# Bill as Introduced

# HB 172 – AS INTRODUCED

2013 SESSION

13-0061
01/10

HOUSE BILL ***172***

AN ACT requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.

SPONSORS: Rep. J. Webb, Rock 6; Rep. Kappler, Rock 3; Rep. H. Richardson, Coos 4; Rep. Flanagan, Hills 26; Rep. Thompson, Rock 6; Rep. Ferrante, Rock 6; Rep. O'Connor, Rock 6

COMMITTEE: Labor, Industrial and Rehabilitative Services

---

ANALYSIS

This bill requires the labor commissioner to maintain certain records and statistical information relating to payment of workers' compensation.

---

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

# HB 172 – AS INTRODUCED

13-0061
01/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 New Paragraph; Workers' Compensation; Reports of the Commissioner. Amend RSA 281-A:61 by inserting after paragraph II the following new paragraph:

III. The commissioner shall maintain statistical information relating to any insurance carrier or self-insurer who fails to make payment of compensation pursuant to RSA 281-A:28 and RSA 281-A:31. The commissioner shall maintain statistical information relating to the fines assessed and collected on all carriers or self-insurers. The commissioner shall also keep records of any reductions in fines, waivers, and extensions that are granted to all carriers or self-insurers related to industrial accidents for a period of 2 years.

2 Effective Date. This act shall take effect 90 days after its passage.

# Amendments

Rep. Daniels, Hills. 40
February 5, 2013
2013-0193h
01/09

Amendment to HB 172

Amend RSA 282-A: 61, III as inserted by section 1 of the bill by replacing it with the following:

III. The commissioner shall maintain statistical information relating to any insurance carrier or self-insurer who fails to make payment of compensation pursuant to RSA 281-A:28 and RSA 281-A:31. The commissioner shall maintain statistical information relating to the fines assessed and collected on all carriers or self-insurers. The commissioner shall also keep records of any reductions in fines, waivers, and extensions that are granted to all carriers or self-insurers related to industrial accidents for a period of 2 years. The commissioner shall make a report every 6 months relative to the information required to be maintained under this paragraph to the advisory council on workers' compensation, established in RSA 281-A:62.

Rep. Daniels, Hills. 40
February 5, 2013
2013-0193h
01/09

Amendment to HB 172

Amend RSA 282-A: 61, III as inserted by section 1 of the bill by replacing it with the following:

III. The commissioner shall maintain statistical information relating to any insurance carrier or self-insurer who fails to make payment of compensation pursuant to RSA 281-A:28 and RSA 281-A:31. The commissioner shall maintain statistical information relating to the fines assessed and collected on all carriers or self-insurers. The commissioner shall also keep records of any reductions in fines, waivers, and extensions that are granted to all carriers or self-insurers related to industrial accidents for a period of 2 years. The commissioner shall make a report every 6 months relative to the information required to be maintained under this paragraph to the advisory council on workers' compensation, established in RSA 281-A:62.

# Speakers

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 172 Date January 23, 2013

Committee Labor

**** Please Print All Information ****

| Name | Address | Phone | Representing | (check one) Pro | Con |
|---|---|---|---|---|---|
| ST REP L. MIKE KAPPLER | | ROCK 3 | | X | |
| Rep Beverly Fredrickson Derby | | Rock City 6 | | X | |
| Rep. John T. O'Connor | | Rock Co | | Y | |
| | | | | | |
| | | | | | |
| | | | |

# Hearing Minutes

## HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

## PUBLIC HEARING ON HB 172

**BILL TITLE:** requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.

**DATE:** January 23, 2013

**LOB ROOM:** 307 **Time Public Hearing Called to Order:** 10:00 a.m.

**Time Adjourned:** 10:15 a.m.

(please circle if present)

**Committee Members:** Reps. A. White, S. Kelly, Coulombe, C. Rice, Weed, J. Schmidt, DiSilvestro, Andrews, Cahill, Ley, Tanner, Daniels, Burchell, H. Richardson, Infantine, Pellegrino, Flanagan, Emerick, Sedensky and St. James.

**Bill Sponsors:** Rep. J. Webb, Rock 6; Rep. Kappler, Rock 3; Rep. H. richardson, Coos 4; Rep. Flanagan, Hills 26; Rep. Thompson, Rock 6; Rep. Ferrante, Rock 6; Rep. O'Connor, Rock 6

### TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

**Rep. James Webb** - Prime sponsor of the bill. Supports the bill. Will add next section to law (3) is the basic of this bill. To require a permanent record being kept if there is a cost, it would be how the spreadsheets are designed to keep the records. What benefit to the system? Transparency – what employer and not complying with our law along with insurance companies. There is a feeling insurance companies are (not all) not complying. Employers are carried by insurance carriers – that is how it is represented.

