

**Workforce Safety and Insurance
Budget No. 485
House Bill No. 1021**

	FTE Positions	General Fund	Other Funds	Total
2009-11 executive budget (bills as introduced)	237.14	\$0	\$54,455,605	\$54,455,605
2009-11 legislative appropriations	247.14	0	56,877,605	56,877,605
Legislative increase (decrease) to executive budget	10.00	\$0	\$2,422,000	\$2,422,000
Legislative increase (decrease) to 2007-09 appropriations	10.00	\$0	\$3,636,450	\$3,636,450

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for Workforce Safety and Insurance is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015.

	Major Items			
	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added funding for additional FTE positions (see Other Sections in Bill section)	10.00		\$1,355,000	\$1,355,000
Increased funding relating to the reauthorization for the information technology transformation project from \$6,000,000 to \$7,017,000. The Legislative Assembly provided an appropriation of \$14 million for the project for the 2007-09 biennium. The agency estimates \$6,983,000 will be spent for the project during the 2007-09 biennium and funding of \$7,017,000 will be needed for the 2009-11 biennium.			1,017,000	1,017,000
Added funding for costs associated with the study of postretirement benefits provided for in House Bill No. 1525			50,000	50,000
Total	10.00	\$0	\$2,422,000	\$2,422,000

FTE Changes

The 2009-11 biennium appropriation includes funding for 247.14 FTE positions, an increase of 10 FTE positions from the 2007-09 biennium authorized level of 237.14 FTE positions. The Legislative Assembly added 10 FTE positions for the agency's vocational rehabilitation program.

Other Sections in Bill

Employee positions authorization - Section 2 allows the director of Workforce Safety and Insurance to hire, upon a determination that employees are needed to facilitate the economic and efficient administration of the agency, up to 10 FTE positions for the vocational rehabilitation program. The section provides an appropriation of \$1,355,000 for the purpose of providing salaries, benefits, and operating expenses for any additional FTE positions.

Litigation expenses - Section 3 creates a new section to North Dakota Century Code Chapter 65-02 relating to providing a continuing appropriation for litigation expenses relating to employer and medical provider issues.

Related Legislation

Workforce Safety and Insurance reserve level - House Bill No. 1035 provides that the level of financial reserves plus available surplus of Workforce Safety and Insurance may not exceed 140 percent of the actuarially established discounted reserve. The bill excludes from the calculation of available surplus any funds designated or obligated to specific programs or projects pursuant to a directive or specific approval by the Legislative Assembly.

Workforce Safety and Insurance premiums - House Bill No. 1036 requires Workforce Safety and Insurance to establish premium rates annually on an actuarial basis. The statewide average premium rate level may not deviate by more than five percentage points from the recommended actuarial-indicated premium level for that year.

Workforce Safety and Insurance independent performance evaluation - House Bill No. 1037 relates to the information to be included in the independent performance evaluation of Workforce Safety and Insurance.

Workforce Safety and Insurance Office of Independent Review - House Bill No. 1201 changes the name of the Office of Independent Review to Decision Review Office.

Workforce Safety and Insurance hearings, personnel, and board duties - House Bill No. 1464 provides for changes to Workforce Safety and Insurance hearings, personnel, and board duties relating to the approval of initiated measure No. 4 in November 2008.

Attorney's fees - Senate Bill No. 2059 provides for Workforce Safety and Insurance to pay an injured employee's attorney's fees and costs for a case review. The bill allows an injured employee who uses the services of the Office of Independent Review to be eligible for payment of \$500 for attorney's fees and \$150 for costs associated with an attorney consultation before an administrative hearing is held.