

SENATE BILL REPORT

HB 2445

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, FEBRUARY 25, 1994

**Brief Description:** Regulating industrial insurance actions against third persons.

**SPONSORS:** Representatives Springer, Chandler and G. Cole; by request of Department of Labor & Industries

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**SENATE COMMITTEE ON LABOR & COMMERCE**

**Majority Report:** Do pass.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Amondson, Deccio, Fraser, McAuliffe, Newhouse, Pelz, Prince, Sellar, Sutherland, Vognild and Wojahn.

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

**Hearing Dates:** February 24, 1994; February 25, 1994

**BACKGROUND:**

Under the Industrial Insurance Act, a worker generally may not sue his or her employer or co-worker for injuries occurring on the job. The worker or the Department of Labor and Industries may, however, sue a third party who caused the injuries. If money is recovered in the third party law suit, the department is required to retroactively adjust a state fund employer's experience rating account to reflect the third party reimbursement for benefits that were paid. This requirement is also in the department's rules, which were adopted before the statutory provision.

**SUMMARY:**

Provisions are deleted from the industrial insurance law that require the Department of Labor and Industries to make a retroactive adjustment to a state fund employer's experience rating account to reflect the reimbursement from a third party law suit of benefits paid to the injured worker.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

This will allow us to make experience rating adjustments in a more timely way.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Doug Connell, L&I; Robby Stern, WA State Labor Council