
SENATE BILL 5470

State of Washington

56th Legislature

1999 Regular Session

By Senators Kline, Oke, Fairley, Prentice, Spanel, Wojahn and Franklin

Read first time 01/25/1999. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to chemically related illnesses and injuries; and
2 creating new sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that there is a
5 perceived growth in the number of chemically related illnesses and
6 injuries suffered by workers and in the number of workers with multiple
7 chemical sensitivities created by work-related exposures; that
8 statistics kept by the department of labor and industries indicate that
9 a significant number of chemically related illness and injury claims
10 are being denied by the department and self-insured employers; that the
11 very existence of multiple chemical sensitivities as a workplace-
12 related illness is being denied; and that a significant number of
13 injured workers with a chemically related illness or injury is
14 suffering physically, psychologically, and financially from the failure
15 of the industrial insurance system to cover their work-related injury
16 or illness.

17 NEW SECTION. **Sec. 2.** (1) A study shall be conducted of industrial
18 insurance claims filed by workers who have suffered chemically related

1 illnesses or injuries during the period from January 1, 1995, through
2 December 31, 1998. At a minimum, the study shall review:

3 (a) The nature and severity of the illnesses or injuries reported
4 in these industrial insurance claims;

5 (b) The disposition of these industrial insurance claims by the
6 department of labor and industries or self-insured employers;

7 (c) The degree to which the lives of these claimants have changed
8 from the time of exposure to the time of the study, including physical
9 and financial condition, and the degree to which the change, if any,
10 can be attributed to the chemical exposure;

11 (d) The extent to which the chemically related injury center of
12 excellence at Harborview medical center was used to guide adjudication
13 of these claims; and

14 (e) Recommendations for any changes that may be needed in the way
15 the industrial insurance system deals with chemically related illnesses
16 and injuries.

17 (2) The department must contract with an outside entity to conduct
18 the study. The contractor shall be selected by the director of the
19 department of labor and industries and two members of the workers'
20 compensation advisory committee who are designated for that purpose by
21 the committee. The study shall be funded within legislative
22 appropriations from the medical aid fund, with self-insured employers
23 and the state fund each paying a pro rata share, based on the number of
24 worker hours, of the authorized expenditures.

25 (3) An interim report on the findings and recommendations of the
26 study must be provided to the appropriate committees of the legislature
27 by December 31, 1999, and a final report by December 1, 2000.

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