

**WAC 296-17-871 Director's discretion for incurred losses on claims with vocational plans.** The incurred losses charged to an employer's experience rating can be reduced, at the director's discretion, for the vocational costs paid under RCW 51.32.099 (3)(d) for retraining and time-loss benefits paid for the retraining period. The director can reduce the incurred losses when:

- The worker had a vocational plan approved after December 31, 2007, on a previous Washington state industrial insurance claim; and
- The injury or occupational disease for the present claim resulted from employment and work-related activities beyond the worker's documented restrictions from the earlier claim.
- The director's decision was made on or before June 30, 2013.

When a claim's incurred losses are reduced by this section, the reduced losses will be used for experience rating and retrospective rating calculations.

[Statutory Authority: RCW 51.16.035, 51.16.100, and Title 51 RCW. WSR 10-06-083, § 296-17-871, filed 3/1/10, effective 4/1/10.]