

Assembly

LABOR AND MANAGEMENT COMMITTEE MINUTES

MARCH 29, 1973

MEMBERS PRESENT: Chairman Banner
Mrs. Brookman
Mr. Barengo
Mr. Ullom
Mr. McNeel

MEMBERS ABSENT: Mr. Bickerstaff
Mr. Capurro

A quorum having been established, Chairman Banner called the meeting to order for the purpose of taking action of the following bills: AB 339, AB 675, SB 166 and SB 413.

Mr. Ullom moved the minutes be approved and Mr. McNeel seconded the motion.

The first bill to be discussed was AB 339 which permits employees to be treated by a physician of their choice rather than utilize employer's accident benefits provided under Nevada Industrial Insurance Act. Chairman Banner presented the suggested amendments to the committee for their consideration. See Attachment A

Mr. Ullom moved "Do Pass as Amended" and Mr. McNeel seconded the motion. There were no "nay" votes.

Next came SB 166, which abolishes workmen's compensation for University of Nevada athletes. Mr. McNeel moved that the committee "Do Pass as Amended" and Mr. Ullom seconded the motion. Again there were no "nay" votes.

AB 675 provides equal standard of dependency for wife and husband if either is injured in employment. Mr. Ullom moved "Do Pass" and Mr. McNeel seconded it. There were no objections.

✓ SB 413 excludes students employed by school from unemployment compensation. Mr. McNeel moved "Do Pass" as amended and Mr. Ullom seconded. There were no objections.

Mr. Barengo then said that after thinking about it he felt that perhaps the committee should reconsider this bill because why should a student working at the school not be entitled to unemployment compensation when the same student could work say for the casino part time and get compensation. He felt this was only a bill to keep the school from having to contribute to unemployment compensation.

Mr. McNeel then moved that the committee rescind the action taken on SB 413. Mr. Ullom seconded the motion and there were no "nay" votes.

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Chairman Banner then appointed Mr. Barengo to study SB 413 and ask someone from the Senate to give the reason for passage of this bill.

As there was no further business for this meeting, Mr. Ullom moved that the committee be adjourned and Mr. McNeel seconded the motion. Chairman Banner adjourned the meeting at 4:45.

Respectfully submitted,

Sandee Gagnier

LABOR AND MANAGEMENT COMMITTEE - 57TH SESSION

DATE: 3-29-73 BILL NO.: AB 339 SPONSOR: Banner

SUBJECT: Permits employees to be treated by a physician of their choice rather than utilize employer's accident benefits provided under Nevada Industrial Insurance Act.

Committee Action

DATE: 3-29-73 AMENDED: YES NO
AMENDMENT MADE BY: Proposed by Chairman Banner - Made by Mr. Ullom
SECONDED BY: Mr. McNeel

COMMITTEE VOTE

BANNER	<u>YES</u>	NO	BICKERSTAFF <i>absent</i>	YES	NO
BROOKMAN	<u>YES</u>	NO	CAPURRO <i>absent</i>	YES	NO
BARENGO	<u>YES</u>	NO	McNEEL	<u>YES</u>	NO
ULLOM	<u>YES</u>	NO			

Disposition

DATE: 3-29-73 DO PASS: _____ DO PASS AS AMENDED: XXXX
INDEFINITELY POSTPONED: _____

Amendment attached to the minutes of the meeting

LABOR AND MANAGEMENT COMMITTEE - 57TH SESSION

304

DATE: 3-29-73 BILL NO.: AB 675 SPONSOR: Gojack, Banner and Barengo

SUBJECT: Provides equal standard of dependency for wife and husband if either is injured in employment

Committee Action

DATE: _____ AMENDED: ~~YES~~ NO
AMENDMENT MADE BY: _____
SECONDED BY: _____

COMMITTEE VOTE

BANNER	<u>YES</u>	NO	BICKERSTAFF <i>absent</i>	YES	NO
BROOKMAN	<u>YES</u>	NO	CAPURRO <i>absent</i>	YES	NO
BARENGO	<u>YES</u>	NO	McNEEL	<u>YES</u>	NO
ULLOM	<u>YES</u>	NO			

