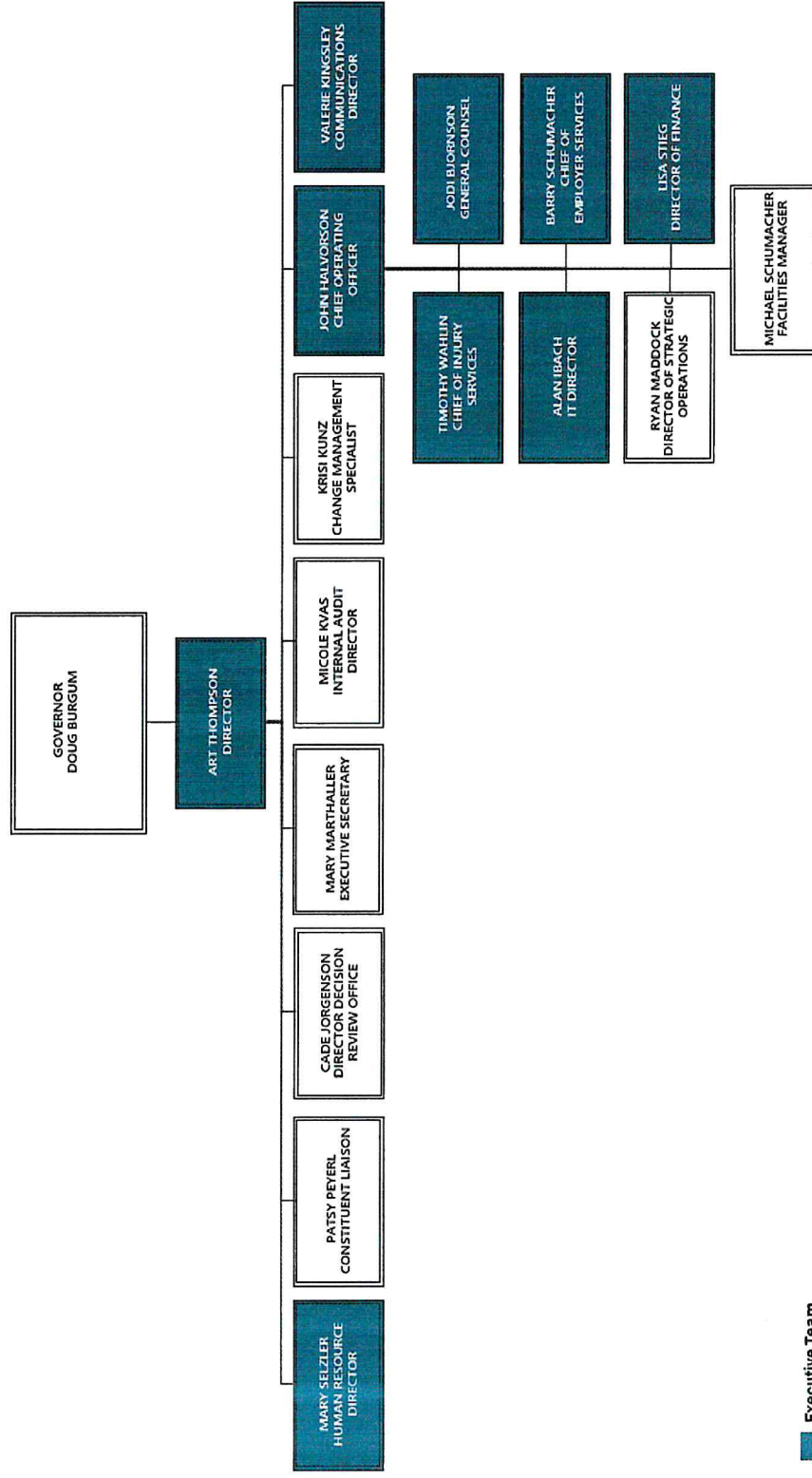
**A8 – A11 State by State Average Weekly Wage & Benefit Comparison**

