

CAB Rule Committee Meeting Notes

Zoom Conference October 15, 2020.

Meeting began at 12:00 p.m. Pacific Time

In Attendance:

Committee Members

Mark Case, Washington State Collection Agency Board Member – Industry member

Scott Kinkley, Washington State Collection Agency Board Member – Public member

David Reid, Director of government affairs and regulatory policy for the Receivables Management Association.

Kevin Underwood, Collection Agency Attorney, Linebarger Goggan Blair & Sampson –Gig Harbor,

WA

Kirk Miller, Consumer Rights Attorney- Spokane, WA

Sam Leonard, Collection Attorney – Seattle, WA

Andy Madden, ACA International vice president of government and state affairs.

Program Staff

Kim Hall, Administrative Assistant 3

Grace Hamilton, Investigator 3

Julie Konnersman, Management Analyst

Kathe McDaniel, Assistant Administrator

Rick Storvick, Administrator

Elizabeth Lagerberg, Assistant Attorney General, Board Advisor

- Mr. Storvick opened with welcoming all the members, thanking them for their efforts and covered the purpose of the meeting.
- Mrs. McDaniel reviewed the agenda and key focus elements for the day.
- Ms. Lagerberg changed language to clarify that “remote office” is not a new location, rather an extension of the licensed location. Mr. Kinkley suggested that we tie in the URBP (RCW 18.235) for unfair business practice. No objection from the committee to citing the RCW.
- Mr. Underwood looked into the Remote Worker Agreement and got feedback from stakeholders. Mr. Underwood added an “either/or” into the language so there would either be a written remote agreement OR the mandatory policy.
- Mr. Underwood also wanted to add an exemption for the distance rule for medical emergencies. Mr. Kinkley disagreed with both proposals stating that there are Federal laws to cover an employee with a medical emergencies protecting them from termination. Mr. Reid suggested that the language say “any temporary exemptions be filed with the board for review”. Mr. Underwood agreed to that. Ms. Lagerberg informed the committee of the boards role in

disciplinary authority being compliant driven. Mr. Storvick also warned the committee about the board/departments requirements with public disclosure and having documentation like this filed with the board would be a violation of HIPPA laws. A decision was made to remove the language and add it as a comment for stakeholders to comment on.

- Mr. Underwood proposed language for single user. This language would ensure call centers do not occur outside a licensed location. Committee agreed to language.
- There was another discussion regarding the amount of time a new employee would require in house training. Mr. Underwood did not think a specific time frame should be put in to the language. Mr. Kinkley disagreed and did not believe the 30 days that is in the language was actually agreed on at the prior meeting and felt it should be longer. Ms. Lagerberg stated that the majority did agree to that time frame. Mr. Kinkley believes this should actually be put back to 120-180 days. Ms. Lagerberg suggested that the committee moves forward with a middle of the road approach for comment period and would draft that in the language for review.
- Mr. Underwood commented on the call recording requirement stating that it would be impossible for an agency to record and monitor every call. Mr. Kinkley stated that he would feel comfortable adding language to say “attempt” to record, understanding that there could be glitches. Mr. Reid added that the committee may need to add language regarding retention on the phone calls. Mr. Kinkley suggests 4 years to coincide with Washington State Statute. The committee agreed to 4 years.

➤ **Work Assignments for the next meeting:**

- Ms. Lagerberg will have language drafted for review by Monday, October 19, 2020.
- An additional meeting will be added for October 19, 2020 or October 20, 2020.
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- Public Comment & Guest:
None

October Meeting Schedule: All Times Pacific Time

- Thursday, October 22nd- 12:00 p.m. to 2:00 p.m.