

Multiple Agency Fiscal Note Summary

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers
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Estimated Cash Receipts

Agency Name	2025-27			2027-29			2029-31		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	47,000	0	0	94,000	0	0	94,000
Total \$	0	0	47,000	0	0	94,000	0	0	94,000

Agency Name	2025-27		2027-29		2029-31	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.3	0	0	47,000	.6	0	0	94,000	.6	0	0	94,000
Board of Industrial Insurance Appeals	.1	0	0	26,000	.2	0	0	52,000	.2	0	0	52,000
Department of Labor and Industries	1.9	0	0	542,000	3.2	0	0	876,000	4.3	0	0	1,146,000
Department of Labor and Industries	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	.8	195,000	195,000	195,000	.9	274,000	274,000	274,000	.9	274,000	274,000	274,000
Department of Corrections	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	3.1	195,000	195,000	810,000	4.9	274,000	274,000	1,296,000	6.0	274,000	274,000	1,566,000

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other			42,975,570			57,300,760			57,300,760
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			42,975,570			57,300,760			57,300,760

Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Board of Industrial Insurance Appeals	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Courtney Kinney, OFM	Phone: 360 584 5705	Date Published: Final 2/25/2025
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Judicial Impact Fiscal Note

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 02/06/2025
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/06/2025
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/06/2025

200,889.00

Request # -1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

The substitute bill expands the definitions of correctional facility worker in Section 2. The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact to the Administrative Office of the Courts as this substitute bill does not affect current AOC or court processes.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

None

Individual State Agency Fiscal Note

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers	Agency: 100-Office of Attorney General
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2026	FY 2027	2025-27	2027-29	2029-31
Legal Services Revolving Account-State 405-1		47,000	47,000	94,000	94,000
Total \$		47,000	47,000	94,000	94,000

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.0	0.6	0.3	0.6	0.6
Account					
Legal Services Revolving Account-State 405-1	0	47,000	47,000	94,000	94,000
Total \$	0	47,000	47,000	94,000	94,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☐

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☒

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 02/07/2025
Agency Approval: Leah Snow	Phone: 360-586-2104	Date: 02/07/2025
OFM Review: Rayanna Evans	Phone: (360) 902-0553	Date: 02/14/2025

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 – Amends RCW 51.08.142 - includes correctional facility workers in group of workers who can make occupational disease claims resulting from post-traumatic stress disorder (PTSD), provides that have been employed for at least 90 consecutive days.

Section 2 – New Section added to chapter 51.32 RCW – Sets out presumption that PTSD is occupational disease and how it can be rebutted. This version expands the definition of correctional facility worker to include certain community corrections officers, staff at juvenile facilities and employees at local jails.

Section 3 – New Section – This act takes effect January 1, 2026 (FY 2026).

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Labor and Industries (L&I). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

L&I will be billed for King County rates:

FY 2027 and in each FY thereafter: \$47,000 for 0.2 Assistant Attorney General FTE (AAG), 0.2 Paralegal 2 FTE (PL2) and 0.1 Paralegal 1 FTE (PL1)

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Attorney General's Office (AGO) Agency Assumptions:

Legal services associated with the enactment of this bill will begin on January 1, 2026 (FY 2026).

Location of staffing is assumed to be in a King County office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA) is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.4 MA.

1. Assumptions for the AGO Labor and Industries Division’s (LNI) Legal Services for the Department of Labor and Industries (L&I):

The AGO will bill L&I for legal services based on the enactment of this bill.

L&I receives roughly 101,000 new workers compensation claims under the industrial insurance act (Title 51 RCW) per year, and approximately 13,800 of these claims are appealed on an annual basis. Roughly 60 percent of appeals, both direct or indirect, are sent to the Board of Industrial Insurance Appeals (BIIA) and later granted.

L&I estimates an increase of new claims because of this bill at 106.4 state fund and 55 self-insurance for a total additional 161.4 claims per year.

13,800 appeals per 101,000 claims equates to an appeal rate of roughly 13.8 percent. 13.8 percent of 161.4 new claims results in an estimated 22.3 new misdirected or direct appeals per year. L&I ends up forwarding and BIIA granting roughly 60 percent of these appeals resulting in new matters at the AGO. 60 percent of 22.3 is 13.4 new matters at the AGO per year. To convert 13.4 yearly matters to monthly by dividing by 12, equates to roughly 1.1 new AGO matters per month.

10 matters per month equates to 1.0 Paralegal 2 FTE (PL2) therefore, 0.1 PL2 would be required.

40 percent of cases resolve in mediation. 1.0 AAG is necessary for six matters per month that leave mediation without being resolved. Therefore, 60 percent of matters would leave mediation unresolved, necessitating assignment to an AAG for litigation. This would therefore also require 0.1 AAGs.

LNI: Total King County workload impact:

FY 2027 and in each FY thereafter: \$47,000 for 0.2 AAG, 0.2 PL2 and 0.1 PL1

2. The AGO Corrections Division (COR) has reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Department of Corrections (DOC). Therefore, no costs are included in this request.

3. The AGO Children, Youth and Families Division (CYF) has reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Department of Children, Youth and Families (DCYF). Therefore, no costs are included in this request.

