

FISCAL NOTE
Requested by Legislative Council
01/20/2009

Bill/Resolution No.: HB 1455

1A. **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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The proposed legislation transfers permanent total disability and related benefits to a surviving spouse of a permanently and totally disabled injured employee at the time of death of the injured employee regardless of cause of death.

B. Fiscal impact sections: *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.*

WORKFORCE SAFETY & INSURANCE
2009 LEGISLATION
SUMMARY OF ACTUARIAL INFORMATION

BILL NO: HB 1455

BILL DESCRIPTION: Permanent Total Disability (PTD) Benefit Continuation for Spouse

SUMMARY OF ACTUARIAL INFORMATION: Workforce Safety & Insurance, together with its actuary, Glenn Evans of Pacific Actuarial Consultants, has reviewed the legislation proposed in this bill in conformance with Section 54-03-25 of the North Dakota Century Code.

The proposed legislation transfers permanent total disability and related benefits to a surviving spouse of a permanently and totally disabled injured employee at the time of death of the injured employee regardless of cause of death and applies to claimants who die on or after the effective date of this act. Eligibility would be for spouses of injured employees that were permanently and totally disabled for at least ten years and were married to the surviving spouse for at least ten years. Surviving spouse benefits would terminate upon remarriage.

Reserve Level Impact: The proposed legislation can be expected to increase discounted reserve levels for known claims by more than \$14.5 million. To the extent additional claims emerge the cost estimates would be higher.

Premium Rate Level Impact: The proposal will serve to increase the costs associated with future claims. Currently, it is estimated that 40 Permanent Total Disability claims will arise out of each injury year of which approximately 24 will have a spouse. Based on this assumption, the proposal will serve to increase statewide premium rate levels between 0.5% and 1% or between \$750,000 and \$1,500,000 per year.

DATE: January 26, 2009

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *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 is also included in the executive budget or relates to a continuing appropriation.*

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Phone Number:	328-6016	Date Prepared:	01/26/2009