



PROPOSED RULE MAKING

CR-102 (June 2012)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Agency: Department of Labor and Industries

Preproposal Statement of Inquiry was filed as WSR 15-13-100 ; or
Expedited Rule Making--Proposed notice was filed as WSR
; or
Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Original Notice
Supplemental Notice to WSR
Continuance of WSR

Title of rule and other identifying information: Chapter 296-17 WAC, General Reporting Rules, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance, and Chapter 296-17B WAC, Retrospective Rating for Workers' Compensation Insurance.

Hearing location(s): See Attachment A

Submit written comments to:

Name: Jo Anne Attwood
Address: PO Box 41448
Olympia, WA 98504-4148
e-mail joanne.attwood@lni.wa.gov
fax (360)902-4988 by 5 p.m. on November 3, 2015.

Date: Time:

Date of intended adoption: December 1, 2015
(Note: This is NOT the effective date)

Assistance for persons with disabilities: Contact
Office of Information and Assistance by October 15, 2015.
TTY (360) 902-5797

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

This rule proposal will amend the tables of classification base premium rates, experience rating plan parameters, experience modification factor calculation limitations, and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2016. Classification base rates were amended for updated loss and payroll experience. The department proposes a 2 percent overall average premium rate increase.

For the purpose of partially funding the Logger Safety Initiative, the Supplemental Pension Fund will be increased by 1.9 mils (\$0.0019) to 49.5 mils (\$0.0495) per hour for each employer and worker for work reported in the forest products industry risk classifications: 1002, 1003, 1004, 1005, 2401, 2903, 2904, 2905, 2907, 2909, 5001, 5002, 5003, 5004, 5005, 5006, and 6902. Each of these risk classifications is defined in the chapter WAC 296-17A.

See Attachment B for the rules amended and repealed by this proposal.

Reasons supporting proposal: The department's decision to increase overall rates is intended to ensure adequate premiums to cover expected losses for 2016 claims and to continue rebuilding the trust funds' contingency reserves to adequate levels. Washington law provides that rates should be adjusted annually to reflect the hazards of each industry and in accordance with recognized workers' compensation insurance principles.

Statutory authority for adoption: RCW 51.16.035 (Base Rates), RCW 51.32.073 (Supplemental Pension), RCW 51.18.010 (Retrospective Rating), and RCW 51.04.020(1) (General Authority); session law, chapter 4, section 217(6), Laws of 2013, 2nd special session

Statute being implemented: RCW 51.16.035, RCW 51.32.073, and RCW 51.18.010; session law, chapter 4, section 217(6), Laws of 2013, 2nd special session

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

DATE

September 22, 2015

NAME (type or print)

Joel Sacks

SIGNATURE

Handwritten signature of Joel Sacks

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 22, 2015

TIME: 9:55 AM

WSR 15-19-140

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

N/A

Name of proponent: (person or organization) Department of Labor and Industries

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Jo Anne Attwood	Tumwater, WA	(360) 902-4777
Implementation....	Mike Ratko	Tumwater, WA	(360) 902-6369
Enforcement.....	Victoria Kennedy	Tumwater, WA	(360) 902-4997

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.

No small business economic impact statement is required as the proposed rules are adjusting rates pursuant to legislative standards.

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:

No. The proposed rules are adjusting rates pursuant to legislative standards.

Attachment A

2016 Rates

Stakeholder Meeting Schedule

October 26, 2015	10:00 a.m.	Department of Labor and Industries Auditorium 7273 Linderson Way SW Tumwater, WA 98501
October 26, 2015	10:00 a.m.	Vancouver Northwest Regional Training Center 11606 NE 66th St., Suite 103 Vancouver, WA 98662

All comments made on the record at the stakeholder meetings will be given full consideration.

Public Hearing Schedule

October 27, 2015	10:00 a.m.	Tukwila Community Center 12424 42 nd Ave S Tukwila, WA 98168
October 28, 2015	10:00 a.m.	Everett Community College Jackson Center, Senate Room 2000 Tower St Everett, WA 90201
October 29, 2015	9:00 a.m.	Spokane CenterPlace 2426 N. Discovery Pl. Spokane Valley, WA 99216
October 30, 2015	9:00 a.m.	Richland Community Center Activity Room 500 Amon Park Dr. Richland, WA 99352

Attachment B: 2016 Workers' Compensation Premium Rates

Chapter 296-17 WAC, General Reporting Rules, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance

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

Amend:

WAC 296-17-855	Experience modification
WAC 296-17-875	Table I
WAC 296-17-880	Table II
WAC 296-17-885	Table III
WAC 296-17-890	Table IV
WAC 296-17-895	Industrial insurance accident fund base rates, stay at work and medical aid base rates by class of industry
WAC 296-17-89502	Industrial insurance accident fund, stay at work, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications
WAC 296-17-89507	Horse racing rates
WAC 296-17-920	Assessment for supplemental pension fund
WAC 296-17B-540	Determining loss incurred for each claim
WAC 296-17B-900	Retrospective rating plans standard premium size ranges