



# 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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 16-12-078 ; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or           | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).                  | <input type="checkbox"/> Continuance of WSR _____         |

Title of rule and other identifying information: WAC 296-23-245 Licensed nursing billing instructions.

Hearing location(s):  
Department of Labor & Industries  
7273 Linderson Way SW  
Tumwater, WA 98501

Date: August 23, 2016      Time: 1:30 PM

**Submit written comments to:**

Name: David Schultz  
Address: Department of Labor and Industries  
Health Services Analysis  
PO Box 44322  
Olympia, WA 98504-4322  
Email: david.schultz@lni.wa.gov  
Fax: (360-902-4249) by 5 p.m. on August, 23 2016

**Assistance for persons with disabilities: Contact:**

Office of Information and Assistance by August 16, 2016  
TTY (360) 902-5797 or (360) 902-6687

Date of intended adoption: September 20, 2016  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Rule changes are being proposed to eliminate the existing differential payment for Advanced Registered Nurse Practitioners (ARNPs). ARNPs are able to practice independently as attending providers and we need greater access to ARNPs. The anticipated effect is a maintenance or increase in the number of ARNPs who could treat injured workers.

**Reasons for supporting the proposal:** L&I has a perpetual interest in maintaining or increasing access of care for injured workers so they can get quality and timely treatment from licensed and qualified providers.

**Statutory authority for adoption:**  
RCWs 51.04.030 RCW 51.04.020

**Statute being implemented:**  
RCW 51.04.030

**Is rule necessary because of a:**

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

DATE  
7/19/2016

NAME (type or print)  
Joel Sacks

SIGNATURE

TITLE  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: July 19, 2016

TIME: 10:45 AM

WSR 16-15-076

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

More qualified and licensed providers will continue to treat injured workers. Quality of care for injured workers will also not be affected by this proposed rule change. Also there will be no significant additional cost to the Medical Aid Fund.

**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..... David Schultz	Tumwater, WA	(360) 902-4244
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.

Per review of RCW 19.85, no SBEIS is necessary because there are no associated compliance requirements or costs to small businesses created by the proposed rule updates.

**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:

The Department has determined that the likely negligible costs of the proposed amendment, estimated at less than ¼ of 1% of total medical aid expenditure for FY 2016, are outweighed by the benefit of having more qualified and licensed providers continue to treat injured workers.