

WSR 13-15-005
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed July 5, 2013, 11:08 a.m.]

Subject of Possible Rule Making: WAC 246-310-280, 246-310-282, 246-310-284, 246-310-286, 246-310-287, 246-310-288 and 246-310-289, certificate of need (CoN) kidney dialysis-related rules. Possible revisions to the criteria and standards used to make decisions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.38.135 and 70.38.115.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Detailed standards tailored to the specific type of CoN proposal should be adopted into rule. This promotes transparency for applicants and predictable decision making by the program. In November 2012, the department received a rules petition requesting that the current dialysis rules be reviewed. The current dialysis rules went into effect January 2007. This review will determine if the current rules are working as intended, and if not, make the needed changes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Centers for Medicare and Medicaid Services (CMS) certify kidney dialysis facilities, and the department will coordinate with CMS as appropriate.

Process for Developing New Rule: The department will use a collaborative rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may participate in the development of draft rules prior to a formal proposal by joining the department listserv, attending workshops or providing input on draft materials. Interested parties can receive information on how to participate by contacting Janis Sigman, Program Manager, Department of Health, Health Systems Quality Assurance, Office of Health Professions and Facilities, P.O. Box 47852, 111 Israel Road S.E., Olympia, WA 98504-7852, e-mail Janis.Sigman@doh.wa.gov [Janis.Sigman@doh.wa.gov], phone (360) 236-2956, or fax (360) 236-2321.

July 3, 2013
 John Wiesman, DrPH, MPH
 Secretary

WSR 13-15-013
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 8, 2013, 9:36 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs, higher education programs standards, criteria, infrastructure and timelines for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to the PESB for Title 181 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

July 8, 2013
 David Brenna
 Senior Policy Analyst

WSR 13-15-014
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 8, 2013, 10:00 a.m.]

Subject of Possible Rule Making: Chapter 181-82A WAC, Performance-based teacher certificate endorsements, defining content areas of teacher endorsements including grade levels for assignment purposes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and defining teacher competencies.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

July 8, 2013
 David Brenna
 Senior Policy Analyst

WSR 13-15-015
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 8, 2013, 10:37 a.m.]

Subject of Possible Rule Making: Chapter 181-86 WAC, Certification, policies and procedures for administration of certification proceedings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150.-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Addressing proceedings for revocation or discipline through investigation by the office of professional practice, office of the superintendent of public instruction.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

July 8, 2013
 David Brenna
 Senior Policy Analyst

WSR 13-15-022
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Behavioral Health and Service Integration Administration)

[Filed July 9, 2013, 8:11 a.m.]

Subject of Possible Rule Making: WAC 388-105-0005 and other related rules if necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.39A.050 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To adjust the rate table in accordance with the 2014-2016 biennial budget (3ESSB 5034).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Elizabeth Pashley, phone (360) 725-2447, fax (360) 725-2641, TTY 1-877-905-0454, e-mail Elizabeth.Pashley@dshs.wa.gov.

July 9, 2013
 Katherine I. Vasquez
 Rules Coordinator

WSR 13-15-023
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed July 9, 2013, 9:07 a.m.]

Subject of Possible Rule Making: Adopt rules in chapter 192-310 WAC, Reporting of wages and taxes due. Amendments will be made to implement section 2 of HB 1311. The bill exempts some employment on fishing vessels when the crew members are paid by means of a share of the catch of fish or other aquatic animal life and only pertains to fishing vessels with fewer than ten operating crew members. The need to amend or repeal existing rules may be identified through the rule-making process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.04.170 and 50.24.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making will implement chapter 75, Laws of 2013 (HB 1311, section 2) related to implementing the employment eligibility provisions of the bill. The topic for rule making that has been identified to date is having the boat owners notify their crew members in writing as to their eligibility for unemployment insurance coverage. Other topics may be identified through the rule-making process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance (UI) program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of UI laws as long as conformity is maintained. The proposed rules will be shared with USDOL prior to adoption.

Process for Developing New Rule: The proposed rules will be shared with stakeholders identified in the rule-making process. We will solicit input from stakeholders and consider all written comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, UI Rules Manager, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9799, e-mail jmyers@esd.wa.gov. Please include your name, organization (if any), mailing address, e-mail address and phone number.

July 8, 2013
 Nan Thomas
 Deputy Commissioner

WSR 13-15-030
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed July 10, 2013, 10:34 a.m.]

Subject of Possible Rule Making: Match play coupons offered in gambling promotions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received three petitions for rule change from a card room operator requesting amendments and/or repeal of the rule relating to match play coupons.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] August 8 or 9, 2013, at the Wenatchee Red Lion, 1225 North Wenatchee Avenue, Wenatchee, WA 98801, (509) 663-0711; and on September 12 or 13, 2013, at the Grand Mound Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531, (360) 273-7718; and on October 10 or 11, 2013, at the Spokane Davenport Hotel, 10 South Post Street, Spokane, WA 99201, (509) 455-8888. Visit www.wsgc.wa.gov, ten days before each commission meeting to confirm meeting date, location and start time.

July 10, 2013
 Susan Newer
 Rules Coordinator

WSR 13-15-031
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed July 10, 2013, 10:46 a.m.]

Subject of Possible Rule Making: Amendments to chapter 392-502 WAC, Online learning—Approval of multidistrict online providers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.250 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 392-502 WAC requires updating to comply with changes made by ESSB [ESSB] 5946 (2013) and to possibly clarify questions on current requirements.

Process for Developing New Rule: Solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karl Nelson, Director, Digital Learn-

ing Department, 4507 University Way N.E., Suite 204, Seattle, WA 98105, (206) 616-9940, karl.nelson@k12.wa.us.

July 10, 2013
 Randy Dorn
 State Superintendent

WSR 13-15-032
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Office of the Deaf and Hard of Hearing)

[Filed July 10, 2013, 3:48 p.m.]

The office of deaf and hard of hearing requests the withdrawal of the following preproposal statement of inquiry filed as WSR 10-19-134 filed on September 22, 2010.

Katherine I. Vasquez
 Rules Coordinator

WSR 13-15-037
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed July 11, 2013, 11:39 a.m.]

Subject of Possible Rule Making: WAC 260-36-085 License and fingerprint fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To address the possibility of a license fee increase based on a study to be prepared in September 2013.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, Deputy Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

July 11, 2013
 Douglas L. Moore
 Deputy Executive Secretary

WSR 13-15-042**PREPROPOSAL STATEMENT OF INQUIRY****HEALTH CARE AUTHORITY**

(Medicaid Program)

[Filed July 11, 2013, 2:24 p.m.]

