

2025 Workforce Safety & Insurance (WSI) Legislative Quick Guide (Final - 05/01/2025)

1. HB 1021: WSI Appropriations Bill

(Introduced by Appropriations Committee)

House App. Vote: **DP 20-0-3**

House Vote: **86-0**

Senate App. Vote: **DP 15-0**

Senate Vote: **44-0**

Signed by Governor: 4/2/2025

2. SB 2046 (Eng): WSI Employer Services Bill **[WSI Board Supports]**

Senate IB Vote: **DP 5-0 Amended**

Senate Vote: **47-0**

House IBL Vote: **DP 11-0**

House Vote: **88-0**

Signed by Governor: 03/14/2025

- Establishes a one-time, \$250 premium credit for new employer accounts with a 50% ownership interest held by active members of the N.D national guard or armed forces, veterans of the military, or a surviving spouse of a veteran.
- Provides WSI the ability to transmit employer related notices of decisions and administrative orders electronically.

Fiscal impact: No significant impact to premium rate levels is anticipated.

3. SB 2109 (Eng): WSI Injury Services Bill [WSI Board Supports]**Senate IB Vote: DP 5-0 Amended****Senate Vote: 44-2****House IBL Vote: DP 10-3 Amended****House Vote: 70-20****Senate Concurred: 45-2****Signed by Governor: 4/7/2025**

- Amends definition of disability to reflect a loss of actual earnings vs. a loss of earnings capacity in order to qualify for disability benefits.
- Provides WSI the ability to transmit claims related forms, notices of decisions, and administrative orders electronically.
- Increases the lifetime maximum for death benefits from \$300,000 to \$400,000;
- Increases the maximum scholarship amount payable per applicant from \$10,000 per year to \$12,500 per year.
- Clarifies the definition of compensable mental or psychological conditions by incorporating into the definition the clarifying administrative rule language which was recently invalidated by the North Dakota Supreme Court.

Fiscal impact: The provision increasing the death benefit cap from \$300,000 to \$400,000 will result in a premium rate level increase of less than 1.0%. It is anticipated that the remaining provisions of this proposed bill will not have a material impact on statewide premium rate and reserve levels.

The proposed amendment will ensure continuity in the administration of compensable mental or psychological conditions. Absent the change, a lack of clarity emerges in how to properly adjudicate these types of claims. This clarity will otherwise develop through future litigation which will likely increase system costs.

4. HB 1423 (Eng): Remodeling and Vehicle Adaptation Expenses [WSI Board Supports - w/amend]**Sponsors: Rep. Schreiber-Beck, Mitskog; Sen. Luick****House IBL Vote (Reconsider): DP 13-0-1****House Vote: 86-4****Senate IB Vote: DP 5-0****Senate Vote: 45-1****Signed by Governor: 4/2/2025**

- Increases the lifetime maximum for remodeling expenses from \$75,000 to \$150,000 and the lifetime maximum for motor vehicle modifications/adaptations from \$125,000 to \$200,000.

Fiscal impact: The proposed legislation will increase benefit costs for a small subset of claims with catastrophic injuries; however, we don't anticipate the legislation having a material impact on statewide rate and reserve levels.

5. SB 2094: Retirement Presumption [WSI Board Opposes]

Sponsors: Sen. Mathern

Senate IB Vote: DNP 5-0

Senate Vote: 4-43

- Provides that injured workers will continue receiving wage-loss benefits past their social security presumed retirement age in lieu of the existing additional benefit payable benefit currently received post-retirement.
- Eliminates the three-year cap on disability benefits for employees injured post-retirement.

Fiscal impact: It is estimated that the proposed legislation will increase discounted reserve levels in excess of \$100 million and will serve to increase statewide premium rates by approximately 1.2%.

6. HB 1060: Presumptive Coverage—Correctional Officers [WSI Board Neutral]

(Introduced by House Industry, Business and Labor)

House IBL Vote: DNP 13-0-1

House Vote: 4-86

- Extends the presumption coverage for certain conditions that exists for law enforcement and paid firefighters to correctional officers employed by the North Dakota Department of Corrections.

Fiscal impact: Anticipate premium rates for the 7720 rate class to increase between 3.5% and 5.0% resulting in higher workers compensation premiums for the governmental entities and others that fall within this class.

7. SB 2181: PTSD Coverage [WSI Board Opposes – Suggested Further Study]

Sponsors: Sen. Rummel, Cleary, Hogue; Rep. Ista, Lefor

Senate IB Vote: DNP 5-0

Senate Vote: 16-29

- Provides coverage for posttraumatic stress disorder (PTSD) if the condition causing the posttraumatic stress disorder was extraordinary.
- Limits disability benefits to no more than thirty-two weeks and establishes a two claim per lifetime cap.
- Contains a sunset date of July 31, 2029

Fiscal impact: This legislation is not quantifiable. In its present form, the legislation will act to increase both rates and reserves.