

March 15, 2024

Members of the Minnesota House of Representatives
State Office Building
100 Rev Dr. Martin Luther King Jr Blvd
St. Paul, MN 55155

Members of the Minnesota Senate
Minnesota Senate Building
95 University Ave W
St. Paul, MN 55155

**Re: 2024 Workers' Compensation Advisory Council recommendations
HF4661 (Wolgamott)/SF4745 (McEwen)**

Dear Senators and Representatives:

The Workers' Compensation Advisory Council (WCAC) is a statutory labor-employer council that negotiates reforms to the workers' compensation system before recommending a consensus bill to the Legislature. *See* Minn. Stat. § 175.007.

On March 13, 2024, the WCAC approved amendments to finalize a package of recommendations that build upon a previous proposal approved by the WCAC on Feb. 21, 2024. The recommendations made by the WCAC include: revising the calculation of short-term agricultural workers' average weekly wage; updating the maximum dollar limit on workers' compensation attorney fees; updating the percentage calculation for maximum weekly compensation for temporary total disability benefits; creating a penalty for failure to follow statutory allowances for electronic medical records fees; raising the penalty amount for failing to pay on awards; and raising the allowable costs for remodeling awards for permanently disabled employees.

The agreement builds on many months of work by the WCAC and workers' compensation stakeholders. In addition to the priorities of the Business and Labor caucuses and the Department of Labor and Industry (DLI) that were highlighted in the amendments above, the bill in its entirety includes further changes suggested by the Office of Administrative Hearings (OAH), the Workers' Compensation Court of Appeals (WCCA), the Minnesota Association for Justice, and the Minnesota Defense Lawyer's Association.

Important changes to highlight in the agreement that were introduced by these stakeholders and agencies include: statutory clarifications and updated references as recommended by OAH; clarification of rulemaking authority for OAH and WCCA related to electronic filing, certification of electronic signatures, and interventions; notice requirements for discontinuation of vocational rehabilitation services; and lengthening the time allowed for filing an answer to a claim petition.

The agreement is supported by Representative Wolgamott, Representative McDonald, Senator McEwen and Senator Utke, legislative liaisons to the WCAC. It is important that the legislature support the work of the WCAC and we respectfully request that the House and Senate vote in support of the bill.

Sincerely,



Nicole Blissenbach
Commissioner
MN Department of Labor and Industry
WCAC Chair



Doug Loon
President
MN Chamber of Commerce
WCAC Member



Bernie Burnham
President
MN AFL-CIO
WCAC Member

cc: Members of the Workers' Compensation Advisory Council
Nicauris Heredia-Rosario, Governor's Office