



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

Agency: Department of Labor & Industries

Subject of possible rule making: Vocational Rehabilitation Referrals
WACs 296-19A-050, 296-19A -065, 296-19A -090, 296-19A-110, and 296-19A-120

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, 51.36.110.

(b) Reasons why rules on this subject may be needed and what they might accomplish: The purpose of this rulemaking is to investigate the potential for conflict of interest problems to occur when vocational rehabilitation counselors make recommendations for additional rehabilitation services. For instance, potential conflict of interest problems may occur when a vocational rehabilitation counselor performs an ability to work assessment that determines whether a worker is eligible for further vocational services.
It is also intended to incorporate a change to the reporting requirements in plan implementation referrals when the plan is terminated before the worker is employable.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
No other federal for state of federal agencies regulate this subject.

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The department will use focus groups with subject matter experts to investigate the potential problem and possible solutions. L&I's Health Services Analysis (HSA) section will solicit suggestions from subject matter experts through its private sector vocational technical stakeholder group and its own vocational services consultants.

(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.)

The department will convene informal focus groups of subject matter experts. Interested persons may contact:

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DATE
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