AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3114
OFFERED BY Mr. Keller

Strike the text of the amendment and insert the following:

1 SECTION 1. GAO REPORT.

2      (a) IN GENERAL.—Not later than 18 months after
3 the date of enactment of this Act, the Comptroller General
4 of the United States shall submit to the Committee on
5 Education and Labor of the House of Representatives and
6 the Committee on Health, Education, Labor, and Pen-
7 sions of the Senate a report on the health care benefits
8 and treatment provided to maritime workers who contract
9 COVID-19.

10      (b) CONTENTS.—The report required under sub-
11 section (a) shall include—
12
13      (1) an assessment of the delivery of health care
14 under the Longshore and Harbor Workers’ Com-
15 pensation Act (33 U.S.C. 901 et seq.) for maritime
16 workers with medical needs due to COVID-19 con-
17 tracted in the course of their employment;
(2) recommendations necessary to address issues, if any, relating to patient access to care for treatment of COVID-19 under such Act; and

(3) an evaluation of claims under such Act relating to COVID-19 for maritime workers and survivors that have been approved, denied, or are waiting for a final determination, including—

(A) the number of such claims reported to the Department of Labor, delineated by certain claim characteristics;

(B) the percentage of such claims approved by employers or carriers;

(C) an evaluation of the standard that employers and private carriers use to determine causation when such claims are referred, including information on how employers and private carriers created such a standard and if employers and private carriers are updating the standard to keep up with current scientific standing;

(D) the average amount of time it takes for such a claim to be resolved;

(E) the number of such claims that are referred to an administrative law judge for resolution; and
(F) an evaluation of the standard that the Office of Administrative Law Judges and the Office of Workers’ Compensation Programs use to determine causation when such claims are referred, including information on how the Department of Labor created such a standard and if the Department is updating the standard to keep up with current scientific standing; and

(4) an evaluation of the cost incurred by maritime employers and their insurance carriers to address the medical needs of employees who have contracted COVID-19 since January 27, 2020.

Add at the end the following:

Amend the title to read as follows: “To direct the Comptroller General to prepare a report on health care benefits and treatment for maritime workers who contract COVID-19, and for other purposes.”