

SENATE BILL REPORT

SB 6415

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, February 2, 2012

Title: An act relating to the development of an informational document for use during negotiations for self-insured claims.

Brief Description: Requiring the development of an informational document for use during negotiations for self-insured claims.

Sponsors: Senators Conway, Kohl-Welles, Keiser and Kline.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/30/12, 2/02/12 [DP, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Keiser and Kline.

Minority Report: Do not pass.

Signed by Senators Holmquist Newbry, Ranking Minority Member; King, Assistant Ranking Minority Member; Hewitt.

Staff: Mac Nicholson (786-7445)

Background: The Office of the Ombudsman for Self-Insured Injured Workers (Ombudsman) was created in 2007 to act as an advocate for, and provide information to, injured workers of self-insured employers. Self-insured employers are those employers who self-insure for workers compensation purposes instead of purchasing insurance from the Department of Labor and Industries. In 2011 the Legislature authorized the use of claims resolution structured settlement agreements for eligible injured workers. Injured workers who are employees of self-insured employers and who are unrepresented may request that the Ombudsman provide assistance or be present during settlement agreement negotiations.

Summary of Bill: The Ombudsman is directed to develop a standardized informational document to be given to injured workers by a self-insured employer prior to entering into claims resolution structured settlement agreement negotiations.

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.

Appropriation: None.

Fiscal Note: Available.

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: The bill requires development of a standardized document to be given to workers prior to negotiation of a settlement. The bill ensures the worker is provided information prior to the negotiation process, allowing the worker to make an informed decision about whether to involve the Ombudsman's Office.

CON: The bill isn't needed and isn't necessary to be in law. An injured employee gets the injured workers rights books which contains information about the Ombudsman's Office. This bill is redundant an unnecessary.

Persons Testifying: PRO: Denise McKay, Ombudsman for Self-Insured Injured Workers.

CON: Kathleen Collins, WA Self-Insurers Assn.