



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:

Penalties owed by the Self-Insured Employer resulting from delay or failure to authorize and pay benefits.

Statutes authorizing the agency to adopt rules on this subject: 51.04.020, 51.48.017

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

The Department is considering adopting rules regarding penalties, to define what information is required to constitute a request for penalty and what response is required from the Self-Insured Employer.

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

N/A

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

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

A new rule will be adopted in response to recent Board of Industrial Insurance Appeals (BIIA) and Superior Court decisions. WAC 296-15-

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

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DATE
11/19/2013

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

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STATE OF WASHINGTON
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DATE: November 19, 2013
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