Disposition

DATE: _____ DO PASS: XXXXX DO PASS AS AMENDED: _____
INDEFINITELY POSTPONED: _____

LABOR AND MANAGEMENT COMMITTEE - 57TH SESSION

DATE: 3-29-73 BILL NO.: SB 166 SPONSOR: Committee of Commerce and Labor
SUBJECT: Abolishes workmen's compensation for University of Nevada

Committee Action

DATE: _____ AMENDED: YES ~~NO~~
AMENDMENT MADE BY: _____
SECONDED BY: _____

COMMITTEE VOTE

BANNER	<u>YES</u>	NO	BICKERSTAFF <i>absent</i>	YES	NO
BROOKMAN	<u>YES</u>	NO	CAPURRO <i>absent</i>	YES	NO
BARENGO	<u>YES</u>	NO	MCNEEL	<u>YES</u>	NO
ULLOM	<u>YES</u>	NO			

Disposition

DATE: _____ DO PASS: _____ DO PASS AS AMENDED: XXX
INDEFINITELY POSTPONED: _____

The amendment being that which the Senate had put on it.

Adopted: <input type="checkbox"/>	Adopted <input type="checkbox"/>
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>
Date:	Date:
Initial:	Initial:
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>
Date:	Date:
Initial:	Initial:

Amendments to Assembly / Senate

Bill / Joint Resolution No. 339 (BDR 366)

Proposed by _____

Amendment No 361



Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

"1. No employee is required to accept the services of a physician provided by the employer pursuant to WRS 615.349 or 615.415. Each employee may seek".

Amend section 1, page 1, by inserting after line 7:

"2. No provision of this chapter shall prevent an employee from providing for treatment for his injuries or disease through prayer or other

Amendment No. _____ to _____ Bill No. 339 (BDR _____) Page _____

spiritual means in accordance with the tenets and practices of a recognized church, which treatment is recognized in this state in lieu of medical treatment."

Amend the title of the bill by deleting line 3 and inserting:

"choice at the expense of the accident benefit fund; providing that chapter 516 of NRS shall not bar treatment by spiritual means; and providing other matters".

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TO JIM BANNER ACCOUNT NO. 398
FROM JOHN REISER JR CLAIM NO.
SUBJECT NIC PENSIONERS DATE MARCH 29, 1973

In answer to your request for information regarding the total number of NIC pensioners, we have prepared the following figures:

- (1) total number of pensions - 616
- (2) total number of silicosis pensions - 58
- (3) permanent total awards and fatalities - 558

In addition to this information, you requested cost information regarding your proposed legislation. Attached are the NIC staff estimates.

I would suggest that any retroactive benefits that you propose be implemented as an amendment to AB 310.

Please give me a call if you would like further explanation of any of these figures.

RETROACTIVE BENEFIT COSTS

Cost of applying provisions of AB 398, AB 401, and AB 403 to all outstanding claims at close of fiscal 1972.

Total Increase in Benefit Costs Based on Fiscal 1972 Experience -	62.7%
Total Cost -	\$13,500,000
Total Cost of Benefits Fiscal 1972 =	\$21,441,238

NIC would be insolvent if the benefits proposed were made retroactive.

Adding the effect of both prospective and retrospective cost of AB 398, AB 401 and AB 403 would increase the cost of workmen's compensation benefits that would have to be funded in fiscal 1974 by approximately 90 percent.

Estimate of Additional Cost of AB 403

Wherein the formula for computing Temporary Total Compensation remains constant (65%, 80% or 90%) but the Maximum Considered Wage is increased from \$500 to \$1000).

1. Base assumption of Fiscal 1972 claimant wage distribution.
2. Those claimants who earned over \$500 per month would benefit. 66% of the claimants.
3. The cost of TTD would increase by 40.6% under these assumptions.

