



House Passes FECA Reform

On November 29th the House passed HR 2465. The bill, which was sponsored by Rep. John Kline (R-MN), Chairman of the House Education and the Workforce Committee was an agreed to bill with support from Republicans and Democrats see <http://www.gpo.gov/fdsys/pkg/BILLS-112hr2465ih/pdf/BILLS-112hr2465ih.pdf> The passage of this bill by the House increases the chances that there will be Federal Employment Compensation (FECA) reform legislation this Congress. Provisions of legislation sponsored by Senator Susan Collins (R-ME) providing additional FECA reforms have been incorporated in S 1789, which is receiving serious consideration in the Senate Homeland Security and Governmental Affairs Committee. See <http://www.gpo.gov/fdsys/pkg/BILLS-112s1789is/pdf/BILLS-112s1789is.pdf>

The provisions of HR 2465 as passed by the House include:

- Authorizing physician assistants and advanced-practice nurses to provided medical services and certify traumatic injuries;
- Clarifying that disability or death from a terrorist attack sustained by a worker outside the United States is deemed to have been sustained while the worker was on the job;
- Increasing the maximum benefits for disfigurement and funeral expenses;
- Allowing the Department of Labor (DOL) to require that a claimant consent to the release of Social Security earnings information as a condition of receiving FECA benefits;
- Extending the continuation of pay (COP) period for employees who suffer injuries in a zone of armed conflict (ZOAC) from 45 days to 135 days; and
- Including COP in provisions related to subrogation and compensation recovery from a responsible third party (other than the U.S. government).

We expect further consideration of FECA reform measures along with legislation addressing reforms in the US Postal Service as the House and Senate versions continue to move.