



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

**Agency:** Department of Labor & Industries

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) September 1, 2010 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** This rule change will update department policy regarding injured workers traveling out of his/her immediate residential area to the nearest point of adequate treatment or other services, including vocational retraining. The effects will be to ensure a payment methodology that is reasonable, fair and cost efficient. Also the language allowing reimbursement for worker travel to treatment at department rehabilitation center will be deleted. This will have no effect because the department rehabilitation center no longer exists. Finally, the term *attending doctor* will be updated to *attending provider* to be consistent with the definition of an attending provider as stated in WAC 296-20-01002.

**Citation of existing rules affected by this order:**

Repealed:

Amended: WAC 296-20-1103

Suspended:

**Statutory authority for adoption:** RCW 51.04.020, RCW 51.04.030

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 10-11-106 on May 18, 2010

Describe any changes other than editing from proposed to adopted version: In response to a testimony received during the March 24, 2010 public hearing, the department removed proposed language from the revision of WAC 296-20-1103 regarding vocational services travel. Language regarding vocational retraining was also added to the adopted version.

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 \_\_\_\_\_

**Date adopted:**

July 20, 2010

**NAME (TYPE OR PRINT)**

Judy Schurke

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 20, 2010**

**TIME: 4:08 PM**

**WSR 10-15-105**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	<u>1</u>	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>1</u>	Repealed	_____