

SENATE BILL REPORT

SCR 8409

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, March 31, 2005

Brief Description: Creating a joint select committee on workers' compensation.

Sponsors: Senators Kohl-Welles and Parlette.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 3/17/05, 3/31/05 [DPS, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Concurrent Resolution No. 8409 be substituted therefor, and the substitute concurrent resolution do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Parlette, Ranking Minority Member; Brown, Hewitt, Keiser and Prentice.

Minority Report: Do not pass.

Signed by Senator Honeyford.

Staff: Jennifer Strus (786-7316)

Background: Each year there are a number of bills introduced in the legislature which are designed to address some workers' compensation issue. Most of the bills do not pass. There has been increasing concern that a comprehensive review of some of the most contentious issues would assist policymakers in determining which deserve legislative attention.

Summary of Substitute Bill: A Joint Select Committee on Workers' Compensation (Committee) is established. The Committee is comprised of eight legislative members; four from the House, selected by the Speaker from the two largest caucuses; and four from the Senate, selected by the President from the two largest caucuses. The Committee must choose co-chairs, one from the Senate and the other from the House.

The Committee is to convene an advisory committee to assist it in its duties. The advisory committee is comprised of nine members. Each caucus represented on the Committee is to choose two members of the advisory committee. The director of the Department of Labor and Industries or his or her designee is also a member of the advisory committee.

No member of the advisory committee can be a registered lobbyist or have been a registered lobbyist in the past five years.

The Committee may choose a facilitator to assist it or the advisory committee with its work.

The issues the Committee is to address are as follows: vocational rehabilitation; independent medical exams; claims management; rate stability and the expansion of centers of occupational health and education..

The Committee is to issue a progress report to the Legislature by January 5, 2006 and issue a final report and recommendations by December 15, 2006.

Substitute Bill Compared to Original Bill: The method by which advisory committee members are chosen is changed. The number of issues the Committee must address is reduced. A progress report is added and the date by which a final report must be issued is extended.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: Yes.

Testimony For: The issue of "right of entry" should be removed from the list the committee is to review because L&I is currently involved in litigation over this issue. The language regarding the business members of the advisory committee is too restrictive - managers should be allowed to participate. It is a good idea to prohibit registered lobbyists from participating on the advisory committee. This committee could have a very positive effect in this area which could move these issues forward instead of stagnating as they have been. This bill will provide a forum within which to discuss the difference views on the various issues. The time period within which the committee must report is too short. Another issue to add is the diversion of workers' compensation premium dollars for non-workers' compensation related items.

Testimony Against: None.

Who Testified: PRO: Senator Kohl-Welles, prime sponsor; Dan Fazio, Washington State Farm Bureau; Amber Carter, Association of Washington Business. OTHER: Jan Gee, Food Industry of Washington; Rick Slunaker, Associated General Contractors.