



House of Representatives

General Assembly

File No. 784

January Session, 2025

Substitute House Bill No. 7141

House of Representatives, April 28, 2025

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING COMPENSATION PAID TO INJURED
EMPLOYEES AND THE PARENTS OF A DECEASED EMPLOYEE
UNDER THE WORKERS' COMPENSATION ACT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 31-308 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) With respect to the following injuries, the compensation, in
5 addition to the usual compensation for total incapacity but in lieu of all
6 other payments for compensation, shall be seventy-five per cent of the
7 average weekly earnings of the injured employee, calculated pursuant
8 to section 31-310, after such earnings have been reduced by any
9 deduction for federal or state taxes, or both, and for the federal
10 Insurance Contributions Act made from such employee's total wages
11 received during the period of calculation of the employee's average
12 weekly wage pursuant to said section 31-310, but in no case more than
13 one hundred per cent, raised to the next even dollar, of the average

14 weekly earnings of production and related workers in manufacturing in
 15 the state, as determined in accordance with the provisions of section 31-
 16 309, or less than fifty dollars weekly. All of the following injuries include
 17 the loss of the member or organ and the complete and permanent loss
 18 of use of the member or organ referred to:

T1	MEMBER	INJURY	WEEKS OF
T2			COMPENSATION
T3	Arm		
T4	Master arm	Loss at or above elbow	208
T5	Other arm	Loss at or above elbow	194
T6	Hand		
T7	Master hand	Loss at or above wrist	168
T8	Other hand	Loss at or above wrist	155
T9	One leg	Loss at or above knee	155
T10	One foot	Loss at or above ankle	125
T11	Hearing		
T12		Both ears	104
T13		One ear	35
T14	One eye		
T15		Complete and permanent	
T16		loss of sight in, or	
T17		reduction of sight to	
T18		one-tenth or less	
T19		of normal vision	157
T20	Thumb*		
T21		On master hand	63
T22		On other hand	54
T23	Fingers**		
T24		First finger	36

T25	Second finger	29
T26	Third finger	21
T27	Fourth finger	17
T28	Toes***	
T29	Great toe	28
T30	Other toes	9
T31	Back	Number of weeks
T32		which the
T33		proportion of
T34		incapacity
T35		represents to a
T36		maximum of 374
T37		weeks
T38	Heart	520
T39	Brain	520
T40	Carotid artery	520
T41	Pancreas	416
T42	Liver	347
T43	Stomach	260
T44	Loss of bladder	233
T45	Speech	163
T46	Lung	117
T47	Cervical spine	117 (<u>until June 30,</u>
T48		<u>2025)</u>
T49	Kidney	117
T50	Rib cage	Bilateral 69
T51	Ovary	35
T52	Testis	35
T53	Mammary	35

T54	Nose	Sense and respiratory function	35
T55	Jaw	Mastication	35
T56	Uterus		35-104
T57	Vagina		35-104
T58	Penis		35-104
T59	Coccyx	Actual removal	35
T60	Sense of smell		17
T61	Sense of taste		17
T62	Spleen	In addition to scar	13
T63	Gall bladder		13
T64	Tooth	Minimum	1
T65	Loss of drainage duct of eye		
T66	(If corrected by prosthesis)		17 for each
T67	Loss of drainage duct of eye		
T68	(If uncorrected by prosthesis)		33 for each
T69	Pelvis		percentage of back
T70	<u>On and after July 1, 2025:</u>		
T71	<u>Intestinal tract</u>		<u>347</u>
T72	<u>Esophagus</u>		<u>180</u>
T73	<u>Trachea</u>		<u>117</u>
T74	<u>Larynx</u>		<u>117</u>
T75	<u>Diaphragm</u>		<u>117</u>
T76	<u>Cervical Spine</u>		<u>208</u>

19 *The loss or loss of use of one phalanx of a thumb shall be construed
20 as seventy-five per cent of the loss of the thumb.

21 **The loss or loss of use of one phalanx of a finger shall be construed
22 as fifty per cent of the loss of the finger. The loss of or loss of use of two
23 phalanges of a finger shall be construed as ninety per cent of the loss of
24 the finger.

