

HOUSE BILL REPORT

SSB 5688

As Passed House:

April 3, 2007

Title: An act relating to allowing industrial insurance claimants to designate a representative to receive the claimants' notices, orders, or warrants.

Brief Description: Modifying who may receive industrial insurance claimants' notices, orders, or warrants.

Sponsors: By Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Keiser and Kline).

Brief History:

Committee Activity:

Commerce & Labor: 3/22/07, 3/27/07 [DP].

Floor Activity:

Passed House: 4/3/07, 96-0.

Brief Summary of Substitute Bill

- Allows written notices, orders, or warrants under the Industrial Insurance Act to be forwarded to a claimant in care of a representative before an appealable order has been entered on a claim.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Crouse, Green, Moeller and Williams.

Staff: Sarah Beznoska (786-7109).

Background:

Under the Industrial Insurance Act (Act), written notices, orders or warrants must be forwarded directly to the claimant until an order that is appealable to the Board of Industrial Insurance Appeals is entered on a claim. The Act specifically states that written notices,

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orders, or warrants must not be forwarded to, or in care of, any representative of a claimant prior to an appealable order.

Summary of Bill:

In addition to being forwarded directly to the claimant until an appealable order is entered, written notices, orders, or warrants may be forwarded to the claimant in care of a representative before an order has been entered on the claim if the claimant designates the name and the address of the representative in writing.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) It can sometimes take a while for an industrial insurance claim to actually be accepted, such as claims for occupational disease. It would be helpful to have the worker's representative named, whether a union representative or an attorney. This bill is just a fix to clarify the statute.

(For information) There is no fiscal impact to this bill because the Department of Labor and Industries already sends documents to a worker's representative if an injured worker wants that to happen. Under current statute, the Department of Labor and Industries is prohibited from sending the documents to the worker in care of the representative so today, if the worker wants the information sent to a representative, the Department of Labor and Industries sends it to both the worker and the representative.

(Opposed) None.

Persons Testifying: (In support) Michael Temple, Washington State Trial Lawyers Association.

(For information) Vickie Kennedy, Department of Labor and Industries.

Persons Signed In To Testify But Not Testifying: None.