

## **Workers' Compensation Stability**

### **Issue**

Should the West Virginia Legislature enact benefit changes to the workers' compensation statute?

### **Background**

With the leadership of Governor Joe Manchin and the West Virginia Legislature, the workers' compensation system was converted from a state run monopoly to a private, competitive workers' compensation insurance system. Responsibility for regulation and staff from the former Workers' Compensation Commission were transferred to the Offices of the Insurance Commissioner. BrickStreet Mutual Insurance Company opened on January 1, 2006 and the workers' compensation insurance market was opened for competition on July 1, 2008. The Legislature's workers' compensation reforms have worked. Almost 200 different workers' compensation insurance companies have filed with the Office of the Insurance Commissioner. Employers' premiums in the aggregate are down significantly, the Offices of the Insurance Commissioner is efficiently managing the legacy claims known as the "Old Fund", claims management has improved significantly and claim protests have fallen by 68%.

### **The Chamber's Position**

The 2003 and 2005 workers' compensation reforms have worked very well. The system has become stabilized and is well regulated by the Offices of the Insurance Commissioner which the Legislature provided all of the necessary tools to combat "bad actors", regardless of whether they are from the communities of employers, claimants, or physicians/providers.

The West Virginia Chamber is concerned about efforts to increase benefits at this time when we have a stable system which is now competitive with surrounding states. The West Virginia Chamber urges the Legislature to be mindful that "You fixed Workers' Compensation ... please do not break it again."