

**ESSB 5190** - H AMD TO LAWS COMM AMD (H-1300.2/21) **548**

By Representative Berry

**WITHDRAWN 04/08/2021**

1 On page 15, at the beginning of line 37 of the striking amendment,  
2 strike all of subsection (5)

3  
4 Renumber the remaining subsections consecutively and correct any  
5 internal references accordingly.

6  
7 On page 16, line 39 of the striking amendment, after "emergency"  
8 insert "that covers every county in the state of Washington"

9  
10 On page 17, line 2 of the striking amendment, after  
11 "43.06.010(12)" insert "in every county of the state"

12  
13  
14

EFFECT: Removes the requirement that the opposing party pay the costs of appeal when the workers' compensation claim for benefits is allowed on appeal, and the provision specifying that when costs of appeal are paid by the Department of Labor and Industries in a state fund case, the costs must be paid from the Accident fund and charged to the costs of the claim. Specifies that, for purposes of the occupational disease presumption, the "public health emergency" must be a statewide emergency.

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