**A12 – A13 State by State Premium Comparisons**

**A14 – A18 Historical Workers' Compensation Benefit & Service Enhancement Legislation**



# WSI Organizational Chart



 Executive Team





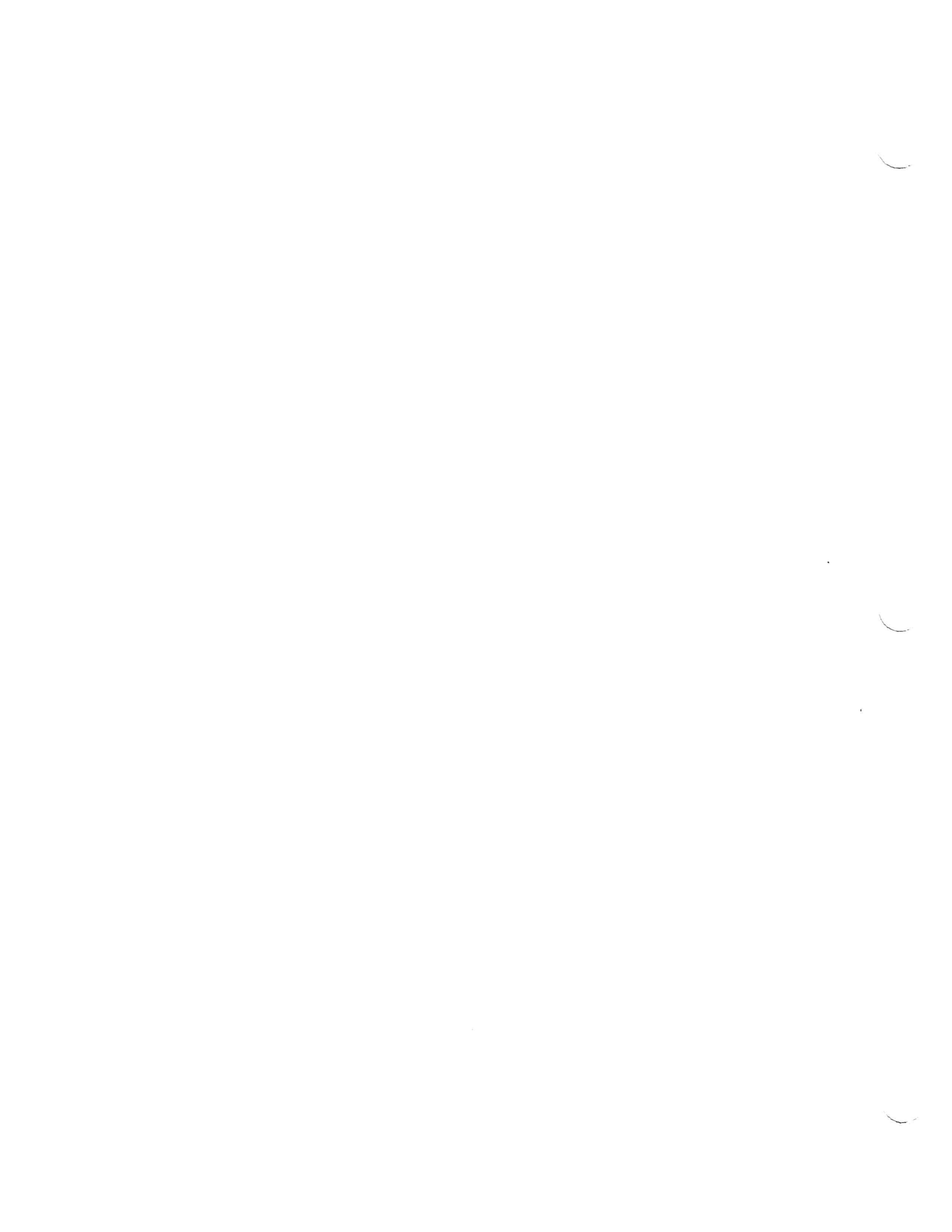
# Financial Audit & ARPA Funding

## **Financial Audit**

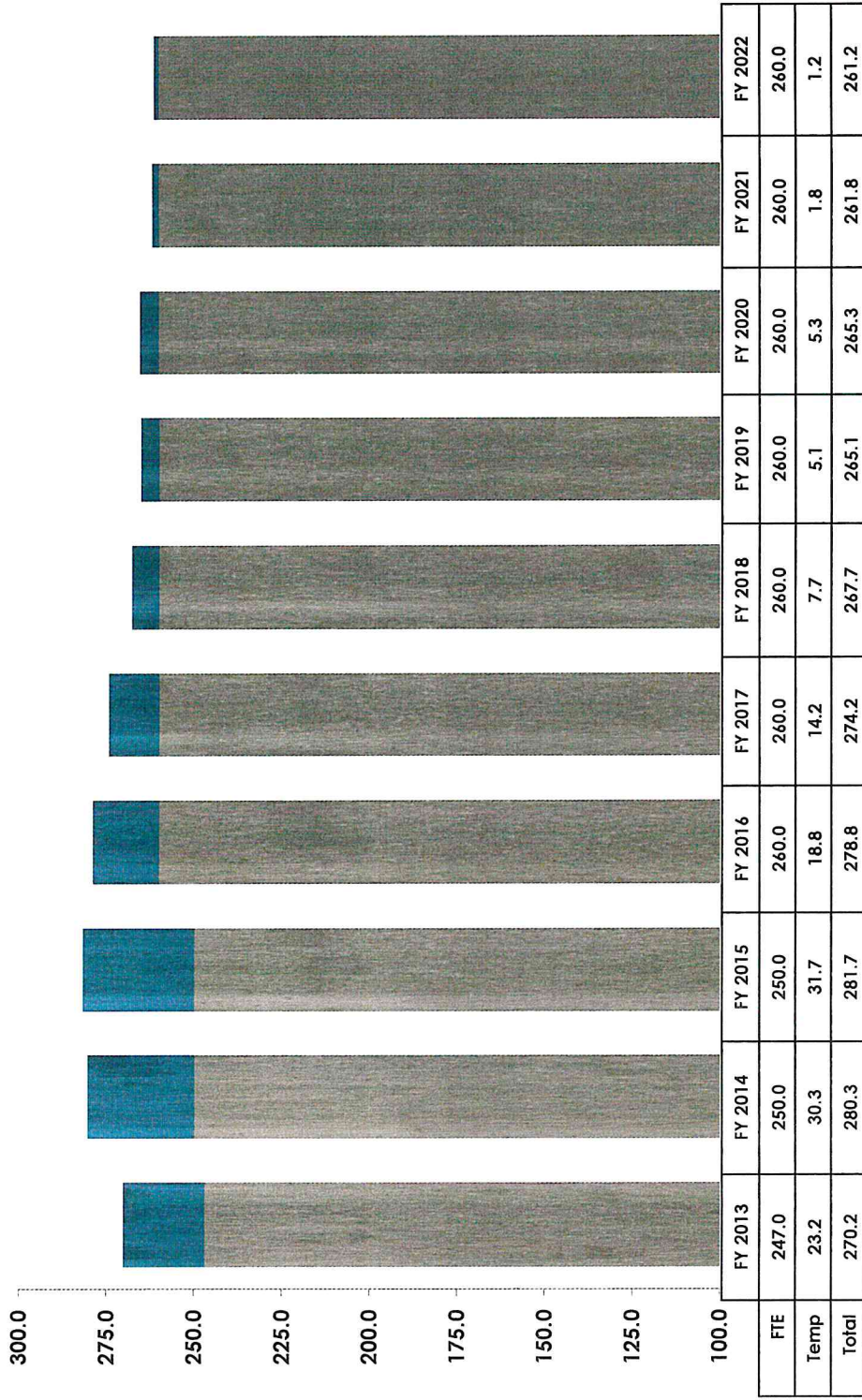
The FY2022 Financial Audit conducted by Eide Bailly noted no material weaknesses, no significant compliance findings, and no prior year findings to update.

## **ARPA Funding**

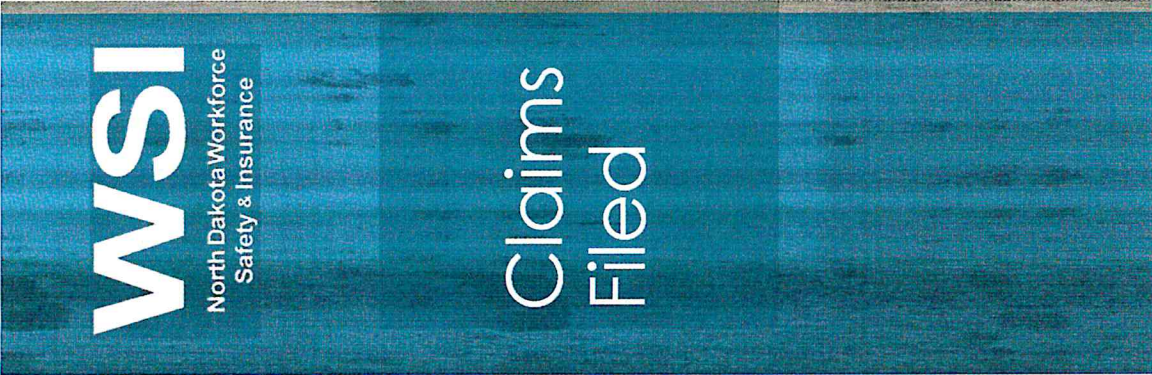
During the November 2021 special legislative session, WSI received \$291,000 from the American Resource Plan Act (ARPA) for a deferred maintenance project. This project will update and expand the existing DDC system and EMS to utilize the latest sequences and strategies.



