



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 16-01-165 ; 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: (Describe Subject)

Medical Aid Rules – Conversion Factors and Maximum Daily Fees: WAC 296-20-135, WAC 296-23-220, WAC 296-23-230

Hearing location(s):

Department of Labor & Industries, Room S117
7273 Linderson Way SW
Tumwater, WA 98501

Date: March 23, 2016 Time: 1:00 PM

Submit written comments to:

Name: Emily Stinson
Address: PO Box 44322
Olympia, WA 98504-4322
e-mail Emily.Stinson@LNI.wa.gov
fax (360) 902-4249 by (date) 5 p.m. on March 29, 2016

Assistance for persons with disabilities: Contact

Emily Stinson by March 16, 2016

TTY (360) 902-6687 or fax (360) 902-4249

Date of intended adoption: May 3, 2016

(Note: This is NOT the effective date)

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

- 1) Changing the conversion factor used to calculate payment levels for services payable through the Resource Based Relative Value Scale (RBRVS) fee schedule; 2) Changing the conversion factor used to calculate payment for anesthesia services; and 3) Increasing the maximum daily payment for physical and occupational therapy.

WAC 296-20-135(3): Increase the RBRVS conversion factor from \$59.98 to \$60.91. Increase the anesthesia conversion factor from \$3.38 to \$3.41.

WAC 296-23-220 and WAC 296-23-230: Increase the maximum daily rate for physical and occupational therapy services from \$124.44 to \$125.68.

Reasons supporting proposal: This rule will provide medical aid updates regarding rate setting for most professional health care services for injured workers.

Statutory authority for adoption:

RCWs 51.04.020 (1) and 51.04.030

Statute being implemented:

RCW 51.36.080

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 16, 2016

TIME: 3:19 PM

WSR 16-05-086

DATE

February 16, 2016

NAME (type or print)

Joel Sacks

SIGNATURE

TITLE

Director

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

- 1) Increasing the conversion factor used to calculate maximum payment for RBRVS and anesthesia services; and
- 2) Increasing the maximum daily payment for physical and occupational therapy services.

Name of proponent: (person or organization)

Department of Labor and Industries

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	
Drafting	Emily Stinson	Tumwater, WA	(360) 902-5974
Implementation	Vickie Kennedy, Assistant Director	Tumwater, WA	(360) 902-4997
Enforcement	Vickie Kennedy, Assistant Director	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.

This rule adoption is exempt under RCW 34.05.328 (5) (b) (vi) and RCW 19.85.025 (3).

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:

RCW 34.05.328 does not apply because the content of this rule is explicitly dictated by statute and fits within the exceptions listed in RCW 34.05.328 (5) (b) (vi).