



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Labor & Industries

Subject of possible rule making: Chapter 296-17B, WAC Retrospective Rating for Workers' Compensation Insurance

Statutes authorizing the agency to adopt rules on this subject:
RCW 51.16.035, RCW 51.04.020, and RCW 51.18.010

Reasons why rules on this subject may be needed and what they might accomplish:
Changes to the retrospective rating rules are necessary based on the adoption of 2011 legislation, Engrossed Substitute House Bill 1725 and Engrossed House Bill 2123. Specifically, rules will:

- Clarify that neither premiums paid nor reimbursements to employers for the Washington Stay at Work Program will be included in calculations for retro adjustments.
- Add new claim types specific to structured settlements.
- Make changes and identify any information needed when retro employers pay for direct care services for their workers who have industrial injury or occupational disease claims.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
No other federal or state agency will regulate this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The retro community and the public will have the opportunity to provide input for these rule changes. A public hearing will be held for the proposed rules as filed. Interested parties will be invited to provide comments prior to and at the hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
Comments may be provided to:

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DATE March 20, 2012
NAME (TYPE OR PRINT) Judy Schurke
SIGNATURE
TITLE Director

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