4. The AGO Labor and Personnel Division (LPD) has reviewed this bill and determined it will not increase or decrease the division’s workload in representing DOC. Therefore, no costs are included in this request.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
405-1	Legal Services Revolving Account	State	0	47,000	47,000	94,000	94,000
Total \$			0	47,000	47,000	94,000	94,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years		0.6	0.3	0.6	0.6
A-Salaries and Wages		32,000	32,000	64,000	64,000
B-Employee Benefits		10,000	10,000	20,000	20,000
C-Professional Service Contracts		5,000	5,000	10,000	10,000
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	47,000	47,000	94,000	94,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
Assistant Attorney General-King County	139,558		0.2	0.1	0.2	0.2
Management Analyst 5	98,040		0.1	0.1	0.1	0.1
Paralegal 1-King County	74,700		0.1	0.1	0.1	0.1
Paralegal 2-King County	82,392		0.2	0.1	0.2	0.2
Total FTEs			0.6	0.3	0.6	0.6

III. D - Expenditures By Program (optional)

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Labor & Industries Division (LNI)		47,000	47,000	94,000	94,000
Total \$		47,000	47,000	94,000	94,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers	Agency: 190-Board of Industrial Insurance Appeals
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.0	0.2	0.1	0.2	0.2
Account					
Accident Account-State 608-1	0	13,000	13,000	26,000	26,000
Medical Aid Account-State 609-1	0	13,000	13,000	26,000	26,000
Total \$	0	26,000	26,000	52,000	52,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☐

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☒

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Preparation: Ken Moses	Phone: (360) 753-6823	Date: 02/12/2025
Agency Approval: Ken Moses	Phone: (360) 753-6823	Date: 02/12/2025
OFM Review: Courtney Kinney	Phone: 360 584 5705	Date: 02/12/2025

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill would extend presumptive coverage for PTSD to correctional facility workers similar to coverage now provided for certain firefighters, law enforcement officers and direct care registered nurses. The presumption may be rebutted by preponderance of the evidence. The cost of appeals, including attorney and witness fees, must be paid to the worker when the final decision allows the claim for benefits.

Section 1 amends current law to include correctional facility workers in the list of covered workers who receive a rebuttable presumption that Post Traumatic Stress Disorders (PTSD) is an occupational disease.

Section 2 provides a definition of correctional facility worker.

Substitute Bill Compared to Original Bill:

The substitute bill broadens the definition of correctional facility worker to include certain Community Corrections Officers, staff at juvenile facilities, and employees at town, city, and county jails.

Per assumptions from L&I, this bill would result in 22.27 additional appeals per fiscal year.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The impact of this bill will result in an additional 22.27 appeal per fiscal year.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
608-1	Accident Account	State	0	13,000	13,000	26,000	26,000
609-1	Medical Aid Account	State	0	13,000	13,000	26,000	26,000
Total \$			0	26,000	26,000	52,000	52,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years		0.2	0.1	0.2	0.2
A-Salaries and Wages		15,000	15,000	30,000	30,000
B-Employee Benefits		5,000	5,000	10,000	10,000
C-Professional Service Contracts		5,000	5,000	10,000	10,000
E-Goods and Other Services					
G-Travel		1,000	1,000	2,000	2,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	26,000	26,000	52,000	52,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
EMS	10,149		0.0	0.0	0.0	0.0
Industrial Insurance Appeals Judge 4	9,503		0.1	0.0	0.1	0.1
Industrial Insurance Appeals Judge 3	8,846		0.1	0.0	0.1	0.1
Legal Secretary 3	4,656		0.0	0.0	0.0	0.0
Total FTEs			0.2	0.1	0.2	0.2

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

chair/computer
office furniture

FY 2026																														
CLASS	HIRE DATE	FTE	RANGE STEP	SALARY	MONTHS	TOTAL SALARY	OASI 0.062	RETIRE 0.1039	MED AID 24.18	HEALTH 1130.00	MEDICARE 0.0145	TOTAL B	EA 1000	EB 2500	ED 3500	EF	EG 1000	ER 0	TOTAL E	GA 500	GB	GC 2500	GD	GF	GG	GN	TOTAL G	JA -	GRAND TOTAL -	
IAJ 3		0.00	70L	8,846	12	0	0	0	0	0	0	0	-	0	0		0	0	0.00	0		0					0.00	0	0.00	
IAJ 4		0.00	73L	9,530	12	0	0	0	0	0	0	0	-	0	0		0	0	0.00	0		0					0.00	0	0.00	
LS3		0.00	44L	4,656	12	0	0	0	0	0	0	0	-	0	0		0	0	0.00	0		0					0.00	0	0.00	
LS3		0.00	44L	4,656	12	0	0	0	0	0	0	0	-	0	0		0	0	0.00	0		0					0.00	0	0.00	
A/C		0.00	EMS	10,149	12	0	0	0	0	0	0	0	-	0	0		0	0	0.00	0		0					0.00	0	0.00	
		0.00				0	0	0	0	0	0	0	-	0	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0

Transcripts
YR 1 Total

0

FY 2027																														
CLASS	HIRE DATE	FTE	RANGE STEP	SALARY	MONTHS	TOTAL SALARY AA	OASI 0.062 BA	RETIRE 0.1039 BB	MED AID 24.18 BC	HEALTH 1130.00 BD	MEDICARE 0.0145 BH	TOTAL B	EA	EB	ED	EF	EG	ER	TOTAL E	GA	GB	GC	GD	GF	GG	GN	TOTAL G	JA	GRAND TOTAL	
IAJ 3		0.05	70L	8,846	12	5,807	360	603	16	742	84	1,805	55	137	191			55	0	437.65	27		137					164.12	0	8,214.33
IAJ 4		0.06	73L	9,530	12	6,298	390	654	16	747	91	1,899	55	138	193			55	0	440.58	28		138					165.22	0	8,802.77
LS3		0.00	44L	4,656	12	0	0	0	0	0	0	0	-	0	0			0	0	0.00	0		0					0.00	0	0.00
LS3		0.04	44L	4,656	12	2,045	127	212	11	496	30	876	37	91	128			37	0	292.74	18		91					109.78	0	3,322.69
A/C		0.01	EMS	10,149	12	1,337	83	139	3	149	19	393	11	27	38			11	0	87.82	5		27					32.93	0	1,850.97
		0.157				15,487	960	1,609	46	2,134	225	4,973	157	393	551			157	0	1,259	79	0	393	0	0	0	0	472	0	22,191