Respectfully submitted,

Linda DiSilvestro

Rep. Linda A. DiSilvestro
Clerk

**HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**PUBLIC HEARING ON HB 172**

**BILL TITLE:** requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.

**DATE:** January 23, 2013

**LOB ROOM:** 307 **Time Public Hearing Called to Order:** 10:00 a.m.

**Time Adjourned:** 10:15

(please circle if present)

**Committee Members:** Reps. A. White, S. Kelly, Coulombe, C. Rice, Weed, J. Schmidt, DiSilvestro, Andrews, Cahill, Ley, Tanner, Daniels, Burchell, H. Richardson, Infantine, Pellegrino, Flanagan, Emerick, Sedensky and St. James.

**Bill Sponsors:** Rep. J. Webb, Rock 6; Rep. Kappler, Rock 3; Rep. H. richardson, Coos 4; Rep. Flanagan, Hills 26; Rep. Thompson, Rock 6; Rep. Ferrante, Rock 6; Rep. O'Connor, Rock 6

**TESTIMONY**

* Use asterisk if written testimony and/or amendments are submitted.

Rep Webb - Support
Bill. To require a permanent record being kept. If there will add next section to law (3) is the basic of the is a cost - it would be how the spreadsheets are designed to keep the Records. What benefit to the system? - transparency - what Employers & not complying w/ our law along with Insurance Co's. there is a feeling Insurance companies are (not all) not complying Employers are carried by Insurance carriers - that's how it is represented.

# Testimony

Copy

New Hampshire State Representative

# L. Mike Kappler

# HB-172

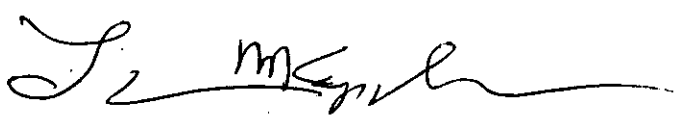
Committee Chair and members,

I support HB-172 and the need of maintaining these vital records for some period of time.

May I suggest that the committee look at line 8 of the bill, debate the idea of amending it, by ending the sentence with the word "accidents". Then, have a new sentence which really states, which or all of the information classes, should be retained, for a period of 2 years,or longer.

I would strongly support an amended version of HB-172.

Thank you.



# Voting Sheets

**HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**EXECUTIVE SESSION on HB 172**

**BILL TITLE:** **requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.**

**DATE:** February 5, 2013

**LOB ROOM:** 307

**Amendments:**

| | | | |
|---|---|---|---|
| Sponsor: Rep. Daniels | OLS Document #: | 2013 | 0193h |
| Sponsor: Rep. | OLS Document #: | | |
| Sponsor: Rep. | OLS Document #: | | |

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Daniels

Seconded by Rep. Burchell

Vote: 18-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Daniels

Seconded by Rep. Pellegrino

Vote: 18-0 (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:** YES

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Linda A. DiSilvestro, Clerk

**HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**EXECUTIVE SESSION on HB 172**

**BILL TITLE:** **requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.**

**DATE:** 2/5/13

**LOB ROOM:** 307

**Amendments:**

Sponsor: Rep. Daniels — OLS Document #: 0183-H

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

**Motions:** (OTP) OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. ~~Acworth~~ ld Daniels

Seconded by Rep. ~~Kelly~~ ld Burchell

Vote: (Please attach record of roll call vote.)

**Motions:** OTP, (OTP/A,) ITL, Retained (Please circle one.)

Moved by Rep. Daniels

Seconded by Rep. Pellegrino

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:** 18-0

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Linda A. DiSilvestro, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:29:31 AM
Roll Call Committee Registers Report

2013 SESSION

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

Bill #: HB 172 Title: Requiring the labor commissioner to maintain certain statistical information by ordering payment of workers compensation

PH Date: 1/23/13 Exec Session Date: 2/5/13

Motion: OTP Amendment Amendment #: 0193-H

| MEMBER | YEAS | NAYS |
|---|---|---|
| White, Andrew A, Chairman | Y | |
| Kelly, Sally H, V Chairman | Y | |
| Weed, Charles F | Y | |
| Rice, Chip L | Y | |
| Coulombe, Gary M | Y | |
| Andrews, Christopher R | Y | |
| Cahill, Michael D | Y | |
| DiSilvestro, Linda A, Clerk | Y | |
| Ley, Douglas A | Y | |
| Schmidt, Janice E | Y | |
| Tanner, Linda L | Y | |
| Daniels, Gary L, | Y | |
| Infantine, William J, | absent | |
| Richardson, Herbert D | Y | |
| Pellegrino, Tony J | Y | |
| Sedensky, John B, | Y | |
| Flanagan, Jack B | absent | |
| Burchell, Richard B | Y | |
| Emerick, J. Tracy | Y | |
| St.James, Kevin P | Y | |
| **TOTAL VOTE:** | 16-0 | |

