

1 **Section 1**

2 **176.011 DEFINITIONS.**

3 **[For subdivisions 1-14, see M.S.]**

4 Subd. 15. **Occupational disease.**

5 (a) "Occupational disease" means a mental impairment as defined in paragraph (d) or physical disease arising
6 out of and in the course of employment peculiar to the occupation in which the employee is engaged and due to
7 causes in excess of the hazards ordinary of employment and shall include undulant fever. Physical stimulus
8 resulting in mental injury and mental stimulus resulting in physical injury shall remain compensable. Mental
9 impairment is not considered a disease if it results from a disciplinary action, work evaluation, job transfer,
10 layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer.
11 Ordinary diseases of life to which the general public is equally exposed outside of employment are not
12 compensable, except where the diseases follow as an incident of an occupational disease, or where the
13 exposure peculiar to the occupation makes the disease an occupational disease hazard. A disease arises out of
14 the employment only if there be a direct causal connection between the conditions under which the work is
15 performed and if the occupational disease follows as a natural incident of the work as a result of the exposure
16 occasioned by the nature of the employment. An employer is not liable for compensation for any occupational
17 disease which cannot be traced to the employment as a direct and proximate cause and is not recognized as a
18 hazard characteristic of and peculiar to the trade, occupation, process, or employment or which results from a
19 hazard to which the worker would have been equally exposed outside of the employment.

20 (b) If immediately preceding the date of disablement or death, an employee was employed on active duty with
21 an organized fire or police department of any municipality, as a member of the Minnesota State Patrol,
22 conservation officer service, state crime bureau, as a forest officer by the Department of Natural Resources,
23 correctional officer or security counselor employed by the state or a political subdivision at a corrections,
24 detention, or secure treatment facility, or sheriff or full-time deputy sheriff of any county, and the disease is that
25 of myocarditis, coronary sclerosis, pneumonia or its sequel, and at the time of employment such employee was
26 given a thorough physical examination by a licensed doctor of medicine, and a written report thereof has been
27 made and filed with such organized fire or police department, with the Minnesota State Patrol, conservation
28 officer service, state crime bureau, Department of Natural Resources, Department of Corrections, or sheriff's
29 department of any county, which examination and report negated any evidence of myocarditis, coronary
30 sclerosis, pneumonia or its sequel, the disease is presumptively an occupational disease and shall be presumed
31 to have been due to the nature of employment. If immediately preceding the date of disablement or death, any
32 individual who by nature of their position provides emergency medical care, or an employee who was employed
33 as a licensed police officer under section 626.84, subdivision 1; firefighter; paramedic; correctional officer or
34 security counselor employed by the state or a political subdivision at a corrections, detention, or secure
35 treatment facility; emergency medical technician; or licensed nurse providing emergency medical care; and who
36 contracts an infectious or communicable disease to which the employee was exposed in the course of
37 employment outside of a hospital, then the disease is presumptively an occupational disease and shall be
38 presumed to have been due to the nature of employment and the presumption may be rebutted by substantial
39 factors brought by the employer or insurer. Any substantial factors which shall be used to rebut this
40 presumption and which are known to the employer or insurer at the time of the denial of liability shall be
41 communicated to the employee on the denial of liability.

42 (c) A firefighter on active duty with an organized fire department who is unable to perform duties in the
43 department by reason of a disabling cancer of a type caused by exposure to heat, radiation, or a known or
44 suspected carcinogen, as defined by the International Agency for Research on Cancer, and the carcinogen is
45 reasonably linked to the disabling cancer, is presumed to have an occupational disease under paragraph (a). If a
46 firefighter who enters the service after August 1, 1988, is examined by a physician prior to being hired and the
47 examination discloses the existence of a cancer of a type described in this paragraph, the firefighter is not
48 entitled to the presumption unless a subsequent medical determination is made that the firefighter no longer
49 has the cancer.

50 (d) For the purposes of this chapter, "mental impairment" means a diagnosis of post-traumatic stress disorder
51 by a licensed psychiatrist, ~~or~~ psychologist, or psychiatric mental health nurse practitioner. For the purposes of
52 this chapter, "post-traumatic stress disorder" means the condition as described in the most recently published
53 edition of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association. For
54 purposes of section 79.34, subdivision 2, one or more compensable mental impairment claims arising out of a
55 single event or occurrence shall constitute a single loss occurrence.

