
SENATE BILL 5665

State of Washington

54th Legislature

1995 Regular Session

By Senators Deccio and A. Anderson

Read first time 01/31/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to limitations on industrial insurance permanent
2 total disability compensation; and amending RCW 51.32.060.

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

4 **Sec. 1.** RCW 51.32.060 and 1993 c 521 s 2 are each amended to read
5 as follows:

6 (1) When the supervisor of industrial insurance shall determine
7 that permanent total disability results from the injury, the worker
8 shall receive monthly during the period of such disability:

9 (a) If married at the time of injury, sixty-five percent of his or
10 her wages but not less than two hundred fifteen dollars per month.

11 (b) If married with one child at the time of injury, sixty-seven
12 percent of his or her wages but not less than two hundred fifty-two
13 dollars per month.

14 (c) If married with two children at the time of injury, sixty-nine
15 percent of his or her wages but not less than two hundred eighty-three
16 dollars.

17 (d) If married with three children at the time of injury,
18 seventy-one percent of his or her wages but not less than three hundred
19 six dollars per month.

1 (e) If married with four children at the time of injury, seventy-
2 three percent of his or her wages but not less than three hundred
3 twenty-nine dollars per month.

4 (f) If married with five or more children at the time of injury,
5 seventy-five percent of his or her wages but not less than three
6 hundred fifty-two dollars per month.

7 (g) If unmarried at the time of the injury, sixty percent of his or
8 her wages but not less than one hundred eighty-five dollars per month.

9 (h) If unmarried with one child at the time of injury, sixty-two
10 percent of his or her wages but not less than two hundred twenty-two
11 dollars per month.

12 (i) If unmarried with two children at the time of injury, sixty-
13 four percent of his or her wages but not less than two hundred
14 fifty-three dollars per month.

15 (j) If unmarried with three children at the time of injury,
16 sixty-six percent of his or her wages but not less than two hundred
17 seventy-six dollars per month.

18 (k) If unmarried with four children at the time of injury,
19 sixty-eight percent of his or her wages but not less than two hundred
20 ninety-nine dollars per month.

21 (l) If unmarried with five or more children at the time of injury,
22 seventy percent of his or her wages but not less than three hundred
23 twenty-two dollars per month.

24 (2) For any period of time where both husband and wife are entitled
25 to compensation as temporarily or totally disabled workers, only that
26 spouse having the higher wages of the two shall be entitled to claim
27 their child or children for compensation purposes.

28 (3) In case of permanent total disability, if the character of the
29 injury is such as to render the worker so physically helpless as to
30 require the hiring of the services of an attendant, the department
31 shall make monthly payments to such attendant for such services as long
32 as such requirement continues, but such payments shall not obtain or be
33 operative while the worker is receiving care under or pursuant to the
34 provisions of chapter 51.36 RCW and RCW 51.04.105.

35 (4) Should any further accident result in the permanent total
36 disability of an injured worker, he or she shall receive the pension to
37 which he or she would be entitled, notwithstanding the payment of a
38 lump sum for his or her prior injury.

1 (5) In no event shall the monthly payments provided in this section
2 exceed the applicable percentage of the average monthly wage in the
3 state as computed under the provisions of RCW 51.08.018 as follows:

4	AFTER	PERCENTAGE
5	June 30, 1993	105%
6	June 30, 1994	110%
7	June 30, 1995	((115%)) <u>110%</u>
8	June 30, 1996	((120%)) <u>110%</u>

9 The limitations under this subsection shall not apply to the
10 payments provided for in subsection (3) of this section.

11 (6) In the case of new or reopened claims, if the supervisor of
12 industrial insurance determines that, at the time of filing or
13 reopening, the worker is voluntarily retired and is no longer attached
14 to the work force, benefits shall not be paid under this section.

15 (7) The benefits provided by this section are subject to
16 modification under RCW 51.32.067.

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