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:29:31 AM
Roll Call Committee Registers Report

2013 SESSION

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

Bill #: 172 Title: Requiring the labor commissioner to enforce statutes regarding payment of workers' compensation

PH Date: 1/23/13 Exec Session Date: 2/5/13

Motion: ~~Amendment~~ OTP Amendment #:

| MEMBER | YEAS | NAYS |
|---|---|---|
| White, Andrew A, Chairman | Y | |
| Kelly, Sally H, V Chairman | Y | |
| Weed, Charles F | Y | |
| Rice, Chip L | Y | |
| Coulombe, Gary M | Y | |
| Andrews, Christopher R | Y | |
| Cahill, Michael D | Y | |
| DiSilvestro, Linda A, Clerk | Y | |
| Ley, Douglas A | Y | |
| Schmidt, Janice E | Y | |
| Tanner, Linda L | Y | |
| Daniels, Gary L, | Y | |
| Infantine, William J, | absent | |
| Richardson, Herbert D | Y | |
| Pellegrino, Tony J | Y | |
| Sedensky, John B, | Y | |
| Flanagan, Jack B | absent | |
| Burchell, Richard B | Y | |
| Emerick, J. Tracy | Y | |
| St.James, Kevin P | Y | |
| **TOTAL VOTE:** | 16-0 | |

# Committee Report

**CONSENT CALENDAR**

**February 7, 2013**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES to which was referred HB172,**

**AN ACT requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Gary L Daniels**

**FOR THE COMMITTEE**

Original: House Clerk
Cc: Committee Bill File

# COMMITTEE REPORT

| | |
|---|---|
| Committee: | **LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES** |
| Bill Number: | **HB172** |
| Title: | **requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.** |
| Date: | **February 7, 2013** |
| Consent Calendar: | **YES** |
| Recommendation: | **OUGHT TO PASS WITH AMENDMENT** |

## STATEMENT OF INTENT

This bill requires the Labor Commissioner to maintain statistical information on insurance carriers and self-insurers who are fined in violation of timely payments of workers' compensation. The bill as amended requires a report be sent to the Workers Compensation Advisory Council every six months.

Vote 18-0.

Rep. Gary L Daniels
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

**CONSENT CALENDAR**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB172,** requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary L Daniels for LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES. This bill requires the Labor Commissioner to maintain statistical information on insurance carriers and self-insurers who are fined in violation of timely payments of workers' compensation. The bill as amended requires a report be sent to the Workers Compensation Advisory Council every six months. **Vote 18-0.**

Original: House Clerk
Cc: Committee Bill File

HB 172

OTP/A

This bill requires the Labor Commissioner to maintain statistical information on insurance carriers and self-insurers who are fined in violation of timely payments of workers' compensation. The bill as amended requires a report be sent to the Workers Compensation Advisory Council every six months.

Gary Daniels

## Ebbs, Heather

**From:** White, Andrew
**Sent:** Wednesday, February 06, 2013 10:30 AM
**To:** Ebbs, Heather
**Subject:** Re:

I would change to read: This bill requires the Labor Commissioner to maintain statistical information on insurance carriers and self-insurers who are fined in violation of timely payments of workers' compensation. The bill as amended requires a report be sent to the Workers Compensation Advisory Council every six months.

You had fired instead of fined and i tuned up the last sentence.

Andrew White, Representative
Grafton District 13 - Lebanon

603-252-0846

Sent from my iPhone, please forgive short responses and spelling errors.

On Feb 6, 2013, at 9:42 AM, "Ebbs, Heather" <heather.ebbs@leg.state.nh.us> wrote:

> Sorry, forgot to attach HB 172 so here it is!!!!!!
>
> Heather
>
> <HB 172.doc>

# COMMITTEE REPORT

COMMITTEE: Labor, Industrial and Rehabilitative Services

BILL NUMBER: HB172

TITLE: Requiring the labor commissioner to maintain certain statistical information regarding payment of workers comp.

DATE: 2/5/2013 CONSENT CALENDAR: YES [X] NO [ ]

- [ ] OUGHT TO PASS
- [X] OUGHT TO PASS W/ AMENDMENT
- [ ] INEXPEDIENT TO LEGISLATE
- [ ] ~~INTERIM STUDY~~ (Available only 2nd year of biennium)

Amendment No. 2013-193h

**STATEMENT OF INTENT:**

This bill requires the labor commissioner to maintain statistical information on insurance carriers and self-insurers who are fined in violation of timely payments of workers' compensation. A report must be given to the Workers Compensation Advisory Council every six months

COMMITTEE VOTE: 18-0

RESPECTFULLY SUBMITTED,

Rep. Gary L. Daniels
For the Committee

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rev. 02/01/07 - Yellow