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**SUBSTITUTE HOUSE BILL 1378**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Lisk, Chandler, Fuhrman, Goldsmith, Horn and Hargrove)

Read first time 02/13/95.

1 AN ACT Relating to compensation for occupational disease; and  
2 amending RCW 51.32.100.

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

4 **Sec. 1.** RCW 51.32.100 and 1977 ex.s. c 350 s 49 are each amended  
5 to read as follows:

6 (1) If it is determined that an injured worker had, at the time of  
7 his or her injury, a preexisting disease and that such disease delays  
8 or prevents complete recovery from such injury, it shall be  
9 ascertained, as nearly as possible, the period over which the injury  
10 would have caused disability were it not for the diseased condition and  
11 the extent of permanent partial disability which the injury would have  
12 caused were it not for the disease, and compensation shall be awarded  
13 only therefor.

14 (2) If a worker has an occupational disease that is caused in part  
15 by occupational exposure during the course of employment not covered by  
16 this title, the worker or the worker's beneficiaries may receive  
17 compensation and benefits only to the extent and in the proportion to  
18 which the exposure during employment covered by this title contributed  
19 to the development of the disease. For purposes of this section, it is

1 presumed that injurious occupational exposure contributed to the  
2 development of the disease only in the proportion to which the period  
3 of occupational exposure covered by this title bears to the total  
4 period of injurious exposure from all occupational sources.

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