

SENATE BILL REPORT

SB 6766

As of January 26, 2000

Title: An act relating to employer reporting of claims.

Brief Description: Changing workers' reporting of applications for compensation.

Sponsors: Senator Fairley; by request of Department of Labor & Industries.

Brief History:

Committee Activity: Labor & Workforce Development: 1/27/2000.

SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Staff: Elizabeth Mitchell (786-7430)

Background: Under the state's workers' compensation system, when a worker experiences a work-related injury, he or she fills out a form and gives it to a physician. The physician is required by rule to send the form to both the Department of Labor and Industries and the worker's employer within five days of initial treatment. Penalty for noncompliance is a maximum of \$250 per offense.

Injured workers are required to report an injury to their employer immediately. Whenever an employer becomes aware of an injury or occupational disease sustained by a worker, the employer must immediately report to the department. The penalty for noncompliance is a maximum of \$250 per offense.

There is concern that the physician reporting system may cause delays in payment of initial benefits to injured workers.

Summary of Bill: When a worker experiences a work-related injury or occupational disease, he or she must, in order to receive workers' compensation benefits, submit an application for benefits and a physician's certificate to either the department or the employer.

Nonself-insured employers receiving an application must forward the application to the department within three business days. Noncompliance results in a penalty of up to \$5,000 per offense. If the department receives the application and the employer has not already received a copy, the department must provide the employer with a copy of the application.

When an employer has notice or knowledge of an injury or occupational disease sustained by a worker, the penalty for not reporting to the department is increased to a maximum of \$500 per offense.

Upon receiving notice of an injury or occupational disease, the employer or the department must inform the worker of his or her rights under the industrial insurance system.

Employers are directed to prominently display and disseminate procedures describing the injury reporting process.

The Department of Labor and Industries must adopt rules necessary to implement this act, and must report to the Legislature by September 15, 2000, with an implementation plan.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect July 1, 2000.