

HOUSE BILL REPORT

HB 1244

As Reported By House Committee On:
Commerce & Labor
Appropriations

Title: An act relating to payments for time lost from work while attending a medical examination for industrial insurance.

Brief Description: Providing for payments for time lost from work while attending a medical examination for industrial insurance.

Sponsors: Representatives Franklin, Heavey, King, G. Cole, Springer, Jones and Veloria.

Brief History:

Reported by House Committee on:
Commerce & Labor, January 29, 1993, DP;
Appropriations, March 3, 1993, DP.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 8 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Horn; King; Springer; and Veloria.

Staff: Chris Cordes (786-7117).

Background: An injured worker making a claim under the industrial insurance system must submit to a medical examination when the examination is requested by the Department of Labor and Industries or the worker's self-insured employer. If the worker misses work without pay while attending the examination, the worker receives temporary disability compensation. The worker is not entitled to his or her usual wages for the time lost from work.

Summary of Bill: The compensation received by an injured worker who is absent from work without pay while attending a medical examination requested by the Department of Labor and Industries or the worker's self-insured employer is changed from temporary disability compensation to compensation that is equal to his or her usual wages.

This change applies prospectively to all injured worker claims, regardless of the date of injury.

Fiscal Note: Requested January 26, 1993.

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

Testimony For: Most workers do not miss more than a few hours of work when they attend a medical examination. But for some, a trip from Eastern Washington to Seattle or Portland for special medical examinations can mean missing several days of work. These workers should not be penalized by receiving, as compensation, only part of the wages they would have earned.

Testimony Against: While there is agreement in principle, the administration costs of paying "usual wages" in a few isolated cases may be too high.

Witnesses: (In favor): Jeff Johnson, Washington State Labor Council. (Opposed): Clif Finch, Association of Washington Business.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 25 members: Representatives Locke, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; Jacobsen; Lemmon; Linville; Morton; Peery; Rust; Sehlin; Sheahan; Sommers; Stevens; Talcott; Wang; Wineberry; and Wolfe.

Staff: Wayne Kawakami (786-7384).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Commerce & Labor: No new changes recommended.

Fiscal Note: Available.

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

Testimony For: The current benefit schedule pays at most, a percentage of the state average wage for time loss without pay. This can result in compensation losses to employees for department requested medical exams.

Testimony Against: None.

Witnesses: Representative Grace Cole, sponsor; and David Westberg, Stationary Engineers (pro).