

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB1042-ER

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Brewer

3. Committee: Passed Both Houses

4. Title: Workers' compensation; limitation upon filing a claim.

5. Summary: Provides that for occupational cancer diseases, a claim shall be barred unless it is filed within two years of when the diagnosis of the disease is first communicated to the employee or within 10 years from the date of the last injurious exposure in employment, whichever first occurs. The limitation on time of filing shall be barred if the employee is 65 years of age or older, regardless of the date of diagnosis, communication, or last injurious exposure in employment.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: None – see Item 8.

8. Fiscal Implications: The Virginia Workers' Compensation Commission expects the proposed legislation will not have a fiscal impact for the agency.

The Department of Human Resource Management's Office of Workers' Compensation expects the proposed legislation will not have a fiscal impact for its program or the workers' compensation unit at the Office of the Attorney General and Department of Law, which litigates the state's workers' compensation claims. The change in the statute of limitations is also unlikely to have a fiscal impact for state agencies in the workers' compensation program.

9. Specific Agency or Political Subdivisions Affected: All state agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to SB 562-E (Saslaw).