It is estimated that AB 403 would add a total cost of approximately 14.6 to the overall cost of workmen's compensation.

Estimate of Additional Cost of AB 401 wherein the formulae for computing death benefits remain unchanged but the maximum considered wage is increased from \$335 to \$1000.

1. Assume that the wage profile of the work force exposed to death benefits approximates the wage profile of the 5,635 claimants who lost time in fiscal 1972.
2. Assume that the dependency pattern remains relatively constant.
3. 86.5% of the death benefit recipients would receive an increase in benefits.

The proposed bill would cause an increase of approximately 90.1% in the cost of death benefits.

The bill as presented would increase the cost of total workmen's compensation benefits by approximately 6.1%.

Our estimates are based on our past experience with remarriage rates. We would expect that there would be a likelihood of change in those rates if the schedule changed to that proposed. Therefore, our estimates should be low - how much we would hesitate to say.

Estimate of Additional Cost of AB 398.

Wherein the formula for computing Permanent Total Disability Compensation remains unchanged (65%, 80% and 90%) of the maximum considered wage, but the maximum considered wage is increased from \$416 per month to \$1,000 per month.

1. Assume that the wage profile of the work force exposed to permanent total disability approximates the wage profile of the 5,635 claimants who lost time in fiscal 1972.
2. Assume that the dependency pattern remains relatively constant.
3. 78.6% of future permanent total disability cases would receive increased benefits.

The proposed bill would cause an increase of approximately 56.6 percent in the cost of permanent total compensation.

The bill as presented would increase the cost of total workmen's compensation benefits by approximately 5.3%.

The total increase represented by AB 398, 401, and 403 if applied to claims incurred would be -

$5.3\% + 14.6\% + 6.1\% = 26\%$ of total workmen's benefit costs.

STATE OF NEVADA
NEVADA INDUSTRIAL COMMISSION

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CLAUDE EVANS
COMMISSIONER REPRESENTING LABOR
MERRY W. BERRUM
COMMISSIONER REPRESENTING INDUSTRY



ADDRESS ALL CORRESPONDENCE TO
NEVADA INDUSTRIAL COMMISSION

REPLY TO
515 E. Musser
Carson City, Nevada
March 29, 1973

Assemblyman James Banner
State Assembly Building
Carson City, Nevada 89701

Dear Assemblyman Banner:

Please find attached descriptions of the proposed legislation recommended by the Labor Management Advisory Board and the Nevada Industrial Commission.

Support for these proposals were voted by the Representatives of organized labor at meetings held in Las Vegas, Reno and Carson City, Nevada, with the Commission and the labor members of the Advisory Committee, who are:

Mr. Lou Paley-Secretary-Treasurer-Nevada State AFL-CIO-Reno
Mr. Mike Pisanello-Representative Local 226, Culinary Workers-Las Vegas
Mr. Tom Jones-President Local 233, Steelworkers-McGill
Mr. Harold Knudson-Secretary, Central Trades Council-Reno
Mr. James Arnold-Secretary, Building Trades Council-Las Vegas.

This legislation was agreed upon by the Labor Management Board and the Nevada Industrial Commission after many months of close perusal of the various studies that have been made and lengthy negotiations between the members of the Advisory Board.

I fully support this legislation and urge your favorable consideration on these proposal's.

Sincerely yours,

NEVADA INDUSTRIAL COMMISSION

Claude Evans
Claude Evans, Commissioner
Representing Labor

CE/lk

The following is a description of the nature and purpose of each of the bills recommended by the labor-management advisory board and the NIC:

* Bills with an asterisk indicate recommendations made by the National Commission on State Workmen's Compensation Laws.

* 1. SB403 - SAFETY - OSHA BILL

This bill provides the NIC's Department of Occupational Safety and Health with the authority to enforce the Federal Occupational Safety and Health Act of 1970. It provides the authority to assess stringent penalties against employers who fail to meet the safety standards specified by this department.

