

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2147**

60th Legislature  
2007 Regular Session

Passed by the House February 28, 2007  
Yeas 97 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate April 4, 2007  
Yeas 48 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2147** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2147**

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Passed Legislature - 2007 Regular Session

**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Kristiansen, Ericks, Chandler, Blake, Curtis, Morrell, Roberts, Hurst, Pearson, McCune, Moeller, B. Sullivan, Simpson, Santos, Ormsby, Newhouse and Kelley)

READ FIRST TIME 02/17/07.

1       AN ACT Relating to vocational rehabilitation services for volunteer  
2 firefighters and reserve officers; adding a new section to chapter  
3 41.24 RCW; and declaring an emergency.

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

5       NEW SECTION. **Sec. 1.** A new section is added to chapter 41.24 RCW  
6 to read as follows:

7       (1) One of the primary purposes of this section is to enable  
8 injured participants to return to their regular occupation, business,  
9 or profession, or to engage in any occupation or perform any work for  
10 compensation or profit. To this end, the state board shall utilize the  
11 services of individuals and organizations, public or private, whose  
12 experience, training, and interests in vocational rehabilitation and  
13 retraining qualify them to lend expert assistance to the state board in  
14 such programs of vocational rehabilitation as may be reasonable to make  
15 the participant return to his or her regular occupation, business, or  
16 profession, or to engage in any occupation or perform any work for  
17 compensation or profit consistent with his or her physical and mental  
18 status. After evaluation and recommendation by such individuals or  
19 organizations and prior to final evaluation of the participant's

1 permanent disability, if in the sole opinion of the state board,  
2 whether or not medical treatment has been concluded, vocational  
3 rehabilitation is both necessary and likely to enable the injured  
4 participant to return to his or her regular occupation, business, or  
5 profession, or to engage in any occupation or perform any work for  
6 compensation or profit, the state board may, in its sole discretion,  
7 pay the cost as provided in subsection (3) or (4) of this section.

8 (2) When, in the sole discretion of the state board, vocational  
9 rehabilitation is both necessary and likely to make the participant  
10 return to his or her regular occupation, business, or profession, or to  
11 engage in any occupation or perform any work for compensation or  
12 profit, then the following order of priorities shall be used:

13 (a) Return to the previous job with the same employer;

14 (b) Modification of the previous job with the same employer  
15 including transitional return to work;

16 (c) A new job with the same employer in keeping with any  
17 limitations or restrictions;

18 (d) Modification of a new job with the same employer including  
19 transitional return to work;

20 (e) Modification of the previous job with a new employer;

21 (f) A new job with a new employer or self-employment based upon  
22 transferable skills;

23 (g) Modification of a new job with a new employer;

24 (h) A new job with a new employer or self-employment involving  
25 on-the-job training;

26 (i) Short-term retraining and job placement.

27 (3)(a) Except as provided in (b) of this subsection, costs for  
28 vocational rehabilitation benefits allowed by the state board under  
29 subsection (1) of this section may include the cost of books, tuition,  
30 fees, supplies, equipment, transportation, child or dependent care, and  
31 other necessary expenses in an amount not to exceed four thousand  
32 dollars. This amount must be used within fifty-two weeks of the  
33 determination that vocational rehabilitation is permitted under this  
34 section.

35 (b) The expenses allowed under (a) of this subsection may include  
36 training fees for on-the-job training and the cost of furnishing tools  
37 and other equipment necessary for self-employment or reemployment.  
38 However, compensation or payment of retraining with job placement

1 expenses under (a) of this subsection may not be authorized for a  
2 period of more than fifty-two weeks, except that such period may, in  
3 the sole discretion of the state board, after its review, be extended  
4 for an additional fifty-two weeks or portion thereof by written order  
5 of the state board. However, under no circumstances shall the total  
6 amount of benefit paid under this section exceed four thousand dollars.

7 (4) In addition to the vocational rehabilitation expenditures  
8 provided for under subsection (3) of this section, an additional five  
9 thousand dollars may, upon authorization of the state board, be  
10 expended for: (a) Accommodations for an injured participant that are  
11 medically necessary for participation in an approved retraining plan;  
12 and (b) accommodations necessary to perform the essential functions of  
13 an occupation in which an injured participant is seeking employment,  
14 consistent with the retraining plan or the recommendations of a  
15 vocational evaluation. The injured participant's attending physician  
16 or licensed advanced registered nurse practitioner must verify the  
17 necessity of the modifications or accommodations. The total  
18 expenditures authorized in this subsection shall not exceed five  
19 thousand dollars.

20 (5) The state board shall follow the established criteria set forth  
21 by the department of labor and industries to monitor the quality and  
22 effectiveness of rehabilitation services provided by the individuals  
23 and organizations used under subsection (1) of this section. The  
24 state board shall make referrals for vocational rehabilitation services  
25 based on these performance criteria.

26 (6) The state board may engage, where feasible and cost-effective,  
27 in a cooperative program with the state employment security department  
28 to provide job placement services under this section.

29 (7) Except as otherwise provided in this section, the vocational  
30 benefits provided for in this section are available to participants who  
31 have claims currently pending as of the effective date of this section  
32 or whose injury occurred on or after January 1, 2006.

33 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of the  
35 state government and its existing public institutions, and takes effect

1 immediately.

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