



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) January 1, 2008 (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: This rulemaking will amend the tables of classification base premium rates, experience rating plan rates, calculations, and factors, and retrospective rating plan size groupings for the workers compensation insurance program for calendar year 2008. New classification base rates were calculated based on updated loss and payroll experience resulting in a proposed overall average 3.2 percent increase in premium rates. The experience rating calculations that were deferred last year for employers who had lower rates under the pre-2007 rating plan have now been fully implemented.

Citation of existing rules affected by this order: See Attachment A

Repealed:
 Amended:
 Suspended:

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 WSR 07-19-133 on September 19, 2007
 Describe any changes other than editing from proposed to adopted version:

The rate for the newly established classification 4801 for geoduck divers was established at \$3.33 per hour. The accident fund portion of the rate is \$1.4067, the medical aid portion of the rate is \$1.8451 and the supplemental pension portion is \$0.0782 for a base rate of \$3.33.
 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: November 30, 2007

NAME (TYPE OR PRINT)
 Judy Schurke

SIGNATURE

TITLE
 Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: December 01, 2007
TIME: 10:30 AM

WSR 07-24-046

**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
-----	---------	----------

The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	<u>11</u>	Repealed	<u>2</u>
-----	----------	---------	-----------	----------	----------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	Repealed
-----	---------	----------

The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed			
Pilot rule making:	New	Amended	Repealed			
Other alternative rule making:	New	<u>1</u>	Amended	<u>11</u>	Repealed	<u>2</u>

Attachment A Summary

CR 103 Rule Making Order (RCW 34.05.320)

Chapter 296-17 WAC General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance

Amended Sections:

Proposal establishes premium rates for workers' compensation insurance classifications for calendar year 2008 and modifications to the related experience rating and retrospective rating plans:

WAC 296-17-855	Experience Modification
WAC 296-17-87305	Initial Recalculation of Experience Factor
WAC 296-17-875	Table I Primary Losses for Selected Claim Values
WAC 296-17-880	Table II Primary and Excess Credibility Values
WAC 296-17-885	Table III Expected Loss Rates and Primary Ratios
WAC 296-17-890	Table IV Maximum Experience Modifications
WAC 296-17-895	Base Rate Table by Class of Industry
WAC 296-17-89502	Industrial Insurance Rates for Nonhourly Rated Classifications
WAC 296-17-89504	Horse Racing Industry Industrial Insurance, Medical Aid and Supplemental Pension by class
WAC 296-17-90492	Table I Retrospective Rating Plans A, A1, A2, A3 and B, Standard Premium Size Ranges
WAC 296-17-920	Assessment for Supplemental Pension Fund

Repealed Section:

WAC 296-17-891	Table IV-A
WAC 296-17-86505	2007 Alternative Claim Free Experience Modification Calculation

New Section:

WAC 296-17-89505	2007 Rate Holiday Dividend
------------------	----------------------------