

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 319

PRINTER NO. 327

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 10, 2021

PRIME SPONSOR

Senator Bartolotta

DESCRIPTION

Senate Bill 319 amends the Workers' Compensation Act to clarify language in light of the Pennsylvania Supreme Court's decision in *Whitmoyer v. WCAB*.

In the *Whitmoyer* case, the Supreme Court held that employers could not recoup benefits paid for medical expenses from the proceeds of a lawsuit or settlement. As a result, an employee could receive a large verdict or settlement in a lawsuit from a third party responsible for the injury and also continue to require the employer to pay for the employee's medical costs.

This legislation removes the word "installments" to make clear that employers may recoup the benefits paid to an employee for medical expenses when the employee wins a verdict or settlement against a third party.

FISCAL IMPACT:

Senate Bill 319 will have no fiscal impact on Commonwealth funds.