Subject of Possible Rule Making: WAC 182-550-1050 Hospital services definitions, 182-550-2511 Acute PM&R definitions (repeal), 182-550-2570 LTAC program definitions (repeal), 182-550-2900 Payment limits—Inpatient hospital services, 182-550-3000 Payment method—DRG, 182-550-3010 Payment method—Per diem payment, 182-550-3020 Payment method—Bariatric surgery—Per case payment, 182-550-3100 Calculating DRG relative weights, 182-550-3150 Base period costs and claims data, 182-550-3200 Medicaid cost proxies, 182-550-3250 Indirect medical education costs—Conversion factors, per diem rates, and per case rates, 182-550-3381 Payment methodology for acute PM&R services and administrative day services, 182-550-3450 Payment method for calculating medicaid DRG conversion factor rates, 182-550-3460 Payment method—Per diem rate, 182-550-3800 Rebasing and recalibration, 182-550-3900 Payment method—Bordering city hospitals and critical border hospitals, 182-550-4000 Payment method—Out-of-state hospitals, 182-550-4100 Payment method—New hospitals, 182-550-4300 Hospitals and units exempt from the DRG payment method, 182-550-4400 Services—Exempt from DRG payment, 182-550-4800 Hospital payment methods—State administered programs, 182-550-7050 OPPS—Definitions (repeal), and Other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the rebasing of inpatient and outpatient rates, the agency, along with consultants and stakeholders, reviews and revises how the agency pays hospitals for caring for medicaid clients. During this process, payment methods and rates change. These changes must be reflected in Washington Administrative Code.

During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jason Crabbe, P.O. Box 45504, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail jason.crabbe@hca.wa.gov.

July 11, 2013
Kevin M. Sullivan
Rules Coordinator

WSR 13-15-072**PREPROPOSAL STATEMENT OF INQUIRY****HEALTH CARE AUTHORITY**

(Medicaid Program)

[Filed July 16, 2013, 10:46 a.m.]

Subject of Possible Rule Making: Chapter 182-543 WAC, Durable medical equipment and related supplies, prosthetics, orthotics, medical supplies and related services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021; chapter 178, Laws of 2013 (E2SHB 1445).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As directed by the legislature in E2SHB 1445, these rules are necessary to establish a separate recognition for individually configured, complex rehabilitation technology (CRT) products and services for complex medical-need clients in the medical assistance program. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services (CMS).

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, HCA, Legal and Administrative Services, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1306, fax (360) 586-9727, TTY 1-800-848-5429, e-mail wendy.boedigheimer@hca.wa.gov.

July 16, 2013
Kevin M. Sullivan
Rules Coordinator

WSR 13-15-079**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed July 17, 2013, 9:42 a.m.]

Subject of Possible Rule Making: WAC 390-16-041 Forms—Summary of total contributions and expenditures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Correct instructions on the C-4 form for disclosing payments made by campaigns to signature gatherers. The commission may also modernize the rule, which could include refining expenditure codes and updating instructions for accessing forms.

Process for Developing New Rule: At its July 27, 2013, meeting, the commission is expected to begin discussing

potential amendments to the C-4 form. No action is planned for the July 27 meeting. Possible draft amendments will be prepared for discussion and approval at a later meeting, based on direction provided at the July meeting.

Interested persons are invited to submit written comments by Friday, September 13, 2013, to Lori Anderson.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Anderson, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, phone (360) 664-2737 or toll-free 1-877-601-2828, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112.

July 16, 2013
Lori Anderson
Communications and
Training Officer

WSR 13-15-081

PREPROPOSAL STATEMENT OF INQUIRY UTILITIES AND TRANSPORTATION COMMISSION

[Docket TG-131255—Filed July 17, 2013, 10:58 a.m.]

Subject of Possible Rule Making: The Washington utilities and transportation commission (commission) commences this inquiry to review current methods for setting rates for solid waste collection companies subject to commission jurisdiction and for the possible development of substantive standards for determining such rates. In the event that the commission determines that rules are not appropriate at this time, it may consider adopting a formal policy statement pursuant to RCW 34.05.230(1).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 81.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission supervises and regulates solid waste collection companies by "... fixing and altering its rates, charges, classifications, rules and regulations" as required by RCW 81.77.030(1). It is in the public interest for the commission to undertake a review of the methodology the commission currently uses to set rates and charges for solid waste companies under its jurisdiction, including the methodology used to determine a company's return on investment, the so-called Lurito-Gallagher Methodology, which was first implemented by the commission in 1988, UTC Cause No. TG-2016 et al.

The review also will include both a broad examination of the commission's use of the operating ratio approach to rate-making for solid waste collection companies and evaluation of other possible rate-setting methods. Such methods may include those generally used to derive a fair, overall rate-of-return on investment with a specific focus into the determination of the return-on-equity-component.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and the commission will ask for initial written comments, and will provide the opportunity for participation in public workshops, as well as opportunities for additional comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, e-mail records@utc.wa.gov, or through the commission's web portal at www.utc.wa.gov/e-filing by 5:00 p.m., Monday, August 19, 2013.

WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP:

The commission has scheduled a stakeholder workshop in this rule making for **Monday, September 23, 2013, beginning at 9:30 a.m.** in the Commission's Hearing Room, Richard Hemstad Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. Written comments may be submitted no later than **5:00 p.m. on Monday, August 19, 2013.**

Electronic copies. The commission requests that comments be provided in electronic format to (a) enhance public access, (b) ease of providing comments, (c) reduce the need for paper copies, and (d) to facilitate quotations from the comments. Comments may be submitted via the Commission's web portal at www.utc.wa.gov/e-filing or by e-mail to the commission's records center at records@utc.wa.gov.

Please include:

- The docket number of this proceeding (TG-131255).
- The commenting party's name.
- The title and date of the comment or comments.

Written copies. Comments submitted in writing may be submitted to the commission at the address given above.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later, a flash drive, or CD including the filed document(s). Commenters should include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at www.wutc.wa.gov/131255. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may:

- (1) Call the commission's records center at (360) 664-1234,
- (2) E-mail the commission at records@utc.wa.gov, or
- (3) Mail written comments to the address above to the attention of Steve King, acting executive director and secretary.

When contacting the commission, please refer to Docket TG-131255 to ensure that you are placed on the appropriate service list.

