



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
LABOR AND PUBLIC EMPLOYEES COMMITTEE
Thursday, March 11, 2021**

HB 6478, An Act Concerning Workers' Compensation

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **HB 6478, An Act Concerning Workers' Compensation**. CHA opposes Sections 1 and 4 of the bill.

Section 1 significantly increases the benefits paid to an employee under section 31-308a of the general statutes from the lesser of the duration of the employee's disability benefits, or 520 weeks, to five times the duration of the employee's disability benefits, or 760 weeks. Section 4 of HB 6478 creates a rebuttable presumption that certain employees contracted COVID-19 as an occupational disease arising out of and in the course of their employment because they were unable to work during the COVID-19 public health emergency declared by the Governor. These two changes will result in new and substantial financial burdens on all employers, including hospitals, by increasing the cost of obtaining workers' compensation insurance or self-funding coverage for employees and by dramatically changing the procedure for determining eligibility for benefits.

Since early 2020, Connecticut's hospitals and health systems have been at the center of the state's response to the current global public health emergency. Hospitals expanded critical care capacity, staffed to meet unprecedented patient need, deployed community COVID-19 testing locations, and are now a critical component of the vaccine distribution plan. The response of hospital workers to the pandemic has been inspiring. They risked their lives and endured great personal sacrifices to attend to the care and well-being of patients and in the process saved thousands of lives.

The demands of the global pandemic on Connecticut's hospitals tested the resilience of hospital staff and weakened the financial viability of our hospitals. Hospitals endured unexpected and significant decreases in revenue, exacerbated by unprecedented and unanticipated increases in the cost of providing care. The financial impact on hospitals from the pandemic has been significant. Imposing new additional costs on hospitals for workers' compensation will further weaken their financial condition. This is no time to impose new costs on hospitals, and CHA urges the Committee to oppose Section 1 of the bill.

Recognizing the importance of a dedicated healthcare workforce, hospitals made changes to their healthcare and benefit packages early in the global pandemic so that no employee would be required to pay a co-pay for any COVID-19 test or treatment. Their commitment to the health and well-being of their employees during the pandemic has been essential to the success of Connecticut's response to COVID-19.

In order to receive workers' compensation benefits, an injured worker must demonstrate that their injury arose out of and in the course of employment, regardless of fault. A presumption of eligibility law will supplant the "arose out of" test and shift the burden to employers for claims related to COVID-19. Connecticut should not establish a presumption of eligibility for such claims given the substantial risk of exposure in non-work environments, the absence of established and reliable pre-employment or other ongoing health evaluations in order for the presumption to apply if circumstances give rise to it, and the evidence that COVID-19 infection most frequently arises from community interactions and not in the workplace.

CHA believes that the Workers' Compensation Commission has the ability to consider the facts, assess the prevalence of the coronavirus in the community and make the appropriate decision. A presumption of eligibility is not needed. CHA requests the Committee not to extend the presumption as provided for in Section 4.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.