

WSR 22-17-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 23, 2022, 9:14 a.m.]

Subject of Possible Rule Making: WAC 296-20-097 Reopenings, relating to workers' compensation claims.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020 and 51.28.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 1902, from the 2022 legislative session, updated language in RCW 51.28.040 by expanding the time period the department of labor and industries (L&I) or the self-insured employer can retroactively pay time-loss and treatment benefits on reopened claims if a specific exception is met. WAC 296-20-097 needs to be amended to reflect changes made by SHB 1902 by clarifying when and how the department or self-insured employer can pay these benefits beyond 60 days prior to the receipt of the application up to 120 days.

Process for Developing New Rule: Parties interested in this rule 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. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Suzy Campbell, L&I, Insurance Services, Legal Services, P.O. Box 44270, Olympia, WA 9854 [98504]-4270, phone 360-902-5003, fax 360-902-5029, TTY 360-902-4252, email suzanne.campbell@Lni.wa.gov.

August 23, 2022
Joel Sacks
Director