Questions may be addressed to Danny Kermode, (360) 664-1253 or e-mail dkermode@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING

The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. **ANY PERSON WHO COMMENTS** will continue to receive notices and information.

IF YOU DO NOT SUBMIT COMMENTS but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods:

(1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket TG-131255, and the words "Please keep me on the mailing list;" or

(2) E-mail your name, address, telephone and fax numbers, referencing Docket TG-131255, and the words "*Please keep me on the mailing list*" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.utc.wa.gov/131255>.

THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.

July 17, 2013
Steven V. King
Acting Executive Director
and Secretary

WSR 13-15-084

**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed July 17, 2013, 2:28 p.m.]

Subject of Possible Rule Making: Licensing fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commissioners will be considering proposing a license fee increase of approximately five - seven percent. The commission is a nongeneral fund and nonappropriated agency. We are funded by licensing and regulatory fees. The last fee increase was six years ago (2008) when fees were increased by approximately five percent. During the past six years, we have worked hard to save time, money and reduce staffing levels by adding online services, streamlining processes and close management. During the past six years, we have reduced our approved budget by more than \$1.5 million and reduced staffing by twenty-three positions. Even with these budget cuts, additional funding is needed to cover the agency's minimum operating costs. If the commissioners decide to move forward with a fee increase, the fee increase would require legislative approval during the 2014 legislative session. If the fee increase is ultimately approved by the state legislature, we anticipate the increase would become effective June or July 2014.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Visit www.wsgc.wa.gov about ten days before each meeting to confirm meeting location, date and start time.

Meetings on September 12 or 13, 2013, at the Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531; on October 10 or 11, 2013, at the Spokane Davenport Hotel, 10 South Post Street, Spokane, WA 99201; on November 14 or 15, 2013, at the Comfort Inn Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501; on April 10 or 11, 2014, and May 8 or 9, 2014, meeting locations to be determined.

July 17, 2013
Susan Newer
Rules Coordinator

WSR 13-15-086

**PREPROPOSAL STATEMENT OF INQUIRY
APPLE COMMISSION**

[Filed July 18, 2013, 7:09 a.m.]

Subject of Possible Rule Making: The Washington apple commission is considering rules to implement the provisions of RCW 15.04.200 governing promotional hosting expenditures by agricultural commodity commission employees and board members.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.04.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rules will identify those authorized to make expenditures for the Washington apple commission on promotional hosting and the objective for those expenditures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Members of the Washington apple commission will develop the rule proposal and will communicate with stakeholders regarding the proposal. Interested parties can participate in the public hearing/public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Todd Fryhover, President, Washington Apple Commission, 2900 Euclid Avenue, Wenatchee, WA 98801, phone (509) 663-9600, fax (509) 662-5824.

July 18, 2013
Todd Fryhover
President

WSR 13-15-103**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
NATURAL RESOURCES**

[Filed July 22, 2013, 9:48 a.m.]

Subject of Possible Rule Making: Derelict and abandoned vessel in state waters.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79.100 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1245, section 39, approved May 20, 2013 (effective July 28, 2013), directs the department of natural resources (DNR) to adopt by rule procedures and standards for the inspections of vessels (greater than sixty-five feet in length and more than forty years old), as required under section 38 of this act. The rules are intended to identify the public or private entities authorized to conduct inspections, the required elements of an inspection, and the manner in which inspection results must be documented.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal - U.S. Coast Guard, Washington state - departments of ecology (RCW 90.56.050, 90.56.410), licensing - recreational vessels (RCW 88.02.640, 88.02.380, 88.02.340, 88.02.550), and revenue - commercial vessels (chapter 84.40 RCW) - DNR will coordinate the rule making with these agencies by meeting individually with appropriate agency representatives to develop an efficient information-sharing process for vessel inspections required by this rule. DNR will invite agency representatives to participate in the public workshop and meeting(s) once it has drafted a rule for review and comment.

Process for Developing New Rule: Full rule-making process, DNR will contact stakeholders, and affected parties and entities to solicit their participation in the rule development process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DNR will convene a public workshop prior to preparing the draft rule to solicit ideas from interested parties. When DNR has prepared the draft rule, it will conduct a public meeting for comments.

DNR contact(s): Lisa M. Randlette, Policy Unit, Aquatic Resources Division, DNR, P.O. Box 47027, Olympia, WA 98504-7027, (360) 902-1085, fax (360) 902-1786, lisa.randlette@dnr.wa.gov; or Melissa Ferris, Derelict Vessel Removal Program, Aquatic Resources Division, DNR, P.O. Box 47027, Olympia, WA 98504-7027, (360) 902-1574, fax (360) 902-1786, melissa.ferris@dnr.wa.gov.

July 22, 2013

Megan Duffy

Deputy Supervisor

Aquatics and Environmental Protection

WSR 13-15-105**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed July 22, 2013, 11:51 a.m.]

Subject of Possible Rule Making: The community services division is proposing to amend WAC 388-478-0015 Need standards for cash assistance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.770, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-478-0015 in order to revise the basic need standards for cash assistance. The department is required by RCW 74.04.770 to establish standards of need for cash assistance programs on an annual basis.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jenny Grayum, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4583, fax (360) 725-4905, e-mail jenny.grayum@dshs.wa.gov.

July 17, 2013

Katherine I. Vasquez
Rules Coordinator**WSR 13-15-106****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Aging and Long-Term Support Administration)

[Filed July 22, 2013, 11:53 a.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-78A WAC, Assisted living facilities rules: WAC 388-78A-2020 Definitions, 388-78A-2035 Disclosure statement to nonresident individuals, 388-78A-2440 Resident register, 388-78A-2460 Quality assurance committee, 388-78A-2474 Training and home care aides certification requirements, 388-78A-2730 Licensee's responsibilities, 388-78A-3180 Required enforcement remedies, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with newly passed state law SB [SSB] 5077 Gender-neutral terms; HB [SHB] 1629 Concerning credentialing and continuing education requirements for long-term services; and SB 5510 Vulnerable adults—Abuse.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of health.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeanette K. Childress, Assisted Living Facilities Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail childjk@dshs.wa.gov. Draft section language will be posted on AL TSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 11, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Children's Administration)
[Filed July 22, 2013, 11:55 a.m.]

