

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$67,893		\$65,693	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$67,893</b>		<b>\$65,693</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

If enacted, LB 191 would make reportable injuries arising out of and in the course of employment filed with the Nebraska Workers' Compensation Court confidential and not open to public inspection or copying for a period of sixty (60) days after the date of filing, except as otherwise provided and as necessary for the Nebraska Workers' Compensation court to administer and enforce other provisions.

The Workers' Compensation Court asserts that if enacted, LB 191 would have a negative fiscal impact on the operations of the Nebraska Workers' Compensation Court. The Court explains that to comply with the provisions of LB 191 would require the agency to take on tasks that are not currently performed or required under current statute. For example, the Court would have to institute time frames for release of First Reports of Alleged Occupational Injury or Illness ("First Reports"), and would require staff to review requests to determine whether they meet certain criteria for release. Currently, there are no time frames stipulated as to when the Court can release reports. Built into its current process is a method of ensuring the Court meets public records statutes by accomplishing necessary tasks within 4 business days (or informing the requestor if and why it may take longer). But, there is no need at this time to track requestor wait times, nor to ensure that requestors fit the specific categories listed in LB 191.

The Workers' Compensation Court explains that it received 8,720 requests for public records during FY22, and that most of those included requests for First Reports. The Court also explains that it doesn't currently have sufficient staff to take on this additional duty, nor does it have sufficient funds at this time to hire additional staff for this purpose.

The Court is a Cash funded agency, with cash flows provided primarily through annual assessments against workers' compensation insurers, self-insured employers, and intergovernmental risk management pools. The above expenditure amounts reflect the increased Cash fund appropriation that the Court says would be required to carry out the additional duties that would be performed by the agency with the passage of LB 191. These amounts include a PSL of \$33,193 for each year and are broken out as follows:

Office Specialist – 1.0 FTE	FY23-24 Expenditures	FY24-25 Expenditures
Salaries	\$33,193	\$33,193
Benefits	31,984	31,984
Operating	<u>2,716</u>	<u>516</u>
<b>TOTAL</b>	<b>\$67,893</b>	<b>\$65,693</b>

There is no basis to disagree with this estimate.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 191</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Workers' Compensation Court (037)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/18/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Workers' Compensation Court estimate of potential Fiscal impact to the Agency from LB 191.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 191</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Department of Administrative Services – Risk Management Division (065)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/18/2023	PHONE: (402) 471-4178
COMMENTS: No basis to disagree with the Department of Administrative Services Risk Management Division estimate of No Fiscal Impact to the Agency from LB 191.		

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 191**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Dept of Administrative Services (DAS) – Risk Management Division

Prepared by: <sup>(3)</sup> Allen D. Simpson Date Prepared: <sup>(4)</sup> 01/11/2023 Phone: <sup>(5)</sup> (402)471-4436

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
REVOLVING FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

**Explanation of Estimate:**

LB 191 makes reportable injuries arising out of and in the course of employment filed with the Nebraska Workers' Compensation Court confidential and not open to public inspection or copying for a period of sixty (60) days after the date of filing, except as otherwise provided and as necessary for the Nebraska Workers' Compensation court to administer and enforce other provisions.

This bill creates no fiscal impact for the Department of Administrative Services – Risk Management.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 191**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Workers' Compensation Court

Prepared by: <sup>(3)</sup> Jill G. Schroeder Date Prepared: <sup>(4)</sup> January 17, 2023 Phone: <sup>(5)</sup> (402) 471-3602

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	67,892.79		65,692.79	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>67,892.79</u>		<u>65,692.79</u>	

**Explanation of Estimate:**

If enacted, LB 191 would have a negative fiscal impact on the operations of the Nebraska Workers' Compensation Court. LB 191 would impose additional duties on the Workers' Compensation Court to institute time frames for release of First Reports of Alleged Occupational Injury or Illness (First Reports) and would require staff to review requests for First Report requests to see whether they met certain criteria for release. In Fiscal Year 2022, the court received 8,720 requests for public records. Most of those included requests for First Reports. The court doesn't have sufficient staff to take on this additional duty, nor does it have sufficient funding to hire additional staff for this purpose.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Office Specialist	1	1	33,192.64	33,192.64
Benefits.....			31,984.15	31,984.15
Operating.....			2,716	516
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<u>67,892.79</u>	<u>65,692.79</u>