



# 2022 Workers Compensation Legislative Trends

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# Legislative Monitoring Overview for 2022

NCCI tracked more than **850** state and federal WC-related bills

About **450** of the tracked bills were in NCCI jurisdictions

More than **110** WC-related bills were enacted

Almost **120** COVID-19 insurance-related bills, including workers compensation

# Overview

- COVID-19 and Workers Compensation
- Mental Injuries
- Marijuana Legalization
- Single-Payer Health Insurance
- Independent Contractors/Gig Economy



# COVID-19 WC Presumptions

Four types of legislation:

- Bills extending COVID-19 presumptions
- Bills expanding COVID-19 presumptions
- Bills establishing new COVID-19 presumptions
- Bills establishing infectious disease presumptions



# WC and COVID-19 Vaccinations

Three types of legislation:

- Bills establishing workers compensation presumptions for adverse impacts
- Bills specifying injuries are compensable under the workers compensation law
- Bills creating a private right of action against an employer



# Mental Injuries

- More than **60** bills addressing workers compensation for workplace-related mental injuries
- More than **45** of these bills were related to post-traumatic stress disorder (PTSD)
- A handful of states enacted legislation to date



# Marijuana Legalization—State Activity

- Recreational marijuana
- Medical marijuana
- Reimbursement for medical marijuana in workers compensation



# Marijuana Legalization—Federal Activity

- Cannabis Administration and Opportunity Act
- Marijuana Opportunity Reinvestment and Expungement (MORE) Act
- Safe and Fair Enforcement Banking (SAFE) Banking Act
- House Oversight Committee Hearing





# Single-Payer Health Insurance

- Key elements of workers compensation-related proposals:
  - Whether and how to continue funding for those healthcare services currently covered by the workers compensation system
  - Whether and how to incorporate an element of experience rating



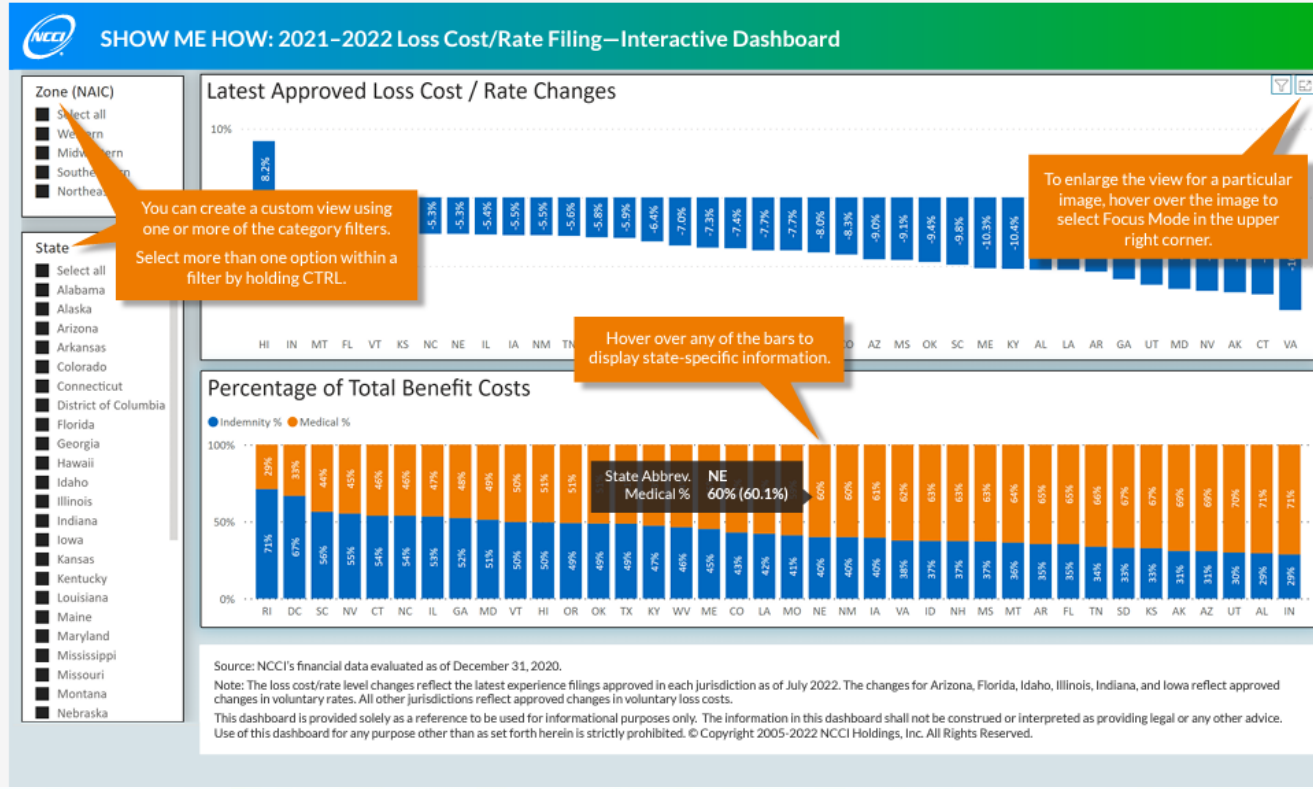
# Independent Contractors/Gig Economy

## Types of Legislation:

- ❑ Bills establishing a multiprong test to determine whether a worker is an employee or an independent contractor
- ❑ Bills specific to the employment status of certain gig workers

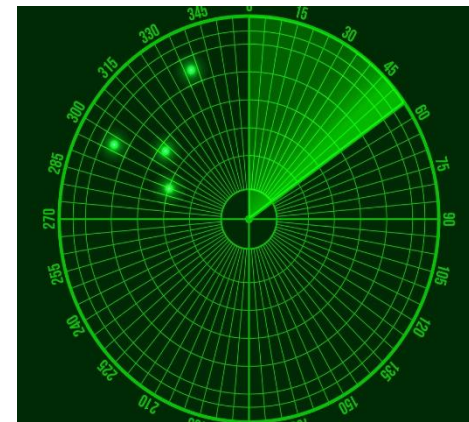


# 2021–2022 Loss Cost/Rate Changes Dashboard



# Emerging Issues

- NCCI Continues to Examine:
  - Continued Impact of COVID-19
  - Trends in Claim Frequency and Severity
  - Medical Costs: Inflation and Utilization



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# THANK YOU!