* 2. SB7 - REHABILITATION

As amended, this bill provides the NIC with the authority to take any and all measures necessary to return an injured workman to gainful employment. It allows such things as income maintenance benefits during the rehabilitation period and the requirement that injured workmen participate in the program as a condition for receiving workman's compensation benefits. It allows use of all existing facilities and agencies as well as the development of any services that are presently not in existence. The NIC program will concentrate on a comprehensive physical rehabilitation program directed at minimizing the recovery period.

* 3. SB27 - SUBSEQUENT ACCIDENT ACCOUNT

As amended, this bill encourages employers to hire injured workmen or to return an injured workman to light duty as soon as possible by limiting the liability of an employer associated with hiring a disabled individual. This bill supplements the rehabilitation bill by providing an incentive to employers who cooperate in a rehabilitation effort.

* 4. SB 186 - ELIMINATES NUMERICAL AND CERTAIN OCCUPATIONAL EXEMPTIONS

This bill eliminates numerical and certain occupational exemptions so that employees of small employers who often are most in need of protection against on-the-job injury are fully covered by our act. It also broadens coverage to include the often hazardous occupations which are involved in agriculture.

* 5. AB270 - FULL SILICOSIS BENEFITS

This bill removes the \$14,250 limit on silicosis benefits for those disabled on or after July 1, 1973, so that silicosis is treated in a similar manner to other occupational diseases. It also provides a supplemental benefit to claimants who have exhausted the present \$14,250 limit. This supplemental benefit is funded from the special silicosis fund in the state treasury.

* 6. SB183 - COMPENSATION BENEFITS

As amended, this bill revises the schedule of compensation benefits, including permanent total disability, temporary total disability, death, permanent partial, and temporary partial benefits. It substitutes the state's average monthly wage (approximately \$693 in 1972) for the present \$416 monthly maximum considered wage for permanent total disability. The state's average monthly wage also replaces the \$500 monthly maximum for temporary total disability, the \$335 monthly maximum considered wage for death benefits, and the \$350 monthly maximum considered wage for temporary benefits. It provides for 66 2/3 percent of the average monthly wage as a benefit under permanent total, temporary total, death, and temporary partial benefits. It provides a base of 50 percent of the state's average monthly wage for permanent partial disability benefits. These revisions would result in a significant increase in all of these compensation benefits and would restructure the benefits so that they are more adequate and equitable for each of the categories of disability. Also, benefits will automatically increase with future wage increases.

The permanent partial disability benefit would become a monthly payment for the rest of an injured employee's working lifetime instead of a benefit prescribed by an arbitrary formula. This will be paid even though the worker returns to full employment; so again, the emphasis is on developing ability with no incentive to remain disabled.

* 7. SB 374 MEDICAL PANEL

This bill authorizes the commission to establish panels of highly qualified physicians and allows for free choice by the injured employee of a physician on this panel. The purpose of this bill is to identify physicians with special qualifications for treating traumatic injuries from the inception of the disability through the rehabilitation process. For example, surgeons will perform their specialty and rehabilitation medicine specialists will perform their specialty in a coordinated program designed to promote rapid recovery.

PASSED BY SENATE - TO ASSEMBLY

* 8. SB367-COMMISSION SUPERVISION OF PRIVATE WORKMAN'S COMPENSATION PLANS

This bill gives the commission authority to assure that private workman's compensation plans provide benefits equal to or greater than those required by law.

PASSED BY SENATE - TO ASSEMBLY

* 9. SB187 - INTERSTATE COMPACTS

This bill allows the commission to enter into agreements with other states concerning extraterritorial problems. It will help to eliminate the gaps and delays associated with filing claims when more than one state is involved. It will also help to prevent duplicate coverage within the states.

