The Department of Labor & Industries' (L&I) prepares a semi-annual rules development agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is filed with the Office of the Code Reviser for publication in the Washington State Register. This report details current and anticipated rulemaking activities for L&I. This agenda is for informational purposes and the noted dates of anticipated rulemaking actions are estimates. There may be additional rulemaking activities not anticipated at this time, such as to implement new state laws, meet federal requirements, or other circumstances.

L&I encourages the public to be involved in the rulemaking processes by attending public hearings and submitting comments regarding rules. Rulemaking information is available on the agency website at <a href="https://www.lni.wa.gov/rulemaking-activity/">https://www.lni.wa.gov/rulemaking-activity/</a>. To stay informed of our progress and be notified of any changes, please sign up for email notifications: <a href="https://public.govdelivery.com/accounts/WADLI/subscriber/new">https://public.govdelivery.com/accounts/WADLI/subscriber/new</a>. Under General, select *Rules Update*.

Please contact Maggie Leland at 360-902-4504 or Maggie.Leland@Lni.wa.gov if you have any questions.

### **KEY**

CR: "Code Reviser" on the rulemaking forms produced by the Office of the Code Reviser for use by all state agencies.

CR-101: Preproposal Statement of Inquiry filed under RCW 34.05.310

CR-102: Proposed Rule Making notice filed under RCW 34.05.320 or 34.05.340

CR-103: Rule Making Order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380

CR-105: Expedited Rule Making Proposal filed under RCW 34.05.353

RCW: Revised Code of Washington

WAC: Washington Administrative Code

WSR: Washington State Register official filing reference number given by the Office of the Code Reviser when a notice is filed.

OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED

DATE: February 28, 2025

TIME: 10:07 AM

WSR 25-06-052

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
Division: Di	vision of Occupational Safe	ty and Health (DOSH)				
296-62 296-155	Lead	This rulemaking is in response to a petition and a series of stakeholder meetings. This rulemaking was initiated to update existing lead standards in both general industry and construction in light of increasing evidence of the hazards associated with occupational lead exposure.	4/19/16 16-09-092	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-52	Safety Standards for Possession, Handling, and Use of Explosives	The purpose of this rulemaking is to update the safety standards concerning explosives in order to reflect technological advancements in explosives over the past 10 to 30 years, and better align with federal regulations. Focus areas will likely include definitions, licensing, storage, background check requirements, public disclosure, and transportation, among others sections.	1/23/18 18-03-162	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
To be determined	Occupational Exposures to Infectious or Contagious Diseases (2021's ESSB 5092 Implementation)	The purpose of this rulemaking is to implement the requirements of 2021's Engrossed Substitute Senate Bill 5092, Section 220(8), to establish occupational health protections related to infectious diseases to ensure the state has general guidelines to follow in the case of an infectious disease outbreak. This would include when there is an outbreak subject to a public health emergency under a national or state-declared state of emergency.	5/13/21 21-11-051	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-155	Trenching Rescue and Excavation Plan	The purpose of this rulemaking is to require employers to develop and implement a written excavation plan detailing appropriate risk analysis and rescue planning prior to beginning any work that requires a protective system (generally defined as any excavation four feet or deeper that is not in stable, solid rock).	6/22/21 21-13-140	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-155	Cranes, Rigging, and Personnel Lifting (includes implementing portions of 2024's SSHB 2022)	The purpose of this rulemaking is to amend the safety standards for cranes and derricks in construction, due in part to the federal Occupational Safety and Health Administration (OSHA) updating their standards. This rulemaking is also intended to provide clarity on L&I's interpretation of requirements related to crane decertification and reinstatement. In addition, state-initiated amendments will also be considered to address other areas in chapter 296-155 WAC relating to cranes that either need to be updated based on current industry practice or clarifying some of the language to maintain safety and health protections for employees. Due to OSHA updating their standard, prior rulemaking preproposals regarding these subjects initiated in 2018 and 2019 were withdrawn under WSR 21-14-078 and WSR 21-14-079.  This rulemaking will also implement portions of Second Substitute House Bill 2022 (Chapter 311, Laws of 2024) regarding construction crane safety and tower cranes.	7/6/21 21-14-080	Anticipate filing March 2025	To be determined	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-56	Longshore and Waterfront Operations & Restrooms in Ports and Railyards (2022's SHB 1706 Implementation)	The purpose of this rulemaking is to align the rule with RCW 70.54.480, created by Substitute House Bill 1706 (Chapter 204, Laws of 2022), regarding drayage truck operators access to restrooms when operating in or on a port or rail yard property. New requirements will include access to restrooms and dedicated space for lactation. This rulemaking will also better align chapter 296-56 WAC with OSHA requirements for marine terminals in 29 CFR 1917, Subpart A.	9/6/22 22-18-081	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-156	Fire-Resistant Material Applicators (2023's SHB 1323 Implementation)	The purpose of this rulemaking is to implement the requirements of Substitute House Bill 1323 (Chapter 145, Laws of 2023) related to requiring a training and certification program for individuals who apply fireresistant materials and provides for enforcement.	2/6/24 24-04-091	2/18/25 25-05-092	Anticipate filing 5/2025	Ryan Allen DOSH Standards Program 360-902-4758
296-900	Monetary Penalties and Appeals	The purpose of this rulemaking is to update how base penalties are calculated in order to make penalties more effective and address concerns raised through the Occupational Safety and Health Administration (OSHA) State Activities Mandated Measures (SAMM) report that Washington penalties continue to be below the national average. OSHA uses the SAMM report to determine whether State Plans are as effective as OSHA.	4/16/24 24-09-063	9/3/24 24-18-095	1/16/25 25-03-091	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-820	Wildfire Smoke: EPA	The purpose of this rulemaking is to update the Air	5/21/24	10/17/24	Anticipate	Ryan Allen
296-307,	AQI Alignment	Quality Index (AQI) values referenced in the wildfire	<u>24-11-143</u>	<u>24-21-090</u>	filing	DOSH
Part G-1		smoke rules to reflect changes the Environmental	(CR-105)		4/15/25	Standards
		Protection Agency (EPA) made to the AQI that				Program
		became effective on May 6, 2024. Employers are				360-902-4758
		allowed to use the approximate corresponding AQI values for the ease of compliance with the				
		requirements in the rules; this ensures that the				
		regulated community will be able to comply with the				
		rule requirements when using data sources that do not				
		display the hourly PM <sub>2.5</sub> concentrations.				
296-800	Safety and Health Core	The purpose of this rulemaking is to remove confusing	7/23/24	To be	To be	Ryan Allen
	Rules	and unnecessary language as well as update where	<u>24-15-126</u>	determined	determined	DOSH
		necessary to align with the requirements of Federal				Standards
		OSHA and Washington State rules. In addition, this				Program
		rulemaking intends to:				360-902-4758
		Consider updates to WAC 296-800-13020 in				
		response to a petition regarding the length of the				
		term a safety committee member may serve.				
		<ul> <li>Address housekeeping and formatting issues.</li> </ul>				

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296-155	Sanitary Conditions for Construction Workers	The purpose of this rulemaking is to implement the requirements of Engrossed House Bill (EHB) 2266	9/17/24 24-19-074	2/18/25 25-05-076	Anticipate filing	Ryan Allen DOSH
	(2024's EHB 2266	(Chapter 258, Laws of 2024), codified under RCW	<u>24-19-074</u>	<u>23-03-070</u>	5/20/25	Standards
	Implementation)	49.17.530, which became effective June 6, 2024. EHB				Program
		2266 requires employers in the construction industry				360-902-4758
		to provide workers performing construction activities and who menstruate or express milk the following:				
		Access to an adequate portable toilet or				
		restrooms, accessible on the worksite, or access				
		to a permanent structure with a restroom.				
		<ul> <li>Adequate and convenient supply of menstrual hygiene products at no cost to employees.</li> </ul>				
		<ul> <li>Reasonable accommodations to express milk.</li> </ul>				
		EHB 2266 requires L&I's rules identify minimum				
		reasonable accommodations for expressing milk that				
		include alternatives for worksites of varying numbers				
		of employees.				

