

## **How to Protest a Department of Labor and Industries Decision**

### **What is a protest?**

A protest is a letter to the department stating you disagree with a decision on your claim. Your protest must be received within 60 days from the receipt of the decision. Always keep a copy of your protest letter for your personal file. Send protest letters to the department certified mail.

Your protest letter should include your name and claim number, the date of the department's decision, and the reason you disagree with the decision. Any doctors' reports or other information that shows the decision is incorrect should be included. Make sure to write your claim number on every page sent to the department.

### **Where should I send my protest or Appeal?**

- State Fund Claims: PO Box 44291, Olympia, WA 98504-4291
- Self Insured Claims: PO Box 44892, Olympia, WA 98504-4892 or send a FAX to (360) 902-6900
- Board of Industrial Insurance Appeals: PO Box 42401, Olympia, WA 98504-2401

### **What happens when the department receives my protest?**

The claims manager will review your claim file and will do one of the following:

1. Change the original decision. You will receive a new letter or order. Remember, the employer has the same protest rights that workers do.
2. Decide the original decision is correct. You will receive an order stating the decision was correct. You may appeal this new order to the Board of Industrial Insurance Appeals (BIIA) if you still disagree. You will have 60 days to appeal the order to the BIIA.
3. Decide more information is needed. You will receive an order placing the decision on hold (abeyance), a letter asking for more information, or both. The claim manager may request more information from you, your doctor, or your employer.

A decision on your protest could take 30 to 60 days or longer based on whether more information is needed. If you have not received a response within 30 days after sending your protest, please contact your claim manager.

### **What if I do not protest or appeal the decision within 60 days?**

If you do not protest or appeal a decision within 60 days, the decision will become final and binding.

**Need Advice – Call Project Help at 1-800-255-9752**