



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: April 20, 2022

TIME: 11:48 AM

WSR 22-09-085

Agency: Department of Labor & Industries (L&I)

Subject of possible rule making: Retrospective Rating Insurance Tables update. 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

Statutes authorizing the agency to adopt rules on this subject: RCW 51.18.005 and RCW 51.16.035

Reasons why rules on this subject may be needed and what they might accomplish:

When WAC 296-17B-010 was updated in 2017, L&I made a commitment to "repeat the studies that resulted in the hazard group assignments and changes to retrospective plan tables that are shown in WAC [296-17-901](#), [296-17B-300](#), [296-17B-560](#), [296-17B-830](#), and [296-17B-910](#) through [296-17B-990](#). The repeated studies will determine whether the results are consistent with the expectation of improved fairness in the distribution of the retrospective rating refunds among participants. These repeated studies will be done by April 1, 2020. The department will evaluate and if necessary update the tables beginning at WAC 296-17B-910 every five (5) years." (WSR 17-12-020)

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No other state, local or federal agency regulate this issue.

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Labor & Industries will solicit public input by way of direct mailings, the Retro web page,

GovDelivery, formal and informal meetings, including the Retro and Workers' Compensation Advisory Committee meetings. Labor & Industries will use this input to formulate proposed changes to the existing rules. We will advise customers of future rule making by direct mailing, meetings and/or the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Jessica Nau

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TTY:

Email: Jessica.Nau@Lni.wa.gov

Web site: <https://lni.wa.gov/retro>

Other:

(If necessary)

Name: Leslie Qunell I

Address: Department of Labor & Industries
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TTY:

Email: Leslie.Qunell@Lni.wa.gov

Web site: <https://lni.wa.gov/retro>

Other:

Additional comments:

Date: April 20, 2022	Signature: 
Name: Joel Sacks	
Title: Director	