Transcripts
Year 2 Total

3,397

25,588

Bienium Totals \$ 25,588

19773

6506

11480

37759

0.09

Individual State Agency Fiscal Note

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers	Agency: 235-Department of Labor and Industries
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.1	2.7	1.9	3.2	4.3
Account					
Accident Account-State 608-1	78,000	192,000	270,000	438,000	573,000
Medical Aid Account-State 609-1	77,000	195,000	272,000	438,000	573,000
Total \$	155,000	387,000	542,000	876,000	1,146,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☒

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Preparation: Allison Kaech	Phone: 000-000-0000	Date: 02/13/2025
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 02/13/2025
OFM Review: Courtney Kinney	Phone: 360 584 5705	Date: 02/16/2025

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

See attached

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
608-1	Accident Account	State	78,000	192,000	270,000	438,000	573,000
609-1	Medical Aid Account	State	77,000	195,000	272,000	438,000	573,000
Total \$			155,000	387,000	542,000	876,000	1,146,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.1	2.7	1.9	3.2	4.3
A-Salaries and Wages	87,000	214,000	301,000	510,000	678,000
B-Employee Benefits	32,000	77,000	109,000	184,000	248,000
C-Professional Service Contracts					
E-Goods and Other Services	14,000	84,000	98,000	174,000	202,000
G-Travel	2,000	2,000	4,000	8,000	8,000
J-Capital Outlays	20,000	10,000	30,000		10,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	155,000	387,000	542,000	876,000	1,146,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
Fiscal Analyst 5	76,608	0.1	0.2	0.2	0.2	0.3
Workers Compensation Adjudicator 3	76,608		0.5	0.3	1.0	1.0
Workers Compensation Adjudicator 4	80,460	0.5	1.0	0.8	1.0	2.0
Workers Compensation Adjudicator 5	84,516	0.5	1.0	0.8	1.0	1.0
Total FTEs		1.1	2.7	1.9	3.2	4.3

III. D - Expenditures By Program (optional)
 NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures
 NONE

IV. B - Expenditures by Object Or Purpose
 NONE

IV. C - Capital Budget Breakout
Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.
 NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*
 NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Part II: Explanation

This bill relates to industrial insurance coverage for posttraumatic stress disorders (PTSD) affecting correctional facility workers, amending RCW 51.08.142, adding a new section to chapter 51.32 RCW and providing an effective date.

This bill would extend presumptive coverage for PTSD to correctional facility workers similar to coverage now provided for certain firefighters, law enforcement officers and direct care registered nurses. The presumption may be rebutted by preponderance of the evidence. The cost of appeals, including attorney and witness fees, must be paid to the worker when the final decision allows the claim for benefits.

PSHB 1070 is different from HB 1070 in that it:

- Broadens the definition of "correctional facility worker" to include community corrections workers, staff of city and county jails, staff of juvenile detention facilities as well as specified locations managed by the Department of Children Youth and Families (DCYF).

II. A – Brief Description of What the Measure Does that Has Fiscal Impact

Section 1(2)(c) amends RCW 51.08.142 in that for the purposes of subsection (2) and (3), PTSD is not considered an occupational disease if the condition is directly related to disciplinary action, work evaluation, job transfer, layoff, demotion, termination or similar action taken in good faith by an employer.

Section 1(3)(a) amends RCW 51.08.142 to include "correctional facility workers", stating the rule adopted in subsection (1) does not apply to occupational disease claims related to PTSD for direct care registered nurses and correctional facility workers.

Section 1(3)(c) amends RCW 51.08.142 to also include "correction facility workers". Indicating that the exception in subsection (3) only applies to direct care registered nurses or correctional facility workers that have PTSD that develops or manifests itself after the individual has been

employed on a fully compensated basis as a direct care registered nurse in Washington State for at least 90 consecutive days.

Section 1(3)(d) amends RCW 51.08.142 defining correctional facility worker to mean a correctional facility worker as defined in Section 2.

Section 2 adds a new section to chapter 51.32 RCW that:

- (1) In the case of correctional facility workers who are employed on a fully compensated basis, there is a prima facie presumption that PTSD is an occupational disease under RCW 51.08.140. This section applies only to a correctional facility worker who has PTSD that develops or manifests itself after the individual has been employed on a fully compensated basis in Washington State for at least 90 consecutive days.
- (2) The presumption may be rebutted by a preponderance of the evidence.
- (3) Extends the presumption to a claimant after termination of employment for a period of three calendar months for each year the claimant was a correctional facility worker employed on a fully compensated basis, but may not extend more than sixty months following the last date of employment.
- (4)(a) and (b) states that if validity of a claim is appealed to the Board of Industrial Insurance Appeals (BIIA), or to any court, and the final decision allows the claim for benefits, all reasonable costs of the appeal, including attorneys' fees and witness fees will be paid to the claimant or their beneficiary by the opposing party.
- (4)(c) states when L&I must pay reasonable costs of the appeal in a State Fund case, the costs shall be paid from the Accident Fund and charged to the costs of the claim.
- (5) "Correctional facility worker" means:
 - (a) Staff employed at a correctional facility, as defined in RCW 72.09.015;
 - (b) Staff employed at a correctional facility, as defined in RCW 72.09.015, as a community corrections officer, as defined in RCW 9.94A.030;
 - (c) Staff employed at an "institution," as defined in RCW 13.40.020; and
 - (d) Staff employed at a jail, as defined in RCW 70.48.020..

Section 3 adds an effective date of January 1, 2026.

II. B – Cash Receipt Impact

Non-Appropriated – State Fund Premiums

As an insurance entity, L&I premium rates are intended to match premiums to claims cost projections. Therefore, for this fiscal analysis it is assumed that any incremental costs or savings will equal the incremental revenue collected.

