

SENATE BILL REPORT

SHB 1918

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, March 29, 2005

Title: An act relating to implementing recommendation no. 2 of the joint legislative audit and review committee's report no. 98-9 with regard to reporting of industrial insurance injuries.

Brief Description: Implementing a recommendation of the joint legislative audit and review committee with regard to industrial insurance.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Wood and Chase).

Brief History: Passed House: 3/14/05, 97-0.

Committee Activity: Labor, Commerce, Research & Development: 3/29/05 [DP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Honeyford, Keiser and Prentice.

Staff: Alison Mendiola (786-7483)

Background: Under Washington's workers' compensation program, whenever a worker is injured, the worker, or someone on his or her behalf, is to report that accident, and any ensuing injury, to his or her employer when the worker receives treatment, has been hospitalized, disabled from work, or has died as the apparent result of such accident and injury.

Treatment providers (physicians or advanced registered nurse practitioners) have a duty to report an occupational injury or disease to the Department of Labor & Industries (L&I). Failure to file a claim may result in a fine by L&I.

If an injured worker files a claim accompanied by a doctor's statement granting eligibility for time-loss benefits, L&I must send the first benefit check to the injured worker within 14 days. Employers have two weeks to submit their first response in time-loss cases.

Summary of Bill: Based on a 1998 Joint Legislative Audit and Review Committee (JLARC) performance audit recommendation, L&I is to develop an alternative reporting system where an injured worker reports an accident directly to his or her employer. L&I is also to do an outreach campaign, educating both workers and employers about the importance of prompt reporting of injuries.

L&I is to study: (1) claims that are not reported promptly; (2) the effect of the outreach campaign; and (3) the results of the efforts of the centers of occupational health in early reporting and early notification to employers. This report is due to the Legislature by December 1, 2006.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: This is an important bill, with consensus from both the business and labor communities that will lead to better return to work options, a decrease in litigation, and better customer service by L&I.

This bill also has an important impact on small businesses; the most important and expensive claims are the ones that the employer generally isn't even aware of and this bill addresses that problem.

Testimony Against: None.

Who Testified: PRO: Representative Conway; Amber Carter, Association of Washington Businesses; Dan Fazio, WA Farm Bureau; Carolyn Logue, National Federal of Independent Businesses; and Gary Smith, Independent Business Association.