

SEPTEMBER 16, 1987

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ISSUE 87-18



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CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

PUBLIC INSPECTION OF DOCUMENTS

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CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of September 1987 pursuant to RCW 19.52.020 is twelve percent (12%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1987 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** *have been adopted on an emergency basis and are set forth in ten point oblique type.*

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
 - (i) underlined matter is new matter;
 - (ii) deleted matter is (~~lined out and bracketed between double parentheses~~);
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

Material inserted by the code reviser for purposes of clarification or correction or to show the source or history of a document is enclosed in brackets [].

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1986 - 1987

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
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86-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21
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¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared by the order typing service (OTS) of the code reviser's office; see WAC 1-12-220 or 1-13-240. Agency typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³No proceeding may be held on any rule until twenty days have passed from the distribution date of the Register in which notice thereof was contained.* RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 87-18-001

ADOPTED RULES

WESTERN WASHINGTON UNIVERSITY

[Resolution No. 6-04-87—Filed August 20, 1987]

Be it resolved by the board of trustees of Western Washington University, acting at Bellingham, Washington, that it does adopt the annexed rules relating to parking and traffic regulations, chapter 516-12 WAC.

This action is taken pursuant to Notice No. WSR 87-08-011 filed with the code reviser on March 24, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of Western Washington University as authorized in RCW 28B.35.120(11).

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED June 19, 1987.

By Wendy Bohlke
Assistant Attorney General

AMENDATORY SECTION (Amending Resolution No. 85-05, filed 7/2/85)

WAC 516-12-400 DEFINITIONS. As used in ~~((these chapters, 516-12, 516-13, and 516-14 WAC{,}))~~ this chapter, and chapters 516-13 and 516-14 WAC, the following words and phrases mean:

- (1) "Area designator": A tag affixed to a permit indicating a parking lot assignment for a vehicle.
- (2) "Automobile": Any motorized vehicle having four or more wheels.
- (3) "Board": The board of trustees of Western Washington University.
- (4) "Campus": All state lands devoted to the educational or research activities of the university.
- (5) "Employee": Any individual appointed to the faculty, staff, or administration of the university.
- (6) "Habitual offender": Any ~~((person who accrues))~~ vehicle license number or permit number accruing ten or more paid or unpaid parking citations.
- (7) "Motorcycle": Any two or three wheeled motorized vehicle.
- (8) "Motor vehicle" or "vehicle": Any automobile or motorcycle.
- (9) "Parking appeals board": The board which hears parking citation appeals.
- (10) "Parking manager": The person appointed parking manager of the university by the president or designee.
- (11) "Parking space": A parking area designated by a sign, wheelstop, white-painted lines, and/or white traffic buttons.
- (12) "Permit": Any special or temporary parking permit authorized by the parking manager.

(13) "President": The president of Western Washington University.

(14) "Public safety department": The university public safety department.

(15) "Student": Any person enrolled in the university as a student.

(16) "Transportation and parking department": The transportation and parking department of the university.

(17) "Time-limited parking space": A space in which parking is allowed for a specific time period.

(18) "University": Western Washington University.

(19) "Valid permit": An unexpired parking permit authorized by the parking manager, properly registered and displayed on the vehicle.

(20) "Wheelstop": A cement, metal, or wood barrier approximately eight inches high.

AMENDATORY SECTION (Amending Resolution No. 85-05, filed 7/2/85)

WAC 516-12-470 ENFORCEMENT. (1) General

(a) A vehicle which is parked in a manner which endangers or potentially endangers members of the university community or their property, state property, and/or prevents a person having a valid permit from parking in their designated parking area, will be impounded on the first violation.

(b) Upon receiving a third parking citation with two previous unpaid parking citations outstanding for more than seventy-two hours, a vehicle is subject to impound.

(c) A student with unpaid parking citations may not be allowed to have a copy of his/her transcript released by the registrar's office.

(d) Parking permits will not be issued until all outstanding citations are paid.

(e) After identifying the registered owner of any vehicle without a parking permit or a permit number which has three or more unpaid citations, the parking services office will contact the owner in writing that payment is required. If payment for outstanding citations is not made by the date required, the matter will be referred to the appropriate civil court for resolution.

(f) The operator and owner(s) of a vehicle which is involved in a violation of the university's parking regulations are jointly and severally responsible for the violation. The person to whom a permit is issued is responsible for all citations issued to that permit number.

(g) These enforcement measures are cumulative and resort to one or more will not waive or impair the university's right to use any other enforcement measure.

(h) The fine and penalty for illegal possession of a lost or stolen permit will be a fine equal to the original value of the highest priced period plus \$5.00 and revocation of parking privileges for a period of one year.

(2) When regulations are in effect

(a) Except as stated in b and c of this section, the regulations in this chapter will be enforced throughout the calendar year from 7 a.m. to 5 p.m. but will not be enforced on Saturdays, Sundays, and official university holidays unless otherwise posted. For purposes of this section, intersessions are not considered a university holiday.

(b) A vehicle which is parked in a manner which endangers or potentially endangers members of the university or their property or state property will be impounded on the first violation regardless of when the violation occurs.

(c) Intersession regulations will be determined and published by the parking manager as required.

(3) Night parking

(a) The hours of night parking are 5 p.m. to 7 a.m.

(b) During the hours of night parking all lots except "C" (campus resident) lots and reserved spaces in any lot are open to parking unless otherwise designated by the parking manager.

(c) "C" parking lots are restricted to "C" decal holders at all times.

(4) Citations. A vehicle which is in violation of the university's parking regulations will be issued a citation, and fines will be assessed for violations of these regulations according to the following schedule:

(a) ~~(((\$3.00))~~ \$5.00 violations

(i) ~~((No valid permit displayed))~~ Occupying more than one space

(ii) Parking at an expired meter

(iii) ~~((Parking out of assigned area))~~ Improper display of permit

(iv) Overtime parking

~~((v) Parking in a no parking zone~~

~~(vi) Occupying more than one space~~

~~(vii) Parking in a reserved or restricted area~~

~~(viii) Parking in a driveway or walkway~~

~~(ix) Improper display of permit and/or designator))~~

(b) ~~(((\$5.00))~~ \$10.00 violations

(i) ~~((Blocking traffic))~~ No valid permit displayed

(ii) Parking in prohibited area (except handicapped spaces)

(iii) Parking on grass or landscaped area

(iv) Parking out of assigned area

(v) Parking in a no parking zone

(vi) Parking in a reserved area

(vii) Parking in a driveway or walkway

(c) ~~(((\$10.00))~~ \$15.00 violation. ~~((Use of forged or stolen area designator))~~ Blocking traffic.

(d) \$25.00 violations

(i) ~~((Use of forged permit~~

~~(ii))~~ Parking in a designated handicapped space

~~((iii))~~ (ii) Parking within ten feet of a fire hydrant or in a fire lane

(e) \$100.00 violation. Display of lost, stolen or forged permit

(f) Citations will remain in effect for a period of five years.

(5) Continued violations. A vehicle which remains in violation of any regulations may receive additional citations for every four hours of the violation.

(6) Impoundment

(a) All violators are subject to having their vehicles impounded at their own risk and expense

(i) Upon receiving a third parking citation with two previous unpaid citations outstanding for more than 72 hours.

(ii) When the vehicle is parked in such a manner as to endanger the university community, or

(iii) The vehicle is parked so as to deprive a permit holder of his/her parking space(~~(([-] [-or])~~), or

(iv) When a vehicle is left under circumstances which indicate it has been abandoned, or

(v) When a vehicle displays a permit that has been forged or reported lost or stolen.

(b) The operator/owner of the vehicle must provide positive personal identification and proof of ownership of the vehicle and pay all outstanding citations at the parking services office (or public safety office when parking services office is closed) before a vehicle release form is completed.

(i) The release form is issued to the vehicle operator/owner who must then present it in person at the towing company and pay all towing charges including any storage fees incurred.

(ii) A towing fee is charged if the driver of the tow truck has performed any labor prior to the operator/owner returning to the vehicle before the impound is completed.

(7) It is prohibited to park;

(a) Without a valid permit;

(b) Double parked;

(c) In reserved spaces without a proper permit;

(d) In no parking areas,

(e) In a handicapped space without a proper permit;

(f) In fire lanes, service roads, fire exits or within 10 feet of a fire hydrant;

(g) In loading zones unless actually loading (time is limited);

(h) In service entrances, construction sites, spaces reserved for maintenance vehicles, handicapped access areas, dumpster access;

(i) On lawns, sidewalks, crosswalks, parking lot driveways; straddling painted lines or buttons, or angle parking where prohibited;

(j) Exceeding time in time-limited or metered spaces;

(k) In areas where permit is not valid;

(l) Over or adjacent to yellow lines or curbs;

(m) Against the flow of traffic;

(n) In areas or spaces closed by barricades or other control devices.

WSR 87-18-002

PROPOSED RULES

DEPARTMENT OF GENERAL ADMINISTRATION

(Division of Savings and Loan Associations)

[Filed August 20, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of General Administration, Division of Savings and Loan, intends to adopt, amend, or repeal rules concerning trust powers for savings and loans;

that the agency will at 2:00 p.m., Wednesday, October 7, 1987, in the Office of the Supervisor, Room 217-C, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 33.04.025, which grants rule-making authority to the supervisor in accordance with chapter 34.04 RCW.

The specific statute these rules are intended to implement is RCW 33.12.010(24) which allows savings and loans to conduct a trust business under rules adopted by the supervisor.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1987.

Dated: August 17, 1987
By: Betty Reed
Supervisor

STATEMENT OF PURPOSE

Title: WAC 419-56-010 through 419-56-090, Savings and loan trust powers.

This statement is filed pursuant to RCW 34.04.045.

RCW 33.12.010(24) permits state-chartered savings and loan associations to conduct a trust business under rules to be adopted by the supervisor pursuant to rule-making authority outlined in chapter 34.04 RCW.

The supervisor has determined recently upon request from a regulated institution that there is intent to participate in such trust business by one or more savings and loans covered by the statute, and therefore there is a need to provide rules by which such activities will be approved and regulated. This regulation provides guidelines for the application process and the ongoing supervision of said trust business.

These regulations are drafted and proposed by Betty Reed, Supervisor, Division of Savings and Loan Associations, Room 217-C, General Administration Building, Olympia, Washington 98504, phone (206) 753-5597.

The supervisor will be responsible for the enforcement of this regulation.

Small Business Economic Impact Statement: This rule will not have an adverse economic impact on more than twenty percent of all financial institutions or more than ten percent of state-charted savings and loans. Accordingly, an economic impact statement is not required under RCW 19.85.030.

Chapter 419-56 WAC SAVINGS AND LOAN TRUST POWERS

WAC

419-56-010	Definitions
419-56-020	Administration of fiduciary powers
419-56-030	Application process
419-56-040	Supervisor action on application
419-56-050	Engagement in unauthorized investment practices prohibited
419-56-060	Modification or revocation of investment practices previously authorized
419-56-070	Investigation fee for new trust applications
419-56-080	Audit of the trust department
419-56-090	Examinations and fees

NEW SECTION

WAC 419-56-010 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means the fiduciary relationship in which title to the property constituting the agency does not pass to the trust department

but remains in the owner of the property, who is known as the principal, and in which the agent is charged with certain specific duties with respect to the property.

(2) "Agency coupled with an interest" means an agency in which the agent has a legal interest in the subject matter. Such an agency is not terminated automatically, as are other agencies, by the death of the principal but continue in effect until the agent can realize upon its legal interest.

(3) "Fiduciary powers" means the power to act in any fiduciary capacity authorized by the State of Washington including, but not limited to; trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, agent, custodian, escrow agent, corporate bond paying and transfer agent, escrow holder, managing agent, depository, committee of estates of incompetents.

(4) "Managing agent" means the fiduciary relationship assumed by a trust department upon the creation of an account which names the association as agent and confers investment discretion upon the association.

(5) "Supervisor" means the supervisor of savings and loan associations, Department of General Administration.

(6) "Trust business" means the business of doing any or all of the activities specified in RCW 30.08.150 (2) through (11).

(7) "Trust department" means that group or groups of officers and employees of a savings and loan association to whom are designated by the board of directors the performance of the fiduciary responsibilities of the association, whether or not the groups or groups are so named.

NEW SECTION

WAC 419-56-020 ADMINISTRATION OF FIDUCIARY POWERS. (1)(a) The board of directors of the savings and loan association is responsible for the proper exercise of fiduciary powers by the trust department. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all officers, employees, and committees utilized by the savings and loan association in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the association's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s), or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s), or committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment responsibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, and within fifteen months of the last review, all the assets held in or for each fiduciary account where the association has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this chapter and exercising fiduciary powers in this state shall designate, employ, or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the savings and loan association and its trust department.

(4) The trust department may utilize personnel and facilities of other departments of the savings and loan association, and other departments of the savings and loan association may utilize the personnel and facilities of the trust department only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(5) Fiduciary records shall be kept separate and distinct from other records of the savings and loan association and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the supervisor of savings and loan associations.

(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

NEW SECTION

WAC 419-56-030 APPLICATION PROCESS. Associations desiring to establish trust departments shall complete an application establishing the scope of the intended operation. Upon receiving an application from an association to engage in trust business pursuant to this chapter, the supervisor may request such additional information as he deems necessary for the informed disposition of the application. If supplementary information is requested by the supervisor, the application will not be complete until the supplementary information is supplied.

NEW SECTION

WAC 419-56-040 SUPERVISOR ACTION ON APPLICATION. After receiving an application from a savings and loan association to engage in trust business and after having considered it, the supervisor shall grant, grant conditionally, grant in modified form, or deny the application and shall inform the applicant in writing of his action and of the reasons therefor. Any application not acted upon within six months after its receipt by the supervisor shall be deemed denied unless the supervisor, in writing, informs the applicant that he is holding the application for further review.

NEW SECTION

WAC 419-56-050 ENGAGEMENT IN UNAUTHORIZED TRUST BUSINESS PROHIBITED. No savings and loan association shall engage in any trust business not authorized in advance by the supervisor in accordance with this rule, unless the supervisor informs an applicant in writing that it may engage in a trust business provisionally while he reviews the application. Failure of a savings and loan association to comply with the terms of this chapter may be grounds for supervisory action against the savings and loan, its directors, or officers.

NEW SECTION

WAC 419-56-060 MODIFICATION OR REVOCATION OF INVESTMENT PRACTICES PREVIOUSLY AUTHORIZED. The supervisor may find that a trust business previously authorized by him is no longer a safe and prudent practice for savings and loan associations generally to engage in, or has become inconsistent with applicable state or federal law, or has ceased to be a safe and prudent practice in one or more particular savings and loan associations in light of their financial condition or management. Upon such a finding, the supervisor may in writing inform the board of directors of any or all of the associations engaging in such a trust business that the authority to engage in the activity has been revoked or modified. When the supervisor so notifies any savings and loan association, its directors and officers shall forthwith take steps to cease the trust business (if authority to engage in the activity has been revoked) or to make such modifications as the supervisor requires. The supervisor may for cause shown grant a savings and loan association some definite period of time within in which to arrange its affairs to comply with the supervisor's orders. Savings and loan associations which continue to engage in a trust business where their authority to do so has been revoked or modified will be treated as if the authority to engage in the practice had never been granted, and their actions may be grounds for supervisory action against the association, its directors, or officers.

NEW SECTION

WAC 419-56-070 INVESTIGATION FEE FOR NEW TRUST APPLICATIONS. The investigation fee charged under RCW 33.28-.020 in connection with applications to establish a new savings and loan trust department shall be one thousand dollars. In the event the actual costs of the investigation conducted with respect to a particular application are less than the amount of the fee, such difference between the fee and the actual costs submitted shall be refunded, provided that in no event shall more than five hundred dollars be refunded. Expansion of the originally approved scope of trust business must also be approved by the supervisor by additional application and fee. In the event that actual costs of processing additional applications are less than the amount of the fee, such difference between the fee and the actual cost shall be refunded, provided that in no event shall more than seven hundred dollars be refunded. For the purposes of this section, actual costs include travel and per diem expenses paid to division personnel in connection with the investigation.

NEW SECTION

WAC 419-56-080 AUDIT OF THE TRUST DEPARTMENT. A committee of directors, exclusive of any active officers of the savings and loan association shall at least once during each calendar year and within fifteen months of the last such audit, make suitable audits of the trust department or cause suitable audits to be made by auditors responsible only to the board of directors, and at such time shall ascertain whether the department has been administered in accordance with law, this rule, and sound fiduciary principles. The board of directors may elect, in lieu of such periodic audits, to adopt an adequate continuous audit system. A report of the audits and examination required under this section, together with the action taken thereon, shall be noted in the minutes of the board of directors.

NEW SECTION

WAC 419-56-090 EXAMINATIONS AND FEES. The supervisor shall have the power to examine the affairs of a trust department of a state-chartered savings and loan association under the same general powers as outlined in RCW 33.04.020. The report of examination of any trust department will be subject to the same restrictions as those of the parent association as outlined in RCW 33.04.110. Fees for such examinations will be charged on the same hourly basis as those for the parent association as established by administrative rule.

WSR 87-18-003
ADOPTED RULES
OFFICE OF THE GOVERNOR
 [Order 87-1—Filed August 20, 1987]

I, Richard J. Thompson, director, Governmental Operations, Office of the Governor, do promulgate and adopt at the Legislative Building, 2nd Floor, Olympia, Washington 98504, the annexed rules relating to state employee combined charitable contributions program, chapter 240-10 WAC. New section WAC 240-10-057, decertification and disqualification, has been added to provide a basis for decertification of a charity or a federated organization (umbrella organization) that fails to comply with the rules, or provides false or intentionally misleading information. The new section also sets a minimum pledge level (more than \$250 annually) an agency or federated organization is to achieve in order to continue in the combined fund drive campaign. Any decertified agency or federated organization may request reconsideration of the committee's action by using the procedures contained in existing WAC 240-10-055, Determination of eligibility—Procedure for reconsideration.

Further, the following existing sections of chapter 240-10 WAC have been amended:

In WAC 240-10-030(4), annual campaign, the amendment deletes the phrase "in the month of October." This amendment allows the Washington State Employee Combined Fund Drive Committee (committee) to conduct the annual campaign at times other than October. It is the committee's intent to continue conducting the annual campaign in the fall of the year.

In WAC 240-10-040 (2)(b), participation in eligible federations, the amendment adds new subsection (iii). This addition provides that an eligible federation (umbrella organization), making an application on behalf of certain member agencies, is to certify that the constituent agencies included on its application meet the combined fund drive program's basic standards and criteria; and that the constituent agencies agree to comply with

the rules and regulations promulgated by the committee. Similar language currently is contained on the application form used by the eligible federations.

This action is taken pursuant to Notice No. WSR 87-13-052 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.04.035, 41.04.036 and 41.04.230 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 20, 1987.

By Richard J. Thompson
Director, Governmental Operations

AMENDATORY SECTION (Amending Order 86-1, filed 4/1/86)

WAC 240-10-030 DEFINITIONS. (1) Committee - The Washington state employee combined fund drive committee described in WAC 240-10-010.

(2) State employee combined fund drive campaign - An arrangement by which the committee provides one or more other participating organizations with the opportunity to receive funds contributed to them in the annual campaign, based on their compliance with the regulations herein.

(3) Participating organization - A health and welfare agency whose application has been accepted by the committee.

(4) Annual campaign - The once-a-year period of organized solicitation of state employees conducted annually (~~in the month of October~~) to obtain voluntary contributions from state employees for charitable commitments to be allocated during the ensuing year of contributions.

(5) Year of contributions - The annual calendar year for collection of the voluntary payroll deductions for charitable contributions authorized by state employees pursuant to these regulations. The normal, full annual calendar year shall begin with January and end with the ensuing December.

(6) Health and welfare agency - The terms "voluntary agency," "voluntary health and welfare agency," "voluntary charitable agency," and "voluntary charitable health and welfare agency" mean an organization that is organized and operated for the purpose of rendering, or of materially or financially supporting the rendering of, one or more of the following services directly to, and for the direct benefit of, human beings:

- (a) Delivery of health care to ill or infirm individuals;
- (b) Education and training of personnel for the delivery of health care to ill or infirm individuals;
- (c) Health research for the benefit of ill or infirm individuals;
- (d) Delivery of education, training, and care to physically and mentally handicapped individuals;

(e) Treatment, care, rehabilitation, and counseling of juvenile delinquents, criminals, released convicts, persons who abuse drugs or alcohol, persons who are victims of intra-family violence or abuse, persons who are otherwise in need of social adjustment and rehabilitation, and the families of such persons;

(f) Relief of victims of crime, war, casualty, famine, natural disasters, and other catastrophes and emergencies;

(g) Neighborhood and community-wide social services that directly assist needy, poor, and indigent individuals, including provision of emergency relief and shelter, recreation, transportation, the preparation and delivery of meals, educational opportunities, and job training;

(h) Protection of families that, on account of economic or other need, poverty, indigence, or emergency, are in long-term or short-term need of family, child-care, and maternity services, child and marriage counseling, foster care, and guidance or assistance in the management and maintenance of the home and household;

(i) Relief of needy, poor, and indigent infants and children, and of orphans, including the provision of adoption services;

(j) Relief of needy, poor, and indigent adults and of the elderly.

(7) Local presence - Demonstration of direct and substantial presence in the local campaign community:

(a) The availability of services, such as examinations, treatments, inoculations, preventive care, counseling, training, scholarship assistance, transportation, feeding, institutionalization, shelter, and clothing to persons working or residing in the local campaign community.

(b) The presence within the local campaign community, or within reasonable commuting distance thereof, of a facility at which services may be obtained, such as an office, clinic, mobile unit, field agency, or direct provider, or specific demonstrable effects of research, such as personnel or facilities engaged therein or specific local applications thereof.

(c) The availability to persons working or residing in the local campaign community of communication with the voluntary charitable agency by means of home visits, transportation, or telephone calls, provided by the voluntary agency at no charge to the recipient or beneficiary of the service.

(8) Overseas - Areas outside of the District of Columbia and the fifty states of the United States.

AMENDATORY SECTION (Amending Order 86-1, filed 4/1/86)

WAC 240-10-040 BASIC STANDARDS AND CRITERIA FOR AGENCY MEMBERSHIP APPLICABLE TO ALL AGENCIES. (1) Basic standards.

(a) Federal exemption. Each charitable organization must submit a copy of the Internal Revenue Service determination letter indicating that it is an exempt organization under Internal Revenue Code Section 501(c)(3). An advance ruling on its exempt status shall meet this requirement.

(b) Registration and reporting. Each charitable organization shall have registered as a charitable organization with the secretary of state under the provisions of chapter 19.09 RCW (charitable solicitations) and with the attorney general under the provisions of chapter 11.110 RCW (charitable trusts) unless specifically exempt from registration by state law, and shall have filed all required reports within any established time limits.

(c) Integrity of operations. Each charitable organization must have at least a minimal history of service and demonstrate a real capability to serve. Funds contributed to charitable organizations by state employees must be used for their announced purposes. There shall be no payment of commissions for fund-raising, no mailing of commercial merchandise, and no paid general telephone solicitors.

(d) Finances. The charitable organization must use standards of accounting and a financial system based on generally accepted accounting principles which includes accounting procedures that would be acceptable to the American Institute of Certified Public Accountants. The committee may require an independent audit by a certified public accountant. The charitable organization must conduct its fiscal operations in accordance with a detailed annual program budget which is prepared and approved at the beginning of each fiscal year by the board of directors. Prior authorizations by the board of directors shall be required for any significant variation from the approved budget. The committee may require that the charitable organization prepare and make available to the general public an annual financial report.

(e) Nondiscrimination. The charitable organization shall have a policy and procedure of nondiscrimination in regard to race, color, religion, national origin, handicap, age, or sex applicable to persons served by the charitable organization.

(f) Annual reports. The charitable organization shall prepare an annual report available to the general public which includes a full description of the charitable organization's activities including types of solicitation for contributions, the names of its chief administrative personnel, and a full disclosure of the source and use of contributions.

(g) Agency organization. The charitable organization must maintain an active local volunteer board of directors, serving without compensation through regular meetings and exercising satisfactory administrative controls in accordance with the agency's articles of incorporation, bylaws, and, preferably, standards adopted by its national or state affiliate: PROVIDED, That the "local volunteer board" is exempted for those voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and which meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community.

(h) Fund-raising costs. Each organization shall disclose to the committee the estimated percentages of the money collected which will be applied to the cost of solicitation and to the charitable purpose. The information thus provided will be disclosed to state employees during the campaign.

(i) Application deadline. Completed applications must be received before the closing date established annually by the committee.

(2) Criteria.

(a) Service programs. Each charitable agency must have a substantial local presence in a Washington state community with a history of providing programs aimed toward direct services, research, and education in an effort to meet human health, welfare, or social service needs within a Washington state community: PROVIDED, That voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and that meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community, shall be eligible for agency membership; and each must be able to comply with integrity and other applicable standards that such services are indeed provided.

(b) Participation in eligible federations.

(i) No charitable organization may participate in more than one eligible federation (umbrella organization) in a county.

(ii) No charitable organization may participate both individually and as a member of an eligible federation (umbrella organization) within a county.

(iii) Applications submitted on behalf of eligible federations (umbrella organizations) shall include a certification that all participating constituent agencies meet the basic standards and criteria, and agree to comply with rules and regulations as set forth by the committee.

NEW SECTION

WAC 240-10-057 DECERTIFICATION AND DISQUALIFICATION. (1) Once approved for participation, any health and welfare agency or federated organization may be decertified and disqualified from participation in the state employee combined fund drive campaign by majority vote of the committee for any one or more of the following reasons:

(a) Failure to comply with the rules contained in this chapter;

(b) Filing an application to participate in the state employee combined fund drive campaign which contains false or intentionally misleading information;

(c) An annual contribution pledge from an annual campaign of two hundred fifty dollars or less.

(2) Any decertified health and welfare agency or federated organization shall be disqualified from participating in the next state employee combined fund drive campaign.

(3) The committee may order that the annual net estimated contribution for any health and welfare agency or federated organization receiving an annual pledge of two hundred fifty dollars or less in an annual campaign may be made in a lump sum at the end of the year of contributions.

(4) Any health and welfare agency or federated organization decertified under subsection (1)(a) or (b) of this section shall have any further payment of contributions terminated. The committee shall determine the

method of disbursement of any future payments originally pledged in an annual campaign to such health and welfare agency or federated organization.

(5) Any decertified health and welfare agency or federated organization may request reconsideration of the committee's action using the procedures described under WAC 240-10-055.

WSR 87-18-004

ADOPTED RULES

1989 CENTENNIAL COMMISSION

[Resolution No. 87-1—Filed August 21, 1987]

Be it resolved by the Washington Centennial Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to procedures to implement coordination of fund raising and solicitation of sponsorships related to centennial programs or activities.

This action is taken pursuant to Notice No. WSR 87-06-046 filed with the code reviser on March 4, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 27.60 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED June 4, 1987.

By Putnam Barber
Executive Secretary

AMENDATORY SECTION (Amending Resolution No. 86-2, filed 10/17/86)

WAC 100-100-070 OUTSIDE RESOURCES. (1) The commission encourages the use of other state agencies, employees, and outside groups to implement and support the 1989 centennial.

(2) The commission may, from time to time, allow others to associate their projects or activities with the centennial celebration or provide other specific assistance as set forth in the application described in subsection (3) of this section.

(3) Sponsors of such programs or activities, other than publications, must complete an application specifying the manner in which they wish to associate their projects or activities with the centennial celebration or requesting such other assistance as may be described in the application form, which is available on request, and submit it to the centennial office in Olympia. The application will enable the commission to consider three aspects in its deliberation:

(a) Appropriateness of the project/activity as part of the centennial celebration.

(i) The project must show promise of contributing directly to public knowledge and appreciation of the history, society, or landscape of Washington.

(ii) If the project presents events of Washington history, it must be historically accurate or make adequate disclaimers to protect against perpetuation of errors.

(iii) If the project/activity touches on one of the state-wide programs of the commission (e.g., "Pacific Celebration '89," the "Centennial Games"), the project/activity must complement and support the goals of such related program. When necessary, the application will be referred to the appropriate centennial committee sponsoring said state-wide program for review.

(b) Population affected by the project/activity.

(i) Projects/activities which are primarily intended to appeal to residents of a single county shall be reviewed and approved by the county centennial commission/committee, described in WAC 100-100-052(1);

(ii) ~~Projects/activities which are ((state-wide in scope or intended to draw visitors from a multicounty area shall be reviewed and approved by the executive secretary. The executive secretary may consult with one or more county centennial commissions/committees in the course of his review))~~ of state-wide significance shall be reviewed by the appropriate program committee of the commission and the recommendation of that committee considered prior to action by the commission.

(c) Financial support of the project/activity.

(i) When projects/activities use internal resources of their sponsors or organizers, no further attention will be paid to this question.

(ii) When projects will rely on ticket sales or small direct contributions by participants or on support in an amount of less than one thousand dollars from local sources, an effort will be made to coordinate dates and locations to avoid damaging overlap of programming. If appropriate dates and locations cannot be identified, priority will be given to projects which have earliest dates of application.

(iii) When projects or activities seek grants or other external support, an effort will be made to coordinate requests in accordance with known policies of granting agencies. In the event that a coordinated approach cannot be agreed upon, priority will be given to projects which have earliest dates of application.

(iv) Requests which may total more than ten thousand dollars to organizations making contributions or grants in more than one county shall comply with "policies and procedures for large gifts" as approved by the commission.

(4) Approved projects may use the commission's centennial logo only when the conditions specified in WAC 100-100-130 through 100-100-180 are satisfied.

(5) ~~In the event of disagreement with the ((decision of the executive secretary, either by the applicant recognition or by another group which considers itself affected adversely, the disputed application and all supporting exhibits shall be referred to the executive committee. The executive committee may decide the issue or may refer the dispute to a standing committee or to the commission. In the event of an adverse decision by the executive committee,))~~ recommendation of a program or

other committee of the commission, the following procedures shall apply to any request for reconsideration:

(a) The licensing and sponsorships committee shall reconsider requests for letters of support for fund-raising efforts and may deny the requests or refer them for further consideration to the same or a different program committee or make a recommendation directly to the commission;

(b) The executive committee shall reconsider requests for financial support from funds derived from sales of centennial license plates as provided in subsection (6) of this section, and may deny the requests or refer them for further consideration to the same or a different program committee or directly to the budget and finance committee.

(c) The executive committee shall reconsider all requests for assistance of any other sort and may deny the requests or refer them for further consideration to any committee or to the commission.

(d) Further appeal may be made to the commission in the event of any adverse decision, other than an action of commission, at ((its)) the first meeting which occurs not less than thirty days after such commission review is requested in writing.

(6) Projects of state-wide significance. The commission may contract with public agencies and private non-profit organizations which undertake to organize and manage distinctive projects of state-wide significance which are funded in part from revenues resulting from chapter 280, Laws of 1986.

(a) To be considered, proposals must satisfy the following basic criteria:

(i) The commission's share of the projected cash outlays implementation of the proposal must be no more than fifty percent.

(ii) The total amount requested from the commission must be no less than ten thousand dollars and no more than one hundred thousand dollars.

(iii) The proposal's goals and activities must ensure a demonstrable benefit.

(iv) The proposal must be open to participation without discrimination of any kind.

(v) The dates of proposed activities must be consistent with the schedule of the centennial celebration and allow for completion of all activities to be supported by the commission prior to December 31, 1989.

(b) The following process in selection of projects for assistance shall be followed:

(i) The commission's request for proposals shall give at least forty-five days notice before the due date.

(ii) Timely responses shall be reviewed by staff for completeness, responsiveness, compliance with nondiscrimination requirements, and other requirements as specified in the request for proposal.

(iii) Accepted responses shall be reviewed by one or more program committees of the commission. If no suitable program committee exists, the sponsor may request that the commission act as a committee of the whole for the purpose of review. The committee shall make a recommendation to the budget and finance committee concerning the level of funding (if any) for each proposal

and the centennial commission which includes the committee's determinations of:

(A) The ways in which the proposal meets and complements the overall goals of the centennial celebration and the specific program goals of the committee; and

(B) ~~((The sense in which the project meets the requirement of having state-wide significance.))~~ In addition to the applicable requirements of subsection (3) of this section, project proposals for funds of state-wide significance received by the commission will be reviewed by the commission and its committees in terms of state-wide content, participation and impact. To be considered as a project of state-wide significance, a proposal must have as its primary focus and purpose the celebration of events or activities which are significant to the history, current development or future growth of the special or unique character of the state of Washington as a whole. Specific content areas are to be determined by the commission, consistent with its overall program. In determining whether or not a project has state-wide significance, the commission and its committees require that the project be equitably available to the people of the entire state, under criteria as established by the commission.

The program committee may ask for advice or further information from the sponsor of the proposal, relevant country centennial committees, and other interested parties.

(iv) The budget and finance committee shall recommend a level of funding for each project consistent with funds available in the centennial fund.

(v) The executive secretary shall negotiate the necessary contracts or agreements with the sponsor to implement the decision of the commission.

(7) The commission may contract ((with)) or enter into agreements and understandings with affiliated organizations, other agencies, persons, and groups in an appropriate manner(;) to accomplish commission activities(;) in accordance with state law. The commission may work closely with such affiliated organizations and may provide special assistance to them to support their work in support of the commission's goals.

(8) The commission requires assurance of compliance with local, state, and federal civil rights and anti-discrimination laws and regulations, and open access for all persons regardless of race, religion, ethnic background, or physical handicap, as a condition of sponsorship, recognition, endorsement or support of any activity proposing to celebrate the state centennial.

(9) The commission may provide cosponsorship, recognition, endorsement, financial support, and/or other assistance to persons or groups in order to facilitate contributions to literature about Washington, its culture, history, geography, and other aspects to be celebrated during the centennial and other events or programs under the purview of the commission by statute or executive order.

(a) Authors and publishers who are developing projects which they believe will make a contribution to the celebration of the centennial, and who wish to have that expectation confirmed in writing may request a letter of encouragement.

(i) The executive secretary may require such information as he deems necessary, and shall provide the applicant with full information about procedures and criteria.

(ii) If the executive secretary issues a letter of encouragement, the letter may be reproduced for publicity purposes or reprinted in the work.

(iii) Issuance of a letter of encouragement does not imply approval to print or otherwise use the centennial symbol in any way.

(b) The commission may endorse publications which make important contributions to the celebration or the understanding of the history or character of Washington.

(i) Endorsement allows commercial use of the commission symbol, provided that such commercial use shall be in compliance with WAC 100-100-900.

(ii) Application for publication endorsement shall be made to the executive secretary on forms provided for that purpose; provided that the executive secretary shall require submission of two copies of the publication or manuscript plus twenty-five dollars. Neither the copies nor the twenty-five dollars will be returned.

(iii) In the event that the applicant disagrees with the decision of the executive secretary, the applicant may request a review by the executive committee who may decide the issue or refer it to the commission's publications committee.

(c) The "centennial bookshelf" is a list of publications maintained and distributed by the commission. Listing does not imply endorsement by the commission of the content or opinions expressed in the work. Prominent notice shall be given for each issue of the "centennial bookshelf."

(i) Each publication in the "bookshelf" must make a contribution to the understanding of the history or character of Washington.

(ii) Each publication must be in print or generally available to the public through bookstores or mail distribution.

(iii) Promotional items, limited editions, membership premiums, and other similar publications are not eligible to be listed.

(iv) An application for listing in the "centennial bookshelf" and instructions for filing shall be available from the commission upon request.

(v) Applications for listing may be approved in advance of publication when a definite publication date has been set; provided that in addition to information about the work the executive secretary shall charge the applicant ten dollars plus twice the full purchase price including shipping cost and tax. Such funds will be used to purchase two copies of the work when available.

(10) Letters of support. The commission may provide letters of support for the fund-raising efforts of independent organizations sponsoring centennial activities.

(a) To be considered, proposed activities must satisfy the following basic criteria:

(i) The project must require ten thousand dollars or more in support from outside sources;

(ii) The project must have state-wide impact as contrasted to local or specialized scope and must encourage widespread access or participation by Washingtonians from every part of the state;

(iii) The project's goals and activities must ensure a demonstrable benefit without discrimination of any kind;

(iv) The project dates must be consistent with the schedule of the centennial celebration.

(b) The following process in selection of projects for letters of support shall be followed:

(i) The notice of each review cycle shall give at least forty-five days notice before the due date;

(ii) Timely responses shall be reviewed by staff for completeness, responsiveness, compliance with nondiscrimination requirements, and other requirements as specified by the commission;

(iii) Accepted responses shall be reviewed by one or more program committees of the commission. The committee shall make a recommendation to the commission which includes the committees determinations of:

(A) The ways in which the proposed project complements the overall goals of the centennial celebration and the program goals of the committee;

(B) The sense in which the project meets the requirements of having state-wide significance.

(iv) The executive secretary shall provide letters of support as provided by the commission to any project approved by the commission.

WSR 87-18-005

ADOPTED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2525—Filed August 21, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to general assistance-unemployment (GA-U) eligibility, amending chapter 388-37 WAC.

This action is taken pursuant to Notice No. WSR 87-13-079 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 406, Laws of 1987, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 21, 1987.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2374, filed 5/14/86)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—EXCLUSIONS. (1) Continuing general assistance is a state-financed program providing for the needs of some persons not eligible for a federal aid grant who are either pregnant or incapacitated from gainful employment. Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or whose needs are being met by Supplemental Security Income, except as provided in WAC 388-37-010 (2) through (5).

(2) An AFDC parent in need of intensive treatment (thirty days or less) in an approved alcoholic treatment facility may be granted continuing general assistance for the cost of treatment. This payment is made through the vendor billing procedure.

(3) Effective August 23, 1983, an SSI recipient whose need is not being met by SSI because of separation from a spouse may be eligible to receive GA-U in the amount necessary to supplement his or her need up to the level of the existing GA-U payment standard.

(4) An SSI recipient whose SSI check has been lost, stolen, missent, or otherwise delayed, may be granted GA-U provided the recipient agrees in writing to repay the amount of GA-U assistance issued, and the applicant meets all other GA-U eligibility requirements. When an SSI check is lost in the mail system, issuance of GA-U will be held in abeyance for ten working days from the first of the month in which the check was issued to allow the warrant to be returned or delivered. If the recipient has an emergent need, the ten-day period may be waived by the CSO administrator.

(5) An applicant appearing to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:

(a) The applicant applies;

(b) The applicant assigns the initial SSI payment to DSHS up to the amount of the GA-U provided to the applicant pending approval of the SSI application;

(c) The applicant meets all other general assistance eligibility requirements.

(6) When determining the amount of the initial SSI payment, do not include any advance payment or payment based upon presumptive disability or presumptive blindness. These payments are not considered SSI benefit payments for interim assistance purposes. The state cannot be reimbursed for any GA-U authorized during the time period these payments cover.

(7) Any agreement between the department and a Supplemental Security Income applicant providing for the reimbursement of interim assistance to the department shall provide, if the applicant has been represented by an attorney, that twenty-five percent of the reimbursement received shall be withheld by the department and all or such portion thereof as has been approved as a fee by the United States Department of Health and Human Services shall be released directly to the applicant's attorney. Payment is limited to cases where the reimbursement of interim assistance was received by the department on or after August 23, 1983, and the attorney

of the applicant for whom reimbursement is received began representing the applicant on or after August 23, 1983. The secretary may maintain such records as are deemed appropriate to measure the cost and effectiveness of such agreements and may make recommendations concerning the continued use of such agreements to the legislature.

(8) Continuing general assistance cannot be granted to an individual eligible for or receiving AFDC or SSI when he or she:

(a) Is currently under sanction for failure to comply with AFDC or SSI requirements, or

(b) Has failed or refused to cooperate in obtaining AFDC or SSI, unless the department has determined there is good cause for failure to cooperate.

(9) Persons who are unemployable due to alcohol or drug addiction are not eligible for general assistance. Such persons shall be referred to the alcoholism and drug addiction treatment and support program. Alcoholics or drug addicted clients who are currently receiving general assistance, may remain on general assistance, if otherwise eligible, until they are assessed for services and until the scheduled date of admittance into treatment or shelter in accordance with the alcoholism and drug addiction treatment and support program.

AMENDATORY SECTION (Amending Order 2034, filed 10/6/83)

WAC 388-37-020 CONTINUING GENERAL ASSISTANCE—ELIGIBILITY CONDITIONS—GENERAL. (1) An applicant or recipient shall be a resident of the state of Washington as defined in WAC 388-26-055 and be living in an identifiable residence within the local office area.

(2) General assistance may be granted only to persons who are either citizens or aliens who:

(a) Are lawfully admitted for permanent residence;

(b) Are otherwise permanently residing in the United States under color of law; or

(c) Have been granted temporary residency status under the Immigration Reform and Control Act.

(3) An applicant or recipient shall furnish or apply for a Social Security number per WAC 388-37-021.

(4) An applicant or recipient shall not have transferred property contrary to law or rules as specified in WAC 388-28-458 through 388-28-465.

~~((3))~~ (5) If an individual is living in an institution, WAC 388-34-010 through 388-34-020 also apply in eligibility determination.

~~((4))~~ (6) Continuing general assistance follows financial need determination as provided in provisions of chapter 388-28 WAC, except wherever income and resource rules differ for continuing general assistance and AFDC, any individual applying for or receiving continuing general assistance on the basis of pregnancy, shall have her eligibility determined according to AFDC income and resource rules.

NEW SECTION

WAC 388-37-021 PROVISION OF SOCIAL SECURITY NUMBERS. (1) As a condition of eligibility

each applicant for or recipient of general assistance shall be required to:

(a) Furnish a Social Security number for all persons whose needs are considered in determining the amount of assistance, or

(b) Apply for Social Security numbers if they are unknown or have not been issued.

(2) The applicant/recipient has the responsibility to report promptly and accurately any new Social Security number within twenty days of its receipt as provided in WAC 388-38-255.

(3) Assistance will not be denied, delayed, or terminated pending issuance of Social Security numbers if the applicant/recipient provides verification that he or she has met the requirement in subsection (1)(b) of this section.

(4) If the applicant or recipient fails to comply with the requirement to furnish or apply for Social Security numbers for each person included in the assistance unit, eligibility for such person or persons cannot be determined and they shall be excluded from the assistance unit.

(5) The department shall assist the applicant in obtaining a Social Security number by referring him or her to the nearest Social Security office and by furnishing to the client from department records any verification requested by the Social Security administration.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility has been established, continuing general assistance shall be granted to:

(1) Incapacitated persons. As used in this section, incapacitated person means a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for at least sixty days from date of application, except as provided in WAC 388-37-038 (1) ~~((through (4)))~~ and (2). Persons incapacitated by alcoholism or drug addiction are not included in this definition, but an alcoholic or drug addict who is incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to the individual's capacity to earn income by employment. It does not refer to the availability or lack of job opportunities.

(a) Eligible individuals are:

(i) An incapacitated single person age eighteen or older.

(ii) A married couple if both persons are incapacitated.

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described in WAC 388-28-500 (2)(a) and (b).

(b) An incapacitated individual must accept and follow through on required available medical treatment, which can reasonably be expected to render him or her able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria in WAC 388-37-037(4).

(c) An incapacitated individual may also receive medical services provided under the state-financed medical care services program as defined in WAC 388-86-120.

(2) ~~((Effective August 23, 1983,))~~ Pregnant women who:

(a) Meet all income and resource eligibility criteria for the federal aid to dependent children program; and

(b) Are in their first or second trimester of pregnancy and categorically eligible for a federal aid medical assistance program; or

(c) Are members of two-parent households during a time when the aid to dependent children-employable program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant and medical assistance under the state-financed medical care services program for the duration of their pregnancy.

AMENDATORY SECTION (Amending Order 2297, filed 10/30/85)

WAC 388-37-032 CONTINUING GENERAL ASSISTANCE—DETERMINATION OF INCAPACITY. (1) Eligibility due to incapacity shall be determined by the department in accordance with the criteria set forth in this chapter.

(2) The department shall:

(a) Consider medical and other related evidence of the incapacitating condition and make a decision confirming or denying the existence of eligibility due to incapacity within forty-five days of the date of application, except in circumstances beyond the control of the agency such as failure or delay in securing necessary information or documentation on the part of the applicant, the examining physician or other source of documentation.

(b) Request additional information when necessary.

(c) Determine probable duration of incapacity. The probable duration shall be related to the prognosis for the condition as predicted by the medical evidence but shall not exceed twelve months without a redetermination of incapacity.

(d) Require available medical treatment which can reasonably be expected to render the client able to work. The department shall provide written notification of these treatment requirements at the time of initial approval and at each redetermination.

(e) Recommend available medical services, provided under the state-financed medical care services program as defined in WAC 388-86-120.

(3) Eligibility cannot be established if an applicant fails to cooperate in obtaining information documenting incapacity. Continued failure to so cooperate during the ten-day period following the mailing of a letter to the applicant's last known address specifically citing the required cooperation shall be grounds for denial of the application for assistance ~~((see WAC 388-38-265)))~~.

(4) Redetermination of eligibility for general assistance due to incapacity is based on current medical evidence and other available relevant medical information. If incapacity is not substantiated, then continued eligibility is denied. (See WAC 388-38-265.)

(5) Cost of necessary medical reports to determine incapacity shall be paid by the department. Payment for such reports shall not be made to DSHS agencies.

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-035 INCAPACITY—MEDICAL EVIDENCE. (1) The term "incapacity" refers to the existence of a physiological, emotional, or mental impairment (excluding alcohol/drug dependency) rendering the person incapable of gainful employment.

(a) Such incapacity must be verified by medical evidence as specified in WAC 388-37-035(2).

(b) The person must be substantially prevented by reason of the impairment from engaging in gainful employment.

(2) The primary source of evidence for physiological incapacity will be a written report from a physician, a certified registered nurse (CRN) in their area of certification, or the chief of medical administration, or his or her designee, of the Veterans' Administration as authorized in federal law. The primary source of evidence for a mental incapacity will be a report from a psychiatrist, licensed clinical psychologist, or mental health professional designated by the local community mental health agency as defined in RCW 71.05.020, except that a physician can evaluate a mental condition at the department's discretion. (~~Any of the aforementioned may be used as primary sources of evidence for incapacity due to alcohol or drug addiction.~~) When it appears an individual may have a developmental disability, such persons may be referred to a medical professional who is skilled in identifying developmental disabilities. Supplemental medical evidence may be obtained from other treating practitioners, to include a chiropractor, nurse, physician's assistant, or DSHS institutions and agencies from which the individual is receiving or has received services. Such reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to perform work-related activities, along with relevant medical history and sufficient medical documentation to support any conclusions of incapacity.

(3) An individual's report of symptoms will not have a significant effect on an incapacity determination unless medical findings show that a medical condition is present that could reasonably be that expected to produce the symptoms which are reported. Clear, objective medical information, including professional observation and relevant medical history, used to support conclusions about the existence and persistence of the symptom(s) and about its effect on the individual's ability to function, must be present.

(4) The determination of incapacity will be made on the facts of each case. This requires evaluation of the severity of the impairment and its effect on the individual so it can be determined whether there remains a capacity to engage in gainful employment. The primary reason for incapacity must be a medical impairment, but vocational factors, i.e., age, education, and work skills,

may also be considered. Reasons for unemployment other than incapacity, such as individual employer preferences, business and economic conditions, etc., are not factors to be considered in determining his or her inability to obtain and continue in employment.

(5) When determining incapacity, the department will take into consideration opinions of the treating or consulting physicians or health care professionals regarding incapacity. Any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(6) The determination of incapacity shall be made solely by the department based on the medical information received. Any decision of incapacity or unemployment made by another agency or person is not binding on the department.

AMENDATORY SECTION (Amending Order 2297, filed 10/30/85)

WAC 388-37-037 CONTINUING GENERAL ASSISTANCE—REFUSAL TO ACCEPT AVAILABLE AND REQUIRED MEDICAL TREATMENT.

(1) A continuing general assistance applicant or recipient who refuses without good cause to accept available required medical treatment, which can reasonably be expected to render him or her able to work shall be ineligible. The decision that the client has refused such treatment without good cause is based on the best objective judgment of the department.

(2) "Available medical treatment" shall mean and include medical, surgical, alcoholism, drug or mental health services, or any combination thereof.

(3) "Reasonably be expected to render him or her able to work" shall mean that in the opinion of the department, the required treatment will restore or substantially improve the individual's ability to work for pay in a regular and predictable manner.

(4) Any recipient who disagrees with these treatment requirements may request a fair hearing. Once a request is initiated, the department shall take no adverse action as a result of failure to comply with the treatment at issue pending a decision.

(5) For the purposes of this section, an applicant or recipient has good cause to refuse required medical treatment when such refusal is based upon one or more of the following conditions:

(a) The individual is genuinely fearful of undergoing required treatment. Such fear may appear to be unrealistic or irrational; however, fear exists in such a degree that treatment would be adversely affected;

(b) The individual could lose a faculty, or the remaining use of faculty he or she now has, and refuses to accept the risk;

(c) Because of his or her definitely stated religious scruples, the individual will not accept required medical treatment.

(d) The individual is temporarily unable to participate in required medical treatment, due to an intervening incapacity. The temporary inability to participate must be documented by medical evidence. The requirement to participate is again imposed as soon as the person is able to participate.

(e) The individual was not properly notified of the treatment required and/or the consequences for failure to comply with these requirements.

(f) The treatment required by previous written notification is subsequently determined to have been inappropriate or unavailable. For example, treatment is considered unavailable when it includes copayments or service charges not covered by the department, and the client is denied access to the treatment due to an inability to pay.

(6) Refusal to follow through with available required medical treatment without good cause shall result in termination until the person agrees to cooperate in accepting such treatment and subject to the following maximum periods of ineligibility after reapplication:

- (a) First refusal - one week;
- (b) Second refusal within six months - one month;
- (c) Third and subsequent refusals within one year - two months.

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

(a) Has been determined to be eligible for any benefits based on Social Security Administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities;

(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of sixty days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

~~((3)) Incapacity due to alcoholism will be considered to be established when an individual is admitted as a resident of a licensed alcoholism treatment facility, including intensive inpatient treatment or treatment at a recovery house or extended care recovery house as defined in WAC 275-19-020, according to the time limits in WAC 388-37-060.~~

~~(4) Incapacity due to abuse of drugs other than alcohol will be considered to be established for a designated period when an individual is admitted as a resident into~~

~~a certified residential drug treatment program, or certified detoxification program or is accepted into a certified methadone (or approved substitute) maintenance program:~~

~~(a) In accordance with the criteria, in subsection (4) of this section incapacity will be considered to be established for the following maximum periods of time:~~

~~(i) Detoxification—thirty days.~~

~~(ii) Maintenance—sixty days.~~

~~(iii) Residential treatment—sixty days.~~

~~(b) Assistance shall not be continued beyond the initial period of time described in subsection (4)(a) of this section without documented medical evidence of incapacity.)~~

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-040 CONTINUING GENERAL ASSISTANCE—STANDARDS FOR REQUIREMENTS—AUTHORIZATION. (1) The rules and procedures for payment of federal aid grants shall apply to continuing general assistance except that vendor payments may be made when payment by warrant is not possible or practical.

(2) The department may direct payment to a protective payee when a client has demonstrated an inability to care for himself/herself or his/her money. Follow procedures in WAC 388-33-455.

(3)(a) When incapacity is established a continuing grant shall be authorized to continue for the probable duration of the incapacity. The recipient shall be notified of the termination date at the time the grant is opened.

(b) If more than forty-five days are required to determine incapacity, and if incapacity is determined to have existed on the date of application, assistance shall be granted effective the forty-fifth day after application, per WAC 388-33-115.

A continuing grant shall not be authorized until incapacity is established by the department.

~~((3))~~ (4) Continuing assistance shall not be authorized following the termination date specified in subsection ~~((2))~~ (3) of this section until continuing incapacity has been redetermined by the department.

~~((4))~~ (5) If a recipient is terminated due to lack or insufficiency of medical evidence to establish incapacity, he/she shall be reinstated the day following the date of termination, if all the following conditions are met:

(a) The lack or insufficiency of medical evidence is not due to failure of the recipient to cooperate in gathering said evidence; and

(b) Additional medical evidence is provided subsequent to the termination, which establishes that the recipient has been, and continues to be, incapacitated since the date of termination; and

(c) The additional medical evidence substantiates incapacity as specified in WAC 388-37-010(1) and 388-37-035.

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-050 CONTINUING GENERAL ASSISTANCE—REDETERMINATION OF ELIGIBILITY. (1) Continuing general assistance recipients shall have their continued financial eligibility for such assistance redetermined at least once every six months of continuous receipt of assistance.

(2) Before a recipient of GAU can be determined ineligible on the basis that he or she is no longer incapacitated, at least one of the following conditions must be met:

(a) New evidence must show a clear improvement in the medical condition. Clear improvement means that, since the last decision, the physical or mental impairment(s) upon which the decision was based has decreased in severity(;) or the effect of that impairment has been significantly diminished (through therapy, medication, rehabilitation, etc.) to the point where the individual is capable of gainful employment(;) or

(b) It can be established that the previous decision was based on faulty or insufficient information or erroneous procedure based on the WAC in effect at the time.

(3) Whenever a general assistance recipient becomes eligible for AFDC or SSI benefits, he or she becomes ineligible for continuing general assistance.

(4) Acceptance of available medical treatment. WAC 388-37-030 and 388-37-037 apply to a recipient as well as to an applicant.

(5) Recipients of continuing general assistance shall be screened to determine appropriateness of referral to other agencies, i.e., SSA, SSI, DVR, VA, which can reasonably be expected to reduce their need for assistance. A recipient who has been referred and refuses, without good cause to accept referral to other agencies shall be ineligible. Refusal to accept referral to other agencies without good cause shall result in termination until the person agrees to cooperate in accepting such referral and subject to the following periods of ineligibility after reapplication:

- (a) First refusal – one week;
- (b) Second refusal within six months – one month;
- (c) Third and subsequent refusals within one year – two months.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-120 PROGRESSIVE EVALUATION PROCESS STEP II—SEVERITY OF MENTAL IMPAIRMENTS. If a mental impairment is claimed, the severity rating of the mental or emotional disorder shall be determined on the basis of psychosocial and treatment history, clinical findings, results of special tests, and professionally observed symptomatology which indicate impairment of ability to perform basic work-related activities.

(1) A diagnosis of mental retardation shall be assigned a severity rating as follows:

(a) An IQ of 85 or above will be considered within normal limits and will be rated "01."

(b) An IQ of 70 to 84 will be considered as borderline intellectual functioning and will be rated "03."

(c) An IQ of 69 or below will be rated "05."

(d) When more than one IQ score (e.g., verbal and performance scores) is reported on a standardized IQ test, the severity rating will be based on the lowest of these scores.

(2) Individuals diagnosed as having organic brain damage shall be assigned a rating based on the most severe of the following three areas of impairment:

(a) Marked memory defect for recent events.

(b) Impoverished, slowed, perseverative thinking, with confusion or disorientation.

(c) Labile, shallow, or coarse affect.

(3) The severity of a functional psychotic or nonpsychotic disorder, excluding alcoholism or drug addiction, shall be based on a clinical assessment of these twelve symptoms: Depressed mood, suicidal trends, expression of anxiety or fear, expression of anger, social withdrawal, motor agitation, motor retardation, paranoid behavior, hallucinations, thought disorder, hyperactivity/elation, and physical complaints; and an overall assessment of the intensity and pervasiveness of these symptoms and their effect on ability to perform work-related activities.

(a) An individual shall be assigned a minimum rating of "03" when at least one of the above symptoms is present and one or more of the following conditions are met:

(i) A diagnosis of psychotic disorder has been made; or

(ii) The individual has been hospitalized for psychiatric reasons two or more times within the preceding two years; or

(iii) The individual has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months duration within the preceding two years; or

(iv) The individual is considered as at least moderately impaired by three or more of the symptoms listed above; or

(v) The individual is considered as at least moderately impaired in the overall assessment of intensity and pervasiveness of these symptoms.

(b) An individual shall be assigned a minimum rating of "04" when the overall assessment of the intensity and pervasiveness of these symptoms is marked, or when it is moderate and three or more of the above symptoms are present to a marked degree or more.

(c) An individual shall be assigned a rating of "05" when the overall assessment of the intensity and pervasiveness of these symptoms is severe or when it is marked and three or more of the above symptoms are present to a severe degree.

(4) When an individual is diagnosed as being impaired in more than one area (i.e., mental retardation, organic brain damage, or functional disorder), one mental rating shall be assigned based on ratings in each of the three areas according to the following:

(a) An individual with at least two moderate impairments or at least one moderate and one marked impairment is considered to have an overall mental severity rating of "04."

(b) An individual with at least two marked impairments is considered to have an overall mental severity rating of "05."

(5) Based on the overall mental severity rating a determination of incapacity may be made as follows:

(a) An individual with no significant claimed physical impairment and an overall mental severity rating of "01" or "02" is not eligible for GAU, provided the overall functioning level appears consistent with this rating.

(b) An individual with an overall mental severity rating of "05," who meets the time limits in WAC 388-37-030(1), is eligible for GAU regardless of whether there is a significant claimed physical impairment, provided the overall functioning level appears consistent with this rating.

(c) An individual with an overall mental severity rating of "03" or "04" and no significant claimed physical impairment must be evaluated to determine how functional capacity is affected by the mental impairment.

(d) An individual with an overall mental severity rating of "01," "02," "03" or "04," who claims a significant physical impairment, must have the severity of the physical impairment evaluated, if necessary to determine incapacity.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

~~WAC 388-37-135 ALCOHOLISM/DRUG ADDICTION. ((1) Unless otherwise exempted by WAC 388-37-038 (3) or (4), individuals claiming incapacity due to alcoholism or drug addiction will be required to provide medical evidence in accordance with WAC 388-37-035 which substantiates impaired ability to perform basic work-related activities. Supplemental evidence from a professional alcohol or drug counselor may be requested as needed to further assess the condition(s) and/or to recommend appropriate treatment.~~

~~(2) Severity of physical impairments associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-130.~~

~~(3) Severity of organic brain syndrome associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-120(2).~~

~~(4) Severity of functional nonpsychotic mental and emotional disorders associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-120(3).~~

~~(5) Individuals found to be incapacitated due to alcoholism or drug addiction must participate in an approved alcoholism or certified drug treatment program, unless there is good cause for failure to do so:)) (1) Persons claiming incapacity based primarily on alcoholism or drug dependency shall be referred for evaluation under the alcoholism and drug addiction treatment and support program.~~

~~(2) Persons who appear to have significant mental or physical impairments resulting from or in addition to alcoholism or drug addiction should also be evaluated for general assistance when:~~

~~(a) The person indicates upon application that other physical or mental impairments may be incapacitating in themselves; or~~

(b) The person is rejected for the alcoholism and drug addiction treatment and support program and/or medical evidence obtained by assessment for that program indicates other significant medical impairments may exist.

(3) Any general assistance applicant or recipient who claims a secondary drinking or drug problem, or whose medical evaluation indicates such a problem appears to exist, may be required to undergo an alcohol/drug assessment.

(4) Applicants whose mental, emotional, and/or physical condition(s) is caused or exacerbated by alcoholism or drug addiction must have eligibility for general assistance based solely on the mental, emotional, and/or physical condition(s). The effects of the alcoholism or drug addiction must be differentiated from the other condition(s) in order to determine incapacity. Unless it can be reasonably established that the other condition(s) would remain incapacitating for at least sixty days of abstinence from alcohol or drugs, the individual is not eligible for general assistance.

(5) When the effects of alcoholism or drug addiction in the applicant's mental, emotional, and/or physical condition(s) cannot be clearly differentiated, the department shall refer him or her to the alcoholism and drug addiction treatment and support program for evaluation and/or treatment.

(6) The provisions in subsections (4) and (5) of this section apply to recipients as well, except that a person whose alcohol/drug addiction cannot be clearly differentiated from any physical/mental impairments and eligibility established either under the ADATSA or GA-U program will remain on GA-U subject to the provisions in WAC 388-37-050.

(7) The department may require the individual to undergo a period of alcohol or drug treatment before re-evaluating eligibility for general assistance.

(8) Persons qualifying for both general assistance and the alcoholism and drug addiction treatment and support program may choose either program.

(9) Alcoholics or drug addicts who choose general assistance in lieu of the alcoholism and drug addiction treatment and support program:

(a) Shall have their general assistance grant issued by protective payment in accordance with the criteria in WAC 388-33-420 and 388-33-455; and

(b) May be required to participate in an approved alcoholism or certified drug treatment program.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV—MULTIPLE IMPAIRMENTS. (1) When an applicant has more than one diagnosed impairment rated "03" or "04," but none rated "05," one overall rating shall be determined as follows:

(a) Each diagnosis shall be classified according to body system based upon International Classification of Diseases (ICD), 9th revision.

(b) If all the diagnosed impairments are classified within the same body system, the overall severity rating

will be equal to the highest rated impairment within that system.

(c) Severity ratings assigned for alcoholism or drug addiction shall not be considered in this process.

(2) If more than one body system is involved (including mental disorders), the overall severity will be determined by the following, using the highest rating from each body system:

(a) An individual with at least two moderate impairments or at least one marked and one moderate impairment is considered to have an overall severity rating of "04."

(b) An individual with at least two marked impairments is considered to have an overall severity rating of "05."

(3) Based on the overall severity rating, a determination of incapacity is made as follows:

(a) An individual with an overall severity rating of "05," who meets the time limits in WAC 388-37-030(1) is eligible for GAU.

(b) Individuals with a severity rating of "03" or "04" must be evaluated to determine how their multiple physical and/or mental impairments affect their functional capacity.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-37-060 CONGREGATE CARE—ALCOHOLISM TREATMENT.

WSR 87-18-006
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2526—Filed August 21, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to alcoholism and drug addiction detoxification, treatment and support programs, amending chapter 388-40 WAC.

This action is taken pursuant to Notice No. WSR 87-13-080 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 406, Laws of 1987, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 21, 1987.

By Leslie F. James, Director
 Administrative Services

Chapter 388-40 WAC
ALCOHOLISM AND DRUG ADDICTION DETOXIFICATION, TREATMENT AND SUPPORT PROGRAMS

WAC	
388-40-010	<u>Alcoholism detoxification program—Eligible persons.</u>
388-40-020	Alcoholism and Drug Addiction Treatment and Support Act (ADATSA)—Program description.
388-40-030	ADATSA services.
388-40-040	Financial eligibility requirements.
388-40-050	Medical eligibility requirements.
388-40-060	Eligibility determination and review—Timeframes.
388-40-070	SSI referral requirements.
388-40-080	ADATSA assessment centers—Role.
388-40-090	ADATSA treatment modalities—Description of services, requirements, and limitations.
388-40-100	ADATSA shelter services.

AMENDATORY SECTION (Amending Order 1884, filed 9/29/82)

WAC 388-40-010 ALCOHOLISM DETOXIFICATION PROGRAM—ELIGIBLE PERSONS. (1) Persons eligible for three-day detoxification services for acute alcoholic condition shall be:

(a) All grant, medical, and supplemental security income (SSI) beneficiaries; and

(b) Individual^(s) whose combined nonexempt income and/or resources do not exceed the aid to families with dependent children (AFDC) payment standards, and who have not transferred resources within two years prior to the date of application without having received adequate consideration according to the provisions of WAC 388-28-461.

(2) The following resources shall be exempt for the alcoholism detoxification program:

- (a) A home.
- (b) Household furnishings and personal clothing essential for daily living.
- (c) Other personal property used to reduce need for assistance or for rehabilitation.
- (d) A used and useful automobile.

(3) The following resources are not exempt:
 Cash, marketable securities and any other resource not specifically exempted that can be converted to cash.

(4) The following shall be deducted or exempted from income:

- (a) Mandatory deductions of employment.
- (b) Total income and resources of a noninstitutionalized SSI beneficiary.
- (c) Support payments paid under a court order.
- (d) Payments to a wage earner plan specified by a court in bankruptcy proceedings, or previously contracted major household repairs if failure to make such payments would result in garnishment of wages or loss of employment.

(5) Recipients receiving detoxification services shall not be required to incur a deductible as a factor of eligibility for the covered period of detoxification.

(6)(a) Eligibility for the alcoholism detoxification program shall be determined on the basis of information shown on the department's application forms.

(b) Supplemental forms, verification procedures, and/or face-to-face interviews shall be required only in cases where there is a specific reason for requiring further verification of eligibility.

(7) When the department is notified within ten working days of the date detoxification began, certification shall cover this period if all eligibility factors have been met.

(8) The effective period of eligibility shall be continued from the date detoxification treatment began through the end of the month in which the three-day treatment was completed.

(9) Services must meet the following criteria to be paid through the alcoholism detoxification program:

(a) Such services must be directly related to detoxification, and

(b) Such services must be performed in a certified detoxification center or a general hospital with certified detoxification facilities.

NEW SECTION

WAC 388-40-020 ALCOHOLISM AND DRUG ADDICTION TREATMENT AND SUPPORT ACT (ADATSA)—PROGRAM DESCRIPTION. (1) The Alcoholism and Drug Addiction Treatment and Support Act (ADATSA) is a legislative enactment which provides state-financed treatment and support to indigent alcoholics and drug addicts.

(2) The purpose of ADATSA is to assist in the rehabilitation of those alcoholics and drug addicts who can benefit from available community treatment programs, and to provide a program of shelter services to meet the basic needs of those who cannot benefit from such programs.

NEW SECTION

WAC 388-40-030 ADATSA SERVICES. (1) Persons who qualify for the ADATSA program shall be eligible for:

(a) A continuum of alcohol/drug treatment services and support as described in WAC 388-40-090, or

(b) Shelter services as described in WAC 388-40-100.

(2) Recipients of ADATSA are eligible for medical care services as described in WAC 388-86-120.

NEW SECTION

WAC 388-40-040 FINANCIAL ELIGIBILITY REQUIREMENTS. An applicant/recipient of ADATSA shall:

(1) Be at least eighteen years of age,
 (2) Be a resident of the state of Washington as defined in WAC 388-26-055 and either a United States citizen or alien who:

(a) Is lawfully admitted for permanent residence; or

(b) Is otherwise permanently residing in the United States under color of law; or

(c) Has been granted temporary residency status under the Immigration Reform and Control Act.

(3) Furnish the department with his or her Social Security number. If the applicant cannot furnish a Social Security number because it has not been issued or is not known, he or she shall apply for a number prior to authorization of assistance, and shall provide the Social Security number to the department upon receipt.

(4) Meet the same income and resource eligibility requirements as for the general assistance-unemployable (GA-U) program. The department shall exempt the first eighty-five dollars plus one-half of the remainder of total gross monthly earned income in determining eligibility and the amount of assistance for ADATSA.

NEW SECTION

WAC 388-40-050 MEDICAL ELIGIBILITY REQUIREMENTS. (1) If otherwise eligible, ADATSA assistance shall be granted to alcoholics and drug addicts whose chemical dependency is severe enough to render them incapable of gainful employment.

(2) Incapacity based on alcoholism or drug addiction shall be determined by a department designated chemical dependency assessment center. The assessment center is the department's sole source of medical evidence required for the diagnosis and evaluation of alcoholism/drug addiction and its effects on employability.

(a) The department shall require such an assessment in writing for all ADATSA applicants.

(b) The costs of assessments needed to determine eligibility shall be paid for by the department.

NEW SECTION

WAC 388-40-060 ELIGIBILITY DETERMINATION AND REVIEW—TIMEFRAMES. The department shall:

(1) Make a decision confirming or denying eligibility for ADATSA within forty-five days of the date of application, except in circumstances beyond the control of the agency such as failure or delay in securing necessary information or documentation on the part of the applicant.

(2) Redetermine incapacity and financial and medical eligibility for ADATSA at least every six months except that those recipients who are receiving only shelter services may have their incapacity reviewed yearly.

(3) Provide adequate and advance notice of adverse action in accordance with WAC 388-33-376.

NEW SECTION

WAC 388-40-070 SSI REFERRAL REQUIREMENTS. (1) Any applicant/recipient whom the department determines may be potentially eligible for supplemental security income (SSI) must:

(a) Make application for SSI, and

(b) Assign the initial SSI payment to the department of social and health services up to the amount of ADATSA assistance provided to the recipient pending approval of the SSI application.

(2) The department shall assist ADATSA applicants/recipients in making application for SSI and in obtaining the necessary documentation required by the Social Security Administration to establish eligibility.

