
HOUSE BILL 2134

State of Washington

55th Legislature

1997 Regular Session

By Representatives Benson and McMorris

Read first time 02/21/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to time periods for filing industrial insurance
2 claims; amending RCW 51.28.050 and 51.28.055; and creating a new
3 section.

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

5 **Sec. 1.** RCW 51.28.050 and 1984 c 159 s 1 are each amended to read
6 as follows:

7 No application shall be valid or claim thereunder enforceable
8 unless filed within (~~one year~~) one hundred eighty days after the day
9 upon which the injury occurred or the rights of dependents or
10 beneficiaries accrued, except as provided in RCW 51.28.055.

11 **Sec. 2.** RCW 51.28.055 and 1984 c 159 s 2 are each amended to read
12 as follows:

13 Claims for occupational disease or infection to be valid and
14 compensable must be filed within (~~two~~) one year(~~s~~) following the
15 date the worker had written notice from a physician: (1) Of the
16 existence of his or her occupational disease, and (2) that a claim for
17 disability benefits may be filed. The notice shall also contain a
18 statement that the worker has two years from the date of the notice to

1 file a claim. The physician shall file the notice with the department.
2 The department shall send a copy to the worker and to the self-insurer
3 if the worker's employer is self-insured. However, a claim is valid if
4 it is filed within (~~two~~) one year(~~s~~) from the date of death of the
5 worker suffering from an occupational disease.

6 NEW SECTION. **Sec. 3.** This act does not apply to claims for
7 injuries occurring, or occupational diseases contracted, before the
8 effective date of this act.

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