

HOUSE BILL No. 2209

By Committee on Veterans and Military

1-30

1 AN ACT concerning veterans and military; relating to workers
2 compensation; providing that national guard members receive benefits
3 under the workers compensation act.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) On and after July 1, 2023, any member of the national
7 guard who is entitled to benefits under K.S.A. 48-263, and amendments
8 thereto, subject to the limitations of K.S.A. 48-264 through 48-265, and
9 amendments thereto, shall, in lieu of receiving the benefits under K.S.A.
10 48-261 through 48-271, and amendments thereto, be subject to the
11 procedures, benefits and compensation established by the workers
12 compensation act in K.S.A. 44-501 et seq., and amendments thereto.

13 (b) Any wound, injury, disease, illness or death that occurs prior to
14 July 1, 2023, that entitles a member to benefits shall be governed by
15 K.S.A. 48-261 through 48-271, and amendments thereto.

16 (c) The average weekly wage of a member, for the purposes of
17 K.S.A. 44-511, and amendments thereto, shall be the member's civilian
18 earnings, current military earnings or the compensation paid under the
19 provisions of K.S.A. 48-225, and amendments thereto, whichever is
20 greater.

21 (d) If a member or their dependents receive federal compensation due
22 to a wound, injury, disease, illness or death that is covered by the workers
23 compensation act, the amount of federal compensation shall be deducted
24 from the amount otherwise due from the state of Kansas. Before any claim
25 is processed under the workers compensation act, the member shall sign an
26 authorization consenting to the release of any information pertaining to the
27 federal compensation paid for any wound, injury, disease, illness or death
28 covered under the workers compensation act.

29 Sec. 2. This act shall take effect and be in force from and after its
30 publication in the statute book.