PASSED BY SENATE - TO ASSEMBLY

10. SB184 - INVESTMENTS

As amended, SB184 will allow the commission to invest up to 10 percent of the state insurance fund assets in office buildings in Nevada. This bill allows investments in Reno and other parts of the state where office buildings are required rather than limiting the NIC to building in Carson City and Las Vegas.

* 11. SB185 - DEFINITION OF TOTAL DISABILITY

This bill also supplements the bill on rehabilitation by defining total disability as the inability to engage in any occupation for which an individual is fitted by education, training, and experience. This definition emphasises the responsibility of workmen's compensation to return an individual to gainful employment, even if selective job placement or retraining are required.

PASSED BY SENATE - TO ASSEMBLY

12. SB138 - SUBROGATION

This bill clarifies the provisions requiring a negligent third party to fund a share of the costs of an injury caused by this negligent

third party rather than placing the entire liability on the employer.

13. SB368 - STOP ORDERS

This bill authorizes the NIC to order cessation of business by an employer who fails to provide mandatory industrial insurance for the benefit of his employees. Thus, employees will not be penalized when their employer fails to obey the law; and law-abiding employers will not subsidize delinquent employers.

14. SB166 - VOLUNTEERS

As amended, this bill provides for elective medical expense coverage of university athletic teams to be underwritten by the Nevada Industrial Commission. It provides for medical expense coverage only and no wage replacement coverage since there are no wages involved with amateur athletic teams.

15. SB375 - LABOR-MANAGEMENT ADVISORY BOARD

This bill creates the governor-appointed labor-management advisory board to work with the commission in the planning and implementation of programs and major policy matters.

PASSED BY SENATE - TO ASSEMBLY.

16. SB2 - HOUSEKEEPING

This bill provides for the following:

1) Permanent total disability beneficiaries must report their earnings annually so that the commission is aware of the rehabilitation potential and can work with them as soon as it becomes feasible for them to return to an employable status.

2) This bill provides for the chairman to serve as executive director in administrative matters. The labor-management board and the commission favor deletion of sections 2 and 3 so that two commissioners continue to provide a check and balance within the commission.

3) Flexible rating procedures are allowed which will increase rewards to employees with outstanding safety and rehabilitation programs. Again the emphasis is on safety and developing ability rather than disability.

4) This bill proposes streamlining a number of accounting procedures by changing arbitrary funds to accounts within the state insurance fund.

5) This bill provides the authority for the commission to delegate medical extensions to the claims department. It should reduce delays and time consuming paper work.

17. SB5 - INVESTMENT PROCEDURES AND REQUIREMENTS

This bill authorizes additional types of high-quality short term investments which will permit the NIC to earn additional income on short-term investments. It also provides for additional flexibility in long-term investments by specifying restrictions on bonds and common stocks that are more consistent with those complied with by insurance companies, banks, and other trustees.

18. SB3 - QUALIFICATIONS OF INVESTMENT COUNSEL

This bill provides qualifications that will allow additional top quality investment counsel to be considered by the commission and will permit employment of more than one investment counselor.

19. AB25 - FISCAL NOTES

PASSED by SENATE - To ASSEMBLY
This bill would require fiscal notes showing the impact on NIC premiums or the state insurance fund of any legislative bills or amendments.

20. AB24 - MEDICAL BOARD FINDINGS FINAL

This bill would place final medical determination in the hands of an independent medical board appointed by the governor. Its purpose would be to insure that final medical determinations are made by a group of medical professionals independent from the commission rather than by laymen.

This board would only make its determinations when a medical controversy arose between commission medical advisors and an injured workman's treating physician. NIC statistics include many cases in which the lay opinion of a judge has overruled the weight of medical evidence to permit excessive surgery resulting in aggravated disabilities.

21. SB4 - ADMINISTRATIVE PROCEDURES ACT

This bill requires that the commission be given the opportunity to adjudicate claims and make final decisions on claims prior to court action. It would provide for judicial review of any final decision by the commission, and it would eliminate many of the delays and costs of excessive premature litigation.