NEW SECTION

WAC 388-40-080 ADATSA ASSESSMENT CENTERS—ROLE. (1) ADATSA assessment centers are responsible for the administration of ADATSA services; they are not responsible for providing direct treatment.

(2) The assessment center shall, in accordance with standards set forth in WAC 275-19-185, conduct a face to face diagnostic assessment of the application to:

(a) Determine incapacity based on alcoholism or drug addiction; and

(b) Determine whether to place the incapacitated applicant on a course of treatment or to provide shelter only.

(3) Once the applicant's financial and medical eligibility is established, the assessment center shall:

(a) Arrange all placements as required into treatment and/or shelter facilities;

(b) Provide ongoing case monitoring of treatment and/or shelter services; and

(c) Notify the community services office promptly of all placement or eligibility status changes.

NEW SECTION

WAC 388-40-090 ADATSA TREATMENT MODALITIES—DESCRIPTION OF SERVICES, REQUIREMENTS, AND LIMITATIONS. (1) Eligible applicants incapacitated by alcoholism or drug addiction shall be offered ADATSA treatment services.

(2) Treatment services are limited to a total of six months in a twenty-four month period. The twenty-four month period begins on the date of initial entry into treatment.

(3) Treatment is provided in a continuum of three phases as follows:

(a) Phase one: Intensive inpatient treatment, not to exceed thirty days;

(b) Phase two: Sixty days of residential recovery house treatment; and

(c) Phase three: Ninety days of outpatient treatment.

(4) Alcohol residential treatment programs that are structured to periods of ninety days of treatment may combine phases one and two for a total of ninety days of residential care.

(5) Drug residential treatment programs that are structured to periods of ninety days or more of treatment may combine phases one, two, and three for a total of one hundred eighty days of residential care.

(6) In order to qualify for outpatient treatment services, the applicant/recipient must have first participated in phases one and two of treatment within the same twenty-four month period.

(7) ADATSA recipients who withdraw from treatment for any reason must apply for readmission to treatment through the assessment center.

(a) Recipients who drop out of treatment in the intensive inpatient phase (phase one) shall be required to repeat this phase.

(b) Recipients who drop out of treatment during the recovery house or outpatient phase (phase two or three) shall be readmitted only to the modality from which they dropped out, for the remainder of the time allotted for that phase.

(c) Recipients who have been absent from phase one inpatient treatment or phase two residential services for less than seventy-two hours may, at full discretion of the providing program director, reenter that program without being considered as having dropped out and without being required to reapply for readmittance through the assessment center.

(8) Recipients in the inpatient or recovery house treatment modality shall be eligible for an allowance based on the department's current payment standard for clothing and personal incidentals.

(9) Recipients in the outpatient treatment modality shall be eligible for a treatment stipend for housing and other living expenses.

(a) The stipend amount shall be based on the current payment standard for public assistance recipients; and

(b) The community services office shall issue this stipend directly to the outpatient facility as custodial payee.

NEW SECTION

WAC 388-40-100 ADATSA SHELTER SERVICES. (1) Shelter services shall be available to eligible ADATSA applicants/recipients:

(a) Who refuse treatment; or

(b) Who have exhausted their six months of treatment in a twenty-four month period; or

(c) Who are in temporary need of shelter pending placement into a treatment facility, or pending SSI approval.

(2) All shelter placements shall be arranged by the assessment center in shelters contracted for by the department.

**WSR 87-18-007
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 2527—Filed August 21, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to protective payee guidelines for general assistance-unemployable and Alcoholism and Drug Addiction Treatment and Support Act, amending WAC 388-33-400, 388-33-420 and 388-33-455.

This action is taken pursuant to Notice No. WSR 87-13-078 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 406, Laws of 1987, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 21, 1987.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-33-400 PAYEE OF GRANT. (1) Cash payments are made directly to all continuing assistance recipients except as modified in ~~((items))~~ subsection (2)(b)(ii) through (2)(b)((iv)) (vi) of this section.

(2) Grants are paid

(a) To eligible ~~((persons))~~ recipients in cash (state warrant), or

(b) To other persons or agencies in behalf of the eligible ~~((persons))~~ recipients as

(i) Cash payments to parents and other relatives in behalf of children eligible for aid to families with dependent children;

(ii) Cash payments to guardians and agents as described in WAC 388-33-420 through 388-33-430;

(iii) Protective payment in GAU as specified in WAC 388-33-455;

(iv) Protective payments in aid to families with dependent children as specified in WAC 388-33-440, 388-33-450, and 388-33-453.

(v) Payments to vendors of goods and services supplied to eligible ~~((persons))~~ recipients as described in WAC 388-33-460.

(vi) Living allowances for recipients of the alcoholism and drug addiction treatment and support program (ADATSA).

(3) In authorizing any payment of assistance the ~~((local office))~~ department shall specify the person or agency to whom the grant is to be paid.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-33-420 PAYMENT OF GRANT TO OTHER PERSON IN BEHALF OF RECIPIENT. (1) Inasmuch as children are legally under the custody of their parents, AFDC payments are usually made to a parent or parents. When a parent is not available, payments are made to other relatives in behalf of the children. See WAC 388-33-430, 388-33-440 and 388-33-450 for AFDC payments other than to the parent or relative payee.

(a) Temporary AFDC payee. The following rule applies to temporary situations when a person other than a parent or specified relative lives with and assumes care and supervision of a child.

(i) When an emergency deprives a child receiving AFDC of the care and supervision of the parent or relative with whom he is living, AFDC may be continued

and be paid to a person acting for the parent or relative during a temporary period required to make and carry out new plans for the child's continuing care and support.

(ii) AFDC is continued under this rule for only the period of time actually necessary to carry out active planning for the continuing care of the child and to transfer responsibility for the child under a more permanent arrangement. The emergency payee is not included in the AFDC assistance unit.

~~(2) ((Arrangements for payment to someone other than the individual eligible for continuing general assistance shall be made only when he is definitely unable to make personal decisions for the use of his funds and the assistance of a relative, friend or caseworker is not possible or is not sufficient to continue money payments to him.))~~ The department may direct payment of a general assistance grant to a protective payee when an applicant/recipient has demonstrated an inability to care for himself/herself or his/her money. General assistance recipients who are incapacitated by alcoholism or drug addiction in addition to any other mental or physical condition(s) shall have their grants issued in the form of a protective payment for as long as the alcoholism or drug addiction continues to be incapacitating.

(3) Recipients of the alcoholism and drug addiction treatment and support program shall not be issued a direct cash payment except in those instances where the department opts to pay directly that amount which is designated specifically for clothing and personal incidentals.

~~((3))~~ (4) When a ((money)) grant payment cannot be made directly to ((an applicant or)) a recipient, a guardian shall be secured or a protective payee shall be designated.

(a) Guardianship is preferable when the ~~((individual))~~ recipient

(i) Has resources in property, cash or negotiable assets which need management, or

(ii) Needs someone to control his private affairs to a greater extent than helping with the use of his assistance grant, for example, moving the recipient to a more desirable living arrangement.

(b) The designation of a protective payee (person to whom the grant is paid in behalf of the recipient) is preferable when

(i) Help with money management is the recipient's essential need, and

(ii) The recipient does not have resources requiring legal management, and

(iii) Voluntary guidance and assistance is not adequate, and

(iv) Guardianship is not feasible, practical or necessary.

AMENDATORY SECTION (Amending Order 933, filed 5/15/74)

WAC 388-33-455 PROTECTIVE PAYMENT—SPECIAL NEEDS OF SSI BENEFICIARY ((OR CONTINUING)), GENERAL ASSISTANCE RECIPIENT OR RECIPIENT OF THE ALCOHOLISM AND DRUG ADDICTION TREATMENT AND

SUPPORT ACT (ADATSA) PROGRAM. (1) Protective payment for a SSI beneficiary or ~~((continuing))~~ general assistance or ADATSA recipient is payment to another individual or agency designated as protective payee.

(2) The objective in making protective payments is to assist in money management or provide management of funds for the ~~((individual))~~ recipient who, by reason of physical or mental condition, is incapable of handling his money in a manner conducive to his continuing health, social adjustment and acceptance in the community. Alcoholics and drug addicts whose addiction and compulsion is so severe that they are unable to work are considered to be incapable of handling money in their own best interests.

(3) Allowances for the cost of chore service or special needs such as restaurant meals may be issued to a protective payee when the ~~((individual))~~ recipient manifests a persistent inability to manage and use his funds for their intended purposes.

(4) When the ~~((local office))~~ department determines that an SSI beneficiary is unable to manage his award, a referral shall be made to the Social Security administration district office for consideration of the designation of a representative payee.

(5) Protective payment is not used when the basic problem is insufficient funds rather than money management or when a financial problem is due to an emergency situation such as short-term illness.

(6) Assistance funds shall not be ~~((authorized))~~ withheld from a recipient's grant for payment to the protective payee for his costs or services. However the department may authorize an additional fee, not to exceed five percent of the monthly one-person payment standard, to cover the administrative costs of a protective payee.

(7) The facts supporting a determination of an ~~((individual's))~~ applicant/recipient's inability to manage funds must be specific and clearly establish that his misuse of funds threatens his well being, for example:

(a) Medical or psychological evaluations,

(b) An alcohol/drug assessment which establishes incapacity due to alcoholism or drug addiction,

(c) Observation of gross conditions such as extensive paralysis, serious mental retardation, continued disorientation, or severe memory loss,

~~((c))~~ (d) Continued inability to plan and spread necessary expenditures over the usual payment period,

~~((d))~~ (e) Persistent failure to pay for rent, utilities, food and other essentials.

(8) The individual or agency designated to receive the payment on behalf of a ~~((SSI beneficiary or a continuing))~~ recipient of the ADATSA program or on behalf of a general assistance recipient ~~((must be interested in or concerned with his welfare. The selection of the protective payee is preferably made by the recipient or with his participation and consent to the extent possible. The protective payee may be))~~ who is also incapacitated by alcoholism or drug addiction shall be limited to the following:

(a) ~~((A relative, friend, clergyman, or member of a church;))~~ A department-approved alcohol/drug treatment or assessment agency or designated staff person thereof,

(b) ~~((A member of a community service group, for example, an active participant in a senior citizen's center who takes an interest in being of help to his contemporaries;))~~ A community mental health agency or staff member of that agency,

(c) ~~((An individual who serves with a voluntary social agency or a home economist with a public or private organization,~~

~~(d) A staff member of homemaker services, house-keeping aid program, practical nurse association or other agencies,~~

~~(e) A staff member of a public agency, such as one administering health, rehabilitation and housing programs,~~

~~(f) The superintendent of a public institution for mental disease or for the mentally retarded or his designee;))~~ A social service agency, individual, or corporation who has a written agreement with the department to provide protective payee services,

~~((g))~~ (d) A department employee ~~((when no other suitable person is available)). ((The person determining financial eligibility shall not serve as payee.))~~

(9) ~~((To avoid conflict of interest the protective payee may not be~~

~~(a) The local office administrator, special investigative or resource staff, or staff handling fiscal processes related to the recipient,~~

~~(b) A vendor of goods and services dealing directly to the recipient, such as landlord, nursing home operator, operator of social care facility, or grocer.))~~ For other recipients of general assistance or for SSI beneficiaries with special needs, any of the persons or agencies listed in subsection (8) of this section may act as protective payees. However the department may, based on the recipient's special needs and preferences, select a relative, friend, or other interested individual, social service agency or corporation concerned with the well-being of the recipient.

(10) Standards for selecting a protective payee are:

(a) Interest and concern in the welfare of the ~~((individual))~~ applicant/recipient,

(b) Ability to help the ~~((individual))~~ applicant/recipient make proper use of the assistance payment when feasible,

(c) Accessibility to the ~~((individual))~~ applicant/recipient,

(d) Ability to establish and maintain a positive relationship with the ~~((individual))~~ applicant/recipient,

(e) Good character and reliability.

(11) ~~((The))~~ All protective payee ((has the authority and responsibility to make decisions about the expenditure of assistance payments. He should encourage the recipient to participate to the extent of his ability in the decisions)) agreements must be in writing.

~~((a))~~ The payee has responsibility for assuring the department that the assistance is spent on behalf of the recipient. ~~((An itemized account is not required, but))~~ A

record of expenditures for the basic needs of food, shelter, clothing and utilities shall be maintained and kept current for review.

~~((b) The protective payee may not be qualified as the primary source of information regarding eligibility. His authority extends only to the grants received and not to the other financial affairs of the recipient. In making a review, the local office must continue to consult the recipient, when he can give pertinent information. Other appropriate persons should be consulted when necessary.~~

~~(12) The local office shall provide the recipient and payee a written agreement on the respective roles of the protective payee and the department. Copies of the agreement shall be furnished to the payee and the recipient, and a copy retained in the case record. The local office shall undertake and continue special efforts to protect the welfare of the individual in need of protective payment. The local office in cooperation with the payee shall strive to improve the individual's capacity for self-care and money management to the extent possible.~~

~~(13) The social service supervisor or local office administrator makes the decision to establish a protective payment upon recommendation by the worker. The case record must contain the evidence upon which this recommendation is based.~~

~~(14) The decision to establish a protective payment plan shall be discussed with the recipient. He shall be notified in writing of the change in payee, the basis of the determination, the name of the protective payee designated and the effective date of the change.)~~

WSR 87-18-008
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 87-104—Filed August 21, 1987]

I, Joseph R. Blum, director of the Department of Game [Department of Fisheries], do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is net restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye fisheries under the direction of the Pacific Salmon Commission. Openings in Areas 7B, 7C, 7E provide opportunity to harvest non-Indian allocation. Openings in Area 8 provide for an update fishery as per preseason agreement. All other areas closed to prevent overharvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 21, 1987.

By Joseph R. Blum
 Director

NEW SECTION

WAC 220-47-804 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective August 21, 1987, until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 4B – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Areas 5, 6C – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Areas 6, 6A, 7, 7A – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

**Areas 7B, 7C – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 23 through the morning of August 27. Fishery exclusion zones applicable to Areas 7B and 7C commercial fisheries are described in WAC 220-47-307.*

**Area 7E – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 24 through the morning of August 27; and purse seines may fish from 5:00 AM to 9:00 PM daily August 25 through August 27. That portion east of a line from Tongue Point to Juniper Point to the point immediately south of Juniper Point remains closed to all commercial fishing.*

**Area 8 (excluding that portion south and west of a line projected from Polnell Point (Whidbey Island) to Rocky Point (Camano Island) – Closed except gill nets using 5-inch minimum/6-inch maximum mesh not more than 60 meshes in depth may fish from 6:00 PM to 9:00 AM nightly, August 25 through the morning of September 2. That portion south and west of a line projected from Polnell Point (Whidbey Island) to Rocky Point (Camano Island) remains closed to all commercial fishing. Fishery exclusion zones applicable to Area 8 commercial fisheries are described in WAC 220-47-307.*

Areas 6B, 6D, 7D, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D,

13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 21, 1987.

WAC 220-47-803 Puget Sound Commercial Salmon Fishing Restrictions Order No. 87-100

WSR 87-18-009

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1949—Filed August 21, 1987]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- New WAC 16-694-001 Adoption of license fees pursuant to chapter 20.01 RCW.
- Rep ch. 16-693 WAC Repeal of standard contract format.

This action is taken pursuant to Notice No. WSR 87-14-050 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to section 13, chapter 393, Laws of 1987, and chapter 16-693 WAC and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 21, 1987.

By Michael V. Schwisow
Deputy Director
for C. Alan Pettibone
Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 16-693-001 Promulgation.
- WAC 16-693-010 Commission merchant standard contract format.
- WAC 16-693-020 Standard contract format - Title.

Chapter 16-694 WAC

AGRICULTURAL PRODUCTS - COMMISSION MERCHANTS, DEALERS BROKERS, BUYERS, AGENTS—LICENSE FEES

WAC

- 16-694-001 License fees.

NEW SECTION

WAC 16-694-001 LICENSE FEES. The license fee for any person who wishes to act as a commission

merchant, dealer, broker, cash buyer, agent or boom loader shall be as follows:

- (1) Commission merchant, one hundred eighty dollars;
- (2) Dealer, one hundred eighty dollars;
- (3) Limited dealer, one hundred twenty-five dollars;
- (4) Broker, one hundred twenty-five dollars;
- (5) Cash buyer, fifty dollars;
- (6) Agent, twenty dollars;
- (7) Boom loader, ten dollars.

WSR 87-18-010

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

(Transportation Commission)

[Filed August 24, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 47.60.326 and 47.56.030, that the Washington State Department of Transportation - Commission intends to adopt, amend, or repeal rules concerning a new WAC section to establish a tariff for transporting hazardous materials on Washington state ferries;

that the agency will at 10 a.m., Thursday, September 17, 1987, in the Thunderbird Motor Inn, 1225 North Wenatchee Avenue, Wenatchee, WA 98801, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 47.56.030 and 47.60.326.

The specific statute these rules are intended to implement is RCW 47.60.326.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 15, 1987, at Room 1D2, Transportation Building, Olympia, WA 98504.

This notice is connected to and continues the matter in Notice No. WSR 87-14-041 filed with the code reviser's office on June 30, 1987.

Dated: August 21, 1987

By: Lue Clarkson
Administrator

WSR 87-18-011

PROPOSED RULES

URBAN ARTERIAL BOARD

[Filed August 24, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Urban Arterial Board intends to adopt, amend, or repeal rules concerning:

- New WAC 479-13-025 Six year financial plan.
- New WAC 479-13-035 Value engineering study requirements.
- New WAC 479-13-070 Procedures for two phase projects.
- New WAC 479-20-011 Reimbursable costs for engineering.
- New WAC 479-20-037 Procedure to request increase in trust funds.
- Amd WAC 479-20-010 Reimbursable arterial project costs.

- Amd WAC 479-20-033 Procedure for requesting an increase in authorized amount of urban arterial trust funds.
- Amd WAC 479-20-036 Consideration of requests for an increase in authorized amount of urban arterial trust funds.
- Amd WAC 479-13-060 Accelerated development urban arterial projects;

that the agency will at 9:30 a.m., Friday, October 16, 1987, in the Transportation Building Board Room (1D2), Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 47.26 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 16, 1987.

Dated: August 3, 1987
By: Robert A. Plaquet
Executive Secretary

STATEMENT OF PURPOSE

Title: Chapters 479-13 and 479-20 WAC.

Description of Purpose: Institute value engineering study requirements. Adopt a procedure for local agencies to request increases in urban arterial trust funds. Set up new procedures for two phase projects. Establish reimbursable costs for engineering. A new rule to allow the Urban Arterial Board at the beginning of each biennium to approve project starts when the full amount of funds may not be available until future bienniums.

Statutory Authority: Chapter 47.26 RCW.

Summary of Rules: The Urban Arterial Board will over-program project approvals based on the amount of fuel tax available within the next six year time period. The maximum amount of time allowed to have a project under contract will now be determined by the local agency and approved by the board. A value engineering study will be required on projects where the total project cost exceeds one million dollars or any other project where the Urban Arterial Board determines a study is necessary. Local agencies will be provided with opportunities at various stages of their projects to apply for an increase in urban arterial trust funds. The preliminary phase approval will include reimbursement of any right of way acquisition costs. The dollar amount for the construction phase approval will be based on the final engineers estimate and will include any additional amounts necessary for right of way acquisition that were not authorized when the preliminary phase was approved. Construction funding will now be limited to a first-come, first-serve basis due to the over-programming of projects. Total eligible engineering costs for both design and construction will not exceed 25% of the actual construction amount.

Reason for Rules: These new rules will provide for better fiscal control of the program. Amendments to existing rules will exempt projects approved before the 1987-89 biennium from the new rules.

Agency Proposing Rule: Washington State Urban Arterial Board.

Department Personnel Responsible for Drafting and Implementation: Robert A. Plaquet, Program Director, Urban Arterial Board, Transportation Building, Olympia, WA 98504, (206) 753-7199.

Agency Comments or Recommendations: None.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: Not applicable.

NEW SECTION

WAC 479-13-025 SIX YEAR FINANCIAL PLAN. At the beginning of each biennium the board shall update their six year financial plan to determine the amount of estimated revenue to be available for new project starts in the ensuing biennium. The estimate of funds for new project starts shall take into consideration programming of funds after July 1, 1987, for projects approved by the board for the preliminary phase where construction funding approval is pending.

NEW SECTION

WAC 479-13-035 VALUE ENGINEERING STUDY REQUIREMENTS. A value engineering (VE) study shall be required on all urban arterial board projects whose total cost exceeds one million dollars as reflected in the six-year program. Upon request from a local agency, the board may grant a variance from this requirement. The board may also require a VE study for a project whose total cost is one million dollars or less upon a determination by the board that a VE study is warranted.

An agency that proposes to obtain a variance from the requirement shall submit justification to the board by the first day of the month preceding the month in which project authorization is proposed unless a later receipt date is specified and permitted, in writing, by the chairman.

The board shall not authorize funds for a project until the VE study has been performed by an interagency study team approved by the board.

The VE study shall be accomplished in accordance with the following requirements:

(1) The team will be jointly selected by the urban arterial board staff and the local agency and approved by the board. The team should consist of five to seven individuals, including a facilitator, with diverse backgrounds and carefully selected to assure a variety of creative input. The team should not include members who have had previous intimate involvement with the project. The local agency will designate the agency official who has the responsibility for considering and implementing the VE recommendations provided by the study team.

(a) At least one member should be a nonengineer to give greater objectivity to the VE study.

(b) The public works department and/or financial managers of the local agency should have representation on the team.

(c) At least one member must be from an outside governmental agency.

(d) Team members may be suitably qualified individuals from the community.

(e) The facilitator shall be selected from a list provided by the board staff. The facilitator shall be a person who has been formally trained in the value engineering process and whose primary responsibility is to assure completion of the study in a three to five working day time period.

(2) The preliminary and construction prospectus shall include an attachment relating to the implementation of the VE team's recommendation and justification for items not implemented.

NEW SECTION

WAC 479-13-070 PROCEDURES FOR TWO PHASE PROJECTS. After July 1, 1987, preliminary proposals and related construction projects authorized by the board for financial assistance from the account shall be selected for authorization based upon the board's approval of the local agencies project development schedule.

The preliminary and construction prospectus shall specifically address the type of improvement that will correct the deficiencies for which the project was selected.

The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that necessary to improve the deficiencies.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project shall be evaluated on the basis of the following factors and any problems noted shall be resolved prior to project authorization:

(a) Availability and source of matching funds;
 (b) Engineering capacity. Adequate in-house engineering capacity shall be available to permit each project authorized to be engineered without retarding development of other public works projects or the administering agency shall indicate that consulting engineering services will be obtained without delay;

(c) Right of way. Right of way acquisition required for each project authorized shall be minor in nature, or the administering agency shall provide a definitive plan for acquisition in order that all right of way and right of entry may be obtained prior to placing the project under contract for construction;

(d) Interrelationships with other agencies, railroads, or utilities. Any interrelationships that, on the basis of previous experience may be expected to cause project delays, shall be evaluated and a definitive plan, including concurrence from the involved agency, railroad, or utility, shall be available;

(e) Community reaction. Any community opposition, whether known or expected to materialize, shall be evaluated for its projected effect upon project development;

(f) Other factors. Other factors known to the agency that will affect the agency's ability to place the project under contract for construction within the amount of time requested by the local agency.

(2) The board shall, in each case in which there is doubt concerning the ability of the local agency to place the project under contract for construction within the amount of time requested by the local agency, require preparation and submission of a detailed critical path time schedule.

The board shall review the written reply concerning each proposed project and the testimony by an official of the administering agency, and shall not authorize any project if one or more of the factors listed above are not resolved so that the project cannot, in the board's judgment, be placed under contract for construction within the amount of time approved by the board. Any project proposed to be developed in stages shall be capable of having at least seventy-five percent of the project, when evaluated in dollar terms, under contract for construction within the approved time period.

Each city or county administering a project funded by the board, shall provide project development data on a quarterly basis to the board, in such form as is requested, to permit a continuing review of project progress.

Any preliminary proposal or construction project that is authorized for development shall be subject to immediate cancellation at any time, if actual development in the judgment of the board, falls behind the rate of development required to permit the project to be placed under contract for construction within the amount of time originally requested and approved.

Prospectuses for construction projects that relate to preliminary proposals initially authorized by the board for financial assistance from the account shall be required to be accompanied by the following information demonstrating the readiness of the construction project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency or agencies, that an environmental impact analysis has been conducted and an environmental impact statement or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.

(c) A certification from the legislative body that the project is completely designed and ready to be advertised for bids.

(d) The date the project will be advertised for bids.

(e) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year construction program or the preliminary project prospectus and provide an explanation and justification for such changes.

(f) The board shall consider adjustments to the amount requested in the six-year program in accordance with the board's rule on increases in trust funds.

(3) Requests for authorization of funds for construction projects in:

(a) Federal urban areas shall be considered in the sequence in which the projects within each functional class of arterial within each region are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same functional class within the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within each functional class and region in which the related preliminary proposals were approved.

If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will resubmit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.

(b) Rural incorporated cities shall be considered in the sequence in which the projects within each region are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within region in which the related preliminary proposals were approved.

If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will resubmit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.

The board, when considering approval of the construction phase of a project that was previously approved for the preliminary engineering phase, shall take into consideration the current balance of available funds in the account and shall not authorize the construction phase if, in the board's opinion the total funding for construction will not be available within the ensuing twelve-month time period.

NEW SECTION

WAC 479-20-011 REIMBURSABLE COSTS FOR ENGINEERING. After July 1, 1987, preliminary and construction engineering costs eligible for reimbursement from the account shall be limited to twenty-five percent of the approved contract bid amount including adjustments for construction overruns or underruns.

NEW SECTION

WAC 479-20-037 PROCEDURE TO REQUEST INCREASE IN TRUST FUNDS. The amount of funds approved by the board after July 1, 1987, will be based upon the amount requested in the current separate section of the local agency's six-year construction program.

Local agencies may request an increase in the participation of funds over the amount set forth in the six-year construction program at the preliminary prospectus, construction prospectus, bid opening or contract completion stage of a project in accordance with the following procedures:

(1) At the preliminary or construction prospectus stage all requests shall be reviewed by the chairman of the board and he shall report his findings to the board for its review, consideration and final action. The board shall not grant a request for increase at these stages if:

(a) The requested increase is to pay for an expansion of the scope of the work originally proposed; or

(b) The granting of the request will in any way adversely affect authorized funds previously approved by the board including the reserve for the following:

(i) Increases at bid opening that will not exceed ten percent of the engineers estimate.

(ii) Increases for construction overruns at the amount equal to the account matching ratio multiplied by the sum of ten percent of the estimated contract amount up to one million dollars and five percent of the amount in excess of one million dollars for those projects which have been approved for the construction phase.

(2) Request for increases at bid opening shall not exceed ten percent of the engineers estimate submitted to the board at the time the construction phase was approved. Requests for increases at this stage will take priority over preliminary and construction phase approvals. Such requests shall be reviewed by the chairman and will not be approved if:

(a) The requested increase is to pay for an expansion of the scope of the work originally proposed; or

(b) If the request is not substantiated and the chairman determines that the increased funds should have been anticipated by the local agency at the construction prospectus stage of the project.

(3) Requests for increases in funds submitted to the board at the contract completion stage shall not exceed the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one million dollars. Requests for increases at this stage will take priority over preliminary and construction phase approvals. Such requests shall be reviewed by the chairman and will not be approved if:

(a) The requested increase is to pay for an expansion of the scope of the work originally proposed; or

(b) If the request is not substantiated and the chairman determines that the increased funds should have been anticipated by the local agency at the preliminary or construction prospectus stage of the project.

(4) If the chairman or the board, as the case may be, does not approve the request of a local agency for an increase at the preliminary prospectus, construction prospectus, bid opening or contract completion stage, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for participation; or, if applicable

(c) Within the original amount requested, and subject to approval by the chairman of the board, reduce the scope of the project while retaining a usable and functional improvement.

AMENDATORY SECTION (Amending Order 79-01, Resolution Nos. 596, 597, 598, filed 8/1/79)

WAC 479-20-010 REIMBURSABLE ARTERIAL PROJECT COSTS. (~~Urban arterial~~) Project costs eligible for reimbursement from the (~~urban arterial trust~~) account shall be those proper and allowable costs incurred on a project after the project (~~was~~) is authorized by the (~~urban arterial~~) board except as provided by the following:

~~(PROVIDED, That)~~ (1) In the case of two-phase project authorizations, approved by the board prior to July 1, 1987, the chairman of the (~~urban arterial~~) board may, after the administering agency has completed the environmental impact analysis, authorize right of way acquisition. Reimbursement from the (~~urban arterial trust~~) account will be available for eligible right of way costs if and when the construction phase of the project is approved by the (~~urban arterial~~) board. For projects approved by the board after July 1, 1987, reimbursement of right of way acquisition costs are eligible within the preliminary phase of the project. In the event the project is not built, those funds expended for right of way shall be refunded to the account.

(2) In the case where an agency is required to perform a value engineering study prior to authorization of the preliminary phase, those costs incurred prior to approval will be eligible for reimbursement if and when the project is approved for funding by the board.

AMENDATORY SECTION (Amending Order 81-01, Resolution Nos. 666, 667 and 668, filed 1/29/81)

WAC 479-20-033 PROCEDURE FOR REQUESTING AN INCREASE IN AUTHORIZED AMOUNT OF URBAN ARTERIAL TRUST FUNDS. Projects approved prior to July 1, 1987 for participation of urban arterial trust funds in urban arterial projects may be approved by the urban arterial board in amounts requested in the current separate section of the local government's six year construction program.

These amounts may be modified only as set forth in WAC 479-20-036.

An updated cost estimate on the project shall be submitted to the urban arterial board at the following stages of project development:

(1) At the time the project prospectus for preliminary engineering (phase 1) is submitted further defining the work to be accomplished which was outlined in the six year construction program;

(2) At any time during the preliminary engineering or right of way phase of the project when estimated total project cost is determined to

exceed the amount authorized by the urban arterial board more than twenty-five percent, or \$75,000, whichever is the lesser;

(3) At the time the engineer's final estimates become available and the construction prospectus is submitted to the urban arterial board for approval;

(4) At the time contract bids are considered but prior to award of contract;

(5) At the time of contract completion but prior to final settlement on the project between the local government and the urban arterial board.

The submitting local government may request increased participation by urban arterial trust funds above the amount submitted in the agency's current six year construction program or the amount originally authorized by the board, as applicable, at the first, third and fifth stages in the project's development. All such requests shall be evaluated by the board in accordance with board rules.

AMENDATORY SECTION (Amending Order 80-01, Resolution No. 643, filed 10/24/80)

WAC 479-20-036 CONSIDERATION OF REQUESTS FOR AN INCREASE IN AUTHORIZED AMOUNT OF URBAN ARTERIAL TRUST FUNDS. For those projects approved prior to July 1, 1987, local agencies may request an increase in the participation of urban arterial trust funds over the amount set forth in the current six year construction program at the preliminary prospectus, construction prospectus or contract completion stage of a project in accordance with the following procedures:

(1) At the preliminary or construction prospectus stage all requests shall be reviewed by the chairman of the board and he shall report his findings to the board for its review, consideration and final action. The board shall not grant a request for increase at these stages if:

(a) The original amount requested and approved by the board was not based upon reasonable engineering estimates;

(b) The requested increase is for funds to pay for an expansion of the scope of the work originally proposed;

(c) After a full investigation, the board determines that the project can be developed within the limits of the funds already approved;

(d) The project can be reduced in scope while retaining a usable and functional segment by:

(i) Reduction in termini of the project in such a manner that the improvement will continue to improve the conditions underlying the project's position of priority and will continue to connect to adjacent traffic facilities capable of handling traffic volumes at the point of intersection; or

(ii) Inclusion within the termini of the project only the following items of cost as required:

(A) Right of way (desirable minimum right of way widths as set forth in the urban arterial board design standards);

(B) Grading and paving;

(C) Structures;

(D) Drainage;

(E) Relocation of existing illumination and traffic control devices;

(e) The granting of the request will in any way adversely affect the construction program previously approved by the board. In deciding on projects in federal urban areas or nonfederal urban areas, the board shall endeavor to leave an amount equal to 10 percent of all approved projects or \$50,000, whichever is less, in reserve in the appropriate account to insure that the board has funds to deal with unanticipated cost overruns at the contract completion stage of those projects.

(2) Requests for increases in urban arterial trust funds submitted to the board at the contract completion stage shall be reviewed by the chairman of the board. The chairman may authorize increases above the amount originally approved by the board not to exceed 10 percent, or \$50,000, whichever is the lesser when:

(a) The additional funds are not requested because of an expansion in the scope of the work originally proposed to the board by the local agency for the project; and

(b) The request is substantiated with reasons for the increase and the chairman determines that the increased funds should not have been anticipated by the local agency at the preliminary or construction prospectus stage of the project.

(3) If the board does not approve the request of a local agency for an increase at the preliminary prospectus, construction prospectus, or contract completion stage, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for urban arterial trust fund participation; or, if applicable

(c) Within the original amount requested, and subject to approval by the chairman of the urban arterial board, reduce the scope of the project while retaining a usable and functional segment through the use of techniques set out in subsection (1)(d) (~~(above)~~) of this section.

AMENDATORY SECTION (Amending Order 84-01, Resolution Nos. 818 and 819, filed 5/9/84)

WAC 479-13-060 ACCELERATED DEVELOPMENT URBAN ARTERIAL PROJECTS. Preliminary proposals and related construction projects initially authorized by the urban arterial board after the close of the 1977-1979 biennium and prior to July 1, 1987, for financial assistance from the urban arterial trust account shall be selected for authorization on the basis of the administering agency's projected ability to place the proposed project under contract for construction within eighteen months from the date of initial authorization. The scope of the preliminary or construction prospectus shall specifically address the type of improvement that will correct the deficiencies for which the project was selected. The prospectus shall also address the cumulative effect of other deficiencies considering design standards and project life. The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that necessary to improve the specific deficiencies, applicable design standards, and address unique local considerations. The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project having an estimated total project cost of less than seven hundred fifty thousand dollars shall be evaluated on the basis of the following factors and any problems noted shall be resolved prior to project authorization:

(a) Availability and source of matching funds;

(b) Engineering capacity. Adequate in-house engineering capacity shall be available to permit each project authorized to be engineered without retarding development of other public works projects or the administering agency shall indicate that consulting engineering services will be obtained without delay;

(c) Right of way. Right of way acquisition required for each project authorized shall be minor in nature, or the administering agency shall provide a definitive plan for acquisition in order that all right of way or right of prior entry may be obtained prior to placing the project under contract for construction;

(d) Interrelationships with other agencies, railroads or utilities. Any interrelationships that, on the basis of previous experience may be expected to cause project delays, shall be evaluated and a definitive plan, including concurrence from the involved agency, railroad or utility, shall be available;

(e) Community reaction. Any community opposition, whether known or expected to materialize, shall be evaluated for its projected effect upon project development;

(f) Other factors. Other factors known to the agency that will affect the agency's ability to place the project under contract for construction within eighteen months from the date of project authorization.

(2) No urban arterial project which exceeds seven hundred fifty thousand dollars in total estimated project cost shall be considered for authorization by the board unless specifically requested by the administering local agency. The administering agency shall address itself to the same factors that are specified in subsection (1) of this section and which demonstrate that the project can be placed under contract for construction within eighteen months from the date of project authorization. The urban arterial board shall, in each case in which there is doubt concerning the ability of the local agency to place the project under contract for construction within eighteen months from the date of authorization, require preparation and submission of a detailed CPM or PERT time schedule reflecting scheduled development of the project.

The urban arterial board shall review the written reply concerning each proposed project and the verbal representations of an official of the administering agency, and shall not authorize any project if one or more of the factors listed above are not resolved so that the project cannot, in the urban arterial board's judgment, be placed under contract for construction within eighteen months from the date of authorization. Any project proposed to be developed in stages shall be capable of having at least seventy-five percent of the project, when evaluated in dollar terms, under contract for construction within the eighteen month period.

Each city or county administering an accelerated development project shall provide project development data on a monthly basis to the urban arterial board in such form as is requested to permit a continuing review of project progress.

Any preliminary proposal or construction project that is authorized for development as an accelerated development project shall be subject to immediate cancellation at any time, if actual development in the judgment of the urban arterial board, falls behind the rate of development required to permit the project to be placed under contract for construction within eighteen months of the date of authorization.

(3) The project agreement for each preliminary proposal project authorized by the urban arterial board shall include a recognition and agreement on the part of the administering local agency or agencies that urban arterial trust funds provided by chapter 83, Laws of 1967 ex. sess., and section 13, chapter 317, Laws of 1977 ex. sess., chapter 5, Laws of 1979, as now or hereafter amended, have reached a status of total obligation and that:

(a) The full, normal ninety percent matching funds from the urban arterial trust account may not be available for all projects; and

(b) The administering local agency or agencies is/are required to plan and design each project in such a manner as to permit its development in phases with the first phase being a usable improvement as approved by the urban arterial board; and

(i) Able to be developed with available urban arterial trust account and local matching funds; or

(ii) That the administering local agency or agencies agree(s) to pay additional project costs with other funds and that such funds will be available for the construction of the project being developed with the available financial assistance from the urban arterial trust account.

(4) Prospectuses for construction projects that relate to preliminary proposals initially authorized by the urban arterial board for financial assistance from the urban arterial trust account shall be required to be accompanied by the following information demonstrating the readiness of the construction project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency or agencies, that an environmental impact analysis has been conducted and an environmental impact statement or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification from the legislative body that the project is completely designed and ready to be advertised for bids for construction except as provided below:

(i) If the project is not completely designed and ready to be advertised, the legislative body may submit a time schedule detailing all significant items of work remaining to be accomplished, and an explanation of the feasibility of accomplishing such items of work in sufficient time to permit the construction project to be placed under contract for construction within eighteen months from the date of urban arterial board authorization of financial assistance from the urban arterial trust account for the related preliminary proposal.

(ii) If any right of way remains to be acquired, a statement of the extent of the time period to be allowed for right of way negotiations and a firm date, not more than fifteen months from the date of urban arterial board authorization of the preliminary proposal, by which condemnation authorization will be considered and approved by the legislative body. If more than fifteen months have elapsed since date of authorization of the related preliminary proposal by the urban arterial board, a condemnation ordinance must have been approved and passed by the legislative body of jurisdiction prior to submission of the prospectus for the construction project.

(c) The date when the project will be advertised for bids for construction.

(d) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year construction program and the preliminary project prospectus and provide an explanation and justification for such changes.

(e) The amount of urban arterial trust funds authorized in total for the preliminary proposal and the construction project shall normally be the amount requested for the total project in the current six-year construction program.

(f) Requests for authorization of urban arterial trust funds for construction projects in:

(i) Federal urban areas shall be considered in the sequence in which the construction projects within each functional class of arterial within each region are, as defined by urban arterial board rules, ready to be placed under contract for construction. In the event that two or more projects in the same functional class of arterial within the same region are proposed for construction project funding at the same urban arterial board meeting, the request for urban arterial trust funds for the construction projects shall be considered in the priority sequence within functional class of arterial within region in which the related preliminary proposals were approved.

(ii) Rural incorporated cities shall be considered in the sequence in which the construction projects within each region are, as defined by urban arterial board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for construction project funding at the same urban arterial board meeting, the request for urban arterial trust funds for the construction projects shall be considered in the priority sequence within region in which the related preliminary proposals were approved.

A specific, maximum amount of urban arterial trust funds for each construction project shall be authorized by the urban arterial board and shall be added to any remaining authorization of urban arterial trust funds for the preliminary proposal to establish the total authorized amount of urban arterial trust funds for each total project.

(g) The ten percent, not to exceed fifty thousand dollars, increase in urban arterial trust funds authorized to be approved by the chairman by WAC 479-20-036 may be approved, for those projects for which financial assistance from the urban arterial trust account is provided in two phases, only after the construction proposal has been approved by the urban arterial board.

WSR 87-18-012
EMERGENCY RULES
URBAN ARTERIAL BOARD

[Order 87-01, Resolution No. 947—Filed August 24, 1987]

Be it resolved by the Washington State Urban Arterial Board, acting at the Red Lion Inn, Sea-Tac, 18740 Pacific Highway South, Seattle, WA, that it does adopt the annexed rules relating to:

New	WAC 479-13-025	Six year financial plan.
New	WAC 479-13-035	Value engineering study requirements.
New	WAC 479-13-070	Procedures for two phase projects.
New	WAC 479-20-011	Reimbursable costs for engineering.
New	WAC 479-20-037	Procedure to request increase in trust funds.
Amd	WAC 479-20-010	Reimbursable arterial project costs.
Amd	WAC 479-20-033	Procedure for requesting an increase in authorized amount of urban arterial trust funds.
Amd	WAC 479-20-036	Consideration of requests for an increase in authorized amount of urban arterial trust funds.
Amd	WAC 479-13-060	Accelerated development urban arterial projects.

We, the Urban Arterial Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these new rules and amendments are required in order to have new procedures in place before projects are approved for funding at the next meeting of the Urban Arterial Board on October 16, 1987.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Washington State Urban Arterial Board as authorized in chapter 47.26 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED July 17, 1987.

By Robert A. Plaquet
Executive Secretary

NEW SECTION

WAC 479-13-025 SIX YEAR FINANCIAL PLAN. *At the beginning of each biennium the board shall update their six year financial plan to determine the amount of estimated revenue to be available for new project starts in the ensuing biennium. The estimate of funds for new project starts shall take into consideration programming of funds after July 1, 1987, for projects approved by the board for the preliminary phase where construction funding approval is pending.*

NEW SECTION

WAC 479-13-035 VALUE ENGINEERING STUDY REQUIREMENTS. *A value engineering (VE) study shall be required on all urban arterial board projects whose total cost exceeds one million dollars as reflected in the six-year program. Upon request from a local agency, the board may grant a variance from this requirement. The board may also require a VE study for a project whose total cost is one million dollars or less upon a determination by the board that a VE study is warranted.*

An agency that proposes to obtain a variance from the requirement shall submit justification to the board by the first day of the month preceding the month in which project authorization is proposed unless a later receipt date is specified and permitted, in writing, by the chairman.

The board shall not authorize funds for a project until the VE study has been performed by an interagency study team approved by the board.

The VE study shall be accomplished in accordance with the following requirements:

(1) The team will be jointly selected by the urban arterial board staff and the local agency and approved by the board. The team should consist of five to seven individuals, including a facilitator, with diverse backgrounds and carefully selected to assure a variety of creative input. The team should not include members who have had previous intimate involvement with the project. The local agency will designate the agency official who has the responsibility for considering and implementing the VE recommendations provided by the study team.

(a) At least one member should be a nonengineer to give greater objectivity to the VE study.

(b) The public works department and/or financial managers of the local agency should have representation on the team.

(c) At least one member must be from an outside governmental agency.

(d) Team members may be suitably qualified individuals from the community.

(e) The facilitator shall be selected from a list provided by the board staff. The facilitator shall be a person who has been formally trained in the value engineering process and whose primary responsibility is to assure completion of the study in a three to five working day time period.

(2) The preliminary and construction prospectus shall include an attachment relating to the implementation of the VE team's recommendation and justification for items not implemented.

NEW SECTION

WAC 479-13-070 PROCEDURES FOR TWO PHASE PROJECTS. After July 1, 1987, preliminary proposals and related construction projects authorized by the board for financial assistance from the account shall be selected for authorization based upon the board's approval of the local agencies project development schedule.

The preliminary and construction prospectus shall specifically address the type of improvement that will correct the deficiencies for which the project was selected.

The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that necessary to improve the deficiencies.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project shall be evaluated on the basis of the following factors and any problems noted shall be resolved prior to project authorization:

(a) Availability and source of matching funds;

(b) Engineering capacity. Adequate in-house engineering capacity shall be available to permit each project authorized to be engineered without retarding development of other public works projects or the administering agency shall indicate that consulting engineering services will be obtained without delay;

(c) Right of way. Right of way acquisition required for each project authorized shall be minor in nature, or the administering agency shall provide a definitive plan for acquisition in order that all right of way and right of entry may be obtained prior to placing the project under contract for construction;

(d) Interrelationships with other agencies, railroads, or utilities. Any interrelationships that, on the basis of previous experience may be expected to cause project delays, shall be evaluated and a definitive plan, including concurrence from the involved agency, railroad, or utility, shall be available;

(e) Community reaction. Any community opposition, whether known or expected to materialize, shall be evaluated for its projected effect upon project development;

(f) Other factors. Other factors known to the agency that will affect the agency's ability to place the project under contract for construction within the amount of time requested by the local agency.

(2) The board shall, in each case in which there is doubt concerning the ability of the local agency to place the project under contract for construction within the amount of time requested by the local agency, require preparation and submission of a detailed critical path time schedule.

The board shall review the written reply concerning each proposed project and the testimony by an official of the administering agency, and shall not authorize any project if one or more of the factors listed above are not resolved so that the project cannot, in the board's judgment, be placed under contract for construction within the amount of time approved by the board. Any project proposed to be developed in stages shall be capable of having at least seventy-five percent of the project, when evaluated in dollar terms, under contract for construction within the approved time period.

Each city or county administering a project funded by the board, shall provide project development data on a quarterly basis to the board, in such form as is requested, to permit a continuing review of project progress.

Any preliminary proposal or construction project that is authorized for development shall be subject to immediate cancellation at any time, if actual development in the judgment of the board, falls behind the rate of development required to permit the project to be placed under contract for construction within the amount of time originally requested and approved.

Prospectuses for construction projects that relate to preliminary proposals initially authorized by the board for financial assistance from the account shall be required to be accompanied by the following information demonstrating the readiness of the construction project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency or agencies, that an environmental impact analysis has been conducted and an environmental impact statement or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.

(c) A certification from the legislative body that the project is completely designed and ready to be advertised for bids.

(d) The date the project will be advertised for bids.

(e) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year construction program or the preliminary project prospectus and provide an explanation and justification for such changes.

(f) The board shall consider adjustments to the amount requested in the six-year program in accordance with the board's rule on increases in trust funds.

(3) Requests for authorization of funds for construction projects in:

(a) Federal urban areas shall be considered in the sequence in which the projects within each functional class of arterial within each region are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same functional class within the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within each functional class and region in which the related preliminary proposals were approved.

If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will re-submit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.

(b) Rural incorporated cities shall be considered in the sequence in which the projects within each region are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within region in which the related preliminary proposals were approved.

If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will re-submit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.

The board, when considering approval of the construction phase of a project that was previously approved for the preliminary engineering phase, shall take into consideration the current balance of available funds in the account and shall not authorize the construction phase if, in the board's opinion the total funding for construction will not be available within the ensuing twelve-month time period.

NEW SECTION

WAC 479-20-011 REIMBURSABLE COSTS FOR ENGINEERING. After July 1, 1987, preliminary and construction engineering costs eligible for reimbursement from the account shall be limited to twenty-five percent of the approved contract bid amount including adjustments for construction overruns or underruns.

NEW SECTION

WAC 479-20-037 PROCEDURE TO REQUEST INCREASE IN TRUST FUNDS. The amount of funds approved by the board after July 1, 1987, will be based upon the amount requested in the current separate section of the local agency's six-year construction program.

Local agencies may request an increase in the participation of funds over the amount set forth in the six-year

construction program at the preliminary prospectus, construction prospectus, bid opening or contract completion stage of a project in accordance with the following procedures:

(1) At the preliminary or construction prospectus stage all requests shall be reviewed by the chairman of the board and he shall report his findings to the board for its review, consideration and final action. The board shall not grant a request for increase at these stages if:

(a) The requested increase is to pay for an expansion of the scope of the work originally proposed; or

(b) The granting of the request will in any way adversely affect authorized funds previously approved by the board including the reserve for the following:

(i) Increases at bid opening that will not exceed ten percent of the engineers estimate.

(ii) Increases for construction overruns at the amount equal to the account matching ratio multiplied by the sum of ten percent of the estimated contract amount up to one million dollars and five percent of the amount in excess of one million dollars for those projects which have been approved for the construction phase.

(2) Request for increases at bid opening shall not exceed ten percent of the engineers estimate submitted to the board at the time the construction phase was approved. Requests for increases at this stage will take priority over preliminary and construction phase approvals. Such requests shall be reviewed by the chairman and will not be approved if:

(a) The requested increase is to pay for an expansion of the scope of the work originally proposed; or

(b) If the request is not substantiated and the chairman determines that the increased funds should have been anticipated by the local agency at the construction prospectus stage of the project.

(3) Requests for increases in funds submitted to the board at the contract completion stage shall not exceed the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one million dollars. Requests for increases at this stage will take priority over preliminary and construction phase approvals. Such requests shall be reviewed by the chairman and will not be approved if:

(a) The requested increase is to pay for an expansion of the scope of the work originally proposed; or

(b) If the request is not substantiated and the chairman determines that the increased funds should have been anticipated by the local agency at the preliminary or construction prospectus stage of the project.

(4) If the chairman or the board, as the case may be, does not approve the request of a local agency for an increase at the preliminary prospectus, construction prospectus, bid opening or contract completion stage, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for participation; or, if applicable

(c) Within the original amount requested, and subject to approval by the chairman of the board, reduce the

scope of the project while retaining a usable and functional improvement.

AMENDATORY SECTION (Amending Order 79-01, Resolution Nos. 596, 597, 598, filed 8/1/79)

WAC 479-20-010 REIMBURSABLE ARTERIAL PROJECT COSTS. (~~Urban arterial~~) Project costs eligible for reimbursement from the (~~urban arterial trust~~) account shall be those proper and allowable costs incurred on a project after the project (~~was~~) is authorized by the (~~urban arterial~~) board except as provided by the following:

~~((PROVIDED, That))~~ (1) In the case of two-phase project authorizations, approved by the board prior to July 1, 1987, the chairman of the (~~urban arterial~~) board may, after the administering agency has completed the environmental impact analysis, authorize right of way acquisition. Reimbursement from the (~~urban arterial trust~~) account will be available for eligible right of way costs if and when the construction phase of the project is approved by the (~~urban arterial~~) board. For projects approved by the board after July 1, 1987, reimbursement of right of way acquisition costs are eligible within the preliminary phase of the project. In the event the project is not built, those funds expended for right of way shall be refunded to the account.

(2) In the case where an agency is required to perform a value engineering study prior to authorization of the preliminary phase, those costs incurred prior to approval will be eligible for reimbursement if and when the project is approved for funding by the board.

AMENDATORY SECTION (Amending Order 81-01, Resolution Nos. 666, 667 and 668, filed 1/29/81)

WAC 479-20-033 PROCEDURE FOR REQUESTING AN INCREASE IN AUTHORIZED AMOUNT OF URBAN ARTERIAL TRUST FUNDS. Projects approved prior to July 1, 1987 for participation of urban arterial trust funds in urban arterial projects may be approved by the urban arterial board in amounts requested in the current separate section of the local government's six year construction program.

These amounts may be modified only as set forth in WAC 479-20-036.

An updated cost estimate on the project shall be submitted to the urban arterial board at the following stages of project development:

(1) At the time the project prospectus for preliminary engineering (phase 1) is submitted further defining the work to be accomplished which was outlined in the six year construction program;

(2) At any time during the preliminary engineering or right of way phase of the project when estimated total project cost is determined to exceed the amount authorized by the urban arterial board more than twenty-five percent, or \$75,000, whichever is the lesser;

(3) At the time the engineer's final estimates become available and the construction prospectus is submitted to the urban arterial board for approval;

(4) At the time contract bids are considered but prior to award of contract;

(5) At the time of contract completion but prior to final settlement on the project between the local government and the urban arterial board.

The submitting local government may request increased participation by urban arterial trust funds above the amount submitted in the agency's current six year construction program or the amount originally authorized by the board, as applicable, at the first, third and fifth stages in the project's development. All such requests shall be evaluated by the board in accordance with board rules.

AMENDATORY SECTION (Amending Order 80-01, Resolution No. 643, filed 10/24/80)

WAC 479-20-036 CONSIDERATION OF REQUESTS FOR AN INCREASE IN AUTHORIZED AMOUNT OF URBAN ARTERIAL TRUST FUNDS. For those projects approved prior to July 1, 1987, local agencies may request an increase in the participation of urban arterial trust funds over the amount set forth in the current six year construction program at the preliminary prospectus, construction prospectus or contract completion stage of a project in accordance with the following procedures:

(1) At the preliminary or construction prospectus stage all requests shall be reviewed by the chairman of the board and he shall report his findings to the board for its review, consideration and final action. The board shall not grant a request for increase at these stages if:

(a) The original amount requested and approved by the board was not based upon reasonable engineering estimates;

(b) The requested increase is for funds to pay for an expansion of the scope of the work originally proposed;

(c) After a full investigation, the board determines that the project can be developed within the limits of the funds already approved;

(d) The project can be reduced in scope while retaining a usable and functional segment by:

(i) Reduction in termini of the project in such a manner that the improvement will continue to improve the conditions underlying the project's position of priority and will continue to connect to adjacent traffic facilities capable of handling traffic volumes at the point of intersection; or

(ii) Inclusion within the termini of the project only the following items of cost as required:

(A) Right of way (desirable minimum right of way widths as set forth in the urban arterial board design standards);

(B) Grading and paving;

(C) Structures;

(D) Drainage;

(E) Relocation of existing illumination and traffic control devices;

(e) The granting of the request will in any way adversely affect the construction program previously approved by the board. In deciding on projects in federal urban areas or nonfederal urban areas, the board shall endeavor to leave an amount equal to 10 percent of all

approved projects or \$50,000, whichever is less, in reserve in the appropriate account to insure that the board has funds to deal with unanticipated cost overruns at the contract completion stage of those projects.

(2) Requests for increases in urban arterial trust funds submitted to the board at the contract completion stage shall be reviewed by the chairman of the board. The chairman may authorize increases above the amount originally approved by the board not to exceed 10 percent, or \$50,000, whichever is the lesser when:

(a) The additional funds are not requested because of an expansion in the scope of the work originally proposed to the board by the local agency for the project; and

(b) The request is substantiated with reasons for the increase and the chairman determines that the increased funds should not have been anticipated by the local agency at the preliminary or construction prospectus stage of the project.

(3) If the board does not approve the request of a local agency for an increase at the preliminary prospectus, construction prospectus, or contract completion stage, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds, or

(b) Withdraw the request for urban arterial trust fund participation; or, if applicable

(c) Within the original amount requested, and subject to approval by the chairman of the urban arterial board, reduce the scope of the project while retaining a usable and functional segment through the use of techniques set out in subsection (1)(d) (~~above~~) of this section.

AMENDATORY SECTION (Amending Order 84-01, Resolution Nos. 818 and 819, filed 5/9/84)

WAC 479-13-060 ACCELERATED DEVELOPMENT URBAN ARTERIAL PROJECTS. Preliminary proposals and related construction projects initially authorized by the urban arterial board after the close of the 1977-1979 biennium and prior to July 1, 1987, for financial assistance from the urban arterial trust account shall be selected for authorization on the basis of the administering agency's projected ability to place the proposed project under contract for construction within eighteen months from the date of initial authorization. The scope of the preliminary or construction prospectus shall specifically address the type of improvement that will correct the deficiencies for which the project was selected. The prospectus shall also address the cumulative effect of other deficiencies considering design standards and project life. The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that necessary to improve the specific deficiencies, applicable design standards, and address unique local considerations. The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project having an estimated total project cost of less than seven hundred fifty thousand dollars shall be evaluated on the basis of the following factors and any problems noted shall be resolved prior to project authorization:

(a) Availability and source of matching funds;

(b) Engineering capacity. Adequate in-house engineering capacity shall be available to permit each project authorized to be engineered without retarding development of other public works projects or the administering agency shall indicate that consulting engineering services will be obtained without delay;

(c) Right of way. Right of way acquisition required for each project authorized shall be minor in nature, or the administering agency shall provide a definitive plan for acquisition in order that all right of way or right of prior entry may be obtained prior to placing the project under contract for construction;

(d) Interrelationships with other agencies, railroads or utilities. Any interrelationships that, on the basis of previous experience may be expected to cause project delays, shall be evaluated and a definitive plan, including concurrence from the involved agency, railroad or utility, shall be available;

(e) Community reaction. Any community opposition, whether known or expected to materialize, shall be evaluated for its projected effect upon project development;

(f) Other factors. Other factors known to the agency that will affect the agency's ability to place the project under contract for construction within eighteen months from the date of project authorization.

(2) No urban arterial project which exceeds seven hundred fifty thousand dollars in total estimated project cost shall be considered for authorization by the board unless specifically requested by the administering local agency. The administering agency shall address itself to the same factors that are specified in subsection (1) of this section and which demonstrate that the project can be placed under contract for construction within eighteen months from the date of project authorization. The urban arterial board shall, in each case in which there is doubt concerning the ability of the local agency to place the project under contract for construction within eighteen months from the date of authorization, require preparation and submission of a detailed CPM or PERT time schedule reflecting scheduled development of the project.

The urban arterial board shall review the written reply concerning each proposed project and the verbal representations of an official of the administering agency, and shall not authorize any project if one or more of the factors listed above are not resolved so that the project cannot, in the urban arterial board's judgment, be placed under contract for construction within eighteen months from the date of authorization. Any project proposed to be developed in stages shall be capable of having at least seventy-five percent of the project, when evaluated in dollar terms, under contract for construction within the eighteen month period.

Each city or county administering an accelerated development project shall provide project development data on a monthly basis to the urban arterial board in such form as is requested to permit a continuing review of project progress.

Any preliminary proposal or construction project that is authorized for development as an accelerated development project shall be subject to immediate cancellation

at any time, if actual development in the judgment of the urban arterial board, falls behind the rate of development required to permit the project to be placed under contract for construction within eighteen months of the date of authorization.

(3) The project agreement for each preliminary proposal project authorized by the urban arterial board shall include a recognition and agreement on the part of the administering local agency or agencies that urban arterial trust funds provided by chapter 83, Laws of 1967 ex. sess., and section 13, chapter 317, Laws of 1977 ex. sess., chapter 5, Laws of 1979, as now or hereafter amended, have reached a status of total obligation and that:

(a) The full, normal ninety percent matching funds from the urban arterial trust account may not be available for all projects; and

(b) The administering local agency or agencies is/are required to plan and design each project in such a manner as to permit its development in phases with the first phase being a usable improvement as approved by the urban arterial board; and

(i) Able to be developed with available urban arterial trust account and local matching funds; or

(ii) That the administering local agency or agencies agree(s) to pay additional project costs with other funds and that such funds will be available for the construction of the project being developed with the available financial assistance from the urban arterial trust account.

(4) Prospectuses for construction projects that relate to preliminary proposals initially authorized by the urban arterial board for financial assistance from the urban arterial trust account shall be required to be accompanied by the following information demonstrating the readiness of the construction project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency or agencies, that an environmental impact analysis has been conducted and an environmental impact statement or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification from the legislative body that the project is completely designed and ready to be advertised for bids for construction except as provided below:

(i) If the project is not completely designed and ready to be advertised, the legislative body may submit a time schedule detailing all significant items of work remaining to be accomplished, and an explanation of the feasibility of accomplishing such items of work in sufficient time to permit the construction project to be placed under contract for construction within eighteen months from the date of urban arterial board authorization of financial assistance from the urban arterial trust account for the related preliminary proposal.

(ii) If any right of way remains to be acquired, a statement of the extent of the time period to be allowed for right of way negotiations and a firm date, not more than fifteen months from the date of urban arterial

board authorization of the preliminary proposal, by which condemnation authorization will be considered and approved by the legislative body. If more than fifteen months have elapsed since date of authorization of the related preliminary proposal by the urban arterial board, a condemnation ordinance must have been approved and passed by the legislative body of jurisdiction prior to submission of the prospectus for the construction project.

(c) The date when the project will be advertised for bids for construction.

(d) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year construction program and the preliminary project prospectus and provide an explanation and justification for such changes.

(e) The amount of urban arterial trust funds authorized in total for the preliminary proposal and the construction project shall normally be the amount requested for the total project in the current six-year construction program.

(f) Requests for authorization of urban arterial trust funds for construction projects in:

(i) Federal urban areas shall be considered in the sequence in which the construction projects within each functional class of arterial within each region are, as defined by urban arterial board rules, ready to be placed under contract for construction. In the event that two or more projects in the same functional class of arterial within the same region are proposed for construction project funding at the same urban arterial board meeting, the request for urban arterial trust funds for the construction projects shall be considered in the priority sequence within functional class of arterial within region in which the related preliminary proposals were approved.

(ii) Rural incorporated cities shall be considered in the sequence in which the construction projects within each region are, as defined by urban arterial board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for construction project funding at the same urban arterial board meeting, the request for urban arterial trust funds for the construction projects shall be considered in the priority sequence within region in which the related preliminary proposals were approved.

A specific, maximum amount of urban arterial trust funds for each construction project shall be authorized by the urban arterial board and shall be added to any remaining authorization of urban arterial trust funds for the preliminary proposal to establish the total authorized amount of urban arterial trust funds for each total project.

(g) The ten percent, not to exceed fifty thousand dollars, increase in urban arterial trust funds authorized to be approved by the chairman by WAC 479-20-036 may be approved, for those projects for which financial assistance from the urban arterial trust account is provided in two phases, only after the construction proposal has been approved by the urban arterial board.

WSR 87-18-013
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION
 [Memorandum—August 24, 1987]

The State Board of Education schedule of meeting dates and locations for the 1987 calendar year, filed with the state code reviser on September 5, 1986 (WSR 86-19-004), is amended as follows:

The location of the October 1-2, 1987, meeting has been changed from the Plaza Room at the Clover Island Inn in Kennewick to the Tri-City Area Vocational Center, 5929 West Metaline, Kennewick, WA 99336. The meeting will convene at 9:00 a.m.

WSR 87-18-014
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION
 [Memorandum—August 24, 1987]

The State Board of Education schedule of meeting dates and locations for the 1988 calendar year, filed with the state code reviser on August 7, 1987 (WSR 87-17-008), is amended as follows:

The location of the December 1-2, 1988, meeting has been changed from the Ballroom at the Sea-Tac Hyatt House to the Windward Room at the Seattle Hilton. The meeting will convene at 9:00 a.m.

WSR 87-18-015
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
 [Memorandum—August 19, 1987]

The Senate of the Associated Students of Washington State University will hold meetings at 6:30 p.m. in CUB 232 on the following dates during fall semester, 1987:

August	26
September	2, 9, 16, 23, 30
October	7, 14, 21, 28
November	4, 11, 18
December	2, 9

These meetings will be in CUB 232 on the Washington State University Campus, Pullman, Washington.

WSR 87-18-016
ADOPTED RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
 [Order 295—Filed August 24, 1987]

Be it resolved by the State Wildlife Commission, acting at the Red Lion Inn, 221 North Lincoln, Port Angeles, WA 98362, that it does adopt the annexed rules relating to:

New	WAC 232-28-510	1987-88	Trapping seasons and regulations.
Rep	WAC 232-28-509	1986-87	Trapping seasons and regulations.

This action is taken pursuant to Notice No. WSR 87-12-079 filed with the code reviser on June 3, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED July 7, 1987.

By Dr. James M. Walton
 Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-510 1987-88 TRAPPING SEASONS AND REGULATIONS.

Reviser's note: The text and accompanying pamphlet comprising the 1987-88 Trapping seasons and regulations adopted by the Department of Wildlife have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

REPEALER

The following section of the Washington Administrative Code is hereby repealed.

WAC 232-28-509 1986-87 TRAPPING SEASONS AND REGULATIONS

WSR 87-18-017
ADOPTED RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)

[Order 296—Filed August 24, 1987]

Be it resolved by the State Wildlife Commission, acting at the Thunderbird Inn at the Quay, 100 Columbia Street, Vancouver, WA 98660, that it does adopt the annexed rules relating to sale of wildlife, adopting WAC 232-12-067.

This action is taken pursuant to Notice No. WSR 87-14-083 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 77.12.030 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1987.

By Dr. James M. Walton
Chairman, Wildlife Commission

NEW SECTION

WAC 232-12-067 SALE OF WILDLIFE. (1) It is unlawful for publicly-owned zoos or aquariums who lawfully acquired wildlife under WAC 232-12-064 to offer for sale or sell that wildlife or the progeny of that wildlife except outside the state or except within the state to other publicly-owned zoos or aquariums or accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA).

(2) It is unlawful for publicly-owned zoos or aquariums who lawfully acquired wildlife under WAC 232-12-274 to offer for sale or sell that wildlife or the progeny of that wildlife except the progeny may be sold to other publicly-owned zoos or aquariums or accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA).

(3) Publicly-owned zoos and aquariums will keep accurate and current records of the sale of wildlife progeny as required by the director. These records will be maintained on a calendar year basis and retained for a period of 5 years.

(4) It is unlawful for any publicly-owned zoo or aquarium to fail to complete and submit to the department by January 31 of each year a report containing information required by the director.

(5) Wildlife agents may inspect at reasonable times and in a reasonable manner the wildlife, permits, records, and facilities of any publicly-owned zoo or aquarium offering for sale or selling wildlife.

WSR 87-18-018
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)

[Order 328—Filed August 24, 1987]

Be it resolved by the State Wildlife Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1987-88 Washington game fish regulations—McDowell Lake (Stevens County), WAC 232-28-61609.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the

facts constituting the emergency is this change is necessary to maximize recreational opportunity and to enhance conditions for remaining fish stocks.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1987.

By Dr. James M. Walton
Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-61609 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—MCDOWELL LAKE (STEVENS COUNTY). Notwithstanding the provisions of WAC 232-28-616, the game fish regulations for McDowell Lake (Stevens County) are as follows:

McDowell Lake (Stevens Co.): Effective 12:01 a.m. on August 25, 1987 to 11:59 p.m. on October 31, 1987: TROUT – catch limit – 5; Fly Fishing Only, Barbless Hooks. Catch-and-Release regulations do not apply.

WSR 87-18-019
PROPOSED RULES
COUNTY ROAD ADMINISTRATION BOARD
[Filed August 24, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules regarding eligibility for rural arterial trust account funds, chapter 136-150 WAC;

that the agency will at 8:00 a.m., Thursday, October 8, 1987, in the Chautaugua Lodge, Long Beach, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 36.78 RCW.

The specific statute these rules are intended to implement is RCW 36.79.140.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 30, 1987.

Dated: August 20, 1987

By: Ernest Geissler
Director

STATEMENT OF PURPOSE

Title: Eligibility for rural arterial trust account funds.

Description of Purpose: To clarify eligibility of counties for RATA funds by ascertaining diverted and budgeted road levy amounts.

Statutory Authority: Chapter 36.78 RCW.

Specific Statute: RCW 36.79.140.

Summary of Rule: Will clarify the manner in which the board intends to implement statutory language regarding the matter of diverted road levy.

Reasons Supporting Proposed Action: To provide consistent implementation in all counties in accordance with legislative intent.

Agency Personnel Responsible: Ernest Geissler, Director.

Organization Proposing Rule: County Road Administration Board.

Agency Recommendation: The CRABoard is recommending the proposed new language because there have been problems of interpretation with the existing rule.

The rules are not the product of federal law or federal or state court action.

