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HOUSE BILL 1250

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Cole, Cody, Conway, Basich, Scott, Costa and Chopp

Read first time 01/18/95. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to prompt payment of industrial insurance awards;  
2 amending RCW 51.32.200; creating a new section; and prescribing  
3 penalties.

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

5            **Sec. 1.** RCW 51.32.200 and 1971 ex.s. c 289 s 48 are each amended  
6 to read as follows:

7            (1) If the worker or beneficiary prevails in an appeal by any party  
8 to the board or the court, the department or self-insurer, as the case  
9 may be, shall comply with the board or court's order with respect to  
10 the payment of compensation within thirty days after the entry of the  
11 compensation order which has become final and is not subject to further  
12 review or appeal

13            (2)(a) If a self-insurer fails, refuses, or neglects to comply with  
14 a department compensation order which has become final and is not  
15 subject to review or appeal within thirty days after the entry of the  
16 department's order or fails to comply with subsection (1) of this  
17 section, the director or any person entitled to compensation under the  
18 order may institute proceedings for injunctive or other appropriate  
19 relief for enforcement of the order. These proceedings may be

1 instituted in the superior court for the county in which the claimant  
2 resides, or, if the claimant is not then a resident of this state, in  
3 the superior court for the county in which the self-insurer may be  
4 served with process.

5 ~~((2))~~ (b) If the department fails to comply with subsection (1)  
6 of this section, any person entitled to compensation under the order  
7 may institute proceedings for injunctive or other appropriate relief  
8 for enforcement of the order. These proceedings may be instituted in  
9 the superior court for the county in which the claimant resides, or, if  
10 the claimant is not then a resident of this state, in the superior  
11 court for Thurston county.

12 (c) The court shall enforce obedience to the order by proper means,  
13 enjoining compliance upon the person obligated to comply with the  
14 compensation order. The court may issue such writs and processes as  
15 are necessary to carry out its orders and may award a penalty of up to  
16 five hundred dollars to the person entitled to compensation under the  
17 order.

18 (3) A proceeding under this section does not preclude other methods  
19 of enforcement provided for in this title.

20 NEW SECTION. Sec. 2. This act applies to all appeals determined  
21 under Title 51 RCW on or after the effective date of this act,  
22 regardless of the date of filing the industrial insurance claim.

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