



RULE-MAKING ORDER

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

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (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 will amend the tables of classification base premium rates, experience rating plan parameters, experience modification factor calculation limitations and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2012. Classification base rates are being amended to base the rates on updated loss and payroll experience, and to result in no overall increase in premium rates for 2012. This rule will add language to reflect the new Stay-at-Work Program, created by Engrossed House Bill 2123 adopted by the 2011 Legislature and signed by the Governor. This rule will repeal rules related to the expired Farm Internship Program.

Citation of existing rules affected by this order:

Repealed: See Attachment A
Amended: See Attachment A
Suspended: See Attachment A

Statutory authority for adoption: RCW 51.16.035 (Base Rates), RCW 51.32.073 (Supplemental Pension), RCW 51.08.010 (Retrospective Rating), and RCW 51.04.020(1) (General Authority)

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-19-096 on September 20, 2011.
Describe any changes other than editing from proposed to adopted version:

The rules being adopted have the following changes from what was proposed:

- The rates in all classifications were reduced to change from the proposed 2.5 percent overall increase to no overall increase;
- Changes were made in the rates for the horseracing industry (WAC 296-17A-6622, WAC 296-17A-6623);
- The base rates for risk classification 1401 (WAC 296-17A-1401) were reduced; and
- The wording of WAC 296-17-31024 was changed non-substantively to improve readability.

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: December 1, 2011

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 01, 2011
TIME: 10:01 AM

WSR 11-24-026

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>13</u>	Repealed	<u>1</u>
-----	-------	---------	-----------	----------	----------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>13</u>	Repealed	<u>1</u>

Attachment A: 2012 Workers' Compensation Premium Rates

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

Chapter 296-17B WAC, Retrospective Rating for Workers' Compensation Insurance

Amend:

WAC 296-17-31024	Classification premium rates
WAC 296-17-855	Experience modification
WAC 296-17-870	Evaluation of actual losses
WAC 296-17-875	Table I
WAC 296-17-880	Table II
WAC 296-17-885	Table III
WAC 296-17-890	Table IV
WAC 296-17-895	Industrial insurance accident fund base rates and medical aid base rates by class of industry
WAC 296-17-89502	Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications
WAC 296-17-89504	Horse racing industry industrial insurance, medical aid, and supplemental pension by class
WAC 296-17-920	Assessment for supplemental pension fund
WAC 296-17B-540	Determining loss incurred for each claim
WAC 296-17B-900	Retrospective rating plans standard premium size ranges

Repeal

WAC 296-17-89503	Farm internship program industrial insurance, accident fund and medical aid fund by class
------------------	---