[AMENDATORY SECTION (Amending Order 61, filed 2/20/86)]

WAC 136-150-010 PURPOSE Language in Chapter 49, Laws of 1983, Extraordinary Session, Section 14 provides that only those counties that, during the preceding twelve months, have spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, Section 40 of the state Constitution are eligible to receive funds from the Rural Arterial Trust Account (RATA); provided, however, that counties of the 7th class shall be exempt from this requirement. This WAC chapter describes how this statutory language will be implemented by the CRABoard beginning with the ~~((1987))~~ 1988 county budget year ~~((RAP project approval meeting:))~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

[AMENDATORY SECTION (Amending Order 61, filed 2/20/86)]

WAC 136-150-020 IMPLEMENTING THE ELIGIBILITY REQUIREMENT ~~((The CRABoard will provide to the State Auditor no later than February 1 of each year a list of those counties which have submitted projects for RATA funding during the current biennium. The State Auditor will return the list to the CRABoard no later than May 1 of each year, showing the eligible counties, which are those counties that, during the preceding county budget year, spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, Section 40, of the State Constitution provided, however, that counties of the 7th class shall not be included on such list:))~~ The CRABoard will ascertain the amount of the total road levy fixed in each county and the amount diverted and budgeted, if any, for any services to be provided in the unincorporated area of the county in accordance with RCW 36.33.220. The CRABoard will compare the amount actually spent each year for traffic law enforcement, with the amount diverted to determine whether or not the county is eligible to receive RATA funds.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]

WAC 136-150-021 ASCERTAINING THE ROAD LEVY The CRABoard will request that, no later than February 1st of each year, every county legislative authority submit a certification showing the amount of the road levy fixed and the amount diverted and budgeted, if any, for any services to be provided in the unincorporated area of the county in accordance with RCW 36.33.220. Such certification shall show the amount diverted and budgeted for (1) traffic law enforcement and (2) other specified purposes.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]

WAC 136-150-022 ASCERTAINING THE EXPENDITURES FOR TRAFFIC LAW ENFORCEMENT In those counties where diverted road levy has been budgeted for traffic law enforcement, and which have a RAP project awaiting approval by the CRABoard, the county sheriff will be requested to submit a certification showing the actual expenditure for traffic law enforcement in the previous budget year, provided that counties of the 7th class shall be exempt from this requirement.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]

WAC 136-150-023 IDENTIFYING ELIGIBLE COUNTIES Counties eligible to receive RATA funds shall be (1) those in which there has been no diversion of the county road levy, (2) those in which the actual expenditures for traffic law enforcement has been equal to, or greater than, the amount of diverted road levy, or those of the 7th class.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

[AMENDATORY SECTION (Amending Order 61, filed 2/20/86)]

WAC 136-150-024 CONSTRAINT ON CONTRACT EXECUTION No CRAB/County contract shall be executed on behalf of the CRABoard ~~((until assurance is received from the State Auditor that such county's expenditure of diverted road levy, if any, was in compliance with the constraints of this chapter:))~~ unless the appropriate certifications have been submitted and unless the county has been identified as eligible to receive RATA funds. ~~((The cost of any special audit needed to provide such assurance shall be the responsibility of the affected county:))~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 87-18-020
PROPOSED RULES
DEPARTMENT OF NATURAL RESOURCES
 [Filed August 25, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Natural Resources intends to adopt, amend, or repeal rules concerning public use of managed lands and road, chapter 332-52 WAC. Eight sections are amended. Modifications cover the permit system for recreational use of the portion of the Milwaukee Road Corridor under the jurisdiction of the Department of Natural Resources.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 27, 1987.

The authority under which these rules are proposed is RCW 79.08.277 and 79.08.279.

This notice is connected to and continues the matter in Notice No. WSR 87-14-039 filed with the code reviser's office on June 30, 1987.

Dated: August 25, 1987
 By: James A. Stearns
 Supervisor

WSR 87-18-021
PROPOSED RULES
STATE PATROL
(Commission on Equipment)
 [Filed August 25, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Patrol intends to adopt, amend, or repeal rules concerning required seat belt usage by law enforcement personnel.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 1, 1987.

The authority under which these rules are proposed is RCW 46.61.688.

The specific statute these rules are intended to implement is RCW 46.61.688.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 1, 1987.

Dated: August 25, 1987
 By: Lieutenant LaVere E. Klewin
 E.S.R.S. Commander

STATEMENT OF PURPOSE

Title: Chapter 204-41 WAC, Seat belt exemptions.

Description of Purpose: To provide for law enforcement exemption from the requirement to use seat belts in emergency situations.

Statutory Authority: RCW 46.61.688(9).

Specific Statute Rule is Intended to Implement: RCW 46.61.688.

Summary of Rule: Law enforcement agencies may, by adopting written policy, establish when commissioned law enforcement officers may lawfully operate a motor vehicle without using seat belts.

Reasons Supporting Proposed Action: Concern expressed by members of the law enforcement community about hazardous situations created by strict compliance with existing law.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lieutenant LaVere E. Klewin, phone 753-06569 [753-6569].

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: Washington State Patrol, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: N/A.

NEW SECTION

WAC 204-41-035 LAW ENFORCEMENT - EMERGENCY SITUATIONS Commissioned law enforcement officers may operate a police vehicle without a seat belt system when:

1. The commissioning agency has a formal written policy that specifies the emergency situations when vehicle operation without a seat belt is permitted, and
2. the officer is actually involved in one of the specified emergency situations.

This rule does not relieve the agency or the officer of the duty to act in a responsible and reasonable manner.

WSR 87-18-022
ADOPTED RULES
COMMITTEE FOR DEFERRED COMPENSATION
 [Order 87-1—Filed August 26, 1987]

Be it resolved by the Committee for Deferred Compensation, acting at the Department of Personnel, Learning Center, 1400 Evergreen Park Drive S.W., Olympia, WA, that it does adopt the annexed rules relating to the amending of WAC 154-12-050, 154-12-015, 154-12-060 and 154-12-070.

This action is taken pursuant to Notice No. WSR 87-13-076 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Committee for Deferred Compensation as authorized in RCW 41.04.260.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Eileen Moore
 Client Service Manager

AMENDATORY SECTION (Amending Order 84-4, filed 11/13/84)

WAC 154-12-015 ACCEPTANCE OF INTERPLAN TRANSFERS. Pursuant to Section

1.457-(2)(k) of the final regulations promulgated under section 457 of the code, this plan will allow for the acceptance of amounts deferred by participants under plans having met the transfer requirements of section 457 of the code and said regulations, and will also allow for the transfer out to eligible 457 plans of the code having met the transfer requirements of section 457 of the code and said regulations.

AMENDATORY SECTION (Amending Order 86-1, filed 7/30/86)

WAC 154-12-050 MODIFICATION OF DEFERRAL. A participant may modify his/her deferral no more frequently than twice in any calendar year, unless the committee by specific action authorizes a special additional open change period. Such change may be in the decreasing of the amount of deferral specified and/or the investment mode pursuant to WAC 154-12-010(2). An increase in the amount of deferral would not count as a change. A change in the investment mode may apply to the redirection of amounts previously deferred as well as current deferrals. Such change or changes increasing or decreasing the amount of the deferral shall be effective as to any calendar month only if a new participation agreement is executed by the participant and approved by the committee or its designee before the beginning of such calendar month. Changes in the investment mode must be filed with the committee by completing the proper forms no later than fifteen days prior to the established pay dates for which the change will occur. The committee reserves the right to defer the effective date of any such change or changes.

AMENDATORY SECTION (Amending Order 82-3, filed 6/11/82)

WAC 154-12-060 REVOCATION OF DEFERRAL. A participant may at any time direct that deferrals under the participant's participation agreement shall cease by completing the proper form and filing it with the committee (~~(prior to the first day of the calendar month for)~~) no later than the last day of the payroll period prior to the payroll period during which the deferrals shall cease; however, accrued benefits shall only be paid as provided in chapters 154-16 and 154-20 WAC.

AMENDATORY SECTION (Amending Order 82-3, filed 6/11/82)

WAC 154-12-070 REINSTATEMENT OF DEFERRAL. A participant who has directed the cessation of deferrals under the participant's participation agreement as set forth in WAC 154-12-060, may resume deferrals for any calendar month commencing no sooner than six months after such deferrals ceased by executing a new participation agreement to defer compensation. The six-month waiting period would not apply to those participants who are on leave without pay as pursuant to WAC 154-28-010.

WSR 87-18-023

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 87-25—Filed August 26, 1987]

I, Phillip C. Johnson, deputy director of programs for the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Grays Harbor County, amending WAC 173-19-220.

This action is taken pursuant to Notice No. WSR 87-13-075 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120 and [90.58].200 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 21, 1987.

By Phillip C. Johnson
Deputy Director of Programs

AMENDATORY SECTION (Amending Order DE 86-11, filed 6/4/86)

WAC 173-19-220 GRAYS HARBOR COUNTY. Grays Harbor County master program approved August 6, 1975. Revision approved December 2, 1977. Revision approved July 17, 1978. Revision approved March 27, 1980. Revision approved June 3, 1986. Revision approved August 21, 1987.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 87-18-024

ADOPTED RULES

DEPARTMENT OF WILDLIFE

(Wildlife Commission)

[Order 297—Filed August 26, 1987]

Be it resolved by the State Wildlife Commission, acting at the Thunderbird [Inn] at the Quay, 100 Columbia Street, Vancouver, WA 98660, that it does adopt the annexed rules relating to:

New	WAC 232-28-411	1987-88 Upland game bird and migratory waterfowl seasons.
Rep	WAC 232-28-410	1986-87 Upland game bird and migratory waterfowl seasons.

This action is taken pursuant to Notice No. WSR 87-14-082 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1987.

By Dr. James M. Walton
Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-411 1987-88 UPLAND GAME BIRD AND MIGRATORY WATERFOWL SEASONS.

Reviser's note: The text and accompanying pamphlet comprising the 1987-88 Upland game bird and migratory waterfowl seasons adopted by the Department of Wildlife have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-28-410 1986-87 UPLAND GAME BIRD AND MIGRATORY WATERFOWL SEASONS

**WSR 87-18-025
ADOPTED RULES
INSURANCE COMMISSIONER
[Order R 87-9—Filed August 27, 1987]**

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the Washington state health insurance pool, including procedures for the nomination and election of members of the pool's board of directors, the organizational meeting, the duties of the pool's board of directors, the duties of the administrator, and prescribing basic forms to be used by the administrator; adding a new chapter to the Washington Administrative Code.

This action is taken pursuant to Notice No. WSR 87-15-109 filed with the code reviser on July 22, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 48.02.060, 48.44.050 and 48.46.200 which directs that the Insurance Commissioner has authority to implement the provisions of sections 4, 6, 7, 8 and 9, chapter 431, Laws of 1987.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 26, 1987.

Dick Marquardt
Insurance Commissioner
By David H. Rodgers
Chief Deputy Commissioner

**Chapter 284-91 WAC
HEALTH INSURANCE ACCESS REGULATION**

WAC

- 284-91-010 Board of directors.
- 284-91-020 Organizational meeting, duties of board of directors.
- 284-91-030 Duties of administrator.
- 284-91-040 Forms to be used by administrator.

NEW SECTION

WAC 284-91-010 BOARD OF DIRECTORS. Pursuant to section 4(2), chapter 431, Laws of 1987, a board of directors for the Washington state health insurance pool is hereby established. Nine directors shall comprise the board, and shall be selected by position as follows:

(1) Individual persons shall be appointed by the commissioner to positions one, two, and three. Position one will represent the general public. Position two will represent health care providers. Position three will represent health insurance agents.

(2) At the organizational meeting six directors shall be elected by the "members" of the Washington state health insurance pool in attendance at such meeting. The statutory definition of "member" is set forth in section 3(12), chapter 431, Laws of 1987. Nomination for the members' positions shall be in accordance with the following procedures:

(a) Members who are health care service contractors, registered pursuant to chapter 48.44 RCW, shall nominate one member for position four. In the determination of the nominee for position four, each health care service contractor is entitled to one vote. The contractors will then nominate one member for position five. In the determination of the nominee for position five, each health care service contractor's vote shall be weighted in proportion to its share of the earned premiums received by all member contractors during the preceding calendar year. A health care service contractor is not eligible for position four or position five if it is controlled by a health maintenance organization or a commercial insurer.

(b) Members who are health maintenance organizations with certificates of authority pursuant to chapter 48.46 RCW shall nominate one member for position six. In the determination of the nominee for position six, each health maintenance organization is entitled to one vote. The health maintenance organizations will then nominate one member for position seven. In the determination of the nominee for position seven, each health maintenance organization's vote shall be weighted in proportion to its share of the total earned premium received by all member organizations during the preceding calendar year. A health maintenance organization is not

eligible for position six or position seven if it is controlled by a health care service contractor or a commercial insurer.

(c) Members who are commercial insurers providing disability insurance pursuant to certificates of authority issued by the commissioner, shall nominate one member for position eight. In the determination of the nominee for position eight, each commercial insurer is entitled to one vote. The commercial insurers will then nominate a member for position nine. In the determination of the nominee for position nine, each commercial insurer's vote shall be weighted in proportion to its share of the total earned premiums for disability insurance received by all commercial insurers during the preceding calendar year. A commercial insurer is not eligible for position eight or position nine if it is controlled by a health care service contractor or a health maintenance organization.

(d) If, in the nomination process, more than two members are proposed and the resulting vote fails to produce a majority for any candidate, succeeding ballots will be conducted, each dropping the candidate with the lowest vote on the previous ballot until one member receives a majority vote for nomination.

(e) If, in the nominating process, there is a tie vote, the prevailing member will be determined by the flip of a coin, with the nominee whose name comes first in alphabetical order making the call of heads or tails.

(f) For purposes of proportional voting in the nominating process, "earned premium" is that amount reported from the state of Washington in the most recent annual statement filed with the commissioner.

(3) The members nominated pursuant to subsection (2) of this section must be confirmed by a majority of the members present and voting at any election. If the confirming vote results in the rejection of any nominee proposed in accordance with subsection (2) of this section, the appropriate members will caucus and nominate a new candidate. Such nominee must be confirmed by a majority vote of those members present and voting.

(4) The following general rules apply to the nomination and election process set forth in subsections (2) and (3) of this section.

(a) Only one board position may be held by a member, its parent member or its subsidiary members.

(b) No member may serve as both the administrator and a director.

(c) A member is eligible for election to the board of directors if, at time of election, it has at least one thousand persons insured under either individual or group contracts or both and has provided health expense benefits continuously for two or more years.

(d) Except as provided in subsections (2)(a), (b), and (c) of this section, each member shall have one vote which may be cast in person or by proxy granted in writing.

(e) Directors shall serve three-year terms or until a successor has been appointed or elected except as follows. The original directors in positions one, two, and three will first serve one-year terms. The original directors in positions four, six, and eight will first serve two-year terms. All other terms will be for three years or until a successor is appointed or elected.

(f) After the initial terms, elections for positions four through nine will be conducted in accordance with the procedures set forth in subsections (2) and (3) of this section at a time and place designated by the plan of operation.

NEW SECTION

WAC 284-91-020 ORGANIZATIONAL MEETING, DUTIES OF BOARD OF DIRECTORS. (1) The organizational meeting at which nominations and elections are conducted shall be called by the commissioner, pursuant to notice given by mail to all members, which notice shall specify the time, place, and purpose of such meeting. The organizational meeting will be conducted by the commissioner or his designee.

(2) The board of directors shall meet at least once each calendar quarter with five directors constituting a quorum. At the first meeting after the organizational meeting, the board shall:

(a) Select a presiding officer;

(b) Initiate a search for an administrator which shall be either a member domiciled in this state or an experienced third party administrator with headquarters in this state;

(c) Consider retaining such legal, actuarial, accounting, or other professional services as the directors deem necessary to operate the high risk health pool in a sound and competent manner;

(d) Determine the need for an interim assessment as may be reasonable and necessary for organizational or interim operating costs;

(e) Initiate efforts to develop a plan of operation as required by section 4(4), chapter 431, Laws of 1987; and

(f) Such other matters as the directors consider necessary and appropriate to properly initiate the activities of the high risk health pool pursuant to chapter 431, Laws of 1987.

NEW SECTION

WAC 284-91-030 DUTIES OF ADMINISTRATOR. The duties of the administrator shall be specified by the board of directors and include but not be limited to:

(1) Keeping minutes of the board meetings and maintaining a permanent record of the activities of the pool.

(2) Performing the day-to-day administration of the pool including collection of premiums and assessments, processing of claims, and the maintenance of such statistical data as may be necessary for the sound and orderly operation of the pool.

(3) Beginning with the first month for which premium is paid by participating insureds, submit to the board and the commissioner a report indicating the number of insureds by classification, the dollar amount of premiums received and claims paid in each classification and such other information as the directors or the commissioner deem necessary to be informed as to the current claims experience of the pool. A report shall be prepared for each month with year-to-date totals and mailed not later than the 15th day of the following month.

(4) Within sixty days after the end of the first twelve months for which premiums have been paid, and annually thereafter, the administrator will submit to the commissioner and the directors the experience data required by WAC 284-91-040 consistent with the definitions set forth in chapter 284-60 WAC, and such other narrative and statistical data as may be required for the commissioner or the board to keep them fully informed as to the operations and experience of the high risk health pool for each twelve-month period. Forms providing equivalent information in a clear and understandable manner may be substituted for the formats set forth in WAC 284-91-040.

(5) Such other duties and responsibilities as required by chapter 431, Laws of 1987, or as may be ordered by the board of directors.

NEW SECTION

WAC 284-91-040 FORMS TO BE USED BY ADMINISTRATOR.

(1) PLAN A - PRIMARY INSURED
HIGH RISK HEALTH POOL - \$500 DEDUCTIBLE PLAN
EXPERIENCE REPORT FOR THE PERIOD FROM _____ THROUGH _____

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
COVERAGE	<u>Earned Premium</u>	<u>Incurred Claims</u>	<u>Expense Charges</u>	<u>Surplus (Deficit)</u>	<u>Incurred Loss Ratio (2) ÷ (1)</u>	<u>Expense Ratio (3) ÷ (1)</u>	<u>Combined Ratio (5) + (6)</u>
HOSPITAL							
SURGICAL							
MEDICAL							
DIAGNOSTIC							
MENTAL, ETC.							
PRESCRIPTIONS							
HOME HEALTH							
X-RAY THERAPY							
ANESTHESIA							
DURABLE EQUIP.							
THERAPY							
AMBULANCE							
HOSPICE							
ALL OTHERS	_____	_____	_____	_____	_____	_____	_____
COMBINED TOTALS							

(2) PLAN A - DEPENDENT INSURED
HIGH RISK HEALTH POOL - \$500 DEDUCTIBLE PLAN
EXPERIENCE REPORT FOR THE PERIOD FROM _____ THROUGH _____

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
COVERAGE	<u>Earned Premium</u>	<u>Incurred Claims</u>	<u>Expense Charges</u>	<u>Surplus (Deficit)</u>	<u>Incurred Loss Ratio (2) ÷ (1)</u>	<u>Expense Ratio (3) ÷ (1)</u>	<u>Combined Ratio (5) + (6)</u>
HOSPITAL							
SURGICAL							
MEDICAL							
DIAGNOSTIC							
MENTAL, ETC.							
PRESCRIPTIONS							
HOME HEALTH							
X-RAY THERAPY							
ANESTHESIA							
DURABLE EQUIP.							
THERAPY							
AMBULANCE							
HOSPICE							
ALL OTHERS	_____	_____	_____	_____	_____	_____	_____
COMBINED TOTALS							

(3) PLAN B - PRIMARY INSUREDS
 HIGH RISK HEALTH POOL - \$1,000 DEDUCTIBLE PLAN
 EXPERIENCE REPORT FOR THE PERIOD FROM _____ THROUGH _____

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
COVERAGE	<u>Earned Premium</u>	<u>Incurred Claims</u>	<u>Expense Charges</u>	<u>Surplus (Deficit)</u>	<u>Incurred Loss Ratio (2) ÷ (1)</u>	<u>Expense Ratio (3) ÷ (1)</u>	<u>Combined Ratio (5) + (6)</u>
HOSPITAL							
SURGICAL							
MEDICAL							
DIAGNOSTIC							
MENTAL, ETC.							
PRESCRIPTIONS							
HOME HEALTH							
X-RAY THERAPY							
ANESTHESIA							
DURABLE EQUIP.							
THERAPY							
AMBULANCE							
HOSPICE							
ALL OTHERS	_____	_____	_____	_____	_____	_____	_____
COMBINED TOTALS							

(4) PLAN B - DEPENDENT COVERAGE
 HIGH RISK HEALTH POOL - \$1,000 DEDUCTIBLE PLAN
 EXPERIENCE REPORT FOR THE PERIOD FROM _____ THROUGH _____

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
COVERAGE	<u>Earned Premium</u>	<u>Incurred Claims</u>	<u>Expense Charges</u>	<u>Surplus (Deficit)</u>	<u>Incurred Loss Ratio (2) ÷ (1)</u>	<u>Expense Ratio (3) ÷ (1)</u>	<u>Combined Ratio (5) + (6)</u>
HOSPITAL							
SURGICAL							
MEDICAL							
DIAGNOSTIC							
MENTAL, ETC.							
PRESCRIPTIONS							
HOME HEALTH							
X-RAY THERAPY							
ANESTHESIA							
DURABLE EQUIP.							
THERAPY							
AMBULANCE							
HOSPICE							
ALL OTHERS	_____	_____	_____	_____	_____	_____	_____
COMBINED TOTALS							

(5) PLAN C
HIGH RISK HEALTH POOL - MEDICARE SUPPLEMENTS

EXPERIENCE REPORT FOR THE PERIOD FROM _____ THROUGH _____

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
COVERAGE	<u>Earned Premium</u>	<u>Incurred Claims</u>	<u>Expense Charges</u>	<u>Surplus (Deficit)</u>	<u>Incurred Loss Ratio (2) ÷ (1)</u>	<u>Expense Ratio (3) ÷ (1)</u>	<u>Combined Ratio (5) + (6)</u>
SUPPLEMENT TO PART A MEDICARE							
SUPPLEMENT TO PART B MEDICARE							
COMBINED TOTALS	_____	_____	_____	_____	_____	_____	_____

(6) ALL PLANS COMBINED
HIGH RISK HEALTH POOL

EXPERIENCE REPORT FOR THE PERIOD FROM _____ THROUGH _____

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
COVERAGE	<u>Earned Premium</u>	<u>Incurred Claims</u>	<u>Expense Charges</u>	<u>Surplus (Deficit)</u>	<u>Incurred Loss Ratio (2) ÷ (1)</u>	<u>Expense Ratio (3) ÷ (1)</u>	<u>Combined Ratio (5) + (6)</u>
PLAN A PRIMARY INSURED							
PLAN A DEPENDENT COVERAGE							
PLAN B PRIMARY INSURED							
PLAN B DEPENDENT COVERAGE							
PLAN C MEDICARE SUPPLEMENT							
COMBINED TOTALS	_____	_____	_____	_____	_____	_____	_____

WSR 87-18-026
EMERGENCY RULES
DEPARTMENT OF COMMUNITY DEVELOPMENT
(Division of Emergency Management)
 [Order 87-03—Filed August 27, 1987]

I, Chuck Clarke, deputy director of the Department of Community Development, do promulgate and adopt at the Ninth and Columbia Building, Olympia, Washington, the annexed rules relating to disaster recovery program, chapter 118-33 WAC.

I, Chuck Clarke, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are essential to the implementation of the individual and family grant program pursuant to an emergency proclamation and request for a declaration by the president signed by the governor on December 9, 1986, and a disaster declaration signed by the president on December 15, 1986.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 38.52.030(9) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED February 3, 1987.
 By Chuck Clarke
 Deputy Director

Chapter 118-33 WAC
DISASTER RECOVERY PROGRAM

WAC

- 118-33-010 *Intent.*
- 118-33-020 *Definitions.*
- 118-33-030 *Authorization of program.*
- 118-33-040 *Administrative procedures.*
- 118-33-050 *Grant eligibility.*
- 118-33-060 *Allocation of funds.*
- 118-33-070 *Expenditures and payments.*
- 118-33-080 *Organization and functions.*
- 118-33-090 *Administrative panel.*
- 118-33-100 *Reconsideration.*
- 118-33-110 *Appeal.*
- 118-33-120 *Administrative plan review.*

NEW SECTION

WAC 118-33-010 INTENT. *The intent of this plan is to set forth the administrative procedures and describe the organization for implementing the individual and family grant program subsequent to a major disaster declaration by the president. The governor of*

Washington has designated the state division of emergency management of the department of community development to administer the individual and family grant program in Washington. These rules shall be effective only upon declaration of a major disaster by the president of the United States.

NEW SECTION

WAC 118-33-020 DEFINITIONS. (1) "Act" shall mean chapter 38.52 RCW.

(2) "Administrative panel" means a group consisting of one or more representatives from the division of emergency management, agreed to and approved by the GCO, determining eligibility for a grant and grant amount.

(3) "Appeal" means a formal request for redetermination by the applicant to the assistant director (appeal authority) that protests the administrative panel's decision or reconsideration officer's review of the individual and family grant determination.

(4) "Assistance from other means" means assistance including monetary or in-kind contributions from other governmental programs, insurance, voluntary or charitable organizations, or from any sources other than those of the individual or family. It does not include expendable items.

(5) "Division" shall mean the division of emergency management: Department of community development.

(6) "Assistant director" means the assistant director of the division of emergency management.

(7) "Expendable items" means consumables such as linens, clothes, and basic kitchenware.

(8) "Family" means a social unit living together and comprised of a husband and wife and dependents, or comprised of unmarried persons jointly forming a household unit (such as those who jointly own or share real estate and common household type personal property); or comprised of couples (and dependents of couples) who are joined in a common law marriage, or a household comprised of an unmarried person living with and supporting a dependent son, stepson, daughter, stepdaughter, of a dependent descendant of a son or daughter. Families may file only one IFG application.

(9) "Federal coordinating officer" (FCO) means the person appointed by the administrator, FEMA, to coordinate federal assistance in a major disaster.

(10) "FEMA" means the Federal Emergency Management Agency.

(11) "Flowage easement" means an area where the landowner has given the right to overflow, flood, or submerge the land to the government or other entity for a public purpose.

(12) "Grant coordinating officer" (GCO) means the person assigned the management responsibility for the IFGP by the assistant director.

(13) "Individual" means a person who is not a member of a family, as defined above. Renters who live together are individuals. When one individual owns real property, and another lives there in a tenant-type relationship (whether or not rent is charged), the owner may

file one IFG application for home repair and the personal property of the owner, and the other individual may file an IFG application for his/her own property.

(14) "Major disaster" means any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the United States which, in the determination of the president, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Disaster Relief Act of 1974, above and beyond emergency services by the federal government, to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(15) "Necessary expense" means the cost of an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

(16) "Owner-occupied" means that the residence is occupied by, the legal owner, a person who does not hold formal title to the residence but is responsible for payment of taxes, maintenance of the residence, and pays no rent; or a person who has lifetime occupancy rights in the residence with formal title vested in another. Those who do not have documentation proving home ownership may prove such ownership by presenting an affidavit executed by a state, or local government attorney stating that the applicant is considered owner of the residence for legal purposes, and identifying the basis for this conclusion, and by presenting one form of proof of occupancy.

(17) "Reconsideration officer" means the state official appointed by the assistant director to review the administrative panel's eligibility decision when the applicant disagrees with that decision.

(18) "Serious need" means the requirement for an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

(19) "State coordinating officer" (SCO) means the individual appointed by the governor to coordinate state and local disaster assistance efforts with those of the federal government.

(20) "Governor's authorized representative" means the assistant director when appointed by the governor to utilize executive authority in a declared disaster.

NEW SECTION

WAC 118-33-030 **AUTHORIZATION OF PROGRAM.** The program is authorized by P.L. 93-288 (the Disaster Relief Act of 1974) and 44 CFR 205.54. Section 408 of P.L. 93-288 provides for grants up to five thousand dollars to individuals and families, who as a result of a presidentially declared major disaster, are unable to meet disaster-related "serious needs" or "necessary expenses." Chapter 38.52 RCW places responsibility for determining eligibility standards for grants to individuals and families with the department of social and health services.

NEW SECTION

WAC 118-33-040 **ADMINISTRATIVE PROCEDURES.** (1) The state division of emergency management has been designated by the governor as the responsible state agency to administer the provisions of 44 CFR 205.54. P.L. 93-288, Section 408 provides for grants to individuals and families up to five thousand dollars - seventy-five percent federal and twenty-five percent state funds.

(2) The division of emergency management as the state administrator of the IFG program shall arrange for the state share (twenty-five percent) of funding and secure the seventy-five percent federal matching.

(3) The division of emergency management shall be responsible for preparing the governor's request for an advance of the state's share of funds.

(4) The division of emergency management shall administer the individual and family grant program. The department of social and health services is responsible for establishing eligibility standards for applicants for assistance under the grant program.

(5) The division of emergency management shall receive the maximum allowance of three percent for administration of the program.

(6) Upon the declaration of a major disaster, the state coordinating officer, division of emergency management, and the department of social and health services, shall coordinate the necessary actions to place in operation the provisions and administrative policies and procedures for grants to individuals and families.

(7) The media shall be used to notify potential applicants of methods and procedures for application during and after the disasters, and appropriate outreach services shall be provided by the division of emergency management or welfare-related agencies, civic or church groups normally providing such services in the area.

(8) The program shall be administered in conformity with provisions of 44 CFR 205.54.

(9) Eligibility criteria shall conform to Section 44 CFR 205.54(d) and such requirements as the department of social and health services may require not inconsistent with the provisions in the cited sections of the CFR in this subsection.

(10) The SCO shall maintain close coordination with the FCO and provide reports as may be required.

(11) The GCO shall maintain close coordination with the SCO.

NEW SECTION

WAC 118-33-050 **GRANT ELIGIBILITY.** Eligibility for individual and family grants is the responsibility of the department of social and health services according to chapter 38.52 RCW. This rule is contained in chapter 388-53 WAC.

NEW SECTION

WAC 118-33-060 **ALLOCATION OF FUNDS.** The Federal share of a grant to an individual or a family under this section shall be equal to seventy-five percent of the actual cost of meeting such an expense or need and shall be made only on condition that the remaining

twenty-five percent of such cost is paid to such individual or family from funds made available by a state. Where a state is unable immediately to pay its share, the president is authorized to advance to such state such twenty-five percent share, and any such advance is to be repaid to the United States on the date specified in the FEMA-STATE agreement entered into at the time of each declared disaster. No individuals and no family shall receive any grant or grants under this section aggregating more than five thousand dollars with respect to any one major disaster.

NEW SECTION

WAC 118-33-070 EXPENDITURES AND PAYMENTS. (1) Grant payments shall be processed by means of state Form A-19 (invoice voucher) appropriately coded to identify the charges to individual and family grant program. Each voucher shall be supported by attaching a copy of the approved grant award letter. The original approved grant application and a copy of the payment voucher shall be filed in the case record folder.

(2) Vouchers shall be transmitted to the administrative services division of the department of community development daily through the usual transmittal procedures. Separate voucher transmittals shall be made for individual and family grant program payments in order to expedite priority processing of the payments.

NEW SECTION

WAC 118-33-080 ORGANIZATION AND FUNCTIONS. All state agencies charged with responsibilities under this plan will ensure compliance with 44 CFR 205.54.

(1) Notifying potential applicants. The assistant director of the division of emergency management shall publicize the availability of the IFG program to potential applicants by:

- (a) Coordinating public information office activities with other agencies and the FCO;
- (b) Providing news releases to local and state newspapers, radio, and television stations;
- (c) Notifying local governments, private welfare and welfare related agencies, civic and church groups, and
- (d) Establishing outreach programs.

(2) Disaster assistance centers (DAC).

(a) The FEMA shall provide staff for the purpose of taking IFG registration/applications, and flood plain map reading at DACs and the disaster field office (DFO). FEMA forms shall be used to take applications for the IFG program.

When the DFOs close, the state shall accept applications taken through the FEMA hotline (toll free telephone number) and at the office(s) designated by the assistant director for this purpose.

(b) Applications shall be taken for sixty days following a major disaster declaration from any disaster victim desiring to apply for grant assistance. The FEMA registrar shall explain the scope and purpose of the program

to each applicant and will ensure each applicant identifies on his or her application the specific needs or expenses for which he or she is seeking assistance.

(3) The applicant's signature on the application form is acknowledgement of the certification/authorization statement verifying his/her understanding of the rules of the individual and family grant program.

(4) Verifying necessary expenses or serious needs.

(a) FEMA will provide most verification data to the state on individual and family grant applicants who were not required to first apply to the small business administration (SBA), and on those who were required to apply to SBA but also had expenses unrelated to SBA's disaster loan program. The FEMA regional director shall be responsible for performing most of the required verifications in the categories of housing (to include documentation of home ownership and primary residency); personal property; and transportation (to include documentation of vehicle ownership and/or registration, as appropriate to the state's administrative plan).

(b) The state will not be required to recover funds, and will not be issued a bill for collection (BFC), when it makes a grant based on incorrect verification information provided by FEMA. A grant based on this incorrect information will not be subject to the state's normal recovery of funds procedures.

(c) Certain verifications may be required to be performed by the state, such as for medical, dental, or funeral applications, or on delayed applications or reversifications, when FEMA and its contractors are no longer available.

(5) Eligibility determination functions shall be performed by the division of emergency management. The SBA will provide copies of verifications performed by SBA staff on housing and personal property (including vehicles) for those applicants who were first required to apply to SBA. This will enable the state administrative panel to make an eligibility determination on those applicants. When an applicant disagrees with the grant award, he/she may appeal to the state. The cost of any estimate provided by the applicant in support of his/her appeal is not eligible under the program.

NEW SECTION

WAC 118-33-090 ADMINISTRATIVE PANEL.

(1) The administrative panel, consisting of one or more representatives of the division of emergency management appointed by the GCO, shall review each application and determine eligibility and grant amounts.

(2) The administrative panel shall send each applicant written notice of their determination of the applicant's eligibility and, if eligible, grant amount.

NEW SECTION

WAC 118-33-100 RECONSIDERATION. (1) Reconsideration is an informal process in which all available facts pertaining to an applicant's expressed dissatisfaction with the administrative panel's decision are reviewed. Additional information may be obtained

and the reconsideration officer may make a decision affirming, modifying, or reversing the administrative panel's decision within ten days of the receipt of the complaint.

(2) The request for reconsideration, additional facts and the reconsideration officer's decision will be documented in the case record.

NEW SECTION

WAC 118-33-110 APPEAL. (1) An applicant dissatisfied with the administrative panel's or reconsideration officer's determination of his or her eligibility and/or grant amount has the right to appeal. The appeal can be oral or in writing and must state the reasons for the appellant's dissatisfaction with the administrative panel's determination. The appellant must appeal as soon as possible not to exceed fifteen days from receipt of the administrative panel's determination.

(2) When an applicant has requested an appeal, the assistant director or designee shall examine the appellant's file and any additional information received or presented for review of the administrative panel's determination. The assistant director shall make a decision affirming, modifying, or reversing the administrative panel's decision and mail the written decision to the appellant within fifteen days of the assistant director's receipt of the appeal; this period may be extended if both the appellant and assistant director agree. The decision of the assistant director is final.

NEW SECTION

WAC 118-33-120 ADMINISTRATIVE PLAN REVIEW. The assistant director of the department of emergency management shall review, in coordination with the FEMA regional director, the state administrative plan for the individual and family grant program every January to ensure compliance with state and federal laws and regulations and other FEMA program guidance.

WSR 87-18-027
NOTICE OF PUBLIC MEETINGS
WASHINGTON INSTITUTE
OF APPLIED TECHNOLOGY
 [Memorandum—August 14, 1987]

Listed below is the WIAT board meeting schedule for the years 1987 and 1988.

1987

August 26	7:30 a.m.	Greater Seattle Chamber of Commerce
September 30	7:30 a.m.	WIAT Offices located at 315 22nd Avenue South, Seattle
November 25	7:30 a.m.	WIAT Offices

1988

January 27	7:30 a.m.	WIAT Offices
March 30	7:30 a.m.	WIAT Offices
May 25	7:30 a.m.	WIAT Offices
July 27	7:30 a.m.	WIAT Offices
September 28	7:30 a.m.	WIAT Offices
November 30	7:30 a.m.	WIAT Offices

WSR 87-18-028
EMERGENCY RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Order 87-4—Filed August 27, 1987]

I, Ralph C. Ruff, director of the Office of Minority and Women's Business Enterprises, do promulgate and adopt at 406 South Water, Olympia, WA, the annexed rules relating to goals for 1987-88, WAC 326-30-039.

I, Ralph C. Ruff, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is Administrative Order 87-1 expires September 13, 1987. It is necessary for these rules to remain in effect until they are adopted and effective on a permanent basis.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 39.19 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Ralph C. Ruff
 Director

NEW SECTION

WAC 326-30-039 GOALS FOR 1987-88. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1987 through June 30, 1988, shall be:

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods and Services	8% MBE	4% WBE
Other Consultants	10% MBE	4% WBE

These MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

WSR 87-18-029
ADOPTED RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Order 87-5—Filed August 27, 1987]

I, Ralph C. Ruff, director of the Office of Minority and Women's Business Enterprises, do promulgate and adopt at 406 South Water, Olympia, WA, the annexed rules relating to goals for 1987-88, WAC 326-30-039.

This action is taken pursuant to Notice No. WSR 87-15-143 filed with the code reviser on July 22, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 39.19 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Ralph C. Ruff
 Director

NEW SECTION

WAC 326-30-039 GOALS FOR 1987-88. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1987 through June 30, 1988, shall be:

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods and Services	8% MBE	4% WBE
Other Consultants	10% MBE	4% WBE

These MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

WSR 87-18-030
ADOPTED RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Order 87-6—Filed August 27, 1987]

I, Ralph C. Ruff, director of the Office of Minority and Women's Business Enterprises, do promulgate and adopt at 406 South Water, Olympia, WA, the annexed rules relating to:

Amd	WAC 326-02-030	Definitions.
Amd	WAC 326-20-010	In general.
Amd	WAC 326-20-050	Proof of ownership.
Amd	WAC 326-20-080	Factors considered in determining control.

This action is taken pursuant to Notice No. WSR 87-15-143 filed with the code reviser on July 22, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 39.19 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Ralph C. Ruff
 Director

AMENDATORY SECTION (Amending Order 86-2, filed 8/11/86)

WAC 326-02-030 DEFINITIONS. Words and terms used in these rules shall have the same meaning as each has under chapter 120, Laws of 1983, unless otherwise specifically provided in these rules, or the context in which they are used clearly indicates that they be given some other meaning.

(1) "Advisory committee" means the advisory committee on minority and women's business enterprises.

(2) "Class of contract basis" means an entire group of contracts having a common characteristic. Examples include, but are not limited to, personal service contracts, public works contracts, leases, purchasing contracts, and contracts for specific types of goods and/or services.

(3) "Combination minority and women's business enterprise" means a business organized for profit, performing a commercially useful function, that is fifty percent owned and controlled by one or more minority men or MBEs certified by this office and fifty percent owned and controlled by one or more nonminority women or WBEs certified by this office. The owners must be United States citizens or lawful permanent residents.

(4) "Commercially useful function" means the performance of real and actual services in the discharge of any contractual endeavor.

(a) In determining whether a business is or will be performing a commercially useful function, factors, including but not limited to the following, will be considered:

(i) Whether the business is or will be responsible for executing a distinct element of work as defined in a bid or proposal;

(ii) Whether principals or employees of the business actually perform, manage, and supervise the work for which the business is or will be responsible;

(iii) Whether the business could be considered a "conduit," "front," or "pass-through" as defined in this section.

(b) For the purpose of these rules, a supplier will be considered to be performing a commercially useful function when:

(i) It either assumes the actual and contractual responsibility for furnishing goods or materials and executes material changes in the logistics or configuration of those goods or materials; or

(ii) Is the manufacturer of those goods or materials; or

(iii) Is recognized as a distributor of goods or materials by representatives of the industry involved in the supply of such goods or materials; and

(iv) It owns or leases warehouses, yard buildings, or other facilities which are viewed as customary or necessary by the industry; and

(v) It distributes or delivers goods or materials with its own staff or employees.

(5) "Contract" means a mutually binding legal relationship, including a lease, or any modification thereof, obligating the seller to furnish goods or services, including construction, and the buyer to pay for them.

(6) "Contract by contract basis" means a single contract within a specific class of contracts.

(7) "Contractor" means a party who enters into a contract to provide a state agency or educational institution with goods or services, including construction, or a subcontractor or sublessee of such a party.

(8) "Director" means the director of the office of minority and women's business enterprises.

(9) "Educational institutions" means the state universities, the regional universities, The Evergreen State College, and the community colleges.

(10) "Goals" means annual overall agency goals, expressed as a percentage of dollar volume for participation by minority and women-owned businesses, and shall not be construed as a minimum goal for any particular contract or for any particular geographical area. Goals shall be met on a contract by contract or class of contract basis. In meeting their goals on either a contract by contract or a class of contract basis state agencies and educational institutions should facilitate the entry of minority and women's business enterprises into types of businesses in which MBE's and WBE's are underrepresented.

(11) "Goods and/or services" means all goods and services, including professional services.

(12) "Joint venture" means a single enterprise partnership of two or more persons or businesses created to carry out a single business enterprise for profit for which purpose they combine their capital, efforts, skills, knowledge or property and in which they exercise control and share in profits and losses in proportion to their contribution to the enterprise.

(13) "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(a) Black: Having origins in any of the black racial groups of Africa;

(b) Hispanic: Of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;

(c) Asian American: Having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or

(d) American Indian or Alaskan Native: Having origins in any of the original peoples of North America.

Persons who are visibly identifiable as a minority need not provide documentation of their racial heritage but may be required to submit a photograph. Persons who are not visibly identifiable as a minority must provide documentation of their racial heritage which will be determined on a case-by-case basis. The final determination will be in the sole discretion of the office.

(14) "Minority business enterprise," "minority-owned business enterprise," or "MBE" means a business organized for profit, performing a commercially useful function, which is owned and controlled by one or more minority individuals or minority business enterprises certified by this office. Owned and controlled means a business in which one or more minorities or MBE's certified by this office own at least fifty-one percent, or in the case of a corporation at least fifty-one percent of the voting stock, and control at least fifty-one percent of the management and daily business operations of the business. The minority owners must be United States citizens or lawful permanent residents.

(15) "MWBE" means a minority-owned business enterprise, a women-owned business enterprise; and/or a combination minority and women's business enterprise certified by the office of minority and women's business enterprises of the state of Washington.

(16) "Office" means the office of minority and women's business enterprises of the state of Washington.

(17) "Procurement" means the purchase, lease, or rental of any goods or services.

(18) "Public works" means all work, including construction, highway and ferry construction, alteration, repair, or improvement other than ordinary maintenance, which a state agency or educational institution is authorized or required by law to undertake.

(19) "State agency" includes the state of Washington and all agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions. "State agency" does not include the judicial or legislative branches of government except to the extent that procurement or public works for these branches is performed by a state agency.

(20) "Women's business enterprise," "women-owned business enterprise," or "WBE" means a business organized for profit, performing a commercially useful function, which is owned and controlled by one or more women or women's business enterprises certified by this office. Owned and controlled means a business in which one or more women or WBE's certified by this office own at least fifty-one percent or in the case of a corporation at least fifty-one percent of the voting stock, and control at least fifty-one percent of the management and daily business operations of the business. The women owners must be United States citizens or lawful permanent residents.

(21) "Common industry practices" mean those usages, customs, or practices which are ordinary, normal, or prevalent among businesses, trades, or industries of similar types engaged in similar work in similar situations in the community.

(22) "Conduit" means a WBE, MBE, or combination MWBE which agrees to be named as a subcontractor on a contract in which such WBE, MBE, or combination MWBE does not perform the work but, rather, the work is performed by the prime contractor, prime consultant, material supplier, purchasing contractor, or any other non-MWBE business.

(23) "Front" means a business which purports to be: (a) A WBE but is in fact owned or controlled by a man or men; (b) a MBE but is owned or controlled by a nonminority person or persons; or (c) a combination MWBE but is owned or controlled by a man or men or by a nonminority person or persons to a greater extent than is allowed by WAC 326-02-030(3).

(24) "Pass-through" means a business which buys goods from a non-WBE, non-MBE, or noncombination MWBE without materially changing the configuration or logistics of the goods and resells those goods to the state, state contractors or other persons doing business with the state for the purpose of allowing those goods to be counted towards fulfillment of WBE or MBE goals.

(25) "Manufacturer" means a business which owns, operates, or maintains a factory or establishment that produces or creates goods from raw materials or substantially alters goods before reselling them.

(26) "Supplier" means a business which provides or furnishes goods or materials, performs a commercially useful function, and is not considered a conduit, front, or pass-through.

(27) "Switch business" means a business which was previously owned and controlled by a man, men or nonminorities, which has made technical changes to its business structure so that it is now purportedly owned and controlled by a woman or women or by a minority person or persons, but continues to operate in substantially the same manner as it did prior to the written revisions of the business structure.

(28) "Corporate-sponsored dealership" means a bona fide minority or women's business which meets the following standards in lieu of the fifty-one percent ownership criteria set out in subsections (14), (15), and (20) of this section, and meets the following standards in lieu of the factors used to evaluate control in WAC 326-20-080.

(a) The minority or women owner(s) have entered into a written agreement, contract, or arrangement with a national or regional corporation and has been granted a license to offer, sell or distribute goods or services at wholesale or retail, leasing, or otherwise use the name, service mark, trademark, or related characteristics of the sponsoring corporation.

(b) The capital investment for the dealership or business is jointly contributed by the minority or women owner(s) and the sponsoring corporation.

(i) The original investment contributed by the minority or women owner(s) may be less than fifty-one percent, but must constitute at least twenty-five percent of the capitalization investment (total required equity capital) in the dealership corporation.

(ii) A specified time limit of not more than ten years must be established, binding between the minority or women owner(s) and the sponsoring corporation, within

which the buy-out of the corporate sponsor's interest is complete.

(c) If the sponsoring corporation retains majority voting rights and control of the board of directors, then the minority or women owner(s) must annually apply at least fifty percent of the net profit and bonuses toward the buy-out of the corporate sponsors' interest within the buy-out time limit established with the corporation.

(d) The minority or women owner(s) must show active participation in the decision-making process on the board of directors of the dealership.

(e) The minority or women owner(s) must have operational control, and as such have day-to-day management control of the dealership, with responsibility for sales, service volume, and profits.

(f) The sponsoring corporation must have specifically developed a national or regional corporate sponsored dealership program to address the present-day issue of lack of opportunities for minorities or women in the dealership industry, which includes such features as: Capitalization assistance from the sponsoring corporation, on-going business operations training, technical assistance to the dealership owner, and a corporate sponsored minority and women's business program.

(g) The minority or women owner(s) must demonstrate that the relationship between the corporate sponsor and the minority or women's business was not formed for the primary purpose of achieving certification under chapter 39.19 RCW, or any similar provision of any ordinance, regulation, rule, or law.

(h) The minority or women owner(s) have prior business or management experience relating to the business being entered into as an owner.

(i) The minority or women owner(s) must be president of any corporation formed by the business.

AMENDATORY SECTION (Amending Order 83-3, filed 10/28/83)

WAC 326-20-010 IN GENERAL. Any business which meets the definition of a minority business enterprise, a women's business enterprise, or a combination minority and women's business enterprise or corporate-sponsored dealership as set forth in this title is eligible to be certified by the state of Washington as a minority business enterprise, a women's business enterprise or a combination minority and women's business enterprise. A business owned and controlled by one or more minority females may be certified as both a MBE and a WBE.

AMENDATORY SECTION (Amending Order 84-5, filed 4/5/84)

WAC 326-20-050 PROOF OF OWNERSHIP OF BUSINESS. (1) All minority or women owners shall submit to the office proof of their ownership of the requisite percentage of the business at the time the application is submitted. Such proof shall consist of stock certificates, a notarized affidavit of stock ownership from the corporate treasurer, a partnership agreement, cancelled check used to purchase ownership, or other recognized proof of ownership.

(2) In cases of sole proprietorships or other cases where documentary proof of ownership is not available, the minority or women owners shall so advise the office, which may undertake further investigation. The office may also require documents showing how and when the minority or women owners' interest in the business was acquired.

(3) The office may, for any reason, require any minority or women owners to provide additional proof of, or information concerning, ownership. The office may request additional information regarding separate ownership of a business including, but not limited to, a separate property agreement.

(4) Ownership of a corporate-sponsored dealership shall be evaluated by using the standards set out in WAC 326-02-030(28).

AMENDATORY SECTION (Amending Order 83-3, filed 10/28/83)

WAC 326-20-080 FACTORS CONSIDERED IN DETERMINING CONTROL. Whether a minority or woman owner meets the fifty-one percent control requirement is determined on an application-by-application basis. Factors which may be considered in determining whether the minority or woman owner meets the control requirement include, but are not limited to, the following:

- (1) Authority and restrictions as indicated in the articles of incorporation, bylaws, partnership agreements and/or other business agreements and documents;
 - (2) The financial interest and/or participation in any other business by any owner or key personnel;
 - (3) Past and current employment history of minority and women owners involved in the business;
 - (4) Members of the board of directors and corporate officers;
 - (5) Experience, training, and expertise of any owners;
 - (6) Recent changes in ownership and/or control of the business;
 - (7) Financial obligation to and capital contributions from nonowners of the business; and
 - (8) Documentation indicating who has ultimate authority to make policy and management decisions and to legally obligate the business.
- (9) Control of a corporate-sponsored dealership will be evaluated using the standards set out in WAC 326-02-030(28).

WSR 87-18-031
ADOPTED RULES
DEPARTMENT OF LICENSING
(Also Board of Registration
for Professional Engineers
and Land Surveyors)
 [Order PM 667—Filed August 27, 1987]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 196-26-020, 308-31-055, 308-34-090, 308-40-125, 308-

50-440, 308-51-210, 308-54-315, 308-55-025, 308-115-405, 308-180-260; repealing WAC 196-26-010, 308-50-375, 308-51-200 and 308-180-100.

This action is taken pursuant to Notice No. WSR 87-13-057 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.24.086 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED August 24, 1987.

By Theresa Anna Aragon
 Director

NEW SECTION

WAC 196-26-020 ENGINEER FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Engineers:	
Application fee	\$ 60.00
Examination retake (2nd subsequent or more)	50.00
Reciprocity	50.00
Engineer certificate (initial registration)	15.00
Replacement certificate	15.00
Renewal	40.00
Late renewal penalty	40.00
Duplicate license	15.00
Certification	25.00
Engineer in training:	
Application, examination and certificate	30.00
Examination retake (2nd subsequent or more)	50.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00
Land surveyor:	
Examination and certificate	60.00
Examination retake (2nd subsequent or more)	50.00
Reciprocity	50.00
Renewal	40.00
Late renewal penalty	40.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00
Engineer corporation:	
Certificate of authorization	250.00
Renewal	125.00
Duplicate license	15.00
Replacement certificate	15.00
Certification	25.00
Engineer partnership:	
Certification of authorization	250.00
Renewal	125.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-26-010 FEES.

AMENDATORY SECTION (Amending Order PL 446, filed 11/2/83)

WAC 308-31-055 PODIATRY FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$200.00
Reciprocity application	200.00
License renewal	100.00
Reexamination	200.00
Late renewal penalty	10.00
Duplicate license	5.00
Application (examination and reexamination)	\$500.00
Reciprocity application	400.00
License renewal	650.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification	25.00

NEW SECTION

WAC 308-34-090 NATUROPATHIC PHYSICIAN FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application/examination/reexamination	\$275.00
License renewal	250.00
Late renewal penalty	175.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-40-125 DENTIST FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$120.00
Reexam	120.00
Renewal	40.00
Late renewal penalty	40.00
Reciprocity application	120.00
Duplicate license	5.00
Certification	25.00
Application (examination and reexamination)	\$400.00
Partial retake	120.00
Renewal	165.00
Late renewal penalty	200.00
Reciprocity application	400.00
Duplicate license	15.00
Certification	25.00
Investigation fee	25.00

NEW SECTION

WAC 308-50-440 HEARING AID FITTER/DISPENSER FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Trainee:	
Initial application	\$300.00
Trainee transfer of sponsor—Within fifteen days	75.00
Trainee transfer of sponsor—Over fifteen days	100.00
Extension of trainee license	200.00
Fitter/dispenser:	
Examination or reexamination (full)	500.00
Partial reexamination	175.00
Initial license	250.00
Renewal	200.00
Late renewal penalty	150.00
Duplicate license	15.00
Certification	25.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-50-375 FEES.

NEW SECTION

WAC 308-51-210 MASSAGE FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Massage practitioner:	
Written examination and reexamination	\$ 60.00
Practical examination and reexamination	80.00
Initial license	80.00
Renewal	70.00
Late renewal penalty	75.00
Certification	25.00
Duplicate license	15.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-51-200 FEES.

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-54-315 NURSING HOME ADMINISTRATOR FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$125.00
Reexam (partial)	75.00
Application—Reciprocity	125.00
Original license	50.00
Temporary permit	125.00
Renewal	75.00
Late renewal penalty	75.00
Duplicate license	5.00
A.I.T. registration	25.00
Application (examination and original license)	\$250.00
Reexamination (partial)	200.00
Application—Reciprocity	150.00
Temporary permit	150.00

Title of Fee	Fee
Renewal	160.00
Late renewal penalty	160.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-55-025 **OCULARIST FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$250.00
Renewal	300.00
Late renewal penalty	300.00
Duplicate license	5.00
Apprentice registration	200.00
Transfer of sponsor	50.00))
Application and examination	\$ 500.00
Renewal	500.00
Late renewal penalty	500.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-115-405 **MIDWIFERY FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Initial application	\$125.00
Examination or reexam	150.00
Renewal	75.00
Late renewal penalty	75.00
Duplicate license	5.00
Verification	10.00))
Initial application	\$225.00
Examination	250.00
Reexamination (second subsequent or more)	250.00
Renewal	175.00
Late renewal penalty	175.00
Duplicate license	15.00
Certification	25.00

NEW SECTION

WAC 308-180-260 **ACUPUNCTURE FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application/examination	\$500.00
Retake examination—Written	200.00
Retake examination—Practical	300.00
Annual license renewal	960.00
Late renewal penalty	200.00
Duplicate license	15.00
Certification	25.00
Acupuncture training program application	300.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-180-100 **ACUPUNCTURE FEES.**

WSR 87-18-032

**ADOPTED RULES
DEPARTMENT OF LICENSING**
[Order PM 668—Filed August 27, 1987]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 308-128B-080.

This action is taken pursuant to Notice No. WSR 87-13-056 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.24.086 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 24, 1987.

By Theresa Anna Aragon
Director

NEW SECTION

WAC 308-128B-080 **ESCROW OFFICER AND AGENT FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of fee	Fee
Escrow officer:	
First examination	\$100.00
Re-examination	100.00
License	150.00
License renewal	175.00
Transfer of license	15.00
Duplicate license	15.00
Escrow agent:	
Application	275.00
Renewal	275.00
Late renewal penalty	250.00
Transfer of license	15.00
Duplicate license	15.00
Escrow agent branch office:	
Application	275.00
Renewal	275.00
Late renewal penalty	250.00
Transfer of license	15.00
Duplicate license	15.00

WSR 87-18-033

**ADOPTED RULES
DEPARTMENT OF LICENSING**
[Order PM 669—Filed August 27, 1987]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 308-190-010.

This action is taken pursuant to Notice No. WSR 87-13-053 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.24.086 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 24, 1987.

By Theresa Anna Aragon
Director

NEW SECTION

WAC 308-190-010 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title	Fee
Certified mental health counselor:	
Application and certification	\$60.00
Application assessment	3.00
Re-take examination	35.00
Renewal	60.00
Renewal assessment	3.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification/verification	25.00
Certified social worker:	
Application and certification	60.00
Application assessment	3.00
Re-take examination	35.00
Renewal	60.00
Renewal assessment	3.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification/verification	25.00
Certified marriage/family therapist:	
Application and certification	60.00
Application assessment	3.00
Re-take examination	35.00
Renewal	60.00
Renewal assessment	3.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification/verification	25.00
Registered counselor:	
Application and registration	30.00
Application assessment	1.50
Renewal	30.00
Renewal assessment	1.50
Duplicate license	15.00
Certification/verification	25.00
Registered counselor-hypnotherapist:	
Application and registration	30.00
Application assessment	1.50
Renewal	30.00
Renewal assessment	1.50
Duplicate license	15.00
Certification/verification	25.00

WSR 87-18-034

**NOTICE OF PUBLIC MEETINGS
BOARD FOR VOLUNTEER FIREMEN**

[Memorandum—August 25, 1987]

The Board for Volunteer Firemen's scheduled October 2, 1987, meeting has been changed to October 14, 1987, at 9:00 a.m. in the Olympia Forum Building, Olympia, Washington.

WSR 87-18-035

**ADOPTED RULES
DEPARTMENT OF NATURAL RESOURCES**

[Order 516—Filed August 27, 1987]

I, Brian Boyle, Commissioner of Public Lands, do promulgate and adopt at Room 201, John Cherberg Building, Olympia, Washington 98504, the annexed rules relating to public use of managed lands and road, chapter 332-52 WAC. Eight sections are amended. Modifications cover the permit system for recreational use of the portion of the Milwaukee Road Corridor under the jurisdiction of the Department of Natural Resources.

This action is taken pursuant to Notice No. WSR 87-14-039 filed with the code reviser on June 30, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 79.08.277 and 79.08.279 which directs that the Department of Natural Resources has authority to implement the provisions of Milwaukee Road Corridor—Recreational use—Permit—Rules—Fees and powers with respect to Milwaukee Road.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Brian J. Boyle
Commissioner of Public Lands

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-010 DEFINITIONS. The following definitions shall apply ~~((to all of the listed regulations [] []))~~ throughout this chapter:

- (1) ~~((The term))~~ "Developed recreation sites" means all improved observation, swimming, boating, camping and picnic sites.
- (2) ~~((The term))~~ "Camping equipment" includes tent or vehicle used to accommodate the camper, the vehicles used for transport, and the associated camping paraphernalia.
- (3) ~~((The term))~~ "Department" ~~((shall))~~ means the department of natural resources.
- (4) ~~((The term))~~ "Vehicle" ~~((shall))~~ means any motorized device capable of being moved upon a road and

in, upon, or by which any persons or property is or may be transported or drawn upon a road. It shall include, but not be limited to automobiles, trucks, motorcycles, motor bikes, motor-scooters and snowmobiles, whether or not they can legally be operated on the public highways.

(5) ~~((The term))~~ "Organized event" ~~((shall))~~ means any event involving more than fifty participants which is advertised in advance, sponsored by any recognized club(s), and conducted at a predetermined time and place.

(6) ~~((The term))~~ "Corridor" ~~((shall))~~ means that portion of the Milwaukee ~~((Railroad right of way))~~ Road Corridor under the jurisdiction of the department ~~((of natural resources))~~.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-020 APPLICABILITY AND SCOPE. The following public use rules are aimed at protecting recreational, economic and industrial activities on land and roads under the jurisdiction of the department ~~((of natural resources of the state of Washington))~~. These rules are designed to allow Washington's trust lands to fulfill their historic roles of revenue production. The rules cover public use activities on developed recreation sites and all other lands under the jurisdiction of the department ~~((of natural resources))~~. They cover the public use of roads and trails under the jurisdiction of the department ~~((of natural resources))~~ and the recreational use of fire. These public use rules are not applicable to persons, or their assignees or representatives, engaged in industrial harvest, commercial leases or agriculture or grazing activities carried on under sale, lease or permit from the department on lands under its jurisdiction if such application is incompatible with state contracts or agreements. Nor shall these rules, except the provisions of WAC 332-52-060, apply on lands under ~~((the))~~ the department's jurisdiction that are withdrawn or leased by a public agency having rules governing public use on the lands withdrawn or leased, provided that these rules may apply upon request of the applicable public agency. Public notices of these rules shall be posted by the department ~~((of natural resources))~~ in such locations as will reasonably bring them to the attention of the public. The department will also set forth conditions with respect to any areas on which special restrictions are imposed and post in same manner. A copy of the rules shall be made available to the public in the office of the commissioner of public lands, Olympia, and in ~~((area))~~ region offices.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-060 USE OF FIRE. Chapter 76.04 RCW and all rules and regulations duly promulgated thereunder apply to recreational fires on lands under the jurisdiction of the department ~~((of natural resources))~~ other than developed recreation sites. The written permission required under WAC ~~((332-24-080))~~ 332-24-

201 may be waived for good cause shown for recreational fires by the ~~((area))~~ regional manager in designated areas within his jurisdiction.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-065 MILWAUKEE ((RAILROAD RIGHT OF WAY)) ROAD CORRIDOR—RECREATIONAL USE. Motorized vehicles including snowmobiles are prohibited on the corridor at all times, except for motorized use for authorized administrative purposes or motorized use approved by the department for reasons of health and safety. ~~((Through December 31, 1986))~~ The corridor will be open for non-motorized use, by permit only, from ~~((April 15 through May 31 and during the month of))~~ October 1 through June 15, east of the Columbia River and September 1 through July 1, west of the Columbia River. The remainder of the year the corridor will be closed to all recreational use. The department may close portions of the corridor, at any time of the year, to reduce fire danger or protect public safety ~~((in))~~ after consultation with local legislative authorities ~~((or))~~ and fire districts. After December 31, ~~((1986))~~ 1990 the department may, if determined necessary to better carry out the purposes of chapter 174, Laws of 1984, adjust the designated periods of the year during which permits will be issued, after first giving public notice and holding at least one public hearing each in eastern and western Washington.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-066 MILWAUKEE ((RAILROAD RIGHT OF WAY)) ROAD CORRIDOR—PERMITS.

(1) Any individual, group or organization wishing to use the corridor shall make written application at least ~~((thirty))~~ fifteen days in advance of such intended use to the department's southeast ~~((area))~~ region office in Ellensburg on a form designated by the department for this purpose. The department, on request of an applicant, may for good cause shown provide for a shorter period of advance notice ~~((for good cause))~~.

(2) Upon request of abutting landowners, the department shall notify the landowners of permits issued for use of the corridor adjacent to their property.

(3) For portions of the corridor where no abutting landowner has requested notification of permits issued and no gates have been constructed by lessees of the corridor, the department may issue permits ~~((without advance application to parties of five or fewer individuals;))~~ for day use only ~~((;))~~ without advance application where use is confined to such portion of the corridor. In this case, one permit may be issued which covers such use on any number of days within the use period specified in WAC 332-52-065.

(4) All requests for use of the corridor shall include the following information except for use as specified in subsection (3) of this section:

(a) The name and address of the applicant.

(b) The name, title, address, and telephone number of the group leader.

(c) A brief description of the planned use of the corridor.

(d) The size of the group.

(e) The period of use, including the starting and ending dates.

(f) The locations of the starting point and destination of the proposed trip.

(g) The portions of the corridor planned to be covered each day of the proposed trip.

(h) The mode of travel to be used while on the corridor.

(i) Whether there is to be overnight use of the corridor and if so the location of the overnight use.

(5) The department's southeast ~~((area))~~ region office shall make a determination regarding the application within ~~((ten-calendar))~~ five working days of receiving the application, and shall notify the applicant in writing of its determination to approve or disapprove the application. All permits shall include appropriate conditions on use including appropriate indemnity and waiver of liability clauses. The department's determination and the conditions included in the permit will be based on providing for the orderly and safe use of the corridor, the protection of adjoining landowners, the nature of the proposed use, environmental conditions, other known uses, and other requests for use.

(6) The permit will be valid for not more than one trip in each direction over the route identified on the application, except as specified in subsection (3) of this section.

(7) A permit fee will be charged, the amount of the fee to be determined by the department and to be based on the cost of processing the permit application plus the cost of notifying adjacent landowners under subsection (2) of this section. The permit fee shall be no greater than one hundred dollars and not less than ten dollars. The permit fee for one person using the corridor for fewer than two nights shall be ten dollars. No fee will be charged for use permitted under subsection (3) of this section or abutting lands owned by the bureau of land management.

(8) While traveling the corridor, the permit must be in the possession of the permit holder at all times. For groups, the permit holder is the person designated on the application as the group leader, or the group leader's designee. The permit holder is required to show the permit, if requested by an authorized department representative.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-067 MILWAUKEE ~~((RAILROAD RIGHT-OF-WAY))~~ ROAD CORRIDOR—RESTRICTIONS ON USE. The following acts are prohibited on the corridor:

(1) Sanitation

(a) Disposal of all garbage or refuse of any kind whatsoever.

(b) Depositing any human waste in a manner which could cause pollution of any surface or ground water or

threat to human health. No human waste shall be deposited within one-quarter mile of any building, water source, lake, pond, or stream whether running or dry. In all other cases human waste shall be buried. Permit conditions for groups may include a requirement to remove human waste from the corridor.

(2) Public behavior

(a) Destroying, injuring, defacing, removing, or disturbing in any manner any public or private building, sign, equipment, marker or other structure or property.

(b) Erecting unauthorized shelters, entering any structure without permission, or camping in locations not designated on the permit.

(c) Destroying, defacing, or removing any natural feature or vegetation or the surface of the corridor.

(d) Hunting or discharging of firearms, or having in possession shotguns or rifles. Other firearms will be unloaded and stored. No person shall discharge on any portion of the corridor a firearm, bow and arrow, or air or gas device or any device capable of injuring or killing any animal or person or damaging or destroying any public or private property. However, the department may allow hunting on portions of the corridor leased by or covered by an agreement with another public agency which owns or controls adjoining property.

(e) Exploding or igniting firecrackers, rockets or fireworks of any kind.

(f) Operating or using any audible devices, including public address system, radio, television, and musical instrument and other noise producing devices, such as electrical generating plants and equipment driven by motors or engines, in such a manner and at such times so as to unreasonably disturb other persons.

~~(g) ((Operating or using portable public address system, whether fixed or portable.~~

~~(h))~~ Building of open fires, without a written burning permit from the department.

~~((i))~~ (h) Having animals on the corridor which are not under physical restrictive control at all times.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-068 MILWAUKEE ~~((RAILROAD RIGHT-OF-WAY))~~ ROAD CORRIDOR—PROTECTION OF ADJOINING PROPERTY. The following acts are prohibited:

(1) Entering onto adjoining property from the corridor by any person or animal without permission of landowner.

(2) Destroying, injuring, defacing, removing, or disturbing in any manner any public or private building, sign, equipment, marker, or other structure or property on adjoining property.

(3) Discharging of firearms. No person shall discharge at or onto any adjoining property a firearm, bow and arrow, or air or gas device or any device capable of injuring or killing any animal or person or damaging or destroying any public or private property.

(4) Leaving gates in a condition other than the condition in which they are found.

AMENDATORY SECTION (Amending Order 435, filed 10/11/84)

WAC 332-52-069 MILWAUKEE ((~~RAILROAD RIGHT-OF-WAY~~)) ROAD CORRIDOR-PENALTIES. Any violations of WAC 332-52-065 through 332-52-068, chapter 174, Laws of 1984 or the terms or conditions of the permit shall subject the permittee to the revocation of the permit and the penalties under WAC 332-52-070.

WSR 87-18-036
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed August 27, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning citizenship and alien status, amending WAC 388-54-680;

that the agency will at 10:00 a.m., Friday, October 9, 1987, in the OB-2 Auditorium, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 13, 1987.

The authority under which these rules are proposed is RCW 74.04.510.

The specific statute these rules are intended to implement is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 9, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
 Administrative Services
 Department of Social and Health Services
 Mailstop OB 39
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 25, 1987. The meeting site is in a location which is barrier free.

Dated: August 27, 1987

By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025. Amending WAC 388-54-680.

Purpose of the Rule or Rule Change: To implement the food stamp program provisions of the Immigration and Control Act of 1986 (IRCA).

Reason this Rule is Necessary: IRCA defined several new classifications of aliens which may qualify for food stamps. Also revised was a date of entry for certain other aliens.

Statutory Authority: RCW 74.04.510.

Summary of the Rule or Rule Change: Allows certain alien groups who achieve temporary residency status, to receive food stamps according to varying beginning eligibility dates: From June 1, 1987, through September 30, 1993.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Dan Ohlson, Community Services Program Manager, Division of Income Assistance, mailstop OB-31J, phone 234-1354 scan.

These rules are necessary as a result of federal law, 7 CFR Parts 272 and 273.

AMENDATORY SECTION (Amending Order 1959, filed 5/4/83)

WAC 388-54-680 CITIZENSHIP AND ALIEN STATUS. (1) To participate in the food stamp program, an applicant shall be any person who is a resident of the United States and either:

(a) A United States citizen; or
 (b) An alien lawfully admitted for permanent residence as an immigrant pursuant to sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act.

(c) An alien who entered the United States prior to (~~June 30, 1948~~) January 1, 1972, or some later date as required by law, and has continuously maintained residency in the United States since then, and is not ineligible for citizenship but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the attorney general pursuant to section 249 of the Immigration and Nationality Act.

(d) An alien who qualified for entry after March 17, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion pursuant to sections 203(a)(7), 207, and 208 of the Immigration and Nationality Act.

(e) An alien who qualifies for conditional entry prior to March 18, 1980, pursuant to former section 203(a)(7) of the Immigration and Nationality Act.

(f) An alien granted asylum through an exercise of discretion by the attorney general pursuant to section 208 of the Immigration and Nationality Act.

(g) An alien lawfully present in the United States as a result of an exercise of discretion by the attorney general for emergent reasons or reasons deemed strictly in the public interest pursuant to section 212(d)(5) of the Immigration and Nationality Act or as a result of a grant of parole by the attorney general.

