

HOUSE BILL REPORT

HB 2628

As Passed House:

February 6, 1996

Title: An act relating to payment of industrial insurance benefits to beneficiaries.

Brief Description: Revising provision on payment of industrial insurance benefits to beneficiaries.

Sponsors: Representatives Veloria, Conway and Cody.

Brief History:

Committee Activity:

Commerce & Labor: 2/1/96 [DP].

Floor Activity:

Passed House: 2/6/96, 98-0.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 12 members: Representatives McMorris, Chairman; Hargrove, Vice Chairman; Thompson, Vice Chairman; Romero, Ranking Minority Member; Conway, Assistant Ranking Minority Member; Cairnes; Cody; Cole; Fuhrman; Goldsmith; Horn and Lisk.

Staff: Chris Cordes (786-7117).

Background: If an injured worker suffers a permanent partial injury and dies of an unrelated cause before receiving his or her permanent partial disability award or dies before receiving monthly benefits covering a period before the death, the surviving spouse or children of the worker are entitled to the benefits owing to the worker. The spouse or children also receive the time loss benefits covering the time before an injury-related death that were not received by the worker before death.

These benefits are not paid, however, to the spouse or children if the injured worker resided in the United States for as long as three years before the injury and the spouse or children were not residents of the United States at the time of injury.

Summary of Bill: The industrial insurance statute is amended to repeal a limitation on payment to nonresident beneficiaries of permanent partial disability awards and monthly benefits owing to the injured worker prior to the worker's death. The

limitation would no longer apply that prohibits these payments to a surviving spouse or child who was not a resident of the United States at the time of the worker's injury when the worker had resided in the United States for at least three years before the injury.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: It can cause real family hardship after the death of the family breadwinner if funds owing to the worker are not paid to the family. It is discriminatory to treat immigrants employed in the United States differently from other workers. All workers should be entitled to the same benefits. The provision repealed in this bill is rarely used and its repeal will have little impact on the state fund.

Testimony Against: None.

Testified: Representative Velma Veloria, prime sponsor; Myrna Villanueva and Salvador Villanueva, Washington State Commission on Asian-American Affairs; and Amber Balch, Association of Washington Business.