
SENATE BILL 5667

State of Washington**54th Legislature****1995 Regular Session**

By Senators A. Anderson, Wood, Owen, Newhouse, Palmer, Hargrove, Deccio and Schow

Read first time 01/31/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to disqualification from industrial insurance
2 compensation for worker's intoxication or controlled substance use; and
3 amending RCW 51.32.020.

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

5 **Sec. 1.** RCW 51.32.020 and 1977 ex.s. c 350 s 39 are each amended
6 to read as follows:

7 If injury or death results to a worker from the deliberate
8 intention of the worker himself or herself to produce such injury or
9 death, from the worker's intoxication or use of a controlled substance
10 defined in the Uniform Controlled Substances Act, chapter 69.50 RCW, or
11 while the worker is engaged in the attempt to commit, or the commission
12 of, a felony, neither the worker nor the widow, widower, child, or
13 dependent of the worker shall receive any payment under this title. If
14 the worker has the same or greater weight of alcohol in the blood than
15 that set forth in RCW 46.61.502 or if the worker had positive
16 confirmation of a controlled substance, it must be presumed that the
17 injury was caused by the intoxication of alcohol or by the influence of
18 the controlled substance.

1 An invalid child, while being supported and cared for in a state
2 institution, shall not receive compensation under this chapter.

3 No payment shall be made to or for a natural child of a deceased
4 worker and, at the same time, as the stepchild of a deceased worker.

5 At any time following an injury occurring during the course of
6 employment, if requested by the employer, an employee involved in the
7 injury shall submit to a physical examination that may include the
8 taking of blood or urine samples, or both, to determine whether the
9 employee, at the time of the injury, was under the influence of alcohol
10 or any controlled substance as defined in the Uniform Controlled
11 Substances Act, chapter 69.50 RCW.

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