



PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Agency: Department of Labor & Industries

- Preproposal Statement of Inquiry was filed as WSR 10-01-169 ; or
Expedited Rule Making--Proposed notice was filed as WSR
; or
Proposal is exempt under RCW 34.05.310(4).

- Original Notice
Supplemental Notice to WSR 10-05-097
Continuance of WSR

Title of rule and other identifying information: WAC 296-20-1103 Travel Expense

Hearing location(s): Department of Labor & Industries
Room S118
7273 Linderson Way SW
Tumwater, WA 98501

Date: June 30, 2010 Time: 1:30 PM

Submit written comments to:

Name: Bob Mayer
Address: Health Services Analysis PO Box 44322
Olympia, WA 98504-4322
e-mail mayr235@Lni.wa.gov
fax (360) 902-5021 by (date) June 30, 2010

Assistance for persons with disabilities: Contact
Office of Information and Assistance by June 23, 2010
TTY (360) 902-5797 or (360) 902-5021

Date of intended adoption: July 20, 2010
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this rule change is to update department policy on travel expenses for injured workers traveling out of their immediate residential area to the nearest point of adequate treatment or vocational training. The anticipated effects would be to ensure a payment methodology that is reasonable, fair, and cost efficient. Also, language updates terminology in the existing rule and removes an obsolete reference to the department rehabilitation center.

Comparison to proposed rule filed with original CR102: This revised rule continues to affect travel for treatment or vocational retraining, but does not impact travel for vocational services (such as vocational assessment and counseling).

Reasons supporting proposal: The proposed rule provides reasonable and fair reimbursement for injured workers' travel expenses. Reimbursement changes are also needed to achieve budget goals for the State Fund Workers' Compensation Program.

Statutory authority for adoption:
RCW 51.04.020, RCW 51.04.030

Statute being implemented:

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No
If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 18, 2010

TIME: 10:43 AM

WSR 10-11-106

DATE
May 18, 2010

NAME (type or print)
Judy Schurke

SIGNATURE

Judy Schurke

TITLE
Director

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

The rule changes supports department goals of ensuring payment methodologies that are reasonable, fair, and cost efficient.

**Name of proponent:** (person or organization) Department of Labor & Industries

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting.....Bob Mayer	7273 Linderson Way, SW, Tumwater, WA	(360) 902-5021
Implementation....Janet Peterson	Health Services Analysis Program Manager	(360) 902-6699
Enforcement.....Bob Malooly	Assistant Director of Insurance Services	(360) 902-4209

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_  
fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

There is no disproportionate cost to small business.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_  
fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

No: Please explain: There is no more than minimal cost to business. Controlling the department's payments for injured worker travel expenses may marginally reduce workers' compensation premiums charged to employers.