

FINAL BILL REPORT

SHB 1250

C 276 L 95

Synopsis as Enacted

Brief Description: Providing for prompt payment of industrial insurance awards.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Cole, Cody, Conway, Basich, Scott, Costa and Chopp).

House Committee on Commerce & Labor
Senate Committee on Labor, Commerce & Trade

Background: If a self-insurer refuses or neglects to comply with an industrial insurance compensation order which has become final, the Department of Labor and Industries or the person entitled to relief may begin court proceedings for enforcement of the order. There are no comparable provisions in statute that apply to the department's failure to pay compensation under a final order, and there are no time limits for compliance with such an order.

Summary: If a worker or beneficiary prevails in an appeal by any party to the Board of Industrial Insurance Appeals or the courts, the Department of Labor and Industries must comply with the board's or court's order respecting payment of compensation either within 60 days after the order has become final and is not subject to further review or, if the order has become final and documents necessary to make payments have been requested from the injured worker, within 60 days after the documents have been returned by the injured worker. The department must make the request for documents within 60 days after the order becomes final. The department may extend the 60-day time period an additional 30 days for good cause.

Provisions are added to authorize proceedings against the department if the department fails to comply with the board or court order and to establish penalties against the department. In proceedings brought under these provisions, the court may order a penalty of up to \$1,000 to the person entitled to relief.

The bill applies to all industrial insurance appeals determined on or after the bill's effective date.

Votes on Final Passage:

House	96	0	
Senate	37	0	(Senate amended)
House			(House refused to concur)
Senate			(Senate receded)
Senate	47	0	(Senate amended)
House	96	0	(House concurred)

Effective: July 23, 1995