

SENATE BILL REPORT

SB 6522

As of February 4, 2014

Title: An act relating to restricting the use of personal information gathered during the claims resolution structured settlement agreement process.

Brief Description: Restricting the use of personal information gathered during the claims resolution structured settlement agreement process.

Sponsors: Senators Holmquist Newbry and Conway.

Brief History:

Committee Activity: Commerce & Labor: 2/05/14.

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Mac Nicholson (786-7445)

Background: The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally, and the exemptions narrowly, in order to effectuate a general policy favoring disclosure.

Workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to benefits. Depending on the disability, workers are entitled to medical, temporary time-loss, and vocational rehabilitation benefits, as well as benefits for permanent disabilities. Certain injured workers can resolve their industrial insurance claims through claims resolution structured settlements agreements. During a settlement negotiation, information that is shared with the Department of Labor and Industries or the employer is confidential and not subject to public disclosure. An injured worker may share information about retirement benefits, spousal income, motivations for settlement, and unrelated medical conditions. However, when the agreement and any associated information in the claim file is submitted to the Board of Industrial Insurance Appeals (BIIA) for approval, the information loses its confidentiality and becomes subject to public disclosure.

Summary of Bill: All information related to individual settlement agreements submitted to the BIIA is exempt from public disclosure.

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.

Information gathered during the settlement agreement process is a considered statement made in the course of compromise negotiations and is inadmissible in any future litigation. This would include forms filled out by the parties and testimony during a settlement conference before the BIIA.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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