

government and its existing public institutions, and shall take effect immediately.

Passed the House February 29, 1984.

Passed the Senate February 26, 1984.

Approved by the Governor March 8, 1984.

Filed in Office of Secretary of State March 8, 1984.

CHAPTER 159

[Engrossed House Bill No. 1142]

OCCUPATIONAL DISEASES—DISABILITY BENEFITS

AN ACT Relating to occupational diseases; amending section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050; amending section 51.28.055, chapter 23, Laws of 1961 as amended by section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055; and amending section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020.

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

Sec. 1. Section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050 are each amended to read as follows:

No application shall be valid or claim thereunder enforceable unless filed within one year after the day upon which the injury occurred or the rights of dependents or beneficiaries accrued, except as provided in RCW 51.28.055.

Sec. 2. Section 51.28.055, chapter 23, Laws of 1961 as amended by section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055 are each amended to read as follows:

Claims for occupational disease or infection to be valid and compensable must be filed within ~~((one year))~~ two years following the date the worker had written notice from a physician: (1) Of the existence of his or her occupational disease, ((without reference to its date of origin)) and (2) that a claim for disability benefits may be filed. The notice shall also contain a statement that the worker has two years from the date of the notice to file a claim. The physician shall file the notice with the department. The department shall send a copy to the worker and to the self-insurer if the worker's employer is self-insured. However, a claim is valid if it is filed within two years from the date of death of the worker suffering from an occupational disease.

Sec. 3. Section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020 are each amended to read as follows:

Where a worker is entitled to compensation under this title he or she shall file with the department or his or her self-insuring employer, as the case may be, his or her application for such, together with the certificate of

the physician who attended him or her, and it shall be the duty of the physician to inform the injured worker of his or her rights under this title and to lend all necessary assistance in making this application for compensation and such proof of other matters as required by the rules of the department without charge to the worker. The department shall provide physicians with a manual which outlines the procedures to be followed in applications for compensation involving occupational diseases, and which describes claimants' rights and responsibilities related to occupational disease claims. If application for compensation is made to a self-insuring employer, he or she shall forthwith send a copy thereof to the department.

Passed the House February 29, 1984.

Passed the Senate February 24, 1984.

Approved by the Governor March 8, 1984.

Filed in Office of Secretary of State March 8, 1984.

CHAPTER 160

[Engrossed Substitute House Bill No. 1311]

PRESCHOOL CHILDREN—SPECIAL EDUCATION AND TRAINING PROGRAMS

AN ACT Relating to providing special education and training programs to preschool age children; amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010; amending section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772; amending section 72.40.040, chapter 28, Laws of 1959 as last amended by section 68, chapter 80, Laws of 1977 ex. sess. and RCW 72.40.040; creating a new section; and making an appropriation.

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

Sec. 1. Section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010 are each amended to read as follows:

There is established in the office of the superintendent of public instruction a division of special education for handicapped children, to be known as the division for handicapped children.

Handicapped children are those children in school or out of school who are temporarily or permanently retarded in normal educational processes by reason of physical or mental handicap, or by reason of emotional maladjustment, or by reason of other handicap, and those children who have specific learning and language disabilities resulting from perceptual-motor handicaps, including problems in visual and auditory perception and integration.

The superintendent of public instruction shall require each school district in the state to insure an appropriate educational opportunity for all handicapped children ((of common school age)) between the ages of five and twenty-one, but when the twenty-first birthday occurs during the school year, the educational program may be continued until the end of that school year. Special education and training programs provided by the state