



IDAHO INDUSTRIAL COMMISSION

PO Box 83720
Boise, ID 83720-0041
(208) 334-6000 - FAX (208) 334-2321
1-800-950-2110

COMMISSIONERS
Thomas E. Limbaugh, Chairman
Claire Sharp
Aaron White

BRAD LITTLE, GOVERNOR

George Gutierrez, Director

April 29, 2024

RE: Agency Draft of proposed edits for WC ZBR Chapter Rewrite

In accordance with Executive Order 2020-01: Zero-Based Regulation, the Industrial Commission is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. Currently, the Commission is reexamining the Idaho Worker’s Compensation Chapter: IDAPA 17.01.01 – Administrative Rules Under the Worker’s Compensation Law.

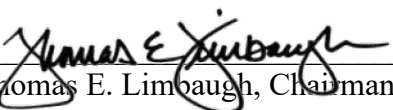
As part of the rulemaking process, the Commission will host multiple negotiated rulemaking meetings to allow Commission stakeholders to share their feedback regarding the current administrative rules and recommend potential changes to improve the effectiveness of the rules and to reduce regulatory burden.

The Commission held the first of these negotiated rulemaking meetings on November 8, 2023, which focused particularly on Sections .000 - .307. In preparation for that meeting, the Commission drafted proposed edits/changes to the Chapter. The Commission made a copy of this draft available, reviewed the draft with those who attended, and received comments and suggestions from the public.

During the 2024 Legislative Session, the Commission presented its ZBR Chapter rewrite on IDAPA 17.10.01 – Administrative Rules Under the Crime Victims Compensation Act. The Legislature was largely supportive of the proposed rewrite but expressed concerns regarding a trend that they had observed upon review of a number of state agencies’ proposed rules. Namely, that the re-write was unexpectedly eroding legislative authority to review administrative rules, particularly when an agency recommended to remove sections of the rule and simply post the removed material on the agency’s website. Based on these concerns, the Legislature ultimately approved in part, and rejected in part, the Commission’s proposed rewrite of the chapter re: Crime Victims Compensation Act.

In light of the comments received at the November 2023 negotiated rulemaking meeting and the feedback received from the state legislature, the Commission has decided to significantly revise the proposed draft used at the prior negotiated rulemaking meeting. In general, the revised version will avoid removing entire sections from the rule with the stated intention to simply post the removed material on the agency’s website instead.

The agency will make this revised version of the proposed edits/changes to IDAPA Chapter 17.01.01 available for the upcoming May 8, 2024, Negotiated Rulemaking meeting.


Thomas E. Limbaugh, Chairman


Claire Sharp, Commissioner


Aaron White, Commissioner