



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: L&I

Subject of possible rule making: WAC 296-21-290 Physical medicine and 296-23-220 Physical therapy rules

Statutes authorizing the agency to adopt rules on this subject: HB 2430 (passed and signed into law as a result of the 2014 legislative session) adds injured workers to the scope of practice of athletic trainers by amending RCW 18.250.010 and 18.250.020

Specifically, a new paragraph is added under Section 1 (v): “ Treatment, rehabilitation, and reconditioning of work-related injuries through the application of physical agents and modalities, therapeutic activities and exercise, standard reassessment techniques and procedures, commercial products, and educational programs, under the direct supervision of and in accordance with a plan of care for an individual worker established by a provider authorized to provide physical medicine and rehabilitation services for injured workers;”

Reasons why rules on this subject may be needed and what they might accomplish: Previously, Athletic Trainers’ scope of practice was limited to care provided to athletes. In 2014, the Legislature passed a new law (HB 2430) expanding Athletic Trainers (AT) scope of practice to include treatment of injured workers. In April 2014, the AT organization requested that L&I update its reimbursement rules, consistent with their expanded scope of practice, to allow reimbursement for AT services to injured workers.

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

Washington workers’ compensation is governed by Title 51 RCW, Washington’s Industrial Insurance Act. No other state or federal agencies are responsible for interpreting and enforcing the provisions of this Act.

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

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

This rulemaking will be developed by L&I staff. The Washington State Athletic Trainer Association will be consulted during the process.

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

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact:
Tom Davis
Phone: (360) 902-6687 Fax: (360) 902-4249
E-mail: Thomas.Davis@Lni.wa.gov
Department of Labor and Industries
Health Services Analysis
PO Box 44322
Olympia, WA 98504-4322

DATE
7/22/2014

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

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