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NCOIL WORKERS' COMPENSATION INSURANCE COMMITTEE HAS INTERIM CONFERENCE CALL

Discussed Impact of COVID-19 on Workers' Compensation Insurance Marketplace

Manasquan, NJ – The National Council of Insurance Legislators (NCOIL) Workers' Compensation Insurance Committee, Chaired by Kentucky Representative Bart Rowland, held an interim conference call on May 29th to discuss the overall impact of COVID-19 on the workers' compensation insurance marketplace. The discussion was highlighted by the efforts taken by several states to expand access to workers' compensation coverage for COVID-19 to include all workers labeled "essential."

Chair Bart Rowland (Rep. – KY) stated, "[t]hank you to all who participated on this call to discuss some very important and timely issues that our nation is facing. After listening to comments from both supporters and opponents of presumptions for COVID-19, NCOIL can better assess the situation going forward."

"The interim conference call meeting was the highest attended teleconference meeting NCOIL has held since I've been here, or that is reflected in NCOIL's records" stated Cmsr. Tom Considine, NCOIL CEO. "We had over 100 participants which included 18 legislators from 14 states, which is just terrific," he continued. Minutes from the call can be found on the NCOIL website [here](#).

"Of course, panelists had different views on the matter, which we expect when we have discussions like this at NCOIL. I feel that this was very beneficial, and the call gave the committee members much to consider. One thing most of us can agree on is that this virus is unlikely to go away soon and pressure is growing to help the employees of essential businesses, which naturally puts some attention on the workers' compensation system," Rowland concluded.

Consistent with NCOIL's longstanding policy, panelists presented views from multiple perspectives on the issue. Speakers included: Jeff Eddinger, Senior Division Executive for the



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National Council on Compensation Insurance (NCCI); Mitch Steiger, Legislative Advocate at the California Labor Federation (CLF); Richard Marcolus, Chair of the New Jersey Council of Safety & Health (COSH); Dr. Robert Hartwig, Clinical Associate Professor in the Finance Department and Director at the Center for Risk and Uncertainty Management at the Darla Moore School of Business University of South Carolina; and Erin Collins, Vice President of State Affairs for the National Association of Mutual Insurance Companies (NAMIC).

NCOIL President, IN Rep. Matt Lehman stated, “The long-term economic impact of COVID-19 is currently unknown. NCOIL is dedicated to learning as much as it can in order to find the best solutions to the devastating effects of the virus. In the context of the workers’ compensation system, it is paramount that industry solvency is maintained and employees have benefits when they need them most.”

Considine said, “When issues like this arise, NCOIL is a great forum to help educate legislators from different states with similar goals by having a conversation to improve the quality of public policy. There is no question that there is a natural tug to want to provide compensation to essential workers who have fallen ill to COVID-19. The workers’ compensation system exists because of the risk of getting sick or injured on the job, but the illness or injury has to arise ‘out of the employment’ or in the ‘course of employment’ to be covered. The dilemma is twofold whether COVID meets either of those tests and whether the system can handle a pandemic. Congress and state legislature must best balance the interests of businesses, employees and insurers in making these policy choices.”

If you joined the call and would like to the chance to discuss any issues further, please reach out to NCOIL General Counsel Will Melofchik at wmelofchik@ncoil.org.

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NCOIL is a national legislative organization with the nation's 50 states as members, represented principally by legislators serving on their states' insurance and financial institutions committees. NCOIL writes Model Laws in insurance and financial services, works to preserve the State jurisdiction over insurance as established by the McCarran-Ferguson Act seventy-five years ago, and to serve as an educational forum for public policymakers and interested parties. Founded in 1969, NCOIL works to assert the prerogative of legislators in making State policy when it comes to insurance and educate State legislators on current and longstanding insurance issues.