

SEP 02 2008

Bruce Furness
Interim CEO



Workforce Safety
& Insurance

1600 East Century Avenue, Suite 1
PO Box 5585
Bismarck ND 58506-5585

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August 28, 2008

Mr. John Walstad
Code Revisor
ND Legislative Council
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Mr. Walstad:

The Notice of Intent to adopt and amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. §28-32-10(1).

Respectfully,


Connie Todd
Legal Services Manager

Enclosures

**NOTICE OF INTENT TO
CREATE and AMEND ADMINISTRATIVE RULES
RELATING TO WORKFORCE SAFETY & INSURANCE
AND NOTICE OF PUBLIC HEARING**

TAKE NOTICE that Workforce Safety & Insurance will conduct a public hearing at 2:00 p.m. on October 8, 2008, at the Board Room, Century Center, 1600 E. Century Avenue, Bismarck, North Dakota, and will be teleconferenced to the conference room of our Fargo Office, located at 2601 12th Avenue SW, Fargo, North Dakota, at which time and place all persons will be heard regarding the proposed creation, amendments and repeals to the North Dakota Administrative Code as follows:

1. The purpose of the proposed amendment to Administrative Code Section 92-01-02-11.1 relating to attorney fees is to address hourly rates. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
2. The purpose of the proposed amendment to Administrative Code Section 92-01-02-14 relating to employer payroll reports changes the time frame in which WSI sends the first billing statement. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
3. The purpose of the proposed amendment to Administrative Code Section 92-01-02-18 relating to the experience rating system is to address how experience ratings are calculated. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
4. The purpose of the proposed amendment to Administrative Code Section 92-01-02-25 relating to permanent partial impairment awards addresses impairment award and ratings. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
5. The purpose of the amendment to Administrative Code Section 92-01-02-29.1 relating to medical necessity and treatment that the organization will or will not pay. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

6. The purpose of the proposed new rule, Administrative Code Section 92-01-02-29.3, relates to the purchase or modifications of motor vehicles. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
7. The purpose of the proposed amendment to Administrative Code Section 92-01-02-32 relating to physicians and nurse practitioners is to address services and fees. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
8. The purpose of the proposed amendment to Administrative Code Section 92-01-02-34 relates to treatment requiring authorization, preservice review, and retrospective review that the organization will or will not pay. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
9. The purpose of the proposed amendment to Administrative Code Section 92-05-02-06 relating to the safety outreach program is to address the time frame employers may participate. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
10. The purpose of the proposed amendment to Administrative Code Section 92-05-03-01 relating to grant programs is to clarify grant programs. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
11. The purpose of the proposed amendment to Administrative Code Section 92-05-03-02 relating to the grant program is to clarify the eligibility requirements of volunteer organizations and associations. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
12. The purpose of the proposed amendment to Administrative Code Section 92-05-03-03 relating to grant awards is to address erroneous applications. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
13. The purpose of the proposed amendment to Administrative Code Section 92-05-03-06 relating to the hazard elimination program is to address participation. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
14. The purpose of the proposed amendment to Administrative Code Section 92-05-03-07 relating to safety training and education programs is to clarify the eligibility requirements. This proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rule creation, amendments and required regulatory analyses, small entity regulatory analyses and small entity economic impact statements as required, are on file and

may be reviewed or copied on any working day between 8:00 a.m. and 5:00 p.m., at Workforce Safety & Insurance, 1600 East Century Avenue, Bismarck, North Dakota. A copy of the proposed rules and/or a regulatory analysis may be requested by writing to the address below or by calling (701)328-3800.

Persons who require accommodations to attend or otherwise appear at this hearing should contact Workforce Safety & Insurance at the below address and phone number at least five days prior to the public hearing.

Workforce Safety & Insurance
Attention: Connie Todd
PO Box 5585
Bismarck, ND 58506-5585
(701)328-3800
TTD: (701)328-3786

Written or oral data, views or arguments concerning the proposed rule changes may be sent or phoned to the organization at the above address or phone number. The closing date for receipt and full consideration of all written or oral submissions is October 18, 2008.

Dated this 28th day of August, 2008.

Connie Todd
Legal Services Manager