



MEMORANDUM IN OPPOSITION

Budget Proposal Creates a Presumption that COVID-19 is an Occupational Disease and Making it Compensable Through Workers' Compensation

The Capital Region Chamber, representing 2,900 businesses and organizations from throughout the Capital Region that employ more than 160,000 area residents, strongly opposes any proposed language in the state budget that would amend the Workers' Compensation Law to create an occupational disease presumption for people who have contracted COVID-19. Such a provision would bankrupt commercial workers' compensation carriers, the State Insurance Fund and self-insured employers.

According to a recent analysis by the New York Compensation Insurance Rating Board, the potential cost of this proposal would exceed \$31 billion. By comparison, current annual losses in the workers' compensation system are roughly \$8.7 billion.

Beyond the devastating impact this proposal would have on the state's financial condition, this proposal seeks to drastically change current state law to give a presumption of disability to 100 percent of New York's employees who have contracted COVID-19. This would shift the burden of paying these workers to the workers' compensation system. The cost of such a shift as mention above is not sustainable. The cost of this proposal would result in the total collapse of the workers' compensation system.

This proposal would forever disrupt any attempt to control the costs of the state's workers' compensation system.

For these stated reasons, the Capital Region Chamber strongly opposes this legislation.

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capitalregionchamber.com | 518.431.1400