Non-Appropriated – Premium Impact to Employers

Individual changes to the Accident and Medical Aid fund do not change rate assumptions by themselves. Cost increases are only one of many components in determining rates. The high-level strategy that is used to determine if a rate change is necessary is as follows:

- Review of liabilities, or costs of the Workers' Comp System.
- Investment earnings.
- Adequate revenue (premiums + investments) based on projected costs (actuarial estimates) will determine need for a premium change.

II. C – Expenditures

Non-Appropriated – State Fund Benefits Costs

There is non-appropriated impact only to the Accident Account, fund 608, and Medical Aid Account, fund 609. (Non-appropriated costs are not included in the Fiscal Note Summary.) There will be an increase in costs; however, L&I does not have data to accurately predict. Therefore, the impact is indeterminate.

This bill will create a work presumption for PTSD cases from State Correctional Facility workers beginning January 1, 2026. The five year projected cost for state fund claims are estimated to range from \$153 million to \$306 million. L&I expects the PTSD frequency for Correctional Officers to be higher than the current Fire Fighters and Law Enforcement Officers which is currently at 4.15 PTSD claims per 1,000 eligible fire fighters and law enforcement officers. L&I estimates the average medical aid cost of \$109,950 and an average accident fund cost of \$410,966 for presumptive PTSD claims during the fiscal accident year 2026.

Non-Appropriated – Self-Insured Employers

If an employer chooses to be self-insured, they are responsible to pay for overall claim costs and a portion of administration costs of L&I's Self-Insurance Program and other costs of related support functions. The administrative assessment is an amount per dollar of claim benefit costs. If benefit costs are increased due to the change in the presumption of PTSD coverage for city and county employees, self-insured employers would be assessed by L&I for their appropriate portion of administrative costs based on the increase. Incremental costs or savings will equal the incremental revenue collected from assessments.

Appropriated – Operating Costs

This proposed bill increases expenditures to the Accident Account, fund 608, and Medical Aid Account, fund 609. The following assumptions were used to estimate the resources requested to implement this bill.

Staffing

1.0 FTE, Workers Compensation Adjudicator 5 – Pension Adjudicator (PA), permanent, beginning July 1, 2026. Duties include: adjudicate the validity of new presumptive claims for PTSD, adjudicate requests for permanent total disability resulting from these claims and adjudicate disputes to claim allowance and pension decisions.

Workload assumptions and calculations:

- The midpoint actuarial estimate of new PTSD claims that will be filed by correctional facility workers under this substitute is estimated to be 400 over a five-year period, or 80 claims annually.
 - Low 266
 - Medium 400
 - High 532
- Each of the 80 new claims will require a PA to request medical records and review for a presumptive validity decision.
- The assumption is being made that correctional facility worker claims will be similar to law enforcement claims given the similarity in job duties.
- Since 2018, the State Fund has received, allowed and closed 60 PTSD claims for law enforcement officers. Of the 60 claims, 18 were closed with the worker being granted a

pension (18 closed claims with pension granted /60 received, allowed and closed PTSD claims = 30% granted a pension).

- The average PTSD claim where the worker was referred for a pension required 2.5 years from receipt of the claim to resolution. The pension review would typically be needed 2.25 years from receipt.
- From late 2027, we would expect 30% of the 80 annual new claims, or 24 claims per year, to reach a point where a pension review is needed (30% granted pension rate X 80 new claims annually = 24 pension claims per year).
- In 2022, the PA team completed 887 pension reviews for the program. The team has 10 FTEs making an average of 89 reviews per PA per year (887 reviews / 10 FTEs = 89 reviews per PA per year).
- 80 validity reviews + 24 pension/fatality reviews = 104 reviews annually.
- With an estimated 80 reviews during each of the first two years following the effective date and 104 reviews thereafter, 1.0 WCA5 FTE is needed starting July 1, 2026 (104 reviews annually / 89 review per PA per year = 1.16 FTE).

1.0 FTE, Workers Compensation Adjudicator 3 (WCA3), permanent, beginning January 1, 2027. Duties include: Manage allowed claims for PTSD, paying benefits, reviewing and allowing treatment, coordinating vocational services and resolving protests to L&I decisions. Prepare, document and submit requests for consideration of pension.

Workload assumptions and calculations:

- The average PTSD claim received requires two years from receipt to resolution. PTSD claims are complex and require more time from the claim manager than other claims L&I manages. A PTSD claim handler typically manages 170 claims (the majority of which are for PTSD).
- If L&I receives 80 claims annually and the average claim requires a WCA3 to manage them for two years, this bill would increase the caseload for PTSD claim managers by 160 claims in the second year following the effective date.
- Therefore, 1.0 WCA3 FTE would be needed (170 claims / 160 claims per claim manager = 1.0 FTE) starting January 1, 2027.

1.0 FTE, Workers Compensation Adjudicator 4 (WCA4) – Presumption Adjudicator, permanent, beginning January 1, 2026 and July 1, 2029. Duties include: adjudicating the validity of new presumptive claims for PTSD from city and county jail employees, adjudicate requests for permanent total disability resulting from these claims. Responsible for reviewing, adjudicating, and ensuring the quality and consistent management of occupational disease PTSD claims from city and county jail employees, ensuring benefits are paid correctly, reviewing and resolving disputes and protests to decisions from self-insurers and L&I. Communicate with workers, employers, physicians and their lay or legal representatives concerning individual cases and appropriate application of the Industrial Insurance Act, pertinent rules and policies. Compose correspondence, medical examination and investigation assignments, legal orders and other reports.

