
ENGROSSED SUBSTITUTE SENATE BILL 6226

State of Washington

65th Legislature

2018 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Keiser, Conway, Cleveland, Kuderer, and Saldaña)

READ FIRST TIME 01/30/18.

1 AN ACT Relating to improving health outcomes for injured workers
2 by facilitating better access to medical records and telemedicine;
3 amending RCW 51.36.070; and adding a new section to chapter 51.36
4 RCW.

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

6 **Sec. 1.** RCW 51.36.070 and 2001 c 152 s 2 are each amended to
7 read as follows:

8 (1) Whenever the director or the self-insurer deems it necessary
9 in order to resolve any medical issue, a worker shall submit to
10 examination by a physician or physicians selected by the director,
11 with the rendition of a report to the person ordering the
12 examination. The department or self-insurer shall provide the
13 physician performing an examination with all relevant medical records
14 from the worker's claim file. The director, in his or her discretion,
15 may charge the cost of such examination or examinations to the self-
16 insurer or to the medical aid fund as the case may be. The cost of
17 said examination shall include payment to the worker of reasonable
18 expenses connected therewith.

19 (2) The self-insured employer shall ensure that all relevant
20 medical records of the injured worker scheduled for an independent
21 medical exam are provided as electronic medical records to the

1 independent medical exam physician or physicians, and, if electronic
2 medical records are not possible, paper records must be delivered to
3 the independent medical exam physician or physicians at least ten
4 business days prior to the scheduled exam. If the independent medical
5 exam is scheduled to occur before ten business days or if a medical
6 record only becomes available to the employer during the ten business
7 days, then the paper records must be delivered to the independent
8 medical exam physician as soon as possible before the exam occurs.

9 (3) The director shall adopt policies developed by the
10 telemedicine collaborative pursuant to section 2 of this act to
11 establish access to telemedicine for independent medical exams and
12 reimburse independent medical exam physicians for services.

13 (4) Physicians must undertake the training developed by the
14 telemedicine collaborative in section 2 of this act, prior to
15 performing any independent medical exams through telemedicine.

16 (5) For purposes of this section, "the telemedicine
17 collaborative" means the collaborative for the advancement of
18 telemedicine created by section 2, chapter 68, Laws of 2016.

19 NEW SECTION. Sec. 2. A new section is added to chapter 51.36
20 RCW to read as follows:

21 (1) The telemedicine collaborative shall develop policies for the
22 department to establish access to telemedicine for independent
23 medical exams and reimburse independent medical exam physicians for
24 services in a manner that is similar to the policies developed for
25 commercial health insurance plans under RCW 48.43.735 and medicaid
26 managed care plans under RCW 74.09.325.

27 (2) The telemedicine collaborative shall develop a training
28 program to train physicians who perform independent medical exams.
29 The training program must be offered to physicians seeking to provide
30 independent medical exams through telemedicine.

31 (3) For purposes of this section, "the telemedicine
32 collaborative" means the collaborative for the advancement of
33 telemedicine created by section 2, chapter 68, Laws of 2016.

--- END ---