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**SUBSTITUTE HOUSE BILL 1950**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Clements, Wood, Kenney and Miloscia)

Read first time 02/27/2001. Referred to Committee on .

1 AN ACT Relating to worker rights under industrial insurance;  
2 amending RCW 51.28.010 and 51.28.020; creating a new section; and  
3 providing an effective date.

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

5 **Sec. 1.** RCW 51.28.010 and 1977 ex.s. c 350 s 32 are each amended  
6 to read as follows:

7 (1) Whenever any accident occurs to any worker it shall be the duty  
8 of such worker or someone in his or her behalf to forthwith report such  
9 accident to his or her employer, superintendent, or (~~foreman or~~  
10 ~~forewoman~~) supervisor in charge of the work, and of the employer to at  
11 once report such accident and the injury resulting therefrom to the  
12 department pursuant to RCW 51.28.025(~~(, as now or hereafter amended,)~~)  
13 where the worker has received treatment from a physician, has been  
14 hospitalized, disabled from work, or has died as the apparent result of  
15 such accident and injury.

16 (2) Upon receipt of such notice of accident, the department shall  
17 immediately forward to the worker or his or her beneficiaries or  
18 dependents notification, in nontechnical language, of their rights  
19 under this title. The notice must specify the worker's right to

1 receive health services from a physician of the worker's choice under  
2 RCW 51.36.010, including chiropractic services under RCW 51.36.015, and  
3 must list the types of providers authorized to provide these services.

4 **Sec. 2.** RCW 51.28.020 and 1984 c 159 s 3 are each amended to read  
5 as follows:

6 (1)(a) Where a worker is entitled to compensation under this title  
7 he or she shall file with the department or his or her (~~self-~~  
8 ~~insuring~~) self-insured employer, as the case may be, his or her  
9 application for such, together with the certificate of the physician  
10 who attended him or her (~~, and it shall be the duty of~~). An  
11 application form developed by the department shall include a notice  
12 specifying the worker's right to receive health services from a  
13 physician of the worker's choice under RCW 51.36.010, including  
14 chiropractic services under RCW 51.36.015, and listing the types of  
15 providers authorized to provide these services.

16 (b) The physician (~~(to)~~) who attended the injured worker shall  
17 inform the injured worker of his or her rights under this title and  
18 (~~(to)~~) lend all necessary assistance in making this application for  
19 compensation and such proof of other matters as required by the rules  
20 of the department without charge to the worker. The department shall  
21 provide physicians with a manual which outlines the procedures to be  
22 followed in applications for compensation involving occupational  
23 diseases, and which describes claimants' rights and responsibilities  
24 related to occupational disease claims.

25 (2) If application for compensation is made to a (~~self-insuring~~)  
26 self-insured employer, he or she shall forthwith send a copy  
27 (~~thereof~~) of the application to the department.

28 NEW SECTION. **Sec. 3.** By January 1, 2002, the department of labor  
29 and industries must develop the forms required under sections 1 and 2  
30 of this act.

31 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2002.

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