22. AB23-PHYSICIAN'S DUTY TO ADVISE

This bill eliminates the duty of the physician to inform the injured workman of his rights under the industrial insurance act. It continues to require physicians to lend assistance in making application for compensation. This bill was requested by physicians who do not wish to advise claimants on matters of law.

23. SB6 - CALENDAR YEAR ACCOUNTING

This bill would require that the commission use a calendar year basis in calculating, determining and fixing premium rates of employees. The commission, labor-management advisory board, and Senator Dodge, who introduced this bill, agree that it should be withdrawn since the NIC is on a fiscal year basis and this would simply complicate the bookkeeping procedures of the commission.

KILLED BY SENATE Commerce & Labor Committee

24. AB26 - ATTORNEYS' FEES

This bill prescribes the maximum fee of 33 1/3 percent of the increase in the award secured by an attorney's services. It also provides that the commission will fix fees and pay the attorney. The commission and the labor-management advisory board disapprove of this bill because it would tend to create an adversary relationship between the employer and the employee rather than eliminate such relationship. In other words, the employer would be paying for an attorney to represent the employee against the employer's insurance carrier. Also, it would require the commission to fix fees and would create litigation when attorneys did not agree with the fees fixed by the commission. It is the opinion of the commission that the other bills described above will tend to discourage excessive litigation in favor of rehabilitation, and therefore, this bill is not a necessary reform.

25. AB310 - RETROACTIVE BENEFITS FUNDED OUT OF GENERAL REVENUES

This bill provides for a 10 percent increase in compensation to survivors receiving death benefits prior to July 1, 1973, and a 10 percent increase to permanent total disability pensioners who did not receive the legislative increase April 9, 1971. This 10 percent increase is to be funded out of the general revenues.

Toward a Model Law - the AFL-CIO Program

The following minimum standards for an adequate workmen's compensation program are recommended by the AFL-CIO:

- S.B. 126 Compulsory coverage, including firms of all sizes.
- S.B. 126 Full coverage of agricultural workers.
- S.B. 123 Benefit levels sufficient to maintain a decent standard of living for injured workers and their dependents, with maximum weekly benefits of not less than two-thirds of the injured worker's average weekly wage.
- S.B. 127 Reciprocity of benefit rights between jurisdictions.
 - Time limits within which an employe may file a claim for occupational disease should be at least one year after the date of disablement and the time the worker gains knowledge of the nature of his disability and its relation to his job.
- A.B. 27 Full statutory coverage of all occupational diseases.
 - Coverage of diseases caused by ionizing radiation.
 - Full medical benefits for job-incurred personal injuries and occupational diseases.
- S.B. 27 Full compensation protection under second injury funds.
 - Choice of qualified physician by injured workers.
- S.B. 37 The workmen's compensation agency should have the authority to supervise and control medical care.
- S.B. 7 The workmen's compensation agency should

include a rehabilitation division which should promote full utilization and development of rehabilitation facilities for the benefit of injured workers.

- Maintenance benefits during rehabilitation.
- Administration under a state agency, not by courts.
- An exclusive state compensation fund.
- Benefits for the totally disabled for the period of disability.
- In case of death, benefits should be paid to the widow until her death or remarriage and to children during their minority and to other dependents during the period of their inability to support themselves.
 - Minors under 18 who are injured on the job if employed in violation of any state law should be paid double benefits.
- Prohibition of special contracts with employers whereby a worker with a specific physical defect waives his right to compensation in the event of subsequent injury.
- Prohibition of lump-sum settlements and compromise of rights to full medical care under compromise and release settlements unless the workmen's compensation agency approves such a settlement on the advice of the appropriate state rehabilitation unit or agency.
- Judicial review should be limited to consideration of the record of the workmen's compensation agency on questions of law only, without trial de novo. In addition, there should be an appeals board which has no administrative responsibilities and from which appeal on matters of law only can be made to the highest court in the state.

