

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1249

53rd Legislature
1993 Regular Session

Passed by the House April 20, 1993
Yeas 92 Nays 5

**Speaker of the
House of Representatives**

Passed by the Senate April 15, 1993
Yeas 32 Nays 13

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1249** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

1	Of great toe at interphalangeal joint.....	3,600.00
2	Of lesser toe (2nd to 5th) with resection of	
3	metatarsal bone.....	4,140.00
4	Of lesser toe at metatarsophalangeal joint.....	2,016.00
5	Of lesser toe at proximal interphalangeal joint.....	1,494.00
6	Of lesser toe at distal interphalangeal joint.....	378.00
7	Of arm at or above the deltoid insertion or by	
8	disarticulation at the shoulder.....	54,000.00
9	Of arm at any point from below the deltoid insertion to	
10	below the elbow joint at the insertion of the biceps	
11	tendon.....	51,300.00
12	Of arm at any point from below the elbow joint distal to	
13	the insertion of the biceps tendon to and including	
14	mid-metacarpal amputation of the hand.....	48,600.00
15	Of all fingers except the thumb at metacarpophalangeal	
16	joints.....	29,160.00
17	Of thumb at metacarpophalangeal joint or with resection	
18	of carpometacarpal bone.....	19,440.00
19	Of thumb at interphalangeal joint.....	9,720.00
20	Of index finger at metacarpophalangeal joint or with	
21	resection of metacarpal bone.....	12,150.00
22	Of index finger at proximal interphalangeal joint.....	9,720.00
23	Of index finger at distal interphalangeal joint.....	5,346.00
24	Of middle finger at metacarpophalangeal joint or with	
25	resection of metacarpal bone.....	9,720.00
26	Of middle finger at proximal interphalangeal joint.....	7,776.00
27	Of middle finger at distal interphalangeal joint.....	4,374.00
28	Of ring finger at metacarpophalangeal joint or with	
29	resection of metacarpal bone.....	4,860.00
30	Of ring finger at proximal interphalangeal joint.....	3,888.00
31	Of ring finger at distal interphalangeal joint.....	2,430.00
32	Of little finger at metacarpophalangeal joint or with	
33	resection of metacarpal bone.....	2,430.00
34	Of little finger at proximal interphalangeal joint.....	1,944.00
35	Of little finger at distal interphalangeal joint.....	972.00

36 MISCELLANEOUS

37	Loss of one eye by enucleation.....	21,600.00
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1	Loss of central visual acuity in one eye.....	18,000.00
2	Complete loss of hearing in both ears.....	43,200.00
3	Complete loss of hearing in one ear.....	7,200.00

4 (b) Beginning on July 1, 1993, compensation under this subsection
5 shall be computed as follows:

6 (i) Beginning on July 1, 1993, the compensation amounts for the
7 specified disabilities listed in (a) of this subsection shall be
8 increased by thirty-two percent; and

9 (ii) Beginning on July 1, 1994, and each July 1 thereafter, the
10 compensation amounts for the specified disabilities listed in (a) of
11 this subsection, as adjusted under (b)(i) of this subsection, shall be
12 readjusted to reflect the percentage change in the consumer price
13 index, calculated as follows: The index for the calendar year
14 preceding the year in which the July calculation is made, to be known
15 as "calendar year A," is divided by the index for the calendar year
16 preceding calendar year A, and the resulting ratio is multiplied by the
17 compensation amount in effect on June 30 immediately preceding the July
18 1st on which the respective calculation is made. For the purposes of
19 this subsection, "index" means the same as the definition in RCW
20 2.12.037(1).

21 (2) Compensation for amputation of a member or part thereof at a
22 site other than those ((above)) specified in subsection (1) of this
23 section, and for loss of central visual acuity and loss of hearing
24 other than complete, shall be in proportion to that which such other
25 amputation or partial loss of visual acuity or hearing most closely
26 resembles and approximates. Compensation shall be calculated based on
27 the adjusted schedule of compensation in effect for the respective
28 time period as prescribed in subsection (1) of this section.

