

SENATE BILL REPORT

SSB 5147

As Passed Senate, March 5, 1999

Title: An act relating to payment of industrial insurance awards after death.

Brief Description: Prescribing procedures for payment of industrial insurance awards after death.

Sponsors: Senate Committee on Labor & Workforce Development (originally sponsored by Senator Patterson).

Brief History:

Committee Activity: Labor & Workforce Development: 2/11/99, 2/15/99 [DPS].
Passed Senate, 3/5/99, 46-0.

SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5147 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Franklin, Vice Chair; Hochstatter, Kline, Oke and Wojahn.

Staff: Jill Reinmuth (786-7452)

Background: If a person is entitled to industrial insurance benefits but dies before receiving a payment, current law allows only the surviving spouse, or the child or children if there is no surviving spouse, to receive the payment. The term child— means a child under 18, or a child under 23 while a full-time student, unless the child is a dependent as a result of a physical, mental, or sensory handicap.

Summary of Bill: If there is no surviving spouse and no child or children at the time of death of a person entitled to industrial insurance benefits, the amount of the award or monthly payment must be paid according to the terms of the decedent's will, if there is one, or the state's statute controlling distribution of assets for those who die without a will. The Department of Labor and Industries or the self-insurer may send the final payment in the decedent's name to the decedent's last known address.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: An unintended loophole in the law is eliminated. Children, even though they are not dependents or minors, should be able to collect industrial insurance benefits owed to a decedent.

Testimony Against: None.

Testified: PRO: Senator Julia Patterson, prime sponsor.

House Amendment(s): The Department of Labor and Industries or a self-insurer is permitted, but not required, to satisfy its obligation to make a payment to be distributed as part of the decedent's estate by sending the payment in the decedent's name to the decedent's address. If a self-insurer is also obligated to make a payment to the supplemental pension fund, the amount of that payment is reduced by the amount of the payment to be distributed as part of the decedent's estate.