



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor & Industries

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>13-07-060</u> ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Chapter 296-15 WAC, Workers' Compensation Self-Insurance Rules and Regulations, governs employers who are permitted to self-insure their workers' compensation obligations pursuant to Title 51 RCW.

This filing modifies WAC 296-15-360, Qualifications of Personnel, which governs how an individual becomes a certified claims administrator, as well as how they maintain that status. The rule currently requires that a certified claims administrator who chooses to recertify via continuing education earn 75 continuing education credits, with a minimum number of credits in three different categories. Those categories are named, but not currently defined in rule. The modified rule will rename one category from "elective" to "general claims education", provide a definition for each category, and clarify how course credits are assigned.

In addition, this filing modifies WAC 296-15-350, Handling of claims, to change the term "department-approved claims administrator" to "certified claims administrator", consistent with the terminology used in WAC 296-15-360.

Hearing location(s): Department of Labor & Industries Room S118 7273 Linderson Way SW Tumwater, Washington 98501-5414	Submit written comments to: Name: Ginny Klapstein Address: P.O. Box 44890 Olympia, WA 98504-4890 e-mail Ginny.Klapstein@lni.wa.gov fax (360)902-6977 by (date) <u>5:00 PM on December 3, 2013</u>
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Date: December 3, 2013 Time: 11:00 AM

Date of intended adoption: January 2, 2014
(Note: This is **NOT** the **effective** date)

Assistance for persons with disabilities: Contact
Ginny Klapstein by November 19, 2013
TTY (800) 833-6388 or (360) 902-6748

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The rule currently requires that a certified claims administrator who chooses to recertify via continuing education earn 75 continuing education credits, with a minimum number of credits in three different categories. This rulemaking defines those categories, renames one category, and clarifies how course credits are assigned. The requirement to earn a total of 75 credits remains unchanged.

Reasons supporting proposal:
This rulemaking was requested and is supported by the Washington Self-Insurers Association whose members' claims administrators must comply with these rules.

Statutory authority for adoption: RCW 51.04.020, 51.14.030

Statute being implemented: 51.14.030

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE
October 23, 2013

NAME (type or print)
Joel Sacks

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 23, 2013
TIME: 9:52 AM

WSR 13-21-147

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

Name of proponent: (person or organization) Washington Self-Insurers Association

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Natalee Fillinger	243 Israel Rd SE, Tumwater, WA 98501	(360) 902-6907
Implementation..... Natalee Fillinger	243 Israel Rd SE, Tumwater, WA 98501	(360) 902-6907
Enforcement..... Natalee Fillinger	243 Israel Rd SE, Tumwater, WA 98501	(360) 902-6907

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal 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.

A small business economic impact statement was determined to be unnecessary based on RCW 19.85.025(3), as this change will simply clarify the language of the rule without changing its effect.

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: A cost-benefit analysis was determined to be unnecessary based on RCW 34.05.328(5)(b)(iv). As stated above, this change clarifies the language of the rule without changing its effect.