Subject of Possible Rule Making: WAC 388-160-0265 Do I need to report runaway youth who stay at the shelter? and other related rules may be amended as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 13.32A.030, 13.32A.082, 13.32A.085, 43.43.-510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending WAC 388-160-0265 to ensure WAC is consistent with RCW 13.32A.082. Establishes notification requirements for licensed youth shelters for the safety of youth served. The RCW changed in the 2013 legislative session to require licensed youth centers to contact parents within seventy-two hours regarding youth who come to the shelter (and the youth is a runaway) unless there are compelling reasons to not notify the parent. The notification then must be made to the department. The law compels licensed youth shelters to check information pub-

licly available at Washington state patrol every eight hours to see if a youth is listed as a runaway.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Children's administration will coordinate with the attorney general's office during the rule-making process and any other agencies as necessary.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori VanClifford, Children's Administration, P.O. Box 45710, Olympia, WA 98504, phone (360) 902-0270, fax (360) 902-7903, e-mail Lori.VanClifford@dshs.wa.gov.

July 10, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-108
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed July 22, 2013, 11:58 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-400-0050 If I am not eligible for federal benefits through Washington Basic Food program because of my alien status, can I receive benefits through the state-funded food assistance program?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08A.120 and 3ESSB 5034 (operating budget).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The biennial operating budget (3ESSB 5034) changed the benefit level for the state-funded food assistance program under RCW 74.08A.120. Section 207(5) of 3ESSB 5034 states that the legislature establishes the benefit under the state food assistance program at seventy-five percent of the federal supplemental nutrition assistance program (SNAP) benefit amount. Prior to July 1, 2013, the benefit amount was fifty percent of the SNAP benefit amount.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers and demonstration projects by adopting administrative rules for the federal SNAP administered as the Washington Basic Food program. For persons who do not meet citizenship or alien status requirements the department may establish a state-funded food assistance program for legal immigrants

under RCW 74.08A.120. Department rules related to eligibility for noncitizens who do not meet alien status requirements for SNAP must comply with RCW 74.08A.120.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Camp, Administrator, Food Assistance Programs, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4616, fax (360) 725-4904, e-mail campix@dshs.wa.gov.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-109
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed July 22, 2013, 11:59 a.m.]

Subject of Possible Rule Making: The community services division is proposing to amend WAC 388-310-0900 WorkFirst—Basic education, 388-444-0010 Who is exempt from work registration while receiving Basic Food? 388-444-0015 How can the Basic Food employment and training (BF E&T) help me find work?, 388-450-0100 Allocating Income—Definitions, and 388-482-0005 How does being a student impact my eligibility for the Washington Basic Food program?, and any other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090 and SHB 1686, chapter 39, Laws of 2013.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will propose amendments to comply with SHB 1686, chapter 39, Laws of 2013, which creates a high school equivalency certificate as a certificate issued jointly by the state board of community and technical colleges and the office of the superintendent of public instruction that indicates that the holder attained scores at or above the minimum proficiency level on a high school equivalency test. The law also removes the term "general educational development (GED)" test throughout the statute and replaces it with the term "high school equivalency certificate."

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code

reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kerry Judge-Kemp, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4630, fax (360) 725-4905, e-mail judgeka@dshs.wa.gov.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed July 22, 2013, 12:01 p.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-76 WAC, Adult family homes: WAC 388-76-10000 Definitions, 388-76-10037 License requirements—Multiple adult family homes—Additional homes, 388-76-10125 License—May be denied, 388-76-10130 Qualifications—Provider, entity representative and resident manager, 388-76-10146 Qualifications—Training and home care aide certification, 388-76-10174 Background check—Disclosure of information—Sharing of background information by health care facilities, 388-76-10315 Resident record—Required, 388-76-10525 Resident rights—Description, 388-76-10535 Resident rights—Notice of change to services, 388-76-10595 Resident rights—Advocacy access and visitation rights, 388-76-10615 Resident rights—Transfer and discharge, 388-76-10925 Disclosure of inspection and complaint investigation reports, 388-76-10935 Washington protection and advocacy—Long-term care ombudsman—Official duties—Penalty for interference, 388-76-10960 Remedies—Department may impose remedies, 388-76-10975 Remedies—Specific—Civil penalties, 388-76-10980 Remedies—Specific—Stop placement—Admissions prohibited, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.128 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with newly passed state laws: SHB 1629 Home care aides—Credentialing and continuing education; EHB 1677 Adult family homes—Multiple facility operators; SHB 1686 K-12 schools—High school equivalency certificates; SSB 5077 Statutes—Gender-neutral terms; SB 5510 Vulnerable adults—Abuse; and SSB 5630 Vulnerable adults—Adult family homes. In addition, the department is amending rules to comply with SHB 2056 Assisted living facilities, passed (chapter 10, Laws of 2012) in the 2012 legislative session,

which changed the terminology "boarding home" to "assisted living facility."

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of health.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sandy Robertson, Adult Family Home Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3204, fax (360) 438-7903, e-mail robersk@dshs.wa.gov. Draft section language will be posted on ALISA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-111

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed July 22, 2013, 12:02 p.m.]

Subject of Possible Rule Making: The department is considering amending and adding sections to chapter 388-111 WAC, Residential habilitation centers—Compliance standards: WAC 388-111-0001 Definitions, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 74.34 RCW, RCW 74.08.090 and 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with newly passed state laws: SB 5510 Vulnerable adults—Abuse and SSB 5077 Statutes—Gender-neutral terms. In addition, the department is amending rules to comply with SHB 2056 Assisted living facilities (chapter 10, Laws of 2012) passed in the 2012 legislative session, which changed the term "boarding home" to "assisted living facility."

The department is also amending the chapter to comply with federal law regarding terminology used in intermediate care facilities for individuals with intellectual disabilities (ICF/IID) regulations.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later

date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Gaskell, ICF/IID Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3210, fax (360) 438-7903, e-mail gaskejw@dshs.wa.gov. Draft section language will be posted on the aging and long-term support administration professional internet web page for review and comment prior to filing the CR-102 proposed rules. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 18, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-112

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Behavioral Health and Service Integration Administration)

[Filed July 22, 2013, 12:04 p.m.]

Subject of Possible Rule Making: Repeal of WAC 388-865-0217 Psychiatric indigent inpatient program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.05.560, 74.04.050, 74.04.057, 74.08.090, and 74.09.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is repealing WAC 388-865-0217, effective December 31, 2013, because individuals eligible for the psychiatric indigent inpatient program may be considered newly eligible under the Affordable Care Act beginning January 1, 2014.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is coordinating the repeal of this rule with the health care authority.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kathy Sayre, DBHR Rules Manager, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 586-0341, TTY 1-800-848-5429, e-mail kathy.sayre@dshs.wa.gov.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-113
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 12:05 p.m.]

