

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1244

53rd Legislature
1993 Regular Session

Passed by the House March 11, 1993
Yeas 94 Nays 4

**Speaker of the
House of Representatives**

Passed by the Senate April 15, 1993
Yeas 43 Nays 0

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 **HOUSE BILL 1244** 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**

HOUSE BILL 1244

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Franklin, Heavey, King, G. Cole, Springer, Jones and
Veloria

Read first time 01/20/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to payments for time lost from work while attending
2 a medical examination for industrial insurance; and amending RCW
3 51.32.110.

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

5 **Sec. 1.** RCW 51.32.110 and 1980 c 14 s 11 are each amended to read
6 as follows:

7 (1) Any worker entitled to receive any benefits or claiming such
8 under this title shall, if requested by the department or self-insurer,
9 submit himself or herself for medical examination, at a time and from
10 time to time, at a place reasonably convenient for the worker and as
11 may be provided by the rules of the department.

12 (2) If the worker refuses to submit to medical examination, or
13 obstructs the same, or, if any injured worker shall persist in
14 unsanitary or injurious practices which tend to imperil or retard his
15 or her recovery, or shall refuse to submit to such medical or surgical
16 treatment as is reasonably essential to his or her recovery or refuse
17 or obstruct evaluation or examination for the purpose of vocational
18 rehabilitation or does not cooperate in reasonable efforts at such
19 rehabilitation, the department or the self-insurer upon approval by the

1 department, with notice to the worker may suspend any further action on
2 any claim of such worker so long as such refusal, obstruction,
3 noncooperation, or practice continues and reduce, suspend, or deny any
4 compensation for such period: PROVIDED, That the department or the
5 self-insurer shall not suspend any further action on any claim of a
6 worker or reduce, suspend, or deny any compensation if a worker has
7 good cause for refusing to submit to or to obstruct any examination,
8 evaluation, treatment or practice requested by the department or
9 required under this section.

10 (3) If the worker necessarily incurs traveling expenses in
11 attending ~~((for))~~ the examination pursuant to the request of the
12 department, such traveling expenses shall be repaid to him or her out
13 of the accident fund upon proper voucher and audit or shall be repaid
14 by the self-insurer, as the case may be.

15 (4)(a) If the medical examination required by this section causes
16 the worker to be absent from his or her work without pay ~~((he or she
17 shall be paid for such time lost in accordance with the schedule of
18 payments provided in RCW 51.32.090 as amended))~~):

19 (i) In the case of a worker insured by the department, the worker
20 shall be paid compensation out of the accident fund in an amount equal
21 to his or her usual wages for the time lost from work while attending
22 the medical examination; or

23 (ii) In the case of a worker of a self-insurer, the self-insurer
24 shall pay the worker an amount equal to his or her usual wages for the
25 time lost from work while attending the medical examination.

26 (b) This subsection (4) shall apply prospectively to all claims
27 regardless of the date of injury.

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