

WSR 23-04-080

AGENDA

DEPARTMENT OF  
LABOR AND INDUSTRIES

[Filed January 31, 2023, 8:46 a.m.]

The department of labor and industries' (L&I) prepares a semi-annual rules development agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is filed with the office of the code reviser for publication in the Washington State Register. This report details current and anticipated rule-making activities for L&I. This agenda is for informational purposes and the noted dates of anticipated rule-making actions are estimates. There may be additional rule-making activities not anticipated at this time, such as to implement new state laws, meet federal requirements, or other circumstances.

L&I encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments regarding rules. Rule-making information is available on the agency website at <https://www.lni.wa.gov/rulemaking-activity/>. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WADLI/subscriber/new>. Under "General," select "Rules Update."

Please contact Tracy West at 360-902-6954 or Tracy.West@Lni.wa.gov if you have any questions.

**KEY**

CR: "Code reviser" on the rule-making forms, which are produced by the office of the code reviser for use by all state agencies.

CR-101: Preproposal statement of inquiry filed under RCW 34.05.310.

CR-102: Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

CR-105: Expedited rule-making proposal filed under RCW 34.05.353.

RCW: Revised Code of Washington.

WAC: Washington Administrative Code.

WSR: Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

**Semi-Annual Rules Development Agenda  
January 1 - June 30, 2023**

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
<b>Division: Division of Occupational Safety and Health (DOSH)</b>						
296-62 296-155	Lead	This rule making is in response to a petition and a series of stakeholder meetings. This rule making was initiated to update existing lead standards in both general industry and construction in light of increasing evidence of the hazards associated with occupational lead exposure.	4/19/16 16-09-092	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-67	Process safety management of highly hazardous chemicals for petroleum refineries	The purpose of this rule making is to amend existing sections and create several new sections in chapter 296-67 WAC, Safety standards for process safety management of highly hazardous chemicals, which will only apply to petrochemical refining facilities. The current rules are outdated, not having been updated in over 20 years and do not reflect current industry practices.	8/22/17 17-17-134	Anticipate filing spring 2023	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-52	Safety standards for possession, handling, and use of explosives	The purpose of this rule making is to update the safety standards concerning explosives in order to reflect technological advancements in explosives over the past 10 to 30 years, and better align with federal regulations. Focus areas will likely include definitions, licensing, storage, background check requirements, public disclosure, and transportation, among other sections.	1/23/18 18-03-162	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-307	Temporary worker housing (TWH)	The purpose of this rule making, in conjunction with the department of health (DOH), is to consider permanent amendments to further protect occupants in temporary worker housing and cherry harvest camps. In February 2020, Governor Inslee proclaimed a state of emergency in Washington state as a result of the coronavirus disease 2019 (COVID-19) outbreak, followed by proclamations and amendments. DOH and L&I also responded to the COVID-19 pandemic by adopting emergency rules (CR-103E) to protect occupants from COVID-19 hazards in licensed TWH.	9/10/20 20-19-050	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-820 296-307	Wildfire smoke	The purpose of this rule making is to develop new workplace safety and health rules regarding wildfire smoke. Some of the issues that may be addressed include: Identification of harmful exposures; communication; training and instruction; and control of harmful exposures. L&I filed emergency rules (CR-103E) on July 16, 2021 (WSR 21-15-067), to ensure these requirements were in place during the 2021 fire season while permanent rule making is ongoing. Emergency rules were filed again on June 1, 2022 (WSR 22-12-094), for the 2022 fire season.	10/20/20 20-21-093	Anticipate filing March 2023	Anticipate filing July 2023	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
To be determined	Occupational exposures to infectious or contagious diseases (ESSB 5092)	The purpose of this rule making is to implement the requirements of 2021's ESSB 5092, section 220(8), to establish occupational health protections related to infectious diseases to ensure the state has general guidelines to follow in the case of an infectious disease outbreak. This would include when there is an outbreak subject to a public health emergency under a national or state-declared state of emergency.	5/13/21 21-11-051	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-155	Trenching rescue and excavation plan	The purpose of this rule making is to require employers to develop and implement a written excavation plan detailing appropriate risk analysis and rescue planning prior to beginning any work that requires a protective system (generally defined as any excavation four feet or deeper that is not in stable, solid rock).	6/22/21 21-13-140	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-155	Cranes, rigging, and personnel lifting	The purpose of this rule making is to amend the safety standards for cranes and derricks in construction, due in part to the federal Occupational Safety and Health Administration (OSHA) updating their standards. This rule making is also intended to provide clarity on L&I's interpretation of requirements related to crane decertification and reinstatement. In addition, state-initiated amendments will also be considered to address other areas in chapter 296-155 WAC relating to cranes that either need to be updated based on current industry practice or clarifying some of the language to maintain safety and health protections for employees. Due to OSHA updating their standard, prior rule-making preproposals regarding these subjects, initiated in 2018 and 2019, were withdrawn under WSR 21-14-078 and 21-14-079.	