

SENATE BILL REPORT

SSB 5474

As Passed Senate, March 5, 2019

Title: An act relating to permitting self-insurers to send duplicates of certain orders made by the department of labor and industries.

Brief Description: Permitting self-insurers to send duplicates of certain orders made by the department of labor and industries.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senator Keiser).

Brief History:

Committee Activity: Labor & Commerce: 2/07/19, 2/20/19 [DPS].

Floor Activity:

Passed Senate: 3/05/19, 46-1.

Brief Summary of First Substitute Bill

- Allows self-insured employers to serve certain orders made by the Department of Labor and Industries.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 5474 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña, Walsh and Wellman.

Staff: Susan Jones (786-7404)

Background: Whenever the Department of Labor and Industries (L&I) makes any order, decision, or award, it must promptly serve the worker, beneficiary, employer, or other person affected, with a copy of the document by mail. L&I may send correspondence and other legal notices by secure electronic means, except for orders communicating the closure of a claim, if the worker, beneficiary, employer, or other person affected chooses the other means.

A worker, beneficiary, employer, health services provider, or other person aggrieved by an order, decision, or award of L&I must, before appealing to the courts, file with the board and

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the director, by mail or personally, within 60 days from the day on which a copy of the order, decision, or award was communicated to such person, a notice of appeal to the board.

Summary of First Substitute Bill: In the event L&I makes an order communicating the closure of a claim of a self-insured employer, the self-insured employer may serve the order. The self-insured employer must use a separate, secure, and verifiable nonelectronic means of delivery. The self-insured employer must also include L&I's prescribed notice explaining the contents of the order and any protest or appeal rights.

The service by the self-insured employer is considered a communication for the purpose of the 60 day time period for filing an appeal.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on First Substitute: PRO: The self-insured community is definitely in support of this bill. It was provided to the claimants' bar. They wanted one word added, which was added. It is a pretty common sense bill. It just gives self-insurers one more way of closing a claim.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Natalee Fillinger, Fillinger Shima PLLC.

Persons Signed In To Testify But Not Testifying: No one.