

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2696

Chapter 265, Laws of 1994

53rd Legislature
1994 Regular Session

CHEMICALLY RELATED ILLNESS

EFFECTIVE DATE: 6/9/94

Passed by the House March 10, 1994
Yeas 73 Nays 21

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 9, 1994
Yeas 32 Nays 14

JOEL PRITCHARD

President of the Senate

Approved April 1, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2696** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

April 1, 1994 - 2:13 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2696

AS AMENDED BY THE SENATE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Flemming, Heavey, Backlund, Veloria, Thibaudeau, Campbell, Valle, Wineberry, Holm, Roland, Johanson, Pruitt, J. Kohl, Jones, L. Johnson, King, Karahalios, Conway and Springer)

Read first time 02/02/94.

1 AN ACT Relating to chemically related illness; adding new sections
2 to chapter 51.32 RCW; adding a new section to chapter 51.04 RCW; and
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.32 RCW
6 to read as follows:

7 (1) By July 1, 1994, the department shall establish interim
8 criteria and procedures for management of claims involving chemically
9 related illness to ensure consistency and fairness in the adjudication
10 of these claims. The criteria and procedures shall apply to employees
11 covered by the state fund and employees of self-insured employers. The
12 department shall adopt final criteria and procedures by December 31,
13 1994, and report the criteria and procedures as required under section
14 5 of this act.

15 (2) The special procedures developed by the department shall
16 include procedures to determine which claims involving chemically
17 related illness require expert management. The department shall assign
18 claims managers with special training or expertise to manage these
19 claims.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 51.04 RCW
2 to read as follows:

3 (1) The department of labor and industries and the department of
4 health shall be the colead agencies for an advisory committee that
5 shall consult with and advise the participating agencies on issues
6 relating to chemically related illness. Appointments to the committee
7 shall be made jointly by the directors of the department of health and
8 the department of labor and industries. The committee shall include at
9 least one member who represents each of the following: (a) Injured
10 workers with chemically related illness; (b) large employers who
11 qualify as self-insurers under Title 51 RCW; (c) small employers who
12 insure their workers' compensation obligation through the state fund;
13 (d) organized labor; (e) the department of health; (f) the department
14 of labor and industries; (g) physicians licensed to practice under
15 chapter 18.71 RCW; and (h) physicians licensed to practice under
16 chapter 18.57 RCW. The committee shall review and make recommendations
17 regarding the responsibilities of the several agencies for providing
18 services to persons with chemically related illness and any other
19 issues related to providing services to persons with chemically related
20 illness that the committee may choose to review.

21 (2) This section shall expire June 30, 1995.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 51.32 RCW
23 to read as follows:

24 The department shall work with the department of health to
25 establish one or more centers for research and clinical assessment of
26 chemically related illness.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 51.32 RCW
28 to read as follows:

29 (1) The department shall conduct research on chemically related
30 illnesses, which shall include contracting with recognized medical
31 research institutions. The department shall develop an implementation
32 plan for research based on sound scientific research criteria, such as
33 double blind studies, and shall include adequate provisions for peer
34 review, and submit the plan to the worker's compensation advisory
35 committee for review and approval. Following approval of the plan, all
36 specific proposals for projects under the plan shall be submitted for
37 review to a scientific advisory committee, established to provide

1 scientific oversight of research projects, and to the workers'
2 compensation advisory committee. The department shall include a
3 research project that encourages regional cooperation in addressing
4 chemically related illness.

5 (2) Expenditures for research projects shall be within legislative
6 appropriations from the medical aid fund, with self-insured employers
7 and the state fund each paying a pro rata share, based on the number of
8 worker hours, of the authorized expenditures. For the purposes of this
9 subsection only, self-insured employers may deduct from the pay of each
10 of their employees one-half of the share charged to the employer for
11 the expenditures from the medical aid fund.

12 NEW SECTION. **Sec. 5.** In consultation with the workers'
13 compensation advisory committee, the department of labor and industries
14 and the department of health shall jointly make an interim report to
15 the governor and the appropriate committees of the legislature by
16 December 31, 1994, and a final report by June 30, 1995, on:

17 (1) The status of the department of labor and industries' final
18 criteria and procedures for management of claims involving chemically
19 related illness;

20 (2) The status of research projects authorized under section 4 of
21 this act;

22 (3) A plan by the department of health for including accurate
23 occupational information in all relevant current and developing
24 automated health data bases;

25 (4) A state board of health plan to make occupational diseases
26 reportable conditions;

27 (5) Other initiatives related to chemically related illness; and

28 (6) Any recommendations for legislation.

Passed the House March 10, 1994.

Passed the Senate March 9, 1994.

Approved by the Governor April 1, 1994.

Filed in Office of Secretary of State April 1, 1994.