HB 38 Abigail Caudle Act SPONSOR: REP JOSEPHSON STAFF: PAUL KELLY

What problems are we solving?

1. Updating Partial Impairment Rating for inflation

- Established in 1988 @ \$135,000
- Adjusted once for inflation in 2000 (<u>17 years ago</u>) to \$177,000

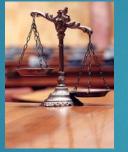
1988 – AS 23.30.190(a) repealed and re-enacted Partial impairment rating established at **\$135,000**

2017 ?



What problems are we solving?

- 2. The estate of a single worker with no dependents who dies on the
 - job has no remedy
 - Cannot sue



Cannot collect worker's compensation



There's no legal incentive for the employer to protect these employees

What is the current law?

PPI

Under 23.30.190(a) the PPI rating is <u>\$177,000</u>

The PPI rating is multiplied by the percentage of disability, or how much a worker's injury impacts the worker's ability to perform their job.

Deceased Workers

Under 23.30.215(a)

- The widow / widower and/or children get <u>\$15,000</u> plus as much as 100% of the decedent's spendable weekly wages
- If no widow / widower or children, but there are other dependent family, then they get <u>\$10,000</u> plus up to <u>\$20,000</u>
- No provision for compensating the parents or the estate if no surviving widow(er) or dependents

How do we fix it?

Under 23.30.190(a) the PPI rating is adjusted for inflation to <u>\$255,506</u>

Under 23.30.215(a)

- The widow / widower and/or children get <u>\$15,000</u> plus as much as 100% of the decedent's spendable weekly wages
- If no widow / widower or children, but there are other dependent family, then they get <u>\$10,000</u> plus up to <u>\$100,000</u>
- If no widow, widower, or dependents, the parents get funeral expenses plus a <u>\$70,000</u> lump sum. If no surviving parents, then the estate collects the lump sum.

Questions?

