

# SENATE BILL REPORT

## SB 6302

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As of January 23, 2002

**Title:** An act relating to workers' compensation for multiple chemical sensitivity syndrome.

**Brief Description:** Providing workers' compensation for multiple chemical sensitivity syndrome.

**Sponsors:** Senators Fairley, Kline, Franklin, Keiser and McAuliffe.

**Brief History:**

**Committee Activity:** Labor, Commerce & Financial Institutions: 1/24/02.

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### SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

**Staff:** Elizabeth Mitchell (786-7430)

**Background:** The Department of Labor and Industries currently has a chemically-related illness unit. This unit deals with claims from workers who say they have been injured due to a chemical exposure in the workplace. Currently, multiple chemical sensitivity syndrome is not considered to be compensable under the workers' compensation system.

Workers who file a workers' compensation claim for an occupational disease must prove that the disease would not have occurred but for conditions existing in the workplace. Workers who contract an illness that exacerbates a pre-existing condition can only be compensated for the portion of the illness that was exacerbated in the workplace.

**Summary of Bill:** Multiple chemical sensitivity syndrome is an occupational disease that is compensable under the workers' compensation system. Workers seeking compensation for multiple chemical sensitivity syndrome must prove that their illness would not have occurred but for workplace conditions.

If a worker has been diagnosed with multiple chemical sensitivity syndrome prior to developing a chemically-related occupational disease in the workplace, the worker does not need to prove that the illness would not have occurred but for the work environment. The worker only has to prove that work-related conditions exacerbated the pre-existing multiple chemical sensitivity syndrome. The worker can only be compensated for conditions resulting from the workplace exacerbation of the condition, not conditions resulting from the pre-existing illness.

**Appropriation:** None.

**Fiscal Note:** Requested on January 18, 2002.

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