

**2SHB 3139 - H AMD 1263**

By Representative Conway

**ADOPTED 2/19/2008**

On page 8, after line 20, insert the following:

"**Sec. 3.** A new section is added to chapter 51.52 RCW to read as follows:

(1) The department of labor and industries shall study appeals of workers' compensation cases and collect information on the impacts of this act on state fund and self-insured workers and employers. The study shall consider the types of benefits that may be paid pending an appeal, and shall include, but not be limited to:

(a) The frequency and outcomes of appeals;

(b) The number of and amount of overpayments resulting from decisions of the board or court; and

(c) The processes used and efforts made to recoup overpayments and the results of those efforts.

(2) State fund and self-insured employers shall provide the information requested by the department to conduct the study.

(3) The department shall report to the workers' compensation advisory committee by July 1, 2009, on the preliminary results of the study. By December 1, 2009, the department shall report to the workers' compensation advisory committee and the appropriate committees of the legislature on the results of the study and any recommendations, including but not limited to recommendations, if necessary, for addressing unrecoverable overpayments."

Renumber the sections consecutively and correct any internal references accordingly.

Correct the title.

**EFFECT:** Requires the Department of Labor and Industries (department) to conduct a study of appeals and the impact of the provisions on state fund and self-insured employers and

workers. The study must consider the types of benefits that may be paid pending an appeal and include the frequency and outcomes of appeals, the number of and amount of overpayments resulting from decisions of the board or court, and the processes used and efforts made to recoup overpayments and the results of those efforts.

Employers must provide information requested by the department.

The department must submit preliminary results of the study to the Workers' Compensation Advisory Committee by July 1, 2009, and must submit a report on the results and any recommendations, including any recommendations, if necessary, for addressing unrecoverable overpayments by December 1, 2009.