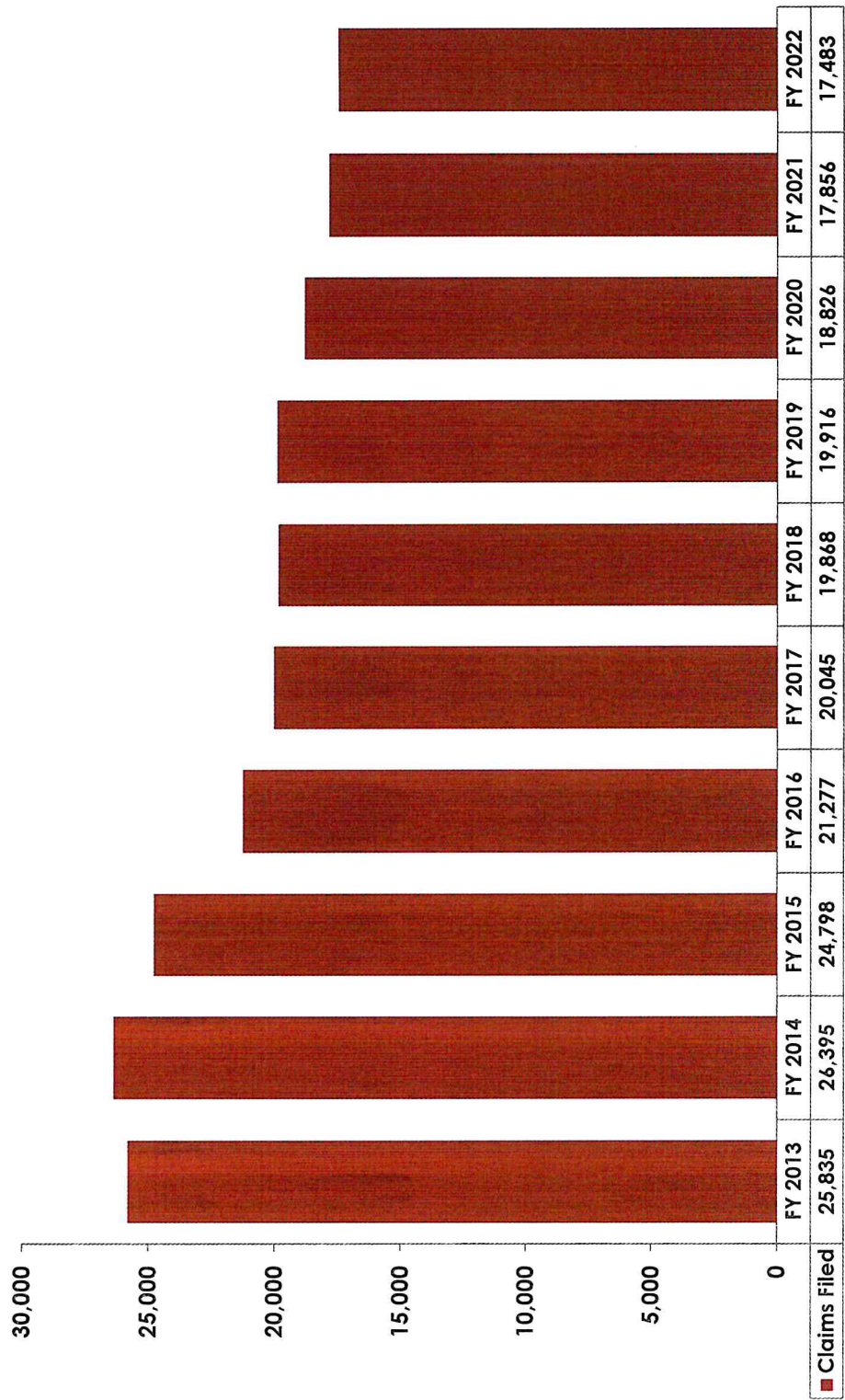
# Employee Count by Fiscal Year





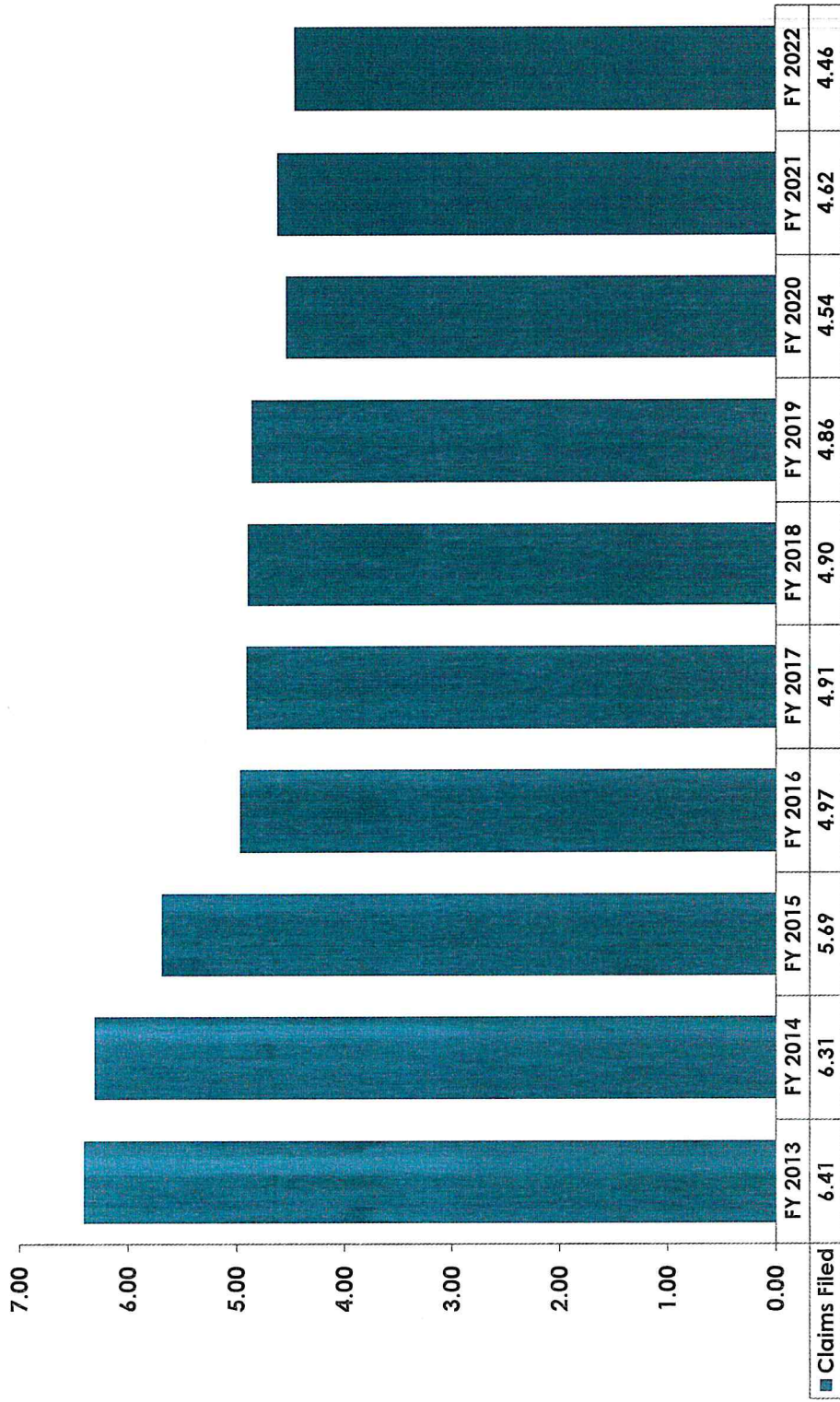


# Claims Filed by Fiscal Year





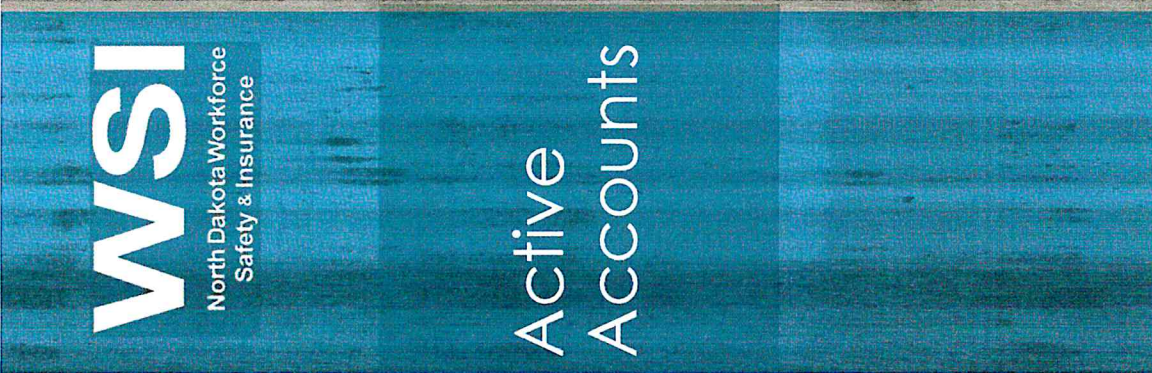
