



General Assembly

Substitute Bill No. 7141

January Session, 2025



***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2 repealed and the following is substituted in lieu thereof (*Effective from*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

JUD *Joint Favorable Subst.*