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HOUSE BILL 1342

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State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Benson, DeBolt, D. Sommers and McMorris

Read first time 01/21/1999. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to time periods for filing industrial insurance  
2 claims; amending RCW 51.28.050 and 51.28.055; and creating a new  
3 section.

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

5            **Sec. 1.** RCW 51.28.050 and 1984 c 159 s 1 are each amended to read  
6 as follows:

7            No application shall be valid or claim thereunder enforceable  
8 unless filed within (~~one year~~) one hundred eighty days after the day  
9 upon which the injury occurred or the rights of dependents or  
10 beneficiaries accrued, except as provided in RCW 51.28.055.

11           **Sec. 2.** RCW 51.28.055 and 1984 c 159 s 2 are each amended to read  
12 as follows:

13           Claims for occupational disease or infection to be valid and  
14 compensable must be filed within (~~two~~) one year(~~s~~) following the  
15 date the worker had written notice from a physician: (1) Of the  
16 existence of his or her occupational disease, and (2) that a claim for  
17 disability benefits may be filed. The notice shall also contain a  
18 statement that the worker has two years from the date of the notice to

1 file a claim. The physician shall file the notice with the department.  
2 The department shall send a copy to the worker and to the self-insurer  
3 if the worker's employer is self-insured. However, a claim is valid if  
4 it is filed within (~~two~~) one year(~~s~~) from the date of death of the  
5 worker suffering from an occupational disease.

6 NEW SECTION. **Sec. 3.** This act applies only to claims for injuries  
7 occurring, or occupational diseases contracted, on or after the  
8 effective date of this act.

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