



State of New Hampshire

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Department of Labor

Ken Merrifield
Commissioner

Rudolph W. Ogden, III
Deputy Commissioner

April 15, 2019

His Excellency, Governor Chris Sununu
And the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

The Department of Labor, Office of the Commissioner, is in receipt of a petition submitted for [REDACTED] seeking compensation pursuant to RSA 281-A:32-a. Following a review of this petition, the Department of Labor requests authorization to disburse \$113,626.24 to [REDACTED] as compensation for a partial permanent impairment of the [REDACTED] at less than 100% maximum medical improvement, sustained as a result of an injury she incurred in the line of duty on [REDACTED]. Said funding is effective upon Governor and Council approval. Source: 100% General Funds.

EXPLANATION

On [REDACTED], while in the course of her duties as a [REDACTED] [REDACTED] sustained an injury to her [REDACTED]. She was diagnosed with [REDACTED]. [REDACTED] received worker's compensation benefits for this injury in accordance with RSA 281-A.

This request is to fund and disburse additional monetary benefit to [REDACTED] as authorized by RSA 281-A:32-a. RSA 281-A:32-a added the First Responder's Critical Injury Fund to the Workers Compensation law and provides for additional compensation to any group II retirement system member for critical injuries. The statute states, in relevant part:

" In addition to other payments made under RSA 281-A, a group II retirement system member may request additional compensation under this section. If the impairment to a group II retirement system member resulting from an injury is partial, with a determination by the department of labor that the employee has reached maximum medical improvement and that such maximum medical improvement is less than 100 percent, the governor may draw a warrant, with approval by the executive council, from funds not otherwise appropriated for payments in addition to benefits payable under this chapter for an award to be paid to such employees in amounts provided by RSA 281-A:28.... for the number of weeks set forth in this section for permanent bodily loss or impairment".

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██████████ is a group II retirement system member with a partial permanent injury to the ██████████ was placed at maximum medical improvement of less than 100% by her treating physician and an Independent Medical Examiner as a result of this work injury. ██████████ therefore meets statutory criteria for additional compensation pursuant to RSA 281-A:32-a.

The statute sets forth the appropriate number of weeks of compensation for permanent loss of impairment of: (a) heart, lung or brain (2) other internal organs or; (c) speech, touch, taste or smell. ██████████ sustained an injury to the ██████████, for which RSA 281-A:32-a, I (a) proscribes 208 weeks of compensation for loss. ██████████ is entitled to additional compensation in the amount of \$113,626.24, calculated at 208 weeks at her compensation rate of \$546.28 ($\546.28×208 weeks).

Respectfully submitted,



Ken Merrifield
Commissioner
Department of Labor