



April 6, 2021

Washington State Department of Labor and Industries
PO Box 44890
Olympia, WA 98504-4890
Attn: Anume Orukari, MPA, CDMS

Via email: anume.orukari@lni.wa.gov

Re: Proposed Rules on Licensing and Certification of Administrators

Dear Sir/Madam:

On behalf of the Association of Claims Professionals (ACP), we are writing to comment upon the recently proposed rulemaking related to WAC 296 -15 and the licensing and certification of administrators.

About ACP: ACP was formed in 2002 as the only national association representing the interests of independent claims professionals. ACP members employ thousands of claims specialists and other professionals across the country and in Washington state and handle millions of property and casualty, workers' compensation, disability, and other liability claims annually.

Membership is comprised of independent claims adjusters and third-party administrator organizations, many of whom handle claims administration responsibilities for Washington insureds and their carriers. ACP member companies employ hundreds of adjusters in the state.

The Proposed Regulation: WAC 296-15-350 (2)(a) specifies July 1, 2021 as the effective date that every person making claim decision must be certified or in the process of getting their certification. We ask that consideration be given to extending this deadline to December 31, 2021 to allow the Washington State Department of Labor and Industries and third party administrators to have the full process in place to comply. We also would like clarification as to what the department will accept as evidence of "in the process of getting their certification".

For WAC 296-15-350 (3) we ask for consideration to add "Designate one certified claims administrator in each claims handling office as the department's primary contact person for claim issues". We also ask for consideration to add "for each claims handling office" to subsection (4) designating "one address for each claims handling office for the mailing of all claims related correspondence". This would ensure that correspondence and issues are directed to the correct resource for handling and resolving matters related to individual claims.

WAC 296-15-360 (2)(c)(i) sets a deadline of January 1, 2022 as expiration for exemption of completing the training as a prerequisite for taking the test. We respectfully request consideration be given to extend this deadline to December 31, 2022 to allow organizations to comply.



Subsection (2)(c)(ii) seems in conflict with Subsection (4) and needs to be clarified. If you have already passed the test and are a certified administrator, you will maintain your certified claims administrator designation by fulfilling continuing education credits. However, (4) indicates “If you are a certified claims administrator and you fail the test, your certification will be terminated until you retest and pass”. Explanation regarding the intention of (4) needs to be given as subsection (2)(c)(ii) indicates that once you are a certified administrator you do not need to retest to maintain your designation as long as you comply with the continuing education requirements.

We appreciate the opportunity to provide comments and participate in the rulemaking process. Please let us know if you have any further questions or comments about the above. Please also feel free to contact me at susan@murdockinc.com if you have any questions about our comments.

Sincerely,

Susan R. Murdock Executive Director
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