

# SENATE BILL REPORT

## SB 5859

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As of February 17, 1995

**Title:** An act relating to payment of litigation costs of injured workers.

**Brief Description:** Providing for payment of litigation costs of injured workers.

**Sponsors:** Senators Prentice, Heavey, Franklin, Wojahn, Fairley, Snyder and McAuliffe.

**Brief History:**

**Committee Activity:** Labor, Commerce & Trade: 2/20/95.

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### SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

**Staff:** Jack Brummel (786-7428)

**Background:** The state's industrial insurance statutes provide that the Department of Labor and Industries and the Board of Industrial Insurance Appeals may set the attorney's fees paid by a worker or beneficiary for a worker's compensation case. There is no statutory provision for reimbursement of attorney's fees, medical or other witness fees, or other costs associated with a successful appeal.

**Summary of Bill:** Workers or beneficiaries who win an appeal before the Board of Industrial Insurance Appeals are entitled to payment for their attorneys' fees for representation before the board, the fees of medical and other witnesses, and costs associated with their appeal. The payment is to come from either the Department of Labor and Industries administrative fund or, in appeals against self-insured employers, directly from the self-insured employer.

**Appropriation:** None.

**Fiscal Note:** Requested on February 10, 1995.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.