

WAC 296-17B-530 Determining case incurred losses. If a claim is closed, we will use the actual losses for the claim as defined in WAC 296-17-870(1). If the claim is open, we will use either the case reserve amounts or the actual losses, whichever are higher.

Where not in conflict with these rules, we will use the rules for valuing claims for experience rating found in WAC 296-17-870 (1), (5) through (7), and (10) through (13).

Employer reimbursements from the Washington stay-at-work program will not be included in the case incurred costs of claims.

Public health emergency claims: All accepted claim losses resulting from a declared public health emergency with a date of injury or last injurious exposure on or after January 1, 2020, will not be included in the retrospective rating adjustment calculations.

[Statutory Authority: Statutory Authority: RCW 51.16.035, 51.32.073, 51.18.010 and 51.04.020(1); WSR 21-24-066, § 296-17B-530, filed 11/30/21, effective 1/1/22; WSR 20-24-094, § 296-17B-530, filed 11/30/20, effective 1/1/21. Statutory Authority: RCW 51.18.010 and 51.04.020(1). WSR 12-21-054, § 296-17B-530, filed 10/15/12, effective 12/14/12. Statutory Authority: RCW 51.16.035, 51.16.100, 51.04.020(1), and 51.18.010. WSR 10-21-086, § 296-17B-530, filed 10/19/10, effective 11/19/10.]