

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1755

Chapter 145, Laws of 2017

65th Legislature
2017 Regular Session

WORKERS' COMPENSATION--THIRD-PARTY SETTLEMENTS--EMPLOYER NOTICE

EFFECTIVE DATE: 7/23/2017

Passed by the House March 3, 2017
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 4, 2017
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Approved April 27, 2017 10:56 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1755** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 27, 2017

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1755

Passed Legislature - 2017 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representative Manweller)

READ FIRST TIME 02/16/17.

1 AN ACT Relating to notice to state fund employers for certain
2 workers' compensation third-party settlements; and amending RCW
3 51.24.090.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 51.24.090 and 1995 c 199 s 5 are each amended to
6 read as follows:

7 (1) Any compromise or settlement of the third party cause of
8 action by the injured worker or beneficiary which results in less
9 than the entitlement under this title is void unless made with the
10 written approval of the department or self-insurer(~~(:—PROVIDED,~~
11 ~~That~~)). For a state fund claim, the department shall provide
12 reasonable ongoing notice to the employer of the status of any
13 compromise or settlement negotiations between the injured worker or
14 beneficiary and the department, for the employer's information. For a
15 state fund claim, notice to the employer is not required if the costs
16 of the claim or claims are no longer included in the calculation of
17 the employer's experience factor used to determine premiums; or if
18 the employer cannot be located, is no longer in business, or requests
19 that they not receive ongoing notice after the department provides
20 timely notice of the settlement process to the employer. For the
21 purposes of this chapter, "entitlement" means benefits and

1 compensation paid and estimated by the department to be paid in the
2 future.

3 (2) If a compromise or settlement is void because of subsection
4 (1) of this section, the department or self-insurer may petition the
5 court in which the action was filed for an order assigning the cause
6 of action to the department or self-insurer. If an action has not
7 been filed, the department or self-insurer may proceed as provided in
8 chapter 7.24 RCW.

Passed by the House March 3, 2017.

Passed by the Senate April 4, 2017.

Approved by the Governor April 27, 2017.

Filed in Office of Secretary of State April 27, 2017.

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