

Workers' Compensation Laws Enacted 2014-2022

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Issue

This report provides brief summaries of workers' compensation (WC) laws enacted by the General Assembly from 2014 through 2022. It does not include acts whose effects were limited to the Second Injury Fund, state employees, or state budgetary matters. The report supplements OLR Report [2014-R-0079](#).

Workers' Compensation Laws, 2014-2022

[PA 14-167: Fee Schedule for Hospitals and Ambulatory Surgical Center Services](#)

This act changes how prices for workers' compensation-covered services at hospitals and ambulatory surgical centers (ASC) are determined when the facilities have not otherwise negotiated prices with an injured employee's employer or workers' compensation insurance carrier (the "payor"). It (1) requires the Workers' Compensation Commission chairperson to establish and publish Medicare-based formulas, when available, for determining the prices of these services and (2) caps the payor's liability for the services at the reimbursement levels listed in the formulas unless the parties have negotiated differently. If the services are not covered by Medicare (and thus do not have an applicable formula), the chairman must determine the payor's liability in consultation with certain other entities.

[PA 15-5: June Special Session \(§ 52\): Approved Prescription Drug Provider Lists](#)

Among other things, this act requires employers who use an approved prescription drug provider list to provide a copy of the list to an injured employee within two business days after the employee reports a work-related injury or condition to the employer.

[PA 15-5: June Special Session \(§ 459\): Hospital Charges](#)

Among other things, this act requires the charges for workers' compensation-related hospital services rendered before the fee schedule required by [PA 14-167](#) becomes effective to be determined exclusively as the hospital's actual cost of treating an injured worker (and not under the Office of Health Care Access statutes), as determined by a workers' compensation commissioner.

The act also requires disputes over a hospital's workers' compensation-related charges to be filed within one year after the initial payment for the services was remitted, regardless of the service date, unless an applicable law or rule requires a shorter timeframe.

[PA 16-10: Firefighters Cancer Relief Program](#)

Among other things, this act (1) prohibits firefighters who receive benefits from the Firefighters Cancer Relief Program from concurrently receiving workers' compensation benefits and (2) specifies that receiving benefits from the program cannot be used as evidence for, or an acknowledgement of, liability under the workers' compensation law.

[PA 16-73: Sole Proprietors on State and Municipal Public Works](#)

Before the state or municipalities enter into a contract to build or renovate a public works project, the parties to the contract must prove that they have complied with workers' compensation insurance and self-insurance requirements and do not owe payments to the Second Injury Fund. This act exempts sole proprietors from this requirement if they (1) do not use a subcontractor to perform the contract; (2) are not acting as a principal employer (i.e., do not have any employees); (3) have not opted-in to the workers' compensation system; and (4) have liability insurance instead of workers' compensation insurance.

[PA 16-77: Exemption From Prohibition on Facility Fees](#)

Among other things, this act exempts services provided under a workers' compensation plan from a law that otherwise prohibits hospitals, health systems, and hospital-based facilities from collecting certain facility fees. It also exempts services provided under a workers' compensation plan from a requirement that certain billing statements that include a facility fee contain specified information.

PA 16-112: Filing Claims Against a Municipal Employer

This act requires a municipal employee who files a claim with the Workers' Compensation Commission to send a copy of the claim notice to the town clerk of the municipality where the employee works.

PA 17-27: Withholding Workers' Compensation Income For Child Support

By law, when an employee has income withheld to enforce a child support order, his or her employer must promptly notify either the person owed the support or the judicial branch's Support Enforcement Services if the employee makes a workers' compensation claim. This act requires (1) the employer to include a copy of the income withholding order with the first report of occupational illness or injury to the workers' compensation benefits carrier and (2) the carrier to withhold the funds from the employee and pay them to the Department of Social Services' Office of Child Support Services.

PA 17-97: Ten-Year Repose Period For Certain Product Liability Claims

This act allows a claimant entitled to workers' compensation to bring a product liability lawsuit after the useful safe life exception's 10-year repose period. (The exception's repose period generally bars a product liability lawsuit against a party (e.g., the manufacturer) more than 10 years after that party last had possession or control of the product, unless the claimant can prove that the harm occurred during the product's useful safe life.)

PA 17-141: Notices of Claims

This act generally allows private-sector employers to notify employees, in a posting, about where they must send their written notices of a claim for workers' compensation benefits. The posting must be in a workplace location that prominently displays other required labor law posters. Employers who opt to post an address must also forward it to the Workers' Compensation Commission, which must post the address on its website. Employers are responsible for verifying that the information posted at the workplace location is consistent with the information posted on the commission's website.

PA 17-2: June Special Session (§ 160): Municipal Purchases of Workers' Compensation Insurance

Among other things, this act requires municipal legislative bodies to consult with their local boards of education, when possible, about jointly purchasing property, casualty, and workers' compensation insurance.

PA 19-17: Post-Traumatic Stress Benefits

This act allows police officers, parole officers, and firefighters to receive certain workers' compensation benefits if they cannot work due to post-traumatic stress caused by their participation in certain "qualifying events" (e.g., seeing a deceased minor in the line of duty). Among other things, the act also (1) limits the benefits' duration and availability and (2) establishes a process for employers to contest the claims.

PA 21-18: Minor and Technical Changes

This act makes various minor and technical changes in the workers' compensation statutes. Among other things it: (1) retitles the workers' compensation commissioners as "administrative law judges," (2) reduces the frequency with which the Workers' Compensation Commission's advisory board must meet, and (3) eliminates a provision that placed the Workers' Compensation Commission within the Department of Labor for administrative purposes only.

PA 21-107: Expanded Post-Traumatic Stress Coverage

This act expands eligibility for workers' compensation benefits for post-traumatic stress injuries to cover (1) emergency medical services personnel; (2) all Department of Correction employees; (3) telecommunicators (i.e., 9-1-1 emergency dispatchers); and (4) under certain circumstances related to COVID-19, health care providers. The benefits provided under the act are subject to the same limitations and procedures that already apply to the benefits for firefighters, police, and parole officers.

PA 21-2: June Special Session (§ 290): Ban on Employee Discipline and Employer Misinformation

Among other things, this act prohibits employers from (1) disciplining employees for filing a workers' compensation claim or exercising their workers' compensation rights and (2) deliberately misinforming or dissuading them from filing a claim for workers' compensation benefits. Employees subjected to a violation may either bring a lawsuit in Superior Court or file a complaint with the Workers' Compensation Commission.

PA 21-2: June Special Session (§ 291): Burial Expenses

Among other things, this act increases the workers' compensation benefit for burial expenses from \$4,000 to \$12,000. And starting January 1, 2022, it requires the benefit to be annually adjusted for inflation using the Consumer Price Index for Urban Wage Earners and Clerical Workers in the Northeast.

PA 22-89: Minor and Technical Changes

This act makes various minor and technical changes in workers' compensation law, such as replacing the term "administrative law judge" with "chairperson" in several places to clarify that certain actions are taken by the workers' compensation commission's chairperson, rather than one of the regional administrative judges.

PA 22-139: Firefighters Cancer Relief

Among other things, this act requires the Workers' Compensation Commission to (1) maintain a record of all firefighters' workers' compensation claims made due to a cancer diagnosis and (2) annually report a summary of the records to the Labor and Public Employees Committee. It also specifies that the approval of a wage replacement benefit from the state's Firefighters Cancer Relief Program does not create a presumption that the firefighter's cancer was work-related for a workers' compensation claim.

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