



KEY VOTE ALERT

TO: Members of the Ohio Senate

FROM: Kevin Shimp, Director, Labor and Legal Affairs

RE: Upcoming Floor Vote on House Bill 81

DATE: May 20, 2020

In November, the House Insurance Committee added a number of amendments to HB 81 that the Ohio Chamber believes will have a positive impact on Ohio's workers' compensation system. With those changes maintained in the legislation, the Ohio Chamber provided written proponent testimony to the Senate Insurance and Financial Institutions committees.

The amendments added include in part:

- Amending the commencement of the continuing jurisdiction for the Bureau and Industrial Commission to the date an injured worker last received medical treatment.
- Aligning the statute of limitation for VSSR claims with the statute of limitation changes made in the workers' compensation budget from the prior General Assembly.
- Codifying the doctrine of voluntary abandonment to assure benefits are only paid when an individual's lost wage is the direct result of a workplace injury.

These three changes will have a positive impact on the workers' compensation system from an employer's viewpoint. Amending the continuing jurisdiction will prevent claims from remaining open for an unnecessary period of time and will bring more uniformity to ending workers' compensation claims. Aligning the statute of limitation for filing VSSR claims – which alleges a violation of specific safety statute – with the statute of limitation changes made last General Assembly in the BWC budget also brings more consistency to Ohio's workers' compensation law.

Codifying the common law doctrine of voluntary abandonment will assure that benefits are only paid to individuals who have a wage loss due to their workplace injury. By codifying this legal doctrine, the legislature is bolstering an important aspect of Ohio's workers' compensation law.

Substitute HB 81 is the product of conversations between the legislature and interested parties. The reforms included in the legislation have been vetted by each stakeholder and remain in the bill because they are reasonable and incremental changes to benefit all parties.

WE'RE ALL FOR OHIO.

We urge a YES vote on substitute HB 81 on the floor today. Your vote will be recorded on the Ohio Chamber's *Free Enterprise Index* which is a compilation of your voting record on key pro-business legislation during the General Assembly.

If you have any questions about this bill or the Ohio Chamber's position, please contact me at (614) 629-0916 or KShimp@ohiochamber.com.

WE'RE ALL FOR OHIO.

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