

SENATE BILL REPORT

SB 5688

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 20, 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: Senators Kohl-Welles, Keiser and Kline.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/06/07, 2/20/07 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5688 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Ranking Minority Member; Franklin, Holmquist and Murray.

Staff: Kathleen Buchli (786-7488)

Background: Written notices, orders or warrants for claims under the industrial insurance act may only be forwarded to the industrial insurance claimant and may not be forwarded to any representative of the claimant until an order on the claim has been entered and is appealable to the Board of Industrial Insurance Appeals.

Summary of Bill: An industrial insurance claimant may have claim information forwarded to his or her representative if the claimant sets forth in writing the name and address of the representative.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Labor, Commerce, Research & Development): It is clarified that claimants' 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 this representative in writing.

Appropriation: None.

Fiscal Note: Available.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill allows representatives access to written notices, orders, or warrants for claims before an order has been entered on the claim. The term representatives includes not just attorneys but also union representatives. Giving notice to union representatives helps the union to advise members and to help them understand their rights and obligations under the worker's compensation system. It may be months before an appealable order is issued and representation during this time will ensure that deadlines relating to the claim will be met.

OTHER: It would be a good idea to explore why this legislation is needed. The Legislature needs to find out why claimants need representation to provide them help before an order is issued.

Persons Testifying: PRO: Laurel Smith, Washington State Trial Lawyers; Owen Linch, Teamsters.

OTHER: Dan Fazio, Washington State Farm Bureau; Rick Slunaker, Associated General Contractors of Washington.