

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sectional Analysis for HB 30

Section 1: Provides that the Act may be known as the Abigail Caudle Act.

Section 2: Repeals and reenacts AS 23.30.055 (section concerning the exclusiveness of employer liability) Outlines that an employee or the legal representatives of a deceased employee may choose between compensation through workers' compensation or taking legal action against an employer. Limits potential defenses of employer and clarifies who may be defined as an employer.

Section 3: Increases the base amount in AS 23.30.190(a) for calculating the compensation for the permanent partial impairment from \$177,000 to \$255,854.

Section 4: Links the amount payable under AS 23.30.190(e) to the Anchorage Consumer Price Index and calls for annual adjustment of this price.

Section 5: Amends AS 23.30 to add a new section, AS 23.30.212, requiring that in the event that an injury causes death, the employer is to notify the employee's personal representative of the compensation available, the statute of limitations, and where to obtain a list of legal counsel and grief counselors who may be able to assist.

Section 6: Amends AS 23.30.215(a)(4) to increase the maximum aggregate amount of death benefits payable to a father, mother, grandchild, brother, or sister dependent on the deceased at the time of injury from \$20,000 to \$150,000.¹ Amends AS 23.30.215(a) to add a new subsection providing that in the event there are no dependents of the deceased at the time of injury, that the amount of death benefits available is payable in a lump sum of \$120,000 to the parents of the deceased or the estate in the case of no surviving parents.

¹ See Committee Substitute

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Section 7: Amends AS 23.30.215 to add a new subsection:

AS 23.30.215(j) provides that death benefit payable to a child under AS 23.30.215(a)(2)(D) or (E) shall terminate five years after the person is no longer considered a child under AS 23.30.395(8).

Section 8: Provides for a January 1, 2020 effective date.