



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1531		DATE: 3/6/2024
COMMITTEE: Insurance Policy		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: AMBER FITZGERALD		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: aclinton113@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/6/2024 6:50 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I implore you to take into account that a majority of Missourians are unwed and working. This bill would give something back to people working in Missouri that is currently missing. Accountability. I support this bill because companies should not be allowed to break all of their own policies, kill someone due to their negligence, and not be held accountable. Unfortunately, money is the only language that businesses understand. With the implementation of this bill, we are hopeful that positive changes will happen and these businesses will take pro-active steps to prevent these tragedies. Missourians, regardless of marital status, or whether they have dependents should be protected.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ANDREW MUNDWILLER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written		SUBMIT DATE: 3/6/2024 11:50 PM
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I am in Support of this Bill by increasing thresholds and Holding Employers Accountable and Responsible!



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: BRIGIT BROOKS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: brigitihappy@gmail.com	ATTENDANCE: In-Person	SUBMIT DATE: 3/5/2024 7:50 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

My husband (James Brooks) was killed along with Kaitlyn Anderson and her unborn baby Jaxx 11/18/21 James worked for Modot 9 years while stripping the highway he and 2 other Coworkers was struck and killed instantly the third severely injured, if there was a protective vehicle behind them that's required our loved ones would be here today,help us to change this law so employee's are protected if their killed on the job!!! It's been 2yrs we have no closure or accountability!



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: CHRIS MOORE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: chrism2007111@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 3/6/2024 3:44 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

As a Missouri citizen it is very alarming that there's no accountability for companies who are negligent, unsafe, and cause death to its employees. The laws in Missouri should protect people first. Immunity should not exist if negligence can be proven in court. Furthermore, the current work comp is unfit for Missourians. At the very basic levels of you die at work your family, your next of kin should be entitled to compensation. There should not be a lupold that limits claims to only those who are married or have minor children. That completely disregards millions of people who are contributing to households and extended families everyday. My family lost another caregiver for our children, another protector, teacher, provider, cheerleader. My loved one was killed on the job with her unborn son and without a husband so in the eyes of the law their is no claim for work comp and there is no consequence under immunity for her company. The law may not currently recognize it, but Kaitlyn did have kids. She had 3 that she lived with most of their lives, that she took care of, that she fed, picked up from school, did homework with, took to cheer practices, cheered for at little league games, and carried when they were tired at Disney world. She had a family that she deeply valued, deeply loved and dedicated herself to every day. There aren't words to accurately describe how much Kaitlyn is loved and how much she is missed. Please vote yes. Don't let negligent companies get away with creating unsafe working environments and causing the death more people. Down with immunity and close the workman's comp lupold. It's what's right for Missouri citizens.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: CRAIG M. ORTWART		PHONE NUMBER: 573-526-6693	
BUSINESS/ORGANIZATION NAME: MO ASSOCIATION OF TRIAL ATTORNEYS		TITLE:	
ADDRESS: 3118 WATSON			
CITY: ST LOUIS		STATE: MO	ZIP: 63139
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ELIZABETH WILLIAMS-CHAPLIN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: ewilliams0413@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/5/2024 7:15 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Employee safety should be the number one priority for employers. Everyone deserves to go to work and come home safely. It is the responsibility of our elected officials to ensure that employers are held to the highest standard of safety, and held accountable when they fail to meet that. In the state of Missouri, an individual can be charged with negligence or wrongful death. An individual can be held criminally or civilly accountable; why are businesses held to a lesser standard? To taxpayers, that says that businesses are more valuable than employees. Businesses are nothing without the people that faithfully work for them. They deserve to know their safety is a priority. Knowingly failing to provide the proper safety conditions to an employee is the very definition of malicious intent. Kaitlyn Anderson, Jaxx and James Brooks were failed by their employer. Their families were failed. Nothing can bring them back. Nothing can change the negligence that caused their deaths. What can change is never allowing this to happen to another person. The change starts with setting a standard and holding businesses to that standard. When they fail to meet it, there needs to be consequences and accountability. That is the only way to make change.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: KEIRSTEN WILLIAMS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: keirwilliams05@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/4/2024 10:54 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Driving incidents, no matter how controlled by patrol, are so dangerous and so hard to stop. So dangerous that they killed a beautiful soul and her unborn son while she was trying to make the roads safer for that driver. Support this change, support them trying to save people like Kait and Jax. Save the beautiful souls who have to pay for the mistakes of people who don't care. Be the one that cares.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL BROWN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: msbg3686@gmail.com		ATTENDANCE: Written	SUBMIT DATE: 3/5/2024 5:21 PM

