
ENGROSSED SUBSTITUTE HOUSE BILL 2770

State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Human Services (originally sponsored by Representatives H. Myers, Paris, Jones, Winsley and Peery)

Read first time 02/07/92.

1 AN ACT Relating to health care coverage for permanently disabled
2 corrections officers; amending RCW 41.05.080; and creating a new
3 section.

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

5 **Sec. 1.** RCW 41.05.080 and 1977 ex.s. c 136 s 6 are each amended to
6 read as follows:

7 (1) Retired or disabled state employees, or employees of county,
8 municipal, or other political subdivisions covered by this chapter who
9 are retired, may continue their participation in insurance plans and
10 contracts after retirement or disablement, under the qualifications,
11 terms, conditions, and benefits set by the board: PROVIDED, That the
12 rates charged such retired or disabled employees for health care will
13 be developed from the same experience pool as active employees:
14 PROVIDED FURTHER, That such retired or disabled employees shall bear

1 the full cost of premiums required to provide such coverage except as
2 provided under subsection (2) of this section: PROVIDED FURTHER, That
3 such self pay rates will be established based on a separate rate for
4 the employee, the spouse, and the children: PROVIDED FURTHER, That
5 rates for a retired or disabled employee, spouse, or child who is
6 eligible for and who elects to apply for medicare will be actuarially
7 reduced to reflect the value of Part A and Part B of medicare. The
8 term "retired state employees" for the purpose of this section shall
9 include but not be limited to members of the legislature whether
10 voluntarily or involuntarily leaving state office.

11 (2) Any corrections officer of the department of corrections who
12 sustains an injury on the job as a result of an offender assault that
13 results in total permanent physical and mental disability, or total
14 permanent physical disability, may continue full participation under
15 the state employees' health care insurance plan under the following
16 conditions:

17 (a) The corrections officer sustained an injury on the job as a
18 result of an offender assault that results in total permanent physical
19 disability or total permanent mental and physical disability;

20 (b) The corrections officer received compensation for the
21 disability under the industrial insurance laws of this state and
22 received assault benefits for one full year;

23 (c) The corrections officer has received disability separation from
24 the department of corrections;

25 (d) A determination of total permanent physical and mental
26 disability or total permanent physical disability has been confirmed in
27 writing independently by the corrections officer's attending physician
28 and one other physician; and

29 (e) No other similar state or federal assistance is provided to the
30 corrections officer for that purpose.

1 The determination by the physicians must be filed in writing to the
2 department of labor and industries within sixty days following the last
3 month the individual receives an assault benefits payment. This filing
4 requirement is satisfied by filing a signed statement from the
5 attending physician and another physician stating the date that the
6 disability commenced and that the individual was unable to reenter the
7 work force during the time of the disability and is unable to enter the
8 work force in the future as a result of the assault. The department of
9 labor and industries may examine any medical information related to the
10 disability.

11 NEW SECTION. Sec. 2. This act applies to all correctional
12 officers who meet the criteria established in section 1 of this act and
13 whose assault benefits end any time after January 1, 1992. The full
14 cost of the health care insurance premiums shall be covered by the
15 state. In the event the individual who qualifies under this act is able
16 to return to any kind of work that qualifies them for similar health
17 care benefits, the health premiums paid for by the state shall cease.