

SENATE BILL REPORT

SHB 1950

As Reported By Senate Committee On:
Labor, Commerce & Financial Institutions, March 27, 2001

Title: An act relating to worker rights under industrial insurance.

Brief Description: Describing worker rights under industrial insurance.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Clements, Wood, Kenney and Miloscia).

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 3/22/01, 3/27/01 [DPA].

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: Do pass as amended.

Signed by Senators Prentice, Chair; Gardner, Vice Chair; Franklin, Hochstatter, Rasmussen, Regala, West and Winsley.

Staff: Elizabeth Mitchell (786-7430)

Background: Under current law, people seeking workers compensation benefits are allowed to select the physician or chiropractor of their choice to treat their injury or disease. Department rules and regulations authorize seven different types of providers to be attending doctors for the purposes of workers compensation claims.

When a worker applies to the department or a self insurer for workers compensation benefits, the worker uses prescribed application forms. These forms currently include a brief explanation of the claims process.

Upon receiving a workers compensation claim, the department must send a worker notification of his or her workers compensation rights. This notice currently includes a statement that the worker has a right to see a physician of his or her choice.

Summary of Amended Bill: Application forms to the department and self insurers must include notification that the worker has a right to see a health services provider of his or her choice, and must list the different types of providers authorized to treat workers compensation claimants.

The department's notification of claimant rights is required to state that workers may choose to receive health services from a health services provider of his or her choice, and must list the types of providers authorized to treat workers compensation claimants.

"Health services provider" is defined to include the seven types of providers currently able to treat injured workers as attending doctors.

Amended Bill Compared to Original Bill: "Health services provider" is defined to include the seven types of providers currently able to treat injured workers as attending doctors. The word "physician" is replaced by the term "health services provider." New forms are required to be in use by July 1, 2002.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2002.

Testimony For: Injured workers need to know that they can see seven different types of health care providers as attending doctors. There is concern that employers may recommend a particular provider, and workers may fear retribution if they do not see that provider.

Testimony Against: None.

Testified: Representative Conway, prime sponsor (pro); Kathleen Collins, WSIA (concerns); Cliff Finch, AWB (concerns); Gary Franklin and Bob Mootz, L&I (questions); David Butters, Lori Bielinski, Washington State Association of Chiropractors (pro); Robby Stern, WSLC (pro).