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November 18th 2021 should have been a day like any other. From my memory of how MODOT operates, I would have arrived at work at 7 AM. By noon my life was changed forever. I was part of a stripping crew that was assigned to do roadwork on route 231 over I-255 in South St. Louis County, which in that area is known as Telegraph Road. From what I have been told a motorist by the name of Stanley McFadden drove through our workzone striking myself, Kaitlyn Anderson, and James Brooks. Kaitlyn and James died at the scene. Kaitlyn was six months pregnant with a baby son named Jaxx. I was transported to the hospital in critical condition. Shortly after my arrival at the hospital I was put in a medically induced coma. My mother, who was my emergency contact, only heard about the accident through my then girlfriend Heather. My mother arrived at the hospital before MODOT officials and was told by a MSHP Trooper that I would live. That was the first contact my family had from Missouri state officials that I was involved in a fatal workplace accident. MODOT officials asked if my mother wanted to talk and she declined, obviously. My memory then kicks in about the middle of December. And all memories from 6 to 8 months before the accident were gone. From what I have been told the first week of my hospitalization. There was a week in which I continually reached for my phone to call Kaitlyn and eventually I had to be told that Kait had passed. Because of my injuries and hospitalization I was not even able to attend her funeral. My injuries included a subdermal hematoma, broken left collarbone, broken left wrist, three broken ribs and an open fracture of my left tibia and fibula. I was released after five weeks and one day in the hospital on Christmas Eve. The only reason for my release was my family pushed the hospital to release me early so I will be home for Christmas. I complied with all medical care that was given to me for my workplace injuries. It's sad to think how my life would have had no value under current law cause at the time I had no spouse or dependent. Missouri law needs to hold employers accountable. Not allowing them off Scott free.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SANDRA GRIMM		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: Sandragrimm1210@gmaim.com	ATTENDANCE: Written	SUBMIT DATE: 3/5/2024 9:57 PM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am writing this because I am in support of Kaitlyn's bill HB1531. Kaitlyn Denise Anderson was my first grand child, my first granddaughter. On November 18th 2021 she was killed along with Jaxx Allen Jarvis her 6 month unborn baby, my first great grandchild along with James Brooks. They were killed due to negligence and lack of training by their employers the managers were untrained and did not do the right thing on November 18th 2021. Kaitlyn, Jaxx and James would be alive today if MoDot would have sent a life-saving piece of equipment to protect them. No one has had to answer for the death of these three beautiful life's, who have families that love them very much. We miss them everyday, our hearts are broken and our lives are forever changed. MoDot did not send a TMA to protect them or block the path of oncoming cars, as a result they were killed. We will never get to love, or hold, or kiss are first great grandson. We were so ready to be great grandparents and love baby Jaxx so much. A question we ask ourself everyday, why! Why didn't MoDot protect them, why didn't they send a TMA that day? No one has answered that ,no one has been held accountable for their deaths. We ask you please pass that Kait's law ,we need to protect all Missouri workers. Companies need to be held accountable if their decisions result in deaths of their employees. Clearly the decision and lack of training at MoDOT took the lives of three people that day. As citizens of Missouri we are held accountable for all our wrongdoings. When breaking the law we are held accountable and have to answer for the choices we make. When companies make a choice that results in deaths of employees they should have to answer for their decisions and the choices they made as well. Please help all Missouri workers, please pass the Kaitlyn's bill.. Thank you for reading this and standing beside Missouri workers. We need and count on you to have our backs and pass laws to protect us all. Sincerely and hopeful Sandra



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: TABATHA MOORE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: realtortabby@gmail.com	ATTENDANCE: In-Person	SUBMIT DATE: 3/5/2024 11:27 PM