Subject of Possible Rule Making: Amending chapter 388-106 WAC, Long-term care services, COPEs waiver.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending chapter 388-106 WAC, specifically the community options program entry system waiver, in order to make program clarifications related to the renewal of the waiver with Centers for Medicare and Medicaid Services. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-114
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 12:19 p.m.]

Subject of Possible Rule Making: Amending chapter 388-106 WAC, regarding roads to community living.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending chapter 388-106 WAC due to changes the Center for Medicare and Medicaid (CMS) made to eligibility rules for this federal money follows the person (MFP) grant. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agen-

cies: CMS defines eligibility criteria for this federal demonstration grant and communicates to states via the RCL MFP project directors.

Process for Developing New Rule: Federal rule changed and WAC needs to reflect newer criteria. DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Debbie Blackner, P.O. Box 45600, Olympia, WA 98504, phone (360) 725-2557, fax (360) 438-8633, TTY (360) 493-2637, e-mail Debbie.blackner@dshs.wa.gov.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-115
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 12:20 p.m.]

Subject of Possible Rule Making: The department is considering adding a new WAC chapter [section] under chapter 388-107 WAC that will provide licensing requirements for enhanced services facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.97 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As a result of 3ESSB 5034, the department is adding a new WAC chapter [section] under chapter 388-107 WAC that will provide licensing requirements for enhanced services facilities. The legislature has directed that residents be placed in enhanced services facilities in 2014.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Casey Zimmer, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2575, fax (360) 438-7903, e-mail zimmecl1@dshs.wa.gov. Draft section language will be posted on ADSA professional internet web page for review

and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-116
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 12:23 p.m.]

Subject of Possible Rule Making: The department is considering amending and adding sections to chapter 388-101 WAC, Certified community residential services and supports: WAC 388-101-3000 Definitions, 388-101-3020 Compliance, 388-101-3060 Change of ownership, 388-101-3230 Group homes, 388-101-3250 Background checks—Washington state, 388-101-3630 Medication services—General, 388-101-3660 Medication assistance, 388-101-3730 Disposal of medications, 388-101-3880 Group home providers, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 and 71A.12.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending and adding to these rules to comply with and be consistent with newly passed state laws: SB 5510 Vulnerable adults—Abuse, and SSB 5077 Statutes—Gender-neutral terms. In addition, the department is amending rules to comply with SHB 2056 Assisted living facilities (chapter 10, Laws of 2012), passed in the 2012 legislative session, which changed the term "boarding home" to "assisted living facility."

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Gaskell, Certified Community Residential Services and Supports Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3210, fax (360) 438-7903, e-mail gaskejw@dshs.wa.gov. Draft section language will be posted on the aging and long-term support administration professional internet web page for review and comment prior to filing the CR-102 proposed rules. Anyone from the public can comment directly to the program manager listed above via phone, e-mail, or fax.

July 17, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-117
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed July 22, 2013, 12:24 p.m.]

The economic services administration requests the withdrawal of the following preproposal statement of inquiry filed as WSR 12-17-133 filed on August 21, 2012.

Katherine I. Vasquez
Rules Coordinator

WSR 13-15-118
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
[Filed July 22, 2013, 2:00 p.m.]

Subject of Possible Rule Making: Card games.
Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Ashford Kneitel, Ashford Gaming LLC, requesting an amendment to game rules related to the card game Baccarat.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Visit www.wsgc.wa.gov about ten days before each meeting to confirm meeting location, date and start time.

[Meetings on] September 12 or 13, 2013, at the Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531; on October 10 or 11, 2013, at the Spokane Davenport Hotel, 10 South Post Street, Spokane, WA 99201; and on November 14 or 15, 2013, at the Comfort Inn Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501.

July 22, 2013
Susan Newer
Rules Coordinator

WSR 13-15-120
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
[Filed July 22, 2013, 2:01 p.m.]

Subject of Possible Rule Making: Card games.
Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is looking at making amendments to the rule relating to requirements for authorized card games.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400 (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Visit www.wsgc.wa.gov about ten days before each meeting to confirm meeting location, date and start time.

[Meetings on] September 12 or 13, 2013, at the Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531; on October 10 or 11, 2013, at the Spokane Davenport Hotel, 10 South Post Street, Spokane, WA 99201; and on November 14 or 15, 2013, at the Comfort Inn Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501.

July 22, 2013
Susan Newer
Rules Coordinator

WSR 13-15-121

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed July 22, 2013, 2:16 p.m.]

Subject of Possible Rule Making: The department is proposing to create a new rule under Title 388 WAC establishing eligibility standards for aged, blind, or disabled (ABD) cash assistance and the housing and essential needs referral programs; and amend WAC 388-400-0060 Who is eligible for aged, blind, or disabled (ABD) cash assistance?, 388-449-0001 What are the disability requirements for the aged, blind, or disabled (ABD) program?, 388-449-0035 How does the department assign severity ratings to my impairment?, 388-449-0060 Sequential evaluation process Step II—How does the department review medical evidence to determine if I am eligible for benefits?, 388-449-0080 Sequential evaluation process Step IV—How does the department evaluate if I am able to perform past work?, and any other related rules as required by SHB [EHB] 2069.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.62.030 and SHB [EHB] 2069.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB [EHB] 2069 section 1 requires the department to adopt ABD eligibility standards consistent with the income and resources standards detailed in section 3. Section 1 also requires the department to move from a twelve month to nine month disability duration and reduce consideration of an individual's ability to perform past work from fifteen to ten years when determining eligibility

for ABD cash assistance. SHB [EHB] 2069 sections 1 and 3 take effect January 1, 2014.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Shane Riddle, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4352, fax (360) 725-4904, e-mail riddlms@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-122

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed July 22, 2013, 2:17 p.m.]

Subject of Possible Rule Making: The department is proposing to create rules under Title 388 WAC establishing eligibility criteria for the new housing and essential needs (HEN) referral program created under SHB [EHB] 2069, which was signed by the governor on June 30, 2013.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SHB [EHB] 2069.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB [EHB] 2069 section 3 requires the department to determine eligibility for a new HEN referral program. The department is proposing to create rules establishing income, resource, incapacity, and other eligibility criteria required by SHB [EHB] 2069.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Shane Riddle, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4352, fax (360) 725-4904, e-mail riddlms@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-123
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 2:18 p.m.]

