

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: HB-7141

AN ACT CONCERNING COMPENSATION PAID TO INJURED EMPLOYEES
AND THE FAMILY MEMBERS OF A DECEASED EMPLOYEE UNDER THE

Title: WORKERS' COMPENSATION ACT.

Vote Date: 4/10/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS:

Rep. Michael D. Quinn, 82nd Dist.

Rep. Savet Constantine, 42nd Dist.

Rep. William Heffernan, 115th Dist.

REASONS FOR BILL:

For individuals who get injured on the job, they can worry about having a continued source of income while they recover. This bill aims to make changes and provide supplemental payments and benefits to the partial permanent disability structure under workers compensation. This legislation also aims to provide workers' comp award to the next of kin of the deceased employee, irrespective of whether the next of our kin were dependents of the deceased employee.

SUBSTITUTE LANGUAGE:

The substitute language makes multiple revisions to the original bill. In the first section, language is added in response to the Supreme Court decision *Beulah Gardner vs. Department of Mental Health and Addiction Services (DMHAS)* concerning the calculation of awards in certain workers' compensation claims, in addition language is added, effective July 1, 2025, with respect to five additional compensable injuries, involving the intestinal tract, esophagus, trachea, larynx, and diaphragm. The second section replaces language that provided compensation to "next of kin" with "compensation shall be divided equally among

the parents of the deceased employee.” Finally, the third section adds a new working group chaired by the Judiciary Committee Co-Chairs (or their designees) and staffed by the Judiciary Committee staff to study rehabilitation services available to injured employees under the workers’ comp chapter of the general statutes.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

Ed Hawthorne, President, AFL-CIO CT: Ed Hawthorne submitted testimony in support of this legislation because it increases the duration of benefits for cervical spine injuries by nearly double, and it allows compensation awards to be distributed to the next of kin of an unmarried deceased who had no children at the time of death. He believes that society has a duty to ensure it provides sufficient support to victims and resume their livelihoods as much as possible.

Kevin Saunders, President, CT Police and Fire Union: Kevin Saunders submitted testimony in support of this legislation because it provides adequate workers' compensation benefits for injured employees and their families in the event of the unthinkable. Police and Fire are very dangerous professions, which are subject to significant risks, and this bill will ensure the financial security of those lost to workplace accidents.

Alinor Sterling, President, CT Trial Lawyers Association: Alinor Sterling submitted testimony in support of this legislation because work-related injuries to the cervical spine have devastating effects on an individual and the increase in impairment rating is consistent with other injuries. They are also satisfied with the inclusion of the next of kin payouts as it makes sound policy sense.

Francis Drapeau Esq.: Francis Drapeau submitted testimony in support of this legislation because it closes the gap between how neck and back injuries are treated under the workers' compensation act, as well as addressing the unpaid impairment benefits when the injured worker dies without a spouse or children. This bill ensures these unpaid benefits go to the estate of the deceased.

Nathan Shafner, Esq.: Nathan Shafner submitted testimony in support of this legislation because injuries to the cervical spine must be treated according to the severity of injuries and that this is long overdue. He believes that reductions to workers' compensation benefits is just the state exploiting injured workers.

Sal, Shari, and Vincenza DiDomenico: The DiDomenico family submitted testimony in support of this legislation because all employees and their families deserve to be compensated for loss of life. They lost their family member Andrew, a CTDOT employee, to a traffic accident and they believe that this legislation would help other families in similar situations who might be struggling in the same way.

NATURE AND SOURCES OF OPPOSITION:

Kristina Baldwin Esq., Vice President of American Property and Casualty Insurance, Eric George Esq., President, Brooke Foley, General Counsel, Insurance Association of CT, Christopher Nikolopoulos Esq., Sr. Regional Vice President of National Association of Mutual Insurance Companies:

The above individuals submitted joint testimony in opposition to section two because workers' compensation is not a general survivor benefit program. This would unnecessarily expand eligibility, increasing costs for employers and municipalities, while raising workers' compensation insurance rates. The existing statute ensures those financially dependent on a deceased worker can make their case for benefits.

Mike Muszynski, Connecticut Conference of Municipalities: Mike Muszynski submitted testimony in opposition to this legislation because it expands the eligible rating for cervical spine injuries and allows workers' compensation awards to be issued to next of kin when an individual has no other dependents at the time of their death. Workers' compensation is meant to support individuals injured in the workplace, and not as a form of life insurance.

Pete Myers, Sr. Public Policy Associate, CBIA: Pete Myers opposes section two of this legislation because it expands workers' compensation coverage beyond dependents. He stated that coverage for beneficiaries who are not dependents is already available through life insurance, offered by many employers at a low cost in this state. Expanding workers' compensation benefits as proposed would increase the financial burden on employers, resulting in a rise of insurance costs.

Reported by: Griffin Olshan

Date: April 21, 2025