25 ***The loss or loss of use of one phalanx of a great toe shall be
26 construed as sixty-six and two-thirds per cent of the loss of the great toe.
27 The loss of the greater part of any phalanx shall be construed as the loss
28 of a phalanx and shall be compensated accordingly.

29 [If] For any matter filed with the Workers' Compensation
30 Commission on or after July 1, 1993, that remains open and pending
31 before said commission on the effective date of this section, and for any
32 matter filed with said commission on and after the effective date of this
33 section, (1) if the injury consists of the loss of a substantial part of a
34 member resulting in a permanent partial loss of the use of a member, or
35 if the injury results in a permanent partial loss of function, the
36 administrative law judge [may, in the administrative law judge's
37 discretion] shall, in lieu of other compensation, award to the injured
38 employee the proportion of the sum provided in this subsection for the
39 total loss of, or the loss of the use of, the member or for incapacity or
40 both that represents the proportion of total loss or loss of use found to
41 exist, and any voluntary agreement submitted in which the basis of
42 settlement is such proportionate payment may, if otherwise
43 conformable to the provisions of this chapter, be approved by the
44 administrative law judge; [in the administrative law judge's discretion.]
45 and (2) notwithstanding the provisions of this subsection, an injured
46 employee who has reached maximum medical improvement and is
47 eligible for benefits pursuant to this subsection, but whose injuries
48 continue to result in total incapacity to work pursuant to section 31-307,
49 shall continue to be eligible to receive total incapacity benefits pursuant
50 to section 31-307 until such period of total incapacity ends.
51 Notwithstanding the provisions of this subsection, the complete loss or
52 loss of use of an organ which results in the death of an employee shall
53 be compensable pursuant only to section 31-306.

54 Sec. 2. Subdivision (6) of subsection (a) of section 31-306 of the general
55 statutes is repealed and the following is substituted in lieu thereof
56 (*Effective from passage*):

57 (6) In all cases where there are no presumptive dependents, but (A)

58 where there are one or more persons wholly dependent in fact, the
59 compensation in case of death shall be divided according to the relative
60 degree of their dependence, or (B) where there are no persons wholly
61 dependent in fact, the compensation shall be divided equally among the
62 parents of the deceased employee. Compensation payable under this
63 subdivision shall be paid for not more than three hundred and twelve
64 weeks from the date of the death of the employee. The compensation, if
65 paid to those wholly dependent in fact, shall be paid at the full
66 compensation rate. The compensation, if paid to those partially
67 dependent in fact upon the deceased employee as of the date of the
68 injury, shall not, in total, be more than the full compensation rate nor
69 less than twenty dollars weekly, nor, if the average weekly sum
70 contributed by the deceased at the date of the injury to those partially
71 dependent in fact is more than twenty dollars weekly, not more than the
72 sum so contributed.

73 Sec. 3. (*Effective from passage*) (a) There is established a working group
74 to study rehabilitation services available to injured employees under
75 chapter 568 of the general statutes. Such study shall include, but need
76 not be limited to, an examination of (1) whether the provisions of
77 chapter 568 of the general statutes adequately fund rehabilitation
78 services for all injured employees, and (2) methods to encourage injured
79 employees to utilize such services, including providing stipends to
80 injured employees who utilize such services.

81 (b) The working group shall consist of the following members:

82 (1) The chairpersons and the ranking members of the joint standing
83 committee of the General Assembly having cognizance of matters
84 relating to the judiciary, or their designees;

85 (2) The Commissioner of Aging and Disability Services, or the
86 commissioner's designee;

87 (3) The chairperson of the Workers' Compensation Commission, or
88 the chairperson's designee; and

89 (4) The following persons jointly appointed by the chairpersons of the
90 joint standing committee of the General Assembly having cognizance of
91 matters relating to the judiciary:

92 (A) An attorney who has expertise in representing claimants
93 appearing before the Workers' Compensation Commission;

94 (B) An attorney who has expertise in representing respondents
95 appearing before the Workers' Compensation Commission;

96 (C) A representative of an association representing attorneys in the
97 state;

98 (D) A representative of an association representing trial attorneys in
99 the state;

100 (E) A representative of an association representing workers'
101 compensation insurers in the state;

102 (F) A representative of an association representing business and
103 industry in the state; and

104 (G) A representative of a labor organization.