(h) An alien living within the United States for whom the attorney general has withheld deportation pursuant to section 243 of the Immigration and Nationality Act because of the judgment of the attorney general that the alien would otherwise be subject to persecution on account of race, religion, or political opinion.

(i) An alien who is a special agricultural worker and lawfully admitted for temporary residence on or after June 1, 1987, according to section 210(a) of the Immigration and Nationality Act.

(j) An alien defined as aged, blind, or disabled according to the Social Security Act and is considered lawfully admitted for permanent residence on or after November 7, 1988, under section 245(b)(i) of the Immigration and Nationality Act.

(k) An alien, on or after May 5, 1992:

(i) Granted temporary resident status under section 245(A) of the Immigration and Nationality Act at least five years before the food stamp application, and

(ii) Who subsequently gained permanent resident status.

(l) An alien granted temporary resident status as additional special agricultural worker between October 1, 1989 and September 30, 1993, under section 210(A)(a) of the Immigration and Nationality Act.

(2) The CSO shall determine if household members identified as alien are eligible aliens by requiring the appropriate verification for each alien member. Aliens unable to furnish this identification are ineligible.

(3) Ineligible aliens. Aliens other than those described in this section shall not be eligible to participate in the program as a member of any

household. Among those excluded are alien visitors, tourists, diplomats, and students who enter the United States temporarily with no intention of abandoning their residence in a foreign country. The following applies:

(a) The income and resources of an ineligible alien who would be considered a member of a household if he or she did not have ineligible alien status shall be considered in determining eligibility or level of benefits of the household in the same manner as the income and resources of a disqualified member as found in WAC 388-54-830.

(b) If verification of the eligible alien status is not provided on a timely basis, the eligibility of the remaining household members shall be determined. The income and resources of the individual whose alien status is unverified shall be treated in the same manner as a disqualified member as set forth in WAC 388-54-830 and considered available in determining the eligibility of the remaining household members. If verification of eligible alien status is subsequently received, the department shall act on the information as a reported change in household membership.

(c) When a household indicates inability or unwillingness to provide documentation of alien status for any household member, the department shall classify that member ((should be classified)) as an ineligible alien.

(4) Reporting illegal aliens. The department shall inform the local INS office whenever a member of a household is ineligible to receive food stamps because the member is present in the United States in violation of a known deportation order of the Immigration and Nationality Act.

(5) Sponsored aliens. See WAC 388-54-660(5) for instructions in determining eligibility and benefit level of a sponsored alien and their spouse.

WSR 87-18-037
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)
[Filed August 27, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning human immunodeficiencies virus infection (HIV) treatment, new chapter 248-168 WAC;

that the agency will at 10:00 a.m., Friday, October 9, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 13, 1987.

The authority under which these rules are proposed is RCW 43.20A.550.

The specific statute these rules are intended to implement is RCW 43.20A.550.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 9, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
Administrative Services
Department of Social and Health Services
Mailstop OB 39
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 25, 1987. The meeting site is in a location which is barrier free.

Dated: August 27, 1987

By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: New chapter 248-168 WAC.

Purpose: To define the mechanism by which medication will be made available to low income individuals suffering from human immunodeficiency virus (HIV) infection.

Reason These Rules are Necessary: To implement a federal grant to provide treatment for acquired immunodeficiency syndrome (AIDS) victims in the state of Washington.

Statutory Authority: Chapter 43.20A RCW.

Summary: Chapter 248-168 WAC describes Department of Social and Health Services administration of funds providing qualified AIDS victims a drug which will prolong life.

Persons Responsible for Drafting, Implementation and Enforcement of the Rule: John A. Beare, MD, MPH, Office Chief, Disease Prevention and Control, mailstop LP-17, phone 753-7521.

Rule proposed by DSHS.

These rules are not necessary as a result of a federal law, federal court decision or state court decision.

Chapter 248-168 WAC
HUMAN IMMUNODEFICIENCY VIRUS INFECTION TREATMENT

NEW SECTION

WAC 248-168-010 PURPOSE. The department of social and health services (DSHS) shall administer federal funds awarded to assist a person in need of Zidovudine, or other drugs available in the future. These drugs are used for the treatment of various stages of infection with the human immunodeficiency virus (HIV).

NEW SECTION

WAC 248-168-020 SERVICES. To the extent federal funds are available, DSHS shall reimburse a participating pharmacy for costs of dispensing Zidovudine to an eligible individual suffering from infection with HIV.

NEW SECTION

WAC 248-168-030 REIMBURSEMENTS. Reimbursement shall be made upon receipt of documented evidence the individual receiving the Zidovudine has met medical and financial eligibility requirements as established by the department.

NEW SECTION

WAC 248-168-040 ELIGIBILITY. (1) The department shall:

(a) Establish medical eligibility criteria as determined by nationally recognized expert medical authorities allowing for the selection of a patient in greatest need or who would benefit the most; and

(b) Generally consider a patient eligible if he or she has resources at or below the exemptions listed below in subsection (3) of this section

and is ineligible for all other resources providing similar benefits to meet the costs of this treatment.

(2) Resources. The department shall consider the following in determining resources:

(a) Income in excess of a level necessary to maintain a moderate standard of living, as defined by the department, using accepted national standards;

(b) Savings, property, and other assets;

(c) Government and private medical insurance programs, including Medicaid, providing partial or full coverage for drugs needed in the treatment of infection with HIV; and

(d) Local funds raised for the purpose of providing financial support for a specified patient.

(3) Exemptions are as follows:

(a) A home, defined as real property owned by a patient as a principal place of residence, together with the property surrounding and contiguous thereto not to exceed five acres; and

(b) Commercial property, or property used for the purpose of producing income, shall be considered excess property and subject to the limitations of subsection (3)(b)(iii) of this section:

(i) Household furnishings;

(ii) An automobile; and

(iii) Savings, property, or other assets, the value not to exceed the sum of ten thousand dollars.

NEW SECTION

WAC 248-168-050 TRANSFER OF RESOURCES WITHOUT ADEQUATE CONSIDERATION. An individual shall be ineligible for the program if the person knowingly and willfully assigns or transfers nonexempt resources at less than fair market value for the purpose of qualifying or continuing to qualify for the program within two years preceding the date of application. Two years must expire between the date of transfer and reapplication.

NEW SECTION

WAC 248-168-060 FISCAL INFORMATION. An individual shall provide fiscal information upon request of the department. Such information shall include:

(1) Sources and amounts of resources to verify financial eligibility,

(2) Evidence all other available resources have been used before requests for reimbursement from the state program are submitted to the department, and

(3) Such other information as may be required by the department.

WSR 87-18-038
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2528—Filed August 27, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to citizenship and alien status, amending WAC 388-54-680.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this amendment is a federal requirement which defines alien groups (pertaining to the Immigration Reform and Control Act) eligible for food stamps and the effective dates eligibility begins.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 1959, filed 5/4/83)

WAC 388-54-680 CITIZENSHIP AND ALIEN STATUS. (1) To participate in the food stamp program, an applicant shall be any person who is a resident of the United States and either:

(a) A United States citizen; or

(b) An alien lawfully admitted for permanent residence as an immigrant pursuant to sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act.

(c) An alien who entered the United States prior to (~~June 30, 1948~~) January 1, 1972, or some later date as required by law, and has continuously maintained residency in the United States since then, and is not ineligible for citizenship but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the attorney general pursuant to section 249 of the Immigration and Nationality Act.

(d) An alien who qualified for entry after March 17, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion pursuant to sections 203(a)(7), 207, and 208 of the Immigration and Nationality Act.

(e) An alien who qualifies for conditional entry prior to March 18, 1980, pursuant to former section 203(a)(7) of the Immigration and Nationality Act.

(f) An alien granted asylum through an exercise of discretion by the attorney general pursuant to section 208 of the Immigration and Nationality Act.

(g) An alien lawfully present in the United States as a result of an exercise of discretion by the attorney general for emergent reasons or reasons deemed strictly in the public interest pursuant to section 212(d)(5) of the Immigration and Nationality Act or as a result of a grant of parole by the attorney general.

(h) An alien living within the United States for whom the attorney general has withheld deportation pursuant to section 243 of the Immigration and Nationality Act because of the judgment of the attorney general that the alien would otherwise be subject to persecution on account of race, religion, or political opinion.

(i) An alien who is a special agricultural worker and lawfully admitted for temporary residence on or after June 1, 1987, according to section 210(a) of the Immigration and Nationality Act.

(j) An alien defined as aged, blind, or disabled according to the Social Security Act and is considered lawfully admitted for permanent residence on or after November 7, 1988, under section 245(b)(i) of the Immigration and Nationality Act.

(k) An alien, on or after May 5, 1992:

(i) Granted temporary resident status under section 245(A) of the Immigration and Nationality Act at least five years before the food stamp application, and

(ii) Who subsequently gained permanent resident status.

(l) An alien granted temporary resident status as additional special agricultural worker between October 1, 1989 and September 30, 1993, under section 210(A)(a) of the Immigration and Nationality Act.

(2) The CSO shall determine if household members identified as alien are eligible aliens by requiring the appropriate verification for each alien member. Aliens unable to furnish this identification are ineligible.

(3) Ineligible aliens. Aliens other than those described in this section shall not be eligible to participate in the program as a member of any household. Among those excluded are alien visitors, tourists, diplomats, and students who enter the United States temporarily with no intention of abandoning their residence in a foreign country. The following applies:

(a) The income and resources of an ineligible alien who would be considered a member of a household if he or she did not have ineligible alien status shall be considered in determining eligibility or level of benefits of the household in the same manner as the income and resources of a disqualified member as found in WAC 388-54-830.

(b) If verification of the eligible alien status is not provided on a timely basis, the eligibility of the remaining household members shall be determined. The income and resources of the individual whose alien status is unverified shall be treated in the same manner as a disqualified member as set forth in WAC 388-54-830 and considered available in determining the eligibility of the remaining household members. If verification of eligible alien status is subsequently received, the department shall act on the information as a reported change in household membership.

(c) When a household indicates inability or unwillingness to provide documentation of alien status for any household member, the department shall classify that member ((should be classified)) as an ineligible alien.

(4) Reporting illegal aliens. The department shall inform the local INS office whenever a member of a household is ineligible to receive food stamps because the member is present in the United States in violation of a known deportation order of the Immigration and Nationality Act.

(5) Sponsored aliens. See WAC 388-54-660(5) for instructions in determining eligibility and benefit level of a sponsored alien and their spouse.

WSR 87-18-039
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 2529—Filed August 27, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to human immunodeficiency virus infection (HIV) treatment, new chapter 248-168 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule is necessary to implement a federal grant to provide the medication azidothymidine (AZT) to low income individuals suffering from human immunodeficiency virus (HIV) infection.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 43.20A-.550 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Leslie F. James, Director
 Administrative Services

Chapter 248-168 WAC
HUMAN IMMUNODEFICIENCY VIRUS INFECTION TREATMENT

NEW SECTION

WAC 248-168-010 PURPOSE. *The department of social and health services (DSHS) shall administer federal funds awarded to assist a person in need of Zidovudine, or other drugs available in the future. These drugs are used for the treatment of various stages of infection with the human immunodeficiency virus (HIV).*

NEW SECTION

WAC 248-168-020 SERVICES. *To the extent federal funds are available, DSHS shall reimburse a participating pharmacy for costs of dispensing Zidovudine to an eligible individual suffering from infection with HIV.*

NEW SECTION

WAC 248-168-030 REIMBURSEMENTS. *Reimbursement shall be made upon receipt of documented evidence the individual receiving the Zidovudine has met medical and financial eligibility requirements as established by the department.*

NEW SECTION

WAC 248-168-040 ELIGIBILITY. (1) The department shall:

(a) Establish medical eligibility criteria as determined by nationally recognized expert medical authorities allowing for the selection of a patient in greatest need or who would benefit the most; and

(b) Generally consider a patient eligible if he or she has resources at or below the exemptions listed below in subsection (3) of this section and is ineligible for all other resources providing similar benefits to meet the costs of this treatment.

(2) Resources. The department shall consider the following in determining resources:

(a) Income in excess of a level necessary to maintain a moderate standard of living, as defined by the department, using accepted national standards;

(b) Savings, property, and other assets;

(c) Government and private medical insurance programs, including Medicaid, providing partial or full coverage for drugs needed in the treatment of infection with HIV; and

(d) Local funds raised for the purpose of providing financial support for a specified patient.

(3) Exemptions are as follows:

(a) A home, defined as real property owned by a patient as a principal place of residence, together with the property surrounding and contiguous thereto not to exceed five acres; and

(b) Commercial property, or property used for the purpose of producing income, shall be considered excess property and subject to the limitations of subsection (3)(b)(iii) of this section:

(i) Household furnishings;

(ii) An automobile; and

(iii) Savings, property, or other assets, the value not to exceed the sum of ten thousand dollars.

NEW SECTION

WAC 248-168-050 TRANSFER OF RESOURCES WITHOUT ADEQUATE CONSIDERATION. An individual shall be ineligible for the program if the person knowingly and willfully assigns or transfers nonexempt resources at less than fair market value for the purpose of qualifying or continuing to qualify for the program within two years preceding the date of application. Two years must expire between the date of transfer and reapplication.

NEW SECTION

WAC 248-168-060 FISCAL INFORMATION. An individual shall provide fiscal information upon request of the department. Such information shall include:

(1) Sources and amounts of resources to verify financial eligibility;

(2) Evidence all other available resources have been used before requests for reimbursement from the state program are submitted to the department; and

(3) Such other information as may be required by the department.

WSR 87-18-040**ADOPTED RULES****DEPARTMENT OF LICENSING****(Physical Therapy Board)**

[Order PM 675—Filed August 28, 1987]

Be it resolved by the Board of Physical Therapy, acting at Seattle, Washington, that it does adopt the annexed rules relating to mandatory reporting of possible grounds for disciplinary action against physical therapists.

This action is taken pursuant to Notice No. WSR 87-14-086 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.130.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 19, 1987.

By Patricia Van Wagner, LPT
Chairman

NEW SECTION

WAC 308-42-210 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in these regulations shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Board" means the physical therapy board, whose address is:

Department of Licensing
Division of Professional Programs Management
P.O. Box 9649
Olympia, WA 98504

(5) "Physical therapist" means a person licensed pursuant to chapter 18.74 RCW.

(6) "Mentally or physically disabled physical therapist" means a physical therapist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice physical therapy with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-42-220 MANDATORY REPORTING.

(1) All reports required by these regulations shall be submitted to the board as soon as possible, but no later than sixty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address and telephone number of the person making the report.

(b) The name and address and telephone numbers of the physical therapist being reported.

(c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid the evaluation of the report.

NEW SECTION

WAC 308-42-230 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the board when any physical therapist's services are terminated or are restricted based on a determination that the physical therapist has either committed an act or acts which may constitute unprofessional conduct or that the physical therapist may be mentally or physically disabled.

NEW SECTION

WAC 308-42-240 PHYSICAL THERAPY ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any physical therapy association or society within this state shall report to the board when an association or society determines that a physical therapist has committed unprofessional conduct or that a physical therapist may not be able to practice physical therapy with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety or welfare. The report required by this subsection shall be made without regard to whether the license holder appeals, accepts or acts upon the determination made by the association or society. Notification of appeal shall be included.

NEW SECTION

WAC 308-42-250 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A and 48.44 RCW operating in the state of Washington, shall report to the board all final determinations that a physical therapist has engaged in overcharging for services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-42-260 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to physical therapists shall send a complete report of any malpractice settlement, award or payment as a result of

a claim or action for damages alleged to have been caused by an insured physical therapist's incompetency or negligence in the practice of physical therapy.

NEW SECTION

WAC 308-42-270 COURTS. The board requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed physical therapists, other than minor traffic violations.

NEW SECTION

WAC 308-42-280 STATE AND FEDERAL AGENCIES. The board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a physical therapist is employed to provide patient care services, to report to the board whenever such a physical therapist has been judged to have demonstrated his/her incompetency or negligence in the practice of physical therapy, or has otherwise committed unprofessional conduct; or is a mentally or physically disabled physical therapist.

WSR 87-18-041

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

[Order 517—Filed August 28, 1987]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the suspension of outdoor rule burns and the use of burning barrels on lands protected by the Department of Natural Resources in some counties of the state.

I, Brian J. Boyle, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is current and predicted weather conditions require extending and expanding the restrictions placed on outdoor burning in the state. These restrictions are necessary to prevent a wildfire from occurring whereby life and property would be threatened.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 28, 1987.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-101d OUTDOOR BURNING RESTRICTIONS. Effective immediately, Friday, August 28, 1987, through midnight, Monday, September 14, 1987, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and described in WAC 332-24-211, on lands protected by the department in King, Pierce, Kitsap, Mason, Snohomish, Whatcom, Skagit, Island, San Juan, Thurston, Pacific, Lewis, Clark, Cowlitz, Skamania, Wahkiakum, Chelan, Kitittas, Yakima, Klickitat, Garfield, Asotin, Columbia, Walla Walla, Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln and Grays Harbor counties are suspended.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 332-26-102d BURNING BARREL RESTRICTIONS. Effective immediately, Friday, August 28, 1987, through midnight, Monday, September 14, 1987, privileges to burn in a burning barrel, as allowed by WAC 332-24-201 and described in WAC 332-24-225, on lands protected by the department in King, Pierce, Kitsap, Mason, Snohomish, Whatcom, Skagit, Island, San Juan, Thurston, Pacific, Lewis, Clark, Cowlitz, Skamania, Wahkiakum, Chelan, Kitittas, Yakima, Klickitat, Garfield, Asotin, Columbia, Walla Walla, Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln and Grays Harbor counties are suspended.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 1) WAC 332-26-031 Outdoor Rule Burn Suspension in parts of Eastern Washington.
- 2) WAC 332-26-101c Outdoor Burning Restrictions.
- 3) WAC 332-26-102c Burning Barrel Restrictions.

WSR 87-18-042**PROPOSED RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed August 28, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning School personnel—Excellence in education awards, chapter 392-202 WAC;

that the agency will at 9:00 a.m., Monday, October 12, 1987, in the Bruno Conference Room, Old Capitol Building, SPI, Olympia, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28A.03.532.

Dated: August 28, 1987

By: Frank B. Brouillet

Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-202 WAC.

Rule Section(s): WAC 392-202-003, 392-202-005, 392-202-010, 392-202-015, 392-202-020, 392-202-025, 392-202-030, 392-202-035, 392-202-040, 392-202-045, 392-202-050, 392-202-055, 392-202-060, 392-202-065, 392-202-070, 392-202-075, 392-202-080, 392-202-085, 392-202-090, 392-202-095, 392-202-100, 392-202-105, 392-202-110, 392-202-115, 392-202-120, 392-202-125, 392-202-130, 392-202-135 and 392-202-140.

Statutory Authority: RCW 28A.03.532.

Purpose of the Rule(s): Implement award for excellence in education program.

Summary of the New Rule(s) and/or Amendments: The rules identify possible recipients of awards for excellence in education; establish nomination application, and selection procedures; provide selection criteria; and indicate what the awards shall be and how they shall be used.

Reasons Which Support the Proposed Action(s): The legislature authorized the award for excellence in education program and directed the Superintendent of Public Instruction to adopt rules to carry out the purposes of RCW 28A.03.520 through 28A.03.538.

Section Analysis: WAC 392-202-003 states that the authority for the rules is RCW 28A.03.532; 392-202-005 states that the purpose of the rules is to implement the award for excellence program; 392-202-010 defines the term "teacher"; 392-202-015 defines the term "principal"; 392-202-020 defines the term "superintendent"; 392-202-025 defines the term "school board"; 392-202-030 defines the term "congressional district"; 392-202-035 defines the term "elementary level"; 392-202-040 defines the term "junior high level"; 392-202-045 defines the term "middle school level"; 392-202-050 defines the term "secondary level"; 392-202-055 defines the term "educational grant"; 392-202-060 defines the term "educational purpose"; 392-202-065 defines the term "one full academic year"; 392-202-070 sets forth eligibility criteria for persons who may be nominated for the award; 392-202-075 sets forth the nomination procedure for eligible persons; 392-202-080 sets forth the application procedure for persons nominated for the award; 392-202-085 sets forth establishment and composition of a review committee which will select award recipients from applications submitted to the Superintendent of Public Instruction; 392-202-090 sets forth selection criteria for teacher recipients; 392-202-095 sets forth selection criteria for principal recipients; 392-202-100 sets forth selection criteria for superintendent recipient; 392-202-105 sets forth selection criteria for school board recipient; 392-202-110 sets forth what is

included in the excellence award for teachers and principals; 392-202-115 sets forth conditions for use of award by teachers and principals; 392-202-120 sets forth what is included in the excellence award for a superintendent; 392-202-125 sets forth procedure for a superintendent to receive and use the award; 392-202-130 sets forth what is included in the excellence award for a school board; 392-202-135 sets forth the procedure for the school board to receive and use the award; and 392-202-140 sets forth the expenditure period for educational grants issued as part of the award.

Person or Organization Proposing the Rule(s): SPI, government.

Agency Personnel Responsible for Drafting: Judi Billings, SPI, 3-2298; Implementation: Cheryl Chow, Assistant Superintendent, Instructional and Professional Services, SPI, 753-6701; and Enforcement: Dr. Charles Marshall, Deputy Superintendent, SPI, 753-1880.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: [No information supplied by agency.]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): [No information supplied by agency.]

Chapter 392-202 WAC
SCHOOL PERSONNEL—EXCELLENCE IN EDUCATION
AWARDS

WAC

392-202-003	Authority.
392-202-005	Purpose.
392-202-010	Teacher—Definition.
392-202-015	Principal—Definition.
392-202-020	Superintendent—Definition.
392-202-025	School board—Definition.
392-202-030	Congressional district—Definition.
392-202-035	Elementary level—Definition.
392-202-040	Junior high level—Definition.
392-202-045	Middle school level—Definition.
392-202-050	Secondary level—Definition.
392-202-055	Educational grant—Definition.
392-202-060	Educational purpose—Definition.
392-202-065	One full academic year.
392-202-070	Selection of recipients—Eligibility.
392-202-075	Selection of recipients—Nomination.
392-202-080	Selection of recipients application.
392-202-085	Selection of recipients—Review committee.
392-202-090	Selection criteria—Teachers.
392-202-095	Selection criteria—Principals.
392-202-100	Selection criteria—Superintendent.
392-202-105	Selection criteria—School board.
392-202-110	Awards for teachers and principals.
392-202-115	Notification and application for award—Teachers and principals.
392-202-120	Award for superintendent.
392-202-125	Application—Superintendent.
392-202-130	Award for school board.
392-202-135	Application—School board.
392-202-140	Expenditure period for educational grants.

NEW SECTION

WAC 392-202-003 **AUTHORITY.** The authority for this chapter is RCW 28A.03.532 which authorizes the superintendent of public instruction to adopt rules relating to administration of a Washington award for excellence in education for teachers, principals, superintendents, and school boards.

NEW SECTION

WAC 392-202-005 **PURPOSE.** The purpose of this chapter is to set forth policies, selection, criteria, and administrative procedures for establishing an annual Washington award for excellence in education to teachers, principals, superintendents, and school boards.

NEW SECTION

WAC 392-202-010 **TEACHER—DEFINITION.** As used in this chapter, the term "teacher" means a certificated person with classroom instructional responsibilities.

NEW SECTION

WAC 392-202-015 **PRINCIPAL—DEFINITION.** As used in this chapter, the term "principal" means a school building-level administrator.

NEW SECTION

WAC 392-202-020 **SUPERINTENDENT—DEFINITION.** As used in this chapter, the term "superintendent" means the chief school district administrator.

NEW SECTION

WAC 392-202-025 **SCHOOL BOARD—DEFINITION.** As used in this chapter, the term "school board" means the governing board of directors of a local school district.

NEW SECTION

WAC 392-202-030 **CONGRESSIONAL DISTRICT—DEFINITION.** As used in this chapter, the term "congressional district" means the eight United States congressional districts in the state of Washington.

NEW SECTION

WAC 392-202-035 **ELEMENTARY LEVEL—DEFINITION.** As used in this chapter, the term "elementary level" means grades K-6: PROVIDED, That in districts with middle schools beginning at grades 5 or 6, grades K-4 or 5 shall be considered elementary.

NEW SECTION

WAC 392-202-040 **JUNIOR HIGH LEVEL—DEFINITION.** As used in this chapter, the term "junior high level" means grades 7-9: PROVIDED, That it may mean grades 7 and 8 in a school district where high school encompasses grades 9-12, or grades 8 and 9 in a district which chooses to include grade seven in a middle school.

NEW SECTION

WAC 392-202-045 **MIDDLE SCHOOL LEVEL—DEFINITION.** As used in this chapter, the term "middle school level" means grades 5 or 6 through grade 8 in a district operating with a middle school rather than junior high configuration.

NEW SECTION

WAC 392-202-050 **SECONDARY LEVEL—DEFINITION.** As used in this chapter, the term "secondary level" means grades 10-12: PROVIDED, That if a building houses grades 7, 8, and/or 9, those grades may also be included, depending on the grade configuration served in a particular school building.

NEW SECTION

WAC 392-202-055 **EDUCATIONAL GRANT—DEFINITION.** As used in this chapter, the term "educational grant" means an amount not exceeding one thousand dollars for individuals or two thousand five hundred dollars for a school board which shall be awarded by the superintendent of public instruction upon receipt of a grant application identifying the educational purpose for which the grant will be used, submitted pursuant to WAC 392-202-115, 392-202-125, and 392-202-135.

NEW SECTION

WAC 392-202-060 EDUCATIONAL PURPOSE—DEFINITION. As used in this chapter, the term "educational purpose" means for education to benefit the recipient of the educational grant award or for educational activities or materials to benefit other educators or children.

NEW SECTION

WAC 392-202-065 ONE FULL ACADEMIC YEAR. As used in this chapter, the term "one full academic year" means forty-five quarter or thirty semester hours of study at any state institution of higher education.

NEW SECTION

WAC 392-202-070 SELECTION OF RECIPIENTS—ELIGIBILITY. Eligibility criteria are as follows:

(1) In order for teachers and principals to be eligible for nomination to receive this award for a particular congressional district, the teacher or principal shall be employed by a school district with its district superintendent's office located within the boundaries of the congressional district. The employee's home address shall not be considered in determining eligibility. A teacher or principal whose teaching or administrative duties encompass multiple grade levels or buildings or who works in a K-12 building may be nominated for any of the appropriate levels.

(2) Any local school district superintendent and any local school board of directors in Washington state shall be eligible to be nominated.

(3) A person nominated and selected to receive the award in a particular category shall subsequently be ineligible for nomination in that category, but shall be eligible to be nominated for the award in another category in any subsequent year.

NEW SECTION

WAC 392-202-075 SELECTION OF RECIPIENTS—NOMINATION. Nomination of persons shall be as follows:

(1) Any person may nominate a teacher, principal, superintendent, or school board for the award by submitting the form provided by the superintendent of public instruction for that purpose. The nomination form and information about the awards program shall be disseminated to the public, to educators, and to members of professional education associations through newsletters, bulletins, and other media which the superintendent of public instruction may deem appropriate.

(2) The nomination form shall include at a minimum:

(a) The name of the person/board nominated.

(b) The school building/district name and address where the person works.

(c) The congressional district in which the district is located.

(d) The grade level and category, where appropriate, for which the nomination is made.

(e) The address to which the form should be returned and the date by which it must be received.

NEW SECTION

WAC 392-202-080 SELECTION OF RECIPIENTS APPLICATION. Selection of recipients shall require submission of an application as follows:

(1) Candidates nominated on forms provided by and returned to the superintendent of public instruction shall receive an application form from the superintendent of public instruction to be completed and returned if the candidate wishes to be considered for the award. The application shall be adapted to each category of award, — i.e., teacher, principal, superintendent, and school board, — and shall require that the candidate provide evidence of leadership in, and contributions and commitment to educational excellence.

(2) Teacher award applications shall include recommendations from a superintendent, a community member, and a student or parent/guardian.

(3) Principal award applications shall include recommendations from a member of the staff in his or her building, a superintendent, and a student or parent or guardian.

(4) Superintendent award applications shall include recommendations from a community representative, chair of the school board, and a member of the school district staff.

(5) School board award applications shall include recommendations from the local education association president, the superintendent, and a representative of a parent support group.

NEW SECTION

WAC 392-202-085 SELECTION OF RECIPIENTS—REVIEW COMMITTEE. Recipients shall be selected as follows:

(1) A committee composed of eighteen members representative of the eight congressional districts shall be appointed by the superintendent of public instruction to review applications and select the recipients for each category, grade level and congressional district using the criteria established in WAC 392-202-090. Committee members shall be:

(a) Six teachers, including representatives of elementary, middle, junior high, and high school.

(b) Three superintendents.

(c) Three school board members.

(d) Three principals including representatives of elementary, middle school or junior high, and senior high school.

(e) Three currently active members of parent-teacher-student organizations.

(2) Prior to receipt of applications pursuant to WAC 392-202-080, the review committee shall establish a final selection procedure consistent with this chapter that is fair, timely and provides for breaking ties in a predetermined, objective manner.

(3) Recipients shall be selected and awards presented no later than June 1 of each year.

NEW SECTION

WAC 392-202-090 SELECTION CRITERIA—TEACHERS. The three broad criteria of leadership, commitment, and contribution to educational excellence shall be adapted to teachers as follows:

The Christa McAuliffe Award for teachers shall require:

(1) Leadership among professional colleagues and with students or the community;

(2) Commitment evidenced by special efforts to foster student morale or achievement and to improve personal effectiveness as an educator;

(3) Contributions to the field such as education-related methods, materials, or programs and unusually great contributions to the education of some students.

NEW SECTION

WAC 392-202-095 SELECTION CRITERIA—PRINCIPALS. The three broad criteria of leadership, commitment, and contribution to educational excellence shall be adapted to principals as follows:

The Excellence in Education Award to principals shall require:

(1) Leadership evidenced by clear understanding of the wishes and needs of building staff, students, and community, and by fostering the progress of the school's educational program;

(2) Commitment evidenced by recent efforts to increase personal and professional effectiveness and to promote educational excellence in the community, state or nation; and

(3) Contributions such as curriculum development within the school and significant staff achievements fostered by the principal's leadership.

NEW SECTION

WAC 392-202-100 SELECTION CRITERIA—SUPERINTENDENT. The three broad criteria of leadership, commitment, and contribution to educational excellence shall be adapted to a superintendent as follows:

The Excellence in Education Award to a superintendent shall require:

(1) Leadership in board implementation of community wishes or community acceptance of educational improvements, and enhancement of employee effectiveness in implementing the wishes of the board and community;

(2) Commitment evidenced by special effort(s) to carry out wishes of the board and promote educational excellence; and

(3) Contributions such as new programs or developments initiated and brought to fruition within the district and efforts that have demonstrably and substantially enhanced the attitude toward schools or the professional growth of educators.

NEW SECTION

WAC 392-202-105 SELECTION CRITERIA—SCHOOL BOARD. The three broad criteria of leadership, commitment, and contribution to educational excellence shall be adapted to a school board as follows:

- The Excellence in Education Award to a school board shall require:
- (1) Leadership evidenced by board philosophy and goals which reflect the community's wishes and assurance that district employees know, understand, and implement that philosophy;
 - (2) Commitment evidenced by special efforts to access community input and provide interpretation of the board's actions and to maintain current knowledge of educational developments and implement appropriate innovations; and
 - (3) Contributions such as mechanisms to assure community interaction and teamwork and to promote maximum professional development by district employees.

NEW SECTION

WAC 392-202-110 AWARDS FOR TEACHERS AND PRINCIPALS. The award for educational excellence for teachers and principals shall include:

- (1) A certificate presented by the governor and superintendent of public instruction in public ceremony(ies); and
- (2) The recipients' choice of one of the following:
 - (a) A waiver of tuition and fees for one full academic year of study at any state institution of higher education plus a stipend of not more than one thousand dollars to cover costs incurred in taking courses, or
 - (b) A grant not to exceed one thousand dollars, which shall be used for educational purposes.

NEW SECTION

WAC 392-202-115 NOTIFICATION AND APPLICATION FOR AWARD—TEACHERS AND PRINCIPALS. (1) Recipients shall notify the superintendent of public instruction in writing within one year of receipt of the award of the option they have chosen.

(2) Recipients shall apply for the educational grant within one year after receipt of the award and shall expend the funds provided under the grant within one year after submission of the application.

(3) Recipients choosing the waiver shall begin to use the waiver within three years after receipt of the award.

NEW SECTION

WAC 392-202-120 AWARD FOR SUPERINTENDENT. The awards for superintendent shall include:

- (1) A certificate presented by the superintendent of public instruction and the governor at a public ceremony(ies); and
- (2) A grant not to exceed one thousand dollars, which shall be used for educational purposes.

NEW SECTION

WAC 392-202-125 APPLICATION—SUPERINTENDENT. The superintendent shall submit a written application to the superintendent of public instruction within one year of receiving the award and shall expend the funds provided under the grant within one year after submission of the application. Such application shall include the educational purpose(s) toward which the grant shall be used.

NEW SECTION

WAC 392-202-130 AWARD FOR SCHOOL BOARD. The awards for school boards shall include:

- (1) A certificate presented by the superintendent of public instruction and the governor at a public ceremony(ies); and
- (2) A grant not to exceed two thousand five hundred dollars, which shall be used for educational purposes.

NEW SECTION

WAC 392-202-135 APPLICATION—SCHOOL BOARD. The school board shall submit a written application to the superintendent of public instruction within one year of receiving the award and shall expend the funds provided under the grant within one year after submission of the application. Such application shall include the educational purpose(s) toward which the grant shall be used.

NEW SECTION

WAC 392-202-140 EXPENDITURE PERIOD FOR EDUCATIONAL GRANTS. Educational grants to any award recipient shall be expended within the current and ensuing year in which they are issued: PROVIDED, That such grant funds shall not be carried over from one biennium to a subsequent biennium.

WSR 87-18-043
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 87-105—Filed August 28, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to sport fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is a harvestable surplus of salmon exists in coastal streams, while the chinook limit has been taken in the Columbia River.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 28, 1987.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-57-13000L BOGACHIEL RIVER. Notwithstanding the provisions of WAC 220-57-130, effective September 1, 1987 until further notice, Bag Limit A in those waters downstream from the Highway 101 Bridge.

NEW SECTION

WAC 220-57-13500J CALAWAH RIVER. Notwithstanding the provisions of WAC 220-57-135, effective September 1, 1987 until further notice, Bag Limit A in those waters downstream from the Highway 101 Bridge.

NEW SECTION

WAC 220-57-16000H COLUMBIA RIVER. Notwithstanding the provisions of WAC 220-57-160, effective 12:01 a.m. August 31 through 11:59 p.m. September 6, 1987, it is unlawful to fish for or possess salmon taken

for personal use from those waters of the Columbia River downstream from the Megler-Astoria Bridge including waters adjacent to the jetties at the mouth of the Columbia River.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 220-57-20000C DICKEY RIVER. Notwithstanding the provisions of WAC 220-57-200, effective September 1, 1987, until further notice, Bag Limit A in those waters downstream from the mouth of the East Fork of the Dickey River, including those waters within Olympic National Park.

NEW SECTION

WAC 220-57-27000R HOH RIVER. Notwithstanding the provisions of WAC 220-57-270, effective September 1, 1987, until further notice, Bag Limit A in those waters downstream from Willoughby Creek.

NEW SECTION

WAC 220-57-38500N QUILLAYUTE RIVER. Notwithstanding the provisions of WAC 220-57-385, effective September 1, 1987, until further notice, Bag Limit A in those waters downstream from the confluence of the Soleduck and Bogachiel Rivers, including those waters within Olympic National Park.

NEW SECTION

WAC 220-57-46000T SOLEDUCK RIVER. Notwithstanding the provisions of WAC 220-57-460, effective September 1, 1987, until further notice, Bag Limit A in those waters downstream from the concrete pump station at the Soleduck Hatchery.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-16000G COLUMBIA RIVER. (87-97)

Effective September 1, 1987, the following sections of the Washington Administrative Code are repealed:

WAC 220-57-13000K BOGACHIEL RIVER. (87-76)

WAC 220-57-13500I CALAWAH RIVER. (87-76)

WAC 220-57-38500M QUILLAYUTE RIVER. (87-76)

WAC 220-57-46000S SOLEDUCK RIVER. (87-61)

WSR 87-18-044
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-106—Filed August 28, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is set forth in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye fisheries under the direction of the Pacific Salmon Commission. Openings in Areas 7B and 7E provide opportunity to harvest non-Indian chinook allocation. Openings in Area 8 provide for an update fishery as per preseason agreement. Openings in Area 8A provide opportunity to harvest non-Indian pink allocation. All other areas closed to prevent overharvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 28, 1987.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-47-805 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective August 28, 1987, until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 4B – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Areas 5, 6C – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Areas 6, 6A, 7, 7A – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

***Area 7B** – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 30 through the morning September 2. Fishery exclusion

zones applicable to Area 7B commercial fisheries are described in WAC 220-47-307. *Area 7E - Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 31 through the morning of September 3; and purse seines may fish from 5:00 AM to 9:00 PM daily August 31 through September 2. That portion east of a line from Tongue Point to Juniper Point to the point immediately south of Juniper Point remains closed to all commercial fishing.

*Area 8 (excluding that portion south and west of a line projected from Polnell Point (Whidbey Island) to Rocky Point (Camano Island) - Closed except gill nets using 5-inch minimum/6-inch maximum mesh not more than 60 meshes in depth may fish from 6:00 PM to 9:00 AM nightly, August 28 through the morning of September 2. That portion south and west of a line projected from Polnell Point (Whidbey Island) to Rocky Point (Camano Island) remains closed to all commercial fishing. Fishery exclusion zones applicable to Area 8 commercial fisheries are described in WAC 220-47-307.

*Area 8A (excluding that portion north of a line projected from Camano Head to the northernmost boundary of Area 8D) - Closed except gill nets using 5-inch minimum/6-inch maximum mesh may fish in that portion south of a line projected from Camano Head to the northernmost boundary of Area 8D from 6:00 PM August 31 through 9:00 AM the morning of September 1; and purse seines using the 5-inch strip may fish in that portion south of a line projected from Camano Head to the southernmost boundary of Area 8D from 5:00 AM to 9:00 PM August 31. That portion north of a line projected from Camano Head to the northernmost boundary of Area 8D closed to all commercial fishing. Fishery exclusion zones applicable to Area 8A commercial fisheries are described in WAC 220-47-307. Areas 6B, 6D, 7C, 7D, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 28, 1987.

WAC 220-47-804 Puget Sound Commercial Salmon Fishing Restrictions Order No. 87-104

WSR 87-18-045
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-107—Filed August 28, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is federal regulations allow troll fishing south of Cape Falcon and this regulation allows fish taken in that fishery to be landed in Washington.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 28, 1987.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-24-02000A **LAWFUL ACTS—TROLL FISHERY.** Notwithstanding the provisions of WAC 220-24-010, 220-24-020, and 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in waters west of the Bonilla-Tatoosh Line, west of the Buoy 10 Line, or north of Cape Falcon, except that is lawful to land salmon taken lawfully south of Cape Falcon if such waters are open under federal regulations.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000Z **LAWFUL ACTS—TROLL FISHERY.** (87-91)

WSR 87-18-046
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed August 31, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal

rules concerning Licensee's certification card—Evidence of age, repealing WAC 314-16-155;

that the agency will at 9:30 a.m., Tuesday, October 13, 1987, in the Offices of the Liquor Control Board, 5th Floor Conference Room, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1987.

Dated: August 31, 1987

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-16-155 Licensee's certification card—Evidence of age.

Description of Purpose: To repeal a rule that is not consistent with RCW 66.20.190.

Statutory Authority: RCW 66.08.030.

Summary of Rule: WAC 314-16-155 presently provides that licensees or their employees may accept cards of identification as proof of legal age for the service of liquor provided the person presenting the card also completes a licensee's certification card.

Reason Supporting Proposed Action: WAC 314-16-155 is not consistent with RCW 66.20.190 which was enacted after the rule. RCW 66.20.190 states that licensees or their employees shall require a person to complete a licensee's certification card only if the licensee or employee examines and verifies a card of identification but is still in doubt about the true age of the holder. The repeal of WAC 314-16-155 will remove the inconsistency between it and RCW 66.20.190.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing these rules: Gary Gilbert, Chief, Enforcement Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 586-3052.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: There will be no negative cost impact for this rule.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 314-16-155 LICENSEE'S CERTIFICATION CARD—EVIDENCE OF AGE.

WSR 87-18-047

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed August 31, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 314-20-020 Beer labels.
Amd WAC 314-24-090 Wine labels;

that the agency will at 9:30 a.m., Tuesday, October 13, 1987, in the Offices of the Liquor Control Board, 5th Floor Conference Room, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030 and 66.28.110.

The specific statute these rules are intended to implement is RCW 66.28.110 and 66.28.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1987.

Dated: August 31, 1987

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-20-020 Beer labels; and 314-24-090 Wine labels.

Description of Purpose: To delete the prohibition on "proprietary labels."

Statutory Authority: RCW 66.08.030 and 66.28.110.

Statutes Implemented by the Rule: RCW 66.28.110 and 66.28.120.

Summary of Rule: The rules presently prohibit "proprietary labels."

Reason Supporting Proposed Action: It has been determined that "proprietary labels" do not necessarily lead to "tied house" violations. Therefore, unless they are used as a means to pass "money or money's worth" from a manufacturer or wholesaler to a retailer, they should not be prohibited.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Janice Lee Britt, Supervisor, Manufacturers/Importers/Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6273.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: No negative cost impact for these amendments.

AMENDATORY SECTION (Amending Order 215, Resolution No. 224, filed 3/24/87)

WAC 314-20-020 BEER LABELS—CERTIFICATE OF LABEL APPROVAL REQUIRED—LABELS AND PRODUCT SAMPLES TO BE SUBMITTED—ANALYSIS FEE—PROPRIETARY LABELS PROHIBITED. (1) Every bottle or can containing beer intended for sale in the state of Washington shall bear a label in compliance with RCW 66.28.120. No beer shall be imported or sold within the state of Washington until the licensed brewery, or certificate of approval holder, shall have obtained from the board a certificate of label approval for such beer.

(2) A request for certificate of label approval must be submitted on forms prescribed by the board, together with the following:

(a) Two bottle labels or two photostatic copies of can flats of the brand and type of beer for which approval is requested, and a list of container sizes on which the label is to be used;

(b) Two product samples of approximately 12-ounce size, or one quart of the beer for chemical analysis;

(c) Payment of a fee of \$5.00 for each chemical analysis;

(d) One copy of the federal certificate of label approval for such beer, issued by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department.

(3) Any change in label or product which requires reissuance of federal certificate of label approval, must also be submitted to the board, in accordance with the foregoing provisions of this regulation.

(4) If a change in product has been made, a sample of such beer must be submitted for analysis, as provided in subsection (2) of this ((regulation)) section. No analysis fee is required if the application is for approval of a revised label only, where no change has been made in the content of a previously approved product.

(5) No label shall be used that is misleading.

(6) ((Except in the case of a brewery selling at retail under RCW 66.24.240(2), no label shall be used which indicates that the retailer is the brewer or producer thereof, and no label shall be used which contains the name of the seller or purveyor in any manner.

(7) No "proprietary" label shall be used nor shall any label be restricted substantially to one retail outlet or to retail outlets under common ownership or associated together in, by or through a buying organization or agency or in any manner which represents a common identity to the public. The term "proprietary" label shall include any label which in the opinion of the board is being restricted in distribution by a brewer, importer or wholesaler, and such restriction shall be found to exist when only token or nominal sales are made to retail licensees other than those to whom volume sales are obviously restricted, and when the label is not continuously offered and distributed to retail licensees generally in the same manner and to the same extent as unrestricted labels are offered and distributed.

(8)) Every producer, importer, or wholesaler of beer shall, upon request of the board or its authorized representative, furnish without cost to the board, samples of any brand of beer upon its premises for the purpose of analysis in order to determine whether the beer conforms to the analysis of that brand of beer approved originally by the board.

AMENDATORY SECTION (Amending Order 216, Resolution No. 225, filed 3/24/87)

WAC 314-24-090 WINE LABELS. (1) Every package or container of wine intended for sale within the state of Washington shall bear a label in compliance with RCW 66.28.110. Such label shall show:

(a) The brand name of the wine.

(b) Class, type or other designation.

(c) The name and address of the bottler or packager, which shall be stated as follows "Bottled by" Where a bottler or packager has made not less than 75% of the wine in a particular package or container by crushing the grapes or other materials, fermenting the must and clarifying the resulting wine, there may be stated in lieu of the words "bottled by" the words "manufactured and bottled by" or "produced and bottled by." In addition to the name and address of the bottler or packager, but not in lieu thereof, there may be stated the name and address of the manufacturer or producer.

(d) The alcoholic content of the wine by volume, stated as provided in either (i) or (ii) ((below)) of this subsection:

(i) "Alcohol % by volume."

(ii) "Alcohol % to % by volume."

(e) The net contents of the package or container: PROVIDED, That the net contents need not be stated on any label if the net contents are

displayed by having the same blown or branded in the package or container as the brand label, in letters or figures in such manner as to be plainly legible under ordinary circumstances, and such statement is not obscured in any manner in whole or in part.

(2) No label shall be used until after the same has been submitted to, and has received a written approval of, the board (see WAC 314-24-040).

(3) No label shall be used that is misleading.

(((4) Except in the case of a winery selling at retail under RCW 66.24.170(3), no label shall be used which indicates that the retailer is the producer or bottler or packager thereof, and no label shall be used which contains the name of the seller or purveyor in any manner.

(5) No "proprietary" label shall be used nor shall any label be restricted substantially to one retail outlet or to retail outlets under common ownership or associated together in, by or through a buying organization or agency or in any manner which represents a common identity to the public. The term "proprietary" label shall include any label which in the opinion of the board is being restricted in distribution by a wine wholesaler, and such restriction shall be found to exist when only token or minimal sales are made to retail licensees other than those to whom volume sales are obviously restricted, and when the label is not continuously offered and distributed to retail licensees generally in the same manner and to the same extent as unrestricted labels are offered and distributed.))

**WSR 87-18-048
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)**

[Order 324—Filed August 31, 1987]

Be it resolved by the State Wildlife Commission, acting at Vancouver, Washington, that it does adopt the annexed rules relating to amendment to 1987-88 Washington game fish regulations—Silver Lake (Spokane County), Burke Lake (Grant County), Geneva and Shadow lakes (King County), WAC 232-28-61607.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the lakes listed above are proposed for rehabilitation. The season extensions will optimize recreational opportunity on the remaining fish before rotenone treatment.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1987.

By Dr. James M. Walton
Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-61607 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—

SILVER LAKE (SPOKANE COUNTY), BURKE LAKE (GRANT COUNTY), GENEVA AND SHADOW LAKES (KING COUNTY). Notwithstanding the provisions of WAC 232-28-616, the waters listed above will have game fishing season extensions as follows:

Silver Lake, Spokane County, will have a 30-day game fishing season extension, effective 12:01 a.m. on October 1, 1987, to 11:59 p.m. on October 30, 1987.

Burke Lake, Grant County, will have a 90-day game fishing season extension, effective at 12:01 a.m. on September 1, 1987 to 11:59 p.m. on November 29, 1987.

Geneva and Shadow Lakes, King County, will have 60-day game fishing season extensions, effective 12:01 a.m. on September 11, 1987 to 11:59 p.m. on November 6, 1987.

WSR 87-18-049
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)

[Order 323—Filed August 31, 1987]

Be it resolved by the State Wildlife Commission, acting at Vancouver, Washington, that it does adopt the annexed rules relating to amendment to 1987-88 Washington game fish regulations—Changes on closing dates for various lakes, WAC 232-28-61606.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is due to an error in the 1987-88 Washington game fish regulation pamphlet, thirty lakes are erroneously listed as closing on September 1. These lakes were intended to close after the Labor Day holiday (11:59 p.m., September 10, 1987).

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1987.

By Dr. James M. Walton
 Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-61606 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—CHANGES ON CLOSING DATES FOR VARIOUS LAKES. Notwithstanding the provisions of WAC 232-

28-616, the following lakes will close to game fishing effective 11:59 p.m., September 10, 1987:

Armstrong Lake (Snohomish County)
 Bosworth Lake (Snohomish County)
 Cochran Lake (Snohomish County)
 Crabapple Lake (Snohomish County)
 Deer Lake (Island County)
 Flowing Lake (Snohomish County)
 Fontal Lake (Snohomish County)
 Geneva Lake (King County)
 Goss Lake (Island County)
 Hannan Lake (Snohomish County)
 Joe's Lake (Klickitat County)
 Lake Ki (Snohomish County)
 Langlois Lake (King County)
 Little Cavanaugh Lake (Snohomish County)
 Loma Lake (Snohomish County)
 Martha Lake (Alderwood Manor) (Snohomish County)
 Martha Lake (Warm Beach) (Snohomish County)
 Mineral Lake (Lewis County)
 North Lake (King County)
 Pine Lake (King County)
 Pothole Lake (Klickitat County)
 Shadow Lake (King County)
 Silver Lake (Snohomish County)
 Spada Lake (Reservoir) (Snohomish County)
 Spearfish Lake (Klickitat County)
 Steel Lake (King County)
 Storm Lake (Snohomish County)
 Lake Twelve (King County)
 Wagner's Lake (Snohomish County)
 Wilderness Lake (King County)

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 87-18-050
ADOPTED RULES
INSURANCE COMMISSIONER

[Order R 87-10—Filed August 31, 1987—Eff. January 1, 1988]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to expansion of standards for alcoholism treatment benefit provisions in group disability insurance contracts, group health care service contracts and group health maintenance organization agreements to standards for "chemical dependency" treatment in group disability insurance contracts, group health care service contracts and group health maintenance organization agreements. "Chemical dependency" includes alcoholism as well as drug abuse.

This action is taken pursuant to Notice No. WSR 87-15-142 filed with the code reviser on July 22, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

This rule is promulgated pursuant to RCW 48.02.060, 48.44.050 and 48.46.200 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.21.160, 48.21.180, 48.44.240 and 48.46.350, all as amended and supplemented by sections 13 through 21, chapter 458, Laws of 1987.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 31, 1987.

By Dick Marquardt
Insurance Commissioner

Chapter 284-53 WAC
STANDARDS FOR ~~((GROUP ALCOHOLISM))~~
COVERAGE OF CHEMICAL DEPENDENCY

WAC

284-53-010 Standards for ~~((group alcoholism))~~
coverage of chemical dependency.

AMENDATORY SECTION (Amending Order R 86-2, filed 8/27/86, effective 1/1/87)

WAC 284-53-010 STANDARDS FOR ~~((GROUP ALCOHOLISM))~~ COVERAGE OF CHEMICAL DEPENDENCY. Contractual provisions for ~~((alcoholism benefits))~~ chemical dependency required by RCW 48.21.180, 48.44.240, or 48.46.350 shall meet the following standards and administrative requirements.

(1) The coverage for ~~((alcoholism treatment))~~ chemical dependency shall provide payment toward reasonable charges for any medically necessary treatment and supporting services provided to covered individuals by an "approved treatment facility" approved pursuant to RCW 70.96A.020(2) or 69.54.030, which may include medical evaluations, psychiatric evaluations, room and board (inpatient only), psychotherapy (individual and group), counseling (individual and group), behavior therapy, recreation therapy, family therapy (individual and group) for the patient and covered persons, prescription drugs prescribed by an approved treatment facility, and supplies prescribed by an approved treatment facility. The coverage shall provide such payment whether the treatment or services are provided on an inpatient (resident) or an outpatient (nonresident) basis, except to the extent that inpatient or outpatient coverage is not provided to the individual insured for other common illnesses or disease. Inpatient coverage shall include detoxification if detoxification is not specifically included in other contract coverage.

(2) Except to the extent prohibited by this section, the coverage may be limited by provisions of the contract that are applicable to other benefits or services for other common illnesses or disease generally including, but not limited to, provisions relating to deductibles, coinsurance and copayments. However, coverage shall not be denied by reason of contract provisions which are not pertinent to the treatment of ~~((alcoholism))~~ chemical dependency, such as provisions requiring a treatment facility to have

surgical facilities or approval by the joint commission on accreditation of hospitals, that there be a physician in attendance, or that the exact date of onset be known.

(3) The minimum benefits for ~~((alcoholism))~~ chemical dependency treatment, supporting services and detoxification shall be an amount which is the lesser of five thousand dollars, exclusive of deductibles, coinsurance and copayments, in any consecutive twenty-four-month period or an amount equal to the benefit limit in the contract applicable to the individual insured which would normally be applied to treatment of any common major illness or disease other than ~~((alcoholism))~~ chemical dependency. The benefits may be limited to a lifetime maximum of not less than ten thousand dollars exclusive of deductibles, coinsurance and copayments, notwithstanding WAC 284-44-040(2). For purposes of determining the limitations allowed by this subsection, with regard to all benefits except the lifetime maximum a carrier may take credit for any benefits paid by any carrier on behalf of a covered individual for ~~((alcoholism))~~ chemical dependency treatment and supporting services received in an immediately preceding twenty-four month period. For purposes of determining the lifetime maximum allowed by this subsection, calculation must be made on either a per contract or per carrier basis except that when one group contract holder has utilized one or more carriers or plans then a carrier may take credit for amounts paid on behalf of a covered individual from ~~((the effective date of this section))~~ January 1, 1987, onward under all past and current carriers and plans with respect to that group contract holder.

(4) Contract provisions subject to this rule:

(a) Shall not impose waiting periods or preexisting condition limitations on ~~((alcoholism))~~ chemical dependency coverage, except that a carrier may impose a waiting period or preexisting condition limitation for ~~((alcoholism))~~ chemical dependency treatment and supporting services to the extent that a waiting period or preexisting condition limitation is imposed for other common illnesses or disease.

(b) Shall not provide for the application of comparative statistical measures which are lacking in statistical reliability. Because of the limited number of approved treatment facilities in this state and the diversity of methodologies and fee structures, a measure based on the application of usual, customary and reasonable charges for overall ~~((alcoholism))~~ chemical dependency treatment and supporting services is not currently acceptable but comparison of costs for specific components of such treatment and supporting services may be acceptable.

(c) Shall not deny reasonable benefits for actual treatment and services rendered solely because a course of treatment was interrupted or was not completed.

(d) May limit coverage to specific facilities but only if the carrier provides one or more reasonably available and conveniently located approved treatment facilities under RCW 70.96A.020(2) or 69.54.030 which alone or in combination offer both inpatient and outpatient care. This right to limit coverage to specific facilities will permit a carrier to limit diagnosis and treatment to that

rendered by itself or by a facility to which it makes referrals, but, in either case, only if the facility is an approved treatment facility under RCW 70.96A.020(2) or 69.54.030.

(e) May require prenotification in all reasonable situations; may also require a second opinion if such second opinion is required under the contract generally for other common illnesses and disease. Prenotification with respect to detoxification in most cases would not be reasonable.

(5) In situations where an insured is under court order to undergo ~~((an alcoholism))~~ a chemical dependency assessment or treatment, or in situations related to deferral of prosecution, deferral of sentencing or suspended sentencing, or in situations pertaining to motor vehicle driving rights and the Washington state department of licensing, the carrier may require the insured to furnish at the patient's expense no less than ten and no more than thirty working days before treatment is to begin, an initial assessment of the need for ~~((alcoholism))~~ chemical dependency treatment and a treatment plan, made by an individual of the patient's choice who is a qualified alcoholism and/or drug treatment counselor employed by an approved treatment facility under RCW 70.96A.020(2) or 69.54.030 or licensed under chapter 18.57 or 18.71 RCW to enable the carrier to make its own evaluation of medical necessity prior to scheduled treatment.

(6) Except as provided in this section, contractual provisions subject to this section and the administration of such provisions shall not use definitions, predetermination procedures or other prior approval requirements, or other provisions, requirements or procedures, which unreasonably restrict access to treatment, continuity of care or payment of claims.

~~((7) This section applies to provisions for alcoholism benefits contained in contracts delivered or issued for delivery or renewed in this state on or after January 1, 1987.))~~

WSR 87-18-051
NOTICE OF PUBLIC MEETINGS
CONSERVATION COMMISSION
 [Memorandum—August 28, 1987]

Notice is hereby given that the regular Conservation Commission meeting scheduled for "the third Thursday" (WAC 135-04-020) of September 1987 will be re-scheduled to September 24, 1987, 8:30 a.m., Quality Inn, Pullman, Washington.

Please contact Shirley Casebier, Conservation Commission, Olympia, Washington 98504, phone 459-6226 for further information.

Dates and places for other forthcoming meetings are yet to be determined.

WSR 87-18-052
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Massage)
 [Filed September 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Massage intends to adopt, amend, or repeal rules concerning examination appeal procedures, WAC 308-51-125;

that the agency will at 10:00 a.m., Tuesday, October 6, 1987, in the Cascade Room of the West Coast Hotel, 18220 Pacific Highway South, Seattle, WA 98188, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.108.020.

The specific statute these rules are intended to implement is RCW 18.108.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 2, 1987.

Dated: August 27, 1987

By: Robert VanSchoorl
 Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Massage.

Title: WAC 308-51-125 Examination appeal procedures.

Description of Purpose: To add new section outlining examination appeal procedures.

Statutory Authority: RCW 18.108.020.

Summary of Rules: To outline the procedures for appealing examinations.

Responsible Personnel: In addition to the Board of Massage, the following professional programs management staff has knowledge of and responsibility for drafting, implementing and enforcing these rules: Delores E. Spice, Program Manager, Department of Licensing, P.O. Box 9012, Olympia, WA 98504-8001, phone (206) 753-3199 comm or 234-3199 scan.

Proponents: Washington State Board of Massage.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required and not provided in that these rules do not impact small business as that term is defined in RCW 19.85.020.

NEW SECTION

WAC 308-51-125 EXAMINATION APPEAL PROCEDURES.
 (1) Any candidate who takes the state examination for licensure and does not pass either the written examination or the practical examination, may request review of the results of either examination by the Washington State Board of Massage.

(a) The board will not modify examination results unless the candidate presents clear and convincing evidence of error in the examination content or procedure, or bias, prejudice or discrimination in the examination process.

(b) The board will not consider any challenges to examination scores unless the total of the potentially revised score would result in issuance of a license.

(2) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be in writing and must be received by the department within 30 days of the date on the notification of examination results sent to the candidate.

(b) The following procedures apply to an appeal of the results of the written examination.

(i) In addition to the written request required in (a) above, the candidate must, within 30 days of the date on the notification of exam results, appear personally in the department office in Olympia for an examination review session. The candidate must contact the department to make an appointment for the exam review session.

(ii) The candidate's incorrect answers will be available during the review session. The candidate will be given a form to complete in defense of the examination answers. The candidate must specifically identify the challenged questions on the examination and must state the specific reason(s) why the candidate believes the results should be modified.

(iii) The candidate will be allowed one half (1/2) the time originally allotted to take the examination for this review session.

(iv) The candidate may not bring in notes or tests for use while completing the informal review form.

(v) The candidate will not be allowed to remove any notes or materials from the office upon completing the review session.

(c) The following procedures apply to an appeal of the results of the practical examination.

(i) In addition to the written request required in (a) above, the candidate must, within 30 days of the date on the notification of exam results, request in writing a breakdown of the candidate's scores in the various areas of the examination.

(ii) The candidate will be sent the breakdown and will also be provided a form to complete in defense of the candidate's examination performance. The candidate must complete the form and specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the results should be modified. This form must be returned to the department within 15 days of the date on the breakdown sent to the candidate.

(d) The board will schedule a closed session meeting to review the examinations, score sheets and forms completed by the candidate. The candidate will be notified in writing of the board decision.

(i) The candidate will be identified only by candidate number for the purpose of this review.

(ii) Letters of referral or requests for special consideration will not be read or considered by the board.

(e) Any candidate who is not satisfied with the results of the informal examination review may request a formal hearing before the board to challenge the examination results.

(3) The procedures for requesting a formal hearing are as follows:

(a) The candidate must complete the informal review process before requesting a formal hearing.

(b) The request for formal hearing must be received by the department within twenty (20) days of the date on the notice of the results of the board's informal review.

(c) The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(d) Candidates will receive at least twenty (20) days notice of the time and place of the formal hearing.

(e) The hearing will be restricted to the specific portion(s) of the examination the candidate has identified in the request for formal hearing.

(f) The formal hearing will be conducted pursuant to the Administrative Procedure Act, 34.04 RCW.

(g) The candidate will be notified in writing of the board decision.

WSR 87-18-053

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Funeral Directors and Embalmers)

[Order PM 677—Filed September 1, 1987]

Be it resolved by the Washington State Board of Funeral Directors and Embalmers, acting at Olympia, Washington, that it does adopt the annexed rules relating to:

Amd WAC 308-49-140 Registration.
Amd WAC 308-49-170 Annual statement requirements.
Rep WAC 308-49-180 Renewal of certification of registration.

This action is taken pursuant to Notice No. WSR 87-15-105 filed with the code reviser on July 22, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.39.290 and 18.39.320 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1987.

By Kenneth R. Andrews
Vice-Chairman

AMENDATORY SECTION (Amending Order PL 420, filed 1/26/83)

WAC 308-49-140 REGISTRATION. (1) Before entering into any prearrangement funeral service contracts in this state, a funeral establishment shall first obtain a certificate of registration from the ~~((director))~~ board. To apply for registration, a funeral establishment must file an application on forms ~~((provided by the director))~~ approved by the board of funeral directors and embalmers, which includes:

(a) The name, address, and telephone number of the funeral establishment;

(b) The name and license number of the person at the funeral establishment responsible for supervising the sale of funeral merchandise or service on a prearrangement basis;

(c) A statement of the establishment's current financial condition and an explanation of how the establishment plans to offer, market and service prearrangement contracts including:

(i) The type of business organization which operates the funeral establishment, e.g., sole proprietorship, partnership, or corporation and a list of all officers, directors, partners and managers by name and title, and any person owning more than ten percent of the business;

(ii) A balance sheet and a profit and loss statement for the most recently concluded fiscal year, certified by a certified public accountant, or a copy of the establishment's most recent federal income tax return verified by

a certified public accountant (~~(or a licensed public accountant)~~);

(d) The prearrangement funeral contract forms the establishment proposes to use ~~((, which))~~ need not be in final printed form when submitted; however, a copy of the final printed form shall be filed with the ~~((director))~~ board before the form is used;

(e) Identification of the qualified public depository the establishment will use with an explanation of the depository's manner of operating and managing the prearrangement funeral service contract trust fund, together with copies of any contract or trust agreement to be entered into in connection with such trust fund, and, if a single trust fund is to be established and maintained with respect to several prearrangement funeral service contracts, a complete explanation of the manner in which records will be maintained to allocate the interest, dividends, increases or accretions and the share of such fund to each contract.

(2) Upon review of the application, the ~~((director))~~ board may require additional information or explanation prior to registration or refusing to register the funeral establishment.

(3) The application shall be accompanied by a check payable to the state treasurer in the amount required by the director for issuance of the certificate of registration.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order PL 420, filed 1/26/83)

WAC 308-49-170 ANNUAL STATEMENT REQUIREMENTS. (1) Each registered funeral establishment shall file with the ~~((director))~~ board annually, ~~((before the first day of March))~~ ninety days after the end of its fiscal year, a true and accurate statement of its financial condition, transactions and affairs for the preceding ~~((calendar))~~ fiscal year.

(2) The statement shall include a balance sheet and a profit and loss statement for the preceding ~~((calendar))~~ fiscal year, certified by a certified public accountant (~~(or a licensed public accountant)~~), or a copy of the establishment's most recent federal income tax returns verified by ~~((either))~~ a certified public accountant (~~(or a licensed public accountant)~~).

(3) The funeral establishment shall list any changes in its officers, directors, managers or partners or any change in ownership greater than ten percent which have occurred in the preceding ~~((calendar))~~ fiscal year.

(4) With respect to each prearrangement funeral service contract trust fund, the following information shall be provided:

(a) The name of the depository and the account number;

(b) The number of outstanding contracts at the beginning of the fiscal year;

(c) The total amount paid in by the holders of such contracts pertinent to the trust fund;

(d) The total amount deposited in the trust account;

(e) The number of new contracts issued during the fiscal year;

(f) The amount paid in on such new contracts and the amount deposited in the trust fund for such contracts;

(g) The number of individuals withdrawing from the contracts, the principal amount paid to them and the amount of interest, dividends, or accretions, separately stated, paid to them.

(h) The number of cases where prearrangement funeral merchandise and services covered by the contract have been furnished and delivered and the amount transferred out of the trust fund to the funeral establishment for such services;

(i) The number of outstanding contracts as the end of the ~~((calendar))~~ fiscal year and the amount being held in trust for such contracts.

(5) The annual statement shall be accompanied by a fee as determined by the director, payable to the state treasurer.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington administrative code is hereby repealed:

WAC 308-49-180 RENEWAL OF CERTIFICATE OF REGISTRATION.

WSR 87-18-054

PROPOSED RULES

HIGHER EDUCATION COORDINATING BOARD

[Filed September 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Coordinating Board intends to adopt, amend, or repeal rules concerning residency status for higher education (chapter 37, Laws of 1982 1st ex. sess.).

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 1987.

The authority under which these rules are proposed is section 4, chapter 37, Laws of 1982 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1987.

Dated: August 31, 1987

By: A. Robert Thoeny
Executive Director

STATEMENT OF PURPOSE

Re: Residency status for higher education.

Statement of Purpose: This statement of purpose is written in compliance with section 23, chapter 186, Laws of 1980, and to accompany the notice of intention to adopt, amend, or repeal rules by the Higher Education Coordinating Board.

Title: Amendments modifying sections dealing with establishing residency status for higher education.

Summary: The following amendments are made to chapter 250-18 WAC, delete WAC 250-18-060(6); and amend WAC 250-18-020 (1)(d) to define as residents for tuition and fees purposes certain graduates of Washington high schools whose parents are no longer residents of the state as required by chapter 137, Laws of 1987.

Institution Personnel Responsible for Drafting, Implementation and Enforcement of Rules: Jackie M. Johnson, Higher Education Coordinating Board, 908 East Fifth Avenue, EW-11, Olympia, Washington 98504-2611.

Governmental Organization Proposing the Rule: Higher Education Coordinating Board.

Institutional Comments Regarding Statutory Matters: Not applicable.

Rule is not necessary as a result of federal law or court action.

CHAPTER 250-18 WAC
RESIDENCY STATUS FOR HIGHER EDUCATION

250-18-010	Purpose and Applicability
250-18-015	Definitions
250-18-020	Student Classification
250-18-025	Classification Procedure
250-18-030	Establishment of Domicile
250-18-035	Evidence of Financial Independence
250-18-040	Evidence of Financial Dependency
250-18-045	Administration of Residency Status
250-18-050	Appeals Process
250-18-055	Recovery of Fees for Improper Classification of Residency
250-18-060	Exemptions from Nonresident Status

AMENDATORY SECTION (Amending Order 3-87, filed 7/29/87)

WAC 250-18-020 STUDENT CLASSIFICATION. (1) For a student to be classified as a "resident" for tuition and fee purposes, he or she shall:

(a)(i) Have established a bona fide domicile in the state of Washington primarily for purposes other than educational for the period of one year immediately prior to commencement of the first day of the semester or quarter for which he or she has registered at any institution; and

(ii) Be financially independent; or

(b) Be a dependent student, one or both of whose parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; or

(c) Be a student who was classified as a resident, based upon domicile, by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-83 academic year, so long as such student's enrollment (excepting summer sessions) is continuous; or

(d) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high school in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long

as the student remains continuously enrolled for three quarters or two semesters in any calendar year.

(2) A student shall be classified as a "nonresident" for tuition and fee purposes if he or she:

(a) Will be financially dependent for the current year or was financially dependent for the calendar year prior to the year in which application is made and who does not have a parent or legally appointed guardian who has maintained a bona fide domicile in the state of Washington for one year immediately prior to the commencement of the semester or quarter for which the student has registered at an institution;

(b) Attends an institution with financial assistance provided by another state or governmental unit or agency thereof wherein residency in that state is a continuing qualification for such financial assistance, such nonresidency continuing for one year after the completion of the quarter or semester for which financial assistance is provided. Such financial assistance relates to that which is provided by another state, governmental unit or agency thereof for direct or indirect educational purposes and does not include retirements, pensions, or other noneducational related income. A student loan guaranteed by another state or governmental unit or agency thereof on the basis of eligibility as a resident of that state is included within the term "financial assistance;"

(c) Is not a citizen of the United States of America, unless such person holds permanent or temporary resident immigration status, "refugee - parolee," or "conditional entrant" status or is not otherwise permanently residing in the United States under color of law and further meets and complies with all applicable requirements of WAC 250-18-030 and 250-18-035;

(d) Is not otherwise qualified as a "resident" under subsection (1)(c) of this section.

