

1 1292-S.E AMS KLIN BRUM 024

2 ESHB 1292 - S AMD - 497

3 By Senator Kline

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5 On page 5, after line 5, insert the following:

6 "(7) Retrospective rating employers and groups, and authorized  
7 claims administrators, have a duty of good faith and fair dealing  
8 towards claimants. Violations of these good faith duties shall  
9 include, but not be limited to: (i) Attempting to close a valid claim  
10 under this section that the employer, or his or her representative,  
11 knew or should have known was closed inappropriately; (ii) interfering  
12 with a worker's right to file a claim under this title; or (iii) having  
13 a history or pattern of repeated unfair claims practices. The  
14 department shall adopt rules on unfair claims practices."

15 Renumber the subsections consecutively and correct internal  
16 references accordingly.

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