

NEW SECTION

WAC 296-17-871 Director's discretion for incurred losses on claims with vocational plans. The incurred losses charged to an employer's experience rating can be reduced, at the director's discretion, for the vocational costs paid under RCW 51.32.099 (3)(d) for retraining and time-loss benefits paid for the retraining period. The director can reduce the incurred losses when:

- The worker had a vocational plan approved after December 31, 2007, on a previous Washington state industrial insurance claim; and
- The injury or occupational disease for the present claim resulted from employment and work-related activities beyond the worker's documented restrictions from the earlier claim.
- The director's decision was made on or before June 30, 2013.

When a claim's incurred losses are reduced by this section, the reduced losses will be used for experience rating and retrospective rating calculations.