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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

SENATE RESOLUTION

RESPECTFULLY REQUESTING THAT THE RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING CREATES A "RETURN TO WORK" PLANNING GROUP TO STUDY THE POSSIBILITY OF DEVELOPING A HYBRID TEMPORARY DISABILITY INSURANCE PROGRAM SIMILAR TO THE STATE WORKERS' COMPENSATION PROGRAM THAT FACILITATES TREATING AND REHABILITATING WORKERS WITH MEDICAL CONDITIONS THAT WERE NOT CAUSED BY WORK

Introduced By: Senators Seveney, DiPalma, Coyne, and Calkin

Date Introduced: April 12, 2017

Referred To: Senate Labor

1 WHEREAS, Nationally, millions of American workers leave the labor force every year,
2 at least temporarily, because of the onset of significant health conditions; and

3 WHEREAS, Although only some of these conditions are caused by work, all of them
4 disrupt workers' ability to perform their jobs for some period of time; and

5 WHEREAS, When these health conditions are, unfortunately, not attributable to work
6 activities, they often incur financial devastation to both the individual and their family; and

7 WHEREAS, Without steady earnings, these workers and their families often face
8 economic hardship; and

9 WHEREAS, Some workers end up losing their jobs and qualifying for public programs,
10 such as Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI),
11 Medicare, and Medicaid, all of which require taxpayer funding and offer little or no hope of
12 change, thus increasing the burden upon our already strained social safety net; and

13 WHEREAS, The challenge for policymakers is to determine how to best design, test,
14 implement, and finance initiatives that will effectively treat, rehabilitate and return individuals to
15 work quickly, thus reducing job loss and increasing workforce retention, therefore benefitting all
16 stakeholders; and

17 WHEREAS, These workers, their families, their employers, and taxpayers could all

1 potentially gain substantial net benefits from initiatives that help such workers stay in or return
2 quickly to the labor force; and

3 WHEREAS, The Stay-at-Work/Return-to-Work Policy Collaborative, through its multi-
4 year research, has shown that adopting a state-based program similar to those available to
5 workers' compensation claimants with compensable injuries has improved functional outcomes
6 and increased workforce retention; and

7 WHEREAS, In 1942, Rhode Island enacted the nation's first employee funded temporary
8 disability insurance program, ("TDI"), a program designed to protect insured workers against
9 wage loss resulting from non-work related illness or injury; and

10 WHEREAS, The "Return to Work" planning group should consider national best
11 practices that:

12 • Facilitate collaboration among providers, employers, labor organizations, and the
13 Temporary Disability Fund to optimize medical and employment outcomes for workers with non-
14 compensable conditions;

15 • Implement near the outset of disabling episodes a set of best practices in multi-
16 stakeholder communications and coordination that protect against adverse consequences and
17 needlessly prolonged disability;

18 • Ensure systematic adherence to these best practices by creating optimum treatment
19 protocols as well as financial incentives and data analysis capability to track and give feedback to
20 participants on actual activities and outcomes;

21 • Address the many behavioral bottlenecks that can stand in the way of achieving medical
22 recovery and return to work outcomes for non-workers' compensation claimants; and

23 • Ensure maximally effective use of services and supports are available in the absence of
24 workers' compensation, without providing fundamentally new services and supports; and

25 WHEREAS, The "Return to Work" planning group's ultimate goal should be to
26 promulgate a plan that would substantially reduce lost work time and long-term disability for
27 non-compensable claimants while more than paying for itself through lower TDI and social
28 support expenditures; now, therefore be it

29 RESOLVED, That this Senate of the State of Rhode Island and Providence Plantations
30 hereby respectfully requests that the Rhode Island Department of Labor and Training creates a
31 "Return to Work" planning group to study the possibility of developing a hybrid temporary
32 disability insurance program similar to the state's workers' compensation program that facilitates
33 treating and rehabilitating workers with medical conditions that were not caused by work; and be
34 it further

1 RESOLVED, That this Senate hereby respectfully requests that the Director of the Rhode
2 Island Department of Labor and Training reports the working group's results to the Senate
3 President on or before March 31, 2018; and be it further

4 RESOLVED, That the Secretary of State be and hereby is authorized and directed to
5 transmit a duly certified copy of this resolution to Mr. Scott R. Jensen, Director, Rhode Island
6 Department of Labor and Training.

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