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Today, I stand before you to advocate for a crucial piece of legislation: kaitlyns Law, hb1531. This law seeks to protect all Missouri employees against negligent employers and scrupulous insurance connotations. This initiative is not merely about abstract legal concepts; it's about real people, real lives, and real tragedies that happen every day in Missouri and killers go home at night with no penalty or consequence thanks to 2 Missouri statues that are outdated, unjust, and simply not in the best interest of the citizens of Missouri. Let me share with you the heartbreaking story of Kaitlyn Anderson, a vibrant young woman of only 25 years old who was six months pregnant with a baby boy named Jaxx when tragedy struck. Kaitlyn was a dedicated employee, working tirelessly for the Missouri Department of Transportation (MoDOT). She was a proud Missouri citizen, a Navy veteran, a committed MODOT employee, a loving and compassionate daughter, niece, cousin and friend. She was a present and constant fixture in my home where she lived and helped me raise my 3 young children. Just as she was there for all our little moments and big, we were there for hers. I remember the day Kaitlyn accepted the job with modot and moved back to Missouri. She was so excited! So proud to be accept this job. She took pride in her work, loved her colleagues, and looked forward to the challenges of each day. Despite her love for the job there were things that were very scary for her. During her time with modot she was assigned to several different duties including driving a TMA (truck mounted actuator) which is a protective vehicle designed to absorb direct impact of a moving vehicle in order to protect the road crew working in front of it. In the year before Kaitlyns death, the TMA she was driving was hit 3x by wreck less and distracted drivers. Luckily she was unharmed thanks to the protection of the TMA. She also operated a large paint striping truck which was hit by a small car. Again the protection of the huge truck kept her safe that day. When Kaitlyn found out she was pregnant with Jaxx she asked supervisors for a safer job. That safer job on Nov 18, 2021 turned out to be working on a manual painting job, in a live lane of traffic, on the Bridge at highway 231 and interstate 255/270, in a highly congested traffic area of 45 mph with 2 other employees. The only protection supervisors provided them was less than a handful of orange traffic cones, the only defense from on coming traffic. The TMA that was required by federal regulations and by modots own safety manual was sitting along side 2 others at get shed because supervisors declined to dispatch the safety equipment to the job site that day citing it wasn't required. I'll remind you the supervisors safety manual as well as letters from the highest commissioner Patrick McKenna all confirm a TMA was required and should have been provided. So what does this have to do with today's bill? It comes down to 2 things Missouri has gotten severely wrong: 1. immunity for corporations and the state, and 2. workman's comp laws that adequately protect families of those killed on job. Kaitlyn, Jaxx and James Brooks died that day due to careless, reckless, negligent, and malicious actions by supervisors who failed to send proper and required protective equipment, supervisors who failed to complete the modot required safety training, who failed to hang and share a modot issued safe work zone setup poster with subordinates, who