7/6/21 21-14-080	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-62 296-307	Ambient heat exposure	<p>The purpose of this rule making is to consider occupational heat exposure hazards from high ambient temperatures in all industries, including outdoor and indoor exposures. Requirements considered, but not limited to, include: Trigger temperatures or another measure of environmental conditions stress to the human body such as the heat index or wet bulb globe temperature, time frames for when the rule is in effect, preventative measures (such as water, shade or other cooling means, and rest time/ breaks), emergency response measures, training, and planning.</p> <p>L&amp;I filed emergency rules (CR-103E) for outdoor heat exposure on July 9, 2021 (WSR 21-15-017), to ensure requirements were in place during the summer of 2021 while permanent rule making was ongoing. Emergency rules were filed again on June 1, 2022 (WSR 22-12-095), for the summer of 2022.</p>	8/17/21 21-17-135	Anticipate filing February 2023	Anticipate filing June 2023	Ryan Allen DOSH Standards Program 360-902-4758
296-115	Safety requirements for charter boats	<p>The purpose of this rule making is to better align chapter 296-115 WAC, Safety requirements for charter boats, with chapter 88.04 RCW, the Charter Boat Safety Act; chapter 49.17 RCW, the Washington Industrial Safety and Health Act; and United States Coast Guard requirements under 46 C.F.R. In addition, this rule making will address items from an audit of the charter boat program.</p>	12/21/21 22-01-197	1/17/23 23-03-091	Anticipate filing 4/18/23	Ryan Allen DOSH Standards Program 360-902-4758
296-56	Longshore and waterfront operations and restrooms in ports and railyards (SHB 1706)	<p>The purpose of this rule making is to align the standard with SHB 1706 (RCW 70.54.480), passed by the legislature in 2022, regarding drayage truck operators' access to restrooms when operating in or on a port or rail yard property. New requirements will include access to restrooms and dedicated space for lactation. This rule making will also better align chapter 296-56 WAC with OSHA requirements for marine terminals in 29 C.F.R. 1917, Subpart A.</p>	9/6/22 22-18-081	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-850	Beryllium	The purpose of this rule making is to update the standard regarding occupational exposure to beryllium, beryllium compounds, and dermal exposure issues to align with OSHA's final rule revising the beryllium standard for general industry, 29 C.F.R. 1910.1024, and OSHA's final rule occupational exposure to beryllium and beryllium compounds in construction and shipyard sectors, 29 C.F.R. 1915.1024 and 1926.1124.	N/A	1/17/23 23-03-092 (CR-105)	Anticipate filing 3/21/23	Ryan Allen DOSH Standards Program 360-902-4758
296-880	Unified safety standards for fall protection	The purpose of this rule making is to clarify how WAC 296-880-30005 Construction work, and WAC 296-880-40040 Warning line system requirements, work together when a safety monitor and/or warning line system may be used and to ensure alignment with 29 C.F.R. 1926.501 (b)(10).	To be determined	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
286-305	Firefighters	The purpose of this rule making is to address a petition received related to personal protective equipment used in hazardous material response. This will also include a review of the wildland firefighting chapter and urban wildland interface firefighting. There are additional change log items that need to be addressed.	To be determined	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
296-900	Daily penalties for violating an order of immediate restraint (OIR) (ESHB 1097)	Rule making is anticipated to implement the provisions of 2021's ESHB 1097 related to daily penalties for violating an OIR, including establishing inspection procedures and enforcement policies related to calculating penalties when OIRs and/or red tags are placed; and provide guidance on how to correctly calculate penalties arising from the placement of an OIR, or a red tag.	To be determined	To be determined	To be determined	Ryan Allen DOSH Standards Program 360-902-4758
<b>Division: Field Services and Public Safety</b>						
296-150F	Factory-assembled structures (FAS): Factory-built housing and commercial structures	The purpose of this rule making is to update the rules regarding factory-built housing and commercial structures to include panelized construction. This rule making will include intent to make the rules related to E2SHB 1257—Energy efficiency, HB 1486—Delegation of authority, and SB 5383—Tiny homes.	7/2/19 19-14-106	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-96	Elevator rules (safety codes)	The purpose of this rule making is to consider adopting new safety codes from the 2019 edition of the American Society of Mechanic Engineers (ASME) A17.1/CSA B44 - 2019, Safety Code for Elevators and Escalators, and other related codes. The 2019 edition of ASME A17.1 would replace the current 2016 code. The elevator program is also considering updates, clarification, housekeeping, and other changes to the rules. This rule making excludes the rules with fees due to a separate rule making in progress.	10/19/21 21-21-088	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-400A	Plumber certification rules —Phase 3	The purpose of this rule making is to consider amendments under chapter 206-400A WAC, Plumber certification rules, in order to implement the legislative changes made within 2020's Plumbing Act (chapter 153, Laws of 2020, SB 6170), updates to continuing education, training programs, and other necessary updates to all plumbing rules.	1/18/22 22-03-073	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-46B	Electrical rules (SSB 6126 Good cause allowance)	The purpose of this rule making is to amend the qualifications for journey level electrician examinations in order to implement SSB 6126 (chapter 249, Laws of 2018). SSB 6126 enacted apprenticeship requirements for journey level electrician examination candidates that take effect July 1, 2023. SSB 6126 gives L&I the authority to permit applicants that have obtained experience and training equivalent to a journey level apprenticeship program to take the examination, if the applicant has "good cause" for not completing the minimum hours of work applicable on July 1, 2023 (RCW 19.28.195). L&I is authorized to exercise this discretion until July 1, 2025.	8/2/22 22-16-088	11/22/22 22-23-153	Anticipate filing 2/14/23	Alicia Curry Field Services and Public Safety 360-902-6244

