

**WSR 25-12-068
PERMANENT RULES
OFFICE OF
FINANCIAL MANAGEMENT**

[Filed May 30, 2025, 10:25 a.m., effective July 1, 2025]

Effective Date of Rule: July 1, 2025.

Purpose: To align the civil service rules, Title 357 WAC, with the requirements of the law. HB 1197 (chapter 171, Laws of 2023), passed during the 2023 legislative session with an effective date of July 1, 2025, and applies retroactively. Section 7 of this bill amends RCW 51.32.090 to replace all references of a physician or licensed advanced registered nurse practitioner with an attending provider. Section 2 of the bill created RCW 51.08.200 to define an attending provider. RCW 41.06.490(2) requires the office of financial management director to adopt rules that "provide for eligibility in the return-to-work program, for a minimum of two years from the date the temporary disability commenced, for any permanent employee who is receiving compensation under RCW 51.32.090 and who is, by reason of his or her temporary disability, unable to return to his or her previous work, but is physically capable of carrying out work of a lighter or modified nature." The amendment to WAC 357-19-530(3) is to reflect gender-neutral pronouns and to replace the reference to "a physician or licensed mental health professional" with "an attending provider as defined in RCW 51.08.200."

Citation of Rules Affected by this Order: Amending WAC 357-19-530.

Statutory Authority for Adoption: RCW 41.06.150.

Other Authority: RCW 41.06.490.

Adopted under notice filed as WSR 25-08-078 on April 1, 2025.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: May 30, 2025.

Nathan Sherrard
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RDS-6208.1

AMENDATORY SECTION (Amending WSR 05-01-206, filed 12/21/04, effective 7/1/05)

WAC 357-19-530 Who is eligible to participate in the employer's return-to-work program? Employees are eligible to participate in the return-to-work employer's program under the following conditions:

- (1) The employee is a permanent employee.
- (2) The employee is receiving compensation under RCW 51.32.090.
- (3) The employee has a temporary disability which makes (~~him/her~~) them temporarily unable to return to (~~his or her~~) their previous work, but who is capable of carrying out work of a lighter or modified nature as evidenced by a written statement from (~~a physician or licensed mental health professional~~) an attending provider as defined in RCW 51.08.200.