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ENGROSSED SUBSTITUTE HOUSE BILL 2238

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State of Washington

56th Legislature

1999 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Clements and Conway)

Read first time 03/02/1999.

1 AN ACT Relating to the department of labor and industries' plans  
2 for implementing the joint legislative audit and review committee's  
3 recommendations for industrial insurance; amending RCW 51.28.020;  
4 creating a new section; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** (1) By September 15, 1999, the department of  
7 labor and industries shall develop, in consultation with the workers'  
8 compensation advisory committee, a plan for implementing the  
9 recommendations contained in the joint legislative audit and review  
10 committee's report on the workers' compensation system performance  
11 audit mandated under chapter 330, Laws of 1997. Except as provided in  
12 subsection (2) of this section, the department shall report on the plan  
13 by December 1, 1999, to the appropriate committees of the legislature,  
14 including at a minimum:

15 (a) A review of the recommendations that the department has  
16 implemented or plans to implement, with timelines for implementation;

17 (b) A review of the recommendations that the department does not  
18 plan to implement, if any, with the reasons for such decisions; and

1 (c) Recommendations for legislation that may be required to  
2 implement the recommendations.

3 (2) The department shall report by September 15, 1999, on the plan  
4 for implementing recommendation two of the joint legislative audit and  
5 review committee's report and section 2 of this act. The report shall  
6 include, at a minimum, an implementation timetable and recommendations  
7 for legislation to implement the plan.

8 (3) In conjunction with that part of the report under subsection  
9 (1) of this section regarding the audit's recommendations for  
10 vocational rehabilitation, the department shall also include a report  
11 on the study undertaken by the subcommittee on vocational services of  
12 the workers' compensation advisory committee. The report shall include  
13 a plan for improving the industrial insurance vocational rehabilitation  
14 system and recommendations for legislation, if any.

15 **Sec. 2.** RCW 51.28.020 and 1984 c 159 s 3 are each amended to read  
16 as follows:

17 Where a worker is entitled to compensation under this title he or  
18 she shall file with the department or his or her (~~self-insuring~~)  
19 employer(~~(, as the case may be,)~~) his or her application for such,  
20 together with the certificate of the physician who attended him or her,  
21 and it shall be the duty of the physician to inform the injured worker  
22 of his or her rights under this title and to lend all necessary  
23 assistance in making this application for compensation and such proof  
24 of other matters as required by the rules of the department without  
25 charge to the worker. The department shall provide physicians with a  
26 manual which outlines the procedures to be followed in applications for  
27 compensation involving occupational diseases, and which describes  
28 claimants' rights and responsibilities related to occupational disease  
29 claims. If application for compensation is made to (~~a self-insuring~~)  
30 an employer, he or she shall forthwith send a copy thereof to the  
31 department.

32 NEW SECTION. **Sec. 3.** Section 2 of this act takes effect January  
33 1, 2001.

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