



**PREPROPOSAL STATEMENT OF INQUIRY**

**(RCW 34.05.310)**

**CR-101 (7/22/01)**

Do **NOT** use for expedited rule making

**Agency: Labor and Industries**

**Subject of possible rule making:**

**WAC 296-30-190, Can family members of a homicide victim receive counseling benefits?**

The subject of this rule is the benefit in RCW 7.68.070(17). This statute gives the department the authority to provide appropriate counseling to the immediate family members of a homicide victim.

**(a) Statutes authorizing the agency to adopt rules on this subject:**

RCW 7.68.030

**(b) Reasons why rules on this subject may be needed and what they might accomplish:**

RCW 7.68.070(17) gives the immediate family members of a homicide victim a benefit of appropriate counseling to assist in dealing with the immediate, near-term consequences of the related effects of the homicide. The definition of immediate, near-term consequences needs to be defined in rule.

The crime victims compensation program is currently administering the benefit identified in RCW 7.68.070(17) by defining the language in an internal policy. Recently a superior court decision upheld the program's internal policy, which defines immediate, near-term consequences as "for which treatment is started within one year".

**(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

N/A

**(d) Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Public Hearing –The public will be given the opportunity to provide written comments and give oral testimony during the public hearing process.

**(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

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- **A public hearing, in Tumwater, will be scheduled.**
- **The Crime Victims Advisory Committee was notified at the quarterly meeting held on February 5, 2003.**
- **The Washington Coalition of Crime Victims Advocates was notified on March 11, 2003.**

CODE REVISER USE ONLY

**WSR # 03-11-057**

**NAME (TYPE OR PRINT)**

**Paul Trause**

**SIGNATURE**

**TITLE**

Director

**DATE**

May 19, 2003