

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: HB-6409

AN ACT CONCERNING UNDUE DELAY IN WORKERS' COMPENSATION

Title: CLAIMS.

Vote Date: 3/20/2025

Vote Action: Joint Favorable

PH Date: 2/20/2025

File No.:

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SPONSORS OF BILL:

Labor & Public Employees Committee

REASONS FOR BILL:

This bill seeks to create a notice for employees by employers about any alterations in prescriptions for medications covered via workers' compensation. If a worker on workers' compensation is receiving a certain prescription medication, a change to that medication's availability under workers' compensation can lead to negative results for the worker's health.

RESPONSE FROM ADMINISTRATION/AGENCY:

None provided.

NATURE AND SOURCES OF SUPPORT:

Representative Susan Johnson: Supports the bill. Submitted testimony from the 2017 session is support of changes to the Workers' Compensation system.

Phyllis DiGioia, Clinical Social Worker CEO and Clinical Director of Honor Wellness Center in Glastonbury: Supports the bill. States Too many claims are delayed and denied on first review, causing undue financial hardship and emotional duress to the claimant, and gives a testimony on other aspects of the Workers' Compensation Commission.

Paul J. Vance Chair CTLA's: Supports the bill. States the bill would simply require an insurer to notify an employee before discontinuing prescription medication that was prescribed, per a workers' compensation claim, adding workers often find out at the pharmacy counter that their medication is no longer covered, and many medications cannot

simply be stopped. Stating this forces an injured worker to either utilize their own insurance, high out-of-pocket expenses, or to go without the prescribed medication, this proposal will give the injured party notice of the discontinuation and it allows them to consult their own physician. Adding the bill does not require a hearing and does not mandate that the Workers Compensation Administrative Law Judges approve the discontinuation, it is simply a notice provision, and that a worker finding out while at the pharmacy counter, without any medication left, is unsettling and unfair. They also attached a bill that was raised last year that addresses examples of undue delay in the workers' compensation system.

Lydia Melè, injured worker East Hartford, Connecticut: Supports the bill. States a personal story of working with Workers' Comp and becoming permanently disabled. Adding that they had many problems lasting for years in trying to get the help they were due. Urges support of bill so this doesn't happen to other people.

Kim Novak, First Responder Trauma Therapist LCSW: Supports the bill. States the importance of the Workers' Compensation Commission to the health and wellbeing of the first responder community. Speaks of the need to protect their privacy and urges reforms to make the system more efficient.

NATURE AND SOURCES OF OPPOSITION:

Eric George, Esq., President of the Insurance Association of Connecticut, Kristina Baldwin, Esq., Vice President of the American Property and Casualty Insurance Association, and Christopher Nikolopoulos, Esq., Senior Regional Vice President of the National Association of Mutual Insurance Companies: Oppose the bill. States the bill addresses a problem that has not been substantiated by data or real-world experience and could disrupt the system, introducing inefficiencies, delays, and unnecessary administrative burdens. Stating that the 2019 Labor Committee created task force examined the extent of contested or delayed workers' compensation and found no clear consensus or evidence of widespread undue delay and determined that the existing workers' compensation statutes are appropriate, with claimant attorneys that participated stating that undue delay is rarely raised as an issue requiring a hearing and when they are, they are resolved without formal proceedings. Adding that where undue delay was raised in a hearing, it is usually the Commissioner overseeing the case, showing the vigilance of the Commission and raises questions about the legitimacy of claims suggesting systemic delay, with current data from the Commission further confirming that the system is functioning as intended.

Pete Myers, Senior Public Policy Associate at the Connecticut Business & Industry Association (CBIA): Opposes the bill. States the bill is an unnecessary attempt to amend the well-established workers' compensation statutes. Adding that the current system is already well-functioning and the 2019 Labor Committee created task force investigated the extent of contested or delayed claims and found no clear consensus or evidence of undue delay. Everyone in the system have a vested interest in ensuring that medical treatments and payments are delivered promptly. States the bill seeks to address an unsubstantiated problem and could introduce unnecessary complexity and administrative burdens into an already efficient system.

Donna Braga: Opposes the bill for various reasons not related to the subject matter of the bill.

Zachary McKeown, Advocacy Manager for Connecticut Conference of Municipalities (CCM): Adding CCM would recommend a bill that extends time for employers to file a notice to contest a workers' compensation claim from 28 days to 45 days, stating 28 days is too short of a period for the municipality to do its "due diligence" in collecting information about these claims, stating This extra time will reduce the number of denials and help maintain the positive relationship between employers and employees without substantially delaying the process.

Reported by: Ian Graves

Date: 4/4/2025