

House Engrossed

~~insurance; existing actions; technical correction~~
(now: workers' compensation; firefighters; rate deviation)

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2431

AN ACT

PROVIDING FOR THE CHARGE AND COLLECTION OF ADDITIONAL PREMIUMS FROM PUBLIC EMPLOYERS TO COMMERCIAL WORKERS' COMPENSATION INSURERS THAT COVER FIREFIGHTERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Commercial workers' compensation; firefighters;
3 rate deviations; experience modifications;
4 Covid-19; intent; delayed repeal

5 A. Commercial workers' compensation insurers that cover
6 firefighters and fire investigators may charge and collect additional
7 premiums from fire districts to offset and recover Covid-19-related claims
8 costs paid by the insurer before July 1, 2023 to the extent the fire
9 district is able to obtain reimbursement for such additional premium
10 charges from the American Rescue Plan Act of 2021. This additional
11 premium is in addition to the rate deviations prescribed in section
12 20-359, Arizona Revised Statutes, and any experience modifications
13 prescribed in section 23-963.01, Arizona Revised Statutes. A commercial
14 workers' compensation insurer may charge a premium only if the insurance
15 policy includes a provision that would allow the insurer to charge an
16 additional premium.

17 B. The maximum amount of the additional premium each commercial
18 workers' compensation insurer may charge and collect pursuant to
19 subsection A of this section is \$800,000. Notwithstanding subsection A of
20 this section, a commercial workers' compensation insurer may not include
21 any Covid-19-related claims costs for which the insurer charges and
22 collects additional premiums pursuant to subsection A of this section in
23 any experience modification charged to the fire district.

24 C. The legislature intends that this section not delay payment of
25 fire districts' eligible COVID-19-related expenses by the industrial
26 commission of Arizona using American Rescue Plan Act monies allocated as
27 part of the fiscal year 2022-2023 budget.

28 D. This section is repealed from and after December 31, 2024.