



## Ohio Revised Code

### Section 4131.03 Coal-workers pneumoconiosis fund.

Effective: October 21, 2019

Legislation: House Bill 80 - 133rd General Assembly

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(A) For the relief of persons who are entitled to receive benefits by virtue of the federal act, there is hereby established a coal-workers pneumoconiosis fund, which shall be separate from the funds established and administered pursuant to Chapter 4123. of the Revised Code. The fund shall consist of premiums and other payments thereto by subscribers who elect to subscribe to the fund to insure the payment of benefits required by the federal act.

(B) The coal-workers pneumoconiosis fund shall be in the custody of the treasurer of state. The bureau of workers' compensation shall make disbursements from the fund to those persons entitled to payment therefrom and in the amounts required pursuant to sections 4131.01 to 4131.06 of the Revised Code. All investment earnings of the fund shall be credited to the fund.

The director of natural resources annually may request the administrator of workers' compensation to transfer a portion of the funds from the net position of the coal-workers pneumoconiosis fund to the mining regulation and safety fund created in section 1513.30 of the Revised Code for the purposes specified in that section. If the administrator receives a request, the administrator may transfer an amount not to exceed one million dollars on the first day of July or as soon as possible thereafter.

The administrator, with the advice and consent of the bureau of workers' compensation board of directors, shall adopt rules in accordance with Chapter 119. of the Revised Code governing the transfer to ensure the solvency of the coal-workers pneumoconiosis fund. For that purpose, the administrator may establish tests in the rules based on measures of net assets, liabilities, expenses, interest, dividend income, or other factors that the administrator determines appropriate that may be applied before a transfer.

(C) The administrator shall have the same powers to invest any of the surplus or reserve belonging to the coal-workers pneumoconiosis fund as are delegated to the administrator under section 4123.44 of the Revised Code with respect to the state insurance fund.



(D) If the administrator determines that reinsurance of the risks of the coal-workers pneumoconiosis fund is necessary to assure solvency of the fund, the administrator may:

(1) Enter into contracts for the purchase of reinsurance coverage of the risks of the fund with any company or agency authorized by law to issue contracts of reinsurance;

(2) Pay the cost of reinsurance from the fund;

(3) Include the costs of reinsurance as a liability and estimated liability of the fund.