
SENATE BILL 5205

State of Washington

57th Legislature

2001 Regular Session

By Senators Prentice, Winsley, Fairley and T. Sheldon

Read first time 01/16/2001. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to self-insurers providing information for
2 independent medical examinations; and amending RCW 51.14.120.

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

4 **Sec. 1.** RCW 51.14.120 and 1993 c 122 s 2 are each amended to read
5 as follows:

6 (1) The self-insurer shall provide, when authorized under RCW
7 51.28.070, a copy of the employee's claim file at no cost within
8 fifteen days of receipt of a request by the employee or the
9 employee's representative, and shall provide a complete copy of
10 the employee's claim file to doctors performing independent
11 medical examinations. If the self-insured employer determines
12 that release of the claim file to an unrepresented worker in whole
13 or in part, may not be in the worker's best interests, the
14 employer must submit a request for denial with an explanation
15 along with a copy of that portion of the claim file not previously
16 provided within twenty days after the request from the worker. In
17 the case of second or subsequent requests, a reasonable charge for
18 copying may be made. The self-insurer shall provide the entire

1 contents of the claim file unless the request is for only a
2 particular portion of the file. Any new material added to the claim
3 file after the initial request shall be provided under the same
4 terms and conditions as the initial request.

5 (2) The self-insurer shall transmit notice to the department of
6 any protest or appeal by an employee relating to the
7 administration of an industrial injury or occupational disease
8 claim under this chapter within five working days of receipt. The
9 date that the protest or appeal is received by the self-insurer
10 shall be deemed to be the date the protest is received by the
11 department for the purpose of RCW 51.52.050.

12 (3) The self-insurer shall submit a medical report with the
13 request for closure of a claim under this chapter.

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