

PREPARED BY: Doug Nichols  
 DATE PREPARED: March 8, 2013  
 PHONE: 402-471-0052

**LB 324**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2013-14</b>		<b>FY 2014-15</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill would change provisions of the Nebraska Workers' Compensation Act.

DAS - Risk Management states that the fiscal impact is unknown for this bill. See their response below for details.

The Workers' Compensation Court estimates no fiscal impact from this bill. See their response below for additional details.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 324</b>	AM:	AGENCY/POLT. SUB: <b>Department of Administrative Services (065)</b>	
REVIEWED BY: Joe Wilcox		DATE: January 28 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: DAS ultimately concludes the final impact is unknown at this time. No basis to dispute agency analysis for the Department of Administrative Services.			

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 324</b>	AM:	AGENCY/POLT. SUB: <b>Workers' Compensation Court (037)</b>	
REVIEWED BY: Joe Wilcox		DATE: January 23 <sup>rd</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: No basis to dispute agency analysis of No Fiscal Impact on the Workers' Compensation Court.			

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**2013**

**LB<sup>(1)</sup> 324 FISCAL NOTE**

State Agency OR Political Subdivision Name: (2) Nebraska Workers' Compensation Court

Prepared by: (3) Glenn Morton Date Prepared: (4) 01/22/2013 Phone: (5) 402-471-3602

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
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 is expected for the court as a result of LB 324.

Section 2 of the bill would amend section 48-144.01 to allow an employee to elect that an injury report relating to the employee be kept confidential and not open to public inspection or copying, except as otherwise provided in the bill. The proposed changes could result in some decrease in the number of public record requests fulfilled by court staff. However, many such requests currently come from the employee, attorney, or insurer involved in a litigated case, and such requests would still be honored under LB 324 regardless of whether an election has been filed by the employee. Any reduction in the number of requests fulfilled would also be more than offset by additional workload in processing the various elections, revocations, authorizations, and request forms contemplated in the bill, and in responding to requests that cannot be honored. A new database would also be required to track elections and revocations by employees.

**MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14 EXPENDITURES</u>	<u>2014-15 EXPENDITURES</u>
	<u>13-14</u>	<u>14-15</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____

**TOTAL**.....

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# 2013 Legislative Bill Proposal Fiscal Note

**Bill #: 324**

**State Agency:** Administrative Services - Risk

**Prepared by:** Shannon Anderson    **Date Prepared:** January 22, 2013    **Phone:** 402-471-4436

## Estimate of Fiscal Impact – State Agencies

	FY 2013-14		FY 2014-15	
	Expenditures	Revenue	Expenditures	Revenue
General Funds				
Cash Funds				
Federal Funds				
Other Funds				
<b>Total Funds</b>	0	0	0	0

**Explanation of Estimate:**

In cases when the employer does not pay compensation or medical payments within 30 days, and the employee brings suit against the employer and prevails, the court may award attorney's fees in addition to the compensation award. LB 324 would change the interest rate on the total compensation awarded for those cases when an attorney's fee has been allowed. **Administrative Services is unable to determine if future incidents of this type will occur, therefore fiscal impact is unknown for this provision.**

LB 324 would allow an employee, prior to an injury, to elect that a report filed with the Nebraska Workers' Compensation Court be kept confidential except as to allow the Court to administer and enforce the Nebraska Workers' Compensation Act. **There would be no fiscal impact to Administrative Services.**

Finally, LB 324 provides that no compensation shall be allowed if, at the time of or in the course of entering into employment, the employee knowingly and willfully made a false representation as to his or her physical or medical condition and the employer relied on this information when making the decision to hire and there existed a causal connection between the false representation and the injury. **We are unable to determine if future incidents of this type will occur, therefore fiscal impact is unknown.**

## Major Objects of Expenditure

**Personal Services:**

Position Title:	Number of Positions			FY 2013-14	FY 2014-15
	13-14	14-15		Expenditures	Expenditures
Benefits					
Operating					
Travel					
Capital Outlay					
Aid					
Capital Improvements					
<b>TOTAL</b>					