

HB 38

Abigail Caudle Act

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What problems are we solving?

1. Updating Partial Impairment Rating for inflation
 - ▶ Established in 1988 @ \$135,000
 - ▶ Adjusted once for inflation in 2000 (**17 years ago**) to \$177,000

1988 – AS 23.30.190(a) repealed and re-enacted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

2017 ?

12 years

17 years

2000 – AS 23.30.190 updated
PPI adjusted for inflation to **\$177,000**

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 **\$177,000**
 - ▶ 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 **\$15,000** 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 **\$10,000** plus up to **\$20,000**
 - ▶ **No provision** for compensating 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 \$255,506
- ▶ Under 23.30.215(a)
 - ▶ The widow / widower and/or children get \$15,000 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 \$10,000 plus up to \$100,000
 - ▶ If no widow, widower, or dependents, the estate gets funeral expenses plus a \$70,000 lump sum

Questions?