Workload assumptions and calculations:

To determine the number of self-insurance claims from the cities and counties the following was determined:

- Total hours work by cities and counties for the last four quarters and converted to annual FTEs – 36,954,776 hours equates to 19,247 FTEs.
- Assume 50 percent would be eligible – 19,247 FTEs at 50 percent equates to 9,624 FTEs.
- The median expected frequency of PTSD claims per 1,000 is 5.7.
- Using the median provides for 55 self-insurance claims annually – 9,624 multiplied by 5.7 frequency divided by 1,000.
- L&I estimates that 55 self-insurance claims will be filed annually, with 45 allowed, an 81% allowance rate (the rate of allowance for LEOFF PTSD claims since 2018).
- A Presumption Adjudicator (WCA 4) handles a caseload of 100 claims.
- Therefore, 1.0 WCA4 FTE would be needed, starting January 1, 2026, giving time for onboarding of the new presumption adjudicator as the volume of new claims increases (45 allowed claims per year / 100 claims per WCA 4 = 0.5 FTE).
- L&I assumes that 75% or 34 open claims persist for three years and 48% or 22 open claims, persist an additional three years, and then close.

- An additional 1.0 WCA4 FTE would be needed, starting July 1, 2029 as the number of claims increase yearly through 2032 based on the chart above ((34 claims persist per year X 3 years) + 45 open allowed claims per year = 146 claims / 100 claims per WCA 4 = 1.5 FTE starting July 1, 2029).

Rule making

\$2,500 is needed for one rule making hearing to occur September 2025. The average cost of one rule making hearing is \$2,500. (One hearing x \$2,500 each = \$2,500)

Attorney General – Legal Services

\$47,000 is needed each year beginning in FY 2027 for legal services. The following assumptions were used to calculate the estimate:

- There are roughly 101,000 new claims received per year and 13,800 appeals on claims received per year.
- Roughly, 60% of appeals, both direct or indirect, are sent to the Board and later granted.
- L&I assumes an increase of new claims as a result of this bill at 106.4 additional state fund claims and 55 self-insurance claims per year (assuming the scenario with the highest claim rate).
- 13,800 appeals per 101,000 claims equates to a roughly 13.8% appeal rate (13,800 appeals / 100,000 claims = 13.8% appeal rate).
- 13.8 percent of 161.4 new claims results in an estimated 22.27 new misdirected or direct appeals per year (13.8% appeal rate X 161.4 new claims = 22.27 appeals per year).
- L&I ends up forwarding and the Board granting roughly 60% of these appeals resulting in new matters at the Attorney General's Office (AGO).
- 60 percent of 22.27 appeals per year is 13.36 new matters at the AGO per year, or 1.11 new AGO matters per month (60% appeals granted X 22.27 appeals = 13.36 new matters / 12 months = 1.11 new matters per month).
- Ten matters per month equates to one Paralegal-2 FTE.
- Therefore, .11 Paralegal-2 FTEs would be required (1.11 new matters per month / 10 matters per Paralegal-2 = .11 Paralegal-2 FTE needed).

- Historically, 40% of cases resolve in mediation. One Assistant Attorney General (AAG) FTE is necessary for six matters per month that leave mediation without being resolved.
- Therefore, 60% of matters would leave mediation unresolved, necessitating assignment to an AAG for litigation. This would therefore also require .11 AAG-FTE.
- One Paralegal-1 as attorney support paralegal for every two AAGs, therefore 0.1 Paralegal-1 is needed.
- The effective date of this bill is January 1, 2026. Usually, it takes about six months for an appeal to reach the AGO's office, therefore the below FTE requirement would begin July 1, 2026.

Total FTE need:

- 0.2 AAG
- 0.2 Paralegal 2
- 0.1 Paralegal 1

Indirect Costs

The amount included in this fiscal note for indirect is:

Fund Name		FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
608	Accident	\$4,000	\$9,000	\$10,000	\$10,000	\$10,000	\$10,000
609	Medical Aid	\$4,000	\$9,000	\$10,000	\$10,000	\$10,000	\$10,000
	Total:	\$8,000	\$18,000	\$20,000	\$20,000	\$20,000	\$20,000

The department assesses an indirect rate to cover agency-wide administrative costs. Labor and Industries' indirect rate is applied on salaries, benefits, and standard costs. For fiscal note purposes, the total indirect amount is converted into salary and benefits for partial or full indirect FTEs. Salary and benefits costs are based on a Fiscal Analyst 5 (Range 59, Step G).

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

This legislation would result in rule changes to:

- WAC 296-14-300 – Mental condition/mental disabilities

Individual State Agency Fiscal Note

Revised

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers	Agency: 307-Department of Children, Youth, and Families
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☐

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☒

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Preparation: Katie Anderson	Phone: (360) 790-9033	Date: 02/18/2025
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 02/18/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/25/2025

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

HB 1070 compared to SHB 1070

SHB 1070

Section 2 (a-d) Broadens the definition of "correctional facility worker" to include certain Community Corrections Officers, staff at juvenile facilities, and employees at town, city, and county jails.

HB 1070

Expands on the act relating to industrial insurance coverage for posttraumatic stress disorders affecting correctional facility workers.

Section 1(3) (a) amends RCW 51.08.142 to include "correctional facility worker"

Section 1(3) (c) amends RCW 51.08.142 to include "correctional facility worker"

Section 1(3) (d) (i) Adds "Direct care registered nurse" means a direct care registered nurse as defined in RCW 51.32.395.

Section 1(3) (d) (ii) Adds "Correctional facility worker" means a correctional facility worker as defined in section of this act.

New Section 2 Extends coverage for correctional facility workers for posttraumatic stress disorders.

New Section 3 Adds effective date of January 1, 2026.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

NONE

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Fiscal impact is indeterminate.

The L&I Industrial Insurance Actuaries have determined the medium cost per approved PTSD claim to be \$650,000.

Additionally, data shows that approximately 0.43 percent of eligible first responders within Washington State apply and are approved for PTSD claims through L&I. Based on these figures, the estimated costs for correctional facility workers under this bill are as follows:

For Department of Children, Youth and Families (DCYF) Juvenile Rehabilitation (JR) staff, with a total workforce of 835, it is projected that 0.43 percent (approx. 4 staff) will apply for PTSD claims.