Subject of Possible Rule Making: Chapter 388-106 WAC, Long-term care services, specifically the eligibility and other contract considerations for enhanced service facilities (ESF).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.97 RCW, RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department was directed to develop ESFs in the 2013-2015 biennium budget. The DSHS home and community services division will develop a new 1915(C) Home and community-based waiver to allow medicaid funding of the supports that will be available in ESFs. The rules will define the scope and eligibility of the new waiver services. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-124
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 2:21 p.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-97 WAC, Nursing homes: WAC 388-97-0001 Definitions, 388-97-0300 Notice of rights and services, 388-97-0460 Grievance rights, 388-97-0520 Access and visitation rights, 388-97-1640 Required notification and reporting, 388-97-1840 Retaliation or discrimination prohibited, 388-97-4480 Criteria for imposing optional remedies, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.51 and 74.42 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with newly passed state laws: SB [SSB] 5077 Gender-neutral terms; and SB 5510 Vulnerable adults—Abuse.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, Nursing Home Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2581, fax (360) 438-7903, e-mail birdsa@dshs.wa.gov. Draft section language will be posted on ALISA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-125
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed July 22, 2013, 2:23 p.m.]

Subject of Possible Rule Making: The developmental disabilities administration (DDA) is proposing to amend sections within chapter 388-825 WAC, Division of developmental disabilities services rules and sections within chapter 388-06 WAC, Background checks.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 General authority of secretary—Rule adoption.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose for the changes is to consolidate the secretary's lists of crimes and negative actions for home and community services, residential services, and DDA that will disqualify persons from being a provider, and to clarify background check requirements. The consolidated list will provide better clarity and understanding for the public and contracted entities, reduce the amount of WAC language, and help preserve the health and safety of our clients. DDA and the aging and long-term support administration will collaborate and coordinate with the DSHS background check central unit (BCCU) to consolidate and coordinate rules related to disqualifying crimes including WACs such as chapters 388-06, 388-71, 388-76, 388-78A, 388-97, 388-101 and 388-825 WAC. Other related rules may be amended as may be required.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alan McMullen, Program Manager, Developmental Disabilities Administration, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3422, fax (360) 407-0955, TTY 11-800-833-6388 [1-800-833-6388], e-mail alan.mcmullen@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 22, 2013, 2:24 p.m.]

Subject of Possible Rule Making: Amending chapter 388-71 WAC, Home and community services and program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending chapter 388-71 WAC, specifically background checks, to support the health and safety of clients, to consolidate the various DSHS secretary's lists in aging and long-term support administration thus providing a uniform background check standard for all caregivers, and to reduce the overall costs of processing background checks. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-128
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed July 22, 2013, 3:59 p.m.]

Subject of Possible Rule Making: Calculating and crediting regular interest in the defined benefit member accounts of the public employees' retirement system, the teachers' retirement system, the school employees' retirement system, the public safety employees' retirement system, the law enforcement officers' and firefighters' retirement system, and the Washington state patrol retirement system. This action may affect both the rate and methodology for calculating and crediting interest.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050, 41.50.033.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature delegated to the department the authority to determine the interest credited to individual members' pension accounts. This policy is currently, and has been since the director adopted it in 1977, to credit interest at the rate of 5.5 percent per year, compounded quarterly. At the end of each quarter interest is calculated based on the balance in the member's account at the end of the prior quarter.

In *Fowler v. DRS*, the court of appeals held that the policy could not be applied to transfers from TRS Plan 2 to TRS Plan 3 because there was no evidence that the department had considered other policies. The court remanded to the department the determination of the interest policy for the accounts containing funds that were transferred from TRS Plan 2 to TRS Plan 3.

Because the individual accounts that were transferred to TRS Plan 3 are the same kind of accounts that exist for all pension system members, any policy adopted must apply to all individual accounts and not just to those that were transferred to TRS 3. The issues to be considered in adopting an interest policy for individual member accounts include, but might not be limited to the following:

- (1) What is an appropriate interest rate and methodology?
- (2) Should the interest policy for current accounts and those for which the interest owing is unresolved due to the Fowler decision be the same or different from the policy for accounts established for future pension system members?
- (3) What is the effect of vested rights on the ability to change interest policies on existing accounts?
- (4) What are the fiscal consequences to the pension systems of various policies for current and future accounts?
- (5) What are the administrative and operational consequences to the pension systems of the various policies for current and future accounts?

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The retirement systems administered by the department are subject to the provisions for tax-qualified pension plans under Title 26 section 401(a) of the U.S. Code.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication. Comments and information can be provided on all or any of the issues identified above or other issues perceived by individuals or organizations submitting comments. The department will consider the comments and information in developing and analyzing alternative [alternative] interest policies and then selecting from those alternatives a policy to be incorporated into a proposed rule for consideration through the rule-making process.

Written comments and information prior to the development of the draft rules can be provided to the rules coordinator at jilenes@drs.wa.gov. Please provide this information by September 30, 2013. The department will hold a public hearing once the draft rules have been developed. Please contact the rules coordinator to be on the distribution list for the draft rules.

July 22, 2013
Jilene Siegel
Rules Coordinator

WSR 13-15-132

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed July 23, 2013, 10:39 a.m.]

Subject of Possible Rule Making: Amending chapter 388-106 WAC, Long-term care services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending chapter 388-106 WAC, specifically the community options program entry system waiver, in order to make program clarifications regarding enhanced adult residential care-specialized dementia care. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-133

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Aging and Long-Term Support Administration)

[Filed July 23, 2013, 10:39 a.m.]

Subject of Possible Rule Making: Chapter 388-106 WAC, Long-term care services, specifically repealing the chronic care management program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is repealing the chronic care management program (CCM) effective September 30, 2013. Washington has received approval from the Centers for Medicare and Medicaid Services to offer health home services under its medicaid program. Health home services are comparable to CCM services. The state's new health home service contracted through the health care authority will replace the current CCM program. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

July 22, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-141

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed July 23, 2013, 1:04 p.m.]

Subject of Possible Rule Making: Chapter 246-834 WAC, Midwives: Amending WAC 246-834-060 Application requirements for licensure as a midwife and 246-834-220 Credit toward educational requirements for licensure as a midwife; and amending or repealing WAC 246-834-230 Preceptor for midwife-in-training program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.50.040(3) and 18.50.135.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 18.50.040(3) requires the department to adopt rules to provide credit toward the educational requirements of an applicant for a midwifery

license. The rules, which have not been updated since 1991, do not recognize subsequent steps that have been taken nationally to review and approve midwifery training programs. These rules are labor intensive to both applicants and department staff. To remove outdated barriers to licensure for experienced applicants, the department is considering whether activities approved by national credentialing and accrediting bodies may satisfy some or all of the state's education and training requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The department will hold one or more public workshops to allow attendance in both eastern and western Washington. The workshop or workshops may involve audience participation through video conferencing. Department staff will send notification of workshops to interested parties and the midwifery listserv.

