



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: Labor and Industries

Subject of possible rule making:

WAC sections as follows: Industrial Insurance, chapter 296-23 WAC. Sections pertaining to Independent Medical Examinations.

Purpose: The department is implementing several changes to improve the IME process. This includes clarification and changes affecting IME examiner credentialing, approval, removal, and regulation of IME provider.

Statutes authorizing the agency to adopt rules on this subject: RCW 51.04.020, 51.04.030, 51.32.055, 51.32.112, 51.32.114, 51.36.060 and 51.36.070

Reasons why rules on this subject may be needed and what they might accomplish: External stakeholders have expressed concerns, including proposed legislation, about the independent medical examination process and criteria for examiners. Labor and Industries worked with business and labor stakeholder groups to validate issues and develop an action plan. This rulemaking is in direct response to those discussions.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

None

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Labor and Industries will begin the rule development process and will share the draft proposal with stakeholders and other interested parties, including the Workers' Compensation Advisory Committee. Public hearings will be held 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:

A notification will be mailed to all IME providers alerting them to the rulemaking and encouraging them to sign up for the IME Listserv. Updates will be published at the ListServ site. Providers who wish to be added to the ListServ can do so through this link:

<http://www.lni.wa.gov/Main/Listservs/IME.asp>

Meetings will be held with business and labor representatives and small groups representing IME firms and providers. Feedback from providers is encouraged through the ListServ or by contacting:

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DATE
May 6, 2008

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DATE: May 06, 2008
TIME: 9:56 AM

WSR 08-10-073