

2SHB 3139 - H AMD 1254

By Representative Conway

WITHDRAWN 2/19/2008

1 On page 8, after line 20, insert the following:

2 "Sec. 3. A new section is added to chapter 51.52 RCW to read
3 as follows:

4 (1) The department of labor and industries shall study appeals
5 of workers' compensation cases and collect information on the
6 impacts of this act on state fund and self-insured workers and
7 employers. The study shall consider the types of benefits that may
8 be paid pending an appeal, and shall include, but not be limited
9 to:

10 (a) The frequency and outcomes of appeals;

11 (b) The number of and amount of overpayments resulting from
12 decisions of the board or court; and

13 (c) The processes used and efforts made to recoup overpayments
14 and the results of those efforts.

15 (2) The department may adopt rules to implement this section.
16 State fund and self-insured employers shall provide the information
17 requested by the department to conduct the study.

18 (3) The department shall report to the workers' compensation
19 advisory committee by July 1, 2009, and July 1, 2010, on the
20 preliminary results of the study. By December 1, 2010, the
21 department shall report to the workers' compensation advisory
22 committee and the appropriate committees of the legislature on the
23 results of the study and any recommendations, including but not
24 limited to recommendations, if necessary, for addressing
25 unrecoverable overpayments."

26 Renumber the sections consecutively and correct any internal
27 references accordingly.

28 Correct the title.

EFFECT: Requires the Department of Labor and Industries (department) to conduct a study of appeals and the impact of the provisions on state fund and self-insured employers and workers. The study must consider the types of benefits that may be paid pending an appeal and include the frequency and outcomes of appeals, the number of and amount of overpayments resulting from decisions of the board or court, and the processes used and efforts made to recoup overpayments and the results of those efforts.

The department may adopt rules and employers must provide information requested by the department.

The department must submit preliminary results of the study to the Workers' Compensation Advisory Committee by July 1, 2009, and July 1, 2010, and must submit a report on the results and any recommendations, including any recommendations, if necessary, for addressing unrecoverable overpayments by December 1, 2010.