

**2SSB 6599** - H AMD

By Representative

1           Strike everything after the enacting clause and insert the  
2 following:

3           "NEW SECTION. **Sec. 1.** A new section is added to chapter 49.17  
4 RCW to read as follows:

5           Employers whose employees receive medical monitoring under  
6 chapter 296-307 WAC, Part J-1, shall submit records to the  
7 department of labor and industries each month indicating the name  
8 of each worker tested, the number of hours that each worker handled  
9 covered pesticides during the thirty days prior to testing, and the  
10 number of hours that each worker handled covered pesticides during  
11 the current calendar year. The department of labor and industries  
12 shall work with the department of health to correlate this data  
13 with each employee's test results. No later than January 1, 2005,  
14 the department of labor and industries shall require employers to  
15 report this data to the physician or other licensed health care  
16 professional and department of health public health laboratory or  
17 other approved laboratory when each employee's cholinesterase test  
18 is taken. The department shall also require employers to provide  
19 each employee who receives medical monitoring with: (1) A copy of  
20 the data that the employer reports for that employee upon that  
21 employee's request; and (2) access to the records on which the  
22 employer's report is based.

23           NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17  
24 RCW to read as follows:

25           By January 1, 2005, January 1, 2006, and January 1, 2007, the  
26 department of labor and industries shall report the results of its  
27 data collection, correlation, and analysis related to  
28 cholinesterase monitoring to the house of representatives  
29 committees on agriculture and natural resources and commerce and

1 labor, or their successor committees, and the senate committees on  
2 agriculture and commerce and trade, or their successor committees.  
3 These reports shall also identify any technical issues regarding  
4 the testing of cholinesterase levels or the administration of  
5 cholinesterase monitoring.

6 NEW SECTION. Sec. 3. A new section is added to chapter 49.17  
7 RCW to read as follows:

8 As specified in any proviso relating to cholinesterase  
9 monitoring in the 2003-2005 omnibus operating appropriations act,  
10 the department shall make reasonable reimbursements on a quarterly  
11 basis.

12 NEW SECTION. Sec. 4. This act is necessary for the immediate  
13 preservation of the public peace, health, or safety, or support of  
14 the state government and its existing public institutions, and  
15 takes effect immediately."

**EFFECTS:**

Data Collection and Analysis -- Specifies that the data include the names of workers tested, and the numbers of hours that each worker handled covered pesticides during the previous 30 days and during the current year (rather than the numbers of employees tested, tests performed, investigations and medical removals required, and investigations and medical removals for which depressed cholinesterase levels are not positively correlated to pesticide handling). Also specifies that employers must provide each employee with a copy of the data reported for that employee, and access to the records on which the employer's report is based.

Reporting Requirement " Requires that the Department of Labor and Industries (Department) report to certain legislative committees by specific dates in 2005 and 2006 (rather than December 1st of each year). Does not require the Department to report on recommendations for legislation needed to resolve technical problems regarding testing or administration.

Payment and Reimbursement of Costs " Requires that the Department make reasonable reimbursements on a quarterly basis as specified in the 2003-05 operating budget (rather than requiring the Department to pay certain costs of cholinesterase tests and reimburse agricultural employers for certain costs of compliance).

Other " Deletes language: (1) Specifying that the purpose of data collection and analysis is to determine whether mandatory testing is warranted and, if so, what thresholds of exposure should trigger mandatory testing; (2) requiring the Department to determine whether depressed cholinesterase levels that require investigation

or medical removal are caused by factors unrelated to workplace exposure; (3) permitting the Department, upon receiving reports of tests that require investigation or medical removal, to contact employers and offer voluntary consultations on pesticide workplace safety.