

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 1/22/2025 3:41 PM

ORIGINAL

Bill Number: HB2320

Patron: Davis

Bill Title: Workers' compensation; presumption of compensability for lymphoma or myeloma.

Bill Summary: Expands the workers' compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include lymphoma and myeloma. The presumption for these cancers does not apply for any individual diagnosed with such a condition before July 1, 2025.

Budget Amendment Necessary: No.

Items Impacted: None.

Explanation: The proposed legislation may impact the workers' compensation premium paid by state agencies; however, the costs cannot be determined. The bill also may impact the Line of Duty Act (LODA) premium paid by participating employers; however, the fiscal impact cannot be determined.

Fiscal Summary: According to the Department of Human Resource Management (DHRM), the proposed legislation is not expected to have a fiscal impact for its Office of Workers' Compensation (OWC) program or the Office of the Attorney General and Department of Law (OAG) unit assigned to investigate workers' compensation claims. The bill may impact the experienced-based workers' compensation premium paid by state agencies; however, the fiscal impact cannot be determined. According to the Virginia Retirement System (VRS), because the proposed legislation changes the presumption in § 65.2-402, the LODA premium paid by participating employers may be impacted.

Fiscal Analysis: The expansion of the presumption may increase the experienced-based workers' compensation premium paid by state agencies that have employees who would now be eligible for workers' compensation benefits; however, the costs cannot be determined. The impacted state agencies may need additional funding to pay for the increase of their experience-based premium.

According to VRS, any new presumptions or compensable causes, or work-related conditions will increase the cost of providing benefits for LODA and/or VRS. However, until VRS has the claims experience, the agency cannot provide the fiscal impact.

The bill is expected to have a minimal fiscal impact for the Virginia Workers' Compensation Commission.

Other: None.