

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 25-12—HB 6863**

*Appropriations Committee*

**AN ACT CONCERNING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2025, AND COMPENSATION PAID TO INJURED EMPLOYEES AND THE PARENTS OF A DECEASED EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT**

**SUMMARY:** This act makes deficiency appropriations for various agencies and programs in various funds in FY 25, and also makes reductions in these funds in FY 25, in the amounts shown in the table below.

**Changes to FY 25 Appropriations in Various Funds Under the Act**

Fund	Increase	Reduction	Change
General Fund	\$554,791,379	\$88,650,000	\$466,141,379
Special Transportation Fund	4,110,000	4,110,000	0
Banking Fund	264,997	264,997	0
Insurance Fund	587,485	587,485	0
Consumer Counsel and Public Utility Control Fund	59,499	59,499	0
Workers' Compensation Fund	196,993	196,993	0

The act also makes various changes to workers' compensation benefits and related services, such as:

1. for permanent, partial disability (PPD) benefits, as of July 1, 2025, (a) increasing the duration of those benefits for a cervical spine injury that an injured worker may receive from 117 to 208 weeks and (b) expanding the list of injuries eligible for these benefits to include injuries to the intestinal tract (347 weeks of PPD benefits) and the esophagus (180 weeks of PPD benefits);
2. removing an administrative law judge's (ALJ) discretion to award temporary partial incapacity benefits instead of PPD benefits once an injured employee reaches maximum medical improvement;
3. allowing a deceased employee's parents, when there are no dependents for distribution of workers' compensation benefits, to each receive an equal portion of the benefits;
4. establishing a working group to study rehabilitation services available to injured employees under the state's Workers' Compensation Act; and
5. allowing injured employees, under certain circumstances, to receive up to 60 weeks of supplemental benefits after they have received discretionary

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wage differential benefits.

EFFECTIVE DATE: Upon passage

### ELIGIBILITY FOR DIFFERENT TYPES OF BENEFITS

The act requires an ALJ to award PPD benefits to an injured employee who is eligible for them. It removes the ALJ's discretion to instead award temporary partial incapacity benefits (see BACKGROUND).

Under existing law, the right to PPD benefits begins after the employee reaches maximum medical improvement for the injury (CGS § 31-295(c)). Under the act, if these employees reach maximum medical improvement but their injuries continue to result in total incapacity to work, they remain eligible to receive total incapacity benefits until the period of total incapacity ends.

These provisions apply to any matter (1) filed with the Workers' Compensation Commission on or after July 1, 1993, that is open and pending before the commission on May 20, 2025, or (2) filed with the commission on or after May 20, 2025.

### COMPENSATION UPON AN EMPLOYEE'S DEATH

By law, when employees with no presumptive dependents (such as a spouse or minor children) die due to a work-related accident, anyone who was wholly dependent in fact upon them may receive their workers' compensation benefits. In cases where there are no such dependents, the act requires these benefits to be divided equally among the deceased employee's parents.

Under existing law, and unchanged by the act, these benefits may be paid for up to 312 weeks from the employee's death. Survivors who were wholly dependent in fact must be paid the full benefit rate, and benefits for those partially dependent in fact must be at least \$20 per week, but no more than the (1) full benefit rate or (2) average weekly amount that the deceased contributed to their support. (The act does not specify the benefit rate for parents.)

### SUPPLEMENTAL BENEFITS

Generally, after claimants have received all of their PPD benefits, an ALJ may award discretionary wage differential benefits if the injury results in their inability to find employment or their new employment pays less than their pre-injury employment. These additional benefits generally equal 75% of the difference between what the claimant is currently earning and what he or she would have been earning if they hadn't been injured (after tax and Social Security deductions and subject to certain limits). The ALJ must also determine the duration of these benefits, but they must not exceed the lesser of (1) the duration of the employee's PPD benefits or (2) 520 weeks.

The act requires that supplemental benefits also be available to injured employees (presumably, at the ALJ's discretion) if, after they have received the benefits described above, they (1) still cannot perform their usual work and (2) are

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actively engaged in or have completed a vocational rehabilitation service or an equivalent program. Under the act, these supplemental benefits are available for up to 60 weeks, including the discretionary wage differential benefits that were already awarded to the injured employee (and, presumably, for the same amount).

### WORKING GROUP

The act establishes a working group to study rehabilitation services available to injured employees under the state's Workers' Compensation Act. Under the act, the working group must at least examine:

1. whether the Workers' Compensation Act provides adequate funds for rehabilitation services for injured employees,
2. ways to encourage injured employees to use these services (including providing stipends to injured employees who use the services), and
3. the additional benefits that may be awarded for workers with PPD benefits.

### *Members*

The act requires the working group to include the following members, or their designees:

1. the Judiciary Committee chairpersons and ranking members (who serve as nonvoting members unless (a) chosen as a working group chairperson or (b) the designee is not a legislator),
2. the Labor and Public Employees Committee chairpersons and ranking members (who serve as nonvoting members unless (a) chosen as a working group chairperson or (b) the designee is not a legislator),
3. the Aging and Disability Services commissioner, and
4. the Workers' Compensation Commission chairperson.

The group also includes the following twelve members, jointly appointed by the chairpersons of the Judiciary and Labor and Public Employees committees:

1. an attorney with expertise in representing claimants appearing before the Workers' Compensation Commission,
2. an attorney with expertise in representing respondents appearing before the commission,
3. a representative of an association representing trial attorneys in the state,
4. a representative of an association representing workers' compensation insurers in the state,
5. a representative of an association representing business and industry in the state,
6. four representatives of labor organizations affiliated with the Connecticut American Federation of Labor and Congress of Industrial Organizations (AFL-CIO),
7. a representative from an association representing municipalities of the state,
8. a representative of an association representing workers' compensation insurance providers, and
9. a representative from an association representing small business.

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Under the act, all initial appointments must be made within 30 days after the act passes. Any vacancies must be filled by the appointing authority.

### *Leadership and Meetings*

The act requires the chairpersons of the Judiciary and Labor and Public Employees committees to choose the working group's chairpersons, who must be either (1) a Judiciary or Labor and Public Employees committee chairperson or ranking member or (2) a legislator whom one of them designated to serve on the committee in their place.

Under the act, chairpersons must schedule and hold the group's first meeting within 60 days after the act passes. The working group must meet at least once per month and at other times as the chairpersons deem necessary.

The act requires the administrative staff of the Judiciary and Labor and Public Employees committees to serve in this capacity for the working group.

### *Reporting Requirement*

Under the act, the working group must submit to the Judiciary and Labor and Public Employees committees:

1. a preliminary report by February 1, 2026; and
2. a final report by January 1, 2027.

The working group must end when it submits its final report or on January 1, 2027, whichever is later.

## BACKGROUND

### *Permanent, Partial Disability Benefits*

By law, PPD benefits are for the permanent, partial reduction in function or loss of a body part. The worker receives PPD benefits based on the disability rating (a physician's determination of the percentage of the body part that is disabled), the weeks of compensation provided for that body part specified in the law, and the employee's basic compensation rate. By law, the weeks of compensation range from 1 (tooth) to 520 (heart, brain, or carotid artery) depending on the body part.

### *Related Case*

In March 2025, the Connecticut Supreme Court ruled in *Gardner v. Dept. of Mental Health & Addiction Services* that Connecticut law gives an ALJ discretion to award workers' compensation claimants, after they reach maximum medical improvement, ongoing temporary partial incapacity benefits (up to the statutory maximum of 520 weeks) rather than PPD benefits (351 Conn. 488 (2025)).