

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number HB 2775

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

2. Patron: Brink and Amundson

3. Committee: Commerce and Labor

4. Title: Workers' compensation; limitation of filing of claim by September 11, 2001, rescue & relief workers.

5. Summary/Purpose: This bill amends § [65.2-406](#) by placing a limitation on employees suffering from a disease directly attributable to 9/11 rescue and relief efforts at the Pentagon. This limit allows the employee to submit a claim up to two years after they first learn of the disease diagnosis.

6. Fiscal Impact: Indeterminate.

See Item Eight

7. Budget amendment necessary: No

8. Fiscal implications: The following state agencies had employees who responded to the Pentagon on 9/11. They would all be eligible to file a claim for a disease directly attributable to the rescue and relief efforts at the Pentagon following the terrorist attack:

- * Alcoholic Beverage Control Board--35 agency personnel responded
- * Dept. of Emergency Management-5 agency personnel responded
- * Dept. of Fire Programs-2 agency personnel responded
- * Virginia State Police-181 agency personnel responded

So far 30 employees have reported claims to the state program of which at least 26 were reported specifically as potential exposure claims while working at the Pentagon because of 9/11. This legislation will extend the time for filing a claim due to exposure to two years from the date of notification of contracting a disease due to exposures at the Pentagon. This extends the current statute of limitations which is either two years after diagnosis of the disease is first communicated to the employee or within five years from the date of the last injurious exposure in employment whichever comes first. Because it could be years before a disease surfaces from a 9/11 exposure, the Department of Human Resource Management Office of Workers' Compensation cannot determine the fiscal impact of this legislation on the State Employee's Workers' Compensation Program.

This legislation could also impact many Northern Virginia local governments who had firefighters, police, and other first responders at the Pentagon. It is likely that they would also be unable to determine the cost of this legislation.

9. Specific agency or political subdivisions affected: Alcoholic Beverage Control Board, Department of Emergency Management, Department of Fire Programs, Virginia State Police, Northern Virginia local governments, and other first responders at the Pentagon.

10. Technical amendment necessary: No

11. Other comments: None

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