

FINAL BILL REPORT

EHB 2232

C 115 L 99

Synopsis as Enacted

Brief Description: Addressing occupational safety and health impact grants.

Sponsors: Representatives Conway and Clements.

House Committee on Commerce & Labor

Senate Committee on Labor & Workforce Development

Background:

The medical aid fund is one of the five funds that pays for workers' compensation benefits. It pays medical and vocational providers for their services to injured workers. The fund earns income from premiums paid by both employers and employees as well as investment earnings. The fund contains both appropriated and non-appropriated moneys.

As a result of excellent returns on stock market investments during fiscal year 1998 and lower than expected claims costs, the medical aid fund has accumulated large reserves. The accident fund, another workers' compensation fund has also benefitted from good investment returns. In January, 1999, employers received \$200 million in dividends out of the accident fund's reserves.

Summary:

A program is established in the Department of Labor and Industries to provide safety and health grants until July, 2005. The purpose of the grants is to prevent injuries and illnesses, protect lives, and provide workplace safety education to employers and employees. The grant program will be funded by appropriations from the reserves of the medical aid fund.

Applicants for grants may be trade associations, business associations, employers, employees, employee organizations, and labor unions. Applicants may join with educational institutions, organizations, or self-insured employers. There are four categories of grants: education and training, technical innovation, application of hazard controls, and innovative statewide programs to address safety and health priorities established by the Washington Industrial Safety and Health Act (WISHA) Advisory Committee. Grants may not be used for lobbying.

The nine member Safety and Health Impact Grant Committee is created to prepare requests for proposals, develop application procedures and approval criteria, and review and process grant applications. The membership is appointed by the director and includes four employee representatives, four employer representatives, and one non-voting department representative.

All applications for grants are reviewed by the grant review committee. By a two-thirds vote, the committee may recommend an application to the director of the department. The director must approve a recommended application unless he or she has a compelling and substantive reason to reject the application. If the director rejects a recommended application, the director must provide a written explanation to the grant review committee who may advise the director to reconsider. The director may reject the application a second time for compelling and substantive reasons. Upon a second rejection, the grant review committee may refer the application to the WISHA advisory committee who may also advise the director to reconsider.

The director may suspend or revoke a grant because the recipient is not complying with grant criteria or procedures if either the grant review committee recommends such action by a two-thirds vote, or the director has compelling and substantive reasons. If the director acts without a recommendation of the grant review committee, he or she must first allow the committee to consider the suspension.

The department and the grant review committee must annually report to the Legislature and the WISHA and workers' compensation advisory committees concerning the grant program. The Workers' Compensation Advisory Committee will make a biennial program budget recommendation to the director based on a recommendation by the WISHA Advisory Committee. The director and the WISHA Advisory Committee will review and report on the program to the Legislature by December 31, 2004.

Material developed using grant money is public record and must be provided to the department at no charge. Information contained in applications may not be used for health and safety inspections or as a basis for citations.

Votes on Final Passage:

House 97 0

Senate 47 0

Effective: This act is null and void since no appropriation was made in the budget.