

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FOUR

—  
S.P. 767 - L.D. 1896

**Resolve, Directing the Workers' Compensation Board to Analyze Data on the Adequacy of Certain Maine Workers' Compensation Benefits**

**Sec. 1. Workers' Compensation Board to identify and conduct an analysis of claims and payments. Resolved:** That the Workers' Compensation Board, referred to in this resolve as "the board," using data supplied by insurers, 3rd-party administrators, group self-insurers and individual self-insured employers, shall identify and analyze the compensation and benefits provided to an individual claimant pursuant to the Maine Revised Statutes, Title 39-A, section 212 for total incapacity, section 213 for partial incapacity and section 215 for death and any other relevant data and available reports. For each claimant, the analysis must include, but is not limited to, data and reports relating to the following components:

1. The claim identification number assigned by the board;
2. The claim identification number assigned by the insurer, 3rd-party administrator, group self-insurer or individual self-insured employer;
3. The date of injury;
4. The average weekly wage;
5. The compensation rate;
6. For a claimant pursuant to Title 39-A, section 212, the number of weeks of compensation and benefits paid;
7. For a claimant pursuant to Title 39-A, section 213, the number of weeks of compensation and benefits paid and the number of weeks for which the benefit was 100% partial;
8. For a claimant pursuant to Title 39-A, section 215, the number of weeks of compensation and benefits paid;
9. The date the last payment was made and whether payments are continuing;
10. The total amount of indemnity benefits paid; and
11. Any other information the board determines necessary to complete the analysis.

In analyzing each data component, the board shall consider the accuracy of the data available; how the benefit amount compares to the current cost of living as determined by the United States Department of Labor, Bureau of Labor Statistics CPI-U for the New England Division; the cost of updating the annual adjustment provision in Title 39-A, section 212; and the cost of implementing a cost-of-living adjustment provision in sections 213 and 215.

**Sec. 2. Updates; report; legislation. Resolved:** That the board, within existing resources, shall provide monthly updates to the joint standing committee of the Legislature having jurisdiction over workers' compensation matters on the identification of data and reports and the analysis conducted under section 1. No later than August 16, 2025, the board shall submit a final report to the committee with its findings, recommendations and suggested legislation. The report must include:

1. A thorough analysis of the data and reports that were considered, identification of data or other areas that require further study and recommendations on any changes or adjustments to workers' compensation benefits in order to ensure claimants are receiving adequate benefits;

2. A thorough analysis of whether the Maine Workers' Compensation Act of 1992 provides substantial protection for workers who have suffered work-related injuries and diseases at an affordable cost to employers, including whether the workers' compensation system can provide the income support that injured workers require as a result of their injuries at a cost no greater than the median cost in other states; and

3. Information regarding the retroactive application of workers' compensation legislation based on the analysis under this resolve and an evaluation of the costs of potential retroactive application.

The committee may report out legislation to the 132nd Legislature in 2026 related to the subject matter of the report.