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-150C 296-150F 296-150P 296-150R 296-150V	FAS: Licensed professional plan reviews	The purpose of this rule making is to amend the FAS rules for design plan reviews by licensed professional engineers, architects, and firms for commercial coach trailers, factory-built housing and commercial structures, recreational park trailers, recreational vehicles, and conversion vendor units (food trucks and trailers). L&I filed emergency rules (CR-103E) on December 20, 2021 (WSR 22-01-190), to allow third-party reviews to take place to address the backlog of design plans. Emergency rules were filed again on April 19, 2022 (WSR 22-09-063), August 16, 2022 (WSR 22-17-070), and December 13, 2022 (WSR 23-01-038), to continue to address the backlog of design plans while permanent rules are being developed.	8/16/22 22-17-071	Anticipate filing February 2023	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-200A	Contractor registration— Classification updates	The purpose of this rule making is to consider updates to the definitions for specialty contractor classifications.	To be determined	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-46B	Electrical rules (code adoption)	The purpose of this rule making is to consider changes to adopt new safety codes from the 2023 edition of the National Fire Protection Agency (NFPA) 70, the National Electrical Code (NEC), along with updates, housekeeping, and other rule changes.	To be determined	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
<b>Division: Fraud Prevention and Labor Standards</b>						
296-05	Apprenticeship rules (E2SSB 5600)	The purpose of this rule making is to update the apprenticeship rules in accordance with E2SSB 5600, which adds a sustainability assessment requirement to all new apprenticeship program applications and requires the Washington state apprenticeship and training council (WSATC) to establish industry sector-based platforms in eight areas.	5/3/22 22-10-067	Anticipate filing 2/28/23	Anticipate filing 5/23/23	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475
296-140	Clean energy: Labor standards for tax incentives	The purpose of this rule making is to implement labor standard certification requirements for clean and renewable energy tax incentives under 2022's 2SHB 1988 and ESSB 5714. L&I filed emergency rules (CR-103E) on July 1, 2022 (WSR 22-14-094), to ensure requirements are in place on July 1, 2022, as required under the law.	6/21/22 22-13-148	Anticipate filing 2/28/23	Anticipate filing 5/23/23	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-128	Transportation network companies (TNC) corrections	The purpose of this rule making is to correct inadvertent errors in WAC 296-128-99050 and 296-128-99290 filed under WSR 22-24-034 and to update WAC 296-128-99030 for clarity. The proposed language clarifies that a 12-month period is an acceptable interpretation of the 365 calendar day requirement outlined in WAC 296-128-99030 (2)(g) adopted effective January 1, 2023.	N/A	1/17/23 23-03-093 (CR-105)	Anticipate filing 3/21/23	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475
296-05	Apprenticeship rules: WSATC meetings	The purpose of this rule making is to allow for the rescheduling of regularly scheduled quarterly meetings of WSATC.	N/A	Anticipate filing 2/14/23 (CR-105)	Anticipate filing 4/18/23	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475
296-05	Apprenticeship rule and statute alignment (SSB 6126)	The purpose of this rule making is to clarify that apprenticeship training programs are not required to accept all hours granted by L&I's electrical program, unless otherwise required by statute.	N/A	Anticipate filing 2/14/23 (CR-105)	Anticipate filing 4/18/23	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475
<b>Division: Insurance Services</b>						
296-17 296-17A	Employment covered by RCW 51.32.187 (Department of Energy (DOE) Hanford site contractors)	The purpose of this rule making is to allow contractors of DOE working at the Hanford site to have their contractors and subcontractors covered under the state fund. L&I filed continuances on October 27 and November 6, 2020, ultimately extending the comment period to February 1, 2021, under WSR 20-22-038 and 20-23-017. The CR-102 proposal was withdrawn (WSR 21-04-019) due to the need for more stakeholder involvement and coordination. L&I will continue working with stakeholders to refine proposed rules for potential future rule making.	3/3/20 20-06-060	9/22/20 20-19-132 (withdrawn)	To be determined	Jo Anne Attwood Employer Services 360-902-4777
296-17 296-17A	TNC workers' compensation reporting and classification (ESHB 2076)	The purpose of this rule making is to implement requirements of ESHB 2076 (2022) concerning rights and obligations of TNC drivers and TNCs. This new law provides workers' compensation insurance coverage to TNC drivers during platform dispatch and passenger dispatch time, among other rights and protections.	8/23/22 22-17-127	12/6/22 22-24-088	Anticipate filing 2/14/23	Jo Anne Attwood Employer Services 360-902-4777



WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-17 296-17A	Reporting and classification amendments for 2024	The purpose of this rule making is to implement clear rule writing to ensure staff and customers can easily understand and apply the workers' compensation insurance classification and reporting rules. Classification development studied some subclassifications for potential reduction in numbers and reviewed classification and reporting rules for improvement and clarification.	Anticipate filing 5/2/23	Anticipate filing 8/22/23	Anticipate filing 11/21/23	Jo Anne Attwood Employer Services 360-902-4777
296-17 296-17B	Industrial insurance premium rates 2024	The purpose of this rule making is to establish the premium rates and experience rating parameters for calendar year 2024.	Anticipate filing 6/20/23	Anticipate filing 9/19/23	Anticipate filing 11/30/23	Jo Anne Attwood Employer Services 360-902-4777
296-17 296-17A	Drywall classification rules rewrite	The purpose of this rule making is to rewrite the drywall classification rules for clarity and ease of administration for our customers.	To be determined	To be determined	To be determined	Jo Anne Attwood Employer Services 360-902-4777
296-23	Independent medical examinations (IMEs) (ESSB 6440)	The purpose of this rule making is to create new rules required by ESSB 6440 to address how to accommodate an injured worker if no approved independent medical examiner in the specialty needed is available in a reasonably convenient location, as well as how telemedicine IMEs may be used.	10/6/20 20-20-111	Anticipate filing 4/18/23	Anticipate filing 8/22/23	Kristen Baldwin-Boe Health Services Analysis 360-902-6815
296-20 296-23	Medical aid rules —Conversion factors	The purpose of this rule making is to update rates for most professional health care services for injured workers, which are published annually in the medical aid rules and fee schedules.	12/20/22 23-01-117	Anticipate filing 3/21/23	Anticipate filing 5/23/23	Megan Lemon 360-902-5161 Bob Mayer 360-902-5021 Health Services Analysis
296-21	Master's level therapists (MLT) pilot	The purpose of this pilot rule making is to allow MLTs to treat injured workers. L&I decided to initiate a pilot to help determine how MLTs can best be incorporated into the workers' compensation setting. Under this pilot, these current provisions related to treatment by MLTs are waived for pilot participants only. The pilot began on January 1, 2020, and the exceptions granted are effective throughout a four-year pilot period or as otherwise specified.	12/3/19 19-24-087	To be determined	To be determined	Suzy Campbell Legal Services 360-902-5003

