



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Labor and Industries

**Subject of possible rule making:** Chapter 296-15 WAC Workers' Compensation Self Insurance Rules and Regulations

This chapter governs employers who are permitted to self-insure their workers' compensation obligation pursuant to Title 51 RCW. This filing includes modifications to existing sections and creation of new sections regarding how the department will calculate each self-insurers' assessment for the industrial insurance second injury fund, specifically to implement an experience rating of each self-insurers' use of the fund.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 51.44.040

**Reasons why rules on this subject may be needed and what they might accomplish:** Pursuant to Chapter 475 Session of Laws 2005 (SSB 5992) the department will implement rules to establish an experience rating for self-insurers' use of the industrial insurance second injury fund.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
No other state, local or federal agency regulates this subject.

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Labor and Industries will work with representatives of the labor and self-insured employer communities on all changes to the self insurance regulations. A public hearing will be held in Tumwater after the proposal is filed.

**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, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested parties may participate by contacting:

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**DATE**  
January 23, 2007

**NAME (TYPE OR PRINT)**  
Judy Schurke

**SIGNATURE**

**TITLE**  
Acting Director

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STATE OF WASHINGTON  
FILED

**DATE:** January 23, 2007  
**TIME:** 3:24 PM

**WSR 07-03-155**