



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Commerce & Human Resources Committee  
**FROM:** Legislative Research Analyst - Elizabeth Bowen  
**DATE:** August 05, 2014  
**SUBJECT:** Industrial Commission

IDAPA 17.02.11 - Rules of the Industrial Commission under the Workers' Compensation Law -- Security for Compensation -- Self-Insured Employers (Docket No. 17-0211-1401) -- Temporary and Proposed Rule

The Industrial Commission submits notice of temporary and proposed rulemaking at IDAPA 17.02.11. The temporary and proposed rule was prompted by passage of Senate Bill 1252 during the 2014 Legislative Session. Senate Bill 1252 created Section 72-301A, Idaho Code, which provides an alternative means of securing self-insurance to employers at INL who work under a cost reimbursement contract with the federal government. Section 72-301A requires the Commission to adopt rules consistent with its provisions.

Additionally, the temporary and proposed rule allows self-insured employers to apply for an experience modification rating for use in calculating premium tax payments. This appears to be consistent with Section 72-523, Idaho Code.

The effective date of the temporary and proposed rule is July 1, 2014. There is no negative fiscal impact on the state general fund. The Commission did not conduct negotiated rulemaking but states that the Governor has found temporary adoption of the rule appropriate, as the rule is necessary to comply with the terms of Sections 72-301A and 72-523, Idaho Code.

cc: Industrial Commission  
Mindy Montgomery