
SENATE BILL 5579

State of Washington

55th Legislature

1997 Regular Session

By Senators Schow, Horn, Anderson, Newhouse, Oke and West

Read first time 01/31/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to benefits for occupational disease; and amending
2 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 ~~((Claims))~~ No application for benefits for occupational disease or
7 infection ((to be)) is valid ((and compensable must be)) nor claim
8 thereunder enforceable unless filed by a worker within two years
9 following the date the worker ((had written notice from a physician:
10 (1) Of the existence of his or her occupational disease, and (2) that
11 a claim for disability benefits may be filed. The notice shall also
12 contain a statement that the worker has two years from the date of the
13 notice to file a claim. The physician shall file the notice with the
14 department. The department shall send a copy to the worker and to the
15 self-insurer if the worker's employer is self-insured. However, a
16 claim is valid if it is)) knew or should have known that he or she has
17 an occupational disease. No application for benefits by a beneficiary
18 of a worker suffering from an occupational disease is valid nor claim

1 thereunder enforceable unless filed within two years from the date of
2 death of the worker (~~((suffering from an occupational disease))~~).

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