
SUBSTITUTE SENATE BILL 6602

State of Washington

64th Legislature

2016 Regular Session

By Senate Commerce & Labor (originally sponsored by Senators Braun, Mullet, and Hargrove)

READ FIRST TIME 02/04/16.

1 AN ACT Relating to industrial insurance claims made to self-
2 insurers; amending RCW 51.14.130; and creating a new section.

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

4 **Sec. 1.** RCW 51.14.130 and 1993 c 122 s 3 are each amended to
5 read as follows:

6 (1) For any industrial insurance claim for which the worker may
7 be entitled to benefits other than medical treatment only, when a
8 self-insurer has determined to allow an industrial insurance claim,
9 the self-insurer must issue an order allowing the claim to the
10 injured worker, attending medical provider, and the department within
11 (a) sixty days from the date that the claim is filed or (b) one
12 hundred twenty days from the date that the claim is filed if an order
13 is issued as provided in subsection (3) of this section. The order of
14 the self-insurer must be issued consistent with rules adopted by the
15 department.

16 (2) The self-insurer (~~shall~~) must request (~~allowance or~~)
17 denial of a claim within (a) sixty days from the date that the claim
18 is filed or (b) one hundred twenty days from the date that the claim
19 is filed if an order is issued as provided in subsection (3) of this
20 section.

1 (3) When a self-insurer requires additional time to determine
2 whether to allow or request denial of the claim, the self-insurer
3 must issue an order to the injured worker, attending medical
4 provider, and the department within sixty days from the date that the
5 claim is filed indicating a decision requires additional time to
6 determine whether to allow or request denial of the claim. The order
7 must state the reasons why the self-insurer requires additional time
8 to determine whether to allow or request denial of the claim. During
9 the sixty-day period after this order is issued, the self-insurer
10 must pay temporary disability benefits as entitled if the attending
11 provider certifies that the worker cannot return to work because of
12 the injury or illness provided in the claim, and pay for any medical
13 examination or test required by the self-insurer to determine whether
14 to allow or request denial of the claim. In the event the claim is
15 denied by the department, any temporary disability and other benefits
16 paid may be recovered by the self-insurer in accordance with RCW
17 51.32.240.

18 (4) Pending a decision of allowance or denial, temporary
19 disability compensation must be paid in accordance with RCW
20 51.32.190.

21 (5) If the self-insurer fails to act within (a) sixty days from
22 the date that the claim is filed or (b) one hundred twenty days from
23 the date that the claim is filed if an order is issued as provided in
24 subsection (3) of this section, the department ((shall)) must
25 promptly intervene and adjudicate the claim.

26 NEW SECTION. Sec. 2. The department of labor and industries is
27 authorized to adopt rules as necessary to implement this act to
28 include the form of orders allowing industrial insurance claims
29 consistent with the standards followed by the department.

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