

# HOUSE BILL REPORT

## HB 1244

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As Passed House  
March 11, 1993

**Title:** An act relating to payments for time lost from work while attending a medical examination for industrial insurance.

**Brief Description:** Providing for payments for time lost from work while attending a medical examination for industrial insurance.

**Sponsors:** Representatives Franklin, Heavey, King, G. Cole, Springer, Jones and Veloria.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, January 29, 1993, DP;  
Appropriations, March 3, 1993, DP;  
Passed House, March 11, 1993, 94-4.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 8 members:  
Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Horn; King; Springer; and Veloria.

**Staff:** Chris Cordes (786-7117).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 25 members:  
Representatives Locke, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; Jacobsen; Lemmon; Linville; Morton; Peery; Rust; Sehlin; Sheahan; Sommers; Stevens; Talcott; Wang; Wineberry; and Wolfe.

**Staff:** Wayne Kawakami (786-7384).

**Background:** An injured worker making a claim under the industrial insurance system must submit to a medical examination when the examination is requested by the Department of Labor and Industries or the worker's self-

insured employer. If the worker misses work without pay while attending the examination, the worker receives temporary disability compensation. The worker is not entitled to his or her usual wages for the time lost from work.

**Summary of Bill:** The compensation received by an injured worker who is absent from work without pay while attending a medical examination requested by the Department of Labor and Industries or the worker's self-insured employer is changed from temporary disability compensation to compensation that is equal to his or her usual wages.

This change applies prospectively to all injured worker claims, regardless of the date of injury.

**Fiscal Note:** Available.

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

**Testimony For:** (Commerce & Labor) Most workers do not miss more than a few hours of work when they attend a medical examination. But for some, a trip from Eastern Washington to Seattle or Portland for special medical examinations can mean missing several days of work. These workers should not be penalized by receiving, as compensation, only part of the wages they would have earned.

(Appropriations) The current benefit schedule pays at most, a percentage of the state average wage for time loss without pay. This can result in compensation losses to employees for department requested medical exams.

**Testimony Against:** (Commerce & Labor) While there is agreement in principle, the administration costs of paying "usual wages" in a few isolated cases may be too high.

(Appropriations) None.

**Witnesses:** (Commerce & Labor) (In favor): Jeff Johnson, Washington State Labor Council. (Opposed): Clif Finch, Association of Washington Business.

(Appropriations) Representative Grace Cole, sponsor; and David Westberg, Stationary Engineers (pro).