105 (c) All initial appointments to the working group shall be made not
106 later than thirty days after the effective date of this section. Any vacancy
107 shall be filled by the appointing authority.

108 (d) The chairpersons of the joint standing committee of the General
109 Assembly having cognizance of matters relating to the judiciary, or their
110 designees, shall serve as the chairpersons of the working group. Such
111 chairpersons shall schedule the first meeting of the working group,
112 which shall be held not later than sixty days after the effective date of
113 this section. The working group shall meet not less than once per month
114 and at such other times as may be necessary upon the call of the
115 chairpersons.

116 (e) The administrative staff of the joint standing committee of the
117 General Assembly having cognizance of matters relating to the judiciary

118 shall serve as administrative staff of the working group.

119 (f) Not later than February 1, 2026, the working group shall submit a
120 report on its findings and recommendations to the joint standing
121 committee of the General Assembly having cognizance of matters
122 relating to the judiciary, in accordance with the provisions of section 11-
123 4a of the general statutes. The working group shall terminate on the date
124 that it submits such report or February 1, 2026, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-308(b)
Sec. 2	<i>from passage</i>	31-306(a)(6)
Sec. 3	<i>from passage</i>	New section

Section 1	<i>from passage</i>	31-308(b)
Sec. 2	<i>from passage</i>	31-306(a)(6)
Sec. 3	<i>from passage</i>	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Department of Administrative Services - Workers' Comp. Claims	App Fund - Cost	2,140,000	2,000,000
Department of Administrative Services - Workers' Comp. Claims	App Fund - Potential Cost	See Below	See Below

Note: App Fund=All Appropriated Funds

Municipal Impact:

Municipalities	Effect	FY 26 \$	FY 27 \$
Various Municipalities	Potential Cost	See Below	See Below

Explanation

Section 1, which expands the list of injuries eligible for permanent, partial disability (PPD) and increases the benefits for a cervical spine injury, results in a cost to the Department of Administrative Services – Worker’s Compensation Claims and various self-insured municipalities beginning in FY 26 to the extent additional workers’ compensation benefits are provided. The cost to the state is approximately \$2 million per year beginning in FY 26 and may vary significantly from year-to-year dependent upon the number of injuries that occur. The expanded list of injuries covered includes injuries to the intestinal tract (347 weeks), esophagus (180 weeks), trachea (117 weeks), larynx (117 weeks), and diaphragm (117 weeks).

Section 2 results in a potential cost to the Department of

Administrative Services – Worker’s Compensation Claims and various self-insured municipalities beginning in FY 26 to the extent additional workers’ compensation benefits are provided to parents in the event an employee dies with no presumptive dependents (e.g., spouse or minor children).

There is a specific relevant claim which is impacted by this bill that may result in a total estimated cost of \$140,000 over six years beginning in FY 26. The workers’ compensation benefit of this claim has yet to be determined and may vary significantly from this estimate.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 7141*****AN ACT CONCERNING COMPENSATION PAID TO INJURED EMPLOYEES AND THE PARENTS OF A DECEASED EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT.*****SUMMARY**

This bill makes various changes to workers' compensation benefits and related services.

It removes an administrative law judge's (ALJ) discretion to award temporary partial incapacity benefits instead of permanent, partial disability (PPD) benefits once an injured employee reaches maximum medical improvement (see BACKGROUND). Generally, temporary partial incapacity benefits are 75% of the difference between the employee's net (after tax and Social Security deductions) regular wage and what he or she earns by working at a reduced capacity, but they may be up to 75% of the employee's net regular wage if the employee cannot find suitable employment. PPD benefits vary, and are for the permanent, partial reduction in function or loss of a body part (see BACKGROUND).

The bill increases the duration of PPD benefits for a cervical spine injury that an injured worker may receive from 117 to 208 weeks as of July 1, 2025. Starting on that date, the bill also expands the list of injuries eligible for PPD benefits to include the:

1. intestinal tract (347 weeks),
2. esophagus (180 weeks),
3. trachea (117 weeks),
4. larynx (117 weeks), and

5. diaphragm (117 weeks).

The bill also allows a deceased employee's parents, when there are no dependents for distribution of workers' compensation benefits, to each receive an equal portion of the benefits.