Contact Person: Kendra Pitzler, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4723.

July 23, 2013
John Wiesman DrPH, MPH
Secretary

WSR 13-15-142
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)

[Filed July 23, 2013, 1:24 p.m.]

Subject of Possible Rule Making: Amending chapter 208-620 WAC under the Consumer Loan Act (CLA) (chapter 31.04 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 31.04.165. Proposed in compliance with OFM Guidance 3.a. and e.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to implement changes to the law, to aid the regulated industries by having consistent rules within the mortgage marketplace, and to make technical changes for clarity and consistency.

Recent amendments to the law become effective July 28, 2013.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent

with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov, industry listserv e-mail subscription DFI web site www.dfi.wa.gov.

July 23, 2013
Deborah Bortner, Director
Division of Consumer Services

WSR 13-15-143
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)

[Filed July 23, 2013, 1:27 p.m.]

Subject of Possible Rule Making: Amending chapter 208-660 WAC under the Mortgage Broker Practices Act (chapter 19.146 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.320 RCW, RCW 19.146.223. Proposed in compliance with OFM Guidance 3.a. and e.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to implement changes to the law, to aid the regulated industries by having consistent rules within the mortgage marketplace, and to make technical changes for clarity and consistency.

Recent amendments to the law become effective July 28, 2013.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov, industry listserv e-mail subscription DFI web site www.dfi.wa.gov.

July 23, 2013
Deborah Bortner, Director
Division of Consumer Services

WSR 13-15-145
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed July 23, 2013, 1:37 p.m.]

Subject of Possible Rule Making: Chapter 246-290 WAC, Group A public water supplies, federal Revised Total Coliform Rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under a primacy agreement between the department of health (department) and United States Environmental Protection Agency, the department regulates public water systems by carrying out the federal drinking water requirements. In order to maintain primacy, the federal Revised Total Coliform Rule must be adopted into state rules. The federal Revised Total Coliform Rule provides greater public health protection by requiring public water systems that are vulnerable to microbial contamination to identify and fix problems. The rule revision will also include technical changes to improve overall clarity and consistency with state and federal rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Environmental Protection Agency establishes requirements for public water systems and will review the proposed rules prior to adoption to ensure they are consistent with the federal Revised Total Coliform Rule requirements.

Process for Developing New Rule: The department will use a collaborative rule-making process and seek input from interested parties through the Drinking Water Advisory Group, the Washington Water Utility Council, and presentations at public meetings. The department will provide information to interested parties through our rule-making listserv, e-mail, quarterly newsletter Water Tap, and the office of drinking water's web site at <http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater.aspx>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brad Burnham, Office of Drinking Water, P.O. Box 47822, Olympia, WA 98504-7822, (360) 236-3158 or brad.burnham@doh.wa.gov.

July 23, 2013

John Wiesman, DrPH, MPH
 Secretary

WSR 13-15-146
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed July 23, 2013, 1:56 p.m.]

Subject of Possible Rule Making: WAC 458-20-241 Radio and television broadcasters.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060(2), and 82.04.280.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-20-241 (Rule 241)

explains the B&O, retail sales, and use tax reporting responsibilities of radio and television broadcasters. This includes a B&O tax deduction provided for certain radio and television broadcasting revenues provided in RCW 82.04.280. The statute authorizes a deduction based on either: (1) A standard deduction based on information reported by the Federal Communications Commission (FCC); or (2) itemization by the individual broadcasting station.

Rule 241 currently contains language recognizing that the FCC no longer publishes the information, and explains that the department will authorize a standard deduction if the broadcasting industry provides such information to the department for verification. The joint legislative audit and review committee (JLARC) reviewed this deduction, and the department's rule, and recommended that the department conform the rule to comply with the statute as written. The department is considering rule making to amend the rule consistent with the JLARC recommendation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted to Armikka Bryant, Interpretations and Technical Advice Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail ArmikkaB@dor.wa.gov. Please provide comments by August 15, 2013.

July 23, 2013

Alan R. Lynn
 Assistant Director

WSR 13-15-156
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 (Division of Consumer Services)

[Filed July 23, 2013, 4:00 p.m.]

Subject of Possible Rule Making: Amending chapter 208-680 WAC under the Escrow Agent Registration Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.320 RCW, RCW 18.44.410. Proposed in compliance with OFM Guidance 3.a. and e.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to implement changes to the law, to aid the regulated industries by having consistent rules within the industry, and to make technical changes for clarity and consistency.

Recent amendments to the law become effective July 28, 2013.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements

a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov, industry listserv e-mail subscription DFI web site www.dfi.wa.gov.

July 23, 2013

Deborah Bortner, Director
Division of Consumer Services

WSR 13-15-158

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)**

[Filed July 23, 2013, 4:04 p.m.]

Subject of Possible Rule Making: Amending chapter 208-690 WAC under the Uniform Money Services Act, chapter 19.230 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 43.320, 19.230 RCW. Proposed in compliance with OFM Guidance 3.a. and e.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to implement changes to the law, to aid the regulated industries by having consistent rules within the industry, and to make technical changes for clarity and consistency.

Recent amendments to the law become effective July 28, 2013.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov, industry listserv e-mail subscription DFI web site (www.dfi.wa.gov).

July 23, 2013

Deborah Bortner, Director

Division of Consumer Services

WSR 13-15-165

**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2013-16—Filed July 24, 2013, 7:57 a.m.]

Subject of Possible Rule Making: Long-term care prompt payment requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.83.170(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 48.83.170(3), enacted during the 2013 legislative session, requires the commissioner to adopt by rule prompt payment requirements for long-term care insurance. The statute requires the rules to include a definition of "claim" and "clean claim." This new rule making begins the process to adopt those rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Submit written comments by September 2, 2013, to Kacy Scott, rulescoordinator@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov.

July 24, 2013

Mike Kreidler

Insurance Commissioner

WSR 13-15-166

**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2013-17—Filed July 24, 2013, 7:57 a.m.]

Subject of Possible Rule Making: Annuity mortality table.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The NAIC recently adopted a new annuity mortality table for use in stating annuity reserves. This new table gives a better statement of annuity reserves. The commissioner will consider amendment of rules to incorporate the revised model.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Submit written comments by September 2, 2013, to rulescoordinator@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov.

