

1 **2SHB 1451** - H AMDS 135 ADOPTED 2-8-96

2 By Representatives Mastin and McMorris

3 On page 8, line 8, after "bylaws" insert "or by the director
4 as provided in RCW 51.14.080(2)"

5
6 On page 14, after line 4, insert the following:

7 "Sec. 24. RCW 51.14.080 and 1986 c 57 ú 7 are each amended to
8 read as follows:

9 (1) Certification of a self-insurer shall be withdrawn by the
10 director upon one or more of the following grounds:

11 ~~((1))~~ (a) The employer no longer meets the requirements of a
12 self-insurer; or

13 ~~((2))~~ (b) The self-insurer's deposit is insufficient; or

14 ~~((3))~~ (c) The self-insurer intentionally or repeatedly
15 induces employees to fail to report injuries, induces claimants to
16 treat injuries in the course of employment as off-the-job injuries,
17 persuades claimants to accept less than the compensation due, or
18 unreasonably makes it necessary for claimants to resort to
19 proceedings against the employer to obtain compensation; or

20 ~~((4))~~ (d) The self-insurer habitually fails to comply with
21 rules and regulations of the director regarding reports or other
22 requirements necessary to carry out the purposes of this title; or

23 ~~((5))~~ (e) The self-insurer habitually engages in a practice
24 of arbitrarily or unreasonably refusing employment to applicants
25 for employment or discharging employees because of nondisabling
26 bodily conditions; or

27 ~~((6))~~ (f) The self-insurer fails to pay an insolvency
28 assessment under the procedures established pursuant to RCW
29 51.14.077.

30 (2) With respect to self-insurance groups subject to chapter

1 51.-- RCW (sections 1 through 23 of this act), if the director
2 finds grounds for decertification under subsection (1) of this
3 section:

4 (a) Because of actions or failure to act by a self-insurance
5 group or group's representative, the self-insurance group's
6 certification shall be withdrawn by the director; or

7 (b) Because of actions or failure to act by an employer member
8 of a self-insurance group or the employer's representative, the
9 employer's membership in the group shall be cancelled by the
10 director."

11
12 Renumber the subsections consecutively and correct internal
13 references and the title accordingly.

EFFECT: The amendment clarifies the decertification procedures that are applicable to self-insurance groups. If the director of the Department of Labor and Industries finds grounds for decertification because of the action of the group or group's representative, then the group's certification must be withdrawn. If the director finds grounds for decertification because of actions of an employer member of a self-insurance group or the employer's representative, then the director must cancel the employer's membership in the group.