



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

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

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain: WAC 296-20-03011 is amended to include new content regarding "interchangeable biologics" that is explicitly and specifically dictated by ESB 5935 (Chapter 242, Laws of 2015) now codified in statute in RCW 69.41.110.

Purpose:

The adopted rule language will create the following changes:

- WAC 296-20-03011 is amended to include new content regarding "interchangeable biologics" that is explicitly and specifically dictated by RCW 69.41.110.
- Definitions in WAC 296-20-01002 are amended to be consistent with recently amended definitions of the Washington State Health Care Authority (HCA) regarding Washington State's Prescription Drug Program. HCA definitions have been adopted without material change.
- Language in WAC 296-20-03011 also incorporates by reference HCA's rules for therapeutic alternatives and the therapeutic interchange. This will allow L&I's rules to be consistent with HCA language.

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 296-20-01002 and WAC 296-20-03011
 Suspended:

Statutory authority for adoption: RCW 51.04.020 and RCW 51.04.030

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 17-08-033 on March 29, 2017.
 Describe any changes other than editing from proposed to adopted version:

There are no changes to the rule language proposed in the CR-102.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted: August 1, 2017

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED
DATE: August 01, 2017
TIME: 9:26 AM
WSR 17-16-133

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	<u>One</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>Two</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>Two</u>	Repealed	_____