

# **Labor and Public Employees Committee JOINT FAVORABLE REPORT**

**Bill No.:** SB-828

AN ACT ESTABLISHING A WORKING GROUP TO EXAMINE THE WORKERS'

**Title:** COMPENSATION PROGRAM.

**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:**

The reason for this bill is to create a working group to study the workers' compensation program, in order to streamline it, reduce prior authorization delays, and reduce fraudulent claims.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

None provided.

## **NATURE AND SOURCES OF SUPPORT:**

**Representative Susan Johnson, CT General Assembly:** Supports the bill. States Support of the bill in tandem with HB 6409, and HB 5605. Also submitted Testimony for HB 6666 from 2017.

**Ed Hawthorne, President Connecticut AFL-CIO:** Conditionally supports the bill. States a history of Workers' Compensation and why it is important for workers and employers. Urges the committee to ensure that the membership of the working group is made up equally of employer and employee representatives.

**Kim Novak, LCSW 1st Responder Trauma Therapist:** Supports the bill. States they have been a trauma therapist for 17 years, stating that Workers' Compensation and the Workers' Compensation Commission legislation needs to be revised to protect first responder's privacy rights, with review related to HIPAA and existing mental health consent, confidentiality, and

privacy rights as related to current PTSD matters. Stating that they recently found several of their patients treated for PTSD were found on the CT Workers Compensation Commission public access reporting system. Stated they were told that Workers' Comp cases are exempt from HIPAA and that the commission is required to track it. Stating that this is unacceptable and has no public benefit and will only harm first responders, and while Federal HIPAA exempted Workers Comp carriers from confidentiality, it does require them to follow other local laws. Stating Federal HIPAA only sets a minimum and this practice should be stopped. Also asks that Workers' Comp PTSD claims be exempt from FOI requests. Also requests that 30 C Forms to direct Human Resources rather than Town Clerks to handle Workers' Comp claims, because they have privacy and confidentiality requirements. Stating that inmates Receiving medical care are protected from public information and FOI requests and first responders deserve equally privacy rights under the law.

**Paul J. Vance, Chair CTLA Workers' Comp Section:** Supports the bill. Supports the aim to reduce prior authorization delays. States that the new Workers' Comp Electronic Portal has enhanced features for searching managed care plans, reviewing coverage, submitting requests. States that statutes and have robust mechanisms to reduce fraudulent claims. States a particularly egregious undue delay is when workers are informed at the pharmacy counter that their medication is no longer covered, and that many medications cannot simply be cut off forcing them to use their own insurance, pay out of pocket, or go without. Stating they should be given proper and timely notification of discontinuation so they can inform their physician. Stating that a physician deciding to discontinue a medication would inform the patient at an evaluation with due notice, stating it is only fair that an insurer do the same and provide supporting medical documentation.

**Phyllis Digioia, CEO Clinical Director Honor Wellness Center:** Supports the bill. Stating that since workers compensation coverage for death and dismemberment cases of PTSI began for first responders and corrections personnel we have seen a sharp uptick in claims being filed. Stating several problems with how it has been handled. Stating many claims being delayed and denied on first review, causing undue financial hardship and emotional duress. Stating protected health information is easily accessible online, federal HIPAA has exempted workers compensation carriers from having to fully uphold confidentiality; however, it is also stated that workers' compensation carriers should still uphold confidentiality according to state PHI and confidentiality statutes. Stating there are personnel who are not clinically trained and/or legally required to maintain confidentiality and are collecting and reviewing highly sensitive protected health information. Stating there are many traumatizing cases seen by first responders happening every day over years of a career, that cumulative stress becomes PTSA, we must do better to care for our public safety first responders and treat them with the care and honor they deserve.

#### **NATURE AND SOURCES OF OPPOSITION:**

**Anonymous, A&R:** Opposes the bill for personal reasons largely unrelated to the content of the bill.

**Reported by: Matt Domejczyk & Ian Graves**

**Date: 4/2/2025**