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

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Bill Number: SB920-E **Patron:** Salim
Bill Title: Workers' compensation; throat cancer.

Bill Summary: Provides that for the purposes of the workers' compensation presumption as to death or disability from certain types of cancer, throat cancer includes cancer that forms in the tissues of the pharynx, larynx, adenoid, tonsil, esophagus, trachea, nasopharynx, oropharynx, or hypopharynx. The provisions of § 65.2-402 as amended by this act describing the workers' compensation occupational disease presumption for throat cancer shall only be applicable to a disease diagnosed on and after 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. The engrossed version of the bill requires that the workers' compensation occupational disease presumption for throat cancer shall only be applicable to a disease diagnosed on and after July 1, 2025.

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: Line 79, strike "worker's" and insert "workers'".

This bill is a companion to HB 1933-E.