

# FINAL BILL REPORT

## ESHB 2696

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Synopsis as Enacted

**Brief Description:** Developing procedures and criteria for chemically related illness.

By House Committee on Commerce & Labor (originally sponsored by Representatives Flemming, Heavey, Backlund, Veloria, Thibaudeau, Campbell, Valle, Wineberry, Holm, Roland, Johanson, Pruitt, J. Kohl, Jones, L. Johnson, King, Karahalios, Conway and Springer).

House Committee on Commerce & Labor  
House Committee on Appropriations  
Senate Committee on Labor & Commerce

**Background:** Workers may be exposed to a variety of chemicals in both workplace and nonwork settings. Many exposures lead to well-defined and accepted diagnoses, such as contact dermatitis. However, among researchers and the medical community there is disagreement about the effects of other exposures.

To provide guidance for the management of industrial insurance claims that include exposure to chemicals, the Department of Labor and Industries developed an interim plan in conjunction with several state agencies. In addition, the department has begun a review of complex chemically related illness claims and has created a special claims unit for these cases.

**Summary:** By July 1, 1994, the Department of Labor and Industries must establish interim criteria and procedures to ensure consistent and fair adjudication of claims involving chemically related illness. The final criteria and procedures must be adopted by December 31, 1994. The department must assign claims managers with special training or expertise to manage claims that are determined to require expert management.

An advisory committee is established to consult with and advise agencies on issues related to chemically related illness. The two lead agencies are the Department of Labor and Industries and the Department of Health. Members of the advisory committee include representatives of injured workers with chemically related illness, organized labor, state fund and self-insured employers, the Department of Labor and Industries, the Department of Health, and physicians and

osteopathic physicians. The committee will review the responsibilities of the agencies for providing services to persons with chemically related illness. The committee terminates on June 30, 1995.

The Department of Labor and Industries is directed to work with the Department of Health to establish one or more centers for research and clinical assessment of chemically-related illness. The department is also directed to conduct research on chemically-related illness which will include contracting with recognized medical research institutions. The department will develop an implementation plan based on sound scientific research criteria and submit the plan to the Workers' Compensation Advisory Committee. Specific research proposals will be submitted for review to the committee, and a scientific advisory committee will provide oversight of the research projects. A regional research project is encouraged. The research will be funded with appropriations from the medical aid fund, with the state fund and self-insured employers paying a pro rata share based on worker hours. Self-insurers may deduct one-half of their cost from their employees' pay.

In consultation with the Workers' Compensation Advisory Committee, the Department of Labor and Industries and the Department of Health must make a joint interim report by December 31, 1994, and a final report by June 30, 1995, to the Governor and Legislature on the status of the criteria and procedures for management of chemically-related illness claims, research projects, other initiatives related to chemically related illness and any recommendations for legislation. Included in the report will be a plan to include occupational information in the automated health data bases and a plan to make occupational diseases reportable conditions.

**Votes on Final Passage:**

House	76	18	
Senate	32	14	(Senate amended)
House	73	21	(House concurred)

**Effective:** June 9, 1994