
SUBSTITUTE HOUSE BILL 1950

State of Washington

57th Legislature

2001 Regular Session

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

Read first time 02/27/2001. Referred to Committee on .

1 AN ACT Relating to worker rights under industrial insurance;
2 amending RCW 51.28.010 and 51.28.020; creating a new section; and
3 providing an effective date.

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

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

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

16 (2) Upon receipt of such notice of accident, the department shall
17 immediately forward to the worker or his or her beneficiaries or
18 dependents notification, in nontechnical language, of their rights
19 under this title. The notice must specify the worker's right to

1 receive health services from a physician of the worker's choice under
2 RCW 51.36.010, including chiropractic services under RCW 51.36.015, and
3 must list the types of providers authorized to provide these services.

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

6 (1)(a) Where a worker is entitled to compensation under this title
7 he or she shall file with the department or his or her (~~self-~~
8 ~~insuring~~) self-insured employer, as the case may be, his or her
9 application for such, together with the certificate of the physician
10 who attended him or her (~~, and it shall be the duty of~~). An
11 application form developed by the department shall include a notice
12 specifying the worker's right to receive health services from a
13 physician of the worker's choice under RCW 51.36.010, including
14 chiropractic services under RCW 51.36.015, and listing the types of
15 providers authorized to provide these services.

16 (b) The physician (~~(to)~~) who attended the injured worker shall
17 inform the injured worker of his or her rights under this title and
18 (~~(to)~~) lend all necessary assistance in making this application for
19 compensation and such proof of other matters as required by the rules
20 of the department without charge to the worker. The department shall
21 provide physicians with a manual which outlines the procedures to be
22 followed in applications for compensation involving occupational
23 diseases, and which describes claimants' rights and responsibilities
24 related to occupational disease claims.

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

28 NEW SECTION. Sec. 3. By January 1, 2002, the department of labor
29 and industries must develop the forms required under sections 1 and 2
30 of this act.

31 NEW SECTION. Sec. 4. This act takes effect January 1, 2002.

--- END ---