



Vote Yes on HB 2797 and Help Improve the Workers' Compensation Process for Paying First Time Loss Benefits

HB 2797-A clarifies the timeliness of an injured worker's first payment of temporary disability benefits. Current law provides that the first payment of time loss benefits to an injured worker is due no later than 14 days after the employer has knowledge of the claim. The start of temporary disability does not always coincide with the filing of a claim, because injured workers may file a claim but continue working without missing time from work, or may not be "disabled" until later.

This revision provides that the first payment of time loss benefits would be due no later than 14 days after the employer has knowledge of both the claim and the worker's authorized disability. Claims processors currently face administrative difficulties in determining when initial payments are due because there is a lack of clarity regarding the date of employer knowledge of a claim when time loss begins after the filing of the claim. This revision more accurately aligns the date of the initial payment with the worker's disability. **There is no change in the entitlement to or amount of benefits paid to injured workers.**

Passage of HB 2797-A will provide the following benefits:

- Initial time loss payments will be more accurately timed, requiring fewer adjustments to subsequent time loss payments.
- Processors and employers will have 14 days after the first day of disability and employer knowledge of the claim to obtain pre-injury earnings histories to accurately calculate time loss benefit rates.
- WCD will no longer need to interpret the date of employer knowledge in claims where time loss occurs after the date of employer knowledge, simplifying audits.
- Verbal verification of medical time loss authorization will continue to be sufficient to require the initial time loss payment.

The Labor Management Advisory Committee (MLAC) recommended approval of the measure as amended and there is no known opposition to it. **The House approved it unanimously and OSIA asks that you support HB 2797-A, which will improve overall compliance for claims processors, provide more accurate first payments resulting in fewer adjustments to subsequent payments, and create more consistency in processing, with no negative impacts on injured workers.**