

WAC 118-04-300 Compensation eligibility and compensation board.

(1) Compensation shall be authorized when emergency worker eligibility has been established and all appropriate regulations and statutes are complied with.

(2) Emergency workers are eligible for compensation when they are participating in a mission, evidence search mission, or training event authorized by the emergency management division and are under the direction and control of an authorized official.

(3) No eligibility or protection offered under chapter 38.52 RCW will replace other state mandated insurance coverage required for vehicles, vessels, boats, or aircraft except as specified in RCW 38.52.180.

(4) The emergency management division director may deny any claim under the amount set by statute requiring a compensation board on the basis of inadequate documentation, failure to follow prescribed reporting procedures, or when lack of compliance with these rules is sufficient to raise doubt as to the circumstances, extent of injury, damage, loss, or expense related to the claim. For claims over the amount set by statute, the provisions of RCW 38.52.240 shall apply.

(5) A compensation board shall be convened for claims over the amount set by statute (RCW 38.52.220).

(6) Compensation board hearing, procedural records, and claim preparations are the responsibility of the local emergency management agency director in the jurisdiction in which loss or injury occurred (RCW 38.52.210).

(7) Department of labor and industries workers' compensation forms shall not be used, nor shall medical expenses claims be submitted to the department of labor and industries for a claim made pursuant to chapter 38.52 RCW.

[Statutory Authority: Chapter 38.52 RCW. WSR 01-02-053, § 118-04-300, filed 12/28/00, effective 1/28/01; WSR 93-23-005 (Order 93-08), § 118-04-300, filed 11/4/93, effective 12/5/93.]