



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

Statutes authorizing the agency to adopt rules on this subject: RCW 51.16.035, RCW 51.04.020, and RCW 51.18.010

Reasons why rules on this subject may be needed and what they might accomplish:

The department is considering rules relating to how occupational disease claim costs are used in the calculation of retrospective rating refunds. The rules will include how the department calculates the performance adjustment factor (PAF), which is used to compare the relative performance between retro and non-retro employers.

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)

Letters will be sent to all current Retrospective Rating participants. In addition, Labor and Industries will work with the Workers' Compensation Advisory Committee, Retrospective Rating Advisory Committee, and Retrospective Rating Proviso Study Group as changes are developed. The public can participate in these discussions by attending meetings of any of these groups. Meeting schedules are found at www.lni.wa.gov/ClaimsIns/Insurance/Learn/Wcac/WcacMtgMin/Default.asp, for the WCAC, or www.lni.wa.gov/ClaimsIns/Insurance/Reduce/Qualify/AdvComm/default.asp for the Retrospective Rating Advisory Committee.

Information will also be shared through the Retrospective Rating program list serve. Interested parties may register at <http://www.lni.wa.gov/Main/Listservs/ClaimsIns/Retro.asp>.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

The department will be holding public hearing(s) on this rulemaking and inquiries can be directed to:

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DATE
June 3, 2009

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

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