

SENATE BILL REPORT

SB 5548

As of February 6, 2025

Title: An act relating to workers' compensation benefits.

Brief Description: Concerning workers' compensation benefits.

Sponsors: Senator Shewmake.

Brief History:

Committee Activity: Labor & Commerce: 2/07/25.

Brief Summary of Bill

- Modifies the percentages of wages an injured worker may receive for workers' compensation benefits.
- Provides that 100 percent of the amount of the employer's payment or contribution for health care benefits at the time of injury will be included in the benefit, under certain circumstances, rather than a lower percentage based on the worker's status.

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:

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.

<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%
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 filed on or after July, 1, 2026, if there is a permanent or temporary total disability from a workers' compensation injury, a worker will receive:

- 100 percent the employer's payment or contribution 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; and
- the following percentages of the worker's wages, excluding the worker's employer's payment or contribution for health care benefits:

<u>Worker's status</u>	<u>Percentage of the worker's wages</u>
Unmarried with no children	60%
Unmarried with one child or married with no children	65%
Unmarried with two children or married with one child	67%
Unmarried with three children or married with two children	69%
Unmarried with four children or married with three children	71%
Unmarried with five children or married with four children	73%
Unmarried with six children or married with five 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, excluding the employer's payment or contribution for health care benefits. 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 February 5, 2025.

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

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