



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Labor and Industries

- Permanent Rule
 Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) October 1, 2004 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below.)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Classification of Home Healthcare The legislature passed Chapter 278, Laws of 2004 (EHB 1777) which implemented a collective bargaining agreement between the Home Care Quality Authority and individual home care providers. EHB 1777 provides industrial insurance for thousands of home care providers not previously covered by the industrial insurance system. To assist in the implementation of this legislation, Labor and Industries added a new sub classification called Home care services / home care quality authority to risk classification 6511, Chore services/ home care assistants.

Also, to increase clarity the following risk classification definitions have been amended:

- 0607-19, Advertising or merchandise display- non pertinent references to other risk classifications have been removed; and
- 4900-00, Construction superintendent or project manager- a statement was added to the special note clarifying that this is a special exception classification not subject to normal rules in the construction industry.

Lastly, references to "Policy" Manager were changed to the new working title "Account" Manager in the rule.

Citation of existing rules affected by this order:

Repealed: None

Amended: WAC 296-17-31002, WAC 296-17-31025, WAC 296-17-31009, WAC 296-17-527, WAC 296-17-31013, WAC 296-17-64999, WAC 296-17-31014, WAC 296-17-72202, WAC 296-17-31024,

Suspended: None

Statutory authority for adoption: RCW 51.04.020 (General Authority)

Other authority : RCW 51.16.035 (Classification Plan/ Base Rate)

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-13-128 on June 22, 2004.

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: August 24, 2004

NAME (TYPE OR PRINT)

Paul Trause

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>1</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

	New	<u>0</u>	Amended	<u>9</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>0</u>	Amended	<u>9</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	1	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>