



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) _____ (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: Chapter 296-17 WAC General Reporting rules, Classifications, Audit and Recordkeeping, Rates and Rating system for Washington Workers Compensation Insurance (2007 Workers Compensation Premium Rates). This emergency rulemaking order will add WAC 296-17-891, 296-17-86505, and 296-17-86507.

Citation of existing rules affected by this order:

Repealed:
 Amended:
 Suspended:
 New: WAC 296-17-891, 296-17-86505, and 296-17-86507

Statutory authority for adoption: RCW 51.16.035 (Base Rates), RCW 51.32.073 (Supplemental Pension), RCW 51.08.010 (Retrospective Rating) and RCW 51.04.020(1) (General Authority)

Other authority :

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: During the implementation of the 2007 rates and any necessary table adjustments, we did not identify the claim-free employers with a potential negative impact. This caused 2007 rates to go up for some employers who have not had a compensable claim during the three-year experience rating period. A new claim-free table is being added, WAC 296-17-891; and WAC 296-17-86505 and 296-17-86507 are being added to provide language explaining the role the new claim-free discount table plays in the calculation of the experience modification factor for comparison of years 2006 and 2007. Without this emergency rulemaking we would continue to collect premiums above and beyond what we committed to in the recent rates notice. Therefore, these rules are necessary to ensure we are collecting appropriate premiums and the general welfare of those that are covered by the industrial insurance laws.

Date adopted: January 22, 2007

NAME (TYPE OR PRINT)
 Judy Schurke

SIGNATURE

TITLE
 Acting Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: January 22, 2007
TIME: 4:31 PM

WSR 07-03-125

**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	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>3</u>	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>3</u>	Amended	_____	Repealed	_____