

2 **SHB 1950** - S COMM AMD

3 By Committee on Labor, Commerce & Financial Institutions

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5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 51.28.010 and 1977 ex.s. c 350 s 32 are each amended
8 to read as follows:

9 (1) Whenever any accident occurs to any worker it shall be the duty
10 of such worker or someone in his or her behalf to forthwith report such
11 accident to his or her employer, superintendent, or (~~foreman or~~
12 ~~forewoman~~) supervisor in charge of the work, and of the employer to at
13 once report such accident and the injury resulting therefrom to the
14 department pursuant to RCW 51.28.025(~~(, as now or hereafter amended,)~~)
15 where the worker has received treatment from a (~~physician~~) health
16 services provider, has been hospitalized, disabled from work, or has
17 died as the apparent result of such accident and injury.

18 (2) Upon receipt of such notice of accident, the department shall
19 immediately forward to the worker or his or her beneficiaries or
20 dependents notification, in nontechnical language, of their rights
21 under this title. The notice must specify the worker's right to
22 receive health services from a health services provider of the worker's
23 choice, as defined in RCW 51.08.095, and must list the types of
24 providers authorized to provide these services.

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

27 (1)(a) Where a worker is entitled to compensation under this title
28 he or she shall file with the department or his or her (~~self-~~
29 ~~insuring~~) self-insured employer, as the case may be, his or her
30 application for such, together with the certificate of the
31 (~~physician~~) health services provider who attended him or her(~~(, and~~
32 ~~it shall be the duty of)~~). Application forms used by the department
33 and self-insured employers shall include a notice specifying the
34 worker's right to receive health services from a health services
35 provider of the worker's choice, as defined in RCW 51.08.095, and

1 listing the types of providers authorized to provide these services as
2 attending doctors.

3 (b) The ((physician to)) health services provider who attended the
4 injured worker shall inform the injured worker of his or her rights
5 under this title and ((to)) lend all necessary assistance in making
6 this application for compensation and such proof of other matters as
7 required by the rules of the department without charge to the worker.
8 The department shall provide ((physicians)) health services providers
9 with a manual which outlines the procedures to be followed in
10 applications for compensation involving occupational diseases, and
11 which describes claimants' rights and responsibilities related to
12 occupational disease claims.

13 (2) If application for compensation is made to a ((self-insuring))
14 self-insured employer, he or she shall forthwith send a copy
15 ((thereof)) of the application to the department.

16 **Sec. 3.** RCW 51.08.095 and 1986 c 200 s 12 are each amended to read
17 as follows:

18 "Health services provider" or "provider" means any person, firm,
19 corporation, partnership, association, agency, institution, or other
20 legal entity providing any kind of services related to the treatment of
21 an industrially injured worker. Health services providers authorized
22 to treat injured workers as attending doctors under this title are:
23 (1) Persons licensed to practice medicine under chapter 18.71 RCW; (2)
24 persons licensed to practice osteopathic medicine and surgery under
25 chapter 18.57 RCW; (3) persons licensed to practice chiropractic under
26 chapter 18.25 RCW; (4) persons licensed to practice naturopathy under
27 chapter 18.36A RCW; (5) persons licensed to practice podiatric medicine
28 and surgery under chapter 18.22 RCW; (6) persons licensed to practice
29 dentistry under chapter 18.32 RCW; and (7) persons licensed to practice
30 optometry under chapter 18.53 RCW.

31 NEW SECTION. **Sec. 4.** By January 1, 2002, the department of labor
32 and industries shall develop the forms required under sections 1 and 2
33 of this act, and these forms must be in use by the department and self-
34 insured employers by July 1, 2002.

1 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2002, but
2 the department may immediately take such steps as are necessary to
3 ensure that this act is fully implemented on its effective date."

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7 On page 1, line 1 of the title, after "insurance;" strike the
8 remainder of the title and insert "amending RCW 51.28.010, 51.28.020,
9 and 51.08.095; creating a new section; and providing an effective
10 date."

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