

## 2025 Workforce Safety & Insurance (WSI) Legislative Quick Guide (04/14/2025)

### 1. HB 1021: WSI Appropriations Bill

(Introduced by Appropriations Committee)

House App. Vote: **DP 20-0-3**

House Vote: **86-0**

Senate App. Vote: **DP 15-0**

Senate Vote: **44-0**

Signed by Governor: 4/2/2025

### 2. SB 2046 (Eng): WSI Employer Services Bill **[WSI Board Supports]**

Senate IB Vote: **DP 5-0 Amended**

Senate Vote: **47-0**

House IBL Vote: **DP 11-0**

House Vote: **88-0**

Signed by Governor: 03/14/2025

- Establishes a one-time, \$250 premium credit for new employer accounts with a 50% ownership interest held by active members of the N.D national guard or armed forces, veterans of the military, or a surviving spouse of a veteran.
- Provides WSI the ability to transmit employer related notices of decisions and administrative orders electronically.

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

**3. SB 2109 (Eng): WSI Injury Services Bill [WSI Board Supports]****Senate IB Vote: DP 5-0 Amended****Senate Vote: 44-2****House IBL Vote: DP 10-3 Amended****House Vote: 70-20****Senate Concurred: 45-2****Signed by Governor: 4/7/2025**

- Amends definition of disability to reflect a loss of actual earnings vs. a loss of earnings capacity in order to qualify for disability benefits.
- Provides WSI the ability to transmit claims related forms, notices of decisions, and administrative orders electronically.
- Increases the lifetime maximum for death benefits from \$300,000 to \$400,000;
- Increases the maximum scholarship amount payable per applicant from \$10,000 per year to \$12,500 per year.
- Clarifies the definition of compensable mental or psychological conditions by incorporating into the definition the clarifying administrative rule language which was recently invalidated by the North Dakota Supreme Court.

**Fiscal impact: The provision increasing the death benefit cap from \$300,000 to \$400,000 will result in a premium rate level increase of less than 1.0%. It is anticipated that the remaining provisions of this proposed bill will not have a material impact on statewide premium rate and reserve levels.**

**The proposed amendment will ensure continuity in the administration of compensable mental or psychological conditions. Absent the change, a lack of clarity emerges in how to properly adjudicate these types of claims. This clarity will otherwise develop through future litigation which will likely increase system costs.**

**4. SB 2094: Retirement Presumption [WSI Board Opposes]****Sponsors: Sen. Mathern****Senate IB Vote: DNP 5-0****Senate Vote: 4-43**

- Provides that injured workers will continue receiving wage-loss benefits past their social security presumed retirement age in lieu of the existing additional benefit payable benefit currently received post-retirement.
- Eliminates the three-year cap on disability benefits for employees injured post-retirement.

**Fiscal impact: It is estimated that the proposed legislation will increase discounted reserve levels in excess of \$100 million and will serve to increase statewide premium rates by approximately 1.2%.**

**5. HB 1060: Presumptive Coverage—Correctional Officers [WSI Board Neutral]**

**(Introduced by House Industry, Business and Labor)**

**House IBL Vote: DNP 13-0-1**

**House Vote: 4-86**

- Extends the presumption coverage for certain conditions that exists for law enforcement and paid firefighters to correctional officers employed by the North Dakota Department of Corrections.

**Fiscal impact: Anticipate premium rates for the 7720 rate class to increase between 3.5% and 5.0% resulting in higher workers compensation premiums for the governmental entities and others that fall within this class.**

**6. SB 2181: PTSD Coverage [WSI Board Opposes – Suggested Further Study]**

**Sponsors: Sen. Rummel, Cleary, Hogue; Rep. Ista, Lefor**

**Senate IB Vote: DNP 5-0**

**Senate Vote: 16-29**

- Provides coverage for posttraumatic stress disorder (PTSD) if the condition causing the posttraumatic stress disorder was extraordinary.
- Limits disability benefits to no more than thirty-two weeks and establishes a two claim per lifetime cap.
- Contains a sunset date of July 31, 2029

**Fiscal impact: This legislation is not quantifiable. In its present form, the legislation will act to increase both rates and reserves.**

**7. HB 1423 (Eng): Remodeling and Vehicle Adaptation Expenses [WSI Board Supports - w/amend]**

**Sponsors: Rep. Schreiber-Beck, Mitskog; Sen. Luick**

**House IBL Vote (Reconsider): DP 13-0-1**

**House Vote: 86-4**

**Senate IB Vote: DP 5-0**

**Senate Vote: 45-1**

**Signed by Governor: 4/2/2025**

- Increases the lifetime maximum for remodeling expenses from \$75,000 to \$150,000 and the lifetime maximum for motor vehicle modifications/adaptations from \$125,000 to \$200,000.

**Fiscal impact: The proposed legislation will increase benefit costs for a small subset of claims with catastrophic injuries; however, we don't anticipate the legislation having a material impact on statewide rate and reserve levels.**

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