



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: Department of Labor and Industries

Subject of possible rule making:

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

Statutes authorizing the agency to adopt rules on this subject:
RCW 51.18.005, RCW 51.04.020 and RCW 51.16.035

Reasons why rules on this subject may be needed and what they might accomplish:

Two Petitions for Rulemaking were received from members of the Retrospective Rating (retro) Advisory Committee. One petition addresses extending certain requirements currently in rule for group retro participants to businesses that enroll in individual retro plans. The second addresses retro enrollment requirements for businesses under common majority ownership.

This rulemaking is intended to open the dialog with the broader retro community and other stakeholders on these and other potential areas of the retro rules in order to ensure appropriate public input.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other state, local or federal agency regulates this issue.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Labor and Industries will solicit public input by way of direct mailings, the retro web page, listserv, formal and informal meetings, including the Retro Advisory committee meetings.

We will reach out individually to and solicit input from retro group sponsors, members of association sponsored groups and to those employers who choose to enroll in individual retro plans and their representatives.

Labor and Industries will use this input to formulate proposed changes to the existing rules. We will advise customers of future rule making by direct mailing, meetings and/or the internet.

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

Labor & Industries will initiate communication through individual contact with enrolled parties; both groups and individually enrolled firms. We will also provide updates and status through the Retrospective Rating advisory committee and will post notices on the Retro web page and listserv. Interested parties may request information on our rules process at <http://www.lni.wa.gov/LawRule/ruleProcess.asp> and may submit comments electronically to Tim.Smolen@Lni.wa.gov, by fax to (360) 902-4258 or by calling (360) 902-4851.

DATE
November 5, 2013

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

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STATE OF WASHINGTON
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