

SENATE BILL REPORT

SB 6363

As Reported By Senate Committee On:
Labor, Commerce & Trade, January 31, 1996

Title: An act relating to payment of job modification or accommodation costs for injured workers.

Brief Description: Providing for payment of job modification or accommodation costs for injured workers.

Sponsors: Senators Pelz and Newhouse.

Brief History:

Committee Activity: Labor, Commerce & Trade: 1/15/96, 1/31/96 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Majority Report: That Substitute Senate Bill No. 6363 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pelz, Chair; Heavey, Vice Chair; A. Anderson, Deccio, Franklin, McDonald, Newhouse and Wojahn.

Staff: Jack Brummel (786-7428)

Background: Job modification benefits were first allowed for modification of an injured worker's old job in 1982. Job modification expenditures are paid out of the second injury fund. Legislation passed in 1988 provided for funding job modifications at a worker's new job. The Department of Labor and Industries began allowing use of job modification benefits in 1990 in situations not involving an employer, but stopped this practice in 1995.

Maximum job modification costs have been \$5,000 per worker per job modification since 1982.

Summary of Substitute Bill: The Department of Labor and Industries may pay up to \$5,000 in vocational rehabilitation expenditures for accommodations needed to (1) allow an injured worker to participate in an approved training plan, and (2) perform the essential functions of the job a worker is seeking.

Substitute Bill Compared to Original Bill: The original bill increased allowable job modification expenditures from the second injury fund to \$10,000 and allowed payment for accommodations at a retraining facility as well as accommodations necessary for an effective job search. The substitute deletes the section with changes to the job modification statute and adds a section amending the vocational rehabilitation statute to allow up to \$5,000 in vocational rehabilitation expenditures for job modification purposes.

Appropriation: None.

Fiscal Note: Requested on January 10, 1996.

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

Testimony For: The bill would allow the department to resume accommodating injured workers while being retrained or seeking employment.

Testimony Against: The accommodations should be paid for from some source other than the second injury fund.

Testified: Julie Grant, Grant & Associates (pro); David Ducharme, WA Self Insurers Assoc.; Robby Stern, WA State Labor Council (pro); Clif Finch, AWB (pro).