# Claims Filed Per 100 Covered Workers



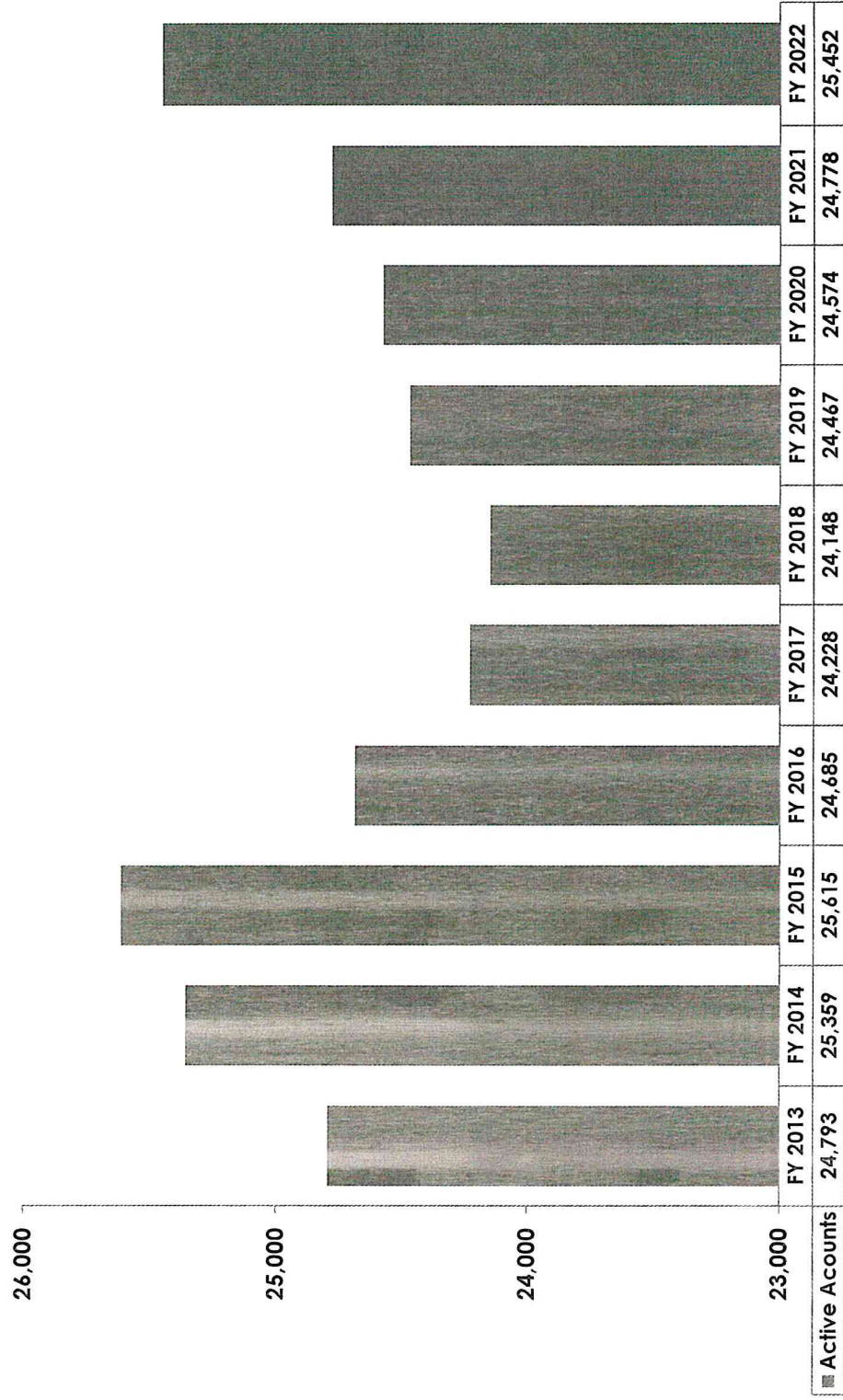
A5



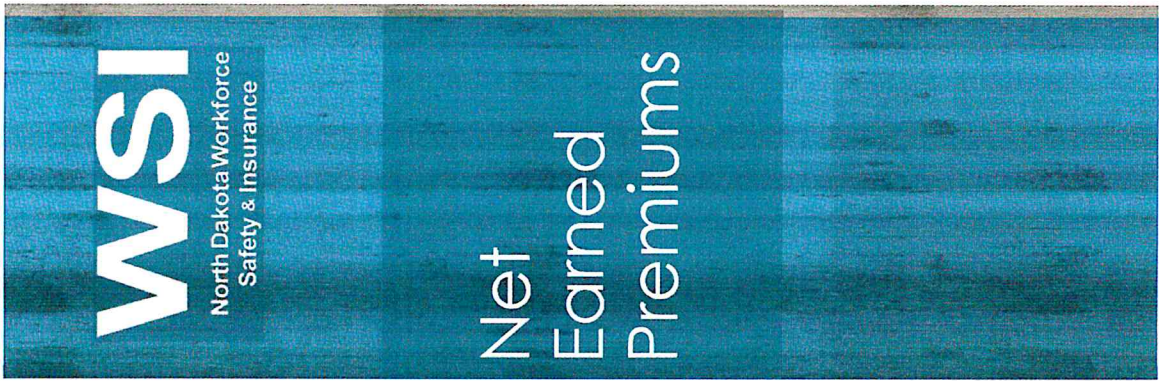




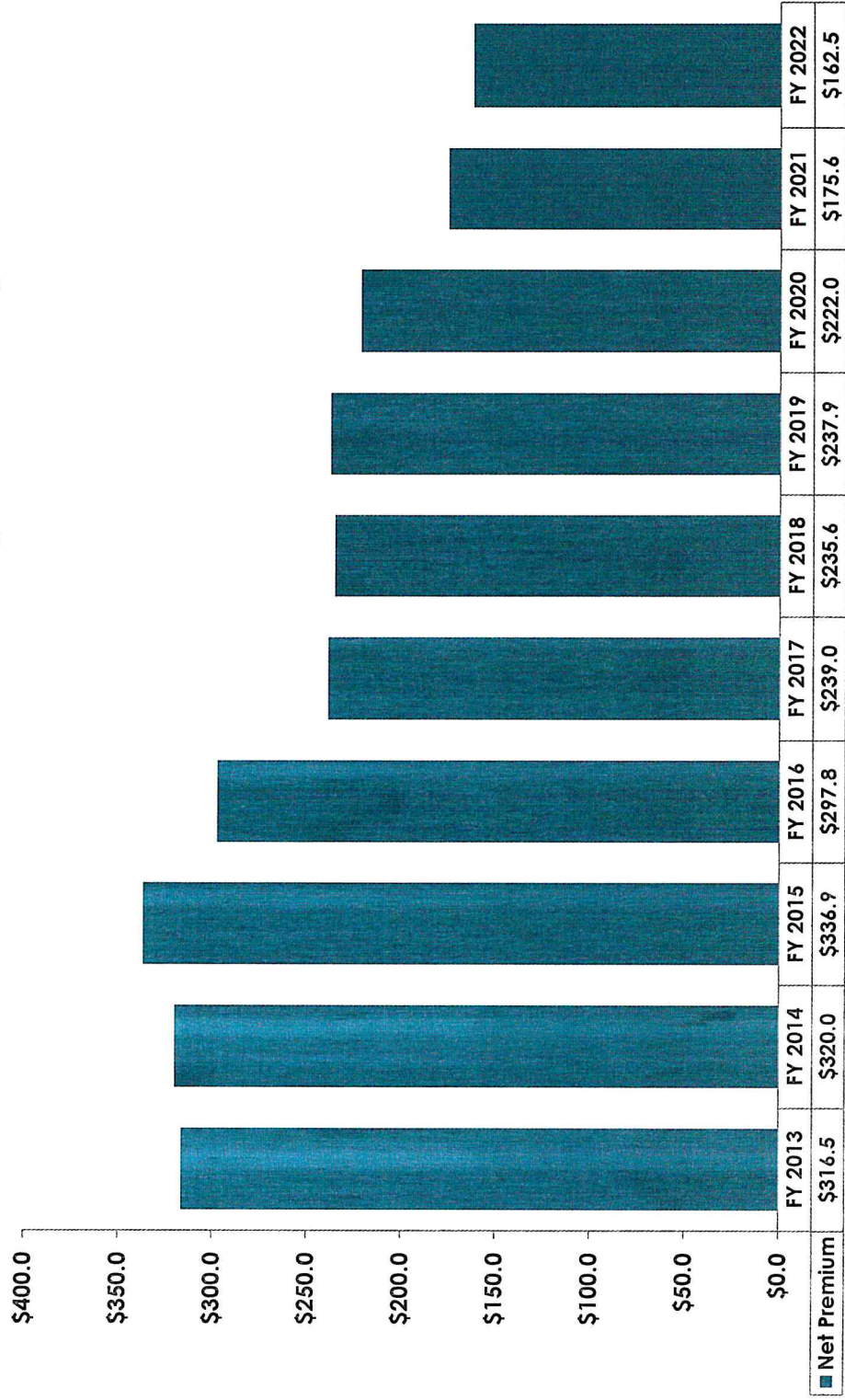
# Active Employer Accounts

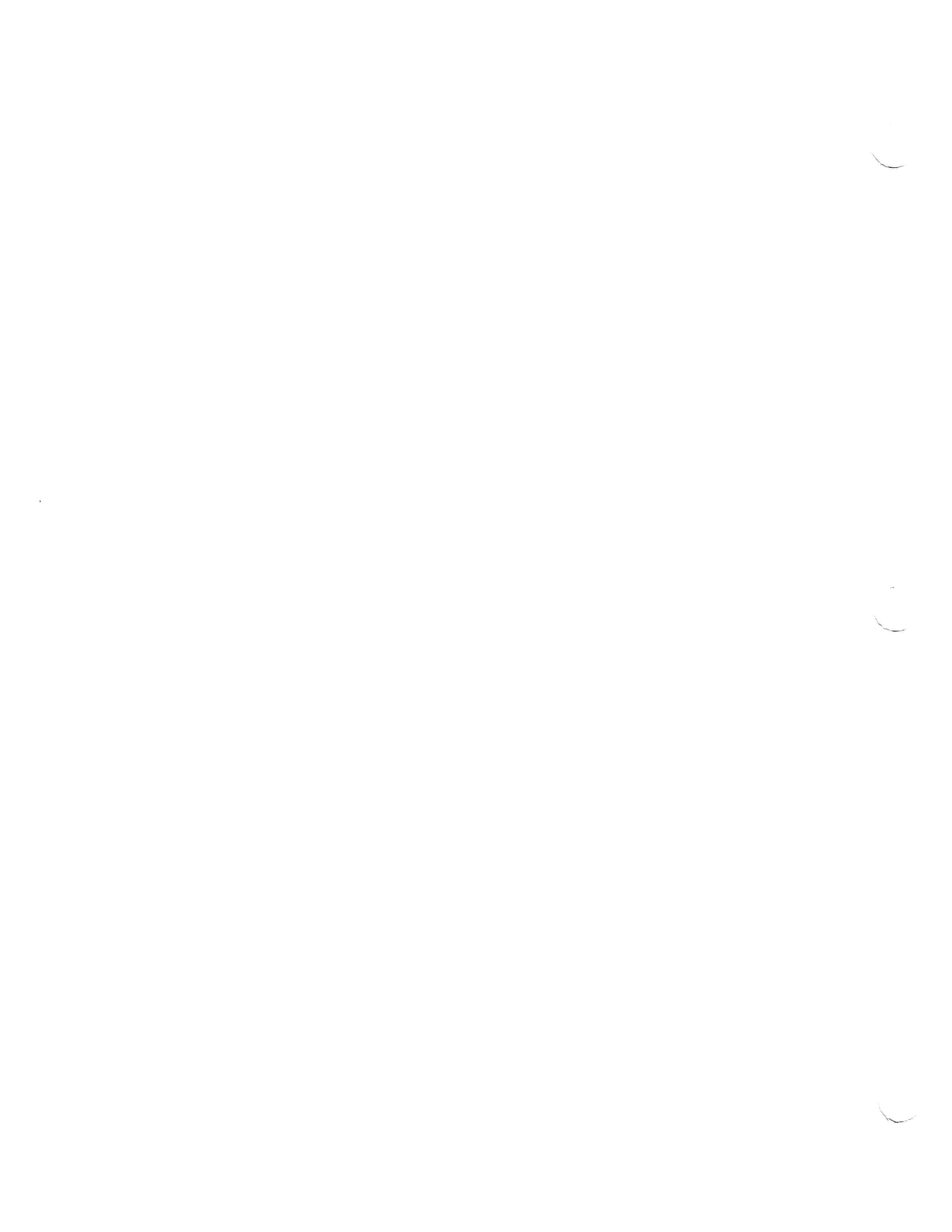






