



RULE-MAKING ORDER

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

Agency: Department of Labor & Industries

- Permanent Rule
 Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) _____ (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: Due to an increase in medical costs paid by the Crime Victims Compensation Program, it has been determined that the current appropriation will not be sufficient to carry the program through this biennium. RCW 7.68.080 (2)(b) gives the department the authority to set the service levels and fees no lower than those established by the department of social and health services under Title 74 RCW. The purpose of this rule is to lower provider reimbursement rates for services to crime victims to those of the department of social and health services. Lowering the reimbursement rates for services has the least onerous impact on crime victims.

Citation of existing rules affected by this order:

Repealed: n/a
 Amended: WAC 296-30-090
 Suspended: n/a

Statutory authority for adoption: RCW 7.68.030

Other authority : n/a

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR _____ on _____ (date).
 Describe any changes other than editing from proposed to adopted version:

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: In light of this critical financial situation, the CVC program filed an emergency rule to immediately reduce its reimbursement rates to the Department of Social and Health Services (DSHS) reimbursement rates (the lowest rates allowed by law), effective September 1st, 2004. Because emergency rules are only effective for 120 days, L&I filed a second emergency rule, effective December 30th, 2004. A third emergency rule is necessary to remain at the current reimbursement rates and gives the legislature time to addresses the 2005-07 budget.

Date adopted: April 29, 2005

CODE REVISER USE ONLY

WSR# 05-10-045

NAME (TYPE OR PRINT)

Judy Schurke

SIGNATURE

TITLE

Acting Director

(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>0</u>	Amended	<u>1</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>1</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>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

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	Repealed	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