

WAC 220-200-160 Definition of a person with a disability. (1)

"Person with a disability" for purposes of eligibility under disability designation means a person who has a permanent physical disability or permanent developmental disability which substantially impairs the person's ability to participate in recreational activities or to access department lands including, but not limited to:

(a) "Lower extremity disability," which means the person has a permanent lower extremity impairment and is not ambulatory over natural terrain without a lower extremity prosthesis or must permanently use a medically prescribed assistive device every time for mobility including, but not limited to, a wheelchair, crutch, walker, or oxygen bottle; or

(b) "Upper extremity disability," which means the person has a permanent upper extremity impairment and is physically limited in their ability to hold and safely operate a legal hunting or harvesting device.

(c) These definitions include, but are not limited to, persons with a permanent upper or lower extremity impairment who have lost the use of one or both upper or lower extremities, or who have a severe physical limitation in the use of one or both upper or lower extremities, or who have a diagnosed permanent disease or disorder which substantially impairs or severely interferes with mobility or the use of one or both upper or lower extremities.

(2) "Blind" or "visually impaired," which means:

(a) Having a central visual acuity that does not exceed 20/200 in the better eye with corrective lenses, or the widest diameter of the visual field does not exceed twenty degrees; or

(b) Having a severe loss of visual acuity ranging from 20/70 to 20/200 while retaining some visual function; or

(c) Having inoperable visual impairments including, but are not limited to: Albinism, aniridia, aphakia, cataracts, glaucoma, macular degeneration, or other similar diagnosed disease or disorder.

(3) "Developmental disability," which means a cognitive intellectual disability such as: Cerebral palsy, down syndrome, epilepsy, autism, or another neurological condition of an individual found to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.047, 77.32.237, 77.32.238, and 77.32.400. WSR 18-16-074 (Order 18-162), § 220-200-160, filed 7/30/18, effective 8/30/18. Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 17-17-109, recodified as § 220-200-160, filed 8/21/17, effective 9/21/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-413-150, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047, 77.12.240, and 77.32.070. WSR 14-10-019 (Order 14-95), § 232-12-825, filed 4/25/14, effective 5/26/14.]