

# HOUSE BILL REPORT

## EHB 1653

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As Passed House  
January 26, 1994

**Title:** An act relating to vocational rehabilitation in industrial insurance.

**Brief Description:** Regulating vocational rehabilitation services in industrial insurance.

**Sponsors:** Representatives King, Lisk, G. Cole and Fuhrman.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, March 2, 1993, DPA;  
Appropriations, March 6, 1993, DPA(CL);  
Passed House, March 15, 1993, 97-0;  
Passed House, January 26, 1994, 92-0.

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**HOUSE COMMITTEE ON COMMERCE & LABOR**

**Majority Report:** Do pass as amended. Signed by 9 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Conway; Horn; King; Springer; and Veloria.

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

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** Do pass as amended by Committee on Commerce & Labor. 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; G. Fisher; Jacobsen; Lemmon; Leonard; Linville; Peery; Rust; Sehlin; Sheahan; Sommers; Stevens; Wang; Wineberry; and Wolfe.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Talcott.

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

**Background:** Injured workers may participate in vocational rehabilitation programs if the programs are necessary and

likely to enable the worker to become employable at gainful employment. The program may only be used before the worker is evaluated for permanent disability. The Department of Labor and Industries may pay, or direct a self-insurer to pay, up to \$3,000 toward the costs of books, tuition, supplies, transportation, child or dependent care, and other necessary expenses of the program.

**Summary of Bill:** The cost of an industrial insurance vocational rehabilitation program is changed from a maximum of \$3,000 to an amount not to exceed 155 percent of the state average monthly wage (currently, the amount would be approximately \$3,058).

In addition to the costs of the program, the department may pay for transportation and child or dependent care related to an injured worker's participation in a vocational rehabilitation program.

The department may make vocational rehabilitation referrals to administrative entities under the federal Job Training Partnership Act if the entities meet minimum qualifications established by the department.

The requirement is deleted that a vocational rehabilitation program may only be used before the worker is evaluated for permanent disability.

A person who provides on-the-job training or a transitional work program for injured workers may elect industrial insurance coverage for the workers receiving the services, regardless of whether the person pays wages to the injured workers. The workers will be qualified under the preferred worker program.

**Fiscal Note:** Available.

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

**Testimony For:** (Commerce & Labor) This bill offers opportunities to make small, needed corrections in the vocational rehabilitation program without attempting to reform the entire program. These changes will give the Department of Labor and Industries more flexibility and allow for the development of better rehabilitation plans. Dealing with the cost of travel and child care separately will assist injured workers in rural areas and injured workers who are single parents. The bill also allows the maximum cost of the program to increase with inflation.

(Appropriations) The bill provides needed program corrections to allow for a more equitable delivery of services. Dealing with the cost of travel and child care separately will allow the department the flexibility to assure the funds can be better used for training. The bill also allows the maximum cost of the program to increase with inflation.

**Testimony Against:** (Commerce & Labor) None.

(Appropriations) None.

**Witnesses:** (Commerce & Labor) Dwight Thompson, and Julie Grant, National Association of Rehabilitation Professionals in the Private Sector.

(Appropriations) (In favor) Cliff Webster.