

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

Section 1. Section 51.36.010, chapter 23, Laws of 1961 as last amended by section 50, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.010 are each amended to read as follows:

Upon the occurrence of any injury to a workman entitled to compensation under the provisions of this title, he shall receive proper and necessary medical and surgical services at the hands of a physician of his own choice, if conveniently located, and proper and necessary hospital care and services during the period of his disability from such injury, but the same shall be limited in point of duration as follows:

In the case of permanent partial disability, not to extend beyond the date when compensation shall be awarded him, except when the workman returned to work before permanent partial disability award is made, in such case not to extend beyond the time when monthly allowances to him shall cease; in case of temporary disability not to extend beyond the time when monthly allowances to him shall cease: PROVIDED, That after any injured workman has returned to his work his medical and surgical treatment may be continued if, and so long as, such continuation is deemed necessary by the supervisor of industrial insurance to be necessary to his more complete recovery; in case of a permanent total disability not to extend beyond the date on which a lump sum settlement is made with him or he is placed upon the permanent pension roll: PROVIDED, HOWEVER, That the supervisor of industrial insurance, solely in his discretion, may authorize continued medical and surgical treatment for conditions previously accepted by the department when such medical and surgical treatment is deemed necessary by the supervisor of industrial insurance to protect such workman's life or provide for the administration of medical and therapeutic measures including payment of prescription medications, but not including those controlled substances currently scheduled by the state board of pharmacy as Schedule I, II, III, or IV substances under chapter 69.50 RCW, which are necessary to alleviate continuing pain which results from the industrial injury. In order to authorize such continued treatment the written order of the supervisor of industrial insurance issued in advance of the continuation shall be necessary.

Passed the House May 8, 1975.

Passed the Senate June 7, 1975.

Approved by the Governor June 26, 1975.

Filed in Office of Secretary of State June 27, 1975.

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## CHAPTER 235

[House Bill No. 1043]

### INDUSTRIAL INSURANCE—TEMPORARY TOTAL DISABILITY—AVAILABLE WORK

AN ACT Relating to industrial insurance; and amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 22, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.090.

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

Section 1. Section 51.32.090, chapter 23, Laws of 1961 as last amended by section 22, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.090 are each amended to read as follows:

(1) When the total disability is only temporary, the schedule of payments contained in subdivisions (1) through (13) of RCW 51.32.060 as amended shall apply, so long as the total disability continues.

(2) Any compensation payable under this section for children not in the custody of the injured workman as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

(3) As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable unless the loss of earning power shall exceed five percent.

(4) Whenever an employer requests that a workman who is entitled to temporary total disability under this chapter be certified by a physician as able to perform available work other than his usual work, the employer shall furnish to the physician, with a copy to the workman, a statement describing the available work in terms that will enable the physician to relate the physical activities of the job to the workman's disability. The physician shall then determine whether the workman is physically able to perform the work described. If the workman is released by his physician for said work, and the work thereafter comes to an end before the workman's recovery is sufficient in the judgment of his physician to permit him to return to his usual job, or to perform other available work, the workman's temporary total disability payments shall be resumed. Should the available work described, once undertaken by the workman, impede his recovery to the extent that in the judgment of his physician he should not continue to work, the workman's temporary total disability payments shall be resumed when the workman ceases such work.

Once the workman returns to work under the terms of this subsection, he shall not be assigned by the employer to work other than the available work described without the workman's written consent, or without prior review and approval by the workman's physician.

In the event of any dispute as to the workman's ability to perform the available work offered by the employer, the department shall make the final determination.

(5) No workman shall receive compensation for or during the day on which injury was received or the three days following the same, unless his disability shall continue for a period of fourteen consecutive calendar days from date of injury.

(6) Should a workman suffer a temporary total disability and should his employer at the time of the injury continue to pay him the wages which he was earning at the time of such injury, such injured workman shall not receive any payment provided in subsection (1) of this section during the period his employer shall so pay such wages.

(7) In no event shall the monthly payments provided in this section exceed seventy-five percent of the average monthly wage in the state as computed under the provisions of RCW 51.08.018.

Passed the House June 3, 1975.

Passed the Senate May 31, 1975.

Approved by the Governor June 26, 1975.

Filed in Office of Secretary of State June 27, 1975.

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## CHAPTER 236

[Substitute House Bill No. 1143]

### COMMUNITY COLLEGE CAPITAL PROJECTS— GENERAL OBLIGATION BOND FINANCING

AN ACT Relating to community colleges; authorizing the issuance and sale of state general obligation bonds, including bond anticipation notes, to fund community college capital projects; providing ways and means for the payment of such bonds; adding new sections as a new chapter to Title 28B RCW; and declaring an emergency.

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

NEW SECTION. Section 1. The legislature has approved by its appropriation of funds from time to time, capital projects for the state community colleges, which appropriations have been funded primarily by the issuance of general tuition fee, limited obligation bonds by the state board for community college education (hereinafter in this act called the "college board"). In order that any future appropriations for such approved capital projects may be funded on terms most advantageous to the state, it is hereby determined to be in the public interest to provide for the issuance of state general obligation bonds, in lieu of general tuition fee, limited obligation bonds.

For purposes of this act, "community college capital projects" means the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto. It is the intent of the legislature that in any decision to contract for capital projects funded as the result of this act, full and fair consideration shall be given to minority contractors.

NEW SECTION. Sec. 2. For the purpose of financing the community college capital projects as determined by the legislature in its capital appropriations act, Chapter..., Laws of 1975 (ESHB 206), the state finance committee is hereby authorized to issue from time to time general obligation bonds of the state of Washington in the aggregate principal amount of fourteen million seven hundred seventy-six thousand dollars, or so much thereof as may be required for such purposes, to be paid and discharged within thirty years of the date or dates of issuance, in accordance with Article VIII, section 1 of the Constitution of the state of Washington.

NEW SECTION. Sec. 3. When the state finance committee has determined to issue such general obligation bonds, or a portion thereof, it may, pending the issuance thereof, issue in the name of the state temporary notes in anticipation of