

ALASKA STATE LEGISLATURE

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- Chair, Judiciary Subcommittee
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SENATOR BILL WIELECHOWSKI

Senate Bill 76 (Version M) Repeal Workers' Compensation Appeals Commission

Senate Bill 76 would save \$425,900 per year, remove an unnecessary bureaucracy, and make Alaska's Workers' Compensation program more sustainable by repealing the Alaska Workers' Compensation Appeals Commission. Passing SB 76 will return jurisdiction over appeals of Workers' Compensation Board decisions to the Superior Court. Currently the Appeals Commission handles these cases and their decisions can be appealed to the Supreme Court.

For decades, the Superior Court had handled these cases. Operating the Appeals Commission costs \$425,900 annually and it currently has two fulltime employees, while the Court System has testified that they can handle these cases with their current budget and staffing levels. The Appeals Commission's workload has decreased considerably since it was created in 2005. In 2007, they had 49 new cases filed and published 42 decisions but by 2018 they only had 26 new cases and published only 14 decisions.

In 2015, the House Labor and Workforce Finance Subcommittee found the Appeals Commission to be "an ineffective division" and that "their closure rate and average time for closure is not demonstrably better than the process was before the establishment of the commission."

This bill would create a transition period between June 1 and December 1 of 2020 when new cases would be filed with the Superior Court, but the Appeals Commission would continue to handle the cases that were already pending. On December 2, all pending cases would be transferred to the Superior Court and the Appeals Commission will be fully repealed on December 31.

Alaska's Workers' Compensation regulation is funded by service fees collected from insurance providers and self-insurers. In Fiscal Year 2019 the state collected \$8.0 million in fees, but the Department of revenue projects this will fall to \$7.1 million in FY 2020 and \$6.4 million in FY 2021. Given Alaska's budget deficit and the revenue, we simply cannot afford to spend \$425,900 to operate a separate commission when the courts are well equipped to handle these cases.