RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Labor and Industries

Permanent Rule Only

Effective date of rule:
Permanent Rules
☒ 31 days after filing.
☐ Other (specify) _____ **(If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)**

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes ☒ No If Yes, explain:

Purpose: This rulemaking implements requirements of Engrossed Substitute Senate Bill (ESSB) 6293, which allowed public and private colleges to create unpaid student volunteer programs in for-profit or non-profit businesses, and allowed those businesses to elect medical aid coverage for student volunteers and unpaid students participating in the program. Providing employers the opportunity to elect medical aid coverage for student volunteers and unpaid students in experience-based activities will encourage more employers to participate in these school-sponsored programs.

Also, private colleges may now elect medical aid coverage for qualifying students volunteering for the college. (Past law required state colleges to cover volunteers serving the college, but allowed only charitable private organizations to elect coverage for volunteers.)

This legislation also created a means for all entities with coverage for volunteers, student volunteers, or unpaid students to cap reporting at 100 hours per volunteer per calendar year. This type of reporting has not historically been an option for employers and L&I has designed rules to implement the change.

See Attachment A for a list of affected rules.

Citation of existing rules affected by this order:
Repealed: n/a
Amended: WAC 296-17-35201; WAC 296-17-925; WAC 296-17-930; WAC 296-17A-6901; WAC 296-17A-6906
Suspended: n/a

Statutory authority for adoption: RCW 51.04.020 and RCW 51.16.035

Other authority : n/a

PERMANENT RULE (Including Expedited Rule Making)
Adopted under notice filed as WSR **16-13-118** on June 21, 2016 (date).
Describe any changes other than editing from proposed to adopted version:

Clarifying words were added to WAC 296-17A-6901 (Classification 6901) describing unpaid students as recommended by a stakeholder. The meaning is unchanged.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: phone ( ) _____
Address: fax ( ) _____
e-mail _____

Date adopted: September 6, 2016

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE
Joel Sacks

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 06, 2016
TIME: 1:01 PM

WSR 16-18-085

(COMPLETE REVERSE SIDE)

Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	1	Amended	5	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	1	Amended	5	Repealed	_____

The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	1	Amended	5	Repealed	_____

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Attachment A: 2016 Volunteer rules

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

New:

WAC 296-17-935	Options for reporting qualifying volunteers, including student volunteers and unpaid students

Amend:

WAC 296-17-35201	Recordkeeping and retention
WAC 296-17-925	Student volunteers
WAC 296-17-930	Volunteers
WAC 296-17A-6901	Volunteers and student volunteers
WAC 296-17A-6906	Volunteer law enforcement officers