
HOUSE BILL 1464

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Prentice, Cole, Heavey, Jacobsen, Franklin, Leonard, Ogden, R. King, Riley, Phillips, Winsley, Jones and R. Meyers.

Read first time January 30, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to prohibited practices in industrial insurance;
2 amending RCW 51.28.050; adding a new section to chapter 51.48 RCW; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.48 RCW
6 to read as follows:

7 (1) It shall be unlawful for any person to:

8 (a) Induce or coerce an employee not to report an industrial
9 accident;

10 (b) Induce or coerce an employee to treat an industrial accident as
11 an off-the-job injury;

12 (c) Persuade an employee to accept less than the compensation due
13 under this title;

14 (d) Unreasonably make it necessary for the employee to resort to
15 proceedings against the employer to obtain compensation;

1 (e) Fail to comply with the rules of the department regarding
2 reports or other requirements necessary to carry out the purposes of
3 this title;

4 (f) Engage in a practice of arbitrarily or unreasonably refusing
5 employment to applicants for employment or discharging employees
6 because of nondisabling bodily conditions;

7 (g) Unduly influence, or otherwise pressure, an employee's
8 attending physician with regard to releasing the employee for return to
9 work; or

10 (h) Communicate with the attending or consulting physician, the
11 department, or the employee's vocational rehabilitation counselor
12 without first notifying the employee or the employee's representative.

13 (2) A person who violates any provision of this section shall be
14 subject to a civil penalty of one thousand dollars for each offense.

15 **Sec. 2.** RCW 51.28.050 and 1984 c 159 s 1 are each amended to read
16 as follows:

17 No application shall be valid or claim thereunder enforceable
18 unless filed within one year after the day upon which the injury
19 occurred or the rights of dependents or beneficiaries accrued, except
20 as provided in RCW 51.28.055. An application shall be exempt from the
21 limitation imposed by this section if the failure to file the
22 application or take action to enforce a claim thereunder resulted from
23 an act prohibited by section 1 of this act.