



Governor DeWine Revises Several Key Workers' Compensation Provisions for Ohio Employers

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On June 16, 2020, Ohio Governor Mike DeWine signed into law House Bill 81. This Bill amends several key provisions of Ohio's workers' compensation statute. The effective date for the amendments is September 14, 2020.

Below are the most significant changes to Ohio's workers' compensation statute by the amendments in House Bill 81:

- Reduces the statute of limitations for filing an application for violation of a specific safety requirement (VSSR) from two years to one year;
- Supersedes the judicial doctrine of voluntary abandonment with regard to payment of temporary total disability compensation by codifying the situations when an employee is eligible to receive compensation;
- Removes the reference to "voluntarily abandoned the workforce" with regard to payment of permanent total disability compensation by stating this compensation is not payable when the employee retires or otherwise is not working for reasons unrelated to the claim;
- - Revises the Industrial Commission's continuing jurisdiction to modify an order within five years from the date medical services are rendered rather than the date the bill for services is paid (this provision is not retroactive);
 - Prevents an employer from denying or withdrawing consent to a settlement application if the employee is no longer employed by the employer and the claim is no longer impacting the employer's BWC experience;
 - Increases the funeral expenses to \$7,000 from the \$5,500 cap (this provision is not retroactive);

- Expands the appeal period for court appeal case from 60 days to 150 days to all claims pending on September 29, 2017.

These changes may impact how Ohio employers manage their workers' compensation claims in terms of day-to-day claim and settlement strategies. For further discussion on how these amendments will impact your businesses, please contact [Julie Bruns](#), [Joanne Glass](#), [Noel Shepard](#), or any attorney with Frost Brown Todd's [Labor & Employment Practice Group](#).

During these unprecedented times, it is unlikely we will be able to host our annual WC Seminar in the Fall of 2020. We are looking forward to re-scheduling this event for 2021. In the meantime, please continue to follow us on [LinkedIn](#), [Twitter](#), and [Facebook](#).

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