(3) A person does not lose a domicile in the state of Washington by reason of residency in any state or country while a member of the civil or military service of this state or of the United States, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas if that person returns to the state of Washington within one year of discharge from said service with the intent to be domiciled in the state of Washington.

(4) Any resident dependent student who remains in this state when such student's parents or legal guardians, having theretofore, been domiciled in this state for a period of one year immediately prior to commencement of the first day of the semester or quarter for which the student has registered at any institution, move from this state, shall be entitled to continued classification as a resident student so long as such student is continuously enrolled during the academic year.

AMENDATORY SECTION (Amending Order 3-87, filed 7/29/87)

WAC 250-18-060 EXEMPTIONS FROM NONRESIDENT STATUS. In accordance with RCW 28B.15.014, certain nonresidents shall be exempted from paying the nonresident tuition and fee differential. Exemption from the nonresident tuition and fee differential shall apply only during the term(s) such persons shall hold such appointments or be so employed. To be eligible for such an exemption, a nonresident student must provide documented evidence that he or she does reside in the state of Washington, and:

(1) Holds a graduate service appointment designated as such by an institution involving not less than twenty hours per week;

(2) Is employed for an academic department in support of the instructional or research programs involving not less than twenty hours per week;

(3) Is a faculty member, classified staff member, or administratively exempt employee holding not less than a half-time appointment, or the spouse or dependent child of such a person;

(4) Is an active duty military personnel stationed in the state of Washington or the spouse or dependent child of such person; or

(5) Is an immigrant having refugee classification from the U.S. Immigration and Naturalization Service or the spouse or dependent child of such refugee, if the refugee (a) is on parole status, or (b) has received an immigrant visa, or (c) has applied for United States citizenship((ror))

~~((6) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high school in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year)).~~

WSR 87-18-055
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed September 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning social services for families, children and adults, chapter 388-15 WAC;

that the agency will at 10 a.m., Friday, October 9, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 12, 1987.

The authority under which these rules are proposed is ESHB 1221.

The specific statute these rules are intended to implement is ESHB 1221.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 9, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
 Administrative Services
 Department of Social and Health Services
 Mailstop OB 39
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 25, 1987. The meeting site is in a location which is barrier free.

Dated: September 1, 1987
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amending WAC 388-15-209, 388-15-212 and 388-15-213.

Purpose and Reason for the Rule Change: To comply with ESHB 1221, per 1987 legislature.

Summary of Rule Change: The 1987 legislature mandated wage increase for chore service providers to become effective September 1, 1987. The increase affects three sections of the chore services WAC. The affected sections are also amended to clarify the meaning of client, attendant care for families and to delete reference to monthly rate.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Samuel H. Koshi, Chore Services Program Manager, Aging and Adult Services Administration, (206) 753-1851 or scan 234-1851, mailstop HB-11.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

AMENDATORY SECTION (Amending Order 2383, filed 5/30/86)

WAC 388-15-209 CHORE SERVICES—ELIGIBLE INDIVIDUALS. (1) Service eligibility.

(a) Chore services are for adults (~~(aged)~~) eighteen years of age and over (~~(, although in some instances families may be served)~~).

(b) Eligibility for chore services (~~(are)~~) shall be determined through the completion and scoring of the client review questionnaire. (~~(f)~~) Refer to WAC 388-15-212. (~~(h)~~)

(c) Families may receive chore services when the client is the normal caretaker of the children and:

(i) Is in the home but unable to physically care for the children;
 (ii) Is in the home and physically unable to perform the necessary household tasks; or

(iii) Is out of the home temporarily, as defined by the department; and

(iv) Children and family services confirms all possible resources have been explored and no one can or will provide the necessary care.

(d) Department paid services (~~(are)~~) shall be provided only to persons whose chore services needs cannot be met by relatives, friends, nonprofit organizations, or other persons.

(2) Financial eligibility.

(a) (~~(Persons receiving)~~) To be eligible to receive chore services (~~(must)~~), a person shall meet the financial eligibility requirements established by the department.

(b) For families to receive services, the total family income (~~(must)~~) shall be at or below the financial eligibility requirements established by the department. Minor children (~~(are)~~) shall not be financially eligible in their own right. The minor children are part of the family unit.

(c) An adult or family at risk of being placed in a residential care facility is eligible to receive the level of hourly or attendant care chore services as determined by WAC 388-15-212 (~~(who are adult)~~) if he or she is a recipient(s) of:

(i) (~~(Of)~~) Supplemental Security Income and/or state supplementation; or

(ii) (~~(Of)~~) Limited casualty program medical care as defined by RCW 74.09.010 at time of eligibility determination; or

(iii) (~~(Who have)~~) Has gross family income, adjusted for family size, at or below thirty percent of the state median income.

(d) Adult protective services clients are eligible to receive chore services without regard to income, if these services are an integral but subordinate part of the adult protective services plan. These services are limited to a maximum of ninety days during any twelve-month period.

(e) An adult or family with a gross family income over thirty percent of the state median income (SMI) (~~(s)~~) and at risk of being placed in a residential care facility (~~(s)~~) is eligible to receive a reduced level of hours in the hourly chore services program or a reduced level of payment in the attendant care chore services program. To determine the reduced level, deduct one hour of chore services for each percentage point when income exceeds thirty percent SMI. Deduct an additional hour of service for each percentage point when income exceeds fifty percent SMI. For attendant care, (~~(payment)~~) the department shall (~~(be)~~) pay a reduced (~~(an)~~) amount equivalent to the individual provider program hourly (~~(unit)~~) rate.

(f) (~~(Effort)~~) The department shall (~~(be made)~~) attempt to obtain chore services from the volunteer chore services program, prior to approval of services by department paid providers, for individuals who are:

(i) At risk of being placed in a residential care facility (~~(and who are)~~);

(ii) Age sixty or over, (~~(but)~~) and

(iii) Eligible for five hours per month or less of services.

(g) The department shall refer to the volunteer chore services program individuals who are:

(i) At risk of being placed in a residential care facility (~~(and who are)~~);

(ii) Age sixty or over (~~(but)~~), and

(iii) Are not eligible for chore services because of income or need level, or

(iv) Are eligible for a reduced level of service because of income (~~(; shall be referred to the volunteer chore services program)~~) where such program exists for needed hours or services not provided by the department.

(h) Clients or applicants (~~are~~) shall not be eligible for chore services if the clients or applicants have resources in excess of ten thousand dollars for one person(:) or fifteen thousand dollars for a two-person family. Allow another one thousand dollars (~~is allowed~~) for each additional family member. Adult protective services clients (~~who are~~) receiving chore services as an integral but subordinate part of an adult protective services plan and Supplemental Security Income and/or state supplementation recipients are exempt from the resource requirement in this section. Resources mean all real or personal property owned by or available to an applicant at the time of application which can be applied toward meeting the applicant's requirements, either directly or by conversion into money or its equivalent. Property that is owned or available shall mean property over which the applicant has legal right of control.

The following resources shall be considered in determining the value of a client's or applicant's resources:

- (i) Checking accounts;
- (ii) Savings accounts;
- (iii) Certificates of deposit;
- (iv) Money markets;
- (v) Negotiable stocks and bonds;
- (vi) Latest assessed value of lots or property not attached to residence;
- (vii) Market value of a boat or boats, recreational vehicle or vehicles, or excess automobiles;
- (viii) Liquid assets: Such as cash, gold, silver, and other items of an investment and negotiable nature.

(i) The following resources, regardless of value, shall not be considered in determining the value of a client's or applicant's resources:

- (i) A home and lot normal for the community where the client or applicant resides;
- (ii) Used and useful household furnishings, personal clothing, and one automobile per client;
- (iii) Personal property of great sentimental value;
- (iv) Real or personal property used by the applicant or recipient to earn income or to rehabilitate himself or herself;
- (v) One cemetery plot for each member of the family unit;
- (vi) Cash surrender value of life insurance.

AMENDATORY SECTION (Amending Order 2383, filed 5/30/86)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) Chore services need and amount determination for all applicants and (~~recipients~~) clients of chore services will be made by using the client review questionnaire for each adult.

(2) Department staff will administer the client review questionnaire.

(3) When administering the client review questionnaire, department staff will take into account the client's risk of being placed in a residential care facility and ability to perform activities of daily living, living conditions, and arrangements, and the availability and use of alternative resources, including immediate family, other relatives, neighbors, friends, community programs, and volunteers.

(4)(a) The client review questionnaire is a series of questions designed to determine the client's need for the tasks (~~which are~~) available from the chore program. In answering each question, either "N," "M," "S," or "T" is circled to indicate the extent of assistance the client needs from the chore program for each task. "N," "M," "S," or "T" are defined as:

(i) N = None: The client is either able to perform this task without help or is already receiving or could receive all the help needed from other sources.

(ii) M = Minimal: The client cannot perform this task without help and needs a minimal amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iii) S = Substantial: The client cannot perform this task without help and needs a substantial amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iv) T = Total: Client is completely unable to perform this task and is not now receiving any help and needs total assistance from the chore program.

(b) Points are awarded for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (5) of this section. The point total is converted into maximum allowable hours using the table

set forth in subsection (6) of this section. For clients needing attendant care, as defined in subsection (5) of this section, the amount of services authorized is based on the total number of hours per (~~month~~) day the chore service provider must be with the client.

(5) The allowable chore services program tasks, as defined by the department, are scored as follows:

(a) Escort/transport to medical services. The scoring is as follows, based on the need and frequency of service: N = 0, M = 1, S = 2, T = 3.

(b) Essential shopping and errands. The scoring is based on need and frequency of service: N = 0, M = 5, S = 10, T = 15. When the chore provider must perform these tasks for the client because the client is unable to go along, the scoring is N = 0, M = 1, S = 3, and T = 5.

(c) Laundry. The scoring is N = 0, M = 1, S = 2, and T = 3. If there are no laundry facilities in the client's own home, additional points are awarded. The scoring for the additional points is N = 0, M = 3, S = 5, and T = 7.

(d) Splitting/stacking/carrying wood. The scoring is N = 0, M = 3, S = 5, and T = 7. This task is available only to persons who use wood as their sole source of fuel for heat and/or cooking.

(e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room. The scoring is N = 0, M = 1, S = 2, and T = 3.

(f) Cooking. The scoring is based on the preparation of three meals, as follows:

(i) Breakfast N = 0, M = 4, S = 7, T = 10.

(ii) Light meal N = 0, M = 4, S = 7, T = 10.

(iii) Main meal N = 0, M = 5, S = 10, T = 15.

(g) Feeding. The scoring is based on feeding three meals, as follows:

(i) Breakfast N = 0, M = 4, S = 7, T = 10.

(ii) Light meal N = 0, M = 4, S = 7, T = 10.

(iii) Main meal N = 0, M = 5, S = 10, T = 15.

(h) Dressing/undressing. The scoring is N = 0, M = 4, S = 7, and T = 10.

(i) Care of appearance. The scoring is N = 0, M = 1, S = 3, and T = 5.

(j) Body care. The scoring is N = 0, M = 5, S = 10, and T = 15.

(k) Bed transfer. The scoring is N = 0, M = 1, S = 3, and T = 5.

(l) Ambulation. The scoring is N = 0, M = 4, S = 7, and T = 10.

(m) Wheelchair transfer. The scoring is N = 0, M = 1, S = 3, and T = 5.

(n) Bathing. The scoring is N = 0, M = 4, S = 7, and T = 10.

(o) Toileting. The scoring is N = 0, M = 5, S = 10, and T = 15.

(p) Remind to take medicines. The scoring for reminding to take medication is N = 0, M = 1, S = 2, and T = 3.

(q) Family care. The family care question takes into consideration the ages, number, level of responsibility of the children, and the presence of a spouse when determining the need for chore services.

(i) Family housework determines the need for additional help cleaning the household because of the presence of children.

(ii) Family tasks determines the need for escort and transportation, laundry services, meal preparation and shopping, and bathing and dressing for the client's children.

(iii) Supervision of children determines the need for physical supervision of the children(:) when the client is in the home, but unable to supervise them.

(iv) The total scoring for the above are N = 0, M = 14, S = 27, and T = 40.

(r) Attendant care for adults/supervision of children.

(i) Attendant care for adults (~~determines that the chore provider is available to help a~~) is authorized when the client (~~who~~) requires assistance with such unscheduled tasks as toileting, ambulation, and wheelchair transfer or supervises or watches a client who cannot safely be left alone. Protective supervision may be necessary when a person may hurt himself or herself, others, or damage property if left alone, or is confused and may wander away, turn on a stove and forget to turn it off, or becomes easily disoriented. The chore service provider performs any household or personal care tasks or gives assistance with activities of daily living during the authorized attendant care hours. The scoring and authorization are based on the number of days per month and hours per day during which the chore service provider must be with a client in need of attendant care. The client or applicant shall provide verification of the need for attendant care by producing a statement from the client's or applicant's physician.

(ii) Supervision of children ~~((determines the need for supervision of children))~~ may be authorized only when the client is temporarily absent from the home because of hospitalization and all possible resources have been explored to provide the necessary supervision. This absence must not exceed two weeks during any six-month period. Refer to WAC 388-15-209 (1)(c)(iv). This question is not scored. The number of days and the number of hours per day that the children need supervision is recorded. ~~((The monthly))~~ Authorization is based on the total number of hours required each day for supervision. The chore service provider performs household and personal care tasks for the children during the hours of supervision. ~~((Supervision of children when the client is absent from the home must not exceed two weeks during any six-month period.))~~

(6) Except for cases where attendant care for adults or supervision of children when the client is temporarily absent ~~((are))~~ is required, as defined in subsection (5)(r) of this section, the amount of hours of chore services authorized per month shall be determined by translating the total number of points awarded on the client review questionnaire into a monthly authorization, utilizing the following CRQ authorization ceiling chart:

CRQ SCORE	CEILING HOURS PER MONTH
1 - 4	5
5 - 9	8
10 - 14	11
15 - 19	14
20 - 24	18
25 - 29	21
30 - 34	24
35 - 39	28
40 - 44	31
45 - 49	34
50 - 54	37
55 - 59	41
60 - 64	44
65 - 69	47
70 - 74	51
75 - 79	54
80 - 84	57
85 - 89	60
90 - 94	64
95 - 99	67
100 - 104	70
105 - 109	74
110 - 114	77
115 - 119	80
120 - 124	83
125 - 129	87
130 - 134	90
135 - 139	93
140 - 144	97
145 - 149	100
150 - 154	103
155 - 159	106
160 - 164	110
165 - 169	113
170 and above	116

The department may authorize fewer hours according to the client's individual circumstances and the provisions under WAC 388-15-215(8). Attendant care for adults and supervision of children when the client is temporarily absent are authorized for the number of days per month and hours per day the services are required.

(7) The client or applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (6) of this section. The department shall authorize the number of additional hours not to exceed one hundred sixteen hours per month per client in the hourly program when:

- (a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to his or her health or safety; and
- (b) The need for additional hours is specific and clearly measurable.
- (c) Funds are available under provisions of WAC 388-15-215(11).

(8) All clients or applicants shall be informed in writing of the process as defined in subsection (7) of this section and shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (6) of this section.

(9) When the department denies a request for additional hours or makes approval for fewer additional hours than requested, the client or applicant shall receive notice of his or her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(10) Chore services may be provided either through the individual provider program or through the contracted program, as deemed most appropriate by department policy established by the state office.

AMENDATORY SECTION (Amending Order 2361, filed 4/2/86)

WAC 388-15-213 PAYMENT. (1) Payment may be made for services performed by a relative, but payment to a spouse, father, mother, son, or daughter ~~((can))~~ may be made only when the person:

- (a) Has to give up paid employment (more than thirty hours per week) to give the service, or
- (b) Would otherwise need to take paid employment (more than thirty hours per week), or
- (c) Would otherwise be financially eligible to receive general assistance to meet his or her own need.

(2) Payment to the spouse providing chore services to an incapacitated, eligible client shall not exceed the amount of a one-person standard for a continuing general assistance grant plus increase required by the legislature. Refer to WAC 388-29-100 for grant standards.

(3) In the contracted program, payment is made to the contractor who directly pays the chore provider. ~~((f))~~ Refer to WAC 388-15-208. ~~((g))~~

(4) In the individual provider program, payment is made to the client who pays the chore provider. ~~((f))~~ Refer to WAC 388-15-208. ~~((g))~~

(a) An hourly wage is paid for the actual number of hours worked on all chore services tasks (maximum of one hundred sixteen hours per month per client), except for attendant care for adults and supervision of children when the client is temporarily absent. ~~((i))~~ ~~The hourly wage rate must at least comply with federal minimum wage guidelines.~~ ~~((j))~~ The ~~((maximum))~~ hourly wage rate shall ~~((not exceed three))~~ be four dollars and ~~((ninety-five))~~ seventy-six cents per hour beginning September 1, 1987.

(b) A daily ~~((or monthly))~~ rate is paid for attendant care for adults and supervision of children. The daily ~~((or monthly))~~ rate is determined by the service worker after discussion with the client and chore service provider, but the rate shall not exceed the lesser of the following, a maximum of ~~((five hundred fifty-five))~~ twenty-three dollars per ~~((month))~~ day or the amount determined by the table as follows:

((MONTHLY)) DAILY RATE DETERMINATION		
HOURS OF SERVICE PER DAY	PAYMENT PER DAY	(((BASE MONTHLY)) ((RATE)))
((16)) 21 - 24	up to \$ ((18.50))	(((up to \$550)))
	23.00	
16 - 20	up to \$21.00	
12 - 15	up to \$ ((16.50))	(((up to \$495)))
	19.00	
8 - 11	up to \$ ((13.50))	(((up to \$405)))
	16.50	
4 - 7	up to \$ ((9.00))	(((up to \$270)))
	11.50	
((2)) 1 - 3	up to \$ ((6.00))	(((up to \$180)))
	7.50	
((1))	up to \$ 3.40	up to \$102)

Up to ~~((seventy-five))~~ five dollars per ~~((month))~~ day is added for each additional client authorized for service in the household.

(c) An individual provider program eligible client or applicant may request approval from the department to exceed the maximum daily ~~((or monthly))~~ rate set by the department. The department shall authorize a higher payment rate necessary to maintain the client or applicant in his or her own home when:

- (i) The need for the higher payment is specific and clearly measurable; and
- (ii) The client or applicant provides documentation that services are not available at the established maximum payment rate; and

(iii) The client or applicant has made a reasonable effort to find a qualified provider at the established maximum payment rate; and

(iv) The total cost for ~~((the chore))~~ attendant care services does not exceed the lesser of the following, a maximum of ~~((seven hundred sixty-five))~~ thirty dollars per day, or the amount determined by the table in subsection (4)(b) of this section as follows:

HOURS OF SERVICE PER DAY	ADDITIONAL PAYMENT PER DAY	((ADDITIONAL)) ((MONTHLY)) ((PAYMENT))
((30 DAYS PER MONTH))		
((16)) 21 - 24	up to \$7	((up to \$210))
16 - 20	up to \$6	
12 - 15	up to \$5	((up to \$150))
8 - 11	up to \$4	((up to \$120))
4 - 7	up to \$3	((up to \$90))
((2)) 1 - 3	up to \$2	((up to \$60))
1	up to \$1	up to \$30

(d) All clients or applicants shall be informed in writing of the process as defined in subsection (4)(c) of this section and shall have the right to request approval from the department to exceed the maximum ~~((monthly;))~~ daily~~((;))~~ or hourly rate.

(e) When the department denies a request to exceed the maximum payment rates or makes approval at a lesser rate than requested by the client or applicant, the client or applicant shall receive notice of his or her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(f) When the client provides board and room or meals to the chore provider, the department may make a payment to partially reimburse the cost of this expense. Payment is not made for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.

(g) Payment is made only after service delivery has been verified.

WSR 87-18-056
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2530—Filed September 1, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to social services for families, children and adults, chapter 388-15 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are necessary to implement a wage increase for chore service providers effective September 1, 1987, as mandated by the legislature.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to ESHB 1221 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1987.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2383, filed 5/30/86)

WAC 388-15-209 CHORE SERVICES—ELIGIBLE INDIVIDUALS. (1) Service eligibility.

(a) Chore services are for adults ((aged)) eighteen years of age and over~~((, although in some instances families may be served))~~.

(b) Eligibility for chore services ((are)) shall be determined through the completion and scoring of the client review questionnaire. ~~((t))~~ Refer to WAC 388-15-212. ~~((s))~~

(c) Families may receive chore services when the client is the normal caretaker of the children and:

(i) Is in the home but unable to physically care for the children;

(ii) Is in the home and physically unable to perform the necessary household tasks; or

(iii) Is out of the home temporarily, as defined by the department; and

(iv) Children and family services confirms all possible resources have been explored and no one can or will provide the necessary care.

(d) Department paid services ((are)) shall be provided only to persons whose chore services needs cannot be met by relatives, friends, nonprofit organizations, or other persons.

(2) Financial eligibility.

(a) ~~((Persons receiving))~~ To be eligible to receive chore services ((must)), a person shall meet the financial eligibility requirements established by the department.

(b) For families to receive services, the total family income ((must)) shall be at or below the financial eligibility requirements established by the department. Minor children ((are)) shall not be financially eligible in their own right. The minor children are part of the family unit.

(c) An adult or family at risk of being placed in a residential care facility is eligible to receive the level of hourly or attendant care chore services as determined by WAC 388-15-212 ((who are adult)) if he or she is a recipient((s)) of:

(i) ~~((Of))~~ Supplemental Security Income and/or state supplementation; or

(ii) ~~((Of))~~ Limited casualty program medical care as defined by RCW 74.09.010 at time of eligibility determination; or

(iii) ~~((Who have))~~ Has gross family income, adjusted for family size, at or below thirty percent of the state median income.

(d) Adult protective services clients are eligible to receive chore services without regard to income, if these services are an integral but subordinate part of the adult protective services plan. These services are limited to a maximum of ninety days during any twelve-month period.

(e) An adult or family with a gross family income over thirty percent of the state median income (SMI)((;)) and at risk of being placed in a residential

care facility(;) is eligible to receive a reduced level of hours in the hourly chore services program or a reduced level of payment in the attendant care chore services program. To determine the reduced level, deduct one hour of chore services for each percentage point when income exceeds thirty percent SMI. Deduct an additional hour of service for each percentage point when income exceeds fifty percent SMI. For attendant care, ((payment)) the department shall ((be)) pay a reduced ((an)) amount equivalent to the individual provider program hourly ((unit)) rate.

(f) ~~((Effort))~~ The department shall ((be made)) attempt to obtain chore services from the volunteer chore services program, prior to approval of services by department paid providers, for individuals who are:

(i) At risk of being placed in a residential care facility ((and who are)),

(ii) Age sixty or over, ((but)) and

(iii) Eligible for five hours per month or less of services.

(g) The department shall refer to the volunteer chore services program individuals who are:

(i) At risk of being placed in a residential care facility ((and who are)),

(ii) Age sixty or over ((but)), and

(iii) Are not eligible for chore services because of income or need level, or

(iv) Are eligible for a reduced level of service because of income(, shall be referred to the volunteer chore services program) where such program exists for needed hours or services not provided by the department.

(h) Clients or applicants ((are)) shall not be eligible for chore services if the clients or applicants have resources in excess of ten thousand dollars for one person(;) or fifteen thousand dollars for a two-person family. Allow another one thousand dollars ((is allowed)) for each additional family member. Adult protective services clients ((who are)) receiving chore services as an integral but subordinate part of an adult protective services plan and Supplemental Security Income and/or state supplementation recipients are exempt from the resource requirement in this section. Resources mean all real or personal property owned by or available to an applicant at the time of application which can be applied toward meeting the applicant's requirements, either directly or by conversion into money or its equivalent. Property that is owned or available shall mean property over which the applicant has legal right of control.

The following resources shall be considered in determining the value of a client's or applicant's resources:

(i) Checking accounts;

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(iii) Certificates of deposit;

(iv) Money markets;

(v) Negotiable stocks and bonds;

(vi) Latest assessed value of lots or property not attached to residence;

(vii) Market value of a boat or boats, recreational vehicle or vehicles, or excess automobiles;

(viii) Liquid assets: Such as cash, gold, silver, and other items of an investment and negotiable nature.

(i) The following resources, regardless of value, shall not be considered in determining the value of a client's or applicant's resources:

(i) A home and lot normal for the community where the client or applicant resides;

(ii) Used and useful household furnishings, personal clothing, and one automobile per client;

(iii) Personal property of great sentimental value;

(iv) Real or personal property used by the applicant or recipient to earn income or to rehabilitate himself or herself;

(v) One cemetery plot for each member of the family unit;

(vi) Cash surrender value of life insurance.

AMENDATORY SECTION (Amending Order 2383, filed 5/30/86)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) Chore services need and amount determination for all applicants and ((recipients)) clients of chore services will be made by using the client review questionnaire for each adult.

(2) Department staff will administer the client review questionnaire.

(3) When administering the client review questionnaire, department staff will take into account the client's risk of being placed in a residential care facility and ability to perform activities of daily living, living conditions, and arrangements, and the availability and use of alternative resources, including immediate family, other relatives, neighbors, friends, community programs, and volunteers.

(4)(a) The client review questionnaire is a series of questions designed to determine the client's need for the tasks ((which are)) available from the chore program. In answering each question, either "N," "M," "S," or "T" is circled to indicate the extent of assistance the client needs from the chore program for each task. "N," "M," "S," or "T" are defined as:

(i) N = None: The client is either able to perform this task without help or is already receiving or could receive all the help needed from other sources.

(ii) M = Minimal: The client cannot perform this task without help and needs a minimal amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iii) S = Substantial: The client cannot perform this task without help and needs a substantial amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iv) T = Total: Client is completely unable to perform this task and is not now receiving any help and needs total assistance from the chore program.

(b) Points are awarded for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (5) of this section. The point total is converted into maximum allowable hours using the table set forth in subsection (6) of this section. For clients needing attendant care, as defined in subsection (5) of this section, the amount of services authorized is based

on the total number of hours per ((month)) day the chore service provider must be with the client.

(5) The allowable chore services program tasks, as defined by the department, are scored as follows:

(a) Escort/transport to medical services. The scoring is as follows, based on the need and frequency of service: $N = 0$, $M = 1$, $S = 2$, $T = 3$.

(b) Essential shopping and errands. The scoring is based on need and frequency of service: $N = 0$, $M = 5$, $S = 10$, $T = 15$. When the chore provider must perform these tasks for the client because the client is unable to go along, the scoring is $N = 0$, $M = 1$, $S = 3$, and $T = 5$.

(c) Laundry. The scoring is $N = 0$, $M = 1$, $S = 2$, and $T = 3$. If there are no laundry facilities in the client's own home, additional points are awarded. The scoring for the additional points is $N = 0$, $M = 3$, $S = 5$, and $T = 7$.

(d) Splitting/stacking/carrying wood. The scoring is $N = 0$, $M = 3$, $S = 5$, and $T = 7$. This task is available only to persons who use wood as their sole source of fuel for heat and/or cooking.

(e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room. The scoring is $N = 0$, $M = 1$, $S = 2$, and $T = 3$.

(f) Cooking. The scoring is based on the preparation of three meals, as follows:

(i) Breakfast $N = 0$, $M = 4$, $S = 7$, $T = 10$.

(ii) Light meal $N = 0$, $M = 4$, $S = 7$, $T = 10$.

(iii) Main meal $N = 0$, $M = 5$, $S = 10$, $T = 15$.

(g) Feeding. The scoring is based on feeding three meals, as follows:

(i) Breakfast $N = 0$, $M = 4$, $S = 7$, $T = 10$.

(ii) Light meal $N = 0$, $M = 4$, $S = 7$, $T = 10$.

(iii) Main meal $N = 0$, $M = 5$, $S = 10$, $T = 15$.

(h) Dressing/undressing. The scoring is $N = 0$, $M = 4$, $S = 7$, and $T = 10$.

(i) Care of appearance. The scoring is $N = 0$, $M = 1$, $S = 3$, and $T = 5$.

(j) Body care. The scoring is $N = 0$, $M = 5$, $S = 10$, and $T = 15$.

(k) Bed transfer. The scoring is $N = 0$, $M = 1$, $S = 3$, and $T = 5$.

(l) Ambulation. The scoring is $N = 0$, $M = 4$, $S = 7$, and $T = 10$.

(m) Wheelchair transfer. The scoring is $N = 0$, $M = 1$, $S = 3$, and $T = 5$.

(n) Bathing. The scoring is $N = 0$, $M = 4$, $S = 7$, and $T = 10$.

(o) Toileting. The scoring is $N = 0$, $M = 5$, $S = 10$, and $T = 15$.

(p) Remind to take medicines. The scoring for reminding to take medication is $N = 0$, $M = 1$, $S = 2$, and $T = 3$.

(q) Family care. The family care question takes into consideration the ages, number, level of responsibility of

the children, and the presence of a spouse when determining the need for chore services.

(i) Family housework determines the need for additional help cleaning the household because of the presence of children.

(ii) Family tasks determines the need for escort and transportation, laundry services, meal preparation and shopping, and bathing and dressing for the client's children.

(iii) Supervision of children determines the need for physical supervision of the children((-)) when the client is in the home, but unable to supervise them.

(iv) The total scoring for the above are $N = 0$, $M = 14$, $S = 27$, and $T = 40$.

(r) Attendant care for adults/supervision of children.

(i) Attendant care for adults (~~((determines that the chore provider is available to help a))~~) is authorized when the client ((who)) requires assistance with such unscheduled tasks as toileting, ambulation, and wheelchair transfer or supervises or watches a client who cannot safely be left alone. Protective supervision may be necessary when a person may hurt himself or herself, others, or damage property if left alone, or is confused and may wander away, turn on a stove and forget to turn it off, or becomes easily disoriented. The chore service provider performs any household or personal care tasks or gives assistance with activities of daily living during the authorized attendant care hours. The scoring and authorization are based on the number of days per month and hours per day during which the chore service provider must be with a client in need of attendant care. The client or applicant shall provide verification of the need for attendant care by producing a statement from the client's or applicant's physician.

(ii) Supervision of children (~~((determines the need for supervision of children))~~) may be authorized only when the client is temporarily absent from the home because of hospitalization and all possible resources have been explored to provide the necessary supervision. This absence must not exceed two weeks during any six-month period. Refer to WAC 388-15-209 (1)(c)(iv). This question is not scored. The number of days and the number of hours per day that the children need supervision is recorded. ((The monthly)) Authorization is based on the total number of hours required each day for supervision. The chore service provider performs household and personal care tasks for the children during the hours of supervision. ((Supervision of children when the client is absent from the home must not exceed two weeks during any six-month period:))

(6) Except for cases where attendant care for adults or supervision of children when the client is temporarily absent ((are)) is required, as defined in subsection (5)(r) of this section, the amount of hours of chore services authorized per month shall be determined by translating the total number of points awarded on the client review questionnaire into a monthly authorization, utilizing the following CRQ authorization ceiling chart:

CRQ SCORE	CEILING HOURS PER MONTH
1 - 4	5
5 - 9	8
10 - 14	11
15 - 19	14
20 - 24	18
25 - 29	21
30 - 34	24
35 - 39	28
40 - 44	31
45 - 49	34
50 - 54	37
55 - 59	41
60 - 64	44
65 - 69	47
70 - 74	51
75 - 79	54
80 - 84	57
85 - 89	60
90 - 94	64
95 - 99	67
100 - 104	70
105 - 109	74
110 - 114	77
115 - 119	80
120 - 124	83
125 - 129	87
130 - 134	90
135 - 139	93
140 - 144	97
145 - 149	100
150 - 154	103
155 - 159	106
160 - 164	110
165 - 169	113
170 and above	116

The department may authorize fewer hours according to the client's individual circumstances and the provisions under WAC 388-15-215(8). Attendant care for adults and supervision of children when the client is temporarily absent are authorized for the number of days per month and hours per day the services are required.

(7) The client or applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (6) of this section. The department shall authorize the number of additional hours not to exceed one hundred sixteen hours per month per client in the hourly program when:

(a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to his or her health or safety; and

(b) The need for additional hours is specific and clearly measurable.

(c) Funds are available under provisions of WAC 388-15-215(11).

(8) All clients or applicants shall be informed in writing of the process as defined in subsection (7) of this section and shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (6) of this section.

(9) When the department denies a request for additional hours or makes approval for fewer additional hours than requested, the client or applicant shall receive notice of his or her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(10) Chore services may be provided either through the individual provider program or through the contracted program, as deemed most appropriate by department policy established by the state office.

AMENDATORY SECTION (Amending Order 2361, filed 4/2/86)

WAC 388-15-213 PAYMENT. (1) Payment may be made for services performed by a relative, but payment to a spouse, father, mother, son, or daughter ~~((can))~~ may be made only when the person:

(a) Has to give up paid employment (more than thirty hours per week) to give the service, or

(b) Would otherwise need to take paid employment (more than thirty hours per week), or

(c) Would otherwise be financially eligible to receive general assistance to meet his or her own need.

(2) Payment to the spouse providing chore services to an incapacitated, eligible client shall not exceed the amount of a one-person standard for a continuing general assistance grant plus increase required by the legislature. Refer to WAC 388-29-100 for grant standards.

(3) In the contracted program, payment is made to the contractor who directly pays the chore provider. ~~((f))~~ Refer to WAC 388-15-208. ~~((t))~~

(4) In the individual provider program, payment is made to the client who pays the chore provider. ~~((f))~~ Refer to WAC 388-15-208. ~~((t))~~

(a) An hourly wage is paid for the actual number of hours worked on all chore services tasks (maximum of one hundred sixteen hours per month per client), except for attendant care for adults and supervision of children when the client is temporarily absent. ~~((i) The hourly wage rate must at least comply with federal minimum wage guidelines. (ii))~~ The ~~((maximum))~~ hourly wage rate shall ~~((not exceed three))~~ be four dollars and ~~((ninety-five))~~ seventy-six cents per hour beginning September 1, 1987.

(b) A daily ~~((or monthly))~~ rate is paid for attendant care for adults and supervision of children. The daily ~~((or monthly))~~ rate is determined by the service worker after discussion with the client and chore service provider, but the rate shall not exceed the lesser of the following, a maximum of ~~((five hundred fifty-five))~~ twenty-three dollars per ~~((month))~~ day or the amount determined by the table as follows:

~~((MONTHLY))~~ DAILY RATE DETERMINATION

HOURS OF SERVICE PER DAY	PAYMENT PER DAY	((BASE MONTHLY)) ((RATE)) ((30-DAYS)) ((PER MONTH))
((+6)) 21 - 24	up to \$((+8.50)) 23.00	((up to \$550))
16 - 20	up to \$21.00	
12 - 15	up to \$((+6.50)) 19.00	((up to \$495))
8 - 11	up to \$((+3.50)) 16.50	((up to \$405))
4 - 7	up to \$((+9.00)) 11.50	((up to \$270))
((2)) 1 - 3	up to \$((+6.00)) 7.50	((up to \$180))
((+))	up to \$3.40	up to \$102

Up to ~~((seventy-five))~~ five dollars per ~~((month))~~ day is added for each additional client authorized for service in the household.

(c) An individual provider program eligible client or applicant may request approval from the department to exceed the maximum daily ~~((or monthly))~~ rate set by the department. The department shall authorize a higher payment rate necessary to maintain the client or applicant in his or her own home when:

- (i) The need for the higher payment is specific and clearly measurable; and
- (ii) The client or applicant provides documentation that services are not available at the established maximum payment rate; and
- (iii) The client or applicant has made a reasonable effort to find a qualified provider at the established maximum payment rate; and
- (iv) The total cost for ~~((the chore))~~ attendant care services does not exceed the lesser of the following, a maximum of ~~((seven hundred sixty-five))~~ thirty dollars per day, or the amount determined by the table in subsection (4)(b) of this section as follows:

HOURS OF SERVICE PER DAY	ADDITIONAL PAYMENT PER DAY	((ADDITIONAL)) ((MONTHLY)) ((PAYMENT))
((30-DAYS)) ((PER MONTH))		
((+6)) 21 - 24	up to \$7	((up to \$210))
16 - 20	up to \$6	
12 - 15	up to \$5	((up to \$150))
8 - 11	up to \$4	((up to \$120))
4 - 7	up to \$3	((up to \$90))
((2)) 1 - 3	up to \$2	((up to \$60))
((+))	up to \$1	up to \$30

(d) All clients or applicants shall be informed in writing of the process as defined in subsection (4)(c) of this section and shall have the right to request approval from the department to exceed the maximum ~~((monthly;))~~ daily ~~((;))~~ or hourly rate.

(e) When the department denies a request to exceed the maximum payment rates or makes approval at a lesser rate than requested by the client or applicant, the client or applicant shall receive notice of his or her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(f) When the client provides board and room or meals to the chore provider, the department may make a payment to partially reimburse the cost of this expense. Payment is not made for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.

(g) Payment is made only after service delivery has been verified.

WSR 87-18-057
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed September 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning nursing home licensure program administration, amending chapter 388-98 WAC;

that the agency will at 10:00 a.m., Tuesday, October 6, 1987, in OB-2, Conference Room F-20, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 7, 1987.

The authority under which these rules are proposed is chapter 476, Laws of 1987.

The specific statute these rules are intended to implement is chapter 476, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
 Administrative Services
 Department of Social and Health Services
 Mailstop OB 39
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 22, 1987. The meeting site is in a location which is barrier free.

Dated: September 1, 1987
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.
 Re: Amending chapter 388-98 WAC.

Purpose of the Rule Change: To amend the WAC to conform with chapter 476, Laws of 1987 (HB 1006).

Reason These Rules are Necessary: To carry out the legislative intent of establishing a system for imposing prompt and effective sanctions against nursing homes in violation of laws and regulations. Chapter 388-98 WAC

authorizes the department to impose civil fines and stop placements on nursing homes.

Statutory Authority: Chapter 18.51 RCW, as amended by chapter 476, Laws of 1987 (HB 1006).

Summary of Rule Change: WAC 388-98-001 clarifies some definitions and adds definitions of "plan of correction" and "retaliate"; WAC 388-98-700 clarifies reasons for imposing a stop placement, shortens the time to request a fair hearing, clarifies the appeal process, and changes the time frame for a final decision on an appeal of a stop placement; WAC 388-98-800 increases the amount nursing homes may be fined, adds reasons for imposing a civil fine, deletes classifications of deficiencies, and allows fining in certain instances without the nursing home having an opportunity to correct the deficiency; WAC 388-98-830 specifies time frames for nursing homes submitting plans of correction and correcting the deficiencies; WAC 388-98-850 specifies the basis for determining the amount of a fine, when a fine may be paid in installments, when a fine may be suspended, when a fine may be applied toward correcting the deficiency, and allows a suspended fine to be tripled if the nursing home fails to maintain correction of the deficiency. It also describes appeal rights and when fines become due. Medicaid payments may be withheld, or a license may be suspended, if a licensee fails to pay a fine within ten days after the final order, which is a reduction from twenty days; and WAC 388-98-870 permits fining on a daily basis and describes separate violations.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Mike Wills, Director, Residential Rates and Licensure Services, Aging and Adult Services Administration, Department of Social and Health Services, phone 753-5840, mailstop HB-11, Olympia, Washington 98504.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

AMENDATORY SECTION (Amending Order 2052, filed 12/1/83)

WAC 388-98-001 DEFINITIONS. (1) For purposes of this section, the following words or phrases shall have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity (~~(which seeks)~~) seeking a license to operate a nursing home.

(3) "Deficiency" means ((a finding by)) any practice, action, policy, procedure, or condition in a nursing home violating professional standards of practice, relevant statutes, or regulations and which the department ((written on a statement of deficiency/plan of correction form)) documents in writing indicating the ((part(s))) part or parts of chapter 248-14 WAC ((that are)) not being met.

(4) "Department" means the nursing home licensing agency of the state department of social and health services.

(5) "Director" means an individual (~~(who has been))~~ elected or appointed as director of a corporation.

(6) "Licensed nursing home" means a nursing home licensed pursuant to chapter 18.51 RCW.

(7) "Licensee" means an individual, partnership, corporation, or other legal entity to whom a license to operate a nursing home has been granted or a person subject to such licensure as determined by the department but does not include any employee of such licensee or person unless that employee is an owner of five percent or more of the assets of the licensed entity.

(8) "Licensee's agent" means the designated nursing home administrator, or an individual allowed to perform managerial functions in his(~~(f))~~) or her absence.

(9) "Officer" means an individual (~~(who has been))~~ appointed an officer of a corporation.

(10) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a (~~(state))~~ sole proprietorship, the owner, or if owned as community property, the owner and his(~~(f))~~) or her spouse; or

(b) In the case of a corporation, the owner of at least five percent of the capital stock of said corporation; or

(c) In the case of any other type of business entity, the owner of a beneficial interest in at least five percent of the capital assets of such entity.

(11) "Partner" means an individual (~~(who is))~~ in a partnership (~~(which owns))~~ owning or (~~(operates))~~ operating a nursing home.

(12) "Plan of correction" means a written statement specifying:

(a) How cited deficiencies will be corrected,

(b) The date by which the correction will be made, and

(c) Who will be responsible for assuring the correction.

(13) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of the period of time for correction of each (~~(class of))~~ deficiency, the department will consider:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to any resident;

(b) The required financial and personnel resources necessary to correct the deficiency; and

(c) The minimum amount of time practicably required to correct the deficiency.

(~~((f3))~~) (14) "Retaliate":

(a) Retaliate against a resident means any act including, but not limited to:

(i) Verbal or physical harassment or abuse;

(ii) Nonmedically indicated social, dietary, or mobility restriction;

(iii) Lessening of the level of care not medically appropriate;

(iv) A nonvoluntary relocation within a nursing home without appropriate medical justification;

(v) Neglect or negligent treatment;

(vi) Withholding of privileges; or

(vii) Any infringement upon a resident's rights as described in WAC 248-14-247, occurring as a result of resident actions described in WAC 388-98-800 (2)(i).

(b) Retaliate against an employee means any act including, but not limited to, harassment, firing, demotion, disciplinary action, or nonvoluntary reassignment or rescheduling occurring as a result of employee actions described in WAC 388-98-800 (2)(i).

(c) A rebuttable presumption is raised that retaliation has occurred if a condition described in subsection 388-98-001 (14)(a) of this section definition occurs within one year of the resident's actions described in WAC 388-98-800 (2)(i).

(15) "Stop placement" means action instituted by the department prohibiting nursing home admissions, readmissions, and transfers of individual patients.

AMENDATORY SECTION (Amending Order 2052, filed 12/1/83)

WAC 388-98-700 STOP PLACEMENT. (1) (~~((Where the department determines that a nursing home no longer substantially meets the requirements of chapter 18.51 or 74.42 RCW or 42 U.S.C. § 1395 x(j) or 42 U.S.C. § 1396 d(c), respectively, or regulations promulgated thereunder, and further determines that the provider's deficiencies do jeopardize the health and safety of its patients, the department shall institute a stop placement on such provider on a date specified by the department. PROVIDED, That readmissions from a hospital may be approved when it is determined by the department that such readmission would be in the best interest of the individual patient))~~) The department shall institute a stop placement on a nursing home, effective on a date specified by the department, when the department determines:

(a) The nursing home no longer substantially meets the requirements of:

(i) 42 U.S.C. § 1395 x(j), or

(ii) 42 U.S.C. § 1396 d(c), or

(iii) Chapter 18.51 RCW, or

(iv) Chapter 74.42 RCW, or

(v) Any federal or state regulation or regulations adopted under authority of the above referenced statutes.

(b) The deficiency or deficiencies in the nursing home:

(i) Jeopardize the health and safety of the residents, or

(ii) Seriously limit the nursing home's capacity to provide adequate care.

(2) When the department has initiated a stop placement, the department may approve a readmission to the nursing home from the hospital when the department determines the readmission would be in the best interest of the individual resident seeking readmission.

(3) The department shall terminate the stop placement (~~shall be terminated~~) when:

(a) The provider states in writing that the deficiencies necessitating the stop placement action have been corrected; and

(b) Department staff confirms in a timely fashion not to exceed fifteen working days (~~whether~~):

(i) The deficiencies necessitating the stop placement action have been corrected, and (~~that~~)

(ii) The provider exhibits the capacity to continue to deliver adequate care and service.

~~((3))~~ (4) A nursing home provider shall have the right to (~~request~~) an informal (~~conference within ten days of notice of the stop placement~~) review to present written evidence to refute the deficiencies cited as the basis for the stop placement. If an informal review is desired, the nursing home shall request the informal review in writing within ten days of the effective date of the stop placement. The request shall be made to the director, residential rates and licensure services, aging and adult services administration.

~~((4))~~ A nursing home provider shall have the right to request a fair hearing within thirty days of notice of the stop placement to appeal a stop placement action:

(a) A request for a fair hearing or an informal conference shall not suspend or delay a stop placement;

(b) A final decision shall be rendered within seven calendar days of the hearing, unless extended by a continuance of the hearing requested by or consented to by the applicant;

(5)(a) (~~The stop placement will remain in effect until there is a final administrative decision or until the conditions of subsection (2) of this section have been satisfied~~) The nursing home has the right to a contested case hearing to appeal a stop placement. If a hearing is requested, the nursing home shall request the hearing in writing and shall:

(i) Deliver the request by personal service or certified mail to the office of hearings, P.O. Box 2275, Olympia, WA 98504.

(A) If no informal review was requested, the nursing home shall deliver the request within ten days of the effective date of the stop placement;

(B) If an informal review was requested, the nursing home shall deliver the request within ten days of the date the informal review determination was mailed; or

(C) If an informal review was requested and the determination was personally served or orally communicated, the nursing home shall deliver the request within ten days of the date the determination was served or communicated.

(ii) Include in or with the request:

(A) A specific statement of the issue or issues and law or laws involved;

(B) The grounds for contending the stop placement is erroneous;

(C) A copy of the stop placement notice; and

(D) Either the informal review determination or a statement where an informal review has not been, and will not be, requested.

(b) The hearing shall be governed by chapters 10-08 and 388-08 WAC. If any provision of this section conflicts with chapter 388-08 WAC, the provision in this section applies. The decision making procedure shall be the initial decision, petition for review, and review-decision procedure. The administrative law and review judges shall act on stop placement cases expeditiously.

(6)(a) The department shall not delay or suspend a stop placement because the nursing home requests a contested hearing or an informal review.

(b) The stop placement shall remain in effect until:

(i) The department terminates the stop placement,

(ii) Fourteen days after an initial decision terminating the stop placement is mailed and the department does not file a petition for administrative review, or

(iii) A review decision terminating the stop placement is mailed.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-800 APPLICABILITY OF CIVIL FINES. (1) The department may impose civil fines (~~may be imposed~~) in lieu of or in addition to denial, suspension, or revocation of a license.

(2) A fine of up to (~~one~~) three thousand dollars may be imposed on the licensee when the department finds (~~that~~) an applicant, licensee (~~or~~), licensee's agent, employee, or individual providing care or services within the nursing home has:

(a) (~~Been the holder of a license issued pursuant to~~) Failed or refused to comply with the requirements of chapters 18.51 or 74.42 RCW (~~which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled~~) or the rules, standards, and regulations established under them; or

(b) Operated a nursing home without a license, or under a revoked or suspended license; or

(c) Knowingly or with reason to know made a false statement or an omission of a material fact in (~~his~~) the application for license or any data attached thereto, or in any matter under investigation by the department; or

~~((e))~~ (d) Refused to allow representatives or agents of the department to inspect all the books, records, and files required to be maintained on any portion of the premises of the nursing home; or

~~((f))~~ (e) Wilfully prevented, interfered with, or attempted to impede in any way the work of any duly authorized representative of the department in the lawful enforcement of any provision of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations established under them; or

~~((g))~~ (f) Wilfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of any of the provisions of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations (~~promulgated thereunder~~) established under them; or

~~((h))~~ (g) Failed to report patient abuse or neglect in accordance with chapter 70.124 RCW; or

~~((i))~~ (h) Failed to pay any civil fine assessed by the department pursuant to chapter 18.51 RCW within (~~twenty~~) ten days after such assessment becomes final; or

(i) Retaliated in any manner against a resident or employee of a nursing home for:

(i) Reporting any complaint to the department regarding the operation of a nursing home or the care provided in a nursing home, or

(ii) Responding to departmental inquiries regarding the operation of a nursing home or the care provided in a nursing home, or

(iii) Initiating or participating in any proceeding specified in chapters 18.51 or 74.42 RCW or rules or regulations established under them, or

(iv) Having a complaint reported to the department on his or her behalf.

(j) Discriminated against a Medicaid recipient by violating the provisions of RCW 74.42.055; or

(k) Failed to submit an acceptable plan of correction within the time frame established by the department.

(3) (~~Monetary fines of a civil nature may be imposed on the licensee of a nursing home as follows~~) A licensee subject to civil fines under subsection (2)(a), (i), (j), or (k) of this section shall have a reasonable opportunity, as specified in WAC 388-98-830, to correct the deficiency before being assessed a civil fine, except as provided in subsection (4) of this section.

(4) A civil fine may be assessed without prior opportunity to correct when the department determines:

(a) (~~it shall be a Class A deficiency when there are conditions or practices that present an immediate danger of death or serious physical harm to any patient in the nursing home or substantial probability that death or serious physical harm would result. The condition or practice constituting a Class A deficiency shall be abated or eliminated as soon as possible within twenty-four hours upon notification to the licensee or licensee's agent. The licensee shall be subject to a fine not to exceed one thousand dollars for each Class A deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed~~) The deficiency results in serious harm to or death of a resident; or

(b) (~~It shall be a Class B deficiency when there are conditions or practices which have a direct or immediate relationship to the mental or physical health, safety, or security of residents of a nursing home but which presents no imminent danger nor substantial probability of death or serious physical harm to them. A Class B deficiency shall be corrected within a reasonable time determined by the department, but in no event more than sixty days. The licensee shall be subject to a fine not to exceed seven hundred fifty dollars for each Class B deficiency for which the licensee or licensee's agent has been notified and for~~)

which the time for correction has passed.) The deficiency constitutes a serious threat to resident life, health, or safety; or

(c) ~~((It shall be a Class C deficiency when there are conditions or practices which have a relationship to the health, safety, or security of any patient at a nursing home but which cannot be classified as a Class A or Class B deficiency. A Class C deficiency shall be corrected within a reasonable time determined by the department. The licensee shall be subject to a fine not to exceed five hundred dollars for each Class C deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed))~~ The deficiency substantially limits the nursing home's capacity to render adequate care; or

(d) There has been a violation of subsection (2)(b), (c), (d), (e), (f), (g), or (h) of this section; or

(e) A previously cited deficiency resulting in:

- (i) Serious harm to or death of a resident;
- (ii) A serious threat to resident life, health, or safety;
- (iii) A surveyor determination where a standard level deficiency exists, as described in 42 CFR 405 subpart K, or a deficiency of corresponding significance under state licensure regulations exists; or
- (iv) A substantial limitation of the nursing home's capacity to render adequate care or services, is not corrected within a reasonable time, or is cited again within one year of the date correction was verified by the department.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-830 NOTIFICATION OF RESPONSE TIME.
(1) Department findings shall be ~~((written as a statement of deficiency))~~ documented in writing and presented to the licensee or licensee's agent.

(2) The department shall obtain a plan of correction ~~((and reasonable time for correction))~~ from the licensee or licensee's agent. ~~((The))~~

(a) The department may require the licensee or licensee's agent to submit an acceptable plan of correction during the survey or complaint investigation for a specific deficiency presenting an immediate danger of death or serious physical harm to any resident in the nursing home or a substantial probability that death or serious physical harm would result. Such deficiency shall be abated or eliminated as soon as possible within twenty-four hours from notification to the licensee or licensee's agents.

(b) A licensee or licensee's agent participating in the Medicare or Medicaid program shall submit a complete and acceptable plan of correction ~~((shall be obtained))~~ during the exit interview when:

- (i) The survey team determines the nursing home lacks the capacity to provide an adequate level of care or services, or
- (ii) There are fewer than sixty days from the exit interview to the Medicare or Medicaid certification expiration date.

(c) All licensees or licensee's agents choosing to submit a complete plan of correction during the exit interview may do so.

(d) The licensee or licensee's agent not submitting a plan of correction at the exit interview shall submit a complete plan of correction by the time and date specified by the department. The department may allow the licensee or licensee's agent up to ten calendar days from the exit conference to submit an acceptable plan of correction for deficiencies presenting neither an immediate danger nor a substantial probability of death or serious physical harm. Such deficiency shall be corrected within a reasonable time determined by the department. In no event shall the time for correction exceed sixty days.

(e) When deficiencies involve facility alterations, physical plant development, construction review, or certificate of need, an interim plan of correction ~~((that states))~~ stating the steps planned and approximate time schedule is acceptable. Updated plans shall be submitted as agreed to and as progress occurs. ~~((The reasonable time for correction shall be limited by the classification of deficiency.))~~

(3) ~~((Unacceptable plans for correction or times for correction will be returned by personal service or certified mail to the licensee or licensee's agent, with letter of explanation, for revision and resubmission:))~~

(a) The licensee or licensee's agent shall be allowed up to eight hours to submit an acceptable plan of correction and reasonable time for correction for Class A deficiencies.

(b) The licensee or licensee's agent shall be allowed up to five working days to submit an acceptable plan of correction and reasonable time for correction for Class B deficiencies.

(c) The licensee or licensee's agent shall be allowed up to ten working days to submit an acceptable plan of correction and reasonable time for correction for Class C deficiencies.

~~((4) When the licensee or licensee's agent corrects a deficiency as determined by the department within the reasonable time established, a fine will not be imposed:))~~

~~((5))~~ Upon licensee's or licensee's agent's written petition, the department shall determine whether or not to grant a request for an extended correction time. Such a petition must be received by the department at the earliest possible date prior to the expiration of the correction time originally approved. The burden of proof is on the licensee or licensee's agent to show good cause for not being able to comply with the original correction time.

~~((4) The department shall notify the licensee or licensee's agent when the plan of correction is unacceptable. The licensee or licensee's agent shall return the revised plan of correction to the department by the date specified by the department.))~~

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-850 IMPOSITION AND PAYMENT OF FINES. (1) ~~((If correction has not been completed and a decision not to fine the licensee has been made, that decision shall be communicated to the licensee or licensee's agent and shall be documented in the licensing file.))~~

~~((2) When the corrective action taken by the licensee or licensee's agent fails to fully correct the deficiency, the degree of progress in correcting the deficiency will be considered in determining whether or not a fine will be imposed:))~~

~~((3) Each fine imposed shall be approved by the department.))~~

~~((4))~~ The department shall provide written notice of ~~((imposition shall be provided))~~ a fine by personal service or certified mail to ~~((individual))~~ licensee or ~~((entity to be fined))~~ licensee's agent.

~~((5))~~ (2) The amount of the fine shall be based on ~~((any))~~ one or ~~((all))~~ more of the following:

- (a) The severity of the deficiency;
- (b) The prevalence of the deficiency;
- (c) The licensee's or licensee's agent's efforts to correct the deficiency;
- (d) The ~~((licensee's history))~~ degree of ~~((noncompliance))~~ progress achieved in correcting the deficiency; and/or
- (e) The cost to the department.

(3) The department may require assessed civil fines:

- (a) To be paid in full;
- (b) To be paid in installments; or
- (c) To be spent, in whole or in part, to correct or ameliorate the deficiency or to improve nonadministrative services within the facility.

(4) The department may consider, but is not limited to considering, the following factors in deciding whether to require payment of a fine in full, to permit installment payments, or to require some or all of the fine to be applied toward improvements in the nursing home:

- (a) The amount of the fine,
- (b) The potential harm to the residents resulting from the method of payment, and
- (c) The cost to the licensee of correcting the deficiency.

(5) Fines paid on an installment basis shall accrue interest at the rate of one percent per month.

(6) ~~((The written notice is an order that shall become final twenty days after its service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested the fine becomes due on the thirtieth day after notice of imposition))~~ The department at its discretion, may suspend the payment of a fine or a portion thereof, for up to one year after correction has been documented by a post survey, to assure the corrections continue. If the deficiency for which the fine was assessed remains corrected throughout the period established in the suspension notice, the department shall rescind the suspended fine. If the same deficiency reoccurs any time during the period established in the suspension notice, the licensee shall pay the department triple the amount of the suspended fine.

(7) ~~((All hearings shall be in accordance with the administrative procedures contained in chapter 388-08 WAC))~~ Factors which the department may consider in deciding whether to suspend all or a portion of a fine include, but are not limited to:

- (a) The amount of the fine,
- (b) The licensee's history of providing care, and
- (c) Mitigating circumstances contributing to the deficiency.

(8) ~~((If a hearing is requested, any written order arising therefrom imposing a fine shall become final thirty days after its entry, unless such order is stayed in accordance with the provisions of administrative procedures contained in chapter 388-08 WAC))~~ If the department

suspends all or a portion of a fine, the department shall provide a written notice of suspension by personal service or certified mail to the licensee or licensee's agent. The notice shall include:

(a) The citation of the specific deficiency or deficiencies resulting in the imposition of the fine,

(b) The amount of the fine,

(c) The amount of the fine suspended, and

(d) The time frame through which correction must be maintained to avoid payment of the trebled amount of the suspended fine.

(9) ~~((In case of nonpayment of a fine, the department may withhold an amount equal to the fine from the licensee's administration and operations payment, or;))~~ The written notice of a fine is an order that shall become final twenty days after the service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested, the fine becomes due on the thirtieth day after notice of imposition.

(10)(a) ~~((The department may suspend the license of any licensee who fails to pay a fine imposed under this chapter thirty days after the date of order imposing the fine. Such license suspension shall continue until the fine is paid))~~ The licensee or licensee's agent has the right to appeal a civil fine to a contested case hearing. If a hearing is requested, the licensee or licensee's agent shall request the hearing in writing and shall:

(i) Deliver the request by personal service or certified mail to the office of hearings, P.O. Box 2275, Olympia, WA 98504, within twenty days following receipt of the notice of fine; and

(ii) Include in or with the request:

(A) A specific statement of the issue or issues and law or laws involved,

(B) The grounds for contending the civil fine is erroneous, and

(C) A copy of the notice of fine.

(b) The hearing shall be governed by chapters 10-08 and 388-08 WAC. If any provision of this section conflicts with chapter 388-08 WAC, the provision in this section applies.

(11) Any suspended fines shall become due ten working days after notice is given to the department of any change of ownership as defined in WAC 388-96-010 or as defined in WAC 275-38-001 for nursing homes certified as institutions for the mentally retarded.

(12) When any licensee fails to pay a fine imposed under this chapter within ten days after the date of the final order imposing the fine, the department may:

(a) Withhold an amount equal to the fine plus interest, if any, from the licensee's payment, or

(b) Suspend the licensee's nursing home license. Such license suspension shall continue until the fine is paid.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-870 SEPARATE VIOLATIONS. (1) Each separate finding of a violation of a statute, rule, or regulation shall constitute a separate violation.

(2) Following the notification of a deficiency described in WAC 388-98-800(4), each day upon which the same deficiency is present, or a substantially similar action occurs, shall constitute a separate violation subject to the assessment of a separate penalty.

WSR 87-18-058

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 87-108—Filed September 1, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is net restrictions in Areas 4B, 5, 6, 6A,

6C, 7 and 7A provide opportunity [protection] for Canadian and Puget Sound chinook during sockeye fisheries under the direction of the Pacific Salmon Commission. Openings in Areas 7B and 7E provide opportunity to harvest non-Indian chinook allocation. Openings in Area 8 provide for an update fishery as per preseason agreement. Area 7E reduced to two day opening to prevent overharvest. All other areas closed to prevent overharvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1987.

By Robert Turner
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-806 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective September 1, 1987, until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 4B – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Areas 5, 6C – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Areas 6, 6A, 7, 7A – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.

Area 7B – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM September 1 to 9:00 AM September 2. Fishery exclusion zones applicable to Area 7B commercial fisheries are described in WAC 220-47-307.

*Area 7E – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM September 1 to 9:00 AM September 2; and purse seines may fish from 5:00 AM to 9:00 PM through September 1. That portion east of a line from Tongue Point to Juniper Point to the point immediately south of Juniper Point remains closed to all commercial fishing.

Area 8 (excluding that portion south and west of a line projected from Polnell Point (Whidbey Island) to Rocky Point (Camano Island) – Closed except gill nets using 5-

inch minimum/6-inch maximum mesh not more than 60 meshes in depth may fish from 6:00 PM September 1 to 9:00 AM September 2. That portion south and west of a line projected from Polnell Point (Whidbey Island) to Rocky Point (Camano Island) remains closed to all commercial fishing. Fishery exclusion zones applicable to Area 8 commercial fisheries are described in WAC 220-47-307.

Areas 6B, 6D, 7C, 7D, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective September 1, 1987.

WAC 220-47-805 Puget Sound Commercial Salmon Fishing Restrictions Order No. 87-106

**WSR 87-18-059
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-109—Filed September 1, 1987]**

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is harvestable numbers of pink salmon are available.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1987.
By Robert Turner
for Joseph R. Blum
Director

NEW SECTION

WAC 220-57-42500K SKAGIT RIVER. Notwithstanding the provisions of WAC 220-57-425, effective 12:01 a.m. September 2, 1987, it is unlawful to fish for or possess salmon taken for personal use from the waters

of the Skagit River, except that it is lawful to fish for and possess pink salmon taken downstream from the mouth of Gilligan Creek through 11:59 p.m. September 11, 1987. The special daily bag limit is six pink salmon. Barbless hooks are required and any salmon other than pink salmon must be released immediately.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 2, 1987:

WAC 220-57-42500J SKAGIT RIVER. (87-56)

Reviser's note: Errors of punctuation or spelling in the above repealer occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 87-18-060
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
[Order 1950—Filed September 1, 1987]**

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to restrictions on the use of restricted use herbicides, chapters 16-230, 16-231 and 16-232 WAC.

This action is taken pursuant to Notice No. WSR 87-14-073 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 17.21 and 15.58 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1987.
By Michael V. Schwisow
Deputy Director

AMENDATORY SECTION (Amending Order 1677, filed 2/20/80)

WAC 16-231-015 RESTRICTED USE HERBICIDES—BENTON COUNTY—AREA 1. (1) Area 1 description. (a) (Prosser to Finley and vicinity.) This area includes all lands in Sections 1 through 12, and 15 through 19, T8N, R24E; Sections 5, 6 and 7, T8N, R25E; all of T9N, R24E; Sections 1 through 34, T9N, R25E; Sections 1 through 24, T9N, R26E; all of T9N, R27E; that portion of T10N, R27E and R28E and T8N, R28E, lying south of the Yakima River, and that portion of T8N, R28E, lying north of the Burlington Northern Railroad tracks; Sections 29 through 36, T9N, R29E; Sections 1 through 6, 10 through 13, and those portions of Sections 7, 8, 9, 14, 15, 23, and 24, T8N, R29E, lying north and east of the K.I.D. Canal; Sections 4 through 10, 14 through 28, 35, 36, and those portions of 29, 30,

32, 33 and 34, T8N, R30E lying north and east of the K.I.D. Canal, and the Atomic Energy Commission reservation.

(b) An area near Patterson starting at the southeast corner of Section 7, T5N, R26E following section lines north eight miles to the northeast corner of Section 6, T6N, R26E; thence west one mile to the northwest corner of Section 6, T6N, R26E; thence south three miles to the southwest corner of Section 18, T6N, R26E; thence west six miles to the northwest corner of Section 19, T6N, R25E; thence south three miles to the southwest corner of Section 31, T6N, R25E; thence east three miles to the southeast corner of Section 33, T6N, R25E; thence south three miles to the southwest corner of Section 15, T5N, R25E; thence west one mile to the northwest corner of Section 21, T5N, R25E; thence south one mile to the southwest corner of Section 21, T5N, R25E; thence east two miles to the southeast corner of Section 22, T5N, R25E; thence north one mile to the northeast corner of Section 22, T5N, R25E; thence east two miles to the southeast corner of Section 13, T5N, R25E; thence one mile north to the northeast corner of Section 13, T5N, R25E; thence east one mile to the point of origin.

(2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of restricted use herbicides is prohibited.

(b) On and after April 5 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) Aircraft applications of restricted use herbicides are prohibited: PROVIDED, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(d) The loading and/or mixing of restricted use herbicides is prohibited on any airstrip, airfield, or any location within Area 1, and turning and/or low flying over Area 1 is also prohibited when loaded with restricted use herbicides or prior to cleaning equipment following use of these herbicides.

NEW SECTION

WAC 16-231-033 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—BENTON COUNTY. (1) Private pesticide applicators (those persons certified by the Washington state department of agriculture in the private pesticide applicator category) shall keep records for each application of restricted use herbicides in Areas 1 and 2 of Benton County. Application records shall include the following information:

(a) Applicator's name, address and name of the individual making the application;

(b) The address or location of the land where the chemical was applied;

(c) The year, month, day, and time the chemical was applied;

(d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;

(e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;

(f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;

(g) Specific crop or site to which the chemical was applied.

(2) Application records shall be completed and available to the department the same day the chemicals were applied.

(3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-115 RESTRICTED USE HERBICIDES—FRANKLIN COUNTY—AREA 1. (1) Area 1 description.

(a) This area includes all lands lying within a boundary line starting at the northwest corner of Section 6, T14N, R28E; thence east along section lines nineteen miles to the Burlington Northern Railroad tracks; thence southeasterly approximately four miles to Moon Road; thence south two miles to State Highway 260; thence west along State Highway 260 approximately five miles to its intersection with State Highway 17; thence south along State Highway 17 approximately ((fourteen)) seven miles to its intersection with Highway 395; thence south along Highway 395 approximately seven miles to the southwest corner of Section 1, T11N, R30E; thence east one mile more or less to the northeast corner of Section 12, T11N, R30E; thence south fifteen miles more or less along the section lines to the junction of the east section line of Section 25, T9N, R30E, and the Snake River; thence southwesterly along the Snake River to its confluence with the Columbia River; thence following the Columbia River westerly and northerly to the north section line of Section 28, T14N, R27E; thence east along the Grant County line four miles more or less to the northeast corner of Section 25, T14N, R27E; thence north along the Grant County border four miles to the point of origin.

(b) Also including (Ice Harbor Dam area) Levey: This area includes all lands lying within a two-mile radius of Levey within Franklin County.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April ((+)) 5 through October 31 of each year: PROVIDED, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of restricted use herbicides shall be made

using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after April 5 through October 31, aircraft applications of restricted use herbicides shall be prohibited except by written permit issued by the department: PROVIDED, That on and after November 1 through April 4 of the following year, aircraft applications of restricted use herbicides shall be allowed using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 5 through October 31, aircraft applications of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: PROVIDED, That on and after April 5 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: PROVIDED FURTHER, That on and after April 5 through April 30 written requests to apply 2,4 DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-145 RESTRICTED USE HERBICIDES—FRANKLIN COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 1, 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That such applications shall be prohibited in Area 1 ((and 1A)) on and after April 1 through October 31 when the mean sustained wind velocity is over ten miles per hour: PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved hooded boom sprayer is used. Hooded boom sprayers shall be approved by the department of agriculture. The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer. Approval shall be based on research data.

NEW SECTION

WAC 16-231-148 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—FRANKLIN COUNTY. (1) Private pesticide applicators (those persons certified by the Washington state department of agriculture in the private pesticide applicator category) shall keep records for each application of restricted use herbicides in Areas 1 and 2 of Franklin County. Application records shall include the following information:

- (a) Applicator's name, address and name of the individual making the application;
- (b) The address or location of the land where the chemical was applied;
- (c) The year, month, day, and time the chemical was applied;

(d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;

(e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;

(f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;

(g) Specific crop or site to which the chemical was applied.

(2) Application records shall be completed and available to the department the same day the chemicals were applied.