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-14	Verification for presumptive coverage of frontline employees and health care workers (ESSBs 5115 and 5190)	The purpose of this rule making is to implement ESSBs 5115 and 5190 (2021 legislative session), which establish presumptive coverage for frontline workers subject to a public health emergency under RCW 51.32.181 and 51.32.390. This rule making will create rules to clarify what is and is not verification of contraction of an infectious or contagious disease for frontline workers that is the subject of a public health emergency. The rules also clarify what is and is not verification of contraction or quarantine of an infectious or contagious disease for health care workers that is the subject of a public health emergency.	6/21/22 22-13-149	10/18/22 22-21-119	Anticipate filing 2/28/23	Jordan Ely Legal Services 360-902-4616
296-14	Presumptive coverage of posttraumatic stress disorder (PTSD) as an occupational disease (SSB 6214 and SHB 2758)	The purpose of this rule making is to implement SSB 6214 (2018) which updated RCW 51.08.142 and 51.32.185 and added a new section to chapter 51.08 RCW, and to implement SHB 2758 (2020), which also amended RCW 51.08.142. This rule making will add specified industries and presumption to WAC 296-14-300. This rule making provides for coverage of mental conditions or mental disabilities that specify pain primarily as a psychiatric symptom or that are characterized by excessive or abnormal thoughts, feelings, behaviors, or neurological symptoms [that] are not clinically related to occupational exposure. PTSD qualifies as such a medical condition and is covered as an occupational disease for certain industries.	7/19/22 22-15-091	11/22/22 22-23-145	Anticipate filing 4/4/23	Jordan Ely Legal Services 360-902-4616
296-14	Pension discount rate (PDR) 2023	The purpose of this rule making is to lower PDR to better align with the rate of return for long-term treasuries for self-insured pensions. PDR is the interest rate used to account for the time value of money when evaluating the present value of future pension payments.	8/2/22 22-16-089	11/22/22 22-23-146	1/31/23 23-04-078	Suzy Campbell Legal Services 360-902-5003

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-20	Reopening workers' compensation claims (SHB 1902)	The purpose of this rule making is to implement SHB 1902 (2022), which amended RCW 51.28.040 Application for change in compensation. This rule making will allow reopening of workers' compensation claim up to 120 days prior to receipt of the application when certain criteria are met. This criteria includes when the provider does not complete and file the application within 60 days of medical services, <b>and</b> the worker submits the application within 30 days of medical services without medical completion.	8/23/22 22-17-126	12/6/22 22-24-087	Anticipate filing 2/14/23	Suzy Campbell Legal Services 360-902-5003
296-20	Osteopathic physician assistants	The purpose of this rule making is to make language on physician assistants in the medical aid rules consistent with language in SHB 2378 (chapter 80, Laws of 2020). This bill amends some sections in the DOH Title 18 RCW by deleting references to "osteopathic physician assistants" and repealing chapter 18.57A RCW, Osteopathic physician assistants. Effective July 1, 2022, all physician assistants will be regulated under chapter 18.71A RCW Physician assistants.	N/A	To be determined (CR-105)	To be determined	Jami Lifka Office of the Medical Director Jami.Lifka@Lni.wa.gov
296-17B	Retrospective rating for workers' compensation insurance	This rule making will address extending requirements for businesses that enroll in individual retro plans and revise enrollment requirements for businesses under common majority ownership.	11/5/13 13-22-071	To be determined	To be determined	Rachelle Bohler Retrospective Rating 360-902-5967
296-17B	Retrospective rating for workers' compensation insurance— Common ownership (pilot)	This pilot rule making will consider/allow exceptions to the retroactive rating program's current common ownership rule (WAC 296-17B-770) as written.	8/5/15 15-16-132	To be determined	To be determined	Rachelle Bohler Retrospective Rating 360-902-5967

WAC CHAPTER	RULE SUBJECT	PURPOSE AND SCOPE OF RULE MAKING	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	AGENCY CONTACT
296-17 296-17B	Retrospective rating insurance tables update	<p>The purpose of this rule making is to consider updating the retrospective rating insurance tables. When WAC 296-17B-010 was updated in 2017, L&amp;I made a commitment to "repeat the studies that resulted in the hazard group assignments and changes to retrospective plan tables that are shown in WAC 296-17-901, 296-17B-300, 296-17B-560, 296-17B-830, and 296-17B-910 through 296-17B-990. The repeated studies will determine whether the results are consistent with the expectation of improved fairness in the distribution of the retrospective rating refunds among participants. These repeated studies will be done by April 1, 2020. L&amp;I will evaluate and if necessary update the tables beginning at WAC 296-17B-910 every five (5) years" (WSR 17-12-020).</p>	4/20/22 22-09-085	Anticipate filing 3/21/23	Anticipate filing 5/23/23	Jessica Nau Retrospective Rating 360-902-5694