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SENATE BILL 5880

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State of Washington                      54th Legislature                      1995 Regular Session

By Senators Haugen, Spanel and Winsley

Read first time 02/13/95. Referred to Committee on Ways & Means.

1            AN ACT Relating to retirement in order to care for a disabled  
2 spouse; and adding a new section to chapter 41.40 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 41.40 RCW  
5 under the subchapter heading "Plan I" to read as follows:

6            (1) Upon application of a member, or his or her employer, a member  
7 who has been an employee at least five years, and whose spouse becomes  
8 severely and permanently incapacitated may be retired by the  
9 department, subject to the following conditions:

10            (a) That the medical adviser, after a medical examination of the  
11 member's spouse made by or under the direction of the medical adviser,  
12 shall certify in writing that the member's spouse is mentally or  
13 physically incapacitated, that the incapacity is likely to be  
14 permanent, and that the member's spouse needs twenty-four hour care;

15            (b) That the member will provide twenty-four hour care; and

16            (c) That the department concurs in the recommendation of the  
17 medical adviser.

18            (2) The disabled spouse must have a physical examination every  
19 three years, by the medical adviser or under the direction of the

1 medical adviser, in order to ensure that the disability retirement  
2 status of the member is warranted under subsection (1) of this section.

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