July 24, 2013
Mike Kreidler
Insurance Commissioner

WSR 13-15-168

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed July 24, 2013, 8:45 a.m.]

Subject of Possible Rule Making: Chapter 196-26A WAC, Registered professional engineers and land surveyors fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.43.080 and 43.24.086.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The national examinations for fundamentals of engineering and land surveying will change to a computer based format on January 4, 2014. Part of that transition involves simplified online registrations that will enable our program to greatly reduce our workload on application processing. The program does not feel there is a need to collect processing fees from the exam applicants and is requesting suspension of the examinations fees effective November 1, 2013.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Draft language of the rule amendments will be distributed to the board's list of interested persons (listserv).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may send in their comments by contacting George A. Twiss, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA 98507-9025, phone (360) 664-1565, e-mail engineers@dol.wa.gov, fax (360) 664-2551. Additional information will be posted on the engineers, land surveyors, and on-site web site as it becomes available at <http://www.dol.wa.gov/business/engineerslandsurveyors/> [<http://www.dol.wa.gov/business/engineerslandsurveyors/>].

July 24, 2013
Damon Monroe
Rules Coordinator

WSR 13-15-170

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed July 24, 2013, 9:33 a.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-97 WAC, Nursing homes: WAC 388-97-1800 Criminal history disclosure and background inquiries, 388-97-4220 Reasons for denial, suspension, modification, revocation of, or refusal to renew a nursing home license, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.51 and 74.42 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to support the health and safety of residents living in [a] residential setting, to consolidate various secretary's lists in aging and long-term support administration (AL TSA) thus providing a uniform background check standard for all caregivers and to reduce the overall costs of processing background checks.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, Nursing Home Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2581, fax (360) 438-7903, e-mail birds@dsHS.wa.gov. Draft section language will be posted on AL TSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 24, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-172

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed July 24, 2013, 9:35 a.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-101 WAC, Certified community residential services and supports: WAC 388-101-3080 The department may deny—Application, 388-101-3090 The department must deny—Application, 388-101-3245 Back-

ground check—General, 388-101-3250 Background checks—Washington state, 388-101-3255 Background checks—Provisional hire—Pending results, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 71A.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to support the health and safety of residents in long-term care settings, to consolidate various secretary's lists in the aging and long-term support administration (AL TSA) thus providing a uniform background check standard for all caregivers and to reduce the overall costs of processing background checks.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Gaskell, CCRSS Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3210, fax (360) 438-7903, e-mail GaskeJW@dshs.wa.gov. Draft section language will be posted on AL TSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 24, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-173
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed July 24, 2013, 9:37 a.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-76 WAC, Adult family homes: WAC 388-76-10120 License—Must be denied, 388-76-10125 License—May be denied, 388-76-10160 Background checks—General, 388-76-10161 Background checks—Who is required to have, 388-76-10163 Background checks—Process—Background authorization form, 388-76-101631 Background checks—Washington state name and date of birth background check, 388-76-101632 Background checks—National fingerprint background check, 388-76-10164 Background checks—Results, 388-76-10165 Background checks—Washington state name and date of birth background check—Valid for two years—National fingerprint background check—Valid indefinitely, 388-76-10166 Background checks—Household members, noncaregiving and

unpaid staff—Unsupervised access, 388-76-10170 Background check—Confidentiality—Use restricted—Retention, 388-76-10174 Background check—Disclosure of information—Sharing of background information by health care facilities, 388-76-10175 Background checks—Employment—Conditional hire—Pending results of Washington state name and date of birth background check, 388-76-10176 Background checks—Employment—Provisional hire—Pending results of national fingerprint background check, 388-76-10180 Background checks—Employment—Disqualifying information, 388-76-10181 Background checks—Employment—Nondisqualifying information; and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.20 and 74.34 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to support the health and safety of residents living in long-term care settings, to consolidate various secretary's lists in the aging and long-term support administration (AL TSA) thus providing a uniform background check standard for all caregivers and to reduce the overall costs of processing background checks.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sandy Robertson, Adult Family Home Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3204, fax (360) 438-7903, e-mail RoberSK@dshs.wa.gov. Draft section language will be posted on AL TSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 24, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-174
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed July 24, 2013, 9:42 a.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-78A WAC, Assisted living facilities: WAC 388-78A-2461 Background checks—General, 388-78A-2462 Background checks—Who is required to have, 388-78A-2464 Background checks—Process—Background

authorization form, 388-78A-24641 Background checks—Washington state name and date of birth background check, 388-78A-24642 Background checks—National fingerprint background check, 388-78A-2465 Background check—Results—Inform, 388-78A-2466 Background checks—Washington state name and date of birth background check—Valid for two years—National fingerprint background check—Valid indefinitely, 388-78A-2467 Background check—Sharing by health care facilities, 388-78A-2468 Background checks—Employment—Conditional hire—Pending results of Washington state name and date of birth background check, 388-78A-24681 Background checks—Employment—Provisional hire—Pending results of national fingerprint background check, 388-78A-2469 Background check—Disclosure statement, 388-78A-2470 Background check—Employment-disqualifying information, 388-78A-24701 Background checks—Employment—Nondisqualifying information, 388-78A-2471, Background check—Confidentiality—Use restricted—Retention, 388-78A-3160 Authorized enforcement remedies, 388-78A-3170 Circumstances resulting in enforcement remedies, 388-78A-3180 Required enforcement remedies, 388-78A-3190 Denial, suspension, revocation, or nonrenewal of license statutorily required, 388-78A-3200 Progression of enforcement remedies, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to support the health and safety of residents in long-term care settings, to consolidate various secretary's lists in the aging and long-term support administration (ALTSA) thus providing a uniform background check standard for all caregivers and to reduce the overall costs of processing background checks.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeanette Childress, ALF Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail childjk@dshs.wa.gov. Draft section language will be posted on ALTSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

July 24, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-15-177
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Medicaid Program)

[Filed July 24, 2013, 11:13 a.m.]

Subject of Possible Rule Making: Chapter 182-502A WAC, Provider audits and appeals, WAC 182-502-0230 Provider payment reviews and dispute rights, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising chapter 182-502A WAC to align with national program integrity efforts and oversight, provide clarification of existing provider review and audit processes, and incorporate new program integrity activities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail wendy.boedigheimer@hca.wa.gov.

July 24, 2013
Kevin M. Sullivan
Rules Coordinator