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PREPARED BY: Doug Nichols
DATE PREPARED: March 7, 2011
PHONE: 471-0052

LB 291

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill would change periodic payment modification provisions under the Nebraska Workers' Compensation Act.

The Workers' Compensation Court estimates no fiscal impact from the provisions of this bill.

Administrative Services states while the party getting the benefit of the modification will be awarded additional monies, it is impossible to predict how many cases this will happen to with the State of Nebraska being the party prevailed against.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	1/24/11	PHONE	471-2526
COMMENTS					
ADMINISTRATIVE SERVICES – RISK MANAGEMENT: Concur with agency analysis relative to AS-Risk Management. State impact undetermined at this time.					
NEBRASKA WORKERS' COMPENSATION COURT: No basis to dispute agency analysis.					

2011 Legislative Bill Proposal Fiscal Note

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GOVERNMENT

Bill #: 291

State Agency: Administrative Services – Risk Management

Prepared by: Shannon Anderson

Date Prepared: 01/19/11

Phone: 402-471-4436

Approved by:

Estimate of Fiscal Impact – State Agencies

	FY 2011-12		FY 2012-13	
	Expenditures	Revenue	Expenditures	Revenue
General Funds				
Cash Funds				
Federal Funds				
Other Funds				
Total Funds				

Explanation of Estimate:

LB 291 deletes reference to insurance company and replaces with compensation insurer, risk management pool or self-insurer and deletes a six month waiting period from the date of the award when two parties cannot agree to a modification of an agreement or award, an application may be made by either party on the ground of increase or decrease disability. Further provides that such modification shall be effective as of the date that the increase or decrease actually occurred. If the compensation court determines that an overpayment has been made, the court may order the employee or beneficiary to repay to the employer or the compensation insurer, risk management pool, or self-insurer the sum of the overpayment. If the court determines that an overpayment of income benefits has been made and further income benefits are due the court shall order the overpayment to be recovered by shortening the period of future weekly income benefits or by reducing the weekly income benefit, or both. If the court determines that an underpayment has been made, whether or not further income benefits are due, the court shall order the employer or compensation insurer, risk management pool, or self-insurer to repay to the employee or beneficiary the sum of the underpayment. If future income benefits are due, the court shall order the underpayment to be recovered by lengthening the period of future weekly income benefits or by increasing the weekly income benefit or both.

While the party getting the benefit of the modification will be awarded additional monies, it is impossible to predict how many cases this will happen to with the State of Nebraska being the party prevailed against.

Major Objects of Expenditure

Personal Services:

Position Title:	Number of Positions			2011-12	2012-13
	11-12	12-13		Expenditures	Expenditures
Benefits					
Operating					
Travel					
Capital Outlay					
Aid					
Capital Improvements					
TOTAL					

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LEGISLATIVE FISCAL

2011

Please complete All (5) blanks in the first three lines.

LB⁽¹⁾ 291 FISCAL NOTE

State Agency OR Political Subdivision Name:⁽²⁾

Nebraska Workers' Compensation Court

Prepared by:⁽³⁾ Glenn Morton

Date Prepared:⁽⁴⁾ 1/20/11

Phone:⁽⁵⁾ 471-3602

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2011-2012		FY 2012-2013	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

No Fiscal Impact

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2011-2012 EXPENDITURES	2012-2013 EXPENDITURES
	11-12	12-13		
Benefits	_____	_____	_____	_____
Operating	_____	_____	_____	_____
Travel	_____	_____	_____	_____
Capital outlay	_____	_____	_____	_____
Aid	_____	_____	_____	_____
Capital improvements	_____	_____	_____	_____
Total	_____	_____	_____	_____