failed to accurately complete the accident report, and who failed to operate their sheds using the latest edition of modots safety manual. Because of Missouri immunity and workers comp laws their killers have gotten away with it free of charge. The immunity law protects Missouri businesses and state entities even if negligence is clearly proven. Because of the immunity law a family has no recourse against these entities who stole their loved ones. Instead they are deferred to the states workers comp insurance to handle the claim. An insurance system that grossly undervalues a human life and seeks every opportunity to exploit a lupol and minimize the accountability the company has to take for the deaths caused at their hands. Did you know that if you are over 18, unmarried and have no dependant children your employer can kill you for free? Well they can. They can because under current Missouri workman's comp laws, an unmarried adult with no dependants does not qualify because they have no claim. Kaitlyn was unmarried on Nov 18, 2021 and her only child, Jaxx Was killed with her that day. Modot and the insurance company got off with zero accountability. Zero punishment. Zero consequence. Under current Missouri immunity and workman's comp laws that means that my 20 year old son who is not married, has no children and works each day can be killed for free because Missouri doesn't recognize next of kin. That means that most of our high school graduates this year who will go into the workforce can be killed for free. Do you have someone in your life who works but isn't married and doesn't have any children under 18? This isn't just young people, but those who have raised their kids already aren't married and are still working. This could be you even. Let's talk real numbers. According to census. Gov In 2022, about 132.3 million or 49.3% of Americans age 15 and over were unmarried. Usafacts.org reports In 2022, more than half of American households were childless and 28.9% were single households without kids. That's a whole lot of people who can be killed for free with no accountability under our current laws. Think about this. People are waiting longer to get married and have kids. Bgsu.edu states never married mid-life adults steadily increased, reaching 29.1% in 2021. That means more people than ever are unprotected by Missouri's get out of jail free Card laws that give negligent companies immunity and insurances lupolds to avoid paying out a death claim. Let's talk about Missouri only. Who is at risk and unprotected in Missouri? According to infoplease.org Missouri census reports a total of 2,194,594 households. Of those households 1,053,728 or 48% are non married people. 1,432,102 or 65.3% of Missouri Households do not have dependant children. 1,053,728 or 48% unmarried, 1,432,102 or 65.3% without minor dependants. THAT SURE SOUNDS LIKE A LOT OF MISSOURIANS who could be killed for free. Free of consequences. Free of accountability. Free of charge thanks to Missouri immunity and workman's comp laws that simply do not encourage companies to make safety the number 1 priority and do not protect Missouri workers. Without changes to these laws Missouri's like Kaitlyn and James Brooks will continue to die at the hands of negligent companies because they know they can get away without protecting their employees because the law is on their side. All the while families are torn apart, futures are stolen, income is lost, hearts are broken all free of charge. I implore you. Think about the people in your lives who would fall into the protected category under Missouri workman's comp law. Think about your friend, child, spouse or even yourself as your work everyday. What if you were killed due to negligence by those who were in positions above you? I ask you to remember Kaitlyn, jaxx and James face as you consider bill Hb1531 and vote yes to move this bill forward for the protection of all Missouri workers. Thank you.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: TONYA MUSSKOPF		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: TOSHA JUNG		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: toshajung@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/4/2024 10:29 PM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL HENDERSON		PHONE NUMBER: 573-893-4241	
REPRESENTING: MISSOURI INSURANCE COALITION		TITLE:	
ADDRESS: 220B E HIGH ST			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: PHILLIP ARZEN		PHONE NUMBER: 573-634-3511	
REPRESENTING: MO CHAMBER OF COMMERCE		TITLE:	
ADDRESS: 428 E. CAPITOL AVE.			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	
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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: RAY MCCARTY		PHONE NUMBER: 573-634-2246
BUSINESS/ORGANIZATION NAME: ASSOCIATED INDUSTRIES OF MISSOURI		TITLE: PRESIDENT/CEO
ADDRESS: 3234 W TRUMAN BLVD		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65109
EMAIL: rmccarty@aimo.com	ATTENDANCE: In-Person	SUBMIT DATE: 3/5/2024 6:00 PM

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Associated Industries of Missouri opposes this bill as currently written. Missouri's workers' compensation statutes provide a state-mandated, "no-fault" insurance system that pays benefits to workers injured on the job to cover medical care, part of lost wages and permanent disability. In return, employers receive immunity from civil lawsuits by employees over such workplace injuries. This bill appears to legislatively address an absurd claim made by a public employer that the unborn child of a worker killed while working was an "employee" and the exclusive remedy provisions of the workers' compensation law applied to the death of the unborn child. We are unaware of any other cases where this claim has been made. If the intent is to address this situation, then the legislative response should be narrowly tailored to address the issue. Making changes to the law that applies to private employers would not appear to be necessary because no private employer, to our knowledge, has ever made such an absurd claim. The changes made in section 537.610 which applies to public employers should be the only topic of this bill. Currently, if an injury is caused by failure of an employer to comply with a state statute or order of the Division of Workers' Compensation or the Labor and Industrial Relations Commission, the compensation and death benefits are increased by 15%. This bill would change that percentage to a range between 25% and 50% AND would allow the increased benefit if the accident is caused by failure of the employer to comply with their own safety standard, OSHA safety standards, or any state or federal regulation. While we do not believe this is something that occurs often, this additional liability will increase the cost of workers' compensation insurance that will be paid by all employers. The death benefit from workers' compensation is increased from \$5,000 to \$15,000. This will increase employers' workers' compensation premiums.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RICH AUBUCHON		PHONE NUMBER: 573-616-1845	
REPRESENTING:		TITLE:	
ADDRESS: 112 E HIGH ST			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2024 12:00 AM	
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