
HOUSE BILL 2806

State of Washington 55th Legislature 1998 Regular Session

By Representatives McMorris, Dyer, Backlund, Boldt and Clements

Read first time 01/20/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to industrial insurance deadlines for hearing loss
2 claims; and amending RCW 51.28.055.

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

4 **Sec. 1.** RCW 51.28.055 and 1984 c 159 s 2 are each amended to read
5 as follows:

6 Except for claims filed for loss of hearing, claims for
7 occupational disease or infection to be valid and compensable must be
8 filed within two years following the date the worker had written notice
9 from a physician: (1) Of the existence of his or her occupational
10 disease, and (2) that a claim for disability benefits may be filed.
11 The notice shall also contain a statement that the worker has two years
12 from the date of the notice to file a claim. The physician shall file
13 the notice with the department. The department shall send a copy to
14 the worker and to the self-insurer if the worker's employer is self-
15 insured. However, a claim is valid if it is filed within two years
16 from the date of death of the worker suffering from an occupational
17 disease.

18 To be valid and compensable, claims for loss of hearing must be
19 filed within one year of the date of a worker's last injurious work-

1 related exposure to noise. However, a worker who has a compensable
2 hearing loss, for which a claim has not been filed on the effective
3 date of this section, must file a claim for compensation for the loss
4 within one year of the effective date of this section or the claim is
5 forever barred.

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