

SSB 5915 - S AMD 120

By Senators Kohl-Welles, Clements, Honeyford

PULLED 03/10/2007

1 On page 2, after line 3, insert the following:

2 "Sec. 3. RCW 51.28.020 and 2005 c 108 s 3 are each amended to read
3 as follows:

4 (1)(a) Where a worker is entitled to compensation under this title
5 he or she shall file with the department or his or her (~~self-insured~~)
6 employer(~~(, as the case may be,)~~) his or her application for such,
7 together with the certificate of the physician who attended him or her.
8 An application form developed by the department shall include a notice
9 specifying the worker's right to receive health services from a
10 physician of the worker's choice under RCW 51.36.010, including
11 chiropractic services under RCW 51.36.015, and listing the types of
12 providers authorized to provide these services.

13 (b) The worker's employer or the physician who attended the injured
14 worker, as the case may be, shall inform the injured worker of his or
15 her rights under this title and lend all necessary assistance in making
16 this application for compensation and such proof of other matters as
17 required by the rules of the department without charge to the worker.
18 The department shall provide physicians and employers with a manual
19 which outlines the procedures to be followed in applications for
20 compensation involving occupational diseases, and which describes
21 claimants' rights and responsibilities related to occupational disease
22 claims.

23 (2) If the application required by this section is:

24 (a) Filed on behalf of the worker by the employer or physician who
25 attended the worker, the employer or physician may transmit the
26 application to the department electronically using facsimile mail;

27 (b) Filed on behalf of the worker by the physician who attended the
28 worker, the worker shall give his or her employer notice of the claim
29 within ten days of the worker's visit to the physician;

1 (c) Made to the department (~~and~~), the worker shall give his or
2 her employer notice of the claim within ten days of the filing. If the
3 employer has not received a copy of the application, the department
4 shall immediately send a copy of the application to the employer; or
5 (~~(c)~~) (d) Made to (~~a self-insured~~) an employer, the employer
6 shall forthwith send a copy of the application to the department.
7 (3) The department shall develop forms to assist the worker in
8 expediently notifying his or her employer of a claim."

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9 On page 1, line 2 of the title, after "employers;" insert "amending
10 RCW 51.28.020;"

EFFECT: Requires employees to notify their employers if the
employee seeks medical treatment from a physician and the physician
files an application for workers' compensation with the Department of
Labor and Industries on behalf of the worker.

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