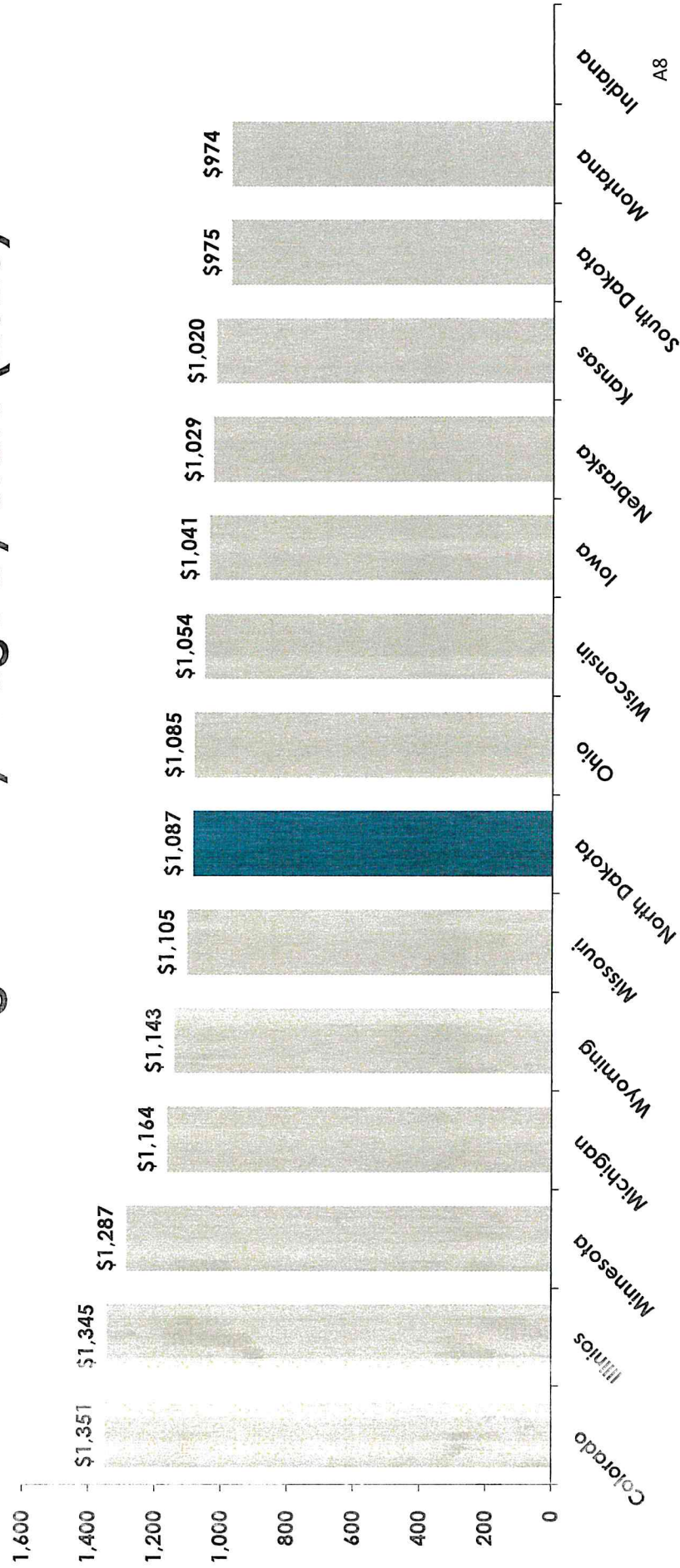
## Net Earned Premiums (\$ Millions)





# Benefit Comparison

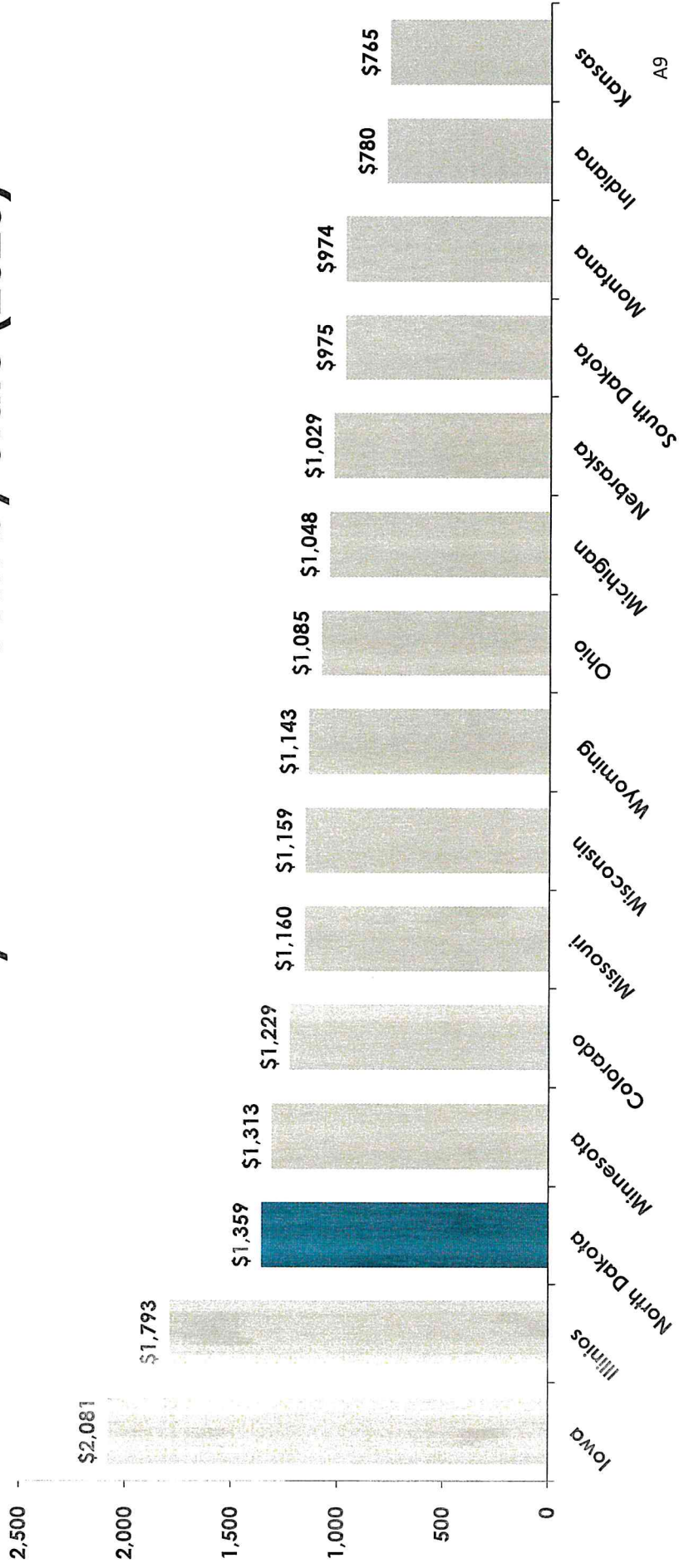
## State's Average Weekly Wage by State (2023)





