

HOUSE BILL REPORT

SSB 6615

As Passed House:

March 3, 2004

Title: An act relating to employment of workers with developmental disabilities.

Brief Description: Encouraging employment of workers with developmental disabilities.

Sponsors: By Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford, Mulliken, Rasmussen and Prentice).

Brief History:

Committee Activity:

Commerce & Labor: 2/18/04, 2/23/04 [DP].

Floor Activity:

Passed House: 3/3/04, 96-0.

Brief Summary of Substitute Bill

- Authorizes the Department of Labor and Industries to adopt "preferred worker" rules to encourage employment of injured workers who have developmental disabilities.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; McMorris, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Crouse, Holmquist, Kenney and McCoy.

Staff: Jill Reinmuth (786-7134).

Background:

In 1977, to encourage employment of injured workers, the Legislature authorized the Department of Labor and Industries (Department) to adopt rules providing relief from premiums and claim costs for employers that hire these workers. In 1980, the Department adopted rules establishing the "preferred worker" program.

"Preferred workers" are persons who have sustained industrial injuries or occupational

diseases that prevent them from returning to work with their former employers and that substantially impair the likelihood of their reemployment with other employers. State fund employers that employ preferred workers are excused from paying Accident Fund premiums and Medical Aid Fund premiums which would otherwise be due for up to 36 months. State fund employers are not charged and self-insured employers are reimbursed for the costs of injuries or diseases sustained by preferred workers during the first 36 months of their employment. These incentives are available only to employers other than their employers at the time of injury.

Summary of Bill:

To encourage employment of injured workers who have a developmental disability, the Department of Labor and Industries is authorized to adopt rules providing relief from premiums and claim costs for employers that employ these workers. These incentives are available to all employers, including their employers at the time of injury.

"Developmental disability" is defined in the same manner as it is defined for purposes of state and local services for persons with developmental disabilities. It means a disability attributable to mental retardation, cerebral palsy, epilepsy, and autism. It also includes neurological or other conditions found by the Secretary of Social and Health Services to be closely related to mental retardation or to require treatment similar to that required for persons with mental retardation. The disability or condition must originate before the person attains age 18, must have continued or be expected to continue indefinitely, and must constitute a substantial handicap to the person.

Appropriation: None.

Fiscal Note: Requested on February 16, 2004.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Persons with developmental disabilities are unemployed at a rate that is three to four times that of other persons. We need to encourage employment of these persons. We need to give employers relief from premiums and charges. One employer had a \$200,000 loss because a worker had a seizure related to his or her disability that happened to occur on the work site.

(Information only) The preferred worker program is a means of encouraging reemployment of injured workers. The major difference between this bill and the existing preferred worker program is that this bill applies to all employers that employ persons with development disabilities and the existing program applies only to employers

other than employers of injury. This bill would result in \$65,500 in annual premiums being socialized. Other fiscal impacts are related to rule-making.

Testimony Against: None.

Persons Testifying: Ray Coleman, Rehabilitation Enterprises of Washington and SKCAC Industries; and Mark Gjurasic, Public Affairs Consultant.

(Information only) Vickie Kennedy, Department of Labor and Industries.

Persons Signed In To Testify But Not Testifying: None.