



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) May 21, 2012 (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:

The Washington Legislature established a new Stay at Work Program for the Department to administer effective June 15, 2011. The law authorizes reimbursements to employers who provide transitional or light duty work to injured workers unable to return to their regular job because of work restrictions related to their injury. The new law allows L&I to reimburse employers for some costs without negatively impacting their experience rating.

These new rules allow the Department to administer the program efficiently and equitably. It ensures the requirements for participating in the program are clear and understandable, and reimbursements are appropriate.

Citation of existing rules affected by this order:

Repealed: NA
Amended: NA
Suspended: NA

Statutory authority for adoption: RCW 51.04.020 and RCW 51.32.090

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-24-061 on December 06, 2011, with supplemental notice filed as WSR 12-04-072 on January 31, 2012.

Describe any changes other than editing from proposed to adopted version:

The term "job" was replaced by "work" and the "employer of injury" for occupational disease claims was further defined to include having "previously employed the worker". This was done for clarity and did not change the meaning or intent of the proposed rule.

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: April 17, 2012

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 17, 2012

TIME: 8:40 AM

WSR 12-09-056

**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	<u>NA</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
Federal rules or standards:	New	<u>NA</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
Recently enacted state statutes:	New	<u>5</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>

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

	New	<u>NA</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
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The number of sections adopted in the agency's own initiative:

	New	<u>NA</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>5</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>NA</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
Pilot rule making:	New	<u>NA</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>
Other alternative rule making:	New	<u>5</u>	Amended	<u>NA</u>	Repealed	<u>NA</u>