



The Voice of Small Business.®

May 30, 2017

The Honorable Jay Hottinger
Chairman, Ohio Senate Insurance and Financial Institutions Committee
1 Capitol Square, Ground Floor
Columbus, OH 43215

Dear Chairman Hottinger:

On behalf of the more than 25,000 governing members of the National Federation of Independent Business/Ohio (NFIB/Ohio), we are writing to express support for some provisions contained in Substitute House Bill 27 (HB 27), the 2017-18 Ohio Bureau of Workers' Compensation (BWC) budget. This proposed legislation continues the administration's focus on keeping rates low for employers while getting Ohioans back to work as quickly as possible.

NFIB/Ohio is very pleased language was added to the substitute bill reducing the statute of limitations to file a workers' compensation claim from two years to one year. This has long been at the top of our list of potential workers' compensation reforms that will help our system run more efficiently. With this change, Ohio would become the 20th state with a statute of limitations of one year or less. We believe the earlier an injury gets reported and treated, the better it is for all parties involved. This reform will provide a degree of certainty for business owners so an injury that occurred nearly two years ago does not appear out of nowhere and disqualify them from group discount programs. Finally, this change does not affect the occupational disease statute related to injuries or illnesses that manifest themselves over time.

NFIB/Ohio is also supportive of sections 4123.53(B) and 4123.57, which are aimed at making sure injured workers are engaged in the return to work process. Section 4123.53(B) provides flexibility to the administrator in requiring medical examinations after an injured worker has been off work for 90 consecutive days. The change will also allow employers to require an examination even if BWC feels it is unnecessary. This will ensure injured workers are making progress so they can return to work – all while keeping costs down for employers.

Section 4123.57 allows BWC to clear the nearly 20,000 case backlog of permanent partial disability requests if the claimant fails to attend a medical examination. Under current law, if a claimant is approaching the six-year limit for continuing jurisdiction, they can simply file a C-92 application and extend the life of their claim. This change will help limit the unnecessary tail on some worker's compensation claims by requiring the applicant to follow through with the medical examination while also helping BWC clear their backlog.

In addition to containing and reducing administrative costs, BWC has been able to offer billions in rebates and credits to employers all while reducing rates by over 28% since 2011. We applaud BWC and the administration for putting more money in the hands of Ohio's job creators – small businesses.

NFIB/Ohio supports passage of Substitute House Bill 27 and may consider it a key small business vote. Thank you for your consideration. Please note that NFIB/Ohio may have additional remarks on any proposed amendments to HB 27 in future committee hearings.

Sincerely,



Christopher J. Ferruso
Legislative Director



Jared K. Weiser
Member Benefits Program Manager

cc: Members of the Ohio Senate Insurance and Financial Institutions Committee
Ohio Senate President Larry Obhof
Ohio Senate Minority Leader Kenny Yuko