
ENGROSSED HOUSE BILL 1285

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Franklin, Cole, Heavey, R. King, Prentice, O'Brien, Hargrove, Ludwig, Jones, Leonard, Riley, Dellwo and Basich.

Read first time January 25, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to payments for time lost from work while attending
2 a medical examination for industrial insurance; and amending RCW
3 51.32.110.

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

5 **Sec. 1.** RCW 51.32.110 and 1980 c 14 s 11 are each amended to read
6 as follows:

7 (1) Any worker entitled to receive any benefits or claiming such
8 under this title shall, if requested by the department or self-insurer,
9 submit himself or herself for medical examination, at a time and from
10 time to time, at a place reasonably convenient for the worker and as
11 may be provided by the rules of the department.

12 (2) If the worker refuses to submit to medical examination, or
13 obstructs the same, or, if any injured worker shall persist in
14 unsanitary or injurious practices which tend to imperil or retard his
15 or her recovery, or shall refuse to submit to such medical or surgical

1 treatment as is reasonably essential to his or her recovery or refuse
2 or obstruct evaluation or examination for the purpose of vocational
3 rehabilitation or does not cooperate in reasonable efforts at such
4 rehabilitation, the department or the self-insurer upon approval by the
5 department, with notice to the worker may suspend any further action on
6 any claim of such worker so long as such refusal, obstruction,
7 noncooperation, or practice continues and reduce, suspend, or deny any
8 compensation for such period: PROVIDED, That the department or the
9 self-insurer shall not suspend any further action on any claim of a
10 worker or reduce, suspend, or deny any compensation if a worker has
11 good cause for refusing to submit to or to obstruct any examination,
12 evaluation, treatment or practice requested by the department or
13 required under this section.

14 (3) If the worker necessarily incurs traveling expenses in
15 attending ~~((for))~~ the examination pursuant to the request of the
16 department, such traveling expenses shall be repaid to him or her out
17 of the accident fund upon proper voucher and audit or shall be repaid
18 by the self-insurer, as the case may be.

19 (4)(a) If the medical examination required by this section causes
20 the worker to be absent from his or her work without pay ~~((he or she
21 shall be paid for such time lost in accordance with the schedule of
22 payments provided in RCW 51.32.090 as amended))~~);

23 (i) In the case of a worker insured by the department, the worker
24 shall be paid compensation out of the accident fund in an amount equal
25 to his or her usual wages for the time lost from work while attending
26 the medical examination; or

27 (ii) In the case of a worker of a self-insurer, the self-insurer
28 shall pay the worker an amount equal to his or her usual wages for the
29 time lost from work while attending the medical examination.

1 (b) This subsection (4) shall apply to all claims regardless of the
2 date of injury.