

# SENATE BILL REPORT

## SB 5582

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As of February 1, 2011

**Title:** An act relating to administrative efficiencies for the workers' compensation program.

**Brief Description:** Addressing administrative efficiencies for the workers' compensation program.

**Sponsors:** Senators Conway and Kohl-Welles; by request of Department of Labor & Industries.

**Brief History:**

**Committee Activity:** Labor, Commerce & Consumer Protection: 2/01/11.

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### SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

**Staff:** Mac Nicholson (786-7445)

**Background:** The state Industrial Insurance Program provides medical and other benefits to workers who suffer a work-related injury or develop an occupational disease. The Industrial Insurance Program is administered by the Department of Labor and Industries (L&I). Qualified employers may self-insure for workers' compensation purposes. Self-insurers are authorized to manage aspects of their injured worker claims, though L&I retains oversight of the provision of benefits to injured workers.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Proposed Substitute):** The billing and payment instructions and policies associated with a fee schedule are not considered an agency rule.

Industrial insurance notices and orders required to be mailed by L&I can be sent electronically if requested by the employer, worker, beneficiary, or other person affected. Orders and notices required to be served by registered or certified mail can be served by any method for which receipt can be confirmed or tracked.

Self-insured employers must issue affirmative orders allowing or re-opening claims within specified time periods, or deny claims or re-openings and forward the claim to L&I for review. Self-insured employers may also issue orders establishing wages for paying temporary disability benefits. Self-insured employers who do not issue timely orders are subject to penalties payable to the worker. Penalty amounts are established by L&I in rule.

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*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.*

**Appropriation:** None.

**Fiscal Note:** Requested on January 26, 2011.

**Committee/Commission/Task Force Created:** No.

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