



# 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 11-05-072; 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
- Continuance of WSR

**Title of rule and other identifying information:**

Amending:

WAC 296-17-31021, Units of exposure  
 WAC 296-17-895, Industrial insurance accident fund base rates and medical aid base rates by class of industry  
 WAC 296-17A-6707, Classification 6707 (Athletic teams – contact sports)  
 WAC 296-17A-6809, Classification 6809 (Athletic teams – non-contact sports)  
 WAC 296-17A-7102, Classification 7102 (Football teams – NFL)

**Hearing location(s):**

Tumwater L&I Building  
 7273 Linderson Way SW  
 Tumwater, WA 98501

Date: May 10, 2011 Time: 1:00 PM

**Date of intended adoption:** May 31, 2011  
 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: Les Hargrave  
 Address: PO Box 44140  
 Olympia, WA 98501  
 e-mail [HALE235@lni.wa.gov](mailto:HALE235@lni.wa.gov)  
 fax (360) 902-4988 by 5 pm on May 10, 2011

**Assistance for persons with disabilities:** Contact

Office of Information & Assistance by May 5, 2011  
 TTY (360) 902-5797

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

A review of reporting practices by employers in the sports industry showed that hours for coaches account for too much of the premium compared to players. In addition, we found that most teams assume hours by game and practices and that this is not always consistent between teams. This rulemaking will amend our regulations to better accommodate current industry practices and ensure more uniformity in reporting. Premium costs will be better distributed among coaches' and players' hours.

**Reasons supporting proposal:**

In response to an industry inquiry, we have reviewed our rates and reporting requirements and decided that there is a better way to assess and collect premiums in this industry.

**Statutory authority for adoption:** RCWs 51.04.020 and 51.16.035

**Statute being implemented:** RCW 51.16.035

**Is rule necessary because of a:**

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

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 STATE OF WASHINGTON  
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**DATE: April 05, 2011**  
**TIME: 8:26 AM**  
**WSR 11-08-043**

**DATE**  
 April 5, 2011

**NAME** (type or print)  
 Judy Schurke

**SIGNATURE**

**TITLE**  
 Director

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

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

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Richard Bredeson	Tumwater, Washington	(360) 902-4985
Implementation.... Les Hargrave	Tumwater, Washington	(360) 902-4298
Enforcement..... Beth A. Dupre	Tumwater, Washington	(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.

The agency is exempt from conducting a SBEIS since the proposed rules set or adjust fees or rates to legislative standards described in RCW 34.05.310(4)(f) and do not change current coverage options for employers and workers.

**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:

Since the proposed rules do not change any existing coverage options for employers or workers and adjust fees pursuant to legislative standards, they are exempted by RCW 34.05.328(5)(b)(vi) from the requirement for a cost-benefit analysis.