
HOUSE BILL 2135

State of Washington 55th Legislature 1997 Regular Session

By Representatives Benson, McMorris and Anderson

Read first time 02/21/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to industrial insurance accidents; and amending RCW
2 51.28.010 and 51.28.050.

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

4 **Sec. 1.** RCW 51.28.010 and 1977 ex.s. c 350 s 32 are each amended
5 to read as follows:

6 (1) Whenever any accident occurs to any worker it ((shall be)) is
7 the duty of ((such)) the worker or someone in his or her behalf to
8 ((forthwith)) report ((such)) the accident to his or her employer,
9 superintendent, or foreman or forewoman in charge of the work((, and))
10 within ninety days of the date of the accident.

11 (2) When an employer receives notice of an accident as required
12 under subsection (1) of this section, it is the duty of the employer to
13 at once report such accident and the injury resulting therefrom to the
14 department pursuant to RCW 51.28.025, ((as now or hereafter amended,))
15 where the worker has received treatment from a physician, has been
16 hospitalized, disabled from work, or has died as the apparent result of
17 such accident and injury.

18 (3) Upon receipt of ((such)) the notice of accident required under
19 RCW 51.28.025, the department shall immediately forward to the worker

1 or his or her beneficiaries or dependents notification, in nontechnical
2 language, of their rights under this title.

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

5 (1) Except as provided in subsection (2) of this section and in RCW
6 51.28.055, no application shall be valid or claim thereunder
7 enforceable unless filed within one year after the day upon which the
8 injury occurred or the rights of dependents or beneficiaries accrued~~((7~~
9 ~~except as provided in RCW 51.28.055)).~~

10 (2) Except as provided in RCW 51.28.055, beginning with claims for
11 injuries occurring on or after the effective date of this section, an
12 application for a claim is not valid or the claim thereunder
13 enforceable unless the accident from which the claim arose has been
14 reported as required under RCW 51.28.010(1) and the application is
15 filed within one year after the day upon which the injury occurred or
16 the rights of dependents or beneficiaries accrued.

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