

SENATE BILL REPORT

SB 5558

As of March 4, 1997

Title: An act relating to compensation during reconsideration or appeal of department of labor and industries' industrial insurance orders.

Brief Description: Revising provisions relating to compensation during reconsideration of department of labor and industries industrial insurance orders.

Sponsors: Senators Heavey, Franklin, Sheldon, Fairley, Patterson, Spanel, Kohl, Fraser, Goings, Thibaudeau and McAuliffe.

Brief History:

Committee Activity: Commerce & Labor: 3/5/97.

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Jack Brummel (786-7428)

Background: Workers, employers, and other parties aggrieved by industrial insurance orders of the Department of Labor and Industries may request the department to reconsider such orders.

The Department of Labor and Industries does not pay benefits to an injured worker while the employer's appeal is pending at the Board of Industrial Insurance Appeals unless the issue under appeal does not involve the payment of benefits or the allowance or reopening of the claim, or if the employer's appeal is unfounded. This policy intended to avoid unnecessary department recoupment costs when an appeal is resolved in favor of the employer.

Summary of Bill: A worker's temporary total disability compensation or medical aid benefits must continue while the order granting such benefits is being reconsidered, subject to repayment or recoupment of the benefits.

If an employer appeals a Department of Labor and Industries' industrial insurance order that grants the injured worker temporary total disability benefits or medical aid benefits, the worker is entitled to provisional benefits while the case is on appeal before the Board of Industrial Insurance Appeals, subject to recoupment.

Appropriation: None.

Fiscal Note: Not requested.

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