



February 7, 2011

The Honorable Anthony Brown, Chairperson  
House Committee on Commerce and Economic Development  
Statehouse, Room 151-S  
Topeka, Kansas 66612

Dear Representative Brown:

SUBJECT: Fiscal Note for HB 2134 by House Committee on Commerce and Economic Development

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2134 is respectfully submitted to your committee.

HB 2134 would amend current law regarding the Kansas Workers Compensation Act. The bill would change the time limitation for workers to report injuries and creates specific requirements for the notice of injury. The bill would repeal the requirement that an injured worker must file a written claim for compensation within 200 days and shortens the period of time that a case must be set for a final hearing. The bill would change and create new standards for the definitions of what constitutes an injury.

In addition, the bill would increase the maximum level of benefits for temporary and permanent disabilities and in death cases. Also, the bill would change the standard for proving that a disability is related to an accident by adopting a "prevailing factor" test. The bill would establish a rebuttable presumption that a drug or alcohol impairment contributed to an injury, if it is shown that a claimant was impaired at the time of the accident.

Estimated State Fiscal Effect				
	FY 2011 SGF	FY 2011 All Funds	FY 2012 SGF	FY 2012 All Funds
Revenue	--	--	--	--
Expenditure	--	--	--	(\$30,596)
FTE Pos.	--	--	--	--

According to the Department of Labor, enactment of HB 2134 would reduce the number of weekly mailings to injured workers that the agency is required to distribute. The agency estimates that approximately 60,000 mailings would be eliminated each year, for a savings of

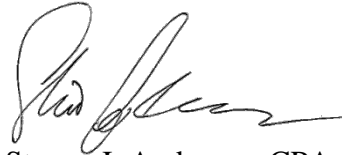
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\$39,288 in FY 2012, all from the agency's Workers Compensation Fund. However, part of this savings in FY 2012 would be offset by additional one-time training costs of approximately \$8,700 to train agency employees on the various changes to the Workers Compensation Act. Any fiscal effect associated with HB 2134 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Bill Schafer, Department of Labor