

EMPLOYMENT SERVICES ALERT

5/22/2017

Ohio House of Representatives Passes Bill Removing Workers' Compensation Benefits for Unauthorized Aliens; Reduces Time to File Claim to One Year for all Workers

By [Jonathan Miller](#)

The House of Representatives passed House Bill 27 (HB 27) to provide for a \$566.5 million workers' compensation budget over the next two years. The House of Representatives included three significant additions to that bill:

- 1) The time for an injured worker to file a workers' compensation claim has been reduced from two years from the date of injury to one year;
- 2) An addition prohibiting illegal aliens or unauthorized aliens from receiving any compensation – medical or indemnity payments if they are injured on the job;
 - a. Granting employers immunity for injuries suffered by illegal aliens or unauthorized aliens unless the injured worker can prove the employer knew said worker was here unlawfully
- 3) Includes revisions to the Michael Louis Palumbo, Jr. Act, which provided a rebuttable presumption that a firefighter, who is disabled due to certain cancers, contracted the same during his or her employment. The revision shortens the statute of limitations from 20 years to 15 years to file a claim.

Many claims are often filed just before the two-year statute of limitations. While the issue of undocumented workers has certainly been a highly politicized issue with Federal legislation, this perhaps represents Ohio's first step into the issue of undocumented workers. Undoubtedly, the amendments will be controversial, and while it is too early to predict the future of HB 27, it is safe to say that the legislature is certainly attempting to alter portions of the workers' compensation system.

For additional information on HB 27, please contact one of the listed Roetzel attorneys.

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