
SENATE BILL 5858

State of Washington

54th Legislature

1995 Regular Session

By Senators Prentice, Heavey, Franklin, Wojahn, Fairley, Snyder and McAuliffe

Read first time 02/10/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to prompt payment of industrial insurance awards;
2 amending RCW 51.32.200; creating a new section; and prescribing
3 penalties.

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

5 **Sec. 1.** RCW 51.32.200 and 1971 ex.s. c 289 s 48 are each amended
6 to read as follows:

7 (1) If the worker or beneficiary prevails in an appeal by any party
8 to the board or the court, the department or self-insurer, as the case
9 may be, shall comply with the board or court's order with respect to
10 the payment of compensation within thirty days after the entry of the
11 compensation order which has become final and is not subject to further
12 review or appeal

13 (2)(a) If a self-insurer fails, refuses, or neglects to comply with
14 a department compensation order which has become final and is not
15 subject to review or appeal within thirty days after the entry of the
16 department's order or fails to comply with subsection (1) of this
17 section, the director or any person entitled to compensation under the
18 order may institute proceedings for injunctive or other appropriate
19 relief for enforcement of the order. These proceedings may be

1 instituted in the superior court for the county in which the claimant
2 resides, or, if the claimant is not then a resident of this state, in
3 the superior court for the county in which the self-insurer may be
4 served with process.

5 ~~((2))~~ (b) If the department fails to comply with subsection (1)
6 of this section, any person entitled to compensation under the order
7 may institute proceedings for injunctive or other appropriate relief
8 for enforcement of the order. These proceedings may be instituted in
9 the superior court for the county in which the claimant resides, or, if
10 the claimant is not then a resident of this state, in the superior
11 court for Thurston county.

12 (c) The court shall enforce obedience to the order by proper means,
13 enjoining compliance upon the person obligated to comply with the
14 compensation order. The court may issue such writs and processes as
15 are necessary to carry out its orders and may award a penalty of up to
16 five hundred dollars to the person entitled to compensation under the
17 order.

18 (3) A proceeding under this section does not preclude other methods
19 of enforcement provided for in this title.

20 NEW SECTION. Sec. 2. This act applies to all appeals determined
21 under Title 51 RCW on or after the effective date of this act,
22 regardless of the date of filing the industrial insurance claim.

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