

SENATE BILL REPORT

HB 1336

As Passed Senate, March 2, 2018

Title: An act relating to the social security offset to disability compensation.

Brief Description: Restricting the social security offset to disability compensation.

Sponsors: Representatives Kirby, Sells and Appleton.

Brief History: Passed House: 2/07/18, 65-33.

Committee Activity: Labor & Commerce: 2/15/18 [DP, DNP, w/oRec].

Floor Activity:

Passed Senate: 3/02/18, 48-0.

Brief Summary of Bill

- Eliminates the Social Security retirement offset for injured workers who either were receiving, or had applied to receive, Social Security benefits before being injured.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway, Kuderer and Saldaña.

Minority Report: Do not pass.

Signed by Senator Wilson.

Minority Report: That it be referred without recommendation.

Signed by Senator King.

Staff: Jarrett Sacks (786-7448)

Background: Federal and state laws address the coordination of benefits under Social Security and industrial insurance. Federal law limits the combined total of Social Security disability and industrial insurance disability benefits to 80 percent of average current earnings before the worker's disability. Washington workers' compensation laws provide for

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an offset, or reduction of workers' compensation pension or time-loss benefits, if an individuals' combined benefit is over the 80 percent cap.

Washington workers' compensation laws also provide for an offset of pension and time-loss benefits by Social Security retirement benefits. The Department of Labor and Industries uses a formula that is very similar to the formula for combined Social Security disability and industrial insurance benefits to adjust the pension or time-loss benefits of a worker who is also receiving Social Security retirement benefits.

Summary of Bill: The pension and time-loss offset for Social Security retirement benefits does not apply to workers who were receiving or had applied to receive Social Security retirement benefits prior to the date of their injury. The change applies to claims with dates of injury on or after the effective date.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: No public hearing was held.

Persons Testifying: No one.

Persons Signed In To Testify But Not Testifying: No one.