

**Revised**  
**Department of Planning and Budget**  
**2004 Fiscal Impact Statement**

**1. Bill Number** SB547

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Puckett

**3. Committee** Commerce and Labor

**4. Title** Workers' compensation; AmeriCorps members.

**5. Summary/Purpose:**

Provides that members of AmeriCorps are employees for the purposes of receiving workers' compensation to reimburse medical costs from covered injuries, but shall not be eligible to receive weekly compensation.

**6. Fiscal Impact Estimates are:** Unknown

**7. Budget amendment necessary:** No

**8. Fiscal implications:**

**Agency Impact:** This bill will have minimal fiscal impact on the Workers' Compensation Commission WCC), as its administration will be accomplished with existing staff and resources.

The Department of Social Services (DSS), Virginia Commission for National and Community Service Program has 54 full and part-time AmeriCorps members assigned in 28 sites throughout the Commonwealth. Twenty-two members are in local departments of social services, four in community action agencies, and two in central Department of Social Services. These stipend volunteers are at the same risk of injury as any other employee. In many cases they travel in state and local government vehicles to perform their services.

The Department of Human Resource Management (DHRM) Workers' Compensation Program would provide coverage to those working for state agencies if this legislation is passed. Any Corps members that are serving in local or community organizations would not be covered by the DHRM plan, but would be provided coverage by the local employer under their workers' compensation policy.

The DHRM Workers' Compensation Program reports that the AmeriCorp program reported one claim this year. It was denied because the employee did not meet the definition of employee currently in place under the Workers' Compensation Act. First year premium cost to DSS for this coverage could be as low as \$500. If there is a significant workplace

accident during that year, future years premiums would be impacted and could be increased by several thousand dollars.

**System Impact:** It is anticipated that this bill will have some fiscal impact on the workers' compensation system because it increases coverage under the Act by expanding the definition of a covered "Employee" in the limited circumstances specified. It is anticipated that this change will impact a small number of cases; however, the precise extent of the impact cannot be calculated at this point.

**9. Specific agency or political subdivisions affected:** Workers' Compensation Commission (WCC), local governments

**10. Technical amendment necessary:** No

**11. Other comments:** Senate amendments added clarifying language defining Americorp employees receiving stipends in return for volunteering in local, state and nonprofit agencies in the Commonwealth as employees of the state for purposes of this act.

**Date:** 2/25/04 mtb

**Document:** G:\Sbe\Bills\Fis\2004session\Sb547e.Doc Mike Barton

cc: Secretary of Administration