

2021 Workforce Safety & Insurance (WSI) Legislative Quick Guide (as of 1/22/2021)

HB 1021: WSI Appropriations Bill (Introduced by Appropriations Committee)

House App Vote: **House Vote:**

- Outlines prior biennium base funding amount and Governor's budget recommendation for the 2021-23 biennium.

HB 1040: WSI Appeal Timeframes [WSI Board Neutral] (Interim Legislative Workers' Compensation Review Committee Bill)

House IBL Vote: **DP 14-0** **House Vote:** **89-0**

- Extends injured worker and employer appeal timeframes from 30 to 45 days after a notice of decision or administrative order has been issued.

Fiscal impact: No significant impact to premium rate and reserve levels is anticipated.

HB 1051 (Eng.): WSI Employer Services Bill [WSI Board Supports] (WSI Agency Bill)

House IBL Vote: **DP 14-0 Amended** **House Vote:** **92-0**

- Provides for payment of attorney fees for an employer involved in a jurisdictional dispute in another state when WSI determines the employer did not have significant contacts in that other state.
- Establishes a continuing appropriation for the payment of fees associated with credit and debit card payments made to the organization.
- Provides explicit authority for the settlement of premium disputes.
- Clarifies the application of premium audit findings.
- Permits WSI to retain counsel on both a contingent and hourly basis for work on WSI litigation.

Fiscal impact: No significant impact to premium rate levels is anticipated.

HB 1084: WSI Injury Services Bill [WSI Board Supports] (WSI Agency Bill)

House IBL Vote: **DP 14-0** **House Vote:** **91-2**

- Provides that a compensable injury does not include injuries caused by the use of recreational marijuana.
- Establishes a fee structure for outgoing file copies.
- Further defines what constitutes an employer and/or an injured worker willful misrepresentation.
- Requires an injured worker to meet the requirements of a reapplication for benefits following an unjustified limitation or refusal of employment.
- Provides WSI a communication mode with relevant parties in the event of a deceased or incapacitated injured worker absent a signed release.

- Provides clean-up changes to create consistent language throughout Title 65 regarding the definition of average weekly wage.
- Requires injured workers that have completed a rehabilitation program that have established a significant change in medical condition to sustain an actual wage loss to be eligible for further retraining or disability benefits.

Fiscal impact: No significant impact to premium rate and reserve levels is anticipated.

HB 1139: Duration-Dosing Limits for Certain Drug Therapies [WSI Board Supports]

Sponsors: Rep. Keiser, Sen. Klein

House IBL Vote: DP 12-1

House Vote:

- Establishes duration limits and maximum payable dosing limits for opioid therapies.
- Establishes duration limits for benzodiazepines.
- Outlines dispute resolution process for requests to depart from the limits proposed.

Fiscal impact: To the extent there are improved return-to-work and medical outcomes resulting from the duration/dosing limitations for the identified drug therapies, there would be anticipated cost reductions which would be reflected in subsequent premium rate levels.

HB 1271: Mental-Mental/Employer Immunity as it Relates to COVID-19 [WSI Board Opposes]

Sponsors: Reps M. Nelson, Adams, Ista, Schneider; Sen. Matthern

House IBL Vote:

House Vote:

- Provides that a mental injury arising from a mental stimulus is compensable.
- Establishes an employer immunity provision as it relates to COVID-19.

Fiscal impact: Not quantifiable. Anticipate significant impact to rate and reserve levels.

HB 1408: Definition of Wages [WSI Board Opposes]

Sponsors: Reps Boschee, Hanson; Sen. Piepkorn

House IBL Vote:

House Vote:

- Amends the definition of wages for benefit calculation purposes to include employer paid health insurance premiums and retirement contributions.

Fiscal impact:

HB 1433: Definition of Essential Workers and COVID-19 Coverage [WSI Board Opposes]

Sponsors: Reps Ista, Adams, P. Anderson, Boschee, Dobervich, Guggisberg, Hager, Schneider; Sens. Bakke, Hogan

House IBL Vote:

House Vote:

- Defines essential workers and outlines the parameters for COVID-19 coverage.

Fiscal impact:

SB 2148 (Eng.): Adds Physical Therapists to Definition of Healthcare Provider [WSI Board Supports]

Sponsors: Senators Burkhard, Bekkedahl, Oban; Reps. D. Anderson, Dobervich, Paur
Senate Human Services Vote: DP 5-0 Amended Senate Vote: 47-0

- Adds physical therapists to definition of healthcare provider.

Fiscal impact: No fiscal impact is anticipated.