H-2640.1

HOUSE BILL 2214

State of Washington 69th Legislature 2026 Regular Session

By Representatives McEntire, Schmidt, and Graham

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AN ACT Relating to allowing self-insurers to accept certain industrial insurance claims; and amending RCW 51.14.130 and 51.32.190.

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

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

((~~The~~)) (1) If the self-insurer allows a claim for compensation, the self-insurer shall ((~~request~~)) issue an allowance ((~~or denial of a claim~~)) order within ((~~sixty~~)) 30 days from the ((~~date that the claim is filed.~~)) notice of the claim. The allowance order may not include any claim decisions other than an allowance.

(2) If the self-insurer fails to act within ((~~sixty~~)) 60 days, ((~~the~~)) no later than 65 days from the date that the claim is filed, the self-insurer must forward the matter to the department informing the worker and director that the claim is in provisional status and the self-insurer is paying provisional time loss if the worker is eligible. The department shall promptly determine whether the claim is allowed or denied.

(3) If the self-insurer denies a claim for compensation, the self-insurer must request denial of a claim within 60 days from

notice of claim. If the self-insurer fails to act within 60 days, the department shall promptly intervene and adjudicate the claim.

Sec. 2. RCW 51.32.190 and 1996 c 58 s 2 are each amended to read as follows:

(1) If the self-insurer denies a claim for compensation, written notice of such denial, clearly informing the claimant of the reasons therefor and that the director will rule on the matter shall be mailed or given to the claimant and the director within ((~~thirty~~)) 60 days after the self-insurer has notice of the claim.

(2) Until such time as the department has entered an order in a disputed case acceptance of compensation by the claimant shall not be considered a binding determination of his or her rights under this title. Likewise the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments.

(3) Upon making the first payment of income benefits, the self-insurer shall immediately notify the director in accordance with a form to be prescribed by the director. Upon request of the department on a form prescribed by the department, the self-insurer shall submit a record of the payment of income benefits including initial, termination or terminations, and change or changes to the benefits. Where temporary disability compensation is payable, the first payment thereof shall be made within ((~~fourteen~~)) 14 days after notice of claim and shall continue at regular semimonthly or biweekly intervals.

(4) If, after the payment of compensation without an award, the self-insurer elects to controvert the right to compensation, the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments. The acceptance of compensation by the worker or his or her beneficiaries shall not be considered a binding determination of their rights under this title.

(5) The director: (a) May, upon his or her own initiative at any time in a case in which payments are being made without an award; and (b) shall, upon receipt of information from any person claiming to be entitled to compensation, from the self-insurer, or otherwise that the right to compensation is controverted, or that payment of compensation has been opposed, stopped or changed, whether or not claim has been filed, promptly make such inquiry as circumstances

require, cause such medical examinations to be made, hold such hearings, require the submission of further information, make such orders, decisions or awards, and take such further action as he or she considers will properly determine the matter and protect the rights of all parties.

(6) The director, upon his or her own initiative, may make such inquiry as circumstances require or is necessary to protect the rights of all the parties and he or she may enact rules and regulations providing for procedures to ensure fair and prompt handling by self-insurers of the claims of workers and beneficiaries.

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