
HOUSE BILL 1529

State of Washington

58th Legislature

2003 Regular Session

By Representatives Clements and Chandler

Read first time 01/29/2003. 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 2001 c 231 s 1 are each amended to read
5 as follows:

6 (1) Whenever any accident occurs to any worker (~~it shall be the~~
7 ~~duty of such~~), the worker or someone (~~in~~) on his or her behalf (~~to~~
8 ~~forthwith~~) must report (~~such~~) the accident to his or her employer,
9 superintendent, or supervisor in charge of the work(~~, and of~~) within
10 the lesser of thirty days after the date of the accident or five days
11 after the date the worker received medical treatment.

12 (2) When an employer receives notice of an accident as required
13 under subsection (1) of this section, the employer (~~to~~) must at once:
14 (a) Report such accident and the injury resulting therefrom to the
15 department pursuant to RCW 51.28.025 where the worker has received
16 treatment from a physician, has been hospitalized, disabled from work,
17 or has died as the apparent result of such accident and injury; and (b)
18 provide written acknowledgment of such notice to the worker or his or
19 her beneficiaries or dependents.

1 ~~((2))~~ (3) Upon receipt of ~~((such))~~ the notice of accident
2 required under RCW 51.28.025, the department shall immediately forward
3 to the worker or his or her beneficiaries or dependents notification,
4 in nontechnical language, of their rights under this title. The notice
5 must specify the worker's right to receive health services from a
6 physician of the worker's choice under RCW 51.36.010, including
7 chiropractic services under RCW 51.36.015, and must list the types of
8 providers authorized to provide these services.

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

11 (1) Except as provided in subsection (2) of this section and in RCW
12 51.28.055, no application shall be valid or claim thereunder
13 enforceable unless filed within one year after the day upon which the
14 injury occurred or the rights of dependents or beneficiaries accrued~~((~~
15 ~~except as provided in RCW 51.28.055))~~.

16 (2) Except as provided in RCW 51.28.055, beginning with claims for
17 injuries occurring on or after the effective date of this section, an
18 application for a claim is not valid nor the claim thereunder
19 enforceable unless the accident from which the claim arose has been
20 reported as required under RCW 51.28.010(1) and the application is
21 filed within one year after the day upon which the injury occurred or
22 the rights of dependents or beneficiaries accrued.

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