

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sponsor Statement

House Bill 38: The Abigail Caudle Act

In 2011, a 26-year-old electrical worker, Abigail Caudle, lost her life to employer-workplace negligence. Hers was a wrongful death that warrants compensation. Under current state statute, when a worker dies on the job and is without children, a spouse, or dependents, their family receives nothing more than reimbursement for funeral costs. Further, per worker's compensation law, they are unable to sue for wrongful death. Unmarried, childless workers are the only class of worker that does not receive some form of death benefit compensation.

House Bill 38 (HB38) rectifies this and several other inequalities under our current system. This bill follows 13 other states that already offer compensation to families of workers who die from a work-related injury or illness, yet have no eligible dependents.

HB 38 directs that when a worker dies—and there is no spouse or minor children—the parents of the deceased will receive \$70,000 in death benefits. And if there are no surviving parents, this money will go to the deceased worker's estate.

Under current law, financial assistance is cut off at age 18. This bill ups the level of financial support for a worker's surviving dependents by continuing death benefits for five years after a dependent reaches legal adulthood.

HB 38 also brings more equitable compensation for permanent work-related injuries and illnesses. The Permanent Partial Impairment (PPI) index has not been adjusted for inflation since 2001. This value is insufficient compensation for disabled workers. HB 38 adjusts the compensation value for inflation and provides an annual adjustment per the Anchorage Consumer Price Index.

The maximum death benefit payable to financially dependent parents, grandparents, and siblings of the deceased under current statute is \$20,000. This hasn't been adjusted for inflation since 1966. HB 38 conservatively increases the aggregate wage benefits for financially dependent parents, grandchildren, and siblings of the deceased to \$100,000—approximately \$50,000 less than the inflation-adjusted value.

The current values for these benefits are egregious and warrant serious change. I invite you to discuss this issue with me further and urge you to support this legislation.