The total estimated claims filed per Fiscal Year (FY) is 4.

DCYF estimate the number of staff who would seek support for their diagnosis has a indeterminate cause for need for increasing staff support to provide the relief resource. Currently the additional work is minimal and can be absorbes

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers	Agency: 310-Department of Corrections
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.6	0.9	0.8	0.9	0.9
Account					
General Fund-State 001-1	76,000	119,000	195,000	274,000	274,000
Total \$	76,000	119,000	195,000	274,000	274,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☒

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Preparation: Steven Elwanger	Phone: 360-791-0201	Date: 02/12/2025
Agency Approval: Wendi Gunther	Phone: 360-789-4001	Date: 02/12/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/16/2025

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

AN ACT relating to industrial insurance coverage for posttraumatic stress disorders affecting correctional facility workers; amending RCW 51.08.142; adding a new section to chapter 351.32 RCW; and providing an effective date.

1070 Proposed Substitute House Bill (PSHB), AMH LAWS MCCB 007 is the newest version of House Bill (HB) 1070. This version of the bill broadens the definition of "correctional facility worker" to include certain Community Corrections Officers, staff at juvenile facilities, and employees at town, city, and county jails.

Section 2(5) states that for purposes of this section, "correctional facility worker" means:

Section 2(5)(a) staff employed at a correctional facility, as defined in RCW 3 72.09.015;

Section 2(5)(b) staff employed at a correctional facility, as defined in RCW 5 72.09.015, as a community corrections officer, as defined in RCW 6 9.94A.030;

Section 2(5)(c) staff employed at an "institution," as defined in RCW 8 13.40.020; and

Section 2(5)(d) staff employed at a jail, as defined in RCW 70.48.020.

The below sections remain unchanged:

The proposed changes in this bill will amend industrial insurance coverage for Posttraumatic Stress Disorders (PTSD) affecting correctional facility workers.

Section 1 amends RCW 51.08.142 (3)(a-c) adding a correctional facility worker, who has PTSD that develops or manifests itself after the individual has been employed on a fully compensated basis for at least 90 consecutive days.

Section 2 adds a new section to RCW 51.08 allowing compensation for up to 60 months following the last date of employment.

Section 3 states that this act takes effect January 1, 2026.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

If this bill is enacted, the Department of Corrections (DOC) will have an indeterminate fiscal impact, assumed to be greater than \$50,000 per Fiscal Year (FY).

Determinate Impact:

As a result of this bill, the following staffing resources will be needed at DOC in the Human Resources (HR) and Payroll Offices (Payroll).

HR Workload Assumptions:

0.3 Full Time Equivalent (FTE) Human Resource Consultant 4 (HRC4) will be needed to help administer PTSD claims at DOC.

The L&I Industrial Insurance Actuaries have determined the medium cost per approved PTSD claim to be \$650,000. Additionally, data shows that approximately 0.43 percent of eligible first responders within Washington State apply and are approved for PTSD claims through L&I. Based on these figures, the estimated costs for correctional facility workers under this bill are as follows:

For custody staff, with a total workforce of 4,324, it is projected that 0.43 percent (18.59 staff) will apply for PTSD claims. For medical staff, with a total workforce of 938, it is projected that 0.43 percent (4.03 staff) will apply for PTSD claims. The total estimated claims filed per Fiscal Year (FY) is 22.62 (18.59 custody staff claims + 4.03 medical staff claims = 22.62 total claims per FY).

The DOC estimates an increase of 22.62 claims will be filed per FY if this bill is implemented. An HRC4 normally processes an average of 87.5 claims per FY. Therefore, DOC assumes a need of 0.3 FTE HRC4 based on the number of claims filed (22.62 claims / 87.5 claims per FY = 0.3 FTE).

This position may be involved with the following duties:

Claim Resolution:

- Works on resolving claims for employees and worker-offenders promptly to reduce overall claim costs and state premiums.

Primary Contact:

- Represents DOC in interactions with the Department of Labor & Industries (L&I) claims adjudicators, account managers, and other stakeholders.

Claim Monitoring:

- Ensures timely and appropriate action on claims with minimal financial impact.

Compliance and Communication:

- Ensures all workers' compensation claim elements are met and communicates with medical providers to meet prima facie criteria.
- Evaluates and determines the validity of claims, protests when necessary.

Advocacy and Coordination:

- Advocates for benefits, coordinates return-to-work services, ensures L&I has necessary information for claim adjudication, and takes corrective action for successful claim resolution.
- Provides investigative information to L&I and other necessary parties.

Decision Making:

- Makes decisions on sensitive and complex workers' compensation claims with potential statewide impact and significant fiscal consequences.
- Acts as an expert and independent examiner for claims from DOC employees and worker-offenders.

Return to Work:

- Promotes transitional, temporary return-to-work opportunities and monitors progress.
- Ensures compliance with the Americans with Disabilities Act, Collective Bargaining Agreements, and the Assault Benefit statute.

Vocational Process Oversight:

- Oversees vocational processes to ensure appropriate return-to-work goals.

- Reviews job analyses for accuracy and signs as employer representative.

Reasonable Accommodation:

- Evaluates claims for possible reasonable accommodation.
- Identifies permanent or long-term restrictions and prepares documentation for reasonable accommodation referrals.
- Coordinates benefits and resources for injured workers.

Workstation Evaluations and Job Modification:

- Arranges workstation evaluations and prepares job modification applications for injured workers to return to work successfully.
- Collaborates with HR and vocational counselors for new position requirements.

Disability Separation:

- Recommends disability separation if reasonable accommodation is not successful.
- Monitors claim payments and ensures assault benefits are applied appropriately.

HR Total:

FY 2026: 0.2 FTE and \$25,230.

FY 2027: 0.3 FTE and \$39,902.

