

FINAL BILL REPORT

SSB 6014

C 422 L 05
Synopsis as Enacted

Brief Description: Concerning industrial insurance claims made due to disaster response.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kline, Parlette, Kohl-Welles and Keiser).

Senate Committee on Labor, Commerce, Research & Development
House Committee on Commerce & Labor

Background: Recent tragic events such as the Oklahoma City bombing and the terrorist attacks of September 11th, 2001 have caused communities around the country to devote more resources to planning for both natural and man-made disasters.

The U.S. Department of Homeland Security held a First Response and Skilled Trades Stakeholder Summit in Seattle in November, 2003. This summit provided an impetus for moving forward on a local, state, and national level to build on the existing emergency response infrastructure to create a system that improves the country's ability to prevent loss of life and property following man-made disasters.

In the event of such a disaster, there are special provisions for volunteers, citizens who are commandeered, and for emergency relief workers, yet there are little to no provisions for non-governmental employers or their workers who want to assist with relief efforts in the aftermath of a natural or man-made disaster.

Summary: When the worker of a non-governmental employer is injured or develops an occupational disease due to an exposure while employed in response to a request for assistance in the "life and rescue phase" of an emergency, the cost of workers compensation benefits is reimbursed from the disaster response account to the appropriate workers' compensation fund, or to the self-insured employer. The cost of such injuries or occupational diseases is not charged to the experience rating of a state fund employer.

"Life and rescue phase" is defined as the first 72 hours after a natural or man-made disaster in which a state or local entity, including fire service or law enforcement, acknowledges or declares such a disaster and requests assistance from the private sector in locating and rescuing survivors.

The Department of Labor and Industries is authorized to adopt rules implementing reimbursements and noncharging of benefits paid to nongovernment workers injured while assisting in the life and rescue phase of emergencies.

Votes on Final Passage:

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| Senate | 47 | 0 | |
| House | 96 | 0 | (House amended) |

Senate 40 0 (Senate concurred)

Effective: May 11, 2005