

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2100

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2024

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 2100.

As amended, this bill provides that a public safety worker who participated in the response to the September 11, 2001 attacks and is treated or monitored through the World Trade Center Health Program established by the Centers for Disease Control is presumed to be compensable under the State workers' compensation law without respect to when the worker files his claim for compensation, except that the claim is required to be filed within two years after the effective date of the bill, with certain exceptions. If a worker has previously collected benefits under any foreign state or federal workers' compensation law, or federal fund or program dedicated to paying medical, temporary, or permanency benefits for conditions causally related to injury, illness or death related to the September 11, 2001 attacks, the receipt of those benefits will be a credit to the employer, against an award of either medical, temporary or permanency benefits. If a foreign workers' compensation or federal fund claim is pending and has not yet resulted in the payment of benefits, an award will only be payable as in excess to the foreign state award. If a federal fund claim results in the payment of benefits, then any payment paid or awarded will comply with the federal rules, regulations and statutes concerning collateral source reduction or reimbursement for collateral sources.

The bill requires the Division of Archives and Records Management in the Department of State, and each county, municipality, regional or joint public safety entity, or other agency involved in the public safety, to notify all active and retired personnel and next-of-kin, if the personnel are deceased, of the presumption of compensability within three months of the effective date of the bill.

As amended and reported, this bill is identical to Senate Bill No. 1470 of the 2024-2025 Legislative Session.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

1. Prohibit rejection of a claim because of the term of service, age, or number of years of service of a public safety worker;
2. Remove the provision that a public safety worker be ineligible for compensation if receiving compensation from other jurisdictions but provide that the employer have the amount of compensation reduced by the amount of compensation from the other jurisdiction;
3. Provide, as an alternative to the requirement that the public safety worker file a claim within two years of the effective date of the bill, that the claim may be filed within two years of date when the claimant knew or should have known that the claimant sustained a permanent disability in connection with exposure at the World Trade Center;
4. Require the Division of Archives and Records Management in the Department of State, and each county, municipality, regional or joint public safety entity, or other agency involved in the public safety, to notify all active and retired personnel and next-of-kin, if the personnel are deceased, of the presumption of compensability within three months of the effective date of the bill; and
5. Make technical changes.