# Benefit Comparison

## Maximum Weekly Benefit Amount by State (2023)

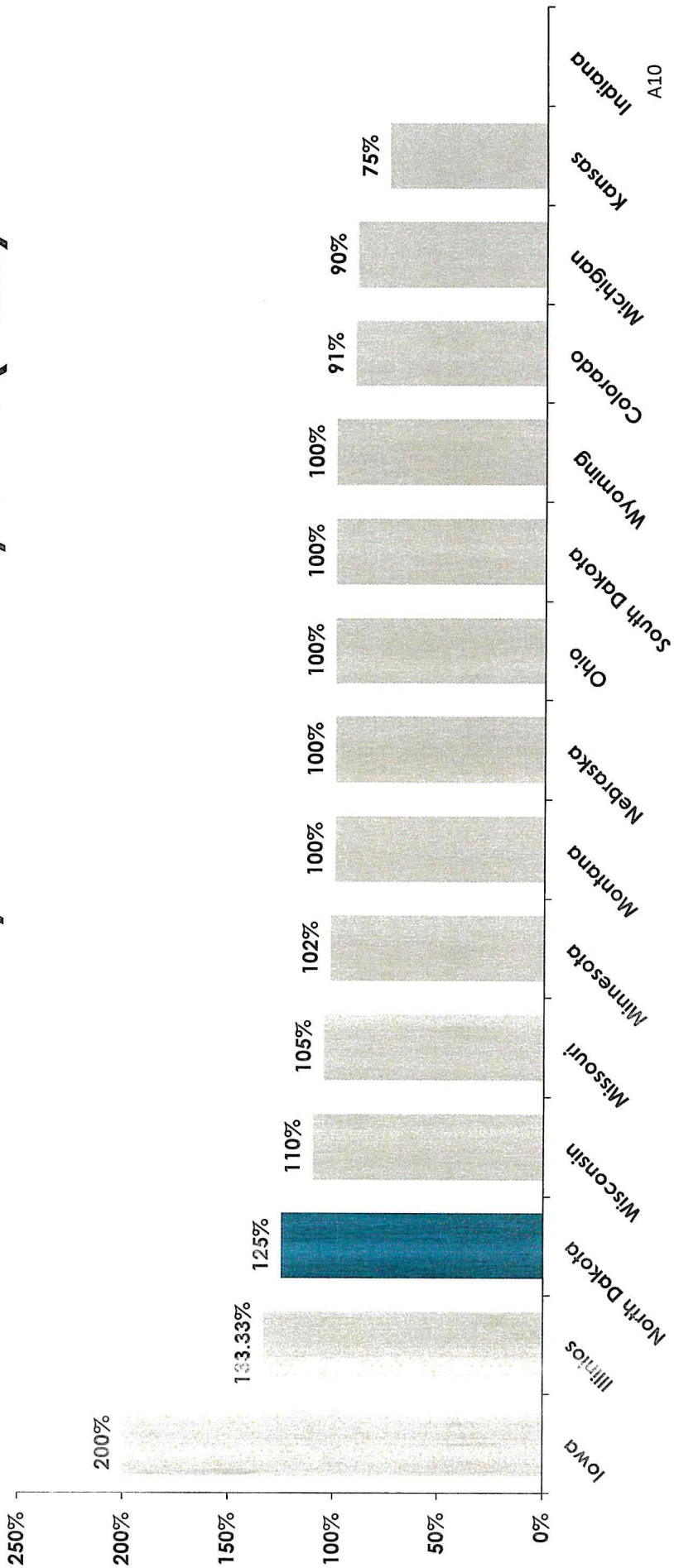






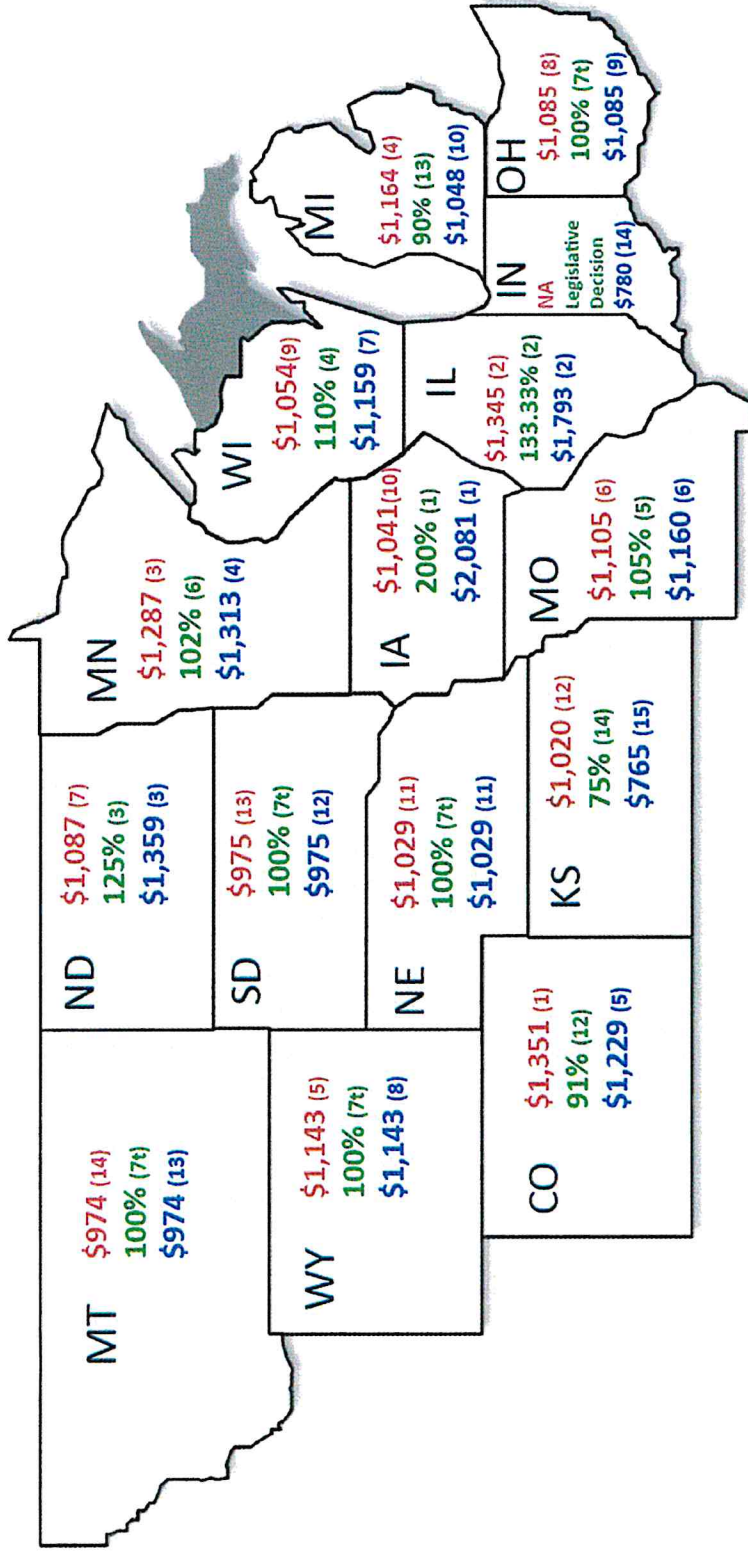
# Benefit Comparison

## Maximum Weekly Benefit Rate by State (2023)





**Midwest States: State's Average Weekly Wage, Maximum Benefit Rates and Maximum Weekly Benefit Amounts—2023**



**SAWW** (WY uses State's Avg Monthly Wage—calculated quarterly—4th Qtr 2022 shown)

**Max. Weekly Benefit Rate**

**Max. Weekly Benefit Amount (IN—FY2023 shown)**

~ Information in Parenthesis = State Rank (#1 – highest to #15 – lowest)

