

# HOUSE BILL REPORT

## HB 1375

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**As Reported By House Committee On:**  
Commerce & Labor

**Title:** An act relating to industrial insurance benefits during confinement in an institution.

**Brief Description:** Cancelling industrial insurance benefits during confinement in an institution.

**Sponsors:** Representatives Lisk, Chandler, Fuhrman, Goldsmith, Hargrove, Horn and Honeyford.

**Brief History:**

**Committee Activity:**

Commerce & Labor: 1/30/95, 2/21/95 [DPS].

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Lisk, Chairman; Hargrove, Vice Chairman; Thompson, Vice Chairman; Romero, Ranking Minority Member; Conway, Assistant Ranking Minority Member; Cairnes; Cody; Cole; Fuhrman and Goldsmith.

**Staff:** Chris Cordes (786-7117).

**Background:** If a worker who is receiving industrial insurance benefits subsequently becomes convicted and sentenced, and is confined in an institution, the worker's benefits are cancelled during the period of confinement. Benefits are also cancelled during the period of confinement for a worker who becomes eligible for benefits while in confinement under conviction and sentence.

**Summary of Substitute Bill:** The cancellation of industrial insurance benefits while a person is confined in an institution under conviction and sentence is modified. The requirement that the person be convicted and sentenced is changed to require that benefits are cancelled if the person is confined after being found guilty of a crime.

Technical amendments are made to clarify the statute.

**Substitute Bill Compared to Original Bill:** The original bill cancelled a person's industrial insurance benefits if the person was confined in an institution. The substitute bill adds a requirement that the worker must be found guilty of a crime before benefits will be cancelled because of confinement in an institution. The substitute bill also makes changes in the subsection numbering of the statute for clarification.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** It is an unfair burden on employers to pay workers' compensation benefits to people who are incarcerated while awaiting trial or sentencing. However, the benefits should continue for the beneficiaries as in current law. The bill applies to very few inmates and should have little impact on the state's correctional system.

**Testimony Against:** None.

**Testified:** (In favor) Melanie Stewart, Washington Self-Insurers Association; and Clif Finch, Association of Washington Business. (No position) Tom Rolfs, Department of Corrections.