FY 2028: 0.3 FTE and \$55,695 and each FY thereafter.

Payroll Workload Assumptions:

0.5 FTE Fiscal Analyst 2 (FA2) will be needed to help audit employees on extended leave involving PTSD claims at DOC.

The DOC estimates an increase of 22.62 (18.59 custody staff claims + 4.03 medical staff claims = 22.62) claims will be filed per FY if this bill is implemented. An FA2 normally processes an average of 45 claims per FY. Therefore, DOC assumes a need of 0.5 FTE FA2 based on the number of claims filed ($22.62 \text{ claims} / 45 \text{ claims per FY} = 0.5 \text{ FTE}$).

This position may be involved with the following duties:

Ensure that employees out on extended leave for military, Leave Without Pay (LWOP), Family Medical Leave Act (FMLA), L&I, education, and other are properly paid each pay period.

- Work with facilities to verify that employees are on extended leave.
- Work with employee, supervisor, and facilities to verify correct amount of leave and LWOP used each pay period to avoid possible overpayments.
- Monitor benefits eligibility and work with Benefit Specialist to review medical exception report.
- Send courtesy letters whose benefits are in jeopardy and new employees on L&I time loss.
- Prepare and monitor long term disability (LTD) claims.
- Update Human Resource Management System (HRMS) and/or payroll system as necessary.
- Monitor employees currently receiving L&I payments.
- Process L&I leave buy back payments and return of leave used as appropriate.
- Monitor and process assault benefits as defined per DOC policy, Washington Administration Code (WAC), and Collective Bargaining Agreement (CBA).
- Establish, monitor, and maintain database for all employees on extended leave.

Payroll Total:

FY 2026: 0.3 FTE and \$44,045.

FY 2027: 0.5 FTE and \$67,786.

FY 2028: 0.5 FTE and \$69,769 and each FY thereafter.

The DOC requests funding for the indirect costs of agency administration, which includes 0.1 FTE and \$7,033 in FY 2026

and 0.1 FTE and \$11,795 in FY 2027 and ongoing, for the purpose of supporting Payroll, Human Resources, Information Technology, and other expenses associated with the hiring and employment of staff to implement this legislation. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits.

The Attorney General Office (AGO) Costs Assumptions:

The AGO assumes this bill will not generate any need for legal services for DOC. Any legal services that may arise as a result of this bill will be absorbed by AGO existing resources.

Total estimated annual increase by FY (rounded to the nearest thousand). FY 2026 estimate is based on January 1, 2026 start date.

FY 2026: 0.6 FTE and \$76,000.
FY 2027: 0.9 FTE and \$119,000.
FY 2028: 0.9 FTE and \$137,000 and each FY thereafter.

Indeterminate Impact:

Due to unknown factors, DOC is not able to provide the amount of custody relief positions that would be needed for employees who may be out on leave due to the approved PTSD claims through L&I. The DOC assumes that any employee providing custody relief coverage would be qualified to receive over-time (OT) compensation in addition to the regular salary. For illustration purposes, the additional OT compensation for each employee would equal to approximately 0.5 FTE and \$72,423 for a Correctional Officer 2, 0.5 FTE and \$71,792 for a Community Correctional Officer 2, and 0.8 FTE and \$141,426 for a Registered Nurse 2 per FY. Based on this assumption, this fiscal impact is indeterminate.

The DOC will evaluate the fiscal impacts and may submit future budget requests to cover these costs should the legislation be enacted into session law.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
001-1	General Fund	State	76,000	119,000	195,000	274,000	274,000
Total \$			76,000	119,000	195,000	274,000	274,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.6	0.9	0.8	0.9	0.9
A-Salaries and Wages	42,000	69,000	111,000	144,000	144,000
B-Employee Benefits	14,000	26,000	40,000	82,000	82,000
C-Professional Service Contracts					
E-Goods and Other Services	3,000	7,000	10,000	14,000	14,000
G-Travel	2,000	4,000	6,000	8,000	8,000
J-Capital Outlays	8,000	1,000	9,000	2,000	2,000
N-Grants, Benefits & Client Services					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	7,000	12,000	19,000	24,000	24,000
Total \$	76,000	119,000	195,000	274,000	274,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
FISCAL ANALYST 2 - TEAMSTER	77,472	0.3	0.5	0.4	0.5	0.5
HUMAN RESOURCE CONSULTANT 4 - DOC WFSE	95,652	0.2	0.3	0.3	0.3	0.3
MANAGEMENT ANALYST 5	122,678	0.1	0.1	0.1	0.1	0.1
Total FTEs		0.6	0.9	0.8	0.9	0.9

III. D - Expenditures By Program (optional)

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Administration & Support Svcs (100)	50,000	78,000	128,000	161,000	162,000
Correctional Operations (200)	25,000	39,000	64,000	109,000	108,000
Community Supervision (300)					
Correctional Industries (400)					
Healthcare Services (500)					
Interagency Payments (600)	1,000	2,000	3,000	4,000	4,000
Offender Change (700)					
Total \$	76,000	119,000	195,000	274,000	274,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1070 P S HB 1070 AMH LAWS MCCB 007	Title: PTSD/correctional workers
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

☒ Cities: All cities. Increase in disability premium costs. Increase in staffing costs.

☒ Counties: All counties. Same as above.

☐ Special Districts:

☐ Specific jurisdictions only:

☐ Variance occurs due to:

Part II: Estimates

☐ No fiscal impacts.

