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Good afternoon Senator Gomes, Representative Tercyak and members of the Labor and Public Employees Committee. I am here to testify in support of SB 134 AN ACT CONCERNING SEVERE MENTAL AND EMOTIONAL IMPAIRMENT AND WORKERS' COMPENSATION COVERAGE, SB 102 AN ACT CONCERNING WORKERS' COMPENSATION AWARDS AND ATTORNEY FEES, and SB 211 AN ACT ALLOWING EMPLOYERS TO PAY WAGES USING PAYROLL CARDS

SB 134 would ameliorate some of the unfortunate changes made to the workers' compensation law in 1993. Specifically, it would expand workers' compensation coverage to certain individuals (first responders) suffering from a mental or emotional impairment as a direct result of witnessing the death or maiming of another human being whose death or maiming was caused by an act of a person. In recent years medical science has made it increasingly clear that a mental health impairment can be as disabling as a physical impairment. Unfortunately, our current statutes do not reflect this new understanding. This bill would require that the worker be diagnosed by a psychiatrist or psychologist who must determine that the impairment originated from witnessing the death or maiming or the immediate aftermath of the death or maiming. The immediate aftermath is limited to six hours after the scene is secured by law enforcement. The visual witnessing must also be causally connected to the employee's employment. Passage of this bill would allow workers who are suffering from specific work related mental trauma to benefit from workers' compensation. This would be a positive change and would bring our statutes in line with the modern understanding of mental health.

I am pleased that this year's bill does not limit the coverage to an intentional act; it would seem that a person's mental impairment would not depend on whether or not the act she or he witnessed was intentional.

SB 211 would allow employers to pay employees using payroll cards. Last year I proposed a bill that would offer employees protections such that they could decline to be paid using these cards and ensuring that no money would be deducted from their pay for accepting these cards as wages. It would appear that this bill which allows the use of payroll cards offers significant protection to the employee and requires that accepting these cards as wages be entirely voluntary. I encourage the committee to work with labor to ensure that the protections in this bill are sufficient.

SB 102 addresses an inequity in the workers' compensation law in Connecticut. Under current law, when an employer contests an employee's workers' compensation claim and the treatment for the employee's injuries can be covered under the employer's health insurance plan, the health insurer is required to cover the treatment and file a reimbursement claim against the employer's workers' compensation insurance. This bill requires 20% of any amount the health insurer recovers to be paid to the employee, with no reduction for attorney's fees, if the employee subsequently wins his or her workers' compensation claim against the employer. This change would, in fact, hold the employee harmless which is the most appropriate outcome.

Thank you for hearing these important bills.