~ Information Source: State Workers' Compensation Websites

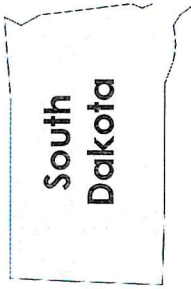


### Per 2022 Oregon Study:

Neighbor state's rates compared to  
North Dakota (before any dividends)



**2.7X**  
Higher



**2.2X**  
Higher



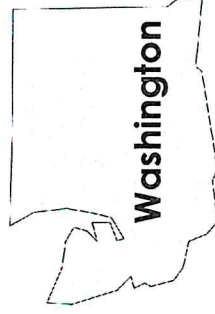
**2.5X**  
Higher

### Monopolistic States:

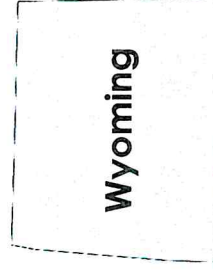
State's rates compared to  
North Dakota (before any dividends)



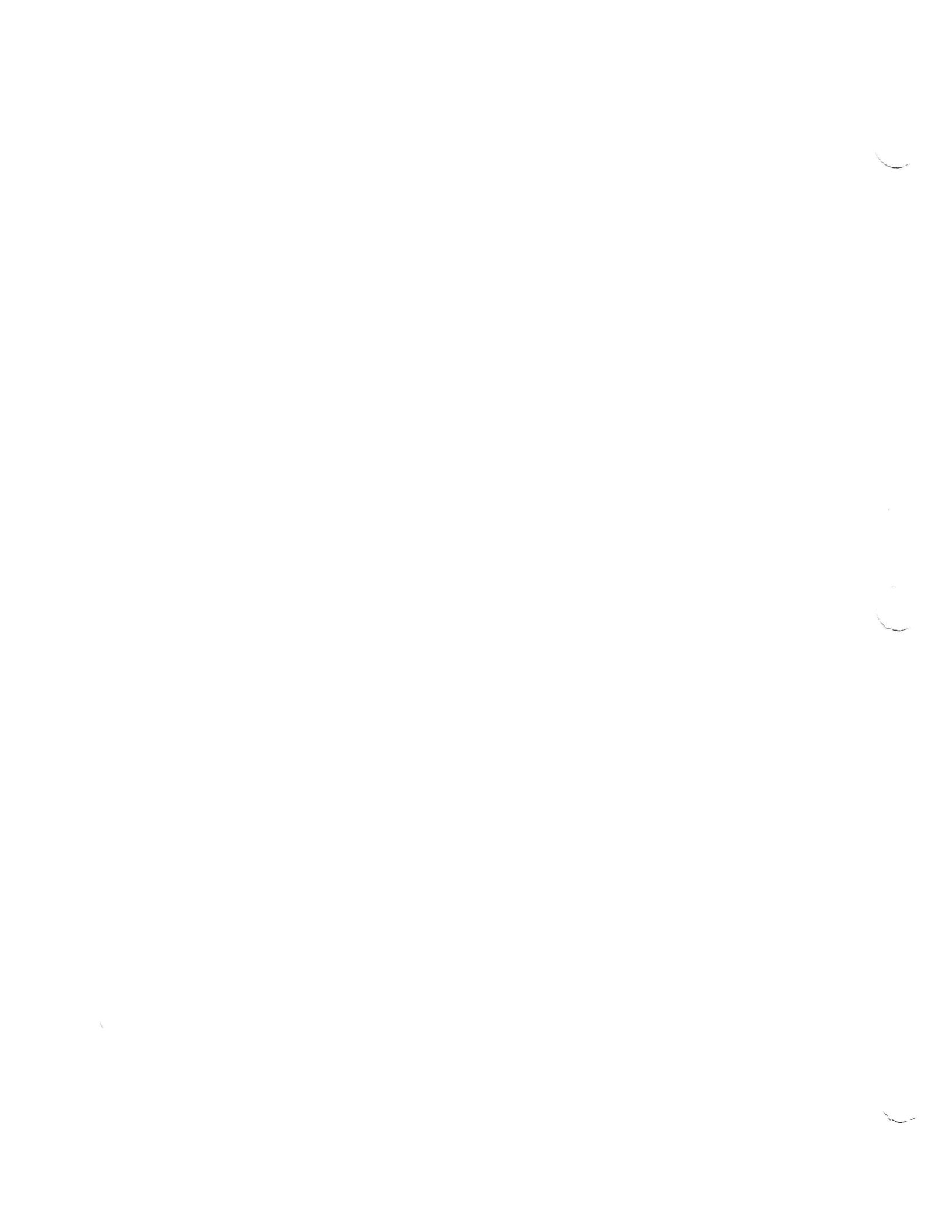
**1.4X**  
Higher



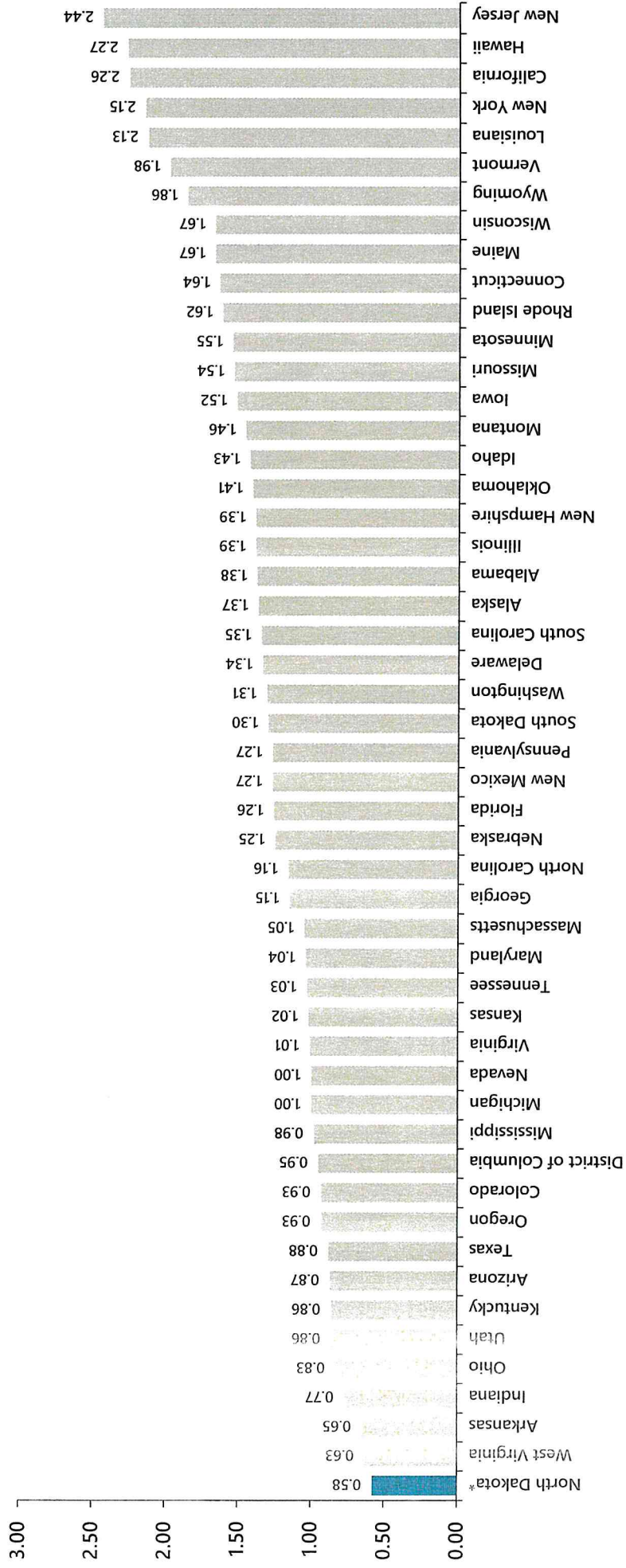
**2.3X**  
Higher



**3.2X**  
Higher



# Premium Index Rate by State



~ Source - 2022 Oregon Premium Ranking Study

Lowest Highest





# Historical Workers' Compensation Benefit & Service Enhancement Legislation

## 2021 Legislation

Extends injured worker appeal timeframes from 30 to 45 days after a notice of decision or administrative order has been issued (HB 1040)

