



Please Oppose ESB 6213, Workers' Compensation Presumptions

Bill Creates Massive New Costs for Cities, Counties, and Special Districts Despite Limited Scientific Evidence

- Any work-related injury or disease or infection is already **covered** in the workers' comp system as long as the worker can show it arose in the course of employment.
- Currently, firefighters are the only workers in the state that have workers' comp presumptions where certain claims are presumed to be caused by their employment and the employer has the burden to prove otherwise.
- Over the years (1987, 2002, and 2007), the Legislature has chosen to create these presumptions based on a high standard of scientific evidence. Bills have been introduced numerous times since 2007 that would have expanded the number of presumptions but these failed to become law due to inadequate scientific evidence.
- Now, ESB 6213 is before the committee and would **1)** add additional cancers to the firefighter presumption statutes; **2)** create occupational disease presumptions for law enforcement officers that include heart problems and infectious diseases; and **3)** extend the firefighter presumptions to certain emergency medical technicians and fire investigators.
- ESB 6213 is based on controversial – and in some instances, no – scientific evidence.
- **Fiscal Note:** ESB 6123 would lead to massive unfunded cost on cities and counties.
 - According to L&I, increased unappropriated claims cost for the State Fund* are **\$9 million up front** and then **\$3 million to \$4 million per year** between 2019-2023. This **does not** include the costs of self-insured cities/counties like Seattle/King County, Everett/Snohomish County, Tacoma/Pierce County, Olympia, Vancouver, etc.
 - The State Actuary estimates **\$83 million in increased General Fund, LEOFF, and local government combined cost** over the next 25 years due to increased LEOFF pension claims
- Despite these costs to the state and local government, ESB 6213 never was heard by a Fiscal Committee.
- Even without added presumptions, workers' comp rates have skyrocketed **81% for police and 127% for fire** this decade alone while overall L&I rates have remained relatively stable:

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|--------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| L&I Rates (overall) | 58 cents per hour | 64 cents per hour | 65 cents per hour | 65 cents per hour | 66 cents per hour | 67 cents per hour | 68 cents per hour | 69 cents per hour | 67 cents per hour |
| Law Enf. Rates | \$0.88 | \$1.00 | \$1.01 | \$1.10 | \$1.23 | \$1.31 | \$1.45 | \$1.53 | \$1.59 |
| Firefighter Rates | \$1.00 | \$1.21 | \$1.23 | \$1.34 | \$1.48 | \$1.78 | \$2.01 | \$2.20 | \$2.27 |

A Better Approach:

- The Legislature should create and fund a scientific review board under the Department of Labor & Industries' SHARP program including clinicians and epidemiologists – similar to the post 9-11 World Trade Center review board – to make ongoing recommendations to the Legislature which conditions or first responder occupations should qualify for the special presumption.