

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3114  
OFFERED BY M r . 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 (1) an assessment of the delivery of health care  
13 under the Longshore and Harbor Workers' Com-  
14 pensation Act (33 U.S.C. 901 et seq.) for maritime  
15 workers with medical needs due to COVID-19 con-  
16 tracted in the course of their employment;

1           (2) recommendations necessary to address  
2 issues, if any, relating to patient access to care for  
3 treatment of COVID-19 under such Act; and

4           (3) an evaluation of claims under such Act re-  
5 lating to COVID-19 for maritime workers and sur-  
6 vivors that have been approved, denied, or are wait-  
7 ing for a final determination, including—

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

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

13                   (C) an evaluation of the standard that em-  
14 ployers and private carriers use to determine  
15 causation when such claims are referred, includ-  
16 ing information on how employers and private  
17 carriers created such a standard and if employ-  
18 ers and private carriers are updating the stand-  
19 ard to keep up with current scientific standing;

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

22                   (E) the number of such claims that are re-  
23 ferred to an administrative law judge for resolu-  
24 tion; and

1 (F) an evaluation of the standard that the  
2 Office of Administrative Law Judges and the  
3 Office of Workers' Compensation Programs use  
4 to determine causation when such claims are re-  
5 ferred, including information on how the De-  
6 partment of Labor created such a standard and  
7 if the Department is updating the standard to  
8 keep up with current scientific standing; and  
9 (4) an evaluation of the cost incurred by mari-  
10 time employers and their insurance carriers to ad-  
11 dress the medical needs of employees who have con-  
12 tracted 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."

