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SENATE BILL 5664

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State of Washington

54th Legislature

1995 Regular Session

By Senators Deccio, A. Anderson, Newhouse and Palmer

Read first time 01/31/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to compensation for occupational disease; and  
2 amending RCW 51.32.100.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 51.32.100 and 1977 ex.s. c 350 s 49 are each amended  
5 to read as follows:

6 (1) If it is determined that an injured worker had, at the time of  
7 his or her injury, a preexisting disease and that such disease delays  
8 or prevents complete recovery from such injury, it shall be  
9 ascertained, as nearly as possible, the period over which the injury  
10 would have caused disability were it not for the diseased condition and  
11 the extent of permanent partial disability which the injury would have  
12 caused were it not for the disease, and compensation shall be awarded  
13 only therefor.

14 (2) If a worker has an occupational disease that is caused in part  
15 by nonoccupational exposure or by occupational exposure during the  
16 course of employment not covered by this title, the worker or the  
17 worker's beneficiaries must receive compensation and benefits only to  
18 the extent and in the proportion to which the exposure during  
19 employment covered by this title contributed to the development of the

1 disease. For purposes of this section, it is presumed that injurious  
2 occupational exposure contributed to the disease only in the proportion  
3 to which the period of occupational exposure covered by this title  
4 bears to the total period of injurious exposure from an occupational or  
5 nonoccupational source.

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