

SENATE BILL REPORT

HB 1243

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, APRIL 1, 1993

**Brief Description:** Making technical changes to the statute governing reconsideration of industrial insurance orders.

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

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**SENATE COMMITTEE ON LABOR & COMMERCE**

**Majority Report:** Do pass as amended.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Cantu, Fraser, McAuliffe, Pelz, Sutherland, Vognild, and Wojahn.

**Staff:** Dave Cheal (786-7576)

**Hearing Dates:** March 18, 1993; April 1, 1993

**BACKGROUND:**

Workers, employers, and other parties aggrieved by Department of Labor and Industries' industrial insurance orders are entitled to request reconsideration of an order before appealing to the Board of Industrial Insurance Appeals. The request must be submitted within the time limit specified for appealing the order to the board, but there are no other time limits governing the reconsideration process.

**SUMMARY:**

If an employer requests reconsideration of a Department of Labor and Industries' order in favor of an injured worker, the employer has 30 days to submit relevant information to the department. The department may only consider information submitted within the time period, unless the department extends the time period for an additional 30 days for good cause.

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

The time period for supplying relevant information is extended to 60 days, and the bill is made applicable to injured worker requests for reconsideration.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

Some employers ask for reconsideration and delay the process for an unreasonably long time. Delays often result in long-term disability. Workers usually are getting no benefits during this lengthy delay.

**TESTIMONY AGAINST:**

Employers often can't get all relevant material together within 30 days. Sometimes delay by the worker or department would make this deadline impossible. It should not just apply to employer requests. This may cause appeals to the board that could otherwise be handled at the department.

**TESTIFIED:** Wayne Lieb (pro); Jeff Johnson (pro); Clif Finch (con); Gary Smith (con)