



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Employment Security Department

- Preproposal Statement of Inquiry was filed as WSR 13-13-033 _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____ ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Amendment of rules in Chapter 192-220 WAC relating to penalties for claimants who commit unemployment insurance fraud.

Hearing location(s):
Employment Security Department
Maple Leaf Conference Room
212 Maple Park
Olympia, Washington

Submit written comments to:
Name: Pamela Ames
Address: P.O. Box 9046
Olympia, WA 98507-9046
e-mail pames@esd.wa.gov
fax (360)902-9799 by (date) November 13, 2013

Date: November 14, 2013 Time: 10:00 a.m.

Assistance for persons with disabilities: Contact
Kintu Nnambi by November 13, 2013
TTY (800) 833-6384 or (360) 725-9454

Date of intended adoption: November 18, 2013
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: State and federal now require a monetary penalty for the first instance of fraud. The proposed changes make existing rules consistent with this requirement. The existing fraud rules only address penalties for second, third and subsequent instance of fraud.

Reasons supporting proposal: Rules implement Sections 1 and 2 of Chapter 189, Laws of 2013 (Senate Bill 5355).

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040

Statute being implemented: RCW 50.16.010 and RCW 50.20.070

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE
October 1, 2013

NAME (type or print)
Nan Thomas

Nan Thomas

SIGNATURE
TITLE
Deputy Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: October 01, 2013
TIME: 1:19 PM
WSR 13-20-112

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Employment Security Department

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Implementation....Juanita Myers	212 Maple Park, Olympia	(360) 902-9665
Enforcement..... Neil Gorrell	212 Maple Park, Olympia	(360) 902-9303

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules clarify penalties for fraud and how payments will be applied. There are no impacts on small business.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: The rules simply clarify policies and procedures and do not meet the definition of significant legislative rules under RCW 34.05.328.