Lastly, the bill establishes a working group to study rehabilitation services available to injured employees under the state's Workers' Compensation Act.

EFFECTIVE DATE: Upon passage

ELIGIBILITY FOR DIFFERENT TYPES OF BENEFITS

The bill requires an ALJ to award PPD benefits to an injured employee who is eligible for them. It removes the ALJ's discretion to instead award temporary partial incapacity benefits. Under existing law, the right to PPD benefits begins after the employee reaches maximum medical improvement for the injury (CGS § 31-295(c)).

Under the bill, if these employees reach maximum medical improvement but their injuries continue to result in total incapacity to work, they remain eligible to receive total incapacity benefits until the period of total incapacity ends.

These provisions apply to any matter (1) filed with the Workers' Compensation Commission on or after July 1, 1993, that is open and pending before the commission when the bill passes or (2) filed with the commission on or after the bill passes.

COMPENSATION UPON AN EMPLOYEE'S DEATH

Under existing law, when employees with no presumptive dependents (such as a spouse or minor children) die due to a work-related accident, anyone who was wholly dependent in fact upon them may receive their workers' compensation benefits. In cases where there are no such dependents, the bill allows for these benefits to be divided equally among the deceased employee's parents.

Under existing law, and unchanged by the bill, these benefits may be

paid for up to 312 weeks from the employee's death. Survivors who were wholly dependent in fact must be paid the full benefit rate, and benefits for those partially dependent in fact must be at least \$20 per week, but no more than the (1) full benefit rate or (2) average weekly amount that the deceased contributed to their support. (The bill does not specify the benefit rate for parents.)

WORKING GROUP

The bill establishes a working group to study rehabilitation services available to injured employees under the state's Workers' Compensation Act. Under the bill, the working group must at least examine:

1. whether the act's provisions adequately fund rehabilitation services for all injured employees and
2. ways to encourage injured employees to use these services (including providing stipends to injured employees who use the services).

Members

The bill requires the working group to include the following members, or their designees:

1. the Judiciary Committee chairpersons and ranking members,
2. the Aging and Disability Services commissioner, and
3. the Workers' Compensation Commission chairperson.

The group also includes the following seven members, jointly appointed by the Judiciary Committee chairpersons:

1. an attorney with expertise in representing claimants appearing before the Workers' Compensation Commission,
2. an attorney with expertise in representing respondents appearing before the commission,

3. a representative of an association representing attorneys in the state,
4. a representative of an association representing trial attorneys in the state,
5. a representative of an association representing workers' compensation insurers in the state,
6. a representative of an association representing business and industry in the state, and
7. a representative of a labor organization.

Under the bill, all initial appointments must be made within 30 days after the bill passes. Any vacancies must be filled by the appointing authority.

Leadership and Meetings

The bill makes the Judiciary Committee chairpersons, or their designees, the working group's chairpersons. Under the bill, they must schedule and hold the group's first meeting within 60 days after the bill passes. The working group must meet at least once per month and at other times as the chairpersons deem necessary.

The bill requires the Judiciary Committee's administrative staff to serve in this capacity for the working group.

Reporting Requirement

Under the bill, the working group must report on its findings and recommendations to the Judiciary Committee by February 1, 2026. The working group must end when it submits its report or on February 1, 2026, whichever is later.

BACKGROUND

Permanent, Partial Disability Benefits

By law, PPD benefits are for the permanent, partial reduction in function or loss of a body part. The worker receives PPD benefits based

on the disability rating (a physician's determination of the percentage of the body part that is disabled), the weeks of compensation provided for that body part specified in the law, and the employee's basic compensation rate. By law, the weeks of compensation range from one (tooth) to 520 (heart, brain, or carotid artery) depending on the body part.

Related Case

In March 2025, the Connecticut Supreme Court ruled in *Gardner v. Dept. of Mental Health & Addiction Services* that Connecticut law gives an ALJ discretion to award a workers' compensation claimant, after they reach maximum medical improvement, ongoing temporary partial incapacity benefits (up to the statutory maximum of 520 weeks) rather than PPD benefits.

Related Bill

HB 6408 (File 302), favorably reported by the Labor and Public Employees Committee, allows surviving family members of an employee to receive compensation for a work-related death when the employee does not have dependents.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0 (04/10/2025)