

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB351-ER

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Surovell

3. Committee: Passed Both Houses

4. Title: Workers' compensation; permanent and total incapacity; subsequent accident.

5. Summary: Requires compensation for permanent and total incapacity to be awarded for the loss of both hands, both arms, both feet, both legs, both eyes, and any two thereof either from the same accident or a compensable consequence of an injury sustained in the original accident. Under current law, compensation for permanent and total incapacity is required only when such loss occurs in the same accident.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate – see Item 8.

8. Fiscal Implications: The proposed legislation is not expected to have a fiscal impact for the Department of Human Resource Management's (DHRM) Office of Workers' Compensation (OWC) or the workers' compensation unit at the Office of the Attorney General and Department of Law. The experience-based workers' compensation premium paid by state agencies may be impacted as the number of workers' compensation claims increase, but the impact to the premium cannot be determined at this time. DHRM's review of its OWC claims files shows that the program has not had any claims that resulted from double amputations. The average cost/claim on the amputation claims that the OWC has had over the past 10 fiscal years is \$44,573.00.

The Virginia Workers' Compensation Commission does not expect the proposed legislation will have a fiscal impact for the agency. However, there may be an impact to the Uninsured Employer's Fund, but the impact to the number of awards paid through the Fund cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: All state agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.