
SENATE BILL 5237

State of Washington

59th Legislature

2005 Regular Session

By Senators Keiser, Kohl-Welles, Parlette, Honeyford and Prentice; by request of Department of Labor & Industries

Read first time 01/18/2005. Referred to Committee on Labor, Commerce, Research & Development.

1 AN ACT Relating to mandatory electronic data reporting under Title
2 51 RCW for workers' compensation self-insurers; amending RCW 51.14.110,
3 51.14.110, and 51.14.030; providing an effective date; and providing an
4 expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 51.14.110 and 1971 ex.s. c 289 s 35 are each amended
7 to read as follows:

8 (1) Every self-insurer shall maintain a record of all payments of
9 compensation made under this title. The self-insurer shall furnish to
10 the director all information he has in his possession as to any
11 disputed claim, upon forms approved by the director.

12 (2) The department shall establish an electronic reporting system
13 for the submission of specified self-insurance claim data to more
14 effectively monitor the performance of self-insurers and to obtain
15 claims information in an efficient manner.

16 (3) Claim data reported electronically by individual self-insurers
17 is confidential in accordance with RCW 51.16.070 and 51.28.070. The
18 department may publish, for statistical purposes, aggregated claims
19 data that contain no personal identifiers.

1 (4) The department shall adopt rules to administer this section.

2 **Sec. 2.** RCW 51.14.110 and 1971 ex.s. c 289 s 35 are each amended
3 to read as follows:

4 (1) Every self-insurer shall maintain a record of all payments of
5 compensation made under this title. The self-insurer shall furnish to
6 the director all information he has in his possession as to any
7 disputed claim, upon forms approved by the director.

8 (2) The department shall establish an electronic reporting system
9 for the submission of specified self-insurance claim data to more
10 effectively monitor the performance of self-insurers and to obtain
11 claims information in an efficient manner.

12 (3) Self-insurers shall submit data electronically in the format
13 and frequency prescribed by the department.

14 (4) Electronic submittal of specified data is required to maintain
15 self-insurance certification. The department shall establish an
16 escalating schedule of penalties for noncompliance with this
17 requirement, up to and including withdrawal of self-insurance
18 certification.

19 (5) Claim data reported electronically by individual self-insurers
20 is confidential in accordance with RCW 51.16.070 and 51.28.070. The
21 department may publish, for statistical purposes, aggregated claims
22 data that contain no personal identifiers.

23 (6) The department shall adopt rules to administer this section.

24 **Sec. 3.** RCW 51.14.030 and 1977 ex.s. c 323 s 10 are each amended
25 to read as follows:

26 The director may issue a certification that an employer is
27 qualified as a self-insurer when such employer meets the following
28 requirements:

29 (1) He or she has fulfilled the requirements of RCW 51.14.020.

30 (2) He or she has submitted to the department a payroll report for
31 the preceding consecutive twelve month period.

32 (3) He or she has submitted to the department a sworn itemized
33 statement accompanied by an independent audit of the employer's books
34 demonstrating to the director's satisfaction that the employer has
35 sufficient liquid assets to meet his or her estimated liabilities as a
36 self-insurer.

1 (4) He or she has demonstrated to the department the existence of
2 the safety organization maintained by him or her within his or her
3 establishment that indicates a record of accident prevention.

4 (5) He or she has submitted to the department a description of the
5 administrative organization to be maintained by him or her to manage
6 industrial insurance matters including:

7 (a) The reporting of injuries;

8 (b) The authorization of medical care;

9 (c) The payment of compensation;

10 (d) The handling of claims for compensation;

11 (e) The name and location of each business location of the
12 employer; and

13 (f) The qualifications of the personnel of the employer to perform
14 this service.

15 (6) He or she has demonstrated to the department the ability and
16 commitment to electronically submit the claim data required by RCW
17 51.14.110.

18 Such certification shall remain in effect until withdrawn by the
19 director or surrendered by the employer with the approval of the
20 director. An employer's qualification as a self-insurer shall become
21 effective on the date of certification or any date specified in the
22 certificate after the date of certification.

23 NEW SECTION. Sec. 4. Section 1 of this act expires July 1, 2008.

24 NEW SECTION. Sec. 5. Sections 2 and 3 of this act take effect
25 July 1, 2008.

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