56 (e) If, preceding the date of disablement or death, an employee who was employed on active duty as: a licensed
57 police officer; a firefighter; a paramedic; an emergency medical technician; a licensed nurse employed to
58 provide emergency medical services outside of a medical facility; a public safety dispatcher; a correctional
59 officer or security counselor employed by the state or a political subdivision at a corrections, detention, or
60 secure treatment facility; a sheriff or full-time deputy sheriff of any county; or a member of the Minnesota State
61 Patrol is diagnosed with a mental impairment as defined in paragraph (d), and had not been diagnosed with the
62 mental impairment previously, then the mental impairment is presumptively an occupational disease and shall
63 be presumed to have been due to the nature of employment. This presumption may be rebutted by substantial
64 factors brought by the employer or insurer. Any substantial factors that are used to rebut this presumption and
65 that are known to the employer or insurer at the time of the denial of liability shall be communicated to the
66 employee on the denial of liability. The mental impairment is not considered an occupational disease if it results
67 from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement,
68 or similar action taken in good faith by the employer.

69 **[For subdivisions 15a-27, see M.S.]**

70 **EFFECTIVE DATE.** This section is effective for dates of injury on or after October 1, 2026.

71 **Section 2**

72 **176.101 COMPENSATION SCHEDULE.**

74 **[For subdivisions 1 and 2, see M.S.]**

75 **Subd. 2a. Permanent partial disability.**

76 (a) Compensation for permanent partial disability is as provided in this subdivision. Permanent partial disability
77 must be rated as a percentage of the whole body in accordance with rules adopted by the commissioner under
78 section 176.105. During the 2026 regular legislative session, and every even-year legislative session thereafter,
79 the Workers' Compensation Advisory Council must consider whether the permanent partial disability schedule
80 in paragraph (b) represents adequate compensation for permanent impairment.

81 (b) The percentage determined pursuant to the rules adopted under section 176.105 must be multiplied by the
82 corresponding amount in the following table:

83	Impairment Rating	Amount	
84	(percent)		
85	less than 5.5	\$ 114,260	137,240
86	5.5 to less than 10.5	121,800	146,297
87	10.5 to less than 15.5	129,485	155,527
88	15.5 to less than 20.5	137,025	164,584
89	20.5 to less than 25.5	139,720	167,821
90	25.5 to less than 30.5	147,000	176,565
91	30.5 to less than 35.5	150,150	180,348
92	35.5 to less than 40.5	163,800	196,744
93	40.5 to less than 45.5	177,450	213,139
94	45.5 to less than 50.5	177,870	213,643
95	50.5 to less than 55.5	181,965	218,562
96	55.5 to less than 60.5	209,475	251,605
97	60.5 to less than 65.5	237,090	284,774
98	65.5 to less than 70.5	264,600	317,817
99	70.5 to less than 75.5	292,215	350,986
100	75.5 to less than 80.5	347,340	417,197
101	80.5 to less than 85.5	402,465	483,409
102	85.5 to less than 90.5	457,590	549,621
103	90.5 to less than 95.5	512,715	615,833
104	95.5 up to and including 100	567,840	682,045

105 An employee may not receive compensation for more than a 100 percent disability of the whole body, even if
106 the employee sustains disability to two or more body parts.

107 (c) Permanent partial disability is payable upon cessation of temporary total disability under subdivision 1. If the
108 employee requests payment in a lump sum, then the compensation must be paid within 30 days. This lump-sum

109 payment may be discounted to the present value calculated up to a maximum five percent basis. If the
110 employee does not choose to receive the compensation in a lump sum, then the compensation is payable in
111 installments at the same intervals and in the same amount as the employee's temporary total disability rate on
112 the date of injury. Permanent partial disability is not payable while temporary total compensation is being paid.

113 **[For subdivisions 3-8, see M.S.]**

114 **EFFECTIVE DATE. This section is effective for injuries occurring on or after October 1, 2026.**

115 **Section 3**

116 **176.155 EXAMINATIONS.**

117

118 **Subdivision 1. Employer's physician.**

119

120 (a) The injured employee must submit to examination by the employer's physician, if requested by the
121 employer, and at reasonable times thereafter upon the employer's request. Examinations shall not be
122 conducted in hotel or motel facilities. The examination must be scheduled at a location within 150 miles of the
123 employee's residence unless the employer can show cause to the office to order an examination at a location
124 further from the employee's residence. The employee is entitled upon request to have a personal physician or
125 unpaid witness present at any such examination. Each party shall defray the cost of that party's physician or
126 witness.

127 (b) Any report or written statement made by the employer's physician as a result of an examination of the
128 employee, regardless of whether the examination preceded the injury or was made subsequent to the injury or
129 whether litigation is pending, must be served upon the employee and the attorney representing the employee,
130 if any, no later than 14 calendar days within the issuance of the report or written statement.

