

HOUSE BILL REPORT

SHB 2147

As Passed Legislature

Title: An act relating to vocational rehabilitation services for volunteer firefighters and reserve officers.

Brief Description: Providing vocational rehabilitation services for volunteer firefighters and reserve officers.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Kristiansen, Ericks, Chandler, Blake, Curtis, Morrell, Roberts, Hurst, Pearson, McCune, Moeller, B. Sullivan, Simpson, Santos, Ormsby, Newhouse and Kelley).

Brief History:

Committee Activity:

Appropriations: 2/12/07, 2/14/07 [DPS].

Floor Activity:

Passed House: 2/28/07, 97-0.

Passed Senate: 4/4/07, 48-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Provides vocational rehabilitation benefits for members of the Volunteer Fire Fighters' and Reserve Officers' Relief and Pension System (VFFRORPS) at the sole discretion of the State Board of the VFFRORPS.
- Provides coverage for up to \$4,000 of a disabled participant's costs for education, retraining, and job placement.
- Provides coverage for an additional \$5,000 of accommodations necessary for participating in a retraining plan, or for performing the essential functions of an occupation.

HOUSE COMMITTEE ON APPROPRIATIONS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 34 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Kretz, Linville, McDermott, McDonald, McIntire, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist, P. Sullivan and Walsh.

Staff: David Pringle (786-7310).

Background:

The Volunteer Fire Fighters' and Reserve Officers' Relief and Pension System (VFFRORPS) provides death, disability, medical, and retirement benefits to volunteer fire fighters and reserve officers in cities, towns, and fire protection districts. The system is funded by member and employer contributions and a portion of the fire insurance premium tax.

The State Board for Volunteer Fire Fighters and Reserve Officers (Board) administers the VFFRORPS. The Board consists of three members of fire departments covered by the VFFRORPS, no two of whom may be from the same congressional district. The members are appointed by the Governor for overlapping six-year terms.

Employers are required to participate in the death, disability, and medical benefit plans offered by the VFFRORPS, but participation in the pension component is optional. About 18,000 members are covered by the death, disability, and medical benefits, and 12,000 members are covered by the pension benefits. Members that are disabled may be eligible for both temporary duty disability benefits, and after six months of disablement, ongoing disability allowances of up to \$2,994 per month. To be eligible for the disability benefits, a member must be disabled to the extent that he or she is unable to engage in any occupation, or has lost the use of limbs or eyesight. The Board may also provide lump-sum partial disability benefits in the same amounts as provided for through the workers compensation system.

The VFFRORPS does not provide benefits that pay for expenses associated with the vocational rehabilitation of injured members.

Summary of Substitute Bill:

When, in the sole discretion of the Board, vocational rehabilitation is likely to make a disabled member return to employment, benefits may be paid from the VFFRORPS fund. Up to \$4,000 may be paid for the costs of education and associated costs, including on-the-job training fees or tools necessary for self-employment or reemployment. The \$4,000 must be used within 52 weeks of the Board approval of vocational rehabilitation benefits, except for job placement expenses, which may be extended by the Board for up to an additional 52 weeks. The Board may engage with the Washington Employment Security Department to provide job placement under this section.

An additional \$5,000 may be authorized by the Board for physician-approved accommodations necessary for participation in a retraining plan, or for performing the essential functions of an occupation.

The vocational rehabilitation benefits are available to participants who either have claims pending on the effective date of the act, or whose injury occurred on or after January 1, 2006.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The substitute bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) In my district most of the firefighters are volunteers. They are key support for the few full-time firefighters, and they are injured on the job occasionally, just like the full-time firefighters. They receive coverage for medical needs through the Volunteer Fire system, but unlike workers that are covered by Workers' Compensation benefits, they do not receive benefits for vocational rehabilitation. This bill will provide some of those benefits. This bill is a small improvement that serves an incredibly important purpose. My husband was a volunteer firefighter injured on duty, and required back surgery. We received a \$22,000 permanent partial disability lump-sum payment, but he could not return to his regular job as a home builder. The injury forced us into bankruptcy, and we are only now regaining our footing. These benefits would be an important addition to the plan. I was hurt, but fortunately had my own supplemental insurance. I was able to get by and back to work. Volunteer firefighters do their duty without pay because we are members of the community. I have no family, but I only wish I could trade positions with the other volunteer testifying today, whose whole family has suffered terribly because of the injury he sustained on duty. The addition of this benefit will help departments retain volunteers, which could be very hard when they see colleagues injured on the job and unable to return to work without help. An emergency clause should be added to the bill.

(Opposed) None.

Persons Testifying: Representative Kristiansen, prime sponsor; Kimberly Scarpete; David Williams; Ryan Spiller, Washington Fire Commissioners; and T.J. Nedrow, Washington State Fire Fighters.

Persons Signed In To Testify But Not Testifying: None.