
SENATE BILL 5492

State of Washington 60th Legislature 2007 Regular Session

By Senators Clements, Holmquist and Kohl-Welles

Read first time 01/22/2007. Referred to Committee on Labor,
Commerce, Research & Development.

1 AN ACT Relating to notification to employers of workers'
2 applications for compensation under Title 51 RCW; and amending RCW
3 51.28.020.

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

5 **Sec. 1.** RCW 51.28.020 and 2005 c 108 s 3 are each amended to read
6 as follows:

7 (1)(a) Where a worker is entitled to compensation under this title
8 he or she shall file with the department or his or her self-insured
9 employer, as the case may be, his or her application for such, together
10 with the certificate of the physician who attended him or her. 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 who attended the injured worker shall inform the
17 injured worker of his or her rights under this title and lend all
18 necessary assistance in making this application for compensation and
19 such proof of other matters as required by the rules of the department

1 without charge to the worker. The department shall provide physicians
2 with a manual which outlines the procedures to be followed in
3 applications for compensation involving occupational diseases, and
4 which describes claimants' rights and responsibilities related to
5 occupational disease claims.

6 (2) If the application required by this section is:

7 (a) Filed on behalf of the worker by the physician who attended the
8 worker, the physician may transmit the application to the department
9 electronically using facsimile mail;

10 (b) Made to the department and the employer has not received a copy
11 of the application, the department shall immediately send a copy of the
12 application to the employer; or

13 (c) Made to a self-insured employer, the employer shall forthwith
14 send a copy of the application to the department.

15 (3) When the application required by this section is filed on
16 behalf of the worker by the health services provider who attended the
17 worker, the worker shall provide written notice of the claim to his or
18 her employer within ten days after the date the worker received medical
19 treatment. The department shall develop forms to assist the worker in
20 expediently notifying his or her employer of a claim.

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