

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1261

Chapter 395, Laws of 1999

56th Legislature
1999 Regular Session

INJURED WORKERS--MODIFICATIONS TO MOTOR VEHICLES

EFFECTIVE DATE: 7/25/99

Passed by the House April 19, 1999
Yeas 97 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 7, 1999
Yeas 46 Nays 0

BRAD OWEN
President of the Senate

Approved May 18, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1261** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 18, 1999 - 3:27 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1261

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Romero, Conway, Voloria, Cooper, O'Brien and Kenney

Read first time 01/20/1999. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to modifications of motor vehicles of injured
2 workers; and amending RCW 51.36.020.

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

4 **Sec. 1.** RCW 51.36.020 and 1982 c 63 s 12 are each amended to read
5 as follows:

6 (1) When the injury to any worker is so serious as to require his
7 or her being taken from the place of injury to a place of treatment,
8 his or her employer shall, at the expense of the medical aid fund, or
9 self-insurer, as the case may be, furnish transportation to the nearest
10 place of proper treatment.

11 (2) Every worker whose injury results in the loss of one or more
12 limbs or eyes shall be provided with proper artificial substitutes and
13 every worker, who suffers an injury to an eye producing an error of
14 refraction, shall be once provided proper and properly equipped lenses
15 to correct such error of refraction and his or her disability rating
16 shall be based upon the loss of sight before correction.

17 (3) Every worker whose accident results in damage to or destruction
18 of an artificial limb, eye, or tooth, shall have same repaired or
19 replaced.

1 (4) Every worker whose hearing aid or eyeglasses or lenses are
2 damaged, destroyed, or lost as a result of an industrial accident shall
3 have the same restored or replaced. The department or self-insurer
4 shall be liable only for the cost of restoring damaged hearing aids or
5 eyeglasses to their condition at the time of the accident.

6 (5) All mechanical appliances necessary in the treatment of an
7 injured worker, such as braces, belts, casts, and crutches, shall be
8 provided and all mechanical appliances required as permanent equipment
9 after treatment has been completed shall continue to be provided or
10 replaced without regard to the date of injury or date treatment was
11 completed, notwithstanding any other provision of law.

12 (6) A worker, whose injury is of such short duration as to bring
13 him or her within the time limit provisions of RCW 51.32.090, shall
14 nevertheless receive during the omitted period medical, surgical, and
15 hospital care and service and transportation under the provisions of
16 this chapter.

17 (7) Whenever in the sole discretion of the supervisor it is
18 reasonable and necessary to provide residence modifications necessary
19 to meet the needs and requirements of the worker who has sustained
20 catastrophic injury, the department or self-insurer may be ordered to
21 pay an amount not to exceed the state's average annual wage for one
22 year as determined under RCW 50.04.355, as now existing or hereafter
23 amended, toward the cost of such modifications or construction. Such
24 payment shall only be made for the construction or modification of a
25 residence in which the injured worker resides. Only one residence of
26 any worker may be modified or constructed under this subsection,
27 although the supervisor may order more than one payment for any one
28 home, up to the maximum amount permitted by this section.

29 (8)(a) Whenever in the sole discretion of the supervisor it is
30 reasonable and necessary to modify a motor vehicle owned by a worker
31 who has become an amputee or becomes paralyzed because of an industrial
32 injury, the supervisor may order up to fifty percent of the state's
33 average annual wage for one year, as determined under RCW 50.04.355,
34 (~~as now existing or hereafter amended,~~) to be paid by the department
35 or self-insurer toward the costs thereof.

36 (b) In the sole discretion of the supervisor after his or her
37 review, the amount paid under this subsection may be increased by no
38 more than four thousand dollars by written order of the supervisor.

1 (9) The benefits provided by subsections (7) and (8) of this
2 section are available to any otherwise eligible worker regardless of
3 the date of industrial injury.

Passed the House April 19, 1999.

Passed the Senate April 7, 1999.

Approved by the Governor May 18, 1999.

Filed in Office of Secretary of State May 18, 1999.