

CHAPTER 15
HB 589-FN - FINAL VERSION

6Jan2022... 2131h

2022 SESSION

21-0198
04/05

HOUSE BILL

589-FN

AN ACT requiring workers' compensation to cover prophylactic treatment for critical exposure.

SPONSORS: Rep. Cahill, Rock. 17; Rep. M. Pearson, Rock. 34; Rep. Goley, Hills. 8; Rep. Abrami, Rock. 19; Rep. Simpson, Rock. 36; Rep. S. Pearson, Rock. 6; Sen. Reagan, Dist 17

COMMITTEE: Labor, Industrial and Rehabilitative Services

AMENDED ANALYSIS

This bill amends the definition of "critical exposure" for the purpose of the workers' compensation law and provides for payment of testing and treatment by a medical provider.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT requiring workers' compensation to cover prophylactic treatment for critical exposure.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 15:1 Workers' Compensation; Definitions. RSA 281-A:2, I-e is repealed and reenacted to read as
2 follows:

3 I-e. "Critical exposure" means contact of an employee's ruptured or broken skin or mucous
4 membranes, including the eyes or mouth, with a person's blood or body fluids.

5 15:2 Workers' Compensation; Medical, Hospital and Remedial Care. Amend RSA 281-A:23, VI-a to
6 read as follows:

7 VI-a. All expenses associated with the medical evaluation and recommended post-exposure
8 prophylaxis treatment for emergency response/public safety workers shall be paid by the employer's
9 insurance carrier or third-party administrator. ***Testing and treatment shall be determined by the medical***
10 ***provider taking into account the physical examination and incident details.*** Such medical evaluation and
11 prophylaxis treatment shall be provided without prejudice as to the issue of the causal relationship of any
12 subsequently diagnosed bloodborne disease or airborne disease to the emergency response/public safety
13 worker's work and without prejudice to the compensability of the bloodborne disease or airborne disease
14 as an occupational disease or an accidental injury for the purposes of this chapter.

15 15:3 Effective Date. This act shall take effect 30 days after its passage.

Approved: April 11, 2022
Effective Date: May 11, 2022