(3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

NEW SECTION

WAC 16-231-238 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—YAKIMA COUNTY. (1) Private pesticide applicators (those persons certified by the Washington state department of agriculture in the private pesticide applicator category) shall keep records for each application of restricted use herbicides in Areas 1 and 2 below Union Gap of Yakima County. Application records shall include the following information:

(a) Applicator's name, address and name of the individual making the application;

(b) The address or location of the land where the chemical was applied;

(c) The year, month, day, and time the chemical was applied;

(d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;

(e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;

(f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;

(g) Specific crop or site to which the chemical was applied.

(2) Application records shall be completed and available to the department the same day the chemicals were applied.

(3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

NEW SECTION

WAC 16-231-343 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—ADAMS COUNTY. (1) Private pesticide applicators (those persons certified by the Washington state department of

agriculture in the private pesticide applicator category) shall keep records for each application of restricted use herbicides in Areas 1 and 2 of Adams County. Application records shall include the following information:

(a) Applicator's name, address and name of the individual making the application;

(b) The address or location of the land where the chemical was applied;

(c) The year, month, day, and time the chemical was applied;

(d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;

(e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;

(f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;

(g) Specific crop or site to which the chemical was applied.

(2) Application records shall be completed and available to the department the same day the chemicals were applied.

(3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-910 RESTRICTED USE HERBICIDES—GRANT COUNTY—AREA 1. (1) Area 1 description. (Lands generally within the Columbia Basin irrigation project.) An area starting at the southwest corner of Section 21, T14N, R27E; thence east along the county line four miles more or less to the southeast corner of Section 24, T14N, R27E; thence north along the county line sixteen miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line thirteen miles more or less to the East Low Canal; thence northerly and easterly along the East Low Canal to the Adams County line; thence north along the Grant-Adams County lines six miles more or less to the East Low Canal; thence northwesterly along the East Low Canal to the southeast boundary of Block 70; thence easterly, northerly, and westerly, encompassing Block 70, Soap Lake and Block 701, to the West Main Canal; thence southwesterly along the West Main Canal to the north boundary line of Unit 1, Block 73; thence westerly along the northern boundary line of Block 73 to the northwest corner of Unit 278; then due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly along the Columbia River to the south boundary line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence south and ((east))

west along Highway 24 to Vernita Bridge; thence easterly along the Columbia River to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 15 through October 31: PROVIDED, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

(e) On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: PROVIDED, That on and after April 15 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: PROVIDED FURTHER, That on and after April 15 through April 30 written request to apply 2,4-DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

NEW SECTION

WAC 16-231-938 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—GRANT COUNTY. (1) Private pesticide applicators (those persons certified by the Washington state department of agriculture in the private pesticide applicator category) shall keep records for each application of restricted use herbicides in Areas 1, 1A and 2 of Grant County. Application records shall include the following information:

(a) Applicator's name, address and name of the individual making the application;

(b) The address or location of the land where the chemical was applied;

(c) The year, month, day, and time the chemical was applied;

(d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;

(e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;

(f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;

(g) Specific crop or site to which the chemical was applied.

(2) Application records shall be completed and available to the department the same day the chemicals were applied.

(3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-231-120 AREA 1A.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-665 RESTRICTED USE HERBICIDES—EASTERN WASHINGTON—AIRCRAFT RESTRICTIONS NEAR VINEYARDS. Aerial application of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: PROVIDED, That the Washington state department of agriculture may approve written requests and issue permit for aerial application of restricted use herbicides that may be applied to lands located one-half to one mile from commercial vineyards: PROVIDED FURTHER, That no distance restrictions shall apply to aerial applications of restricted use herbicides near vineyards during the grape dormant season if written permission of the vineyard owner/manager is obtained. EXCEPTIONS are found in Franklin and Grant County ((orders)) restrictions.

NEW SECTION

WAC 16-230-673 RESTRICTED USE HERBICIDES—EASTERN WASHINGTON—APPLICATION THROUGH IRRIGATION SYSTEMS. Restricted use herbicides applied through irrigation systems shall be subject to the same requirements as ground applications of restricted use herbicides except for nozzle size and pressure requirements.

NEW SECTION

WAC 16-232-038 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—WALLA WALLA COUNTY. (1) Private pesticide applicators (those persons certified by the Washington state department of agriculture in the private pesticide applicator category) shall keep records for each application of restricted use herbicides in Areas 1 and 2 of Walla Walla County. Application records shall include the following information:

(a) Applicator's name, address and name of the individual making the application;

(b) The address or location of the land where the chemical was applied;

(c) The year, month, day, and time the chemical was applied;

(d) The trade name and/or common name of the chemical applied, and/or EPA registration number for that product;

(e) The direction and estimated velocity of the wind and temperature at the time the chemical was applied;

(f) The amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the chemical used;

(g) Specific crop or site to which the chemical was applied.

(2) Application records shall be completed and available to the department the same day the chemicals were applied.

(3) Application records shall be kept for a period of three years from the date of application of the chemical to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

WSR 87-18-061

NOTICE OF PUBLIC MEETINGS HUMAN RIGHTS COMMISSION

[Memorandum—August 31, 1987]

The Washington State Human Rights Commission will hold its next regular commission meeting in Yakima on September 24 and 25, 1987. The meeting on September 24, will be held at the Holiday Inn, Suncrest Room, 9 North 9th Street, Yakima, from 7:00 p.m. to 11:00 p.m. and will be a training and work session only. The regular business meeting will be held at the City Hall Council Chambers, 129 North 2nd Street, Yakima, beginning at 9:30 a.m. on September 25. The main topic of discussion for the September meeting will be Human Rights Issues/Native Americans as the subject pertains to the law against discrimination. A dinner meeting with the Washington Association of Human Rights Agencies, an advisory council to the Washington State Human Rights Commission, will be held at the Holiday Inn, Ballroom A, 9 North 9th Street, Yakima, on September 25, beginning at 6:30 p.m., to discuss the goals of WAHRA.

WSR 87-18-062

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the generation and management of dangerous waste;

that the agency will at 7:00 p.m., October 7, 1987, in the Spokane County Public Health Center, Auditorium, Room 140, 1101 West College Avenue, Spokane, WA, and at 7:00 p.m., October 8, 1987, in the Richland City Hall, Council Chambers, George Washington Way, Richland, WA, and at 7:00 p.m., October 13, 1987, in the EPA Region X, 12th Floor Hearings Room, 1200 Sixth Avenue, Seattle, WA, and at 7:00 p.m., October 15, 1987, in the PUD Building, Auditorium, 1200 Fort

Vancouver Way, Vancouver, WA, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 5, 1987.

The authority under which these rules are proposed is chapter 70.105 RCW.

The specific statute these rules are intended to implement is chapter 70.105 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 15, 1987.

Dated: August 28, 1987

By: Phillip C. Johnson
Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Chapter 173-303 WAC, Dangerous waste regulations.

Description of Purpose: To encourage the best management practices for dangerous wastes according to the priorities of RCW 70.105.150.

Statutory Authority: Chapter 70.105 RCW, Hazardous Waste Management Act.

Summary of Rule: Will apply restrictions and prohibitions for land disposal of certain dangerous wastes. WAC 173-303-140 will be amended.

Reasons Supporting Proposed Action: Legislatively mandated by SSB 4245, SHB 1438, and RCW 70.105.160.

Agency Personnel Responsible for Drafting: Karen Rose, (206) 459-6283; Implementation: Earl Tower, (206) 459-6316; and Enforcement: Marc Horton, (206) 459-6053, Department of Ecology, Mailstop PV-11, Olympia.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of the businesses in any one industry be reviewed and altered to minimize their impact upon small business. The proposed amendments will affect persons who will manage dangerous waste by land disposal in Washington state. The small businesses which have utilized land disposal for their dangerous wastes are listed in Table 1 (on file in the code reviser's office). The economic impact of these amendments is summarized below.

As a first step, the number of small businesses affected by these proposed amendments was estimated. This includes all businesses that employ less than 50 people and that generate more than 220 lb/mo. of dangerous waste or that treat, store, or dispose of more than 200 lb/mo. of dangerous waste. These specific businesses are listed in Table 1.

The total number of small businesses affected by the proposed amendment is 50. The total number of small businesses in Washington state is 103,847¹. This represents an economic impact for 0.05 percent of the small businesses in Washington state. It must be stressed that not all of these 50 businesses will necessarily be affected by the proposed amendments. Rather, this number may be viewed as the total possible number of small businesses affected by the proposed amendments. In addition, the total number of businesses in Washington state is 108,357²; therefore, 96 percent of the businesses in Washington state are small businesses.

The proposed amendments would require alternative treatment or alternative disposal for wastes that are currently land disposed, and this alternative treatment could have a greater cost than land disposal. Each business will have a different cost for implementing the proposed amendments, depending on both the type of dangerous waste to be managed and the quantity of dangerous waste. Alternative treatment for an organic dangerous waste is estimated at \$800/ton. Alternative treatment for an inorganic dangerous waste is estimated at \$120/ton. Therefore, a company that land disposes 5 tons/mo. inorganic dangerous waste would have a potential cost of \$600/mo. (5 tons x \$120/ton = \$600) to alternatively manage that waste. For all small businesses, the entire cost could be as high as \$9.9 million per year. This estimate was obtained by adding the potential costs for each business (listed in Table 1) to implement the proposed amendments.

¹The number of small businesses in Washington state (103,847) was provided by Don Guttman, Research Division, Washington State Department of Revenue.

²The total number of businesses in Washington state (108,357) was provided by Don Guttman, Washington State Department of Revenue.

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-140 ~~LAND DISPOSAL ((OF EXTREMELY HAZARDOUS WASTE)) RESTRICTIONS. ((No person shall dispose of designated EHW at any land disposal facility in the state other than the facility established and approved by the department for such purpose under chapter 70.105 RCW. A person is not prohibited from reclaiming, recycling, recovering, treating, detoxifying, neutralizing, or otherwise processing EHW to remove or reduce its harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter 173-303 WAC.)) (1) Purpose.~~

(a) The purpose of this section is to encourage the best management practices for dangerous wastes according to the priorities of RCW 70.105.150 which are, in order of priority:

- (i) Reduction;
- (ii) Recycling;
- (iii) Physical, chemical, and biological treatment;
- (iv) Incineration;
- (v) Stabilization and solidification; and
- (vi) Landfill.

(b) This section identifies dangerous wastes that are restricted from land disposal, describes requirements for restricted wastes, and defines the circumstances under which a prohibited waste may continue to be land disposed.

(c) For the purposes of this section, the term "landfill," as stated in the priorities of RCW 70.105.150, shall be the same as the term "land

disposal." Land disposal will be used in this section to identify the lowest waste management priority.

(2) Applicability.

The land disposal restrictions of this section apply to any person who owns or operates a land disposal facility in Washington state and to any generator affected by the restrictions and prohibitions in subsection (4) of this section, unless allowed pursuant to subsections (5), (6), or (7) of this section.

(3) Definitions.

When used in this section the following terms have the meaning provided in this subsection. All other terms have the meanings given under WAC 173-303-040.

(a) "Dangerous waste constituents" means those constituents listed in WAC 173-303-9905 and any other constituents which have caused a waste to be a dangerous waste under this chapter.

(b) "Ignitable waste" means a dangerous waste that exhibits the characteristic of ignitability described in WAC 173-303-090(5).

(c) "Land disposal" means placement in a facility or on the land with the intent of leaving the dangerous waste at closure, and includes, but is not limited to, placement for disposal purposes in a: Landfill; surface impoundment; waste pile; injection well; land treatment facility; salt dome or salt bed formation; underground cave or mine; concrete vault or bunker.

(d) "Leachable inorganic waste" means solid dangerous waste (i.e., passes paint filter test) that is not an organic/carbonaceous waste and exhibits the characteristic of EP toxicity described in WAC 173-303-110.

(e) "Organic/carbonaceous waste" means a dangerous waste that contains combined concentrations of greater than ten percent organic/carbonaceous constituents in the waste; organic/carbonaceous constituents are those substances that contain carbon-hydrogen, carbon-halogen, or carbon-carbon chemical bonding.

(f) "Reactive waste" means a dangerous waste that exhibits the characteristic of reactivity described in WAC 173-303-090(7).

(g) "Solid acid waste" means a dangerous waste that exhibits the characteristic of low pH under the corrosivity tests of either WAC 173-303-090 (6)(a)(ii) or (iii).

(h) "Stabilization" and "solidification" mean a technique that limits the solubility and mobility of dangerous waste constituents. Solidification immobilizes a waste through physical means and stabilization immobilizes the waste by bonding or chemically reacting with the stabilizing material.

(4) Land disposal restrictions and prohibitions. The effective date for the requirements of (e) and (f) of this subsection shall be January 1, 1988.

(a) Disposal of extremely hazardous waste (EHW). No person shall land dispose of EHW, except as provided in subsection (5) of this section, at any land disposal facility in the state. No person shall land dispose of EHW at the facility established under RCW 70.105.050, except as provided by subsections (5), (6), and (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, neutralize, or otherwise process EHW to remove or reduce its harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(b) Disposal of liquid waste. Special requirements for the disposal of liquid waste in landfills.

(i) Bulk or noncontainerized liquid waste or waste containing free liquids must not be placed in a landfill unless, before disposal, the liquid waste or waste containing free liquids is treated so that free liquids are no longer present.

(ii) Containers holding free liquids must not be placed in a landfill unless:

(A) All free-standing liquid:

(I) Has been removed by decanting, or other methods; or

(II) Has been mixed with absorbent or stabilized (solidified) so that free-standing liquid is no longer observed; or

(III) Has been otherwise eliminated; or

(B) The container is very small, such as an ampule; or

(C) The container is a lab pack and is disposed of in accordance with WAC 173-303-161 and this chapter.

(iii) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following tests must be used: Method 9095 (Paint Filter Liquids Test) as described in Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods. (EPA Publication No. SW-846).

(c) Disposal of ignitable and reactive waste. No person shall land dispose ignitable or reactive waste, except as provided in subsections

(5), (6), or (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, neutralize, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(d) Disposal of solid acid waste. No person shall land dispose solid acid waste, except as provided in subsections (5), (6), or (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, neutralize, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(e) Disposal of organic/carbonaceous waste. No person shall land dispose organic/carbonaceous waste, except as provided in subsections (5), (6), or (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter. Organic/carbonaceous wastes must be incinerated as a minimum management method according to the dangerous waste management priorities as defined in subsection (1)(a) of this section.

(f) Disposal of leachable inorganic waste. No person shall land dispose a leachable inorganic waste, except as provided in subsections (5), (6), or (7) of this section. Leachable inorganic waste must be stabilized (solidified) as a minimum management method according to the dangerous waste management priorities as defined in subsection (1)(a) of this section or the leachable inorganic waste must be lab packaged in a container that complies with WAC 173-303-161. A person is encouraged to reclaim, recycle, recover, treat, detoxify, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(g) Disposal of dioxin containing wastes. There are federal regulations in 40 CFR Part 268 that restrict the land disposal of dioxin containing wastes.

(h) Disposal of solvent wastes. There are federal regulations in 40 CFR Part 268 that restrict the land disposal of solvent wastes.

(5) Treatment in land disposal facilities. The land disposal restrictions in subsection (4) of this section do not apply to persons treating dangerous wastes in surface impoundments, waste piles, or land treatment facilities provided that such treatment is performed in accordance with the requirements of this subsection and this chapter.

(a) Surface impoundment treatment.

(i) Liquid waste, extremely hazardous waste (EHW), solid acid waste, leachable inorganic waste, and organic/carbonaceous waste may be placed in surface impoundments for purposes of treatment provided the owner/operator can demonstrate that effective treatment of the dangerous waste constituents will occur and at closure the owner/operator complies with the prohibitions and restrictions of subsection (4) of this section.

(ii) Ignitable waste and reactive waste may be placed in surface impoundments provided that:

(A) The conditions in (a)(i) of this subsection are complied with; and

(B) The ignitable or reactive waste is treated, rendered, or mixed before or immediately after placement in the impoundment so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090, and 173-303-395(1) is complied with.

(b) Waste pile treatment.

(i) Leachable inorganic waste, liquid waste, extremely hazardous waste (EHW), solid acid waste, and organic/carbonaceous waste may be placed in waste piles for purposes of treatment provided the owner/operator can demonstrate that effective treatment of dangerous waste constituents will occur and that at closure the owner/operator will be in compliance with the prohibitions and restrictions of subsection (4) of this section.

(ii) Ignitable waste and reactive waste may be placed in a waste pile provided that:

(A) The conditions in (b)(i) of this subsection are complied with; and

(B) The placement of the ignitable or reactive waste onto an existing waste pile results in the waste or mixture no longer meeting the definition of ignitable or reactive under WAC 173-303-090, and complies with WAC 173-303-395(1).

(c) Land treatment.

(i) Liquid waste, extremely hazardous waste (EHW), organic/carbonaceous waste, and leachable inorganic waste may be land treated provided that the owner/operator can demonstrate that effective treatment of dangerous waste constituents will occur, and at the end of the post-closure care period the owner/operator will be in compliance with subsection (4) of this section.

(ii) Ignitable waste and reactive waste may be land treated provided that:

(A) The conditions in (c)(i) of this subsection are complied with; and

(B) The ignitable or reactive waste is immediately incorporated into the soil so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090, and complies with WAC 173-303-395(1).

(6) Case-by-case exemptions to a land disposal prohibition. Any person may petition the department for an exemption from a prohibition in subsection (4) of this section for the land disposal of a dangerous waste. The procedures to submit a petition to the department are specified in WAC 173-303-910(6). The department may deny any petition if it determines that there is a significant potential for dangerous waste constituents to migrate from the land disposal facility where the waste is to be placed. The department will deny any petition when exemption would result in a substantial or imminent threat to public health or the environment.

The department may grant an exemption from the prohibitions and restrictions of subsection (4) of this section based on the demonstrations specified in (a), (b), (c), and (d) of this subsection.

(a) Land disposal exemption for treatment residuals. Any person may request an exemption from a land disposal prohibition in subsection (4) of this section for treatment residuals by demonstrating to the department that:

(i) The person has applied the best achievable management method to the dangerous waste; and

(ii) Application of additional management methods to the treatment residuals would prevent the person from utilizing the best achievable management methods for the original dangerous waste; and

(iii) The land disposal of the treatment residuals does not pose a greater risk to the public health and the environment than land disposal of the original dangerous waste would pose.

(b) Economic hardship exemption. Any person may request an exemption from a prohibition in subsection (4) of this section for the land disposal of a dangerous waste by demonstrating to the department that alternative management of the dangerous waste will impose an unreasonable economic burden.

(c) Leachable inorganic waste exemption. Any person may request an exemption from the stabilization (solidification) requirement in subsection (4)(f) of this section by demonstrating to the department that:

(i) The stabilization (solidification) of a dangerous waste is less protective of human health and the environment than landfilling; or

(ii) Stabilization (solidification) treatment capacity is unavailable. This demonstration may include technical and practical difficulties associated with providing alternative capacity. A person must provide a detailed schedule and plan for alternative capacity; or

(iii) Stabilization (solidification) techniques have been applied to the dangerous waste and further efforts at stabilization (solidification) would not result in significantly reducing the solubility and mobility of the dangerous waste constituents.

(d) Organic/carbonaceous waste exemption. Any person may request an exemption from the requirements in subsection (4) of this section by demonstrating to the department that:

(i) Alternative management methods for organic/carbonaceous waste is less protective of public health and the environment than stabilization or landfilling.

(ii) Recycle, treatment, and incineration facilities are not available within a radius of one thousand miles from Washington state's borders; or

(iii)(A) The organic/carbonaceous waste has a heat content less than 3,000 BTU/LB or a moisture content greater than sixty-five percent; and

(B) Incineration is the only management method available within a radius of one thousand miles from Washington state's border (i.e., recycling or treatment are not available).

(7) Emergency cleanup provision. The department may, on a case-by-case basis, grant an exception to the land disposal restrictions in subsection (4) of this section for an emergency cleanup where an imminent threat to public health and the environment exists.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-170 REQUIREMENTS FOR GENERATORS OF DANGEROUS WASTE. (1) A person shall be a dangerous waste generator if his solid waste is designated by the requirements of WAC 173-303-070 through 173-303-103.

(a) The generator shall be responsible for designating his waste as DW or EHW.

(b) The generator may request an exemption for his dangerous waste according to the procedures of WAC 173-303-072.

(2) A dangerous waste generator shall notify the department and obtain an EPA/state identification number as required by WAC 173-303-060, and shall comply with the requirements of WAC 173-303-170 through 173-303-230.

(3) Except for the accumulation and storage of dangerous wastes for less than ninety days as allowed under WAC 173-303-200, any generator who transfers, stores, treats, or disposes of dangerous waste on-site shall perform his operations in accordance with the TSD facility requirements of this chapter.

(4) The generator of a special waste may, upon approval by the department, for special waste only:

(a) Develop and implement an alternative manifest mechanism in lieu of the requirements of WAC 173-303-180 for special waste shipments. Such alternative mechanism might employ a single manifest for multiple shipments of the same special waste, might not require signatures or multiple copies for transporters or designated receiving facilities, and might include such other factors as the generator might develop and the department approve. The generator must, however, demonstrate to the department's satisfaction before implementing the alternative mechanism that it will assure accurate tracking and recording of waste shipments, and that the mechanism provides for the proper submission of exception reports as specified in WAC 173-303-220(2). The generator shall be responsible for assuring that all transporters and facilities involved in implementing the alternative manifest mechanism are complying with the terms and conditions of the mechanism as approved by the department; and

(b) Pursuant to the requirements of WAC 173-303-200, accumulate special waste in containers and tanks for up to one hundred eighty days, and accumulate special waste in piles for up to ninety days provided that he complies with WAC 173-303-660 (2), (3)(a), (b)(i), (ii)(A), (7), (8), and (9)(a).

(5) The generator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-280 GENERAL REQUIREMENTS FOR DANGEROUS WASTE MANAGEMENT FACILITIES. (1) Applicability. The requirements of WAC 173-303-280 through 173-303-395 apply to all owners and operators of facilities which store, treat, or dispose of dangerous wastes and which must be permitted under the requirements of this chapter 173-303 WAC, unless otherwise specified in this chapter. The owner or operator of a facility which manages special waste may comply with the special requirements specified in WAC 173-303-550 through 173-303-560 in lieu of the general requirements of WAC 173-303-280 through 173-303-395, but only for those special wastes which he manages. Whenever a shipment of dangerous waste is initiated from a facility, the owner or operator of that facility shall comply with the requirements for generators, WAC 173-303-170 through 173-303-230.

(2) Imminent hazard. Notwithstanding any provisions of this chapter, enforcement actions may be brought in the event that the management practices of a facility present an imminent and substantial hazard to the public health and the environment, regardless of the quantity or concentration of a dangerous waste.

(3) Identification numbers. Every facility owner or operator shall apply for an EPA/state identification number from the department in accordance with WAC 173-303-060.

(4) The owner or operator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-400 INTERIM STATUS FACILITY STANDARDS. (1) Purpose. The purpose of WAC 173-303-400 is to establish standards which define the acceptable management of dangerous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

(2) Applicability.

(a) The interim status standards apply to owners and operators of facilities which treat, store, transfer, and/or dispose of dangerous waste. For purposes of this section, interim status shall apply to all facilities which comply fully with the requirements for interim status under Section 3005(e) of the Federal Resource Conservation and Recovery Act or WAC 173-303-805. The interim status standards shall also apply to those owners and operators of facilities in existence on November 19, 1980, for RCRA wastes and those facilities in existence on August 9, 1982, for state only wastes who have failed to provide the required notification pursuant to WAC 173-303-060 or failed to file Part A of the permit application pursuant to WAC 173-303-805 (4) and (5). Interim status shall end after final administrative disposition of the Part B permit application is completed, or may be terminated for the causes described in WAC 173-303-805(7).

(b) Interim status facilities must meet the interim status standards by November 19, 1980, except that:

(i) Interim status facilities which handle only state designated wastes (i.e., not designated by 40 CFR Part 261) must meet the interim status standards by August 9, 1982; and

(ii) Interim status facilities must comply with the additional state interim status requirements specified in subsection (3)(c)(ii), (iii) and (v), of this section, by August 9, 1982.

(c) The requirements of the interim status standards do not apply to:

(i) Persons disposing of dangerous waste subject to a permit issued under the Marine Protection, Research and Sanctuaries Act;

(ii) Persons disposing of dangerous waste by underground injection which is permitted under the Safe Drinking Water Act;

(iii) The owner or operator of a POTW who treats, stores, or disposes of dangerous wastes;

(iv) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment units as defined in WAC 173-303-040, provided that he complies with the permit by rule requirements of WAC 173-303-802(5);

(v) Generators accumulating waste for less than ninety days except to the extent WAC 173-303-200 provides otherwise; and

(vi) The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b).

(d) The owner or operator of an interim status facility which manages special waste may comply with the special requirements selected under WAC 173-303-550 through 173-303-560 in lieu of the interim status facility standards of this section, but only for those special wastes which he manages and only after the owner or operator has requested and the department has issued a notice of interim status modification.

(3) Standards.

(a) Interim status standards shall be standards set forth by the Environmental Protection Agency in 40 CFR Part 265 Subparts F through R which are incorporated by reference into this regulation (including, by reference, any EPA requirements specified in those subparts which are not otherwise explicitly described in this chapter), and:

(i) The land disposal restrictions of WAC 173-303-140 and the facility requirements of WAC 173-303-280 through (~~173-303-440~~) 173-303-400;

(ii) WAC 173-303-630(3), for containers. In addition, for container storage, the department may require that the storage area include secondary containment in accordance with WAC 173-303-630(7), if the department determines that there is a potential threat to public health or the environment due to the nature of the wastes being stored, or due to a history of spills or releases from stored containers. Any new container storage areas constructed or installed after September 30, 1986, must comply with the provisions of WAC 173-303-630(7).

(iii) WAC 173-303-640 (2)(c), for tanks; and

(iv) WAC 173-303-805.

(b) For purposes of applying the interim status standards of 40 CFR Part 265 Subparts F through R to the state of Washington facilities,

the federal terms shall have (and in the case of the wording used in the financial instruments referenced in Subpart H of Part 265, shall be replaced with) the following state of Washington meanings:

(i) "Regional administrator" shall mean the "department";

(ii) "Hazardous" shall mean "dangerous"; and

(iii) "Compliance procedure" shall have the meaning set forth in WAC 173-303-040, Definitions.

(c) In addition to the changes described in (b) of this subsection, the following modifications shall be made to interim status standards of 40 CFR Part 265 Subparts F through R:

(i) The words "the effective date of these regulations" shall mean:

(A) November 19, 1980, for facilities which manage any wastes designated by 40 CFR Part 261; and

(B) March 12, 1982, for facilities which manage wastes designated only by WAC 173-303-080 through 173-303-103 and not designated by 40 CFR Part 261;

(ii) "Subpart N - landfills" shall have an additional section added which reads: "An owner/operator shall not landfill an organic carcinogen or an EHW, as defined by WAC 173-303-080 to 173-303-103, except at the EHW facility at Hanford";

(iii) "Subpart R - underground injection" shall have an additional section which reads: "Owners and operators of wells are prohibited from disposing of EHW or an organic carcinogen designated under WAC 173-303-080 through 173-303-103";

(iv) "Subpart M - land treatment," section 265.273(b) shall be modified to replace the words "Part 261, Subpart D of this chapter" with "WAC 173-303-080";

(v) "Subpart F - ground water monitoring," section 265.91(c) shall include the requirement that: "Groundwater monitoring wells shall be designed, constructed, and operated so as to prevent groundwater contamination. Chapter 173-160 WAC may be used as guidance in the installation of wells"; and

(vi) "Subpart H - financial requirements" shall have an additional section which reads: "Any owner or operator who can provide financial assurances and instruments which satisfy the requirements of WAC 173-303-620 will be deemed to be in compliance with 40 CFR Part 265 Subpart H."

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-665 LANDFILLS. (1) Applicability. The regulations in this section apply to owners and operators of facilities that dispose of dangerous waste in landfills, except as WAC 173-303-600 provides otherwise. No landfill shall be permitted to dispose of EHW, except for the Hanford facility under WAC 173-303-700.

(2) Design and operating requirements.

(a) A landfill (except for an existing portion of a landfill) must have:

(i) A liner that is designed, constructed, and installed to prevent any migration of wastes out of the landfill to the adjacent subsurface soil or ground water or surface water at anytime during the active life (including the closure period) of the landfill. The liner must be constructed of materials that prevent wastes from passing into the liner during the active life of the facility. The owner or operator must submit an engineering report with his permit application under WAC 173-303-806(4) stating the basis for selecting the liner(s). The report must be certified by a licensed professional engineer. The liner must be:

(A) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(B) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift; and

(C) Installed to cover all surrounding earth likely to be in contact with the waste or leachate; and

(ii) A leachate collection and removal system immediately above the liner that is designed, constructed, maintained, and operated to collect and remove leachate from the landfill. The department will specify design and operating conditions in the permit to ensure that the leachate depth over the liner does not exceed 30 cm (one foot). The leachate collection and removal system must be:

(A) Constructed of materials that are:

(I) Chemically resistant to the waste managed in the landfill and the leachate expected to be generated; and

(II) Of sufficient strength and thickness to prevent failure under the pressures exerted by overlying wastes, waste cover materials, and by any equipment used at the landfill; and

(B) Designed and operated to function without clogging through the scheduled closure of the landfill.

(b) The owner or operator will be exempted from the requirements of (a) of this subsection, if the department finds, based on a demonstration by the owner or operator, that alternative design and operating practices, together with location characteristics, will prevent the migration of any dangerous constituents into the ground water or surface water at any future time. In deciding whether to grant an exemption, the department will consider:

(i) The nature and quantity of the wastes;

(ii) The proposed alternate design and operation;

(iii) The hydrogeologic setting of the facility, including the attenuative capacity and thickness of the liners and soils present between the landfill and ground water or surface water; and

(iv) All other factors which would influence the quality and mobility of the leachate produced and the potential for it to migrate to ground water or surface water.

(c) The owner or operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the landfill during peak discharge from at least a twenty-five-year storm.

(d) The owner or operator must design, construct, operate, and maintain a run-off management system to collect and control at least the water volume resulting from a twenty-four-hour, twenty-five-year storm.

(e) Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously and in accordance with this chapter after storms to maintain design capacity of the system.

(f) If the landfill contains any particulate matter which may be subject to wind dispersal, the owner or operator must cover or otherwise manage the landfill to control wind dispersal.

(g) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this subsection are satisfied.

(3) Double-lined landfills; exemption from WAC 173-303-645, ground water protection requirements.

(a) The owner or operator of a double-lined landfill is not subject to regulation under WAC 173-303-645 if the following conditions are met:

(i) The landfill (including its underlying liners) must be located entirely above the seasonal high water table;

(ii) The landfill must be underlain by two liners which are designed and constructed in a manner to prevent the migration of liquids into or out of the space between the liners. Both liners must meet the specifications of subsection (2)(a)(i) of this section;

(iii) A leak detection system must be designed, constructed, maintained, and operated between the liners to detect any migration of liquid into the space between the liners; and

(iv) The landfill must have a leachate collection and removal system above the top liner that is designed, constructed, maintained, and operated in accordance with subsection (2)(a)(ii) of this section.

(b) If liquid leaks into the leak detection system, the owner or operator must:

(i) Notify the department of the leak in writing within seven days after detecting the leak; and

(ii)(A) Within the time period specified in the permit, remove accumulated liquid, repair or replace the liner which is leaking to prevent the migration of liquids through the liner, and obtain a certification from a qualified engineer that, to the best of his knowledge and opinion, the leak has been stopped; or

(B) If a detection monitoring program pursuant to WAC 173-303-645(9) has already been established in the permit (to be complied with only if a leak occurs), begin to comply with that program and any other applicable requirements of WAC 173-303-645 within the time period specified in the permit.

(c) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this subsection are satisfied.

(4) Monitoring and inspection.

(a) During construction or installation, liners (except in the case of existing portions of landfills exempt from subsection (2)(a) of this section), and cover systems (e.g., membranes, sheets, or coatings) must be inspected for uniformity, damage, and imperfections (e.g., holes,

cracks, thin spots, or foreign materials). Immediately after construction or installation:

(i) Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters; and

(ii) Soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes, or other structural nonuniformities that may cause an increase in the permeability of the liner or cover.

(b) While a landfill is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

(i) Deterioration, malfunctions, or improper operation of run-on and run-off control systems;

(ii) The presence of liquids in leak detection systems, where installed to comply with subsection (3) of this section;

(iii) Proper functioning of wind dispersal control systems; and

(iv) The presence of leachate in and proper functioning of leachate collection and removal systems.

(5) Surveying and recordkeeping. The owner or operator of a landfill must maintain the following items in the operating record required under WAC 173-303-380:

(a) On a map, the exact location and dimensions, including depth, of each cell with respect to permanently surveyed benchmarks; and

(b) The contents of each cell and the approximate location of each dangerous waste type within each cell.

(6) Closure and postclosure care.

(a) At final closure of the landfill or upon closure of any cell, the owner or operator must cover the landfill or cell with a final cover designed and constructed to:

(i) Provide long-term minimization of migration of liquids through the closed landfill;

(ii) Function with minimum maintenance;

(iii) Promote drainage and minimize erosion or abrasion of the cover;

(iv) Accommodate settling and subsidence so that the cover's integrity is maintained; and

(v) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.

(b) After final closure, the owner or operator must comply with all postclosure requirements contained in WAC 173-303-610 (7), (8), (9), and (10) including maintenance and monitoring throughout the postclosure care period. The owner or operator must:

(i) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events;

(ii) Maintain and monitor the leak detection system in accordance with subsection (3) of this section, where such a system is present between double liner systems;

(iii) Continue to operate the leachate collection and removal system until leachate is no longer detected;

(iv) Maintain and monitor the ground water monitoring system and comply with all other applicable requirements of WAC 173-303-645;

(v) Prevent run-on and run-off from eroding or otherwise damaging the final cover; and

(vi) Protect and maintain surveyed benchmarks used in complying with subsection (5) of this section.

(c) During the postclosure care period, if liquid leaks into a leak detection system installed under subsection (3) of this section, the owner or operator must notify the department of the leak in writing within seven days after detecting the leak. The department will modify the permit to require compliance with the requirements of WAC 173-303-645.

(7) ((Special requirements for ignitable or reactive waste:

(a) Except as provided in (b) of this subsection, and in subsection (10) of this section, ignitable or reactive waste must not be placed in a landfill, unless the waste is treated, rendered, or mixed before or immediately after placement in a landfill so that:

(i) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090 (5) and (7); and

(ii) WAC 173-303-395 (1)(b) is complied with.

(b) Ignitable wastes in containers may be landfilled without meeting the requirements of (a) of this subsection, provided that the wastes are disposed of in such a way that they are protected from any material or conditions which may cause them to ignite. At a minimum, ignitable wastes must be disposed of in nonleaking containers which are carefully handled and placed so as to avoid heat, sparks, rupture, or any

other condition that might cause ignition of the wastes, must be covered daily with soil or other noncombustible material to minimize the potential for ignition of the wastes, and must not be disposed of in cells that contain or will contain other wastes which may generate heat sufficient to cause ignition of the waste.

(8)) Special requirements for incompatible wastes. Incompatible wastes, or incompatible wastes and materials must not be placed in the same landfill cell, unless WAC 173-303-395 (1)(b) is complied with.

((9) Special requirements for liquid waste:

(a) Bulk or noncontainerized liquid waste or waste containing free liquids must not be placed in a landfill unless, before disposal, the liquid waste or waste containing free liquids is treated or stabilized, chemically or physically (e.g., by mixing with an absorbent solid), so that free liquids are no longer present:

(b) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods. (EPA Publication No. SW-846):

(c) Containers holding free liquids must not be placed in a landfill unless:

(i) All free-standing liquid:

(A) Has been removed by decanting, or other methods;

(B) Has been mixed with absorbent or solidified so that free-standing liquid is no longer observed; or

(C) Has been otherwise eliminated; or

(ii) The container is very small, such as an ampule; or

(iii) The container is a lab pack as defined in subsection (10) of this section, and is disposed of in accordance with that subsection.

(10) Special requirements for containers:

(a) Unless they are very small, such as an ampule, containers must be either:

(i) At least ninety percent full when placed in the landfill; or

(ii) Crushed, shredded, or similarly reduced in volume to the maximum practical extent before burial in the landfill.

(b) Small containers of dangerous waste in overpacked drums (lab packs) may be placed in a landfill if the procedures of WAC 173-303-161 are met.

(11) Special requirements for dangerous wastes F020, F021, F022, F023, F026, and F027:

(a) Dangerous wastes F020, F021, F022, F023, F026, or F027 must not be placed in a landfill unless the owner or operator operates the landfill in accord with a management plan for these wastes that is approved by the department pursuant to the standards set out in this subsection and in accord with all other applicable requirements of this chapter. The factors to be considered are:

(i) The volume, physical, and chemical characteristics of the wastes, including their potential to migrate through the soil or to volatilize or escape into the atmosphere;

(ii) The attenuative properties of underlying and surrounding soils or other materials;

(iii) The mobilizing properties of other materials co-disposed with these wastes; and

(iv) The effectiveness of additional treatment, design, or monitoring requirements.

(b) The department may determine that additional design, operating, and monitoring requirements are necessary for landfills managing dangerous wastes F020, F021, F022, F023, F026, or F027 in order to reduce the possibility of migration of these wastes to ground water, surface water, or air so as to protect human health and the environment:))

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-910 PETITIONS. (1) General petitions.

(a) Any person may petition the department to modify or revoke any provision in this chapter. This subsection sets forth general requirements which apply to all such petitions. The remaining subsections of this section describe additional requirements for specific types of petitions.

(b) Each petition must be submitted to the department by certified mail and must include:

(i) The petitioner's name and address;

(ii) A statement of the petitioner's interest in the proposed action;

(iii) A description of the proposed action, including (where appropriate) suggested regulatory language; and

(iv) A statement of the need and justification for the proposed action, including any supporting tests, studies, or other information.

(c) The department will make a tentative decision to grant or deny the petition and give public notice of the tentative decision in writing. The notice shall be distributed to interested persons on a mailing list developed specifically for petitions and persons expressing interest in amendments to this chapter. The public comment period shall be a minimum of forty-five days.

(d) Upon the written request of any interested person, the director may, at his discretion, hold a conference to consider oral comments on the action proposed in the petition. A person requesting a conference must state the issues to be raised and explain why written comments would not suffice to communicate the person's views. The director may in any case decide on his own motion to hold a conference.

(e) After evaluating all public comments the department will make a final decision in accordance with RCW 34.04.060 or 34.04.080. The department will either deny the petition in writing (stating its reasons for denial), or grant the petition and, when appropriate, initiate rule-making proceedings in accordance with RCW 34.04.025.

(2) Petitions for equivalent testing or analytical methods.

(a) Any person seeking to add a testing or analytical method to WAC 173-303-110 may petition for a regulatory amendment under this section. To be successful, the person must demonstrate to the satisfaction of the department that the proposed method is equal to or superior to the corresponding method prescribed in WAC 173-303-110, in terms of its sensitivity, accuracy, and precision (i.e., reproducibility).

(b) Each petition must include, in addition to the information required by subsection (1) of this section:

(i) A full description of the proposed method, including all procedural steps and equipment used in the method;

(ii) A description of the types of wastes or waste matrices for which the proposed method may be used;

(iii) Comparative results obtained from using the proposed method with those obtained from using the relevant or corresponding methods prescribed in WAC 173-303-110;

(iv) An assessment of any factors which may interfere with, or limit the use of, the proposed method; and

(v) A description of the quality control procedures necessary to ensure the sensitivity, accuracy and precision of the proposed method.

(c) After receiving a petition for an equivalent testing or analytical method, the department may request any additional information on the proposed method which it may reasonably require to evaluate the proposal.

(d) If the department amends the regulations to permit use of a new testing method, the method will be incorporated in a document which will be available from the department.

(3) Petitions for exempting dangerous wastes from a particular generator.

(a) Any generator seeking to exempt his dangerous waste may petition the department for exemption from the requirements of WAC 173-303-070 through 173-303-103.

(b) To be successful, the generator must make the demonstrations required in WAC 173-303-072(3) and, where applicable, (4) and (5).

(c) Each petition must include, in addition to the information required by subsection (1) of this section:

(i) The name and address of the laboratory facility performing the sampling or tests of the waste;

(ii) The names and qualifications of the persons sampling and testing the waste;

(iii) The dates of sampling and testing;

(iv) The location of the generating facility;

(v) A description of the manufacturing processes or other operations and feed materials producing the waste and an assessment of whether such processes, operations, or feed materials can or might produce a waste that is not covered by the demonstration;

(vi) A description of the waste and an estimate of the average and maximum monthly and annual quantities of waste covered by the demonstration;

(vii) Pertinent data on and discussion of the factors delineated in WAC 173-303-072(3) and, where applicable, (4) and (5);

(viii) A description of the methodologies and equipment used to obtain the representative samples;

(ix) A description of the sample handling and preparation techniques, including techniques used for extraction, containerization and preservation of the samples;

(x) A description of the tests performed (including results);

- (xi) The names and model numbers of the instruments used in performing the tests and the date of the last calibration for instruments which must be calibrated according to manufacturer's instructions; and
- (xii) The following statement signed by the generator of the waste or his authorized representative:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(d) After receiving a petition for a dangerous waste exemption, the department may request any additional information which it may reasonably require to evaluate the petition.

(e) An exemption will only apply to the waste generated by the particular generator covered by the demonstration and will not apply to waste from any other generator.

(f) The department may exempt only part of the waste for which the demonstration is submitted where there is reason to believe that variability of the waste justifies a partial exemption.

(g) The department may (but shall not be required to) grant a temporary exemption before making a final decision under subsection (1) of this section, whenever it finds that there is a substantial likelihood that an exemption will be finally granted.

(h) Any waste for which an exemption is sought will remain designated and be subject to the applicable requirements of this chapter until the generator of the waste is notified by the department that his waste is exempt.

(4) Petition for exclusion.

(a) Any generators seeking exclusion of a class of similar or identical wastes under WAC 173-303-071, excluded categories of waste, may petition the department for exclusion. To be successful, the generator(s) must make the demonstrations required in WAC 173-303-072(6) for all those wastes generated in the state which might be excluded pursuant to granting a petition submitted under this subsection. No class of wastes will be excluded if any of the wastes are regulated as hazardous waste under 40 CFR Part 261.

(b) Each petition for exclusion must include the information required by subsections (1) and (3)(c) of this section and any other information required by the department.

(c) After receiving a petition for exclusion, the department may request any additional information it deems necessary to evaluate the petition.

(5) Petition for designation change. The provisions of (a)(i) of this subsection do not apply to any dangerous waste which is also designated as a hazardous waste under 40 CFR Part 261 Subpart D.

(a) A generator may petition the department to change the designation of his waste as follows:

(i) A waste which is designated only for toxicity pursuant to WAC 173-303-084 or 173-303-101 but which is toxic solely because it is highly acidic or basic (i.e., due to high or low pH) may be subject only to the requirements for corrosive dangerous wastes, provided that the generator can demonstrate this fact to the department's satisfaction through information provided under (b) of this subsection; and

(ii) A waste which is designated EHW may be redesignated DW, provided that the generator can demonstrate that such redesignation is appropriate through information provided under (b) of this subsection.

(b) A petition under this subsection must include:

(i) The information required by subsections (1) and (3)(c) of this section; and

(ii) Such other information as required by the department.

(c) A designation change under this subsection will become effective only after the department has approved the change and notified the generator of such approval.

(6) Petitions to allow land disposal of a waste restricted under WAC 173-303-140.

(a) Any person seeking a land disposal restriction exemption allowed under WAC 173-303-140(6) must submit a petition to the department. The petition must include the following general information:

(i) The petitioner's name and address;

(ii) A statement of the petitioner's interest in the proposed action;

(iii) A description of the proposed action;

(iv) A statement of the need and justification for the proposed action;

(v) An identification of the specific waste and the specific land disposal unit for which the exemption is desired;

(vi) A waste analysis to describe fully the chemical and physical characteristics of the subject waste. All waste and environmental sampling, test, and analysis data must be accurate and reproducible to the extent that state-of-the-art techniques allow; and

(vii) A quality assurance and quality control plan that addresses all sampling and testing aspects of the information provided in the petition.

(b) In addition to the general information requirements in subsection (a) of this section, the following specific information must be provided in the petition for individual case-by-case exemptions.

(i) Petition for land disposal exemption for treatment residuals. Petitions for exemption of treatment residuals, as allowed under WAC 173-303-140 (6)(a), must:

(A) Provide the type of waste management or treatment method applied to the waste and the rationale for selecting this method as the best achievable management method; and

(B) Document that the land disposal of the treatment residual would not pose a greater risk to public health and the environment than land disposal of the original wastes, including an analysis of the treatment residuals to fully describe their chemical and physical characteristics; and

(C) Provide the management alternatives for the treatment residuals and the factors which, if an exemption is not granted, would prevent the utilization of the best achievable management method for the original dangerous waste.

(ii) Petition for economic hardship exemption. Petitions for exemption on the basis of economic hardship, as allowed under WAC 173-303-140 (6)(b), must:

(A) Supply the current management costs and the projected management costs to comply with the requirements of WAC 173-303-140; and

(B) Provide the source of information utilized in determining the economic estimates; and

(C) Provide a discussion of how the projected compliance costs would impose an unreasonable economic burden.

(iii) Petition for leachable inorganic waste exemption. Petitions for exemption of leachable inorganic wastes, as allowed under WAC 173-303-140 (6)(c), must:

(A) Provide information demonstrating that the stabilization of the dangerous waste is less protective of public health and the environment than landfilling; or

(B) Provide a list of stabilization facilities that could accept the dangerous waste and information demonstrating that they do not have available capacity to stabilize the waste; or

(C) Provide information describing the types of stabilization utilized which did not reduce the solubility and mobility of the dangerous waste constituents and describe any other stabilization methods that have been considered but not utilized.

(iv) Petition for organic/carbonaceous waste exemption. Petitions for exemption of organic/carbonaceous wastes, as allowed under WAC 173-303-140 (6)(d), must:

(A) Provide information demonstrating that recycling, treatment and incineration facilities are unavailable for the waste, including a map marked both with the point of waste generation and the point(s) of the nearest treatment, recycling and incineration facility(s) that could manage the dangerous waste; or

(B) Provide information demonstrating that the alternative management methods for organic/carbonaceous waste are less protective of public health and the environment than stabilization and landfilling; or

(C) Provide information demonstrating that:

(I) Recycling and treatment facilities are unavailable for the waste, including a map marked both with the point of waste generation and the point(s) of the nearest treatment, recycling and incineration facility(s) that could manage the dangerous waste; and

(II) The organic/carbonaceous waste has a heat content less than 3,000 BTU/LB or a moisture content greater than sixty-five percent.

(c) Each petition must include the following statement signed by the petitioner or an authorized representative:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this petition and all attached documents, and that, based on my inquiry of those individuals immediately responsible

for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(d) Each petition must be submitted to:

Department of Ecology
Hazardous Waste Land
Disposal Exemption
Mailstop PV-11
Olympia, WA 98504-8711

(e) After receiving a petition, the department may request any additional information that reasonably may be required to evaluate the petition and accompanying demonstration, such as a comprehensive characterization of the disposal unit site including an analysis of background air, soil, and water quality. Simulation models must be calibrated for the specific waste and site conditions, and verified for accuracy by comparison with actual measurements.

(f)(i) The department will make a tentative decision to grant or deny the petition and give public notice of the tentative decision in writing. The notice shall be distributed to interested persons on a mailing list developed specifically for petitions and persons expressing interest in amendments to this chapter. The public comment period shall be a minimum of forty-five days.

(ii) Upon the written request of any interested person, the department may, at its discretion, hold a conference to consider oral comments on the action proposed in the petition. A person requesting a conference must state the issues to be raised and explain why written comments would not suffice to communicate the person's views. The department may in any case decide on its own motion to hold a conference.

(iii) After evaluating all public comments the department will make a final decision in accordance with RCW 34.04.060 or 34.04.080. The department will either deny the petition in writing (stating its reasons for denial), or grant the petition.

(g) Prior to the department's decision, the applicant is required to comply with all restrictions on land disposal under WAC 173-303-140.

(h) If an exemption is granted, the department may include specific conditions as deemed necessary by the department to protect public health and the environment.

(i) If granted, the exemption will apply to land disposal of the specific restricted waste at the individual disposal unit described in the petition and accompanying demonstration. The exemption will not apply to any other restricted waste at that disposal unit, nor will it apply to that specific restricted waste at any other disposal unit.

(j) If an exemption is granted, the department may withdraw the exemption on the following bases:

(i) If there is a threat to public health and the environment; or

(ii) If there is migration of dangerous waste constituents from the land disposal unit or site for as long as the waste remains dangerous;

or
(iii) If the department finds reason to believe that the information submitted in a petition is inaccurate or has been falsified such that the petition should have been denied.

(k) The term of an exemption granted under this subsection will be established by the department at the time of issuance.

(l) Any exemption granted by the department does not relieve the petitioner of his responsibilities in the management of dangerous waste under chapter 173-303 WAC.

that the agency will at 4:00 p.m., Saturday, October 17, 1987, in the Rainier Room, Best Western Airport Executel, 20717 Pacific Highway South, Seattle, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.32.640, 18.130.050 (1) and (12) and 18.130.180 (3) and (13).

The specific statute these rules are intended to implement is RCW 18.32.640, 18.130.050 (1) and (12) and 18.130.180 (3) and (13).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 15, 1987.

Dated: September 1, 1987

By: Robert A. VanSchoor
Assistant Director
Business and Professions

STATEMENT OF PURPOSE

Name of Agency: Washington State Dental Disciplinary Board.

Purpose of Proposed Repeal: To repeal the board's rule on specialty advertising.

Statutory Authority: RCW 18.32.640, 18.130.050 and 18.130.180 (3) and (13).

Summary of the Rule: WAC 308-37-190 Specialty representation.

Reason for Proposed Repeal: To repeal the board's rule and utilize the provisions of chapters 18.32 and 18.130 RCW in lieu thereof.

Responsible Personnel: The Washington State Dental Disciplinary Board and the program manager for the board have the responsibility for drafting, implementing and enforcing these rules. The acting program manager is Judy Mayo, 1300 Quince Street S.E., Olympia, WA 98504, phone (206) 753-2461 or scan 234-2461.

Proponents of the Proposed Repeal: Dental Disciplinary Board.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required and has not been filed since this rule does not impact small businesses as that term is defined in RCW 19.85.020.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-37-190 Specialty Representation

WSR 87-18-063
PROPOSED RULES
DEPARTMENT OF LICENSING
(Dental Disciplinary Board)
[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Dental Disciplinary Board intends to adopt, amend, or repeal rules concerning specialty representation, WAC 308-37-190;

WSR 87-18-064
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State

Department of Licensing intends to adopt, amend, or repeal rules concerning reasonable handling fee for dishonored checks in payment of vehicle licenses, etc., new section WAC 308-04-020;

that the agency will at 9:00 a.m., Wednesday, October 7, 1987, in the Second Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 46.01.230(3), as amended by section 2, chapter 302, Laws of 1987.

The specific statute these rules are intended to implement is RCW 46.01.230(3), as amended by section 2, chapter 302, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 7, 1987.

Dated: September 2, 1987

By: Sandra Brooks
Administrator

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To set a reasonable handling fee pursuant to RCW 46.01.230(3), as amended by section 2, chapter 302, Laws of 1987, not to exceed fifteen dollars for dishonored checks in payment of vehicle licenses, etc.

Statutory Authority: RCW 46.01.230(3), as amended by section 2, chapter 302, Laws of 1987.

Summary of the Rule: WAC 308-04-020 Reasonable handling fee for dishonored checks in payment of vehicle licenses, etc.

Reason Proposed: To implement RCW 46.01.230(3), as amended by section 2, chapter 302, Laws of 1987.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing and enforcing these rules: David T. Kirk, Assistant Director, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, (206) 753-6914 comm, 234-6914 scan; and Sandra Brooks, Administrator, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, (206) 753-6920 comm, 234-6920 scan.

Proponents: State of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

NEW SECTION

WAC 308-04-020 REASONABLE HANDLING FEE FOR DISHONORED CHECKS IN PAYMENT OF VEHICLE LICENSES, ETC. Whenever registrations, licenses, or permits relating to the licensing or registration of vehicles or vessels have been paid for

by checks to county auditors, agents, and subagents appointed or approved by the director pursuant to RCW 46.01.140, if the check has been dishonored by nonacceptance or nonpayment, a handling fee, in an amount not to exceed fifteen dollars may be assessed for each such instrument. County auditors, agents, and subagents, may collect restitution, and where they have collected restitution may retain the reasonable handling fee.

**WSR 87-18-065
PROPOSED RULES
BOARD OF PHARMACY
[Filed September 2, 1987]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning:

- Amd WAC 360-10-010 through 360-10-080 concerning pharmacy internship.
- New WAC 360-60-010 through 360-60-040 concerning kidney home dialysis drug distribution.
- New WAC 360-46-081 and 360-46-082 and repeal WAC 360-46-080 concerning component and drug product containers and closures and the reuse of teat dip containers and closures;

that the agency will at 10:00 a.m., Friday, October 23, 1987, in the Tacoma Sheraton Hotel, 1320 Broadway Plaza, Tacoma, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.64.005(11).

The specific statute these rules are intended to implement is RCW 18.64.080(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 22, 1987.

Dated: September 2, 1987

By: John H. Keith
Assistant Attorney General
Board Counsel

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Pharmacy.

Summary, Purpose of Rule and Reason Proposed: WAC 360-10-010 through 360-10-080 would revise the internship requirements to improve the procedures and update the internship program; WAC 360-60-010 through 360-60-040 would implement the kidney home dialysis drug distribution procedures authorized by chapter 41, Laws of 1987; and WAC 360-46-081 and 360-46-082 would replace the current WAC 360-46-080 with rules which would permit the reuse of teat dip containers and closures if certain sanitation requirements were met.

Statutory Authority: RCW 18.64.005(11).

Responsible Agency Personnel: The board and the executive secretary of the board have responsibility for drafting, implementing and enforcing these rules. The executive secretary is Donald H. Williams, 319 East 7th

Avenue, W.E.A. Building, FF-21, Olympia, Washington 98504, phone (206) 753-6834.

Proponents of the Proposed Rule: Washington State Board of Pharmacy.

Federal Law or State or Federal Court Requirements: Not necessitated as a result of federal law or state or federal court action.

Small Business Economic Impact Statement: Not necessary since these rules do not impact small businesses as that term was defined by RCW 43.31.920.

CHAPTER 360-60 WAC
Kidney Dialysis Centers

NEW SECTION

WAC 360-60-010 HOME DIALYSIS PROGRAM DISTRIBUTION FACILITIES. In order to assure that only those items authorized for distribution by chapter 41, Laws of 1987, are available for selection, the location used for the distribution of the authorized kidney dialysis drugs and supplies shall be physically isolated from other activities. Such location shall be secure and inaccessible to all person other than licensed pharmacists, those individuals designated in writing by the home dialysis program, and representatives of the board.

NEW SECTION

WAC 360-60-020 AUTHORIZATION AND RECORDS. (1) The kidney dialysis drugs and supplies may be distributed to home dialysis patients only pursuant to a written order signed by an authorized practitioner. The order may be refilled over a one-year period as ordered by the prescriber. The original order and records of refill must be retained by the home dialysis program for a period of three years.

(2) A record of shipment shall be attached to the prescriber's order and shall include the name of the patient, strengths, and quantities of drugs; the manufacturers' names and lot numbers; date of shipment; names of persons who selected, assembled and packaged the shipment; and the name of the pharmacist or designated individual responsible for the distribution.

NEW SECTION

WAC 360-60-030 PHARMACIST CONSULTANT. Home dialysis programs involved in the distribution of legend drugs as permitted by chapter 41, Laws of 1987, shall have an agreement with a pharmacist which provides for ongoing consultation on the drug distribution process to home dialysis patients.

NEW SECTION

WAC 360-60-040 QUALITY ASSURANCE. Home dialysis programs involved in the distribution of legend drugs as permitted by chapter 41, Laws of 1987, shall develop a quality assurance program for drug distribution and shall maintain records of drug distribution errors and other problems including loss due to damage or theft.

NEW SECTION

WAC 360-46-081 COMPONENT AND DRUG PRODUCT CONTAINERS AND CLOSURES. (1) Component and drug product containers and closures shall:

(a) Not be reactive, additive, or absorptive so as to alter the safety, identity, strength, quantity, or purity of the product or its components beyond the official or established requirements;

(b) Provide adequate protection against foreseeable external factors in storage and use that can cause deterioration or contamination of the drug product; and

(c) Be clean and, where indicated by the nature of the drug, sterilized and processed to remove pyrogenic properties to assure that they are suitable for their intended use.

Containers and their components for parenterals shall be cleansed with water which has been filtered through a nonfiber-releasing filter.

(2) Standards or specifications, methods of testing, and, where indicated, processing to remove pyrogenic properties shall be written and followed for component and drug product containers and closures.

(3) Except as provided for in WAC 360-46-082, drug product containers and closures shall not be reused for component or drug product packaging.

NEW SECTION

WAC 360-46-082 REUSE OF TEAT DIP CONTAINERS AND CLOSURES. The reuse of teat dip containers and closures shall be allowed under the following circumstances:

(1) Teat dip containers for reuse must have attached a labeling panel bearing product name, brand name and distributor address if marketed by other than the manufacturer, manufacturer name and address, product strength, quantity, expiration date, directions for use, and appropriate cautionary statements for the product contained within.

(2) All reusable teat dip containers will be hot stamped for permanent identification as teat dip containers. The hot stamp shall imprint on the plastic container, in an immutable manner, the type of teat dip contained within and the manufacturer's name. Teat dip manufacturers may only refill containers bearing their company name.

(3) With cooperation from dairy producers, dairy sanitarians will take random samples of teat dip in reusable containers while on regular farm inspections. The samples, along with appropriate label information, will be forwarded to the board of pharmacy for analysis to insure that the product meets label specifications and is free of contamination.

(4) Reusable teat dip containers shall not be reactive, additive, or absorptive so as to alter the safety, identity, strength, quantity, or purity of the product.

(5) Upon return to the manufacturer, reusable teat dip containers shall be cleaned and sanitized. To insure adequate cleaning occurs, the board of pharmacy may require a manufacturer to submit and have approved a cleaning procedure. Containers showing structural damage, or any signs of being used for substances or materials other than teat dip shall not be reused as teat dip containers.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 360-46-080 PRODUCT CONTAINERS AND THEIR PACKAGING MATERIAL.

Chapter 360-10 WAC
INTERNSHIP REQUIREMENTS

WAC

360-10-010	General requirements.
360-10-020	Registration of interns (and preceptors).
360-10-030	Rules for the pharmacy intern.
360-10-040	Intern training reports.
360-10-050	Requirements for preceptor certification.
360-10-060	Rules for preceptors.
360-10-080	Special internship approval.

AMENDATORY SECTION (Amending Order 139, filed 12/9/77)

WAC 360-10-010 GENERAL REQUIREMENTS. (1) RCW 18.64.080 (~~((5))~~)(3) states: "Any person enrolled as a student of pharmacy in an accredited college may file with the state board of pharmacy an application for registration as a pharmacy intern——." A student of pharmacy shall be defined as any person enrolled in a college or school of pharmacy accredited by the board of pharmacy or any (~~person enrolled in a prepharmacy program at an accredited college, and whose credits are acceptable for transfer by accredited colleges~~) graduate of any accredited college or school of pharmacy.

(2) As provided for in RCW 18.64.080 (~~((3))~~)(4) the board (~~may specify not more than one year of internship requirement. The board~~) of pharmacy hereby establishes fifteen hundred hours for the internship requirement. (~~Credit may be allowed for up to three hundred hours for the completion of approved clinically oriented classes within a college of pharmacy; provided further that an additional five hundred hours of credit for the internship shall be granted to graduates of schools or colleges of pharmacy approved by the board~~)

(a) For graduates prior to July 1, 1988, credit may be allowed:

(i) Up to three hundred hours for experiential classes as part of the curriculum of an accredited college or school of pharmacy commonly referred to as externship;

(ii) Five hundred hours of credit for the internship shall be granted to graduates of board approved schools or colleges of pharmacy;

(iii) Up to five hundred hours for experience obtained after completing the first quarter/semester of pharmacy education, and including any breaks or vacations.

(b) For graduates after July 1, 1989, up to:

(i) Five hundred hours of experiential classes as part of the curriculum of an accredited college or school of pharmacy commonly referred to as externship;

(ii) One thousand hours for experience obtained after completing the first quarter/semester of pharmacy education, and including any breaks or vacations.

(c) In all cases, at least two hundred hours of internship must be gained after graduation.

(3) An applicant for licensure as a pharmacist who has completed seven hundred internship hours will be permitted to take the state board examination for licensure; however, no pharmacist license will be issued to the applicant until the fifteen hundred internship hours have been completed.

(4) ~~(Credit for up to five hundred hours at the rate of no more than fifteen hours per week may be allowed for part-time experience gained during the period while a student is regularly enrolled in a college, and full-time experience allowed while a student is enrolled for less than six quarter credit hours or four semester credit hours. This shall not exclude experience gained during regular student holiday and vacation periods.~~

~~(5)) To retain a certificate as a pharmacy intern ((for the six year period prescribed by law)), the intern must make continuing satisfactory progress in completing the pharmacy course.~~

~~((6)) (5) Experience must be obtained under the guidance of a preceptor who has met certification requirements prescribed in WAC 360-10-050 and has a certificate except as hereinafter provided for experience gained outside the state of Washington.~~

~~((7)) (6) Experience obtained in another state may be accepted toward the fulfillment of the fifteen hundred hour requirement provided that a letter is received from the board of pharmacy of that state in which the experience is gained and such letter indicates the experience gained would have been acceptable internship experience to the board of pharmacy in that state.~~

~~((8)) (7) A pharmacy intern shall not receive credit for any hours which predate his ((enrollment in a school of pharmacy, which does not include enrollment in a prepharmacy educational program. PROVIDED HOWEVER, That any pharmacy internship hours which predate this amendatory regulation shall be acceptable for any intern taking the state pharmacy board examination prior to July 1, 1972)) /her completion of the first unit of pharmacy education.~~

AMENDATORY SECTION (Amending Order 175, filed 8/30/83)

WAC 360-10-020 REGISTRATION OF INTERNS ~~((AND PRECEPTORS)).~~ ~~((+))~~ In order to be registered as a pharmacy intern, the ~~((qualified))~~ applicant ~~((in WAC 360-12-010))~~ must file with the board of pharmacy an application for registration as a pharmacy intern as provided for in RCW 18.64.080. The application shall be accompanied by a fee as specified in WAC 360-18-020. Prior to engaging in the practice of pharmacy as an intern or extern, under the supervision of a preceptor, the applicant must be registered by the board as a pharmacy intern.

~~((2) A pharmacist who has met the certification requirements prescribed in WAC 360-10-050 and presented proper application to, and has been accepted by the board of pharmacy shall be certified as a preceptor. The board shall issue a certificate to qualified applicants and the certificate shall be in the pharmacy during the period that the intern is receiving training in the pharmacy.~~

~~(3) Registration as a preceptor shall be valid until July 31 of the odd-numbered year following registration. Said registration can be renewed by filing a renewal registration form supplied by the board of pharmacy no later than July 31st of the odd-numbered year. Said form shall indicate that the renewal applicant has the necessary qualifications to continue as a preceptor.)~~

AMENDATORY SECTION (Amending Regulation 48, filed 6/17/66)

WAC 360-10-030 RULES FOR THE PHARMACY INTERN.

(1) The intern shall send notification to the board of pharmacy on or before the first day of beginning of his/her training. Such notification shall consist of the date, the name of the pharmacy, and the name of

the preceptor where the intern expects to begin his/her internship. The board of pharmacy shall promptly notify the intern of the acceptability of the preceptor under whom the intern expects to gain experience. Internship credit will not be accepted until the preceptor has been certified.

(2) The pharmacy intern shall engage in the ~~((compounding and dispensing of pharmaceutical preparations))~~ practice of pharmacy, and the selling of items restricted to sale under the supervision of a ~~((registered))~~ licensed pharmacist, only while he/she is under the direct and personal supervision of a certified preceptor.

AMENDATORY SECTION (Amending Order 106, filed 6/3/71)

WAC 360-10-040 INTERN TRAINING REPORTS. (1) The intern shall file with the board on forms provided by the board an internship evaluation report ~~((with the board))~~ at the completion of internship training ~~((and at the termination of any employment. The evaluation report shall include the following. Evaluation of:~~

~~(a) The preceptors under whom internship was served.~~

~~(b) Evaluation of the entire program.~~

~~(2) Upon completion of the intern's fifteen hundred hours of experience, the last preceptor under whom this experience was obtained shall file a report with the board. Such report shall briefly describe the type of professional experience received under the preceptor's supervision and the preceptor's opinion on the ability of the intern to practice pharmacy)) experience at each site.~~

~~((3)) (2) The board of pharmacy shall provide the necessary affidavit forms to ((certify)) the intern for the purpose of certification of the hours of experience, which shall only include hours under the personal supervision of a preceptor. Affidavits must be certified and recorded in the office of the board of pharmacy not later than thirty days ((prior to examination and the termination of any employment)) after the completion of any site internship experience. Completion of any site experience is intended to mean those situations when neither the intern nor the preceptor anticipate further intern experience at some later date at that site.~~

~~((4)) (3) The intern's report and all or part of the hours covered by the period of the report can be rejected by the board if, for the period involved, the pharmacy intern has not performed ((adequate pharmaceutical services)) the practice of pharmacy adequately.~~

~~(4) Certification of at least seven hundred hours must be submitted to the board office thirty days prior to licensing examination.~~

AMENDATORY SECTION (Amending Order 106, filed 6/3/71)

WAC 360-10-050 REQUIREMENTS FOR PRECEPTOR CERTIFICATION. (1) A pharmacist who is ~~((registered))~~ licensed and actively engaged in practice in a Class A pharmacy in the state of Washington, and who has met certification requirements prescribed in this section of the regulation and who has ~~((been certified by the board of pharmacy shall be known as a "pharmacy preceptor."))~~ completed a board approved training program within the last two years, and who has been certified by the board of pharmacy shall be known as "pharmacist preceptor." The board shall give consideration to extenuating circumstances that make attendance at a training program an excessive burden for the pharmacist. The requirement for attendance of an approved training program becomes effective July 1, 1989.

(2) The ~~((pharmacy))~~ pharmacist preceptor must have completed twelve months as a ~~((registered))~~ licensed pharmacist engaged in the ~~((compounding and dispensing of pharmaceuticals))~~ practice of pharmacy as defined in RCW 18.64.011(11).

(3) Any preceptor or preceptor applicant who has been found guilty of a drug or narcotic violation or whose pharmacist license has been revoked ~~((or)),~~ suspended, or placed on probation by the state board of pharmacy shall not be eligible for certification as a preceptor, ~~((unless special permission is obtained from the board of pharmacy))~~ until completion of the probationary period, and a showing of good cause for certification as a pharmacist preceptor.

(4) ~~((The pharmacy preceptor shall subscribe the following professional standards:~~

~~(a) The preceptor shall use every precaution to safeguard the public when dispensing any drugs or preparations, he shall make no attempt to prescribe for or to treat disease.~~

~~(b) The preceptor shall keep his pharmacy clean, neat, and sanitary, and well equipped with accurate measuring and weighing devices and other apparatus suitable for the proper performance of his professional duties.~~

(c) The preceptor shall be a good citizen and uphold and defend the laws of the states and nation; he shall keep himself informed concerning pharmacy and drug laws, and other laws pertaining to health and sanitation, and shall cooperate with the enforcement authorities.

(d) The preceptor shall willingly make available his expert knowledge of drugs to the intern and other health professions.

(e) The preceptor shall strive to perfect and enlarge his professional knowledge. He shall keep himself informed regarding professional matters by reading current pharmaceutical, scientific, and medical literature, attending seminars and other means.

(f) The preceptor shall seek to attract to his profession, youth of good character and intellectual capacity and aid in their instruction.

(g) The preceptor shall be responsible for the quality of the internship training under his/her supervision and he/she shall assure that the intern actually engages in pharmaceutical activities during that training period.

(5) The board of pharmacy shall withdraw a preceptor's certification upon proof that the preceptor failed to meet or maintain the requirements as stated in this section.

(6) In considering the approval of special internship programs pursuant to WAC 360-10-080, the board may approve alternative qualification requirements for the preceptors of such programs.