131 (c) The employer shall pay reasonable travel expenses incurred by the employee in attending the examination
132 including mileage, parking, and, if necessary, lodging and meals. The employer shall also pay the employee for
133 any lost wages resulting from attendance at the examination.

134 (d) A self-insured employer or insurer who is served with a claim petition pursuant to section 176.271,
135 subdivision 1, or 176.291, shall schedule any necessary examinations of the employee, if an examination by the
136 employer's physician or health care provider is necessary to evaluate benefits claimed. The examination shall be
137 completed and the report of the examination shall be served on the employee and filed with the commissioner
138 within 120 days of service of the claim petition. Any request for a good cause extension pursuant to paragraph

139 (e) must be made within 120 days of service of the claim petition, except that a request may be made after 120
140 days of service of a claim petition in the following circumstances:

141 (1) a change to the employee's claim regarding the nature and extent of the injury;

142 (2) a change to the permanency benefits claimed by the employee, including a change in permanent partial
143 disability percentage;

144 (3) a new claim for indemnity benefits; or

145 (4) the employment relationship is not admitted by the uninsured employer.

146 (e) No evidence relating to the examination or report shall be received or considered by the commissioner,
147 a compensation judge, or the court of appeals in determining any issues unless the report has been served and
148 filed as required by this section, unless a written extension has been granted by the commissioner or
149 compensation judge. The commissioner or a compensation judge shall extend the time for completing the
150 adverse examination and filing the report upon good cause shown. The extension must not be for the purpose
151 of delay and the insurer must make a good faith effort to comply with this subdivision. Good cause shall include
152 but is not limited to:

153 (1) that the extension is necessary because of the limited number of physicians or health care providers
154 available with expertise in the particular injury or disease, or that the extension is necessary due to the
155 complexity of the medical issues, or

156 (2) that the extension is necessary to gather additional information which was not included on the petition
157 as required by section 176.291.

158 [For subdivisions 2-5, see M.S.]

159 **EFFECTIVE DATE.** This section is effective the day following final enactment.

160 Section 4

161 176.221 PAYMENT OF COMPENSATION AND TREATMENT CHARGES, COMMENCEMENT.

162

163 Subdivision 1. Commencement of payment.

164

165 Within 14 days of notice to or knowledge by the employer of an injury compensable under this chapter the
166 payment of temporary total compensation shall commence. Within 14 days of notice to or knowledge by an
167 employer of a new period of temporary total disability which is caused by an old injury compensable under this
168 chapter, the payment of temporary total compensation shall commence; provided that the employer or insurer
169 may file for an extension with the commissioner within this 14-day period, in which case the compensation need
170 not commence within the 14-day period but shall commence no later than 30 days from the date of the notice
171 to or knowledge by the employer of the new period of disability. Commencement of payment by an employer or
172 insurer does not waive any rights to any defense the employer has on any claim or incident either with respect
173 to the compensability of the claim under this chapter or the amount of the compensation due. Where there are
174 multiple employers, the first employer shall pay, unless it is shown that the injury has arisen out of employment
175 with the second or subsequent employer. Liability for compensation under this chapter may be denied by the
176 employer or insurer by giving the employee written notice of the denial of liability. If liability is denied for an
177 injury which is required to be reported to the commissioner under section 176.231, subdivision 1, the denial of
178 liability must be filed with the commissioner and served on the employee within 14 days after notice to or
179 knowledge by the employer of an injury which is alleged to be compensable under this chapter. If the employer
180 or insurer has commenced payment of compensation under this subdivision but determines within ~~60~~ 90 days of
181 notice to or knowledge by the employer of the injury that the disability is not a result of a personal injury,
182 payment of compensation may be terminated upon the filing of a notice of denial of liability within ~~60~~ 90 days of
183 notice or knowledge. After the ~~60~~ 90-day period, payment may be terminated only by the filing of a notice as

184 provided under section 176.239. Upon the termination, payments made may be recovered by the employer if
185 the commissioner or compensation judge finds that the employee's claim of work related disability was not
186 made in good faith. A notice of denial of liability must state in detail the facts forming the basis for the denial
187 and specific reasons explaining why the claimed injury or occupational disease was determined not to be within
188 the scope and course of employment and shall include the name and telephone number of the person making
189 this determination.

190 **[For subdivisions 2-9, see M.S.]**

191 **EFFECTIVE DATE. This section is effective for dates of injury on or after October 1, 2026.**