

HB 744-FN - AS INTRODUCED

2025 SESSION

25-0408

06/02

HOUSE BILL ***744-FN***

AN ACT relative to workers' compensation indemnity benefits percentage.

SPONSORS: Rep. MacKenzie, Hills. 40

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill changes the percentage of workers' compensation indemnity benefits to 66 2/3 percent.

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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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to workers' compensation indemnity benefits percentage.

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

1 1 Workers' Compensation; Compensation for Temporary Total Disability. Amend RSA 281-A:28,
2 II to read as follows:

3 II. If an employee's average weekly wage is over 30 percent of the state's average weekly
4 wage, weekly compensation shall be ~~[60]~~ **66 2/3** percent of that employee's average weekly wage or
5 30 percent of the state's average weekly wage, whichever is greater, but in no event shall weekly
6 compensation exceed 150 percent of the state's average weekly wage rounded off to the nearest
7 dollar as the commissioner determines for the year in which the injury occurred. In no event shall
8 the maximum weekly compensation rate exceed 100 percent of the employee's after tax weekly
9 earnings as determined under RSA 281-A:15. For purposes of this section, the department of
10 employment security shall establish the state's average weekly wage for the immediate preceding
11 calendar year to be effective the following July 1.

12 2 Compensation for Permanent Partial Disability. Amend RSA 281-A:31-a to read as follows:

13 281-A:31-a Compensation for Permanent Partial Disability. Where the disability for work
14 resulting from an injury is permanent but partial in nature, the employee has reached maximum
15 medical improvement, is able to return to work, and there is an impairment in accordance with the
16 "Guides to the Evaluation of Permanent Impairment" published by the American Medical
17 Association as set forth in RSA 281-A:32, the employer, or insurance carrier, during such disability
18 shall pay to the injured employee a weekly compensation equal to ~~[60]~~ **66 2/3** percent of the
19 difference between his average weekly wage before the injury and the average weekly wage which he
20 is able to earn thereafter. However, in no instance shall the weekly compensation exceed the
21 amounts set forth by the compensation schedule in RSA 281-A:28. Payments shall not continue after
22 the disability ends, nor longer than 262 weeks; and if the partial disability begins after a period of
23 total disability, the period of disability shall be deducted from such total period of 262 weeks.

24 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 744-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to workers' compensation indemnity benefits percentage.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Funding Source(s)</i>	General Fund, Highway Fund, and Various Agency Funds			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill increases the weekly compensation rate for employees with temporary total disabilities from 60% to 66 2/3% of their average weekly wage, provided their wage exceeds 30% of the state's average weekly wage. Additionally, it increases the weekly compensation rate for employees with permanent partial disabilities from 60% to 66 2/3% of the difference between their pre-injury average weekly wage and their post-injury earning capacity.

The Department of Labor states this bill will result in increased expenditures for the State and political subdivisions due to higher weekly compensation payments for employees with temporary total or permanent partial disabilities. The exact financial impact will depend on the number of claims filed annually and the average wage levels of the affected employees.

AGENCIES CONTACTED:

Department of Labor