X indicates proposed legislation.

O indicates Nevada already has this standard.

JUSTIFICATION FOR PASSAGE OF SB-403-"NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT"

PASSAGE OF THIS BILL WOULD ALLOW THE STATE OF NEVADA TO RETAIN JURISDICTION IN THE ENFORCEMENT OF SAFETY REGULATIONS OF THE STATE.

IF THIS BILL IS NOT PASSED THE FEDERAL GOVERNMENT WILL RETAIN JURISDICTION AND BE THE ENFORCING AGENT OF THE STATE.

WE HAVE FOUND, BY EXPERIENCE, THAT THE FEDERAL AGENCY DOES NOT HAVE THE AVAILABLE MANPOWER TO EFFECTIVELY ADMINISTER THE SAFETY REGULATIONS, AND ARE NOT KNOWLEDGEABLE IN THE UNIQUE TYPES OF INDUSTRY RELATIVE TO NEVADA.

IF THE FEDERAL GOVERNMENT ADMINISTERS THE REGULATIONS, IT THEREFORE FOLLOWS THAT THE SAFETY STANDARDS WILL ALSO BE PROMULGATED BY THE FEDERAL GOVERNMENT AND THE ELECTED STATE OFFICIALS WOULD HAVE NO SAY IN THESE STANDARDS.

BY NOT HAVING A NEVADA OSHA ACT WE PUT OURSELVES IN THE POSITION OF HAVING WASHINGTON, D.C. WRITE, ADMINISTER AND ENFORCE THE SAFETY STANDARDS OF NEVADA.

A look at the agreed Labor-Management package through the eyes of the working men and women of Nevada:

(1) DEATH BENEFITS - 66 2/3% of claimant's average monthly wage subject to a maximum considered wage of \$693.43 - maximum of \$462.32 per month to dependent of deceased. This would result in an average increase of 94.3% for this benefit, with a re-evaluation yearly based on the state's average wage.

Present Law - (maximum)

- 1 dependant - \$167.50 per month
- 2 dependents - \$217.75 per month
- 3 dependents - \$268.00 per month

(2) PERMANENT TOTAL DISABILITY - 66 2/3% of claimant's monthly wage subject to considered wage of state's average wage. Maximum monthly benefit for permanent total disability would be \$462.32, an average increase of 17.8% in this benefit, with a re-evaluation yearly based on the state's average wage.

Present Law - (maximum)

- Claimant - \$270.40 per month
- 1 dependent - \$332.80 per month
- 2 dependents - \$374.40 per month

(3) a. PERMANENT PARTIAL BENEFITS - increase the benefit base from \$280.00 to approximately \$350.00, an increase of 25%. 380

b. BENEFITS to be paid on a monthly basis until age 65, or five years, whichever is later.

(4) TEMPORARY TOTAL DISABILITY - 66 2/3% of claimant's average monthly wage, subject to a considered maximum wage of the state's average monthly wage. Currently, state average wage is \$693.43 - maximum monthly compensation would be \$462.32, an increase of 3.7% to the average claimant, with a re-evaluation yearly based on the state's average wage.

Present Law - (maximum)

Claimant - \$325.00

1 dependent - \$400.00 per month

2 dependents - \$450.00 per month

(5) REHABILITATION - Temporary total benefits of 66 2/3% of claimant's wage (maximum \$462.32 per month), while engaged in a rehabilitation program under the direction of the NIC - NEW benefit.

(6) MAINTENANCE BENEFITS - for claimants while away from home to attend rehabilitation facilities - NEW benefit.

(7) SECOND INJURY FUND - to assist our injured workers to return to gainful occupation - NEW benefit.

(8) FULL SILICOSIS BENEFITS - NEW benefit.

(9) A STOP ORDER for employers who do not pay NIC premiums - NEW benefit.

(10) ELIMINATE numerical and certain occupational exemptions - NEW benefit.