

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1152

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1152

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1152

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 01-24-10

Tape Number	Side A	Side B	Meter #
1	x		39.2 - 49.5
2	x		18.8 - 27.3
Committee Clerk Signature <i>Debra Hoover</i>			

Minutes: **HB 1152**

Chairman Berg opened the hearing.

David Thiele, Senior Litigation Counsel for ND Workers Comp., testified for the bill. See written testimony.

Rep. Keiser, Did I understand you to say that the bureau will be establishing a new category for identifying people with this risk of exposure and it will have a higher rate?

David Thiele, Chapter 23-07.3 lists the emergency medical services providers and defines that group. This is the limited group that we are going to provide preventative medical care for when they have incidence where they are exposed to this. We don't anticipate that this is going to affect any premium rates. This cost will be minimal for this expanded backup to that group.

Rep. Keiser, If utilization is high, will that effect the rates for that group?

David Thiele, That is something we would have to evaluate as we go along. If the costs are greater than what we anticipated, there probably have to be some adjustment.

Page 2  
House Industry, Business and Labor Committee  
Bill/Resolution Number HB 1152  
Hearing Date 01-24-01

Rep. Keiser, Will the exposures being defined here, will they follow the deductible formula for other injuries?

David Thiele, Yes they would. The other thing I need to note is that when someone is exposed to blood or bodily fluids and it's in the course of employment and they test positive and we can demonstrate that the injury is a cause of work, that would be preventative medical care.

Chuck Peterson, a member of GNDA, testified in favor of the bill. See written testimony.

Chairman Berg closed the hearing.

**Tape 2, side A, No. 18.8.**

Chairman Berg reopened the hearing.

Rep. Ruby made a motion for a Do Pass.

Rep. Klein second the motion.

There was some committee discussion about the bill.

**Roll call vote: 13 yes, 0 no, 2 absent.**

The motion carries.

Rep. Ruby will carry the bill.

## FISCAL NOTE

Requested by Legislative Council  
12/26/2000

Bill/Resolution No.: HB 1152

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

### ***NORTH DAKOTA WORKERS COMPENSATION 2001 LEGISLATION SUMMARY OF ACTUARIAL INFORMATION***

**BILL DESCRIPTION:** Exposures for Infectious Disease

**BILL NO:** HB 1152

**SUMMARY OF ACTUARIAL INFORMATION :** North Dakota Workers Compensation, together with its actuary, Glenn Evans of Pacific Actuarial Consultants, has reviewed the legislation proposed in this bill in conformance with Section 54-03-25 of the North Dakota Century Code.

The proposed legislation amends the definition of "compensable injury" to allow NDWC to pay for preventive treatment for exposures to infectious diseases occurring in the course of employment for EMS providers, firefighters, employees of medical facilities and law enforcement personnel, and to pay for exposure to rabies occurring in the course of employment.

**FISCAL IMPACT:** We believe that the proposed legislation will increase loss cost by a nominal amount. Information provided by NDWC suggests that aggregate annual loss costs may increase by \$5 thousand to \$15

thousand -- less than 0.05% of current premium levels.

**DATE:** December 27, 2000

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Paul R. Kramer	<b>Agency:</b>	ND Workers Compensation
<b>Phone Number:</b>	328-3856	<b>Date Prepared:</b>	12/27/2000

HB 1152

Date: 01-24-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. *Click here to type Bill/Resolution No.*

House Industry, Business and Labor Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Rep Ruby Seconded By Rep Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	/		Rep. Jim Kasper	/	
Vice-Chairman George Keiser			Rep. Matthew M. Klein	/	
Rep. Mary Ekstorm	/		Rep. Myron Koppang	/	
Rep. Rod Froelich			Rep. Doug Lemieux	/	
Rep. Glen Froseth	/		Rep. Bill Pietsch	/	
Rep. Roxanne Jensen	/		Rep. Dan Ruby	/	
Rep. Nancy Johnson	/		Rep. Dale C. Severson	/	
			Rep. Elwood Thorpe	/	

Total (Yes) 13 No 0

Absent 3

Floor Assignment Rep Ruby

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 25, 2001 8:05 a.m.

Module No: HR-13-1563  
Carrier: Ruby  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1152: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1152 was placed on the Eleventh order on the calendar.**



2001 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1152

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1152

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date February 14, 2001.

Tape Number	Side A	Side B	Meter #
1	x		17.1 to 25.2
			27.6 to 29.2
Committee Clerk Signature <i>Nora E. Perez</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on HB 1152 relating to the definition of compensable injury for workers' compensation purposes; and to provide an effective date.

**David Thiele**, Senior Litigation Counsel, Workers' Compensation Bureau. Written testimony attached. In favor.

**Chuck Peterson**, GNDA, in favor. Written testimony attached.

**Representative Todd Porter**, District 34. Blood splatter is not considered an injury to health care workers, this bill will correct that. Urge do pass.

No opposing testimony. Hearing closed.

1-A-27.6 to 29.2. Discussion held.

**Senator Espgaard**: Motion do pass. **Senator Mathern**: Second.

Roll call vote: 7 yes; 0 no. Motion carried. Floor assignment: **Senator Tollefson**.

Date: 2/14/01  
Roll Call Vote #: 1

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1152**

Senate Industry, Business and Labor Committee

- Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen Espgaard Seconded By Sen Mathern

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espgaard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Tollefson

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
February 14, 2001 10:45 a.m.

Module No: SR-27-3291  
Carrier: Tolletson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1152: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1152 was placed on the Fourteenth order on the calendar.**

2001 TESTIMONY

HB 1152

**PREVENTIVE MEDICAL TREATMENT FOR SIGNIFICANT EXPOSURES TO  
EMERGENCY MEDICAL SERVICE PROVIDERS**

Testimony

Before the House Industry, Business, and Labor Committee

January 24, 2001

David Thiele, Senior Litigation Counsel  
North Dakota Workers Compensation

Mr. Chairman, Members of the Committee:

My name is David Thiele and I am the senior litigation counsel for North Dakota Workers Compensation. I am here today to testify in support of House Bill 1152. The Workers Compensation Board of Directors has approved this bill. This bill amends subsection 11 of section 65-01-02 of the North Dakota Century Code dealing with the definition of compensable injury. The bill allows NDWC to pay benefits for preventive medical care for certain workers that have a significant exposure to bloodborne pathogens. This bill will be effective for all claims filed after July 31, 2001.

Historically, NDWC has not covered preventive medical care for communicable diseases (N.D.C.C. 65-01-02(11)(b)(1)). With the spread of HIV and hepatitis some employees, due to the nature of their work, may be exposed to significant health risks due to exposure to blood or other bodily fluids of individuals that can be at high risk for underlying communicable diseases. This bill would allow for the payment of preventive medical care for emergency medical technicians, firefighters, law enforcement officers, and workers in hospitals, nursing homes, and group homes, who can show an exposure to an infectious disease as defined by N.D.C.C. 23-07.3-01(5), which occurred in the course of employment.