AMENDATORY SECTION (Amending Order 102, filed 12/5/69)

WAC 360-10-060 **RULES FOR PRECEPTORS.** (1) The ((pharmacy)) pharmacist preceptor shall supervise the pharmacy intern and shall be responsible for the sale of restricted items, and the compounding and dispensing of pharmaceuticals dispensed by an intern.

(2) The pharmacist preceptor must use the workbook plan of instruction for interns obtained at a training program offered by the board, in addition to other material or workbook they choose to use.

(3) Upon completion of the intern's experience at each site, the preceptor under whom this experience was obtained shall file a report with the board. Such report shall briefly describe the type of professional experience received under the preceptor's supervision and the preceptor's evaluation of the intern's ability to practice pharmacy at that stage of internship.

(4) The board of pharmacy shall provide the necessary affidavit forms to certify hours of experience under the personal supervision of a preceptor. Affidavits must be certified and recorded in the office of the board not later than thirty days after the completion of any site intern experience; provided that any experience necessary for eligibility to take the licensing examination must be in the board office no later than thirty days prior to the examination.

(5) The ((pharmacy)) pharmacist preceptor may supervise more than one intern during a given time period; however, two interns may not dispense concurrently under the direct supervision of the preceptor. This is to say that two interns may dispense and record internship experience in the same day under one preceptor's direct supervision; however, they may not dispense and record internship experience during the same hour of the day.

AMENDATORY SECTION (Amending Order 114, filed 6/28/73)

WAC 360-10-080 **SPECIAL INTERNSHIP APPROVAL.** (1) The board will consider applications for approval of special internship programs. Such programs may be approved when the board determines that they offer a significant educational opportunity.

(2) Applications for special internship approval must be submitted at least ((fifteen)) thirty days prior to the next board meeting which will afford the board an opportunity to review the program.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 360-10-070 **REPEAL OF PRIOR REGULATIONS.**

WSR 87-18-066

ADOPTED RULES

BOARD OF PHARMACY

[Order 207—Filed September 2, 1987]

Be it resolved by the Washington State Board of Pharmacy, acting at Seattle, Washington, that it does adopt the annexed rules relating to the practice of pharmacy, the fees for legend drug sample distributors and poison manufacturers and sellers and the licensure of pharmacists by examination and reciprocity.

This action is taken pursuant to Notice No. WSR 87-15-138 filed with the code reviser on July 22, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Board of Pharmacy as authorized in RCW 18.64.005.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 2, 1987.

By Douglas W. Beeman
Chairman

AMENDATORY SECTION (Amending Order 196, filed 10/31/85)

WAC 360-18-020 **FEEES.** The following fees shall be charged by the board of pharmacy:

(a) PHARMACY LOCATION & CSA	
Original pharmacy fee	\$165.00
Original pharmacy assistant utilization fee	35.00
Renewal pharmacy fee	85.00
Renewal pharmacy assistant utilization fee	35.00
Penalty pharmacy fee	165.00
(b) VENDOR	
Original fee	40.00
Renewal fee	40.00
Penalty fee	40.00
(c) PHARMACIST	
Exam fee (full exam)	125.00
Reexamination fee (jurisprudence portion)	25.00
Original license fee	75.00
Renewal fee, active and inactive license	60.00
Penalty fee	60.00
Reciprocity fee	250.00
Certification of license status to other states	10.00
(d) SHOPKEEPER	
(i) SHOPKEEPER - sixteen or more drugs	
Original fee	10.00
Renewal fee	10.00
Penalty fee	5.00

(ii)	SHOPKEEPER – with differential hours	
	Original fee	10.00
	Renewal fee	10.00
	Penalty fee	5.00
(e)	DRUG MANUFACTURER	
	Original fee	250.00
	Renewal fee	250.00
	Penalty fee	250.00
(f)	DRUG WHOLESALER – full line	
	Original fee	250.00
	Renewal fee	250.00
	Penalty fee	250.00
(g)	DRUG WHOLESALER – OTC only	
	Original fee	150.00
	Renewal fee	150.00
	Penalty fee	150.00
(h)	DRUG WHOLESALER – export	
	Original fee	250.00
	Renewal fee	250.00
	Penalty	250.00
(i)	PHARMACY ASSISTANT – Level "A"	
	Original fee	30.00
	Renewal fee	20.00
(j)	PHARMACY INTERN	
	Original registration fee	15.00
	Renewal registration fee	15.00
(k)	CONTROLLED SUBSTANCES ACT (CSA) REGISTRATIONS	
	Dispensing registration fee (i.e. pharmacies)	35.00
	Dispensing renewal fee (i.e. pharmacies)	30.00
	Distributors registration fee (i.e. wholesalers)	50.00
	Distributors renewal fee (i.e. wholesalers)	50.00
	Manufacturers registration fee	50.00
	Manufacturers renewal fee	50.00
	Physician assistant registration fee	15.00
	Physician assistant renewal fee	10.00
	((ERN)) <u>ARNP</u> with prescriptive authorization registration fee	15.00
	((ERN)) <u>ARNP</u> with prescriptive authorization renewal fee	10.00
	Sodium pentobarbital for animal euthanization registration fee	20.00
	Sodium pentobarbital for animal euthanization renewal fee	15.00
(l)	<u>LEGEND DRUG SAMPLE – distributor registration fees</u>	
	Original fee	125.00
	Renewal fee	85.00
(m)	<u>POISON MANUFACTURER/SELLER – license fees</u>	
	Original fee	20.00
	Renewal fee	20.00

AMENDATORY SECTION (Amending Order 183, filed 1/25/84)

WAC 360-12-015 EXAMINATIONS. (1) The examination for licensure as a pharmacist shall be known as the full board examination (~~and shall consist of both theoretical and practical sections~~) in such form as may be determined by the board.

(2) The score required to pass the overall examination shall be 75 (~~percent~~). In addition, the score(~~s~~) achieved in the jurisprudence (~~and written practice of pharmacy~~) section(~~s~~) of the exam shall be no lower than 75 percent (~~and the scores achieved on the other sections of the exam shall be no lower than 60 percent~~).

~~((3))~~ An examinee failing any portion of the examination other than the jurisprudence section shall retake the regularly scheduled full board examination.)

~~((4))~~ (3) An examinee failing the jurisprudence (~~portion~~) section of the full board examination shall be allowed to retake the jurisprudence (~~portion~~) section at a time and place to be specified by the board.

~~((5))~~ (4) An examinee who fails the jurisprudence examination three times shall not be eligible for further examination until he or she has satisfactorily completed additional preparation as directed and approved by the board.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 360-12-020 APPLICANTS—APPLICATION FORMS—FEES.

AMENDATORY SECTION (Amending Order 147, filed 3/27/79)

WAC 360-12-050 APPLICANTS—RECIPROCITY APPLICANTS. (1) Applicants for license by reciprocity whose applications have been approved (~~for the purpose of taking the jurisprudence examination may appear before the board at the time designated for examination~~).

(2) An applicant for reciprocity licensing) shall be required to take and pass the jurisprudence examination given by the board prior to being issued his or her license. The jurisprudence examination shall be offered at least once in every two months.

~~((3))~~ (2) An applicant for (~~reciprocity licensing~~) license by reciprocity who has been out of the active practice of pharmacy for between three and five years must take and pass the jurisprudence examination and additionally must either serve an internship of 300 hours or take and pass such additional practical examinations as may be specified by the board in each individual case.

~~((4))~~ (3) An applicant for (~~reciprocity licensing~~) license by reciprocity who has been out of the active practice of pharmacy for over five years must take and pass the full board examination and serve an internship of 300 hours.

AMENDATORY SECTION (Amending Order 158, filed 3/4/81)

WAC 360-13-045 DEFINITIONS. (1) "Board" means the Washington state board of pharmacy.

(2) "Department" means the state department of social and health services.

(3) "Dose" means the amount of drug to be administered at one time.

(4) "Drug facility" means a room or area designed and equipped for drug storage and the preparation of drugs for administration.

(5) "Legend drug" means a drug bearing the legend, "Caution, federal law prohibits dispensing without a prescription."

(6) "Licensed nurse" means either a registered nurse or a licensed practical nurse.

(7) "Licensed practical nurse" means a person duly licensed under the provisions of the licensed practical nurse act of the state of Washington, chapter 18.78 RCW.

(8) "Nursing home" means any home, place or institution licensed as a nursing home under chapter 18.51 RCW.

(9) "Pharmaceutical services committee" means a committee which develops and maintains written policies and procedures for safe and effective drug therapy, distribution, control, and use which are current and followed in practice. The pharmaceutical services committee shall consist of a staff or consultant pharmacist, a physician, the director of nursing or his/her designee and the administrator or his/her designee.

(10) "Pharmacist" means a person duly licensed by the Washington state board of pharmacy to engage in the practice of pharmacy under the provisions of chapter 18.64 RCW.

(11) "Pharmacy" means a place where the practice of pharmacy is conducted, properly licensed under the provisions of chapter 18.64 RCW by the Washington state board of pharmacy.

(12) "Practitioner" means a physician under chapter 18.71 RCW; and osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW; a dentist under chapter 18.32 RCW; a podiatrist under chapter 18.22 RCW; an osteopathic physician's assistant under chapter 18.57A RCW when authorized by the committee of osteopathic commissioners; a physician's assistant under chapter 18.71A RCW when authorized by the board of medical examiners; a registered nurse when authorized by the board of nursing under chapter 18.88 RCW, or a pharmacist under chapter 18.64 RCW.

(13) "Registered nurse" means a person duly licensed under the provisions of the law regulating the practice of registered nursing in the state of Washington, chapter 18.88 RCW.

(14) "Unit-dose" means the ordered amount of a drug in ~~((an individually sealed package and in))~~ an individually sealed package and in a dosage form ready for administration to a particular person by the prescribed route at the prescribed time.

(15) "Unit-dose drug distribution system" means a system of drug dispensing and control that is characterized by the dispensing of the majority of drugs in unit doses, ready to administer form, and for most drugs, not more than a 48-hour supply of doses is available at the residential care unit at any time.

AMENDATORY SECTION (Amending Order 176, filed 9/29/83)

WAC 360-12-150 MONITORING OF DRUG THERAPY BY PHARMACISTS. The term "monitoring ~~((of))~~ drug therapy" used in RCW 18.64.011(11) shall mean a review of the drug therapy regimen of patients by a pharmacist for the purpose of evaluating and rendering advice to the prescribing practitioner regarding adjustment of the regimen. Monitoring of drug therapy shall include ~~((, but not be limited to))~~, but not be limited to:

(1) Collecting and reviewing patient drug use histories;

(2) Measuring and reviewing routine patient vital signs including, but not limited to ~~((, and))~~, pulse, temperature, blood pressure and respiration; ~~((and))~~ and

(3) Ordering and evaluating the results of laboratory tests relating to drug therapy including, but not limited to ~~((, and))~~, blood chemistries and cell counts, drug levels in blood, urine, tissue or other body fluids, and culture and sensitivity tests when performed in accordance with policies and procedures or protocols applicable to the practice setting, which have been developed by the pharmacist and prescribing practitioners and which include appropriate mechanisms for reporting to the prescriber monitoring activities and results.

AMENDATORY SECTION (Amending Order 157, Resolution No. 9/80, filed 9/22/80)

WAC 360-49-040 MANUFACTURERS, WHOLESALERS, DISTRIBUTORS, PHARMACY LOCATION, REQUIREMENT THAT DRUG PRODUCTS OFFERED FOR SALE COMPLY WITH 21 USC 355—IMMEDIATE SUSPENSION AND SUBSEQUENT REVOCATION OF LICENSES AUTHORIZED FOR VIOLATION. (1) In order to provide for enforcement of RCW 69.41.100 through 69.41.180 and to protect the public health and safety when generic drugs are substituted for brand name drugs pursuant to chapter 110, Laws of 1979, drug products which are offered for sale by, or stored at the premises of, any manufacturer, distributor, wholesaler or pharmacy location must have an approved new drug application (NDA) or abbreviated new drug application (ANDA) designation by the Federal Food and Drug Administration pursuant to 21 USC 355 unless they are exempt from the requirements for such a designation.

~~((2))~~ (2) In order to provide for enforcement of RCW 69.41.100 through 69.41.180 and to protect the public health and safety drug products offered for sale by, or stored at the premises of, a manufacturer, wholesaler, distributor or pharmacy location which do not have the required NDA or ANDA, or exemption therefrom referenced in ~~((paragraph (1) above))~~ subsection

(1) of this section, are hereby declared to be contraband and subject to surrender to and destruction by the Washington state board of pharmacy. This surrender and destruction shall take place as specified below.

(3) The board shall publish in its newsletter the source from which the current list compiled by the Federal Food and Drug Administration of generic drugs which do not have an NDA or ANDA and are not exempt from such a requirement and are therefore contraband as provided in ~~((paragraph (2) above))~~ subsection (2) of this section may be obtained. The board shall also respond to both written and telephone inquiries from any source regarding the status of any generic drug.

(4) Whenever it is made to appear to the board that a manufacturer, wholesaler, distributor or pharmacy location within the state of Washington is in possession of a stock of drugs which are contraband as defined in ~~((paragraph (2) above))~~ subsection (2) of this section, a representative of the board shall confirm with the Federal Food and Drug Administration, by telephone, that the particular drug or drugs involved do not have the required NDA or ANDA and that they are not exempt from this requirement. Upon receipt of this confirmation, the board shall direct such of its investigative personnel as it deem necessary to proceed to the premises of the manufacturer, wholesaler, distributor or pharmacy location and to then inform the owner, or person in charge, of the contraband status of the drugs in question.

(5) The pharmacy board investigative personnel shall offer the owner, or person in charge, of the premises at which the drug products are being kept the opportunity to immediately voluntarily surrender to the board all stocks of the drug products whether kept at the premises of the manufacturer, wholesaler, distributor, or pharmacy location, or at any separate storage facility under the control of the manufacturer, wholesaler, distributor or retailer, which are contraband under subsection (2) ~~((above))~~ of this section. A receipt shall be given to the owner, or person in charge, for all drug products voluntarily surrendered.

(6) All drug products voluntarily surrendered pursuant to subsection (5) ~~((above))~~ of this section shall be destroyed by the board of pharmacy unless they are ordered returned to the manufacturer, wholesaler, distributor or pharmacy location by order of a court of competent jurisdiction. No destruction of any drug products surrendered will be accomplished until ~~((30))~~ thirty days after the date of their surrender to the board.

(7) Retention, dispensing, promotion or advertisement, of any drug products by a manufacturer, wholesaler, distributor or pharmacy location, either at their business premises or at any separate storage facility after notification of their contraband status under subsection (2) ~~((above))~~ of this section shall constitute a direct and immediate danger to the public health and safety and will be good and sufficient cause for the immediate summary suspension and subsequent revocation of any license issued by the board of pharmacy to the manufacturer, wholesaler, distributor or pharmacy location and will also constitute good and sufficient cause for revocation of any license issued by the board of pharmacy

to the owner of any manufacturer, wholesaler, distributor or pharmacy location or any person in charge thereof who knowingly retains, dispenses, promotes or advertises, any drug products which are contraband under subsection (2) ~~((above))~~ of this section after notification of their status.

WSR 87-18-067

ADOPTED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT (Fire Protection Services Division)

[Order 87-17—Filed September 2, 1987]

I, John Swannack, acting deputy director of the Department of Community Development, do promulgate and adopt at the 9th and Columbia Building, Olympia, Washington, the annexed rules relating to nursing homes, chapter 212-32 WAC.

This action is taken pursuant to Notice No. WSR 87-14-075 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 18.51 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 11, 1987.

By John Swannack
Acting Deputy Director

AMENDATORY SECTION (Amending Order 86-06, filed 6/4/86)

WAC 212-32-015 COMPLIANCE. All facilities licensed as nursing homes shall comply with the provisions of this regulation ~~((or show substantial progress by July 1, 1987))~~ by January 1, 1988, or have a plan of correction approved, with specific completion dates by July 1, 1989. All approvals are issued or denied on the basis of the applicant's compliance with the state ((fire marshal's)) director of fire protection's fire and life safety standards.

WSR 87-18-068

PROPOSED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT (Division of Emergency Management)

[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning disaster recovery program, chapter 118-33 WAC;

that the agency will at 9:00 a.m., Tuesday, October 6, 1987, in the Division of Emergency Management, 4220 East Martin Way, Olympia, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 43.63A.060.

The specific statute these rules are intended to implement is RCW 38.52.030(9).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1987.

Dated: September 1, 1987

By: John Swannack

Acting Deputy Director

STATEMENT OF PURPOSE

Title: Chapter 118-33 WAC, Disaster recovery program.

Statutory Authority: RCW 43.63A.060 and 38.52.030(9).

Summary of Rule: Sets forth the administrative procedures for individual and family grant program assistance following presidential declaration of a major disaster in the state of Washington.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Hugh Fowler, Assistant Director, Division of Emergency Management, Department of Community Development, 4220 East Martin Way, PT-11, Olympia, Washington 98504-8611, phone (206) 753-5255.

Name of the Organization Proposing the Rule: Division of Emergency Management, Department of Community Development.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: Not applicable.

Chapter 118-33 WAC
DISASTER RECOVERY PROGRAM

Table with 2 columns: WAC number and description. Includes items like 118-33-010 Intent, 118-33-020 Definitions, 118-33-030 Authorization of program, etc.

NEW SECTION

WAC 118-33-010 INTENT. The intent of this plan is to set forth the administrative procedures and describe the organization for implementing the individual and family grant program subsequent to a major disaster declaration by the president.

NEW SECTION

WAC 118-33-020 DEFINITIONS. (1) "Act" shall mean chapter 38.52 RCW.

(2) "Administrative panel" means a group consisting of one or more representatives from the division of emergency management, agreed to and approved by the GCO, determining eligibility for a grant and grant amount.

(3) "Appeal" means a formal request for redetermination by the applicant to the assistant director (appeal authority) that protests the administrative panel's decision or reconsideration officer's review of the individual and family grant determination.

(4) "Assistance from other means" means assistance including monetary or in-kind contributions from other governmental programs, insurance, voluntary or charitable organizations, or from any sources other than those of the individual or family. It does not include expendable items.

(5) "Division" shall mean the division of emergency management: Department of community development.

(6) "Assistant director" means the assistant director of the division of emergency management.

(7) "Expendable items" means consumables such as linens, clothes, and basic kitchenware.

(8) "Family" means a social unit living together and comprised of a husband and wife and dependents, or comprised of unmarried persons jointly forming a household unit (such as those who jointly own or share real estate and common household type personal property); or comprised of couples (and dependents of couples) who are joined in a common law marriage; or a household comprised of an unmarried person living with and supporting a dependent son, stepson, daughter, stepdaughter, of a dependent descendant of a son or daughter. Families may file only one IFG application.

(9) "Federal coordinating officer" (FCO) means the person appointed by the administrator, FEMA, to coordinate federal assistance in a major disaster.

(10) "FEMA" means the Federal Emergency Management Agency.

(11) "Flowage easement" means an area where the landowner has given the right to overflow, flood, or submerge the land to the government or other entity for a public purpose.

(12) "Grant coordinating officer" (GCO) means the person assigned the management responsibility for the IFGP by the assistant director.

(13) "Individual" means a person who is not a member of a family, as defined above. Renters who live together are individuals. When one individual owns real property, and another lives there in a tenant-type relationship (whether or not rent is charged), the owner may file one IFG application for home repair and the personal property of the owner; and the other individual may file an IFG application for his/her own property.

(14) "Major disaster" means any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the United States which, in the determination of the president, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Disaster Relief Act of 1974, above and beyond emergency services by the federal government, to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(15) "Necessary expense" means the cost of an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

(16) "Owner-occupied" means that the residence is occupied by; the legal owner; a person who does not hold formal title to the residence but is responsible for payment of taxes, maintenance of the residence, and pays no rent; or a person who has lifetime occupancy rights in the residence with formal title vested in another. Those who do not have documentation proving home ownership may prove such ownership by presenting an affidavit executed by a state, or local government attorney stating that the applicant is considered owner of the residence for legal purposes, and identifying the basis for this conclusion, and by presenting one form of occupancy.

(17) "Reconsideration officer" means the state official appointed by the assistant director to review the administrative panel's eligibility decision when the applicant disagrees with that decision.

(18) "Serious need" means the requirement for an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

(19) "State coordinating officer" (SCO) means the individual appointed by the governor to coordinate state and local disaster assistance efforts with those of the federal government.

(20) "Governor's authorized representative" means the assistant director when appointed by the governor to utilize executive authority in a declared disaster.

NEW SECTION

WAC 118-33-030 AUTHORIZATION OF PROGRAM. The program is authorized by P.L. 93-288 (the Disaster Relief Act of 1974) and 44 CFR 205.54. Section 408 of P.L. 93-288 provides for grants up to five thousand dollars to individuals and families, who as a result of a presidentially declared major disaster, are unable to meet disaster-related "serious needs" or "necessary expenses." Chapter 38.52 RCW places responsibility for determining eligibility standards for grants to individuals and families with the department of social and health services.

NEW SECTION

WAC 118-33-040 ADMINISTRATIVE PROCEDURES. (1) The state division of emergency management has been designated by the governor as the responsible state agency to administer the provisions of 44 CFR 205.54. P.L. 93-288, Section 408 provides for grants to individuals and families up to five thousand dollars - seventy-five percent federal and twenty-five percent state funds.

(2) The division of emergency management as the state administrator of the IFG program shall arrange for the state share (twenty-five percent) of funding and secure the seventy-five percent federal matching.

(3) The division of emergency management shall be responsible for preparing the governor's request for an advance of the state's share of funds.

(4) The division of emergency management shall administer the individual and family grant program. The department of social and health services is responsible for establishing eligibility standards for applicants for assistance under the grant program.

(5) The division of emergency management shall receive the maximum allowance of three percent for administration of the program.

(6) Upon the declaration of a major disaster, the state coordinating officer, division of emergency management, and the department of social and health services, shall coordinate the necessary actions to place in operation the provisions and administrative policies and procedures for grants to individuals and families.

(7) The media shall be used to notify potential applicants of methods and procedures for application during and after the disasters; and appropriate outreach services shall be provided by the division of emergency management or welfare-related agencies, civic or church groups normally providing such services in the area.

(8) The program shall be administered in conformity with provisions of 44 CFR 205.54.

(9) Eligibility criteria shall conform to Section 44 CFR 205.54(d) and such requirements as the department of social and health services may require not inconsistent with the provisions in the cited sections of the CFR in this subsection.

(10) The SCO shall maintain close coordination with the FCO and provide reports as may be required.

(11) The GCO shall maintain close coordination with the SCO.

NEW SECTION

WAC 118-33-050 GRANT ELIGIBILITY. Eligibility for individual and family grants is the responsibility of the department of social and health services according to chapter 38.52 RCW. This rule is contained in chapter 388-53 WAC.

NEW SECTION

WAC 118-33-060 ALLOCATION OF FUNDS. The Federal share of a grant to an individual or a family under this section shall be equal to seventy-five percent of the actual cost of meeting such an expense or need and shall be made only on condition that the remaining twenty-five percent of such cost is paid to such individual or family from funds made available by a state. Where a state is unable immediately to pay its share, the president is authorized to advance to such state such twenty-five percent share, and any such advance is to be repaid to the United States on the date specified in the FEMA-STATE

agreement entered into at the time of each declared disaster. No individuals and no family shall receive any grant or grants under this section aggregating more than five thousand dollars with respect to any one major disaster.

NEW SECTION

WAC 118-33-070 EXPENDITURES AND PAYMENTS. (1) Grant payments shall be processed by means of state Form A-19 (invoice voucher) appropriately coded to identify the charges to individual and family grant program. Each voucher shall be supported by attaching a copy of the approved grant award letter. The original approved grant application and a copy of the payment voucher shall be filed in the case record folder.

(2) Vouchers shall be transmitted to the administrative services division of the department of community development daily through the usual transmittal procedures. Separate voucher transmittals shall be made for individual and family grant program payments in order to expedite priority processing of the payments.

NEW SECTION

WAC 118-33-080 ORGANIZATION AND FUNCTIONS. All state agencies charged with responsibilities under this plan will ensure compliance with 44 CFR 205.54.

(1) Notifying potential applicants. The assistant director of the division of emergency management shall publicize the availability of the IFG program to potential applicants by:

(a) Coordinating public information office activities with other agencies and the FCO;

(b) Providing news releases to local and state newspapers, radio, and television stations;

(c) Notifying local governments, private welfare and welfare related agencies, civic and church groups; and

(d) Establishing outreach programs.

(2) Disaster assistance centers (DAC).

(a) The FEMA shall provide staff for the purpose of taking IFG registration/applications, and flood plain map reading at DACs and the disaster field office (DFO). FEMA forms shall be used to take applications for the IFG program.

When the DFOs close, the state shall accept applications taken through the FEMA hotline (toll free telephone number) and at the office(s) designated by the assistant director for this purpose.

(b) Applications shall be taken for sixty days following a major disaster declaration from any disaster victim desiring to apply for grant assistance. The FEMA registrar shall explain the scope and purpose of the program to each applicant and will ensure each applicant identifies on his or her application the specific needs or expenses for which he or she is seeking assistance.

(3) The applicant's signature on the application form is acknowledgement of the certification/authorization statement verifying his/her understanding of the rules of the individual and family grant program.

(4) Verifying necessary expenses or serious needs.

(a) FEMA will provide most verification data to the state on individual and family grant applicants who were not required to first apply to the small business administration (SBA), and on those who were required to apply to SBA but also had expenses unrelated to SBA's disaster loan program. The FEMA regional director shall be responsible for performing most of the required verifications in the categories of housing (to include documentation of home ownership and primary residency); personal property; and transportation (to include documentation of vehicle ownership and/or registration, as appropriate to the state's administrative plan).

(b) The state will not be required to recover funds, and will not be issued a bill for collection (BFC), when it makes a grant based on incorrect verification information provided by FEMA. A grant based on this incorrect information will not be subject to the state's normal recovery of funds procedures.

(c) Certain verifications may be required to be performed by the state, such as for medical, dental, or funeral applications, or on delayed applications or reversifications, when FEMA and its contractors are no longer available.

(5) Eligibility determination functions shall be performed by the division of emergency management. The SBA will provide copies of verifications performed by SBA staff on housing and personal property (including vehicles) for those applicants who were first required to apply to SBA. This will enable the state administrative panel to make an

eligibility determination on those applicants. When an applicant disagrees with the grant award, he/she may appeal to the state. The cost of any estimate provided by the applicant in support of his/her appeal is not eligible under the program.

NEW SECTION

WAC 118-33-090 ADMINISTRATIVE PANEL. (1) The administrative panel, consisting of one or more representatives of the division of emergency management appointed by the GCO, shall review each application and determine eligibility and grant amounts.

(2) The administrative panel shall send each applicant written notice of their determination of the applicant's eligibility and, if eligible, grant amount.

NEW SECTION

WAC 118-33-100 RECONSIDERATION. (1) Reconsideration is an informal process in which all available facts pertaining to an applicant's expressed dissatisfaction with the administrative panel's decision are reviewed. Additional information may be obtained and the reconsideration officer may make a decision affirming, modifying, or reversing the administrative panel's decision within ten days of the receipt of the complaint.

(2) The request for reconsideration, additional facts and the reconsideration officer's decision will be documented in the case record.

NEW SECTION

WAC 118-33-110 APPEAL. (1) An applicant dissatisfied with the administrative panel's or reconsideration officer's determination of his or her eligibility and/or grant amount has the right to appeal. The appeal can be oral or in writing and must state the reasons for the appellant's dissatisfaction with the administrative panel's determination. The appellant must appeal as soon as possible not to exceed fifteen days from receipt of the administrative panel's determination.

(2) When an applicant has requested an appeal, the assistant director or designee shall examine the appellant's file and any additional information received or presented for review of the administrative panel's determination. The assistant director shall make a decision affirming, modifying, or reversing the administrative panel's decision and mail the written decision to the appellant within fifteen days of the assistant director's receipt of the appeal; this period may be extended if both the appellant and assistant director agree. The decision of the assistant director is final.

NEW SECTION

WAC 118-33-120 ADMINISTRATIVE PLAN REVIEW. The assistant director of the department of emergency management shall review, in coordination with the FEMA regional director, the state administrative plan for the individual and family grant program every January to ensure compliance with state and federal laws and regulations and other FEMA program guidance.

WSR 87-18-069

PROPOSED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning:

- Amd WAC 251-09-020 Work period designations.
- Amd WAC 251-09-030 Overtime.
- Amd WAC 251-01-110 Director;

that the agency will at 9:00 a.m., Friday, October 16, 1987, in the Board Room, Bouillon Hall, Central Washington University, Ellensburg, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 14, 1987.

Dated: September 2, 1987

By: John A. Spitz
Director

STATEMENT OF PURPOSE

This statement is related to the notice filed with the code reviser on September 2, 1987, and is filed pursuant to RCW 34.04.025.

Description of Purpose: To clarify the status of agricultural work in higher education institutions so as to specifically follow the Fair Labor Standards Act.

Statutory Authority: RCW 28B.16.100 to implement the provisions of that section.

Specific Statute this Rule is Intended to Implement: RCW 28B.16.100.

Title and Summary of Rules: WAC 251-09-020 Work period designations, to provide for the unique work scheduling capability necessary for agriculture work and as provided in the Fair Labor Standards Act; and WAC 251-09-030 Overtime, to provide institutions of higher education the flexibility to develop procedures for the payment of overtime to agricultural workers.

Reasons Supporting Proposed Action: The institutions of higher education which engage in agricultural work as defined and limited in the Fair Labor Standards Act need the same flexibility as other agricultural employers in the work scheduling and payment of overtime of their employees.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: John A. Spitz, Director, Higher Education Personnel Board, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, scan 234-3730 or 753-3730.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Shirley Meckley, Personnel Officer of Washington State University, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The change is not the result of federal law or state or federal court action.

Title: WAC 251-01-110 Director.

Description of Purpose: To define the term director in the HEPB rules.

Statutory Authority: RCW 28B.16.100 to implement the provisions of that section.

Specific Statute this Rule is Intended to Implement: RCW 28B.16.100.

Summary of Rule: Clarifies that the director may delegate HEPB staff members to perform certain actions on behalf of the director, including signature authority.

Reasons Supporting Proposed Action: There are numerous instances in the rules which refer to the director

taking an action many of which are actually performed by other HEPB staff members. This revision would provide legal authority for the staff person to act on the director's behalf.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: John A. Spitz, Director, Higher Education Personnel Board, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, scan 234-3730 or 753-3730.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Higher Education Personnel Board, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The change is not the result of federal law or state or federal court action.

AMENDATORY SECTION (Amending Order 108, filed 9/23/83, effective 10/24/83)

WAC 251-09-020 WORK PERIOD DESIGNATIONS. Each position will be assigned by the personnel officer to one of the work period designations identified below, and employees will be informed of their eligibility for overtime compensation.

(1) Scheduled work periods, within which there are ~~three~~ four work schedules:

(a) Regular work schedule. The regular work schedule for full-time classified employees shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. Uniformly scheduled means a daily repetition of the same working hours and a weekly repetition of the same working days.

(b) Alternate work schedule. Operational necessity or employee convenience may require positions that are normally designated regular work schedule to work an alternate forty hour work schedule (other than five uniform and consecutive eight hour days in a seven day period), or as provided by the Washington state minimum wage law in conjunction with the federal law which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate work schedules shall be made available upon request of the director.

(c) Emergency response fire officer work schedule. Institutions which operate an emergency response fire department may establish work week schedules for emergency response personnel which provide for a daily work shift of twenty-four hours. The weekly schedule shall provide for at least forty-eight hours, but not more than fifty-six hours, as required to meet operational requirements. Emergency response personnel assigned to twenty-four hour schedules shall be subject to the following conditions:

(i) All rules in chapter 251-22 WAC shall apply.

(ii) Changes to the established work schedule shall be made as provided in WAC 251-09-025.

(iii) Shift differential shall not be paid.

(iv) Overtime shall be paid for work performed in excess of the scheduled daily work shift or the scheduled work week. The overtime compensation shall be as provided in WAC 251-09-030 (2) and (3).

(v) Holidays shall be as provided in WAC 251-22-040 and 251-22-045. When assigned to work on a designated holiday, emergency response personnel shall receive their regular daily pay plus eight hours of holiday pay. Compensation for the eight hours of holiday time shall be at the rate of time and one-half.

(2) Nonscheduled work period. The nonscheduled work period designation applies to those positions for which the hours cannot be scheduled but which work a forty hour week and do not meet any of the other work period designations. The personnel officer shall designate positions as nonscheduled in accordance with the institution's procedure approved by the director.

(3) Excepted work period. The excepted work period designation applies to classes and positions which meet the HEPB definitions of executive, administrative, or professional employees and are assigned to salary ranges twenty-three and above. Qualifying classes will be approved by the director. Each personnel officer will be responsible for determining the positions designated "excepted" at his/her institution.

The personnel officer will develop a procedure for verifying "excepted" positions which will be available for review by the director.

(4) Agricultural work period. The agricultural work period designation applies to classes and positions which meet the HEPB definition of agricultural employee in WAC 251-01-020. Each personnel officer will be responsible for determining the positions designated "agricultural" at his/her institution. The personnel officer will develop a procedure for verifying "agricultural" positions which will be available for review by the director.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 151, filed 5/22/86, effective 7/1/86)

WAC 251-09-030 OVERTIME. (1) Any one of the following constitutes overtime:

(a) Work in excess of the daily work shift for full-time employees assigned to scheduled work period positions;

(b) Work in excess of forty hours in one work week for employees assigned to scheduled or nonscheduled work period positions; or

(c) For hospital personnel assigned to a fourteen-day schedule, work in excess of eight hours in a twenty-four hour period or eighty hours in a fourteen-day period.

(2) Overtime worked by employees assigned to scheduled or nonscheduled work period positions shall be compensated at a rate of one and one-half times the employee's straight time hourly rate including shift differential for all overtime worked as provided in subsection (1) of this section.

(3) Employees assigned to scheduled or nonscheduled work periods shall receive monetary payment as compensation for overtime worked; however, at the employee's request compensatory time off at one and one-half times the overtime hours worked may be granted in lieu of monetary payment, ~~except that agricultural employees shall receive compensatory time off or monetary payment at the option of the institution.~~ The accumulation of unused compensatory time that exceeds two hundred forty hours (four hundred eighty for employees engaged in public safety or emergency response activity) must be paid in cash.

(4) If compensation is paid to an employee for accrued compensatory time, such compensation shall be paid at the regular rate earned by the employee at the time the employee receives such payment. Upon termination of employment, an employee will be paid for any unused compensatory time in accordance with the Fair Labor Standards Act.

(5) Use of accrued compensatory time shall be approved by the employing official with consideration being given to the work requirements of the department and the wishes of the employee. Compensatory time off may be scheduled by the employing official during the final sixty days of a biennium.

(6) Employees assigned to excepted work period positions normally do not qualify for overtime pay. Under circumstances in which the employee is directed to work an excessive amount of overtime, the personnel officer may authorize additional compensation in cash or compensatory time off not to exceed one and one-half times the employee's regular rate. The employee may petition the personnel officer for compensation of the directed overtime.

(7) Employees assigned to agricultural work period positions normally do not qualify for overtime pay. The institution may develop a procedure for the payment of overtime. Such procedure will be available for review by the director.

~~(7)~~ (8) For purposes of computing overtime compensation, holidays or leave with pay during the employee's regular work schedule shall be considered as time worked.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-110 DIRECTOR. The director of the higher education personnel board. The director may delegate in writing his/her authority to a higher education personnel board staff member.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 87-18-070
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 87-110—Filed September 2, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is harvestable numbers of salmon are available.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 2, 1987.

By Joseph R. Blum
 Director

NEW SECTION

WAC 220-57-16000I COLUMBIA RIVER. *Notwithstanding the provisions of WAC 220-57-160:*

(1) *Effective 12:01 a.m., September 4, until 11:59 p.m. September 6, 1987, Bag Limit F in those waters downstream from the Megler-Astoria Bridge to the Buoy 10 line, including waters adjacent to the north jetty at the mouth of the Columbia River when fishing from the north jetty. Barbless hooks required.*

(2) *Effective 12:01 a.m. September 7, until 11:59 p.m. September 30, 1987, Bag Limit H in those waters downstream from the Megler-Astoria Bridge to the Buoy 10 line, including waters adjacent to the north jetty at the mouth of the Columbia River when fishing from the north jetty. Barbless hooks required.*

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m., September 4, 1987:

WAC 220-57-16000H COLUMBIA RIVER: (87-105).

WSR 87-18-071
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
 [Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning medical aid rules and maximum fee schedule, WAC 296-20-022, 296-23A-105 and 296-23A-155 through 296-23A-190 dealing with hospital payments; 296-20-12050 dealing with special agreements with special programs; 296-21-013 dealing with fees for medical testimony; 296-20-03001 dealing with treatment requiring authorization; and 296-20-010, 296-20-01002, 296-20-024 and 296-20-075 dealing with utilization review and quality assurance;

that the agency will at 10:00 a.m., Monday, October 26, 1987, in the First Floor Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1987.

The authority under which these rules are proposed is RCW 51.04.020(4) and 51.04.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 26, 1987.

The agency reserves the right to modify the text of these proposed rules and changes prior to the public hearing thereon or in response to written and/or oral comments thereon received prior to or during the public hearing.

Written and/or oral submissions may also contain data, views, and arguments of the rules on economic values, pursuant to chapter 43.21H RCW.

Correspondence relating to this notice and proposed rules attached should be addressed to:

Taylor Dennen, Assistant Director
 for Medical Services
 Department of Labor and Industries
 General Administration Building
 Mailstop HB-251
 Olympia, Washington 98504

Dated: September 2, 1987

By: Joseph A. Dear
 Director

STATEMENT OF PURPOSE

The proposal for rule changes, which follow, amend portions of chapters 296-20, 296-21 and 296-23A WAC. These titles [chapters] pertain to rules and fees for treatment provided to injured workers.

Purpose of These Proposed Rules: To make the following substantive changes in Title 296 WAC as previously enacted: Revise rules and fee schedule pertaining

to reimbursement and utilization of health services on workers' compensation claims.

Statutory Authority: RCW 51.04.020(4) and 51.04.030.

In Summary, the Following Changes are Accomplished by the Proposed Rules: The fee schedule has been amended to revise the rules pertaining to payment and utilization of hospital services on workers compensation claims allowing the department to implement a prospective payment system for hospital inpatient services and specify a discount for hospital outpatient services. The fee schedule has been amended to allow the department to enter into and terminate special agreements with providers of services other than routine services covered under the fee schedule, and to allow the department to pay for medical testimony and depositions approved in advance by the Office of the Attorney General. The fee schedule has been amended to delete the requirement of prior authorization for diagnostic or therapeutic injections, vertebral facet joint injections, and intra-muscular and trigger point injections of non-scheduled medications. The fee schedule has been amended to outline the department's program of utilization review and quality assurance.

Agency Personnel Responsible for Drafting: Taylor Dennen, Michael Arnis, Diane Reus and Robert Moore; Implementation and Enforcement: Joseph A. Dear and other industrial insurance division personnel.

These rule changes are proposed by the Department of Labor and Industries, an agency of the state of Washington.

The proposing agency has no comments regarding statutory language, implementation, enforcement or fiscal matters beyond those appearing above.

These rules are not necessitated by any federal or state court action.

The department has considered whether these rules are subject to the Regulatory Fairness Act (chapter 6, Laws of 1982), and has determined that they are not for the following reason: There is no unfavorable economic impact for small business, because there is no fiscal impact resulting from these rules.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules on economic values pursuant to chapter 43.21H RCW. Correspondence relating to this notice and proposed rules attached should be addressed to Taylor Dennen, Assistant Director for Medical Services, Department of Labor and Industries, General Administration Building, HC-251, Olympia, Washington 98504.

[AMENDATORY SECTION (Amending Order 86-47, filed 1/8/87)]

~~WAC 296-23A-105 RATES FOR DAILY AND ANCILLARY SERVICES: PAYMENT FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES.~~ Beginning January 1, 1988, ~~the~~ department or self-insurer pays for hospital inpatient services using per case and per diem rates which are prospectively determined by the department, or allowed charges are multiplied by a percent of on allowed

~~charges factor deemed reasonable by the department. Diagnosis-related groups (DRGs) and other department policies will be used as the hospital inpatient case classification system. The DRG per case rates will be calculated by multiplying a peer group base rate times a relative weight applicable for all cases in a DRG. The per diem rates will be hospital or peer group specific. daily and ancillary services, and certain outpatient services, by multiplying allowed charges times the ratio of total rate setting revenue minus bad debt, Labor and Industries contractual allowances and other contractual allowances related to workers compensation to total rate setting revenue for each hospital set annually based upon the latest available budget approved by the Washington state hospital commission.~~

~~Beginning November 1, 1986, hospital~~ Hospital outpatient radiology, pathology and laboratory, and physical therapy services which do not occur within one day of an inpatient admission are to be billed and will be paid using the appropriate Labor and Industries hospital outpatient fee schedule procedure codes. Beginning January 1, 1988, hospital outpatient services which are not billed and paid using the hospital outpatient fee schedule will be paid by multiplying allowed charges by a percent of charges factor deemed reasonable by the department.

All hospital inpatient and outpatient services and billed charges are subject to utilization review by the department or a representative chosen by the department.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-23A-155 NEW HOSPITALS New hospitals are those entities which were not open for at least one year prior to the department's implementation of the latest per case and/or per diem rates or percent of allowed charges factor for hospitals paid by the department. A change in ownership does not constitute the creation of a new hospital. If a hospital changes ownership, rates will be those payable to the previous owner.

Payment for new hospitals will be at the average per case and per diem rates recently determined by the department for the peer group assigned to the new hospital by the department, and/or a percent of allowed charges calculated by the new hospital's peer group average percent of allowed charges factor, determined by the department, multiplied by the allowed charges on each bill.

NEW SECTION

WAC 296-23A-160 EXCLUDED AND INCLUDED SERVICES (1) All technical services except ambulance and air transportation will be included in the hospital inpatient per case and per diem rates determined and paid by the department.

(2) Pre-admission services: Services performed in a hospital outpatient setting, within a specified time set by the department, prior to admission into the hospital must be billed as hospital inpatient services.

(3) Freestanding and distinct part psychiatric, rehabilitation, and substance abuse facilities as defined by the Health Care Finance Administration will be excluded from payment by per case and per diem rates. These facilities will be paid a percent of allowed charges deemed appropriate by the department. The department may choose to exclude other freestanding and distinct part units from either per case or per diem payment rates.

(4) Bills which are coded as diagnosis-related groups 000, 469, and 470 will be denied. They should be corrected and resubmitted.

NEW SECTION

WAC 296-23A-165 OUT-OF-STATE HOSPITALS Out-of-state hospitals will be paid allowed charges multiplied by the statewide average percent of allowed charges factor determined by the department.

NEW SECTION

WAC 296-23A-170 OUTLIERS (1) Outlier payments are for cases with unusually high or low costs. Outlier status will only be granted to diagnosis-related groups cases paid by the department.

(2) Qualification for high outlier status: First, cost-adjusted allowed charges are defined as the allowed charges (ACHGE) multiplied by that hospital's percent of allowed charges (PAC) factor:

$$\text{Cost-adjusted allowed charges} = (\text{ACHGE} * \text{PAC}).$$

To qualify as a high cost outlier under the department's diagnosis-related groups per case payment system, the cost-adjusted allowed charges for the case minus a dollar threshold set by the department must be greater than zero:

$$[(\text{ACHGE} * \text{PAC}) - (\text{\$threshold})] > 0.$$

The dollar threshold is defined as the greater of two standard deviations above the statewide per case rate for the appropriate diagnosis-related group or a dollar amount determined by the department. The statewide per case rate for a diagnosis-related group will be computed across all cases in the base year data base excluding outliers.

(3) Payment: Outlier cases will be paid a hospital's diagnosis-related group per case rate plus an add-on. The add-on will be calculated by first subtracting the dollar threshold from the cost-adjusted allowed charges for the case. This product is then multiplied by a factor (F) to be determined by the department:

$$[(\text{ACHGE} * \text{PAC}) - (\text{\$threshold})] * F = \text{Add-on}$$

The outlier payment will be as follows:

$$\text{Outlier payment} = \text{Hospital's DRG rate} + \text{add-on}.$$

(4) To have a bill considered for high cost outlier status, the hospital must enter "61" for the condition code, block 35 of the UB-82.

(5) Hospitals must submit the following information with a bill, in addition to the information required in WAC 296-23A-150, (3), when requesting a high cost outlier:

- (a) Physician's progress notes
- (b) Physician's orders
- (c) Nurse's notes

(6) Qualification for low outlier status: To qualify as a low cost outlier, the allowed charges multiplied by that hospital's percent of allowed charges factor must be less than the greater of ten percent of the statewide per case rate for that diagnosis-related group or a dollar threshold determined by the department. The statewide per case rate for a diagnosis-related group will be computed across all cases in the base year data base excluding outliers. Low outlier cases will be paid that hospital's percent of allowed charges factor multiplied by the allowed charges for the case.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-23A-175 INTERIM BILLS (1) An interim bill is defined as a bill which has a patient status code of 30 in block 21 of the UB-82.

(2) Interim bills which are assigned to diagnosis-related groups paid per case by the department, and are not high cost outliers or bills from cases which were previously designated as high cost outliers, will be denied.

(3) If an interim bill is coded as a diagnosis-related group not paid per case by the department, then the bill will be paid per diem rates or as a percent of allowed charges. If an interim bill is paid per diem rates or as a percent of allowed charges, and a subsequent bill for the same injured worker has a first date of service within seven days of the last date of service of the previous bill, then the stay(s) may be subject to utilization review by the department. Payment for the stay(s) will depend on the department's review.

NEW SECTION

WAC 296-23A-180 READMISSIONS A readmission within seven days of a previous discharge from the same hospital where the current and previous admissions were for the same diagnosis-related group, will not result in additional payment for the case. All other readmissions will be subject to utilization review by the department.

Any additional payment for the case will be determined by the results of the review.

NEW SECTION

WAC 296-23A-185 TRANSFERS (1) A transfer is defined as an admission to another acute care hospital within seven days of the previous discharge for the same injured worker. All transfers will be subject to utilization review by the department and payment will be determined according to the department's interpretation of the review. The transferring hospital may qualify for high and low cost outlier status.

(2) When the stay at the transferring hospital is a diagnosis-related group paid by the department and does not qualify as a low cost outlier, the transferring hospital is paid a per day rate for each day of care allowed by the department's review prior to the transfer. The per day rate is determined by dividing that hospital's rate for the appropriate diagnosis-related group by that diagnosis-related group's average length of stay determined by the department. If the case does not qualify as a high cost outlier, payment to the transferring hospital will not exceed the appropriate diagnosis-related group rate that would have been paid had the injured worker not been transferred to another hospital.

The receiving hospital in a transfer will be paid according to the department's utilization review of the case. If the receiving hospital's stay is a diagnosis-related group paid by the department, then the hospital will receive the appropriate per case or outlier payments. If the case is not a diagnosis-related group paid by the department, then the hospital is paid the per day rates or as a percent of allowed charges.

NEW SECTION

WAC 296-23A-190 APPEALS If a hospital can demonstrate to the department that the hospital's independently audited cost to charge ratio has changed by more than ten percent over the percent of allowed charges factor currently applied to the hospital's rates, then the hospital can file an appeal for rate relief with the department. If the department's review of the material submitted by the hospital results in a favorable determination for the hospital, the department will modify the hospital's percent of allowed charges factor and recalculate the hospital's base rates for diagnosis-related groups per case and per diem rates using the revised percent of charges factor.

The revised rates will apply to all bills with a date of admission on or after a date chosen by the department. The chosen date will be within four months of the modification.

AMENDATORY SECTION (Amending Order 86-45, filed 1/8/87)

WAC 296-20-022 PAYMENT OF OUT-OF-STATE PROVIDERS. (1) Beginning February 1, 1987, providers of health services in the bordering states of Oregon and Idaho shall bill and be paid according to the medical aid rules of the state of Washington.

(2) Providers of health services in other states and other countries shall be paid at rates which take into account:

- (a) Payment levels allowed under the state of Washington medical aid rules;
- (b) Payment levels allowed under workers compensation programs in the provider's place of business; and
- (c) The reasonableness of the provider's charges.

(3) In all cases these payment levels are the maximum allowed to providers of health services to injured workers. Should a health services provider's charge exceed the payment amount allowed under the state of Washington medical aid rules, the provider is prohibited from charging the injured worker for the difference between the provider's charge and the allowable rate. Providers violating this provision are ineligible to treat injured workers as provided by WAC 296-20-015 and are subject to other applicable penalties.

(4) Only those diagnostic and treatment services authorized under the state of Washington medical aid rules may be allowed by the department or self-insurer. As determined by the department of labor and industries, the scope of practice of providers in bordering states may be recognized for payment purposes, except that in all cases WAC 296-20-03002 (Treatment not authorized) shall apply. Specifically, services permitted under workers compensation programs in the provider's state or country of business, but which are not allowed under the medical aid rules of the state of Washington, may not be reimbursed. When in doubt, the provider should verify coverage of a service with the department or self-insurer.

~~(5) ((Hospitals in Oregon and Idaho shall be paid according to WAC 296-23A-105 (Rates for daily and ancillary services) except that the ratio multiplied times billed charges shall be at the average for Washington hospitals and except that the department reserves the right to take advantage of other contractual opportunities or discounts which may become available. Hospitals in other states shall be paid by multiplying billed charges by the average ratio specified in WAC 296-23A-105 for Washington hospitals or at other rates deemed reasonable by the department)) Out-of-state hospitals will be paid according to WAC 296-23A-165 Out-of-state hospitals.~~

AMENDATORY SECTION (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

WAC 296-20-010 GENERAL INFORMATION. (1) The following rules and fees are promulgated pursuant to RCW 51.04.020. This fee schedule is intended to cover all services for accepted industrial insurance claims. All fees listed are the maximum fees allowable. Practitioners shall bill their usual and customary fee for services. IF A USUAL AND CUSTOMARY FEE FOR ANY PARTICULAR SERVICE IS LOWER TO THE GENERAL PUBLIC THAN LISTED IN THE FEE SCHEDULE, THE PRACTITIONER SHALL BILL THE DEPARTMENT OR SELF-INSURER AT THE LOWER RATE. The department or self-insurer will pay the lesser of the billed charge or the fee schedule maximum allowable.

(2) The rules contained in the introductory section pertain to all practitioners regardless of specialty area or limitation of practice. Additional rules pertaining to specialty areas will be found in the appropriate section.

(3) The maximum allowable fee for a procedure is determined by multiplying the unit value of a procedure by the appropriate conversion factor, per the conversion factor tables listed in WAC 296-20-135 to 296-20-155.

(4) Initial and follow-up visit charges by practitioners include routine examinations, physical modalities, injections, minor procedures, etc., not otherwise provided for in this schedule. No fee is payable for missed appointments unless the appointment is for an examination arranged by the department or self-insurer.

(5) When a claim has been accepted by the department or self-insurer, no provider or his/her representative may bill the worker for the difference between the allowable fee and his usual and customary charge. Nor can the worker be charged a fee, either for interest or completion of forms, related to services rendered for the industrial injury or condition.

(6) Practitioners must maintain documentation in claimant medical or health care service records adequate to verify the level, type, and extent of services provided to claimants.

(7) Except as provided in WAC 296-20-055 (temporary treatment of unrelated conditions when retarding recovery), practitioners shall bill, and the department or self-insurer shall pay, only for medically necessary services required for the diagnosis and curative or rehabilitative treatment of the accepted industrial injury or occupational disease.

(8) When an injured worker is being treated concurrently for an unrelated condition the fee allowable for the service(s) rendered must be shared proportionally between the payors.

~~((9))~~ (9) Correspondence: Correspondence pertaining to state fund and department of energy claims should be sent to Department of Labor and Industries, Claims Administration, MS: HC-241, Olympia, Washington 98504. Accident reports should be sent to Department of Labor and Industries, P.O. Box 9001, Olympia, Washington 98504-9001. Billings should be sent to Department of Labor and Industries, P.O. Box 9002, Olympia, Washington 98504-9002. State fund claims have six digit numbers preceded by a letter other than "S," "T," or "V."

Department of energy claims have seven digit numbers with no letter prefix.

All correspondence and billings pertaining to crime victims claims should be sent to Crime Victims Division, Department of Labor and Industries, 925 Plum Street, MS: HC-720, Olympia, Washington 98504.

Crime victim claims have six digit numbers preceded by a "V."

All correspondence and billings pertaining to self-insured claims should be sent directly to the employer or his service representative as the case may be. A listing of self-insured employers and service representatives can be found in Appendix B.

Self-insured claims are six digit numbers preceded by a "S," or "T."

Communications to the department or self-insurer must show the patient's full name and claim number. If the claim number is unavailable, providers should contact the department or self-insurer for the number, indicating the patient's name, Social Security number, the date and the nature of the injury, and the employer's name. A communication should refer to one claim only. Correspondence must be legible and reproducible, as department records are microfilmed. Correspondence regarding specific claim matters should be sent directly to the department in Olympia or self-insurer in order to avoid rehandling by the service location.

~~((9))~~ (10) APPENDIX C is a listing of the department's various local service locations. These facilities should be utilized by providers to obtain information, supplies, or assistance in dealing with matters pertaining to industrial injuries.

AMENDATORY SECTION (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

WAC 296-20-01002 DEFINITIONS. TERMINATION OF TREATMENT: When treatment is no longer required and/or the industrial condition is stabilized, a report indicating the date of stabilization should be submitted to the department or self-insurer. This is necessary to initiate closure of the industrial claim. The patient may require continued treatment for conditions not related to the industrial condition; however, financial responsibility for such care must be the patient's.

UNUSUAL OR UNLISTED PROCEDURE: Value of unlisted services or procedures should be substantiated "by report" (BR).

"BY REPORT": BR (by report) in the value column indicates that the value of this service is to be determined by report (BR) because the service is too unusual, variable or new to be assigned a unit value. The report should provide an adequate definition or description of the services or procedure (e.g., operative or narrative report), using any of the following as indicated:

(1) Diagnosis;

(2) Size, location and number of lesion(s) or procedure(s) where appropriate;

(3) Major surgical procedure and supplementary procedure(s);

(4) Whenever possible, list the nearest similar procedure by number according to this schedule;

(5) Estimated follow-up;

(6) Operative time.

The department or self-insurer may adjust BR procedures when such action is indicated.

"INDEPENDENT OR SEPARATE PROCEDURE": Certain of the listed procedures are commonly carried out as an integral part of a total service, and as such do not warrant a separate charge. When such a procedure is carried out as a separate entity, not immediately related to other services, the indicated value for "independent procedure" is applicable.

Sv. ITEMS: Sv (service) procedures are not essentially a single procedure, rather they are comprised of several other procedures. These "Sv" procedures although identified by a specific code number, can be described only in terms of the several services included. Therefore, unit values are not indicated for Sv procedures and total value is derived from the values of the individual services performed. These Sv procedures require "BR" (see above) information to substantiate billing.

MODIFIED WORK STATUS: The injured worker is not able to return to his previous work, but is physically capable of carrying out work of a lighter nature. Injured workers should be urged to return to modified work as soon as reasonable as such work is frequently beneficial for body conditioning and regaining self confidence.

Under RCW 51.32.090, when the employer has modified work available for the worker, the employer must furnish the doctor and the worker with a statement describing the available work in terms that will enable the doctor to relate the physical activities of the job to the worker's physical limitations and capabilities. The doctor shall then determine whether the worker is physically able to perform the work described. The employer may not increase the physical requirements of the job without requesting the opinion of the doctor as to the worker's ability to perform such additional work. If after a trial period of reemployment the worker is unable to continue with such work, his time loss compensation will be resumed upon certification by the attending doctor.

If the employer has no modified work available, the department should be notified immediately, so vocational assessment can be conducted to determine whether the worker will require assistance in returning to work.

REGULAR WORK STATUS: The injured worker is physically capable of returning to his/her regular work. It is the duty of the attending doctor to notify the worker and the department or self-insurer, as the case may be, of the specific date of release to return to regular work. Compensation will be terminated on the release date. Further treatment can be allowed as requested by the attending doctor if the condition is not stationary and such treatment is needed and otherwise in order.

TOTAL TEMPORARY DISABILITY: Full-time loss compensation will be paid when the worker is unable to return to any type of reasonably continuous gainful employment as a direct result of an accepted industrial injury or exposure.

TEMPORARY PARTIAL DISABILITY: Partial time loss compensation may be paid when the worker can return to work on a limited basis or return to lesser paying job is necessitated by the accepted injury or condition. The worker must have a reduction in wages of at least five percent before consideration of partial time loss can be made. No partial time loss compensation can be paid after the worker's condition is stationary.

ALL TIME LOSS COMPENSATION MUST BE CERTIFIED BY THE ATTENDING DOCTOR BASED ON OBJECTIVE FINDINGS.

PERMANENT PARTIAL DISABILITY: Any anatomic or functional abnormality or loss after maximum rehabilitation has been achieved, which is determined to be stable or nonprogressive at the time the evaluation is made. When the attending doctor has reason to believe a permanent impairment exists, the department or self-insurer should be notified. Specified disabilities (amputation or loss of function of extremities, loss of hearing or vision) are to be rated utilizing a nationally recognized impairment rating guide. Unspecified disabilities (internal injuries, spinal injuries, mental health, etc.) are to be rated utilizing the category system detailed under WAC 296-20-200 et al. for injuries occurring on or after October 1, 1974. Appendix D contains a schedule of the permanent disability maximum awards. **UNDER WASHINGTON LAW DISABILITY AWARDS ARE BASED SOLELY ON PHYSICAL OR MENTAL IMPAIRMENT DUE TO THE ACCEPTED INJURY OR CONDITIONS WITHOUT CONSIDERATION OF ECONOMIC FACTORS.**

TOTAL PERMANENT DISABILITY: Loss of both legs or arms, or one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the worker from performing any work at any gainful employment. When the attending doctor feels a worker may be totally and permanently disabled, he should communicate this information immediately to the department or self-insurer. A vocational evaluation and an independent rating of disability may be arranged by the department prior to a determination as to total permanent disability. Coverage for treatment does not usually continue after the date an injured worker is placed on pension.

FATAL: When the attending doctor has reason to believe a worker has died as a result of an industrial injury or exposure, the doctor should notify the nearest department service location (see Appendix C) or the self-insurer immediately. Often an autopsy is required by the department or self-insurer. If so, it will be authorized by the service location manager or the self-insurer. Benefits payable include burial stipend and monthly payments to the surviving spouse and/or dependents.

DOCTOR: For these rules, means a person licensed to practice one or more of the following professions: Medicine and surgery; osteopathic; chiropractic; drugless therapeutics; podiatry; dentistry; optometry.

Only those persons so licensed may sign report of accident forms and time loss cards except as provided in WAC 296-20-100.

HEALTH SERVICES PROVIDER OR PROVIDER: For these rules means any person, firm, corporation, partnership, association, agency, institution, or other legal entity providing any kind of services related to the treatment of an industrially injured worker. It includes, but is not limited to, hospitals, medical doctors, dentists, chiropractors, vocational rehabilitation counselors, osteopaths, pharmacists, podiatrists, physical therapists, occupational therapists, massage therapists, psychologists, drugless therapeutics, and durable medical equipment dealers.

PRACTITIONER: For these rules, means any person defined as a "doctor" under these rules, or licensed to practice one or more of the following professions: Audiology; physical therapy; occupational therapy; pharmacy; prosthetics; orthotics; psychology; nursing; physician or osteopathic assistant; and massage therapy.

PHYSICIAN: For these rules, means any person licensed to perform one or more of the following professions: Medicine and surgery; or osteopathic.

ACCEPTANCE, ACCEPTED CONDITION: Written determination by a qualified representative of the department or self-insurer that reimbursement for the diagnosis and curative or rehabilitative treatment of

a claimant's medical condition is the responsibility of the department or self-insurer. The condition being accepted must be specified by one or more diagnosis codes from the current edition of the International Classification of Diseases, Clinically Modified (ICD-CM).

AUTHORIZATION: Written notification by a qualified representative of the department or self-insurer that specific medically necessary treatment, services, or equipment provided for the diagnosis or treatment of an accepted condition will be reimbursed by the department or self-insurer.

MEDICALLY NECESSARY: Those health services are medically necessary which, in the opinion of the director or his or her designee, are:

(a) Proper and necessary for the diagnosis and curative or rehabilitative treatment of an accepted industrial injury or occupational disease; and

(b) Reflective of accepted standards of good practice within the scope of the provider's license or certification; and

(c) Not delivered primarily for the convenience of the claimant, the claimant's attending physician, or another provider; and

(d) Provided at the least cost and in the least intensive setting of care consistent with the other provisions of this definition.

In no case shall services which are inappropriate to the accepted condition or which present hazards in excess of the expected medical benefit be considered medically necessary. Services which are controversial, obsolete, experimental, or investigational are presumed not to be medically necessary, and shall be authorized only as provided in WAC 296-20-03002(6).

UTILIZATION REVIEW: The assessment of a claimant's medical care to assure that it is medically necessary and of adequate quality. This assessment typically considers the appropriateness of the place of care, level of care, and the duration, frequency or quantity of services provided in relation to the accepted medical condition being treated.

NEW SECTION

WAC 296-20-024 UTILIZATION REVIEW AND QUALITY ASSURANCE. To ensure that injured workers receive good quality health care, provided in an efficient manner and in the most appropriate setting, the department has instituted a program of utilization review and quality assurance. This program is designed to monitor and control the use of health care services, and includes, but is not limited to, the following:

(1) Authorization for reimbursement must be obtained from a qualified representative of the department or self-insurer prior to the provision of certain medical treatment, equipment or supplies. This requirement applies to all nonemergent major surgery, diagnostic studies other than routine radiology and laboratory studies, therapy extending beyond a specified number of days or treatments, and to certain other medical treatment, equipment and supplies. Emergency medical services can be provided without prior authorization, but reimbursement may be withheld, or recovery of prior payments made, if utilization review fails to confirm the medical necessity of such services.

(2) Medical treatment, equipment and supplies which are normally reimbursed without prior authorization are nevertheless subject to specific limitations with respect to the duration, frequency, and quantity that may be provided without review. If such services are delivered in excess of the limitations which apply to them, reimbursement will not be made unless prior authorization has been obtained from a qualified representative of the department or self-insurer.

(3) Certain types of medical treatment, equipment and supplies are not approved for the diagnosis or treatment of accepted conditions, and will not be authorized or reimbursed by the department or self-insurer.

(4) Specific limitations are placed on the duration, frequency and types of prescription drugs and controlled substances that will be reimbursed by the department or self-insurer.

(5) Documentation of the need for and efficacy of continued medical care by the health care provider is required at regular intervals while a claim is open. Such documentation enables the department or self-insurer to review the plan of treatment, assess the quality and medical necessity of services, authorize or deny reimbursement for continued provision of services, evaluate eligibility for time loss compensation, and pay medical bills.

(6) The department's second opinion program requires consultations prior to the authorization of reimbursement for some types of surgery, for all procedures of a controversial or uncommon nature, and for conservative or chiropractic care which extends past 120 days following the initial visit.

(7) Hospitalization will be reimbursed only when it is determined to be medically necessary for the diagnosis and curative or rehabilitative

treatment of accepted conditions. Hospital bills and supporting medical documents may be audited to verify the accuracy or appropriateness of charges, and recovery of overpayments will be made.

(8) Medical treatment, equipment and supplies provided for the diagnosis and curative or rehabilitative treatment of a condition unrelated to the accepted medical condition will not be reimbursed unless prior authorization has been obtained from the department or self-insurer.

(9) The department's mandatory outpatient surgery program requires that certain diagnostic and surgical procedures be reimbursed only if they are performed in an outpatient setting. If a worker's medical condition necessitates performance of such a procedure in an inpatient setting, prior authorization must be obtained from the department or self-insurer.

AMENDATORY SECTION (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

WAC 296-20-075 HOSPITALIZATION. Hospitalization will be paid when ~~((indicated))~~ medically necessary for treatment of the accepted condition(s). Unless the worker's condition requires special care, ward or semi-private accommodations will be paid. Hospitalization solely for physical therapy, bed rest, and/or administration of injectable drugs will be paid only under the following circumstances:

(a) Acute back pain with objective findings of neurological deficit, e.g., foot drop, motor dysfunction or other symptoms indicative of a herniated disc;

(b) Chronic back pain, which has been treated for a minimum of ten days with home bed rest, traction, outpatient physical therapy, and medication without improvement and where the worker has objective physical findings.

Discharge from the hospital shall be at the earliest date possible consistent with proper health care. If transfer to a convalescent center or nursing home is indicated, prior arrangements should be made with the department or self-insurer. See WAC 296-20-091 for further information. The department may designate those diagnostic and surgical procedures which ~~((can be))~~ will be reimbursed only if performed in ((other than a hospital inpatient)) an outpatient setting. ~~((Where a worker has a medical condition which necessitates a hospital admission, prior approval of the department or self-insurer))~~ When procedures of this type must be performed in an inpatient setting for reasons of medical necessity, prior authorization must be obtained.

AMENDATORY SECTION (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

WAC 296-20-03001 TREATMENT REQUIRING AUTHORIZATION. Certain treatment procedures require authorization by the department or self-insurer. Requests for authorization must include a statement of: The condition(s) diagnosed; ICD-9-CM codes; their relationship, if any, to the industrial injury/exposure; an outline of the proposed treatment program, its length and components, procedure codes, and expected prognosis; and an estimate of when treatment would be concluded and condition stable.

(1) Office calls in excess of the first twenty visits or sixty days whichever occurs first.

(2) All nonemergent major surgery must be authorized prior to surgery date. Some surgical procedures require concurring opinions prior to authorization. (See WAC 296-20-045 for details.)

(3) X-ray and radium therapy.

(4) Diagnostic studies other than routine x-ray and blood or urinalysis laboratory studies.

(5) Myelogram and discogram in nonemergent cases.

(6) Physical therapy treatment beyond initial twelve treatments as outlined in WAC 296-21-095 and 296-23-710.

(7) ~~((Diagnostic or therapeutic injection. Epidural or caudal injection of substances other than anesthetic or contrast solution will be authorized under the following conditions only:~~

~~((a) When the worker has experienced acute low back pain or acute exacerbation of chronic low back pain of no more than six months duration;~~

~~((b) The worker will receive no more than three injections in an initial thirty-day treatment period, followed by a thirty-day evaluation period. If significant pain relief is demonstrated one additional series of three injections will be authorized. No more than six injections will be authorized per acute episode.~~

~~((8)) Home nursing or convalescent center care must be authorized per provision outlined in WAC 296-20-091.~~

~~((9))~~ (8) Provision of prosthetics, orthotics, surgical appliances, special equipment for home or transportation vehicle; custom made shoes for ankle/foot injuries resulting in permanent deformity or mal-function of a foot; TNS units; masking devices; hearing aids; etc., must be authorized in advance as per WAC 296-20-1101 and 296-20-1102.

~~((10))~~ (9) Biofeedback program; pain clinic; weight loss program; psychotherapy; rehabilitation programs; and other programs designed to treat special problems must be authorized in advance. See WAC 296-21-0501 and 296-20-0502 for details.

~~((11))~~ (10) Prescription or injection of vitamins for specific therapeutic treatment of the industrial condition(s) when the attending doctor can demonstrate that published clinical studies indicate vitamin therapy is the treatment of choice for the condition. Authorization for this treatment will require presentation of facts to and review by department medical consultant.

~~((12) Injections of anesthetic and/or antiinflammatory agents into the vertebral facet joints will be authorized to qualified specialists in orthopedics, neurology, and anesthesia, or other physicians who can demonstrate expertise in the procedure, AND who can provide certification their hospital privileges include the procedure requested under the following conditions:~~

~~((a) Rationale for procedure, treatment plan, and request for authorization must be presented in writing to the department or self-insurer.~~

~~((b) Procedure must be performed in an accredited hospital under radiographic control.~~

~~((c) Not more than four facet injection procedures will be authorized in any one patient.~~

~~((13))~~ (11) The long term prescription of medication under the specific conditions and circumstances in (a) and (b) of this subsection are considered corrective therapy rather than palliative treatment and approval in advance must be obtained.

(a) Nonsteroidal antiinflammatory agents for the treatment of degenerative joint conditions aggravated by occupational injury.

(b) Anticonvulsive agents for the treatment of seizure disorders caused by trauma.

