

HOUSE BILL REPORT

ESHB 2770

*As Passed House
February 17, 1992*

Title: An act relating to health care coverage for permanently disabled corrections officers.

Brief Description: Providing for health care coverage of corrections employees who are retired early due to permanent disability from an on the job injury.

Sponsor(s): By House Committee on Human Services (originally sponsored by Representatives H. Myers, Paris, Jones, Winsley and Peery).

Brief History:

Reported by House Committee on:
Human Services, February 6, 1992, DPS;
Passed House, February 17, 1992, 96-1.

**HOUSE COMMITTEE ON
HUMAN SERVICES**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 11 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Staff: Antonio Sanchez (786-7383).

Background: Total permanent disability awards resulting from offender attack in a correctional facility are rare. Only three cases have been reported since 1984, and none have been awarded since 1989. Correctional employees that are injured on the job are covered, to a limited degree, under Labor and Industries. Correctional employees that are totally permanently disabled are eligible to receive a percentage of their salary for life. They may also qualify for Social Security income, and after a two-year wait may be eligible for medicare. In addition, assault benefits are available for one full year for employees who sustain a total permanent disability injury on the job, as a result of an offender assault.

Currently, correctional officers who are totally permanently disabled as a result of an on-the-job offender assault lose their health insurance benefits after assault benefits are terminated (one year) and must self pay their health care premiums to cover all non-disability related health problems after their assault benefits run out.

Summary of Bill: Any correctional officer who is assaulted on the job by an offender where the assault results in a total permanent physical, or physical and mental disability, is allowed to continue full participation in his or her state employees' health care plan after receiving disability separation. To qualify for this benefit, the corrections officer is required to have received assault benefits from the state for one full year, received disability separation from the Department of Corrections, and have been determined totally permanently physically or mentally and physically disabled by two physicians. Premiums for the plan must be paid by the state if no other similar state or federal assistance is provided for that purpose or if the individual reenters the work force and qualifies for similar health benefits.

Fiscal Note: Not requested.

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

Testimony For: This bill is needed to make it equitable for disabled correction officers and their families. Health care benefits are especially needed for a person in a disabled condition.

Testimony Against: None.

Witnesses: Representative Myers, Prime Sponsor; Bev Hermanson, Washington Federation of State Employees; and Ms. Jones, Citizen.