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-830 (new)	Workplace Violence in Health Care (Implementation of 2019's SHB 1931 & 2020's E2SSB 6205)	The purpose of this expedited rulemaking is to adopt into rule statutory requirements under chapter 49.19 RCW, Safety – Health care settings; chapter 72.23 RCW, Public and private facilities for mentally ill; and chapter 49.95 RCW, Long-term care workers. The requirements under these existing statutes require employers in covered health care settings to establish a program to address workplace violence and abusive behavior in health care settings, which includes creating policies, providing training to employees and recording incidents. Prior to this rulemaking, DOSH has addressed enforcement of the requirements under chapters 49.19 and 72.23 RCW, and through DOSH Directive 5.07.	10/1/24 24-20-114 (CR-105)	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
To be determined	Ergonomics: Scheduled Airlines - Ground Crew Operations (2023's ESSB 5217 Implementation)	The purpose of this rulemaking is to establish a new chapter or section to address Ergonomics for Scheduled Airlines – Ground Crew Operations, Risk Class 6802 (WAC 296-17A-6802), and key components of an ergonomics rule that L&I should consider for future industry specific ergonomics rules due to Engrossed Substitute Senate Bill 5217 (Chapter 112, Laws of 2023).	10/29/24 24-22-067	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-27	Improve Tracking of Workplace Injuries and Illnesses	The purpose of this rulemaking is to update the rule regarding illness and injury tracking and reporting to align with updates to the Federal Occupational Safety and Health Administration (OSHA) rules to improve tracking of workplace injuries and illnesses in order to remain as effective as OSHA, as required by the Washington State Plan. The federal rules went into effect in January 2024.	11/20/24 24-23-098 (CR-105)	Anticipate filing 3/4/25	Anticipate filing 9/2/25	Ryan Allen DOSH Standards Program 360-902-4758
296-900	Worker Walk Around	The purpose of this rulemaking is to implement the requirements of Federal OSHA's regulation 29 CFR 1903.8, Representatives of employers and employees, which became effective on May 31, 2024, making L&I at least as effective as OSHA. 29 CFR 1903.8 allows the employer and employees the right to authorize a representative to accompany OSHA officials during a workplace inspection. Employees can authorize another employee to serve as their representative or select a third party.	12/17/24 25-01-133	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-155	Tower Crane Permit & Safety Requirements (2024's 2SHB 2022 Implementation)	The purpose of this rulemaking is to implement the requirements of Sections of 4 and 6 of Second Substitute House Bill 2022 (Chapter 311, Laws of 2024) codified under RCW 49.17.435 and 49.17.440. L&I must establish, by rule, a permit for the performance of any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane.	1/21/25 25-03-117	Anticipate filing July 2025	Anticipate filing Oct. 2025	Ryan Allen DOSH Standards Program 360-902-4758

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296-901	Hazard Communication	The purpose of this rulemaking is to update the Hazard Communication, Globally Harmonized System (GHS) rule to incorporate OSHA updates for requirements in the manufacturing of chemical products by chemical manufactures and updating of Safety Date Sheet information.	To be determined	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-307	Worker Protection Standard (WPS)	The purpose of this rulemaking is to update WAC 296-307-108 Part I Worker Protection Standard. The Environmental Protection Agency updated requirements around application exclusion zones and other definitions related to pesticide use and application. This is a jointly enforced rule with the Washington State Department of Agriculture.	To be determined	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
Division: Fig	eld Services and Public Safe	ety				
296-150F	Factory Assembled Structures: Factory-Built Housing and Commercial Structures (Implementation of 2019's E3SHB 1257, HB 1486, & ESSB 5383)	The purpose of this rulemaking is to update the rule regarding factory-built housing and commercial structures, to include panelized construction. This rulemaking will include intent to make the rule related to Engrossed Third Substitute House Bill 1257 (chapter 285, Laws of 2019) – Energy efficiency, House Bill 1486 (chapter 165, Laws of 2019) – Delegation of authority, and Engrossed Substitute Senate Bill 5383 (chapter 352, Laws of 2019) – Tiny houses.	7/2/19 <u>19-14-106</u>	Anticipate filing 9/2/25	Anticipate filing 11/18/25	Alicia Curry Field Services and Public Safety 360-902-6244

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296-400A	Plumber Certification	The purpose of this rulemaking is to consider	1/18/22	To be	To be	Alicia Curry
	Rules – Phase 3	amendments to implement the legislative changes	<u>22-03-073</u>	determined	determined	Field Services
	(2020's SB 6170	made within the Plumbing Act (Chapter 153, Laws of				and Public
	Implementation)	2020, Senate Bill 6170), and updates to continuing				Safety
		education, training programs, and other necessary				360-902-6244
		updates to the plumbing rule.				
296-104	Boiler Rule: Pool Heater	The purpose of this rulemaking is to amend the boiler	10/22/24	1/2/25	Anticipate	Meagan
	Definition and Fee	rule to modify the definition of "pool heaters" and to	<u>24-21-134</u>	<u>25-02-117</u>	filing	Edwards
	Increases (FY26)	increase fees by the Office of Financial Management's			4/22/25	Field Services
		(OFM) maximum allowable fiscal growth factor rate				and Public
		of 6.41% for fiscal year 2026 for boiler and pressure				Safety
		vessel inspections and other Boiler Program services.				360-522-0125
296-200A	Contractor Registration	The purpose of this rulemaking is to amend the	10/22/24	1/21/25	Anticipate	Meagan
	Fees Increase (FY26)	Contractor Registration fees. The proposed	<u>24-21-135</u>	<u>25-03-116</u>	filing	Edwards
		amendments would increase fees by OFM's fiscal			4/22/25	Field Services
		growth factor rate of 6.41% for fiscal year 2026 to				and Public
		cover operating expenses for L&I's Contractor				Safety
		Registration Program.				360-522-0125

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-403A	Amusement Ride Rule – Definitions	The purpose of this rulemaking is to amend the definitions for amusement rides or structures under WAC 296-403A-100. L&I accepted a rulemaking petition to amend the definition of "Amusement structures" to exclude fixed artificial climbing surfaces built for the sport of rock climbing, including equipment used for climber education and safety, when not located on the same premises as amusement rides. Additional amendments to this rule section will bring the rule up-to-date.	12/3/24 24-24-088	2/4/25 25-04-097	Anticipate filing 5/6/25	Meagan Edwards Field Services and Public Safety 360-522-0125
296-46B	Electrical Fees Increase (FY26)	The purpose of this rulemaking is to amend the electrical rule to increase fees by OFM's fiscal growth factor rate of 6.41% for fiscal year 2026 for electrical inspections and other Electrical Program services. The fee increase is necessary to cover increased operating expenses for L&I's Electrical Program.	1/2/25 25-02-119	2/18/25 25-05-077	Anticipate filing 5/6/25	Meagan Edwards Field Services and Public Safety 360-522-0125
296-96	Elevator Fees Increase (FY26)	The purpose of this rulemaking is to consider amendments to the elevator rule. The amendments under consideration would increase fees by OFM's fiscal growth factor rate of 6.41% for fiscal year 2026 to support operating expenses for L&I's Elevator Program. Additional amendments are also under consideration for formatting and clean-up.	Anticipate filing 4/1/25	Anticipate filing 6/3/25	Anticipate filing 9/2/25	Meagan Edwards Field Services and Public Safety 360-522-0125

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296-400A	Contractor Registration (Online insurance for existing contractors)	The purpose of this rulemaking is to consider amending the insurance requirements for existing registered contractors and insurance agents. The amendments under consideration would require insurance information for existing contractors to be submitted online through the Electronic Bond and Insurance Policy System (EBIPS). L&I would no longer accept paper certificates of insurance for existing contractors or any other electronic method.	Anticipate filing 4/1/25	Anticipate filing 9/2/25	Anticipate filing 11/18/25	Meagan Edwards Field Services and Public Safety 360-522-0125
Division: Fr	aud Prevention and Labor	Standards				
296-123 (new)	Equal Pay and Opportunities Act (2024's SHB 1905 Implementation)	The purpose of this rulemaking is to clarify and implement the provisions of Substitute House Bill 1905 (Chapter 353, Laws of 2024). The bill expands existing protections against pay and promotion discrimination based on gender found in Chapter 49.58 RCW, the Equal Pay and Opportunities Act. SHB 1905 extends the protections to additional protected classes including but not limited to age, race, and sexual orientation. L&I is also proposing rules to clarify other requirements created by Chapter 49.58 RCW, including: the free discussion of wages and salary; protection against retaliation; wage and salary history privacy; and disclosure of wage scale, salary range, and benefits on a job posting.	8/6/24 24-16-133	1/21/25 25-03-133	Anticipate Filing 5/21/25	Reed Simock Fraud Prevention and Labor Standards 360-480-3237

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-127  Division: Ins	Prevailing Wage (2024's SHB 2136 Implementation)	The purpose of this rulemaking is to implement Substitute House Bill 2136 (Chapter 7, Laws of 2024) concerning prevailing wage sanctions, penalties, and debarment.	N/A	2/18/25 <u>25-05-078</u> (CR-105)	Anticipate Filing 4/22/25	David Speer Fraud Prevention and Labor Standards 360-869-6129
296-17 296-17A	Employment Covered by RCW 51.32.187 (Department of Energy Hanford Site Contractors)	The purpose of this rulemaking is to allow contractors of the United States Department of Energy (DOE) working at the Hanford site to have their contractors and subcontractors covered under the state fund.  L&I filed continuances on Oct. 27 and Nov. 6, 2020, ultimately extending the comment period to Feb. 1, 2021. The CR-102 Proposal was withdrawn (WSR 21-04-019) due to the need for more stakeholder involvement and coordination. L&I will continue working with stakeholders to refine the proposed rule amendments for potential future rulemaking.	3/3/20 20-06-060	9/22/20 20-19-132 (withdrawn) 10/27/20 20-22-038 11/6/20 20-23-017 (withdrawn)	To be determined	Jo Anne Attwood Employer Services 360-902-4777
296-17 296-17A	Higher Education Classifications and Premium Rates 2025	The purpose of this rulemaking is to consider changes to Classification 4906 Institutions of higher learning. Classification Development's goal is to fairly apply the workers' compensation insurance classifications and to ensure fair and equitable rates.	6/4/24 24-12-071	To be determined	To be determined	Jo Anne Attwood Employer Services 360-902-4777

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-17 296-17A	Reporting and Classification Amendments for 2026	The purpose of this rulemaking is to implement clear rule writing to ensure staff and customers can easily understand and apply the workers' compensation insurance classification and reporting rules. L&I's Classification Development studied some subclassifications for potential reduction in number, and reviewed classification and reporting rules for improvement and clarification.	Anticipate filing 5/20/25	Anticipate filing 8/19/25	Anticipate filing 11/18/25	Jo Anne Attwood Employer Services 360-902-4777
296-17 296-17B	Industrial Insurance Premium Rates 2026	The purpose of this rulemaking is to establish the premium rates and experience rating parameters for calendar year 2026.	Anticipate filing 6/17/25	Anticipate filing 9/16/25	Anticipate filing 11/26/25	Jo Anne Attwood Employer Services 360-902-4777
296-23	Co-Recording of Independent Medical Examination (IME)	The purpose of this rulemaking is to establish rules for co-recording of Independent Medical Examinations (IMEs) by an IME provider upon consent from the worker.	8/21/24 24-17-141	To be determined	To be determined	Troy Parks Health Services Analysis 360-902-6821
296-23	Independent Medical Examination (IME) Third- Party Recording (pilot rulemaking)	The purpose of this rulemaking is to establish rules for third-party recordings of Independent Medical Examinations (IMEs) when a worker consents to allowing an independent third party to record the exam. L&I intends to use pilot rulemaking to develop the proposed rules to evaluate a process for the use of a third-party company to conduct and store recordings.	8/21/24 24-17-142	To be determined	To be determined	Troy Parks Health Services Analysis 360-902-6821

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-20	Physician Assistant Billing Procedure	The purpose of this rulemaking is to remove the requirement (WAC 296-20-12501) that physician assistants be paid 90% of the fee schedule value for procedures they perform and instead allow them to be paid up to the maximum fee listed on the fee schedule.	9/3/24 24-18-096	10/22/24 24-21-133	1/21/25 25-03-114	Megan Lemon 360-902-5161 Marc Hobbs 360-902-4244 Health Services Analysis
296-20 296-23	Medical Aid Rules - Conversion Factors	The purpose of this rulemaking is to update rates for most professional health care services for injured workers, which are published annually in the Medical Aid Rules and Fee Schedules.	12/3/24 24-24-091	Anticipate filing 3/18/25	Anticipate filing 5/20/25	Megan Lemon 360-902-5161 Marc Hobbs 360-902-4244 Health Services Analysis
296-14	Pension Discount Rate 2025	The purpose of this rulemaking is to lower the pension discount rate (PDR) to better align with the rate of return for long-term treasuries for self-insured pensions. The PDR is the interest rate used to account for the time value of money when evaluating the present value of future pension payments. This rulemaking lowered the PDR for self-insured employers from 5.5% to 5.4%, effective April 1, 2025.	8/6/24 24-16-129	10/22/24 24-21-132	1/21/25 25-03-113	Suzy Campbell Legal Services 360-902-5003

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-23	Acupuncture	The purpose of this rulemaking is to consider amending WAC 296-23-238, which limits payment to a maximum of ten visits based on L&I's review of safety and efficacy data for a low back condition. L&I is considering amending this section in order to have some flexibility to pay for a different number of visits for other conditions when acupuncture has been shown to be safe and effective for that condition per L&I review. The maximum number of visits could be taken out of rule and, instead, specified in the medical coverage decision for each condition.	8/20/24 24-17-126	To be determined	To be determined	Jami Lifka Office of the Medical Director 360-902-4941 Jami.Lifka@Ln i.wa.gov
296-14 296-19A 296-20 296-21 296-23	Psychologists and physician assistants as Attending Providers (2023's HB 1197 Implementation)	The purpose of this rulemaking is to implement House Bill 1197 (Chapter 171, Laws of 2023). This rulemaking will update the definition of attending providers and add psychologists in the case of claims solely for mental health conditions, and physician assistants, to the list of attending providers. Amendments to several chapters are necessary to be consistent with HB 1197.  L&I is also proposing to amend WAC 296-20-01501 to align language with Engrossed Substitute House Bill 2041 (chapter 62, Laws of 2024), and the Department of Health/Washington Medical Commissions' corresponding rule updates to chapter 246-918 WAC.	9/17/24 24-19-073	1/21/25 25-03-115	Anticipate filing 5/20/25	Jami Lifka Office of the Medical Director 360-902-4941 Jami.Lifka@L ni.wa.gov

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULEMAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-17B	Retrospective Rating for Workers' Compensation Insurance	This rulemaking will address extending requirements for businesses that enroll in individual retro plans and revise enrollment requirements for businesses under common majority ownership.	11/5/13 13-22-071	To be determined	To be determined	Rachelle Bohler Retrospective Rating 360-902-5967
296-17B	Retrospective Rating for Workers' Compensation Insurance – Common Ownership (Pilot)	This pilot rulemaking will consider/allow exceptions to the Retroactive Rating Program's current common ownership rule (WAC 296-17B-770) as written.	8/5/15 15-16-132	To be determined	To be determined	Rachelle Bohler Retrospective Rating 360-902-5967
296-15	Self-Insurance Reserve Fund (2023's SB 5084 Implementation)	The purpose of this rulemaking is to implement Senate Bill 5084 (Chapter 110, Laws of 2023), which created the self-insurance reserve fund to hold self-insured employers' second injury fund assessments and other pre-funded pension obligations. The proposed amendments will update two sections in rule governing the self-insurance program, aligning them with statutory changes required under SB 5084. The proposed formatting changes to WAC 296-15-171 will also make it easier to read.	N/A	1/2/25 25-02-118 (CR-105)	Anticipate filing 5/6/25	Ashley Frank Office of Strategy and Performance 360-902-6566
296-15	Self-Insurance Billing Decertified Municipal Employers (HB 1275 or SB 5381 Implementation)	The purpose of this rulemaking is to implement the provisions of House Bill 1275 or Senate Bill 5381, should they pass. These bills establish L&I's authority to ensure payment is received from the self-insured employer after a self-insured group or municipal employer has their self-insurer certification withdrawn.	To be determined	To be determined	To be determined	Stephanie Scheurich Self-Insurance 360-902-5662