

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6246

Chapter 54, Laws of 2008

60th Legislature
2008 Regular Session

CLOSED INDUSTRIAL INSURANCE CLAIMS--TRAVEL EXPENSES

EFFECTIVE DATE: 06/12/08

Passed by the Senate February 18, 2008
YEAS 46 NAYS 2

BRAD OWEN

President of the Senate

Passed by the House March 5, 2008
YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 18, 2008, 1:45 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6246** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 19, 2008

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6246

Passed Legislature - 2008 Regular Session

State of Washington **60th Legislature** **2008 Regular Session**

By Senate Labor, Commerce, Research & Development (originally sponsored by Senator Honeyford)

READ FIRST TIME 02/07/08.

1 AN ACT Relating to travel expenses for closed industrial insurance
2 claims; and amending RCW 51.36.020.

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

4 **Sec. 1.** RCW 51.36.020 and 1999 c 395 s 1 are each amended to read
5 as follows:

6 (1) When the injury to any worker is so serious as to require his
7 or her being taken from the place of injury to a place of treatment,
8 his or her employer shall, at the expense of the medical aid fund, or
9 self-insurer, as the case may be, furnish transportation to the nearest
10 place of proper treatment.

11 (2) Every worker whose injury results in the loss of one or more
12 limbs or eyes shall be provided with proper artificial substitutes and
13 every worker, who suffers an injury to an eye producing an error of
14 refraction, shall be once provided proper and properly equipped lenses
15 to correct such error of refraction and his or her disability rating
16 shall be based upon the loss of sight before correction.

17 (3) Every worker whose accident results in damage to or destruction
18 of an artificial limb, eye, or tooth, shall have same repaired or
19 replaced.

1 (4) Every worker whose hearing aid or eyeglasses or lenses are
2 damaged, destroyed, or lost as a result of an industrial accident shall
3 have the same restored or replaced. The department or self-insurer
4 shall be liable only for the cost of restoring damaged hearing aids or
5 eyeglasses to their condition at the time of the accident.

6 (5)(a) All mechanical appliances necessary in the treatment of an
7 injured worker, such as braces, belts, casts, and crutches, shall be
8 provided and all mechanical appliances required as permanent equipment
9 after treatment has been completed shall continue to be provided or
10 replaced without regard to the date of injury or date treatment was
11 completed, notwithstanding any other provision of law.

12 (b) Injured workers shall be reimbursed for reasonable travel
13 expenses when travel is required in order to repair, replace, or
14 otherwise alter prosthetics, orthotics, or similar permanent mechanical
15 appliances after closure of the claim. This subsection (5)(b) does not
16 include travel for the repair or replacement of hearing aid devices.

17 (6) A worker, whose injury is of such short duration as to bring
18 him or her within the time limit provisions of RCW 51.32.090, shall
19 nevertheless receive during the omitted period medical, surgical, and
20 hospital care and service and transportation under the provisions of
21 this chapter.

22 (7) Whenever in the sole discretion of the supervisor it is
23 reasonable and necessary to provide residence modifications necessary
24 to meet the needs and requirements of the worker who has sustained
25 catastrophic injury, the department or self-insurer may be ordered to
26 pay an amount not to exceed the state's average annual wage for one
27 year as determined under RCW 50.04.355, as now existing or hereafter
28 amended, toward the cost of such modifications or construction. Such
29 payment shall only be made for the construction or modification of a
30 residence in which the injured worker resides. Only one residence of
31 any worker may be modified or constructed under this subsection,
32 although the supervisor may order more than one payment for any one
33 home, up to the maximum amount permitted by this section.

34 (8)(a) Whenever in the sole discretion of the supervisor it is
35 reasonable and necessary to modify a motor vehicle owned by a worker
36 who has become an amputee or becomes paralyzed because of an industrial
37 injury, the supervisor may order up to fifty percent of the state's

1 average annual wage for one year, as determined under RCW 50.04.355, to
2 be paid by the department or self-insurer toward the costs thereof.

3 (b) In the sole discretion of the supervisor after his or her
4 review, the amount paid under this subsection may be increased by no
5 more than four thousand dollars by written order of the supervisor.

6 (9) The benefits provided by subsections (7) and (8) of this
7 section are available to any otherwise eligible worker regardless of
8 the date of industrial injury.

Passed by the Senate February 18, 2008.

Passed by the House March 5, 2008.

Approved by the Governor March 18, 2008.

Filed in Office of Secretary of State March 19, 2008.