Provides WSI a communication mode with relevant parties in the event of a deceased or incapacitated injured worker absent a signed release (HB 1084)

## 2019 Legislation

Required employer payroll reporting to be done electronically (HB 1072)

Requires healthcare providers to submit medical bills and documentation electronically no later than July 1, 2021 (HB 1073)

## 2017 Legislation

Provides for payments of an injured worker's attorney fees and costs at the level in which they prevailed regardless of whether the organization ultimately prevails (SB 2048)

Establishes a civil penalty in the amount of \$5,000 for an employer who willfully makes a false statement attempting to preclude an injured worker from securing benefits (SB 2094)

## 2015 Legislation

Expanded eligibility for the scholarship fund to include children up through age twenty-six (HB 1102)

Expanded the eligibility of children that can utilize the educational revolving loan fund (HB 1102)

## 2013 Legislation

Provided for a study of the preferred provider program (HB 1051)

Strengthened notification requirements for employers participating in the preferred provider program (HB 1052)

Increased benefits for National Guard members who are injured while serving on state active duty (HB 1080)

Expanded definition of law enforcement officer to include peace officers with the North Dakota Parks Department (SB 2134)

Increased vehicle and vehicle adaptation allowance from \$100,000 to \$150,000 (SB 2178)



# Historical Workers' Compensation Benefit & Service Enhancement Legislation (cont.)

## 2011 Legislation

Established a vocational rehabilitation grant program (HB 1050)

Provided up to two years of benefits for workers injured within two years of their presumed retirement date (HB 1051)

Reduced the threshold for percentage of whole-body impairment to qualify for a PPI award (HB 1055)

Increased permanent partial impairment awards (multipliers) for the lower impairment levels (HB 1055)

Expanded eligibility for the scholarship program (SB 2114)

Increased the annual cap that the organization can award in scholarships from \$300,000 to \$500,000 (SB 2114)

Increased the maximum scholarship amount payable per applicant from \$4,000 per year to \$10,000 per year (SB 2114)

Streamlined the personal reimbursement process for injured workers (SB 2114)

Expanded eligibility for the educational revolving loan fund (SB 2114)

## 2009 Legislation

Provided for payment of eyeglasses and other devices if an injury occurs and damages those prescriptive devices (HB 1061)

Provided for an extension of an additional 20 weeks to the current 104-week limit for retraining programs (HB 1062)

Increased the eligibility pool for job search benefits (HB 1062)

Established pilot program to assess new methods of providing rehabilitation services (HB 1062)

Established parameters of liability for medical expenses paid for treatment of unknown pre-existing conditions (HB 1063)

Shortened eligibility period for cost of living adjustments (COLAs) for pre-1/1/06 total disability claims from 7 to 3 years (HB 1064)

Expanded COLA eligibility for pre-1/1/06 claims to include temporary total benefit recipients (HB 1064)

Outlined coverage parameters for emergency volunteer healthcare practitioners (HB 1073)

Increased the maximum disability benefit from 110% to 125% of the state's average weekly wage (SAWW) (HB 1101)



# Historical Workers' Compensation Benefit & Service Enhancement Legislation (cont.)

## 2009 Legislation -- Continued

- Increased lifetime cap on death benefits from \$250,000 to \$300,000 (HB 1101)
- Increased burial expense from \$6,500 to \$10,000 and one-time payments for spouses and dependent children (HB 1101)
- Increased the dependency allowance from \$10 to \$15 per week per child (HB 1101)
- Increased pre-acceptance disability benefits from the minimum benefit rate to the standard rate (HB 1101)
- Increased travel and other personal reimbursements on aggravation claims to 100% (HB 1101)
- Provided up to six months benefits for the surviving spouse of a PTD that provided home health care during disability (HB 1455)
- Provided that OAH conduct WSI hearings and that OAH's decisions are final (HB 1464)
- Provided for a study of the post-retirement benefit structure to be conducted during the interim (HB 1525)
- Provided that WSI outline reasons for disregarding a treating doctor's opinion (HB 1561)
- Resolution to study workers' compensation laws regarding pre-existing injuries (HCR 3008)
- Resolution to study injured worker access to legal representation (HCR 3013)
- Established a clear and convincing evidence standard to rebut the presumption clause (SB 2055)
- Provided door to door reimbursement of mileage to attend medical appointments (SB 2056)
- Established a PPI schedule award for the partial loss of eye sight (SB 2057)
- Distinguished an independent medical exam (IME) from an independent medical record review (IMR) (SB 2058)
- Provided for attorney fees and costs for review of a claim after OIR completion (SB 2059)
- Provided for a rehab training expense for maintaining a second household or traveling more than 25 miles to school (SB 2419)
- Provided WSI make a reasonable effort to designate an IME doctor within a certain radius of worker's residence (SB 2431)
- Shortened the time period in which an injured worker can request a change of doctor (SB 2432)
- Provided that WSI notify injured workers of work search obligations (SB 2433)



# Historical Workers' Compensation Benefit & Service Enhancement Legislation (cont.)

## 2007 Legislation

- Provided funds for purchase or adaptation of motor vehicles for catastrophically injured (HB 1038)
- Provided increased post-retirement additional benefits for certain injured workers (HB 1038)
- Expanded the population that is eligible for death benefits (HB 1038)
- Shortened eligibility period for cost of living adjustments (COLAs) from seven years to three years (HB 1038)
- Expanded the eligibility pool for WSI's revolving loan fund (HB 1038)
- Provided inflation adjustment for long-term Temporary Partial Disability benefit recipients (HB 1140)
- Provided funds for the purchase or adaptation of motor vehicles for catastrophic and exceptional circumstance claims (HB 1411)
- Provided benefits for firefighters and law enforcement officers in the event of a false positive test (SB 2042)

## 2005 Legislation

- Established additional safety incentives (HB 1125)
- Established ongoing funding for safety education, grant, and incentive programs (HB 1125)
- Created retraining options for injured workers (HB 1171)
- Established an injured worker educational revolving loan fund (HB 1491)
- Increased the non-dependency death award (HB 1506)
- Increased post-retirement additional benefit payments (SB 2351)

## 2003 Legislation

- Increased lifetime cap on death benefits from \$197,000 to \$250,000 (HB 1060)
- Established a \$50,000 home remodeling and vehicle adaptation allowance for catastrophic injured workers (HB 1060)
- Increased the maximum amounts for scholarship awards (HB 1120)





# Historical Workers' Compensation Benefit & Service Enhancement Legislation (cont.)

## 2001 Legislation

Increased certain permanent partial impairment awards (HB 1161)

## 1999 Legislation

Increased permanent partial impairment awards for the severely impaired (HB 1422)

Increased the maximum disability benefit from 100% to 110% of the State's Average Weekly Wage (SB 2214)

Shortened the waiting period for eligibility for cost of living adjustments from 10 years to 7 years (SB 2214)

## 1997 Legislation

Increased weekly death benefits for surviving spouses (SB 2116)

Created the Guardian Scholarship program (SB 2116)

Established a post-retirement additional benefit (SB 2125)

