

HOUSE BILL REPORT

HB 1542

As Amended by the Senate

Title: An act relating to requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment.

Brief Description: Requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment.

Sponsors: Representatives Bronoske, Fosse, Berry, Hackney, Abbarno, Griffey, Walsh, Ortiz-Self, Taylor, Ramel, Simmons, Jacobsen, Schmidt, Graham, Ormsby, Pollet, Kloba, Doglio, Bateman, Macri, Leavitt and Timmons.

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/31/23, 2/10/23 [DP].

Floor Activity:

Passed House: 3/4/23, 95-0.

Senate Amended.

Passed Senate: 3/31/23, 48-0.

Brief Summary of Bill

- Requires an automated external defibrillator to be available and accessible when workers are operating, maintaining, or constructing high voltage lines and equipment or conducting line-clearance tree-trimming in close proximity to high voltage lines and equipment.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 9 members: Representatives Berry, Chair; Fosse, Vice Chair; Robertson, Ranking Minority Member; Schmidt, Assistant Ranking Minority Member; Bronoske, Connors, Doglio, Ormsby and Ortiz-Self.

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

Staff: Kelly Leonard (786-7147).

Background:

Washington Industrial Health and Safety Act.

Under the Washington Industrial Health and Safety Act (WISHA), the Department of Labor and Industries (L&I) adopts rules and regulations of safety and health standards governing the conditions of employment in all work places. L&I sets occupational health and safety standards that are at least as effective as the federal standards. L&I also provides for appropriate reporting of working conditions, inspections, training, education, and compliance under WISHA. L&I has the authority to inspect and investigate workplaces and can issue a citation if an employer has violated safety and health standards.

Current rules and regulations provide safety standards for the operation, maintenance, and construction of electric power generation, control, transformation, transmission, and distribution of electrical lines and equipment, as well as line-clearance tree-trimming. Among other requirements, persons trained in first aid and cardiopulmonary resuscitation (CPR) must be available when employees are performing work on or associated with exposed lines or equipment energized at 50 volts or more. The number of trained employees that must be available varies depending on the number of employees, the type of work site or location, and the type of work being performed. Employers must also provide, maintain, and inspect first aid kits and supplies.

Automated External Defibrillators.

A person can experience an electrical injury when coming into direct contact with electrical current. In some cases, coming into contact with electrical current can cause sudden cardiac arrest. Sudden cardiac arrest occurs when ventricular fibrillation takes place or when the heart stops beating altogether. Without medical attention, the victim collapses, loses consciousness, becomes unresponsive, and dies. An automated external defibrillator (AED) is a medical device designed to analyze the heart rhythm and deliver an electric shock to restore a person's heart rhythm to normal.

Summary of Bill:

Employers with employees who operate, maintain, or construct high voltage lines and equipment or who conduct line-clearance tree-trimming in close proximity to high voltage lines and equipment must comply with certain requirements pertaining to AEDs. "High voltage lines and equipment" refers to any energized communication line, electric supply line, or equipment with a voltage of 601 or greater.

An employer must make an AED available and accessible to employees when work is being performed on, or in close proximity to, high voltage lines and equipment by two or more employees, and must conduct regular maintenance and annual inspections of the AED to ensure operability and availability.

The employer must provide training or facilitate the provision of training to ensure there are at least two employees proficient on the proper and safe use of the AED at any site involving work on, or in close proximity to, high voltage lines and equipment. To be considered proficient, an employee must have completed initial or updated training within the previous two years.

EFFECT OF SENATE AMENDMENT(S):

The effective date of the bill is changed from January 1, 2024, to January 1, 2025.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2024.

Staff Summary of Public Testimony:

(In support) Automated External Defibrillators are critical safety equipment for electrical workers who are out there repairing and maintaining our public infrastructure. Line workers and tree-trimmers maintain and repair energized lines and equipment, risking exposure to high voltages. These are some of the most dangerous jobs in the country. Exposure to high volts can interrupt heart rhythm and cause cardiac arrest. When that happens, an AED is the difference between life and death. Automatic External Defibrillators are relatively simple to use, as they are automated and include step-by-step instructions. There are numerous examples of AEDs being used on a line worker, allowing that worker to walk away from the job and go home to their family. Most relevant employers already provide and maintain AEDs for their workers. The bill will ensure all employers adopt this practice, and that all AEDs are properly maintained and ready for use in emergencies.

(Opposed) None.

Persons Testifying: Representative Dan Bronoske, prime sponsor; Cassie Bordelon, Puget Sound Energy; Nicole Grant and Sean Bagsby, International Brotherhood of Electrical Workers Local 46; Christine Brewer, The Avista Corporation; Will Power, Reese Hinkle, Mike McDougal, and Christine Reid, International Brotherhood of Electrical Workers Local 77; and Maya Gillett.

Persons Signed In To Testify But Not Testifying: None.