

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 101*
Judiciary II Committee Substitute Adopted 4/30/13
Third Edition Engrossed 5/7/13
PROPOSED HOUSE COMMITTEE SUBSTITUTE S101-PCS15434-RN-50

Short Title: WC/Inflation Indexing for Organ Injury/Loss.

(Public)

Sponsors:

Referred to:

February 20, 2013

A BILL TO BE ENTITLED

AN ACT TO ACCOUNT FOR INFLATION BY ADJUSTING THE MAXIMUM AMOUNT OF COMPENSATION PERMITTED UNDER THE WORKERS' COMPENSATION ACT FOR THE LOSS OF, OR PERMANENT INJURY TO, ANY IMPORTANT EXTERNAL OR INTERNAL ORGAN AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF SAID COMPENSATION IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 97-31 reads as rewritten:

"§ 97-31. Schedule of injuries; rate and period of compensation.

(a) In cases included by the following schedule the compensation in each case shall be paid for disability during the healing period and in addition the disability shall be deemed to continue for the period specified, and shall be in lieu of all other compensation, including disfigurement, to wit:

...

(24) In case of the loss of or permanent injury to any important external or internal organ or part of the body for which no compensation is payable under any other subdivision of this section, the Industrial Commission may award proper and equitable compensation not to exceed ~~twenty thousand dollars (\$20,000)~~ forty-one thousand six hundred dollars (\$41,600).

(b) Notwithstanding any other provision of this Article, the maximum compensation allowed pursuant to subdivision (24) of subsection (a) of this section shall be adjusted July 1 of each year using data from the Bureau of Labor Statistics of the United States Department of Labor Register to calculate the percent difference between the price index for July 1 of the previous year and the price index as of July 1 of the current year. That percentage increase shall be multiplied by the previous dollar amount, that number added to the previous dollar amount, and the total shall become effective with respect to compensation awarded on or after January 1 of the following year. If the amount after adjustment is not a multiple of one hundred dollars (\$100.00), the total shall be rounded to the nearest multiple of one hundred dollars (\$100.00). As used in this subsection, the term "price index" means the average over a calendar year of the Consumer Price Index (all items – United States city average) published monthly by the Bureau of Labor Statistics. The revised amount of the dollar limit on compensation awarded under subdivision (24) of subsection (a) of this section shall remain in effect until the next adjustment is made. The revised amount shall be published in the North Carolina Register and the dollar amount adjusted herein by the Revisor of Statutes.



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1 **SECTION 2.** This act becomes effective June 30, 2015, and applies to claims
2 arising on or after that date.