☐ Expenditures represent one-time costs:

☐ Legislation provides local option:

☒ Key variables cannot be estimated with certainty at this time: The number of PTSD claims for counties and cities. The number of PTSD claims that result in a pension benefit.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2026	FY 2027	2025-27	2027-29	2029-31
City	6,511,450	13,022,900	19,534,350	26,045,800	26,045,800
County	7,813,740	15,627,480	23,441,220	31,254,960	31,254,960
TOTAL \$	14,325,190	28,650,380	42,975,570	57,300,760	57,300,760
GRAND TOTAL \$	157,577,090				

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Kristine Williams	Phone: (564) 250-5931	Date: 02/14/2025
Leg. Committee Contact: Benjamin McCarthy	Phone: 360-786-7100	Date: 01/31/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/14/2025
OFM Review: Courtney Kinney	Phone: 360 584 5705	Date: 02/16/2025

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This note is on 1070 P S HB 1070 AMH LAWS MCCB 007 and compares it to 1070 HB.

CHANGES BETWEEN THIS VERSION AND THE PRIOR VERSION OF THE BILL:

This version of the bill broadens the definition of “correctional facility worker” to include certain community corrections officers, staff at juvenile facilities, and employees at town, city, and county jails. Correction facility workers are:

- Staff at a facility or institution operated directly or by contract by the Secretary of the Department of Corrections for the purpose of incarcerating adults in total or partial confinement.
- Staff employed at a correctional facility as a community corrections officer.
- Staff employed at a juvenile facility institution; and
- Staff employed at county, town, and city jails.

These changes would have an indeterminate, but significant, expenditure impact on local governments.

SUMMARY OF CURRENT BILL:

Sec. 1 amends RCW 51.08.142 (Occupational Disease-Exclusion of mental conditions caused by stress) to allow correction facility workers to make posttraumatic stress disorder (PTSD) claims if the workers have been employed in the Washington state for at least 90 consecutive days. Definitions of “direct care registered nurse” and “correctional facility worker” are provided. The definition of correctional worker includes staff employed at county, town, and city jails.

Sec. 2 is a new section added to chapter 51.32 RCW to include a prima facie presumption that posttraumatic stress disorder is an occupational disease under certain circumstances and allows the award of reasonable costs of an appeal to the claimant or beneficiary as described.

Sec. 3 establishes an effective date of January 1, 2026.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

This legislation would have an indeterminate, but significant, expenditure impact for local governments.

Data on the total number of community corrections officers, workers at city and county run jails, and workers at juvenile facilities is not currently available. Data released by the Washington Association of Sheriffs and Police Chiefs (WASPC) indicates there are 12 cities (Aberdeen, Enumclaw, Forks, Hoquiam, Issaquah, Kent, Kirkland, Lynnwood, Marysville, Puyallup, Sunnyside, and Yakima) that have their own jail; another 6 south King County cities that partner on a joint-city jail (Auburn, Burien, Des Moines, Renton, SeaTac, and Tukwila) for a total of 13 city facilities. There are 37 county jails and facilities in Washington state.

The Association of Washington Cities (AWC) assumes that a higher percentage of correctional employees will qualify for the presumption for a PTSD claim (90 days of employment in Washington) than first responders that currently qualify. The AWC also reports that workers' compensation rates for city police and fire have been artificially capped at 15 percent and could actually be significantly higher for PTSD related premiums.

According to the Department of Labor and Industries (L&I) fiscal note for this version of the bill, the department also estimates the PTSD frequency for correctional officer claims will be higher than the current fire fighters and law

enforcement officers (which is currently at 4.15 PTSD claims per 1,000 eligible fire fighters and law enforcement officers). L&I estimates an average medical aid cost of \$109,950 and an average accident fund cost of \$410,966 for presumptive PTSD benefit claims during fiscal accident year 2026. These benefits are non-appropriated.

Many local government entities are covered by state-funded insurance which covers L&I workers compensation claims, though some larger cities and counties are self-insured. Local governments that are self-insured would be responsible to pay for overall claim costs and a portion of administration costs of L&I's Self-Insurance Program and other costs of related support functions.

L&I estimates that 30 PTSD self-insurance claims to be filed annually for counties and 25 PTSD self-insurance claims to be filed annually for cities. The department estimates that 45 of these claims will be allowed (using the 81 percent rate of allowance for LEOFF PTSD claims filed since 2018). Using the average benefit data provided by L&I, the Local Government Fiscal Note Program assumes there will be a total of \$28,650,380 in annual non-appropriated benefit costs for self-insured counties and cities beginning in FY2026:

Average medical aid cost = \$109,950

Average accident fund cost = \$410,966

Total combined = \$520,916

Counties: 30 claims x \$520,916 = \$15,627,480

Cities: 25 claims x \$520,916 = \$13,022,900

Total combined annual non-appropriated benefit costs = \$28,650,380

The total combined annual cost listed above does not include L&I Self-Insurance Program costs or costs of related support functions. These costs are indeterminate.

Data provided by the Office of the Washington State Auditor (SAO) indicates there were 114 cities and 12 counties in fiscal year 2023 that do not pay workers' compensation premiums to the state. The Local Government Fiscal Note Program assumes that the estimated increase in annual claim costs will lead to an increase in premiums if there is not adequate revenue (premiums + investments) to cover the increase in projected costs.

FY 2019 to 2024 data released by DOL indicates that 20 percent of firefighters' and law enforcement officers' PTSD claims result in a pension benefit. Local governments will incur additional costs associated with hiring new correctional staff and retaining existing correctional staff. These costs will vary by facility and cannot be estimated.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This legislation would not impact local government revenues.

ASSUMPTION:

Any incremental costs or savings will equal the incremental revenue collected for state fund or self-insured premiums.

SOURCES:

Association of Washington Cities (AWC)

Department of Labor and Industry 1070 HB fiscal note (2025)

Department of Labor and Industry 1070 P S HB 1070 AMH LAWS MCCB 007 fiscal note (2025)

House Labor & Workplace Standards 1/17/25 L&I work session presentation - Workers' Comp PTSD Claims

Office of the Washington State Auditor

Washington Association of Sheriffs & Police Chiefs (WASPC) 2023 Washington State Jail Statistics