

SENATE BILL REPORT

2SHB 1788

As of March 13, 2025

Title: An act relating to workers' compensation benefits.

Brief Description: Concerning workers' compensation benefits.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Richards, Bronoske, Berry, Wylie, Fosse, Taylor, Ormsby, Nance, Salahuddin, Pollet and Obras).

Brief History: Passed House: 3/5/25, 78-18.

Committee Activity: Labor & Commerce: 3/17/25.

Brief Summary of Bill

- Modifies the percentages of wages an injured worker may receive for workers' compensation benefits.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Susan Jones (786-7404)

Background: When the Department of Labor and Industries (L&I) determines there is a permanent or temporary total disability from a workers' compensation injury, a worker receives monthly payments during the period of the disability, as follows:

<u>Unmarried Workers</u>	<u>Percentage of the worker's wages</u>	<u>Married Workers</u>	<u>Percentage of the worker's wages</u>
Unmarried with no children	60%		
Unmarried with 1 child	62%	Married no children	65%

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Unmarried with 2 children	64%	Married with 1 child	67%
Unmarried with 3 children	66%	Married with 2 children	69%
Unmarried with 4 children	68%	Married with 3 children	71%
Unmarried with 5 or more children	70%	Married with 4 children	73%
		Married with 5 or more children	75%

A married worker receives an additional \$10 per month when the worker is receiving the minimum monthly payments for a permanent or temporary total disability.

The term wages is defined in statute and includes the employer's payment or contributions, or appropriate portions thereof, for health care benefits unless the employer continues ongoing and current payment or contributions for these benefits at the same level as provided at the time of injury.

The term "child" means every natural born child, posthumous child, stepchild, child legally adopted prior to the injury, child born after the injury where conception occurred prior to the injury, and dependent child in the legal custody and control of the worker, all while under the age of 18 years, or under the age of 23 years while permanently enrolled at a full time course in an accredited school, and over the age of 18 years if the child is a dependent as a result of a disability.

If an injured worker or the injured worker's surviving spouse does not have legal custody of a child for whom payments are required to be made, the payments must be made to the legal custodian, or custodians, of the child for the periods of time after L&I has been notified of the fact of the legal custody.

Summary of Bill: For claims with a date of injury or disease manifestation on or after July, 1, 2026, if there is a permanent or temporary total disability from a workers' compensation injury, a worker will receive the following percentages of the worker's wages:

<u>Worker's status</u>	<u>Percentage of the worker's wages</u>
Unmarried with no children	60%
Unmarried with 1 child or married with no children	65%
Unmarried with 2 children or married with 1 child	67%
Unmarried with 3 children or married with 2 children	69%
Unmarried with 4 children or married with 3 children	71%
Unmarried with 5 children or married with 4 children	73%
Unmarried with 6 or more children or married with 5 or more children	75%

The payments to be made to the legal custodian, or custodians, of a worker's child will be 2 percent of the worker's wages. The payment to the worker or the worker's surviving spouse will be reduced by the amount of the payments to be made to the legal custodian, or custodians, of a worker's children.

Appropriation: None.

Fiscal Note: Requested on March 12, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2026.