



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: Department of Labor and Industries

Subject of possible rule making: Chapter 296-17A WAC Classifications for Washington Workers' Compensation Insurance. The department will consider reclassifying fraternities/sororities and tutoring services, as well as more clearly distinguishing between nursing homes and other residential care.

Statutes authorizing the agency to adopt rules on this subject: RCW 51.16.035

Reasons why rules on this subject may be needed and what they might accomplish: Labor and Industries is required by RCW 51.16.035 to establish and maintain a workers' compensation classification plan that classifies according to the degree of hazard and recognized insurance principles as described in WAC 296-17-31029. Department studies found:

- Fraternities and sororities do not share common risks and hazards with assisted living facilities and adult family homes (currently under WAC 296-17A-6509)
- Inconsistency in rating tutoring businesses (currently, no specific risk classification in WAC)
- Lack of clarity for distinguishing skilled nursing facilities from assisted living facilities (currently under WAC 296-17A-6108 and WAC 296-17A-6509).

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No other agency regulates the workers' compensation classification plan in the State of Washington.

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

Negotiated rule making

Pilot rule making

Agency study

Other (describe) This preproposal follows three classification studies. The studies recommended rulemaking to

maintain the integrity of the classification plan. The department contacted employers who may be impacted by the rulemaking. The department will send additional notice if the department makes any proposals. Interested parties may participate by commenting before proposals are made, by testifying at the public hearing, or by providing written comment after the proposal is filed.

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

Inquiries can be directed to:

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DATE

July 19, 2016

NAME (TYPE OR PRINT)

Joel Sacks

SIGNATURE

TITLE

Director

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