29 (3)(a) Compensation for any other permanent partial disability not
30 involving amputation shall be in the proportion which the extent of
31 such other disability, called unspecified disability, shall bear to
32 ((that above)) the disabilities specified in subsection (1) of this
33 section, which most closely resembles and approximates in degree of
34 disability such other disability, and compensation for any other
35 unspecified permanent partial disability shall be in an amount as
36 measured and compared to total bodily impairment((: PROVIDED, That in
37 order)). To reduce litigation and establish more certainty and
38 uniformity in the rating of unspecified permanent partial disabilities,

1 the department shall enact rules having the force of law classifying
2 such disabilities in the proportion which the department shall
3 determine such disabilities reasonably bear to total bodily impairment.
4 In enacting such rules, the department shall give consideration to, but
5 need not necessarily adopt, any nationally recognized medical standards
6 or guides for determining various bodily impairments.

7 (b) Until July 1, 1993, for purposes of calculating monetary
8 benefits under (a) of this subsection, the amount payable for total
9 bodily impairment shall be deemed to be ninety thousand dollars(~~(~~
10 ~~PROVIDED, That))~~). Beginning on July 1, 1993, for purposes of
11 calculating monetary benefits under (a) of this subsection, the amount
12 payable for total bodily impairment shall be adjusted as follows:

13 (i) Beginning on July 1, 1993, the amount payable for total bodily
14 impairment under this section shall be increased to one hundred
15 eighteen thousand eight hundred dollars; and

16 (ii) Beginning on July 1, 1994, and each July 1 thereafter, the
17 amount payable for total bodily impairment prescribed in (b)(i) of this
18 subsection shall be adjusted as provided in subsection (1)(b)(ii) of
19 this section.

20 (c) Until July 1, 1993, the total compensation for all unspecified
21 permanent partial disabilities resulting from the same injury shall not
22 exceed the sum of ninety thousand dollars(~~(~~
23 ~~PROVIDED FURTHER, That in~~
24 ~~ease))~~). Beginning on July 1, 1993, total compensation for all
25 unspecified permanent partial disabilities resulting from the same
26 injury shall not exceed a sum calculated as follows:

27 (i) Beginning on July 1, 1993, the sum shall be increased to one
28 hundred eighteen thousand eight hundred dollars; and

29 (ii) Beginning on July 1, 1994, and each July 1 thereafter, the sum
30 prescribed in (b)(i) of this subsection shall be adjusted as provided
31 in subsection (1)(b)(ii) of this section.

32 (4) If permanent partial disability compensation is followed by
33 permanent total disability compensation, any portion of the permanent
34 partial disability compensation which exceeds the amount that would
35 have been paid the injured worker if permanent total disability
36 compensation had been paid in the first instance, shall be deducted
37 from the pension reserve of such injured worker and his or her monthly
38 compensation payments shall be reduced accordingly.

39 ~~((3))~~ (5) Should a worker receive an injury to a member or part
of his or her body already, from whatever cause, permanently partially

1 disabled, resulting in the amputation thereof or in an aggravation or
2 increase in such permanent partial disability but not resulting in the
3 permanent total disability of such worker, his or her compensation for
4 such partial disability shall be adjudged with regard to the previous
5 disability of the injured member or part and the degree or extent of
6 the aggravation or increase of disability thereof.

7 ~~((4))~~ (6) When the compensation provided for in subsections (1)
8 ~~((and (2)))~~ through (3) of this section exceeds three times the average
9 monthly wage in the state as computed under the provisions of RCW
10 51.08.018, payment shall be made in monthly payments in accordance with
11 the schedule of temporary total disability payments set forth in RCW
12 51.32.090 until such compensation is paid to the injured worker in
13 full, except that the first monthly payment shall be in an amount equal
14 to three times the average monthly wage in the state as computed under
15 the provisions of RCW 51.08.018, and interest shall be paid at the rate
16 of eight percent on the unpaid balance of such compensation commencing
17 with the second monthly payment(~~(:—PROVIDED, That)~~). However, upon
18 application of the injured worker or survivor the monthly payment may
19 be converted, in whole or in part, into a lump sum payment, in which
20 event the monthly payment shall cease in whole or in part. Such
21 conversion may be made only upon written application of the injured
22 worker or survivor to the department and shall rest in the discretion
23 of the department depending upon the merits of each individual
24 application(~~(:—PROVIDED FURTHER, That)~~). Upon the death of a worker
25 all unpaid installments accrued shall be paid according to the payment
26 schedule established prior to the death of the worker to the widow or
27 widower, or if there is no widow or widower surviving, to the dependent
28 children of such claimant, and if there are no such dependent children,
29 then to such other dependents as defined by this title.

30 (7) Awards payable under this section are governed by the schedule
31 in effect on the date of injury.

32 NEW SECTION. Sec. 2. This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of the
34 state government and its existing public institutions, and shall take
35 effect immediately.

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