

~~(2) The commissioner shall annually during November and December furnish each such insurer duplicate copies of annual statement forms as next required to be filed.)~~ The statement forms shall be in general form and context as approved by the National Association of Insurance Commissioners for the kinds of insurance to be reported upon, and as supplemented for additional information required by this code and by the commissioner. The statement shall be verified by the oaths of at least two of the insurer's officers.

~~((3))~~ (2) The annual statement of an alien insurer shall relate only to its transactions and affairs in the United States unless the commissioner requires otherwise. The statement shall be verified by the insurer's United States manager or by its officers duly authorized.

~~((4))~~ (3) The commissioner shall suspend or revoke the certificate of authority of any insurer failing to file its annual statement when due or during any extension of time therefor which the commissioner, for good cause, may grant.

Passed the Senate March 22, 1983.

Passed the House April 15, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 86

[Engrossed House Bill No. 25]

VOCATIONAL REHABILITATION—PLANS—REHABILITATION FIRMS

AN ACT Relating to rehabilitation of injured workers; amending section 3, chapter 63, Laws of 1982 and RCW 51.41.030; amending section 5, chapter 63, Laws of 1982 and RCW 51.41.040; amending section 6, chapter 63, Laws of 1982 and RCW 51.41.060; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 3, chapter 63, Laws of 1982 and RCW 51.41.030 are each amended to read as follows:

There is created an office of rehabilitation review within the industrial insurance division of the department of labor and industries. The office shall:

- (1) Establish specific definitions, eligibility criteria, and timetables and procedures for the provision of vocational rehabilitation services;
- (2) Mediate disputes;
- (3) Review and approve or disapprove vocational rehabilitation plans; and
- (4) Establish procedures for registration of rehabilitation counselors or firms employed by the state, public, or private agencies and establish criteria and procedures for removal of registered rehabilitation counselors or

firms from the list for failure to comply with this chapter or the rules and regulations established by the department.

Sec. 2. Section 5, chapter 63, Laws of 1982 and RCW 51.41.040 are each amended to read as follows:

(1) The vocational rehabilitation plan may include modification of the worker's occupation at the time of injury, provisions for alternative work with the same employer, modification of the worker's previous employment with a new employer, direct job placement assistance, on-the-job training, or short-term retraining subject to limitation by RCW 51.32.095. The plan shall define the responsibilities of the worker, employer, and other parties in implementing the plan.

(2) The following order of priorities is preferred in determining suitable gainful employment and developing vocational rehabilitation plans:

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

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

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

(d) Return to the previous job with a new employer;

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

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

~~((ff))~~ (g) A new job with a new employer or self-employment involving on-the-job training;

~~((gt))~~ (h) Short-term retraining and job placement.

Prior to any modification of the order of these priorities, the plan shall first be submitted in writing to the office of rehabilitation review for authorization. In the cases involving return to the previous job with the same employer, modification of the previous job with the same employer, or a new job with the same employer, self-insurers shall submit a written, summary report to the office of vocational rehabilitation review but shall not be required to submit a complete, documented vocational rehabilitation plan.

Sec. 3. Section 6, chapter 63, Laws of 1982 and RCW 51.41.060 are each amended to read as follows:

(1) If a determination of ineligibility is unacceptable to a worker or employer, or if a vocational rehabilitation plan is unacceptable to a worker or employer, the worker or employer may petition the supervisor of industrial insurance to review the decision. The supervisor, or the supervisor's designee, shall render a final decision within thirty days of receipt of the petition for review.

(2) The worker or employer may appeal a final decision of the supervisor, or the supervisor's designee, to the board of industrial insurance appeals for an expedited appeal which shall be heard as provided in this section. Board review of such decisions shall be limited to matters of law. A final

decision rendered within thirty days of the closing of the hearing proceeding, and the procedures relating to recommended decisions and orders, and petitions for review of same, as contained in RCW 51.52.104 and 51.52.106, shall not be applicable to appeals filed under this section. Further appeals taken from the final decision of the board shall be governed by the provisions relating to judicial review of administrative decisions contained in RCW 34.04.130 and 34.04.140 as now existing or hereafter amended. The department shall have the same right of review of the board's decision as does any other aggrieved party.

(3) For purposes of this section, "expedited appeal" means an appeal filed with the board within fifteen working days after receipt of notice of the decision from the ~~((office of rehabilitation review))~~ supervisor or the supervisor's designee. An expedited appeal shall be heard within thirty calendar days following receipt of (a) the notice of appeal from an aggrieved party, or (b) a legible copy of the records of the office of rehabilitation review, whichever is later. The hearing held under this section shall be recorded and shall be confined to review of the records of the office of rehabilitation review. However, in cases of alleged irregularities in procedure not revealed by the records, testimony concerning such irregularities may be received by the board. The board shall in addition have authority, upon request by the worker or the employer, to hear oral argument and receive written information concerning the matter in dispute.

(4) The board of industrial insurance appeals shall have the authority to make, amend, and rescind in a manner prescribed by chapter 34.04 RCW such rules as may be necessary to carry out this section.

NEW SECTION, Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House April 13, 1983.

Passed the Senate April 11, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 87

[Engrossed House Bill No. 35]

FIRE PROTECTION CONTRACTS—CITIES AND TOWNS—STATE AGENCIES
AN ACT Relating to cities and towns; and adding a new section to chapter 35.21 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION, Sec. 1. There is added to chapter 35.21 RCW a new section to read as follows: