



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: Department of Labor & Industries

Subject of possible rule making: Clarification of application of rating issues related to incurred loss adjustments in RCW 51.32.0991

Statutes authorizing the agency to adopt rules on this subject: RCW 51.04.020 and RCW 51.16.035

Reasons why rules on this subject may be needed and what they might accomplish: RCW 51.32.0991 provides for a reduction in incurred losses, at the director's discretion, if a worker with a vocational plan had a prior vocational plan approved in 2008, or later, and the worker is engaged in medically restricted activities when injured. The statute expires June 30, 2013. The rules will clarify when the director's discretion can no longer be granted based on the sunset language of the statute and how it is applied to an accident year's incurred losses.

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

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held 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:

Information about this process is available at the website: www.lni.wa.gov/insuranceservices/employerservices .

Comments can be submitted by mail to:

Richard Bredeson

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Olympia, WA 98504-4140

Email to bred235@lni.wa.gov, Fax (360) 902-4988, Phone (360) 902-6243.

DATE

August 18, 2009

NAME (TYPE OR PRINT)

Judy Schurke

SIGNATURE

TITLE

Director

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STATE OF WASHINGTON
FILED

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