
SECOND SUBSTITUTE SENATE BILL 5341

State of Washington

62nd Legislature

2012 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Keiser, Conway, Kohl-Welles, and Kline)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to notice to injured workers by self-insured
2 employers; amending RCW 51.36.085; and prescribing penalties.

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

4 **Sec. 1.** RCW 51.36.085 and 1993 c 159 s 3 are each amended to read
5 as follows:

6 All fees and medical charges under this title shall conform to
7 regulations promulgated, and the fee schedule established by the
8 director and shall be paid within sixty days of receipt by the self-
9 insured of a proper billing in the form prescribed by department rule
10 or sixty days after the claim is allowed by final order or judgment, if
11 an otherwise proper billing is received by the self-insured prior to
12 final adjudication of claim allowance. If a self-insured denies
13 payment of a bill, the self-insured must provide the medical provider
14 with the following information within sixty days of receipt of the
15 denied billing: The basis for the denial; instructions on how to
16 correct any billing errors, if applicable; a statement that the worker
17 cannot be billed for proper and necessary treatment; and information
18 about how to request a decision from the department concerning the
19 denied treatment or billing. The self-insured shall pay interest at

1 the rate of one percent per month, but at least one dollar per month,
2 whenever the payment period exceeds the applicable sixty-day period on
3 all proper fees and medical charges. Failure to pay all proper fees
4 and medical charges or to provide the information required under this
5 section for a denied billing within sixty days of receipt may subject
6 the employer to a penalty pursuant to RCW 51.48.080, which is payable
7 to the department. If the department has issued a final decision
8 concerning a denied treatment or billing the department may issue a
9 penalty once every three business days until payment for the treatment
10 or billing, including all interest and penalties, is satisfied.

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