

Workers' Comp Legislative Activity

October 15, 2020 – December 1, 2020

NEW JERSEY

AB 4134

Actions: 10/30/2020 Signed by Governor Phil Murphy (D)
09/24/2020 Substituted for SB 2722; Passed Senate; Sent to Governor Phil Murphy (D)
09/22/2020 Hearing held; Passed committee
09/17/2020 Referred to Senate Budget and Appropriations Committee
08/27/2020 Passed Assembly
08/24/2020 Hearing held; Passed committee
08/10/2020 Hearing held; Amended; Referred to Assembly Appropriations Committee
05/11/2020 Introduced; Referred to Assembly Labor Committee

Summary: Summary for 10/30/2020 Version

This measure is applicable to workers' compensation claims under P.L.2019, c.387, which increased compensation for loss of a hand or foot. This measure clarifies that this act will apply to all claims pending on and filed after the original enactment date which was January 21, 2020. This measure will not apply to cases which have been reopened by an Application to Modify a Formal Award.

This measure also increases the workers' compensation burial expense allowance from \$3,500 to \$5,000 if a death results from a workplace accident or occupational disease. This measure does not specify any new rule promulgation authority. This measure was signed by Governor Phil Murphy (D) on October 30, 2020 and took effect immediately.

Outlook: This measure has been signed by Governor Phil Murphy (D). The enacted version of this text has not yet been released. This measure took effect upon enactment on October 30, 2020.

Bill Links: [8/10/2020 Committee Amendment](#)
[5/11/2020 Version](#)

Note: This information is neither intended to be all-inclusive for the industry, nor for public redistribution. Please feel free to send your questions, comments, suggestions, and requests for further information to Coventry at Regulatory@cvtv.com.

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NEW YORK

AB 7579

Actions: 11/11/2020 Signed by Governor
10/30/2020 Sent to Governor
07/22/2020 Substituted for SB 7210; Passed Senate; Returned to Assembly
07/21/2020 Meeting held; Delivered to Senate; Referred to Senate Rules Committee
07/15/2020 Hearing held; Passed Committee; Referred to Assembly Rules Committee
01/08/2020 Re-referred to the Assembly Labor Committee
05/09/2019 Introduced; referred to Assembly Labor Committee

Summary: Summary for 5/9/2019 Version

The measure applies to insurance carriers, injured workers, and eligible persons who receive death benefits. The measure mandates compensation payments or any portion of compensation payments to be allowed, upon the written request from an injured worker or a person entitled to a death benefit, to be deposited directly in a bank for any purpose to an account in the name of such injured worker or person entitled to a death benefit, on forms provided by the board, and duly filed in accordance with applicable regulations.

The measure mandates the board to promulgate reasonable rules and regulations to permit the deposit of a payment to be split between multiple accounts by either a dollar amount or exact percentage, provided that such regulations may establish a minimum dollar amount and may limit the maximum number of parietal deposits allowed. The measure defines 'bank' as any financial institution which is a member of the New York automated clearinghouse or any financial institution designated by the board.

Outlook: This measure has been signed by Governor Andrew Cuomo (D). This measure took effect on November 11, 2020.

Bill Links: [5/9/2019 Version](#)

PENNSYLVANIA**SB 94**

Actions: 11/03/2020 Signed by Governor Tom Wolf (D)
10/26/2020 Sent to Governor Tom Wolf (D)
10/21/2020 Reported from Senate Rules and Executive Nominations Committee
10/21/2020 Referred to Senate Rules and Executive Nominations Committee
10/20/2020 Passed House
10/19/2020 Amended; re-referred and re-reported from House Appropriations Committee
09/29/2020 Amended; Passed House Labor and Industry Committee
02/04/2020 Passed Senate; Referred to House Labor and Industry Committee
10/21/2019 Passed Senate Appropriations Committee
06/19/2019 Referred to Senate Appropriations Committee
06/11/2019 Amended; Passed Senate Labor and Industry Committee
01/24/2019 Introduced; Referred to Senate Labor and Industry Committee

Summary: Summary for 11/3/2020 Version

This measure is applicable to members of volunteer fire departments or volunteer fire companies. This measure provides that the Workers' Compensation Act will include officers, directors, rescue, and lifesaving squad members or any other members of volunteer rescue and lifesaving squads of the various municipalities. Additionally, this measure provides that Deputy Game Protectors, when injured on the job, will be entitled to receive worker's compensation whether they are employed by the Pennsylvania Game Commission or otherwise.

This measure also provides that members of a volunteer fire company, individuals appointed as special fire police, volunteer fire department, volunteer ambulance corps, or rescue and lifesaving squad will be considered employees of the Department of Conservation and Natural Resources when injured in the performance of duties in State Parks and State Forest Land for workers' compensation purposes. When injured due to performing duties on State game land, the members will be deemed to be employed by the Pennsylvania Game Commission.

This measure requires the Pennsylvania Compensation Rating Bureau (PCRB) to conduct a review to determine the necessity of modifying the classification codes affected by the amendments to workers' compensation implemented by this measure. The PCRB may make modifications to create separate classifications or revise cost values at any time after this measure is enacted.


This measure clarifies that the provisions laid out by this measure will not be construed to provide a presumption of occupational exposure to hepatitis C to an individual who does not serve as an active volunteer firefighter, an individual appointed as special fire police, an active volunteer ambulance corpsman, or an active rescue and lifesaving squad member at the time of infection. The provisions will also not be construed to provide compensation for cancer to an individual who has not served as an active volunteer firefighter or who does not meet the criteria for compensation.

This measure does not specify any enforcement mechanisms. This measure became effective upon enactment on November 3, 2020.

Outlook: On November 3, 2020, Governor Tom Wolf (D) signed this measure. Final enacted text has not been

made available yet. This measure became effective upon enactment on November 3, 2020.

Bill Links: [10/19/2020 Version](#)
[9/29/2020 Version](#)
[6/11/2019 Version](#)
[1/24/2019 Version](#)

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