

# FINAL BILL REPORT

## SSB 5627

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Synopsis as Enacted

**Brief Description:** Creating the healthy energy work group to develop the healthy energy workers board.

**Sponsors:** Senate Committee on Labor & Commerce (originally sponsored by Senators Brown and Keiser).

### Senate Committee on Labor & Commerce

### House Committee on Labor & Workplace Standards

**Background:** Under the state's Industrial Insurance Act, employers must insure through the state fund administered by the Department of Labor and Industries (L&I) or may self-insure, if qualified. Workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to benefits. Depending on the injury or disability, workers are entitled to medical, temporary time-loss, and vocational rehabilitation benefits, as well as benefits for permanent disabilities. Occupational disease means such disease or infection as arises naturally and proximately out of employment.

Through a special agreement with L&I, the United States Department of Energy (DOE) operates as a self-insured employer for the purposes of providing coverage for workers of contractors at the Hanford Nuclear Reservation. In addition, there are federal programs that provide compensation to certain DOE workers.

For DOE Hanford site workers, there is a prima facie presumption that certain diseases and conditions are occupational diseases. The prima facie presumption applies to the following diseases and conditions:

- respiratory disease;
- any heart problems, experienced within 72 hours of exposure to fumes, toxic substances, or chemicals at the site;
- certain cancers;
- beryllium sensitization and acute and chronic beryllium disease; and
- neurological disease.

This presumption of occupational disease may be rebutted by clear and convincing evidence. This evidence may include the use of tobacco products, physical fitness and weight, lifestyle, hereditary factors, and exposure from other employment or nonemployment activities.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary:** The Healthy Energy Work Group is created. The purpose of the work group is to develop the healthy energy workers board to address chemical exposure to tank farm vapors at the Hanford site.

The University of Washington, through the Department of Environmental and Occupational Health Sciences, and L&I, must provide administrative support to the work group. The first meeting must be in person and subsequent meetings may be convened over audio or video conferencing, or both. In addition to the initial meeting, the work group must meet no less than four times and no more than six times in 2019.

The board is composed of:

- the director of L&I or designee;
- the state secretary of Health or designee;
- a representative of Harborview Medical Center;
- a representative of the University of Washington Department of Environmental and Occupational Health Sciences;
- a representative of the United States Department of Energy Richland Operations Office;
- a training director for construction safety and health at the Volpentest Hazardous Materials Management and Emergency Response federal training facility in Richland, Washington;
- a representative of the central Washington Building Construction Trades Council;
- a representative of the Hanford Atomic Metal Trades Council;
- a representative of the Washington State Building and Construction Trades Council;
- and
- a representative of UA Local 598 Plumbers and Steamfitters.

The work group must provide a report to the Legislature by December 1, 2019, regarding the development of the healthy energy workers board, including recommendations for the membership and any draft legislation.

**Votes on Final Passage:**

Senate	46	0
House	92	2

**Effective:** July 28, 2019