~~((14) Intra-muscular and trigger point injections of steroids and other nonscheduled medications are limited to three injections per patient. The attending doctor must submit justification for an additional three injections if indicated with a maximum of six injections to be authorized for any one patient.~~

~~((15))~~ (12) The department may designate those diagnostic and surgical procedures which can be performed in other than a hospital inpatient setting. Where a worker has a medical condition which necessitates a hospital admission, prior approval of the department or self-insurer must be obtained.

NEW SECTION

WAC 296-20-12050 SPECIAL PROGRAMS. (1) The department may from time to time enter into special agreements for services provided by, or under the direction of, licensed providers authorized to bill the department. Special agreements are for services other than routine services covered under the fee schedule, and include multi-disciplinary or inter-disciplinary programs such as pain management, work hardening, and physical conditioning.

(2) The department shall establish payment rates for special programs, and may establish outcome criteria, measures of effectiveness, minimum staffing levels, certification requirements, special reporting requirements and such other criteria as will ensure injured workers receive good quality and effective services at a prudent cost.

(3) Special programs shall be purchased at the discretion of the department. The department may terminate special programs from the industrial insurance program upon thirty days notice to the provider.

AMENDATORY SECTION (Amending Order 87-18, filed 7/23/87)

WAC 296-21-013 SPECIAL SERVICES AND BILLING PROCEDURES. The following services are generally part of the basic services listed in the maximum fee schedule but do involve additional expenses to the physician for materials, for his time or that of his employees. These services are generally provided as an adjunct to common medical services and should be used only when circumstances clearly warrant an additional charge over and above the usual charges for the basic services.

	Unit Value		Unit Value
99000 Handling and/or conveyance of specimen for transfer from the physician's office to a laboratory	6.0	99064 Emergency care facility services: When the non-hospital-based physician is called to the emergency facility from outside the hospital to provide emergency services; not during regular office hours	25.0
99001 Handling and/or conveyance of specimen for transfer from the patient in other than a physician's office to a laboratory (distance may be indicated)	8.0	99065 during regular office hours	16.0
99002 Handling, conveyance, and/or any other service in connection with the implementation of an order involving devices (e.g., designing, fitting, packaging, handling, delivery or mailing) when devices such as orthotics, protectives, prosthetics are fabricated by an outside laboratory or shop but which items have been designed, and are to be fitted and adjusted by the attending physician	12.0	99070 Supplies and materials (except spectacles) provided by the physician over and above those usually included with the office visit or other services rendered (list drugs, trays, supplies or materials cast room and/or casting supplies provided). Bill at cost	BR
(For routine collection of venous blood, use 36415)		(For spectacles, see 92390-92395)	
(99012 Telephone calls has been deleted. To report, use 99013-99015)		99075 <u>Medical testimony approved in advance by office of attorney general. First hour</u>	240.0
99013 Telephone call for consultation or medical management; simple or brief, under 15 minutes	5.0	99076 <u>Each additional 30 minutes</u>	80.0
(e.g., to report on tests and/or laboratory results; to clarify or alter previous instructions; to adjust therapy)		99080 Special reports as insurance forms, sixty-day report, or the review of medical data to clarify a patient's status—more than the information conveyed in the usual medical communications or standard reporting form at department request (see WAC 296-20-06101 for reporting requirements)	BR
99014 intermediate, 15 - 30 minutes	10.0	99082 Unusual travel (e.g., transportation and escort of patient) per mile	2.0
(e.g., to provide advice to an established patient on a new problem; to initiate therapy that can be handled by telephone; to discuss results of tests in detail)		99083 Copies of medical records requested by the department or self-insurance or their representative(s), not required to support billing for services rendered, per page	0.2
99015 lengthy or complex	15.0	99084 Maximum allowed per claim	4.6
(e.g., lengthy counseling session with anxious or distraught patient; detailed or prolonged discussion with family member regarding seriously ill patient)		99085 Physician called on to convey instructions by telephone to hospital emergency room or nurse practitioner clinic—to be paid only to initial attending physician upon completion of report of accident form	12.0
99024 Post-operative follow-up visit, included in global service	BR	99095 <u>Deposition approved in advance by office of attorney general. First hour</u>	200.0
(See WAC 296-22-010)		99096 <u>Each additional 30 minutes</u>	67.0
99025 Initial (new patient) visit when asterisk (*) surgical procedure constitutes major service at that visit	20.0	99150 Detention, prolonged, with patient requiring physician attendance beyond usual service (e.g., critically ill patient, 30 minutes to one hour)	25.0
99030 Mileage, one way, each mile beyond 7 mile radius of point of origin (office or home), per mile	2.0	99151 more than one hour	50.0
99040 Completion of certificate of disability card	2.0		
99044 Doctor's estimate of physical capacities	10.0	CRITICAL CARE	
99050 Services requested after office hours in addition to basic service	10.0	Critical care includes the care of critically ill patients in a variety of medical emergencies that requires the constant attention of the physician (cardiac arrest, shock, bleeding, respiratory failure, postoperative complications, critically ill neonate). Critical care is usually, but not always, given in a critical care area, such as the coronary care unit, intensive care unit, respiratory care unit, or the emergency care facility. The descriptors for critical care are intended to include cardiopulmonary resuscitation and a variety of services attendant to this procedure as well as other acute emergency situations. Separate procedure codes for services performed during this period, such as placement of catheters, cardiac output measurement, management of dialysis, control of gastrointestinal hemorrhage, electrical conversion of arrhythmia, etc., are excluded when this descriptor is used on a per hour basis. (The physician may list his services separately if he desires.)	
99052 Services requested between 10:00 p.m. and 8:00 a.m. in addition to basic services provided the office is closed during this period of time	12.0	99160 Critical care, initial, including the diagnostic and therapeutic services and direction of care of the critically ill or multiple injured or comatose patient, requiring the prolonged presence of the physician; each hour	100.0
99054 Services requested on Sundays and holidays in addition to basic services	12.0	99162 additional 30 minutes	50.0
99056 Services provided at request of patient in a location other than physician's office which are normally provided in the office	BR	(99165, 99166 have been deleted. To report, use 99199)	
99058 Office services provided on an emergency basis	BR	(For monitoring cardiac output, see 78470, 93561, 93962)	
(For hospital-based emergency care facility services, see 90500 et seq.)		(For monitoring intra-aortic balloon counter pulsation, see 33972)	
99062 Emergency care facility services: When the non-hospital-based physician is in the hospital but is involved in patient care elsewhere and is called to the emergency facility to provide emergency services	8.0		
(For hospital-based emergency care facility services, see 90500 et seq.)			

	Unit Value
(For subsequent visits, see appropriate critical care visit, 99171-99174 or hospital visits, 90200-90280)	
99170 Gastric intubation, and aspiration or lavage for treatment (e.g., for ingested poisons)	SV
99171 Critical care, subsequent follow-up visit; brief examination, evaluation and/or treatment for same illness	SV
99172 limited examination, evaluation and/or treatment, same or new illness	SV
99173 intermediate examination, evaluation and/or treatment, same or new illness	SV
99174 extended reexamination, reevaluation and/or treatment, same or new illness	SV
OTHER SERVICES	
99175 Ipecac or similar administration for individual emesis and continued observation until stomach adequately emptied of poison	SV
(For diagnostic intubation, see 82926-82932, 89130-89141)	
(For gastric lavage for diagnostic purposes, see 91055)	
99180 Hyperbaric oxygen pressurization; initial	12.0
99182 Subsequent	3.0
99185 Hypothermia; regional	BR
99186 total body	BR
99190 Assembly and operation of pump with oxygenator or heat exchanger (with or without ECG and/or pressure monitoring); each hour	60.0
99191 3/4 hour	45.0
99192 1/2 hour	30.0
99195 Phlebotomy, therapeutic (separate procedure)	20.0
99199 Unlisted special service or report	BR
(For monitoring cardiac output, see 78470, 93561, 93962)	
(For monitoring intra-aortic balloon counterpulsation, see 33972)	
(For subsequent visits, see appropriate hospital visits, 90200-90280)	
(For physicians assigned to critical care units or other long-term attendance, use special reports)	

DEFINITIONS

Definitions and items of commonality. Terms and phrases common to the practice of medicine are defined as follows and apply to procedures 90000 through 90696.

- (1) **NEW PATIENT:** A patient who is new to the physician or a known patient with a new industrial injury or condition, and whose medical and administrative record need to be established.
- (2) **ESTABLISHED PATIENT:** A patient known to the physician and/or whose records are usually available.
- (3) **INITIAL VISIT:** Initial care, including physical examination and initiation of diagnostic and treatment program, for a condition regardless of whether the patient is known to the physician.
- (4) **FOLLOW-UP VISIT:** Subsequent care for a patient and condition known to the physician.
- (5) **CONSULTATION:** A consultation includes services rendered by a physician whose opinion or advice is requested by a physician or other appropriate source for the further evaluation and/or management of the patient. When the consulting physician assumes responsibility for the continuing care of the patient, any subsequent service rendered by him will cease to be a consultation. The consulting physician cannot assume care without the concurrence of the patient or the referring doctor. See WAC 296-20-051. Five levels of consultation are recognized: Limited, intermediate, extensive, comprehensive, and consultation of complexity. See WAC 296-21-030 for description.
- (6) **REFERRAL:** (Transfer) A referral is the transfer of the total or specific care of a patient from one physician to another and does not

constitute a consultation. Initial evaluation and subsequent services are designated as listed below in levels of service.

(7) **INDEPENDENT PROCEDURE:** Certain listed procedures are commonly undertaken as an integral part of a total service. When such a procedure is undertaken as a separate entity, the designation "independent procedure" is appropriate. For example: A patient being seen in consultation by an ophthalmologist and it is necessary for him to perform a gonioscopy or a ophthalmoscopy with intravenous fluorescein as diagnostic procedures in connection with the consultation, then they would be considered as independent procedures. Another example would be cardiac monitoring with electronic equipment in intrathoracic or other critical surgery.

(8) **LEVELS OF SERVICE:** Examinations, evaluations, treatment, counseling, conferences with or concerning patients, and services which necessitate wide variations in skill, effort and time required for the diagnosis and treatment of illness and the promotion of optimal health. Six levels are recognized:

MINIMAL: A level of service including injections, dressings, minimal care, etc., not necessarily requiring the presence of the physician.

For example:

- (a) Routine immunization for tetanus administered by a nurse.
- (b) Blood pressure determination by a nurse for medication control.
- (c) Removal of sutures from laceration.

BRIEF: A level of service requiring a brief period of time, with minimal effort by the physician.

For example:

- (a) Certification of time loss in a stable or chronic case.
- (b) Reexamination of minor trauma (e.g., contusion or abrasion).
- (c) Examination of conjunctiva by the physician in a patient with subconjunctival hemorrhage, irrigation, medication and removal of foreign body with instrument.
- (d) Review of interval history, physical status, and adjustment of medication in patient with compensated arteriosclerotic heart disease on chronic diuretic therapy.

LIMITED: A level of service requiring limited effort or judgment, such as abbreviated or interval history, limited examination or discussion of findings and/or treatment.

For example:

- (a) Review and examination of uncomplicated sprains and strains with initiation, continuation and/or change of treatment.
- (b) Examination of an extremity fracture not requiring reduction.
- (c) Post-operative care in instances where the unit value is for surgical procedure only.

INTERMEDIATE: A level of service such as a complete history and physical examination of one or more organ systems, complicated with a new diagnostic or management problem not necessarily relating to the primary diagnosis that necessitates the obtaining and evaluation of pertinent history and physical or mental status findings, diagnostic tests and procedures, and the ordering of appropriate therapeutic management or an in depth counseling or discussion of the findings, but not requiring a comprehensive examination of the patient as a whole.

For example:

- (a) Review of interval history; examination of neck veins, lungs, heart, abdomen and extremities, discussion of findings and prescription of treatment in decompensated arteriosclerotic heart disease.
- (b) Review of interval history, examination of musculoskeletal system, discussion of findings, and adjustment of therapeutic program in low back and/or arthritic disorders.
- (c) Review of recent illness: Examination of pharynx, neck, axilla, groin, and abdomen; interpretation of laboratory tests and prescription of treatment in infectious mononucleosis.
- (d) Evaluation of a chest, post trauma, with impaired respiration with development of shock.

EXTENDED: A level of service requiring an unusual amount of effort or judgment with report to include a detailed history, review of medical records, examination, conclusions of x-ray or laboratory studies, diagnosis and recommendations for treatment, and a formal conference with patient or family. This service may, or may not involve a complete examination of the patient as a whole.

For example:

(a) Re-examination of neurological findings, detailed review of hospital studies and course, and formal conference with patient and family jointly concerning findings and plans in a diagnostic problem of suspected intracranial disease in a young adult.

(b) Detailed intensive review of studies and hospital course and thorough reexamination of pertinent physical findings of a patient with a recent coronary infarct with complications requiring constant physician bedside attention.

(c) Review of results of diagnostic evaluation, performance of a detailed examination and a thorough discussion of physical findings, laboratory studies, x-ray examinations, diagnostic conclusions and recommendations for treatment of complicated chronic pulmonary disease.

(d) Detailed review of studies and hospital course and thorough reexamination of pertinent physical findings of a patient with a recent coronary infarct and formal conference with patient or family to review findings and prognosis.

(e) Reevaluation of a psychotic delusional patient who develops severe and acute abdominal pain involving a mental status reassessment but not a psychiatric diagnostic interview, and a conference with the consulting surgeon and nursing personnel.

(f) Detailed intensive review of studies and hospital course and thorough reexamination of pertinent findings of a patient with a recently diagnosed uterine adenocarcinoma who also has a pulmonary coin lesion under consideration for thoracotomy; this service involves several abbreviated conferences with consultants, and family or patient.

COMPREHENSIVE: A level of service providing an in depth evaluation of the patient with a new or existing problem requiring the development or complete reevaluation of medical data. This procedure includes the recording of a chief complaint(s), and present illness, family history, past medical history, personal history, system review, a complete physical examination, and the ordering of appropriate diagnostic tests and procedures.

WSR 87-18-072

PROPOSED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning medical aid rules and maximum fee schedule, WAC 296-20-1102, 296-23-500 and 296-23-50014 dealing with purchasing, reimbursement and authorization policies for medical services, equipment and appliances provided to injured workers;

that the agency will at 10:00 a.m., Tuesday, October 6, 1987, in the First Floor Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 2, 1987.

The authority under which these rules are proposed is RCW 51.04.020(4) and 51.04.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1987.

The agency reserves the right to modify the text of these proposed rules and changes prior to the public hearing thereon or in response to written and/or oral comments thereon received prior to or during the public hearing.

Written and/or oral submissions may also contain data, views, and arguments of the rules on economic values, pursuant to chapter 43.21H RCW.

Correspondence relating to this notice and proposed rules attached should be addressed to:

Roy Plaeger, Medical Services Analyst
Health Services Analysis, HC-251
Department of Labor and Industries
General Administration Building
Olympia, Washington 98504

Dated: September 2, 1987

By: Joseph A. Dear
Director

STATEMENT OF PURPOSE

The proposal for rule changes, which follow, amend portions of chapters 296-20 and 296-23 WAC. These titles [chapters] pertain to rules and fees for medical services, equipment, and appliances provided to injured workers.

Purpose of These Proposed Rules: To make the following substantive changes in Title 296 WAC as previously enacted: Revise WAC rules and fee schedule pertaining to reimbursement of health service providers for service on workers' compensation claims.

Statutory Authority: RCW 51.04.020(4), 51.04.030 and 51.36.080.

In Summary, the Following Changes are Accomplished by the Proposed Rules: The medical aid rules have been amended to expand and strengthen the department's medical equipment reimbursement and authorization policies. Rules have been added for establishing and implementing purchasing contracts for medical equipment.

Agency Personnel Responsible for Drafting: Roy Plaeger; **Implementation and Enforcement:** Joseph A. Dear and other industrial insurance division personnel.

These rule changes are proposed by the Department of Labor and Industries, an agency of the state of Washington.

The proposing agency has no comments regarding statutory language, implementation, enforcement or fiscal matters beyond those appearing above.

These rules are not necessitated by any federal or state court action.

The department has considered whether these rules are subject to the Regulatory Fairness Act (chapter 6, Laws of 1982), and has determined that they are not for the following reasons: There is no unfavorable economic impact for small businesses. If volume contracts are established, small and large businesses who do not win the contract will suffer revenue losses. However, there is no differential impact on small versus large businesses.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules on economic values pursuant to chapter 43.21H RCW. Correspondence relating to this notice and proposed rules attached should be addressed to Roy

Plaeger, Health Services Analysis, HC-251, Department of Labor and Industries, General Administration Building, Olympia, Washington 98504.

AMENDATORY SECTION (Amending Order 83-35, filed 11/30/83, effective 1/1/84)

~~WAC 296-23-500 ((MISCELLANEOUS SERVICES AND APPLIANCES)) NURSING AND ATTENDANT SERVICES, TRANSPORTATION, HEARING AIDS, EYEGASSES, ORTHOTICS AND PROSTHETICS, BRACES, MEDICAL SUPPLIES, OXYGEN SYSTEMS, AND DURABLE MEDICAL EQUIPMENT. ((The department or self-insurer will approve certain miscellaneous services and appliances needed as the result of an industrial accident. Nursing care, attendant care, transportation, medical equipment, prosthetics, orthotics, eye glasses, hearing aids, and walking aids are included in this classification. The qualifications and instances when this approval is appropriate are described in WAC 296-20-091 through 296-20-1103.~~

~~Bills for these miscellaneous services and appliances must be itemized per the instructions in WAC 296-20-125 to include identification of type, manufacturer, model, place of origin, place of destination, hours and mileage as applicable.~~

~~The rate of reimbursement will be the provider's usual and customary charge or the department's current established rate.) (1) The department or self-insurer will reimburse for certain miscellaneous services and items needed as a result of an industrial accident. Nursing care, attendant care, transportation, hearing aids, eyeglasses, orthotics and prosthetics, braces, medical supplies, oxygen systems, and durable medical equipment are included in this classification. Reimbursement policies will differ depending on whether the department or self-insurer has established a purchasing contract for a specific group of items.~~

~~(a) When a fee maximum has been established, the rate of reimbursement for miscellaneous services and items will be the supplier's usual and customary charge or the department's current fee maximum, whichever is less. In no case may a supplier or provider charge a claimant the difference between the fee maximum and their usual and customary charge.~~

~~(b) When the department or self-insurer has established a purchasing contract with a qualified supplier through an open competitive request for proposal process, the department or self-insurer will require that claimants obtain specific groups of items from the contractor. When items are obtained from a contractor, the contractor will be paid at the rates established in the contract. When a purchasing contract for a selected group of items exists, suppliers who are not named in the contract will be denied reimbursement if they provide a contracted item to a claimant. The noncontracting supplier, not the claimant, will be financially responsible for providing an item to a claimant when it should have been supplied by a contractor. This rule may be waived by a qualified representative of the department or self-insurer in special cases where a claimant's attending physician recommends that an item be obtained from another source for medical reasons. In such cases, the department may authorize reimbursement to a supplier who is not named in a contract. Items or services may be provided on an emergency basis without prior authorization, but will be reviewed for appropriateness to the accepted industrial condition and medical necessity on a retrospective basis.~~

~~(2) The department or self-insurer will inform providers and suppliers of the selected groups of items for which purchasing contracts have been established, including the beginning and ending dates of the contracts.~~

~~(3) Prior authorization by a qualified representative of the department or self-insurer will be required for reimbursement of selected items and services which are provided to claimants. Payment will be denied for selected items or services supplied without prior authorization. The supplier, not the claimant, will be financially responsible for providing selected items or services to claimants without prior authorization. In cases where a claimant's physician recommends rental or purchase of a contracted item from a supplier who lacks a contract agreement, prior authorization will be required.~~

~~The decision to grant or deny prior authorization for reimbursement of selected services or items will be based on the following criteria:~~

~~(a) The claimant is eligible for coverage.~~

~~(b) The service or item prescribed is appropriate and medically necessary for treatment of the claimant's accepted industrial condition.~~

(4) The decision to rent or purchase an item will be made based on a comparison of the projected rental costs of the item with its purchase price. A qualified representative of the department or self-insurer will decide whether to rent or purchase certain items provided they are appropriate and medically necessary for treatment of the claimant's accepted condition. Decisions to rent or purchase items will be based on the following information:

(a) Purchase price of the item.

(b) Monthly rental fee.

(c) The prescribing physician's estimate of how long the item will be needed.

(5) The department will review the medical necessity, appropriateness, and quality of items and services provided to claimants.

(6) The department's STATEMENT FOR MISCELLANEOUS SERVICES form or electronic transfer format specifications must be used for billing the department for miscellaneous services, equipment, supplies, appliances, and transportation. Bills must be itemized according to instructions in WAC 296-20-125 and the department or self-insurer's billing instructions. Bills for equipment must include the type of item, manufacturer name, model name and number, and serial number.

AMENDATORY SECTION (Amending Order 86-19, filed 2/28/86, effective 4/1/86)

~~WAC 296-23-50014 STIMULATORS. ((See WAC 296-20-1102 for qualifications. One-month trial rental is usually required to purchase stimulators. Specify type, manufacturer, and model when applicable.~~

~~M 6418 Electromagnetic field bone stimulator for fractures and fusions—Rental~~

~~M 6419 Pulsed galvanic muscle stimulator—Rental~~

~~M 6420 Transcutaneous nerve stimulator—Rental~~

~~M 6421 Transcutaneous nerve stimulator—Purchase~~

~~M 6422 Transcutaneous nerve stimulator—Supplies~~

~~M 7175 Permanent electrodes for TNS unit~~

~~M 7176 24-Inch lead wires for TNS unit~~

~~M 7179 Power pack with batteries for TNS unit~~

~~M 7199 Unlisted stimulator service or accessory.~~

~~TAX 00))~~

Bone stimulators.

M 6418 Electromagnetic field bone stimulator rental.

Muscle stimulators.

M 6419 Pulsed galvanic muscle stimulator rental.

Transcutaneous electrical nerve stimulators (TENS).

M 6420 TENS rental.

M 6421 TENS purchase.

M 6422 TENS supplies.

Unlisted stimulator service or accessories.

M 7199 Unlisted stimulator items.

TAX 00

For qualifications regarding prior authorization and billing of stimulators refer to WAC 296-23-500, 296-20-1102, and 296-20-125.

AMENDATORY SECTION (Amending Order 86-19, filed 2/28/86, effective 4/1/86)

WAC 296-20-1102 SPECIAL EQUIPMENT RENTAL AND PURCHASE PROSTHETIC AND ORTHOTICS EQUIPMENT. The department or ((self-insurer will authorize and pay rental fee for equipment or devices if the need for the equipment will be for a short period of treatment during the acute phase of condition. Rental extending beyond sixty days requires prior authorization. If the equipment will be needed on long term basis, the department or self-insurer will consider purchase of the equipment or device)) self-insurer's decision to rent or purchase an item of medical equipment will be based on a comparison of the projected rental costs of the item with its purchase price. A qualified representative of the department or self-insurer will decide whether to rent or purchase certain items, provided they are appropriate and medically necessary for treatment of the claimant's accepted industrial condition. Decisions to rent or purchase items will be based on the following information:

(1) Purchase price of the item.

(2) Monthly rental fee.

(3) The prescribing physician's estimate of how long the item will be needed.

The prescribing doctor must obtain prior authorization from the department or self-insurer, for rental or purchase of special equipment or devices.

The department or self-insurer will authorize and pay for prosthetics and orthotics as needed by claimant and substantiated by attending doctor. If such items are furnished by the attending doctor, the department or self-insurer will reimburse the doctor his cost for the item. In addition, a handling fee, not to exceed five percent of the wholesale cost of the item, will be paid. See WAC 296-20-124 for information regarding replacement of such items on closed claims.

The department or self-insurer will repair or replace originally provided damaged, broken, or worn-out prosthetics, orthotics, or special equipment devices upon documentation and substantiation from the attending doctor.

Provision of such equipment requires prior authorization.

THE GRAVITY GUIDING SYSTEM, GRAVITY LUMBAR REDUCTION DEVICE, BACKSWING AND OTHER INVERSION TRACTION EQUIPMENT MAY ONLY BE USED IN A SUPERVISED SETTING. RENTAL OR PURCHASE FOR HOME USE WILL NOT BE ALLOWED.

EQUIPMENT NOT REQUIRING PRIOR AUTHORIZATION INCLUDES CRUTCHES, CERVICAL COLLARS, LUMBAR AND RIB BELTS, AND OTHER COMMONLY USED ORTHOTICS OF MINIMAL COST.

PERSONAL APPLIANCES SUCH AS VIBRATORS, HEATING PADS, HOME FURNISHINGS, HOT TUBS, WATERBEDS, EXERCISE BIKES, EXERCISE EQUIPMENT, JACUZZIES, ETC. WILL NOT BE AUTHORIZED OR PAID.

WSR 87-18-073
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Spokane County, amending WAC 173-19-400;

that the agency will at 2:00 p.m., Wednesday, October 7, 1987, in Room 273, Abbott Raphael Hall, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 27, 1987.

The authority under which these rules are proposed is RCW 90.58.120 and [90.58].200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 14, 1987.

Dated: September 2, 1987

By: Phillip C. Johnson
 Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-400, Spokane County.

Description of Purpose: Adoption of a revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: Adopts revisions to the shoreline master program for Spokane County.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until

adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry Wenger, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6767.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendation Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE 84-6, filed 3/15/84)

WAC 173-19-400 SPOKANE COUNTY. Spokane County master program approved January 15, 1975. Revision approved September 6, 1977. Revision approved August 15, 1979. Revision approved February 24, 1981. Revision approved December 15, 1982. Revision approved March 14, 1984. Revision approved October 27, 1987.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 87-18-074
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Skagit County, amending WAC 173-19-370;

that the agency will at 2:00 p.m., Wednesday, October 7, 1987, in Room 273, Abbott Raphael Hall, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 27, 1987.

The authority under which these rules are proposed is RCW 90.58.120 and [90.58].200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 14, 1987.

Dated: September 2, 1987

By: Phillip C. Johnson
 Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-370, Skagit County.

Description of Purpose: Adoption of a revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: Adopts revisions to the shoreline master program for Skagit County.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry Wenger, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6767.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendation Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE 84-10, filed 3/22/84)

WAC 173-19-370 SKAGIT COUNTY Skagit County master program approved October 5, 1976. Revision approved January 5, 1979. Revision approved May 11, 1979. Revision approved March 3, 1980. Revision approved September 10, 1980. Revision approved December 10, 1980. Revision approved September 23, 1981. Revision approved November 23, 1981. Revision approved August 19, 1982. Revision approved February 24, 1983. Revision approved March 22, 1984. Revision approved October 27, 1987.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 87-18-075
PROPOSED RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
[Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Wildlife Commission intends to adopt, amend, or repeal rules concerning interim grazing lease regulation, adopting WAC 232-12-182;

that the agency will at 9 a.m., Friday/Saturday, October 9 and 10, 1987, in the Sheraton-Renton Inn, 800 Rainier Avenue South, Renton, WA 98055, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 9-10, 1987.

The authority under which these rules are proposed is RCW 77.12.210.

The specific statute these rules are intended to implement is RCW 77.12.210.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 8, 1987.

Dated: September 2, 1987
By: Robert I. Dice, Chief
Engineering/Lands Division

STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 232-12-182 Interim grazing lease regulation.

Statutory Authority: RCW 77.12.210.

Specific Statute that Rule is Intended to Implement: RCW 77.12.210.

Summary of the Rule: A law requiring a land use agreement for livestock grazing on department lands and the policies and general provisions that shall apply.

Reasons Supporting the Proposed Rule: The department is conducting a review of its regulations and policies relating to grazing. It has been determined that it would be inappropriate to enact a comprehensive version of the existing regulations or to enter into new, long-term grazing leases. The proposed interim WAC would enable the department to negotiate short-term (2-year minimum) leases until the review is completed and revised rules and regulations are adopted by the commission.

Agency Personnel Responsible for Drafting and Implementation: Robert I. Dice, Division Chief, Engineering/Lands Division, Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, phone (206) 753-5793; and Enforcement: John Gillespie, Acting Chief, Wildlife Enforcement Division, Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

NEW SECTION

WAC 232-12-182 INTERIM GRAZING LEASE REGULATION. (1) The director in his discretion may negotiate grazing leases not to exceed a term of two (2) years with any person, or (a) whose grazing lease expired in 1987 or (b) whose existing grazing lease is due to expire on or before December 31, 1988, regardless of whether such existing or expired leases permit extensions by negotiated agreement.

(2) The department may enter into grazing leases pursuant to this regulation without advertising or public bidding, notwithstanding any other regulations.

(3) This regulation shall cease to be effective at 11:59 p.m. on December 31, 1988.

WSR 87-18-076
PROPOSED RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
 [Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Wildlife Commission intends to adopt, amend, or repeal rules concerning 1988, 1989, and 1990 opening dates for early buck and primitive weapon seasons for deer and all elk season opening dates, adopting WAC 232-28-216;

that the agency will at 9:00 a.m., Friday-Saturday, October 9-10, 1987, in the Sheraton-Renton Inn, 800 Rainier Avenue South, Renton, WA 98055, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 9-10, 1987.

The authority under which these rules are proposed is RCW 77.12.040.

The specific statute these rules are intended to implement is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 8, 1987.

Dated: September 1, 1987

By: Jack L. Smith, Chief
 Wildlife Management Division

STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 232-28-216 1988, 1989, and 1990 opening dates for early buck and primitive weapon seasons for deer and all elk season opening dates.

Statutory Authority: RCW 77.12.040.

Specific Statute that Rule is Intended to Implement: RCW 77.12.040.

Summary of the Rule: This notice proposes standardized opening dates for early buck and primitive weapon seasons for deer and all elk seasons for 1988, 1989, and 1990. Both early and late seasons for each user group for both deer and elk are proposed.

Reasons Supporting the Proposed Rule: Opening dates are the subject of much debate each year in drafting hunting seasons. Standardized opening dates could be adopted for three years and thereby streamline the season setting process and better meet needs to plan.

Agency Personnel Responsible for Drafting and Implementation: Jack L. Smith, Division Chief, Wildlife Management Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5728; and Enforcement: John Gillespie, Acting Chief, Wildlife Enforcement, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

NEW SECTION

WAC 232-28-216 1988, 1989, AND 1990 OPENING DATES FOR EARLY BUCK AND PRIMITIVE WEAPON SEASONS FOR DEER AND ALL ELK SEASON OPENING DATES

DEER			
Year	Hunting Method	Season	Date
1988	Modern Firearm	1988 Early Buck	Sept. 17 (Saturday)
		1988 Early Deer	Sept. 17 (Saturday)
	Muzzleloader	1988 Late Deer	Nov. 23 (Wednesday)
		1988 Early Deer	Oct. 1 (Saturday)
1989	Modern Firearm	1989 Early Buck	Sept. 16 (Saturday)
		1989 Early Deer	Sept. 16 (Saturday)
	Muzzleloader	1989 Late Deer	Nov. 22 (Wednesday)
		1989 Early Deer	Sept. 30 (Saturday)
1990	Modern Firearm	1990 Early Buck	Sept. 15 (Saturday)
		1990 Early Deer	Sept. 15 (Saturday)
	Muzzleloader	1990 Late Deer	Nov. 21 (Wednesday)
		1990 Early Deer	Sept. 29 (Saturday)
ELK			
1988	Modern Firearm	1988 Blue Mountains & Colockum	Oct. 26 (Wednesday)
		1988 Early	Oct. 9 (Saturday)
	Muzzleloader	1988 Yakima	Nov. 1 (Tuesday)
		1988 Late	Nov. 4 (Friday)
1988	Archery	1988 Westside	Nov. 2 (Wednesday)
		1988 Early	Nov. 5 (Saturday)
	Muzzleloader	1988 (All Tag Areas)	Oct. 1 (Saturday)
		1988 Late	Nov. 23 (Wednesday)
1989	Modern Firearm	1989 (All Tag Areas)	Oct. 8 (Saturday)
		1989 Late	Nov. 23 (Wednesday)
	Archery	1989 Blue Mountains & Colockum	Oct. 25 (Wednesday)
		1989 Early	Oct. 28 (Saturday)
1990	Modern Firearm	1989 Late	Nov. 5 (Sunday)
		1989 Early	Nov. 8 (Wednesday)
	Archery	1989 Westside	Nov. 1 (Wednesday)
		1989 Early	Nov. 4 (Saturday)
1990	Muzzleloader	1989 (All Tag Areas)	Sept. 30 (Saturday)
		1989 Late	Nov. 22 (Wednesday)
	Modern Firearm	1989 (All Tag Areas)	Oct. 7 (Saturday)
		1989 Early	Nov. 22 (Wednesday)
1990	Modern Firearm	1990 Colockum	Oct. 24 (Wednesday)
		1990 Early	Oct. 27 (Saturday)
	Muzzleloader	1990 Late	Oct. 31 (Wednesday)
		1990 Early	Nov. 3 (Saturday)
1990	Modern Firearm	1990 Blue Mountains	Oct. 31 (Wednesday)
		1990 Early	Nov. 3 (Saturday)
	Muzzleloader	1990 Late	Nov. 5 (Monday)
		1990 Early	Nov. 8 (Thursday)

Year	Hunting Method	Season	Date
		1990 Westside	
		Early	Oct. 31 (Wednesday)
		Late	Nov. 3 (Saturday)
	Archery	1990 (All Tag Areas)	
		Early	Sept. 29 (Saturday)
		Late	Nov. 21 (Wednesday)
	Muzzleloader	1990 (All Tag Areas)	
		Early	Oct. 6 (Saturday)
		Late	Nov. 21 (Wednesday)

WSR 87-18-077
PROPOSED RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
 [Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Wildlife Commission intends to adopt, amend, or repeal rules concerning amendment to 1987 Hunting seasons and rules, adopting WAC 232-28-21301;

that the agency will at 9:00 a.m., Friday-Saturday, October 9-10, 1987, in the Sheraton-Renton Inn, 800 Rainier Avenue South, Renton, WA 98055, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 9-10, 1987.

The authority under which these rules are proposed is RCW 77.12.040.

The specific statute these rules are intended to implement is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 8, 1987.

Dated: August 31, 1987
 By: Jack L. Smith, Chief
 Wildlife Management Division

STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 232-28-21301 Amendment to 1987 Hunting seasons and rules.

Statutory Authority: RCW 77.12.040.

Specific Statute that Rule is Intended to Implement: RCW 77.12.040.

Summary of the Rule: Defines hunting seasons, unit description boundaries, and firearm restrictions omitted and/or defined incorrectly in 1987 hunting seasons and rules (WAC 232-28-213 and 232-28-214).

Reasons Supporting the Proposed Rule: Public safety and resource management.

Agency Personnel Responsible for Drafting and Implementation: Jack L. Smith, Chief, Wildlife Management Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5728; and Enforcement: John Gillespie, Acting Chief, Wildlife Enforcement Division, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

NEW SECTION

WAC 232-28-21301 AMENDMENT TO 1987 HUNTING SEASONS AND RULES. Notwithstanding the provisions of WAC 232-28-213 and WAC 232-28-214, the 1987 Hunting Seasons and Rules are hereby amended to include the following:

(1) Modern Firearm Deer Seasons, Late Buck Season, November 19-22, includes the closure of Unit 522 (Loo-wit).

(2) Muzzleloader Late Elk Season in Unit 184 (Joseph) is either sex.

(3) Rabbit seasons for Snowshoe and Washington Hare, Cottontail Rabbit, White-tailed Jackrabbit, September 1-February 29, 1988 is open statewide, except closed in Unit 522 (Loo-wit).

(4) Elk Area 053 (Randle) is hereby described as that part of Lewis County within the following described boundary: Beginning at State Highway 12 and the Cispus Road in the town of Randle; thence easterly along Highway 12 to the Bennett Road approximately one (1) mile east of Cora Bridge; thence westerly on Bennett and C Line Roads to the Cispus Road; thence northerly on said road to the town of Randle and the point of beginning.

(5) Hunting Firearm Restriction Areas include Unit 554 (Yale) in Cowlitz County.

WSR 87-18-078
PROPOSED RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
 [Filed September 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Wildlife Commission intends to adopt, amend, or repeal rules concerning:

New	WAC 232-28-617	1988-90	Washington game fish regulations.
New	WAC 232-28-61610	Amendment to 1987-88	Washington game fish regulations—Elwha River.
Amd	WAC 232-12-154	Juvenile fishing waters.	
Rep	WAC 232-28-616	1987-88	Washington game fish regulations;

that the agency will at 9:00 a.m., Friday-Saturday, October 9-10, 1987, in the Renton Sheraton Inn, 800 Rainier Avenue South, Renton, WA 98055, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 9-10, 1987.

The authority under which these rules are proposed is RCW 77.12.040.

The specific statute these rules are intended to implement is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 9, 1987.

Dated: September 2, 1987
By: Jim DeShazo, Division Chief
Fisheries Management Division

STATEMENT OF PURPOSE

Title and Number of Rule Section(s): WAC 232-28-617 1988-90 Washington game fish regulations; 232-28-616 1987-88 Washington game fish regulations; 232-28-61610 Amendment to 1987-88 Washington game fish regulations—Elwha River; and 232-12-154 Juvenile fishing waters.

Statutory Authority: RCW 77.12.040 (for all sections listed above).

Specific Statute that Rule is Intended to Implement: RCW 77.12.040.

Summary of the Rule: Adoption of WAC 232-28-617, 1988-90 Washington game fish regulations will provide for the establishment of seasons and catch limits for game fish during 1988-90. The 1987-88 seasons and catch limits (WAC 232-28-616) will be repealed; adoption of WAC 232-28-61610, amendment to 1987-88 Washington game fish regulations—Elwha River will close a portion of the Elwha River to game fishing in the vicinity of the Elwha Tribal Hatchery; and amending WAC 232-12-154, Juvenile fishing waters will change the age from fourteen to fifteen years of age for juveniles to fish any waters restricted to juvenile-only fishing.

Reasons Supporting the Proposed Rule(s): WAC 232-28-617 will provide fishing opportunity throughout the state while protecting the game fish resource by establishing seasons and catch limits; 232-28-61610, waters throughout the state are consistently closed near hatchery out falls. The Elwha Tribe has not met escapement goals to their hatchery of chinook, coho, and steelhead in recent years partially due to a recurring snagging problem in the area proposed to be closed. WDF and WDW have agreed to a joint fishing closure to help alleviate the snagging problem; and 232-12-154 would allow all unlicensed juveniles eligibility to fish juvenile waters. Presently, 14-year-olds are not required to purchase a license but are not eligible to fish juvenile-only waters.

Agency Personnel Responsible for Drafting and Implementation: Jim DeShazo, Division Chief, Fisheries Management Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5713; and Enforcement: Mike Shockman, Division Chief, Wildlife Enforcement Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): No comments.

The rules are not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

NEW SECTION

WAC 232-28-617 1988-90 WASHINGTON GAME FISH REGULATIONS.

Reviser's note: The text and accompanying pamphlet comprising the 1988-90 Washington game fish regulations proposed by the Department of Wildlife have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

NEW SECTION

WAC 232-28-61610 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—ELWHA RIVER. Notwithstanding the provisions of WAC 232-28-616, effective at 12:01 a.m. on October 12, 1987 to 11:59 p.m. on April 15, 1988, the game fish regulations for the Elwha River will be as follows:

ELWHA RIVER, 70, from mouth to 200' below the south spillway on the Aldwell Lake Dam: June 1-Apr. 15 season. TROUT - catch limit - 2, min. lgth. 12". Fishing from any floating device prohibited. CLOSED WATERS: From south spillway on Aldwell Lake Dam downstream 200'. From approximately 50 yards upstream to 50 yards downstream of Elwha Tribal Hatchery outfall as posted.

From Lake Aldwell upstream to 400' below spillway at Lake Mills Dam, including all tributaries except Indian Creek (see below) (includes waters in Olympic National Park): TROUT - catch limit - 2, min. lgth. 12"; Selective Fishery Regulations, see page 3.

AMENDATORY SECTION (Amending Order 174, filed 10/22/81)

WAC 232-12-154 JUVENILE FISHING WATERS. It is unlawful for a person (~~fourteen~~) fifteen years of age or older to fish any waters restricted to juvenile fishing only.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-28-616 1987-88 WASHINGTON GAME FISH REGULATIONS

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
4-25-040	AMD-P 87-15-140	16-54-030	AMD 87-08-021	16-104-100	REP 87-16-075
4-25-140	AMD 87-04-051	16-54-082	AMD-P 87-04-053	16-104-110	REP-P 87-12-045
4-25-141	AMD-P 87-09-059	16-54-082	AMD 87-08-021	16-104-110	REP 87-16-075
4-25-141	AMD-C 87-10-033	16-54-120	AMD-P 87-04-053	16-104-120	REP-P 87-12-045
4-25-141	AMD 87-15-072	16-54-120	AMD 87-08-021	16-104-120	REP 87-16-075
4-25-181	AMD-P 87-09-060	16-86-005	AMD-P 87-04-052	16-104-130	NEW-P 87-12-045
4-25-181	AMD-C 87-10-034	16-86-005	AMD 87-08-020	16-104-130	NEW 87-16-075
4-25-181	REP-P 87-09-060	16-86-015	AMD-P 87-04-052	16-104-140	NEW-P 87-12-045
4-25-181	REP-C 87-10-034	16-86-015	AMD 87-08-020	16-104-140	NEW 87-16-075
4-25-182	REP-P 87-15-141	16-96-130	AMD-E 87-08-058	16-104-150	NEW-P 87-12-045
4-25-183	REP-P 87-15-141	16-96-130	AMD-P 87-08-061	16-104-150	NEW 87-16-075
4-25-184	REP-P 87-15-141	16-96-130	AMD 87-12-037	16-104-160	NEW-P 87-12-045
4-25-185	NEW-P 87-15-141	16-96-130	AMD-E 87-12-038	16-104-160	NEW 87-16-075
4-25-186	NEW-P 87-15-141	16-101-455	NEW-P 87-06-036	16-104-170	NEW-P 87-12-045
4-25-187	NEW-P 87-15-141	16-101-455	NEW-C 87-09-032	16-104-170	NEW 87-16-075
4-25-188	NEW-P 87-15-141	16-101-455	NEW-C 87-10-048	16-104-180	NEW-P 87-12-045
4-25-190	NEW-P 87-09-060	16-101-455	NEW 87-12-026	16-104-180	NEW 87-16-075
4-25-190	NEW-C 87-10-034	16-101-465	NEW-P 87-06-036	16-104-190	NEW-P 87-12-045
4-25-280	NEW 87-03-040	16-101-465	NEW-C 87-09-032	16-104-190	NEW 87-16-075
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16-23-020	NEW-P 87-15-106	16-101-475	NEW-C 87-09-032	16-104-210	NEW 87-16-075
16-23-025	NEW-P 87-15-106	16-101-475	NEW-C 87-10-048	16-104-220	NEW-P 87-12-045
16-23-030	NEW-P 87-15-106	16-101-475	NEW 87-12-026	16-104-220	NEW 87-16-075
16-23-035	NEW-P 87-15-106	16-101-570	AMD-P 87-06-036	16-104-230	NEW-P 87-12-045
16-23-040	NEW-P 87-15-106	16-101-570	AMD 87-09-033	16-104-230	NEW 87-16-075
16-23-045	NEW-P 87-15-106	16-101-690	NEW-P 87-05-028	16-200-695	NEW-P 87-13-061
16-23-050	NEW-P 87-15-106	16-101-690	NEW 87-08-038	16-200-695	NEW-E 87-16-015
16-23-060	NEW-P 87-15-106	16-104-001	REP-P 87-12-045	16-200-700	REP-P 87-13-061
16-23-070	NEW-P 87-15-106	16-104-001	REP 87-16-075	16-200-700	REP-E 87-16-015
16-23-075	NEW-P 87-15-106	16-104-0011	REP-P 87-12-045	16-200-705	NEW-P 87-13-061
16-23-085	NEW-P 87-15-106	16-104-0011	REP 87-16-075	16-200-705	NEW-E 87-16-015
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16-23-105	NEW-P 87-15-106	16-104-020	REP 87-16-075	16-200-711	NEW-E 87-16-015
16-23-110	NEW-P 87-15-106	16-104-030	REP-P 87-12-045	16-200-715	NEW-P 87-13-061
16-23-115	NEW-P 87-15-106	16-104-030	REP 87-16-075	16-200-715	NEW-E 87-16-015
16-23-120	NEW-P 87-15-106	16-104-040	REP-P 87-12-045	16-200-720	REP-P 87-13-061
16-23-125	NEW-P 87-15-106	16-104-040	REP 87-16-075	16-200-720	REP-E 87-16-015
16-23-150	NEW-P 87-15-106	16-104-050	REP-P 87-12-045	16-200-721	NEW-P 87-13-061
16-23-160	NEW-P 87-15-106	16-104-050	REP 87-16-075	16-200-721	NEW-E 87-16-015
16-23-165	NEW-P 87-15-106	16-104-060	REP-P 87-12-045	16-200-725	NEW-P 87-13-061
16-23-170	NEW-P 87-15-106	16-104-060	REP 87-16-075	16-200-725	NEW-E 87-16-015
16-23-175	NEW-P 87-15-106	16-104-070	REP-P 87-12-045	16-200-730	REP-P 87-13-061
16-23-180	NEW-P 87-15-106	16-104-070	REP 87-16-075	16-200-730	REP-E 87-16-015
16-32-010	NEW-P 87-08-057	16-104-080	REP-P 87-12-045	16-200-731	NEW-P 87-13-061
16-32-010	NEW 87-11-004	16-104-080	REP 87-16-075	16-200-731	NEW-E 87-16-015
16-32-010	AMD-E 87-13-032	16-104-090	REP-P 87-12-045	16-200-735	NEW-P 87-13-061
16-32-010	AMD-P 87-15-107	16-104-090	REP 87-16-075	16-200-735	NEW-E 87-16-015
16-54-030	AMD-P 87-04-053	16-104-100	REP-P 87-12-045	16-200-739	NEW-P 87-13-061

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
16-200-739	NEW-E	87-16-015	16-231-120	REP-E	87-08-072
16-200-740	REP-P	87-13-061	16-231-120	REP-P	87-14-073
16-200-740	REP-E	87-16-015	16-231-120	REP-E	87-14-074
16-200-743	REP-P	87-13-061	16-231-120	REP	87-18-060
16-200-743	REP-E	87-16-015	16-231-125	AMD-P	87-04-060
16-213-260	NEW-P	87-05-036	16-231-125	AMD-E	87-08-072
16-213-260	NEW	87-08-030	16-231-125	AMD	87-09-015
16-213-270	NEW-P	87-05-036	16-231-126	REP-P	87-14-073
16-213-270	NEW	87-08-030	16-231-126	REP-E	87-14-074
16-228-400	NEW-E	87-09-001	16-231-145	AMD-P	87-04-060
16-228-410	NEW-E	87-09-001	16-231-145	AMD-E	87-08-072
16-228-420	NEW-E	87-09-001	16-231-145	AMD	87-09-015
16-228-430	NEW-E	87-09-001	16-231-145	AMD-P	87-14-073
16-228-440	NEW-E	87-09-054	16-231-145	AMD-E	87-14-074
16-228-450	NEW-E	87-09-054	16-231-145	AMD	87-18-060
16-228-460	NEW-E	87-09-054	16-231-148	NEW-E	87-08-072
16-228-470	NEW-E	87-09-054	16-231-148	NEW-P	87-14-073
16-228-480	NEW-E	87-09-054	16-231-148	NEW-E	87-14-074
16-228-490	NEW-E	87-09-054	16-231-148	NEW	87-18-060
16-228-500	NEW-E	87-09-054	16-231-215	AMD-P	87-04-060
16-228-510	NEW-E	87-09-054	16-231-215	AMD-E	87-08-072
16-228-520	NEW-E	87-09-054	16-231-215	AMD	87-09-015
16-228-530	NEW-E	87-09-054	16-231-225	AMD-P	87-04-060
16-228-540	NEW-E	87-09-054	16-231-225	AMD-E	87-08-072
16-228-550	NEW-E	87-09-054	16-231-225	AMD	87-09-015
16-230-030	AMD-E	87-11-018	16-231-235	AMD-P	87-04-060
16-230-160	AMD-P	87-11-055	16-231-235	AMD-E	87-08-072
16-230-160	AMD	87-15-001	16-231-235	AMD	87-09-015
16-230-190	AMD-P	87-11-055	16-231-238	NEW-E	87-08-072
16-230-190	AMD	87-15-001	16-231-238	NEW-P	87-14-073
16-230-470	AMD-P	87-04-060	16-231-238	NEW-E	87-14-074
16-230-470	AMD-E	87-08-072	16-231-238	NEW	87-18-060
16-230-470	AMD	87-09-015	16-231-315	AMD-P	87-04-060
16-230-615	AMD-P	87-04-060	16-231-315	AMD-W	87-05-006
16-230-615	AMD-E	87-08-072	16-231-340	AMD-P	87-04-060
16-230-615	AMD	87-09-015	16-231-340	AMD-E	87-08-072
16-230-640	AMD-P	87-04-060	16-231-340	AMD	87-09-015
16-230-640	AMD-E	87-08-072	16-231-343	NEW-E	87-08-072
16-230-640	AMD	87-09-015	16-231-343	NEW-P	87-14-073
16-230-645	AMD-P	87-04-060	16-231-343	NEW-E	87-14-074
16-230-645	AMD-E	87-08-072	16-231-343	NEW	87-18-060
16-230-645	AMD	87-09-015	16-231-425	AMD-P	87-04-060
16-230-650	AMD-P	87-04-060	16-231-425	AMD-E	87-08-072
16-230-650	AMD-E	87-08-072	16-231-425	AMD	87-09-015
16-230-650	AMD	87-09-015	16-231-530	AMD-P	87-04-060
16-230-655	AMD-P	87-04-060	16-231-530	AMD-E	87-08-072
16-230-655	AMD-E	87-08-072	16-231-530	AMD	87-09-015
16-230-655	AMD	87-09-015	16-231-620	AMD-P	87-04-060
16-230-665	AMD-E	87-08-072	16-231-620	AMD-E	87-08-072
16-230-665	AMD-P	87-14-073	16-231-620	AMD	87-09-015
16-230-665	AMD-E	87-14-074	16-231-720	AMD-P	87-04-060
16-230-665	AMD	87-18-060	16-231-720	AMD-E	87-08-072
16-230-673	NEW-E	87-08-072	16-231-720	AMD	87-09-015
16-230-673	NEW-P	87-14-073	16-231-840	AMD-P	87-04-060
16-230-673	NEW-E	87-14-074	16-231-840	AMD-E	87-08-072
16-230-673	NEW	87-18-060	16-231-840	AMD	87-09-015
16-231-015	AMD-E	87-08-072	16-231-910	AMD-P	87-04-060
16-231-015	AMD-P	87-14-073	16-231-910	AMD-E	87-08-072
16-231-015	AMD-E	87-14-074	16-231-910	AMD	87-09-015
16-231-015	AMD	87-18-060	16-231-910	AMD-P	87-14-073
16-231-020	AMD-P	87-04-060	16-231-910	AMD-E	87-14-074
16-231-020	AMD-E	87-08-072	16-231-910	AMD	87-18-060
16-231-020	AMD	87-09-015	16-231-912	NEW-P	87-04-060
16-231-030	AMD-P	87-04-060	16-231-912	NEW-E	87-08-072
16-231-030	AMD-E	87-08-072	16-231-912	NEW	87-09-015
16-231-030	AMD	87-09-015	16-231-935	AMD-P	87-04-060
16-231-033	NEW-E	87-08-072	16-231-935	AMD-E	87-08-072
16-231-033	NEW-P	87-14-073	16-231-935	AMD	87-09-015
16-231-033	NEW-E	87-14-074	16-231-938	NEW-E	87-08-072
16-231-033	NEW	87-18-060	16-231-938	NEW-P	87-14-073
16-231-115	AMD-P	87-04-060	16-231-938	NEW-E	87-14-074
16-231-115	AMD-E	87-08-072	16-231-938	NEW	87-18-060
16-231-115	AMD	87-09-015	16-232-010	AMD-P	87-04-060
16-231-115	AMD-P	87-14-073	16-232-010	AMD-E	87-08-072
16-231-115	AMD-E	87-14-074	16-232-010	AMD	87-09-015
16-231-115	AMD	87-18-060	16-232-035	AMD-P	87-04-060
16-231-120	AMD-P	87-04-060	16-232-035	AMD-E	87-08-072
16-232-035	AMD	87-09-015	16-232-038	NEW-E	87-08-072
16-232-038	NEW-E	87-08-072	16-232-038	NEW-P	87-14-073
16-232-038	NEW-P	87-14-073	16-232-038	NEW-E	87-14-074
16-232-038	NEW-E	87-14-074	16-232-038	NEW	87-18-060
16-232-125	REP-P	87-04-060	16-232-125	REP-P	87-04-060
16-232-125	REP-E	87-08-072	16-232-125	REP-E	87-08-072
16-232-125	REP	87-09-015	16-232-125	REP	87-09-015
16-232-225	AMD-P	87-04-060	16-232-225	AMD-P	87-04-060
16-232-225	AMD-E	87-08-072	16-232-225	AMD-E	87-08-072
16-232-225	AMD	87-09-015	16-232-225	AMD	87-09-015
16-232-315	AMD-P	87-14-073	16-232-315	AMD-P	87-04-060
16-232-315	AMD-E	87-14-074	16-232-315	AMD-E	87-08-072
16-232-315	AMD	87-18-060	16-232-315	AMD	87-09-015
16-304-040	AMD-P	87-08-072	16-304-040	AMD-P	87-08-063
16-304-040	AMD	87-12-006	16-304-040	AMD	87-12-006
16-316-165	AMD-P	87-13-063	16-316-165	AMD-P	87-13-063
16-316-165	AMD-E	87-14-011	16-316-165	AMD-E	87-14-011
16-316-165	AMD	87-17-025	16-316-165	AMD	87-17-025
16-316-525	AMD-P	87-08-063	16-316-525	AMD-P	87-08-063
16-316-525	AMD-E	87-15-029	16-316-525	AMD-E	87-15-029
16-316-525	AMD	87-15-030	16-316-525	AMD	87-15-030
16-316-724	AMD-E	87-15-029	16-316-724	AMD-E	87-15-029
16-316-724	AMD	87-15-030	16-316-724	AMD	87-15-030
16-316-800	AMD-P	87-08-063	16-316-800	AMD-P	87-08-063
16-316-800	AMD	87-12-006	16-316-800	AMD	87-12-006
16-316-810	AMD-P	87-08-063	16-316-810	AMD-P	87-08-063
16-316-810	AMD	87-12-006	16-316-810	AMD	87-12-006
16-316-815	AMD-P	87-08-063	16-316-815	AMD-P	87-08-063
16-316-815	AMD	87-12-006	16-316-815	AMD	87-12-006
16-316-820	AMD-P	87-08-063	16-316-820	AMD-P	87-08-063
16-316-820	AMD	87-12-006	16-316-820	AMD	87-12-006
16-316-830	AMD-P	87-08-063	16-316-830	AMD-P	87-08-063
16-316-830	AMD	87-12-006	16-316-830	AMD	87-12-006
16-316-832	AMD-P	87-13-063	16-316-832	AMD-P	87-13-063
16-316-832	AMD-E	87-14-011	16-316-832	AMD-E	87-14-011
16-316-832	AMD	87-17-025	16-316-832	AMD	87-17-025
16-316-880	AMD-P	87-08-063	16-316-880	AMD-P	87-08-063
16-316-880	AMD	87-12-006	16-316-880	AMD	87-12-006
16-319-020	AMD-P	87-08-063	16-319-020	AMD-P	87-08-063
16-319-020	AMD	87-12-006	16-319-020	AMD	87-12-006
16-319-030	AMD-P	87-08-063	16-319-030	AMD-P	87-08-063
16-319-030	AMD	87-12-006	16-319-030	AMD	87-12-006
16-319-041	AMD-P	87-08-063	16-319-041	AMD-P	87-08-063
16-319-041	AMD	87-12-006	16-319-041	AMD	87-12-006
16-319-051	AMD-P	87-08-063	16-319-051	AMD-P	87-08-063
16-319-051	AMD	87-12-006	16-319-051	AMD	87-12-006
16-319-061	AMD-P	87-08-063	16-319-061	AMD-P	87-08-063
16-319-061	AMD	87-12-006	16-319-061	AMD	87-12-006
16-319-081	AMD-P	87-08-063	16-319-081	AMD-P	87-08-063
16-319-081	AMD	87-12-006	16-319-081	AMD	87-12-006
16-319-091	NEW-P	87-08-063	16-319-091	NEW-P	87-08-063
16-319-091	NEW	87-12-006	16-319-091	NEW	87-12-006
16-319-101	NEW-P	87-08-063	16-319-101	NEW-P	87-08-063
16-319-101	NEW	87-12-006	16-319-101	NEW	87-12-006
16-324-360	AMD-E	87-13-017	16-324-360	AMD-E	87-13-017
16-324-360	AMD-P	87-15-070	16-324-360	AMD-P	87-15-070
16-324-380	AMD-P	87-15-070	16-324-380	AMD-P	87-15-070
16-324-390	AMD-P	87-15-070	16-324-390	AMD-P	87-15-070
16-324-430	AMD-P	87-15-070	16-324-430	AMD-P	87-15-070
16-324-450	AMD-P	87-15-070	16-324-450	AMD-P	87-15-070
16-324-600	NEW-E	87-13-017	16-324-600	NEW-E	87-13-017
16-324-600	NEW-P	87-15-070	16-324-600	NEW-P	87-15-070
16-324-605	NEW-P	87-15-070	16-324-605	NEW-P	87-15-070
16-324-610	NEW-E	87-13-017	16-324-610	NEW-E	87-13-017
16-324-610	NEW-P	87-15-070	16-324-610	NEW-P	87-15-070
16-324-620	NEW-E	87-13-017	16-324-620	NEW-E	87-13-017
16-324-620	NEW-P	87-15-070	16-324-620	NEW-P	87-15-070
16-324-630	NEW-E	87-13-017	16-324-630	NEW-E	87-13-017
16-324-630	NEW-P	87-15-070	16-324-630	NEW-P	87-15-070
16-324-640	NEW-E	87-13-017	16-324-640	NEW-E	87-13-017
16-324-640	NEW-P	87-15-070	16-324-640	NEW-P	87-15-070
16-324-650	NEW-E	87-13-017	16-324-650	NEW-E	87-13-017
16-324-650	NEW-P	87-15-070	16-324-650	NEW-P	87-15-070
16-324-660	NEW-E	87-13-017	16-324-660	NEW-E	87-13-017
16-324-660	NEW-P	87-15-070	16-324-660	NEW-P	87-15-070
16-324-670	NEW-P	87-15-070	16-324-670	NEW-P	87-15-070

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-324-680	NEW-P	87-15-070	16-570-010	AMD-P	87-13-051	18-48-100	REP-P	87-15-121
16-328-001	REP-P	87-09-085	16-570-010	AMD-E	87-15-011	18-48-110	REP-P	87-15-121
16-328-001	REP	87-13-016	16-570-010	AMD	87-16-071	18-48-120	REP-P	87-15-121
16-328-003	REP-P	87-09-085	16-570-030	AMD-P	87-13-051	18-48-130	REP-P	87-15-121
16-328-003	REP	87-13-016	16-570-030	AMD-E	87-15-011	18-48-140	REP-P	87-15-121
16-328-008	AMD-P	87-09-085	16-570-030	AMD	87-16-071	18-48-150	REP-P	87-15-121
16-328-008	AMD	87-13-016	16-602-005	NEW-P	87-05-053	18-48-900	REP-P	87-15-121
16-328-009	NEW-P	87-09-085	16-602-010	AMD-P	87-05-053	18-56-010	REP-P	87-15-120
16-328-009	NEW	87-13-016	16-602-020	AMD-P	87-05-053	18-56-020	REP-P	87-15-120
16-328-010	AMD-P	87-09-085	16-602-030	AMD-P	87-05-053	18-56-030	REP-P	87-15-120
16-328-010	AMD	87-13-016	16-620-290	AMD-P	87-13-058	18-56-040	REP-P	87-15-120
16-328-015	NEW-P	87-09-085	16-620-290	AMD	87-16-044	18-56-050	REP-P	87-15-120
16-328-015	NEW	87-13-016	16-620-300	REP-P	87-13-058	18-56-060	REP-P	87-15-120
16-328-025	AMD-P	87-09-085	16-620-300	REP	87-16-044	18-56-990	REP-P	87-15-120
16-328-025	AMD	87-13-016	16-620-340	AMD-P	87-13-058	25-24-010	REP-P	87-02-052
16-328-030	AMD-P	87-09-085	16-620-340	AMD	87-16-044	25-24-010	REP	87-05-027
16-328-030	AMD	87-13-016	16-657-025	AMD-P	87-07-019	25-24-020	REP-P	87-02-052
16-328-035	AMD-P	87-09-085	16-657-025	AMD-C	87-10-042	25-24-020	REP	87-05-027
16-328-035	AMD	87-13-016	16-693-001	REP-P	87-14-050	25-24-030	REP-P	87-02-052
16-328-038	NEW-P	87-13-064	16-693-001	REP	87-18-009	25-24-030	REP	87-05-027
16-328-038	NEW-E	87-14-012	16-693-010	REP-P	87-14-050	25-24-040	REP-P	87-02-052
16-328-038	NEW	87-17-024	16-693-010	REP	87-18-009	25-24-040	REP	87-05-027
16-328-060	AMD-P	87-09-085	16-693-020	REP-P	87-14-050	25-24-050	REP-P	87-02-052
16-328-060	AMD	87-13-016	16-693-020	REP	87-18-009	25-24-050	REP	87-05-027
16-328-065	AMD-P	87-09-085	16-694-001	NEW-P	87-14-050	25-24-060	REP-P	87-02-052
16-328-065	AMD	87-13-016	16-694-001	NEW	87-18-009	25-24-060	REP	87-05-027
16-328-080	AMD-P	87-09-085	16-750	AMD-E	87-16-030	25-24-070	REP-P	87-02-052
16-328-080	AMD	87-13-016	16-750-010	AMD	87-05-016	25-24-070	REP	87-05-027
16-328-083	NEW-P	87-09-085	16-750-010	AMD-E	87-16-030	30-16-010	NEW	87-11-001
16-328-083	NEW	87-13-016	16-750-900	NEW-E	87-16-030	30-16-020	NEW	87-11-001
16-328-085	NEW-P	87-09-085	18-02-010	REP-P	87-15-122	30-16-030	NEW	87-11-001
16-328-085	NEW	87-13-016	18-02-020	REP-P	87-15-122	30-16-040	NEW	87-11-001
16-328-088	NEW-P	87-09-085	18-02-030	REP-P	87-15-122	30-16-050	NEW	87-11-001
16-328-088	NEW	87-13-016	18-02-040	REP-P	87-15-122	30-16-060	NEW	87-11-001
16-328-090	REP-P	87-09-085	18-02-050	REP-P	87-15-122	30-16-070	NEW	87-11-001
16-328-090	REP	87-13-016	18-06-010	REP-P	87-15-117	30-16-080	NEW	87-11-001
16-329-001	REP-P	87-09-085	18-06-020	REP-P	87-15-117	30-16-090	NEW	87-11-001
16-329-001	REP	87-13-016	18-06-030	REP-P	87-15-117	30-16-100	NEW	87-11-001
16-329-010	REP-P	87-09-085	18-06-040	REP-P	87-15-117	30-16-110	NEW	87-11-001
16-329-010	REP	87-13-016	18-06-050	REP-P	87-15-117	30-16-120	NEW	87-11-001
16-329-015	REP-P	87-09-085	18-06-900	REP-P	87-15-117	30-20-010	NEW	87-11-001
16-329-015	REP	87-13-016	18-20-010	REP-P	87-15-118	30-20-020	NEW	87-11-001
16-329-020	REP-P	87-09-085	18-20-020	REP-P	87-15-118	30-20-030	NEW	87-11-001
16-329-020	REP	87-13-016	18-20-030	REP-P	87-15-118	30-20-040	NEW	87-11-001
16-329-025	REP-P	87-09-085	18-20-040	REP-P	87-15-118	30-20-050	NEW	87-11-001
16-329-025	REP	87-13-016	18-20-050	REP-P	87-15-118	30-20-060	NEW	87-11-001
16-329-030	REP-P	87-09-085	18-20-060	REP-P	87-15-118	30-20-070	NEW	87-11-001
16-329-030	REP	87-13-016	18-20-070	REP-P	87-15-118	30-20-080	NEW	87-11-001
16-333-020	AMD-P	87-09-085	18-20-080	REP-P	87-15-118	30-20-090	NEW	87-11-001
16-333-020	AMD	87-13-016	18-20-090	REP-P	87-15-118	30-20-100	NEW	87-11-001
16-333-040	AMD-P	87-09-085	18-20-100	REP-P	87-15-118	30-20-110	NEW	87-11-001
16-333-040	AMD	87-13-016	18-24-010	REP-P	87-15-116	30-20-120	NEW	87-11-001
16-333-050	AMD-P	87-09-085	18-24-020	REP-P	87-15-116	30-24-010	NEW	87-11-001
16-333-050	AMD	87-13-016	18-24-030	REP-P	87-15-116	30-24-020	NEW	87-11-001
16-333-065	NEW-P	87-13-064	18-24-040	REP-P	87-15-116	30-24-030	NEW	87-11-001
16-333-065	NEW-E	87-14-012	18-28-010	REP-P	87-15-123	30-24-040	NEW	87-11-001
16-333-065	NEW	87-17-024	18-28-020	REP-P	87-15-123	30-24-050	NEW	87-11-001
16-401-002	REP-P	87-13-062	18-28-030	REP-P	87-15-123	30-24-060	NEW	87-11-001
16-401-002	REP-E	87-16-014	18-28-040	REP-P	87-15-123	30-24-070	NEW	87-11-001
16-401-020	AMD-P	87-13-062	18-28-050	REP-P	87-15-123	30-24-080	NEW	87-11-001
16-401-020	AMD-E	87-16-014	18-40-010	REP-P	87-15-119	30-24-090	NEW	87-11-001
16-401-025	AMD-P	87-13-062	18-40-020	REP-P	87-15-119	30-24-100	NEW	87-11-001
16-401-025	AMD-E	87-16-014	18-40-030	REP-P	87-15-119	30-28-010	NEW	87-11-001
16-401-030	AMD-P	87-13-062	18-40-040	REP-P	87-15-119	30-28-020	NEW	87-11-001
16-401-030	AMD-E	87-16-014	18-40-050	REP-P	87-15-119	30-28-030	NEW	87-11-001
16-401-040	NEW-P	87-13-062	18-40-060	REP-P	87-15-119	30-28-040	NEW	87-11-001
16-401-040	NEW-E	87-16-014	18-40-990	REP-P	87-15-119	30-32-010	NEW	87-11-001
16-401-050	NEW-P	87-13-062	18-40-991	REP-P	87-15-119	30-32-020	NEW	87-11-001
16-401-050	NEW-E	87-16-014	18-44-010	REP-P	87-15-124	30-32-030	NEW	87-11-001
16-470-500	NEW	87-04-027	18-44-020	REP-P	87-15-124	30-32-040	NEW	87-11-001
16-470-510	NEW	87-04-027	18-44-030	REP-P	87-15-124	30-32-050	NEW	87-11-001
16-470-520	NEW	87-04-027	18-44-040	REP-P	87-15-124	30-32-060	NEW	87-11-001
16-470-530	NEW	87-04-027	18-44-050	REP-P	87-15-124	30-32-070	NEW	87-11-001
16-516-040	AMD-P	87-12-018	18-44-060	REP-P	87-15-124	30-32-080	NEW	87-11-001
16-516-040	AMD-P	87-12-019	18-44-990	REP-P	87-15-124	30-36-010	NEW	87-11-001
16-532-040	AMD-P	87-04-045	18-48-080	REP-P	87-15-121	30-36-020	NEW	87-11-001
16-532-040	AMD	87-10-059	18-48-090	REP-P	87-15-121	30-36-030	NEW	87-11-001

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
30-36-040	NEW	87-11-001	50-52-160	NEW	87-13-030	50-52-550	NEW-P	87-10-046
30-36-050	NEW	87-11-001	50-52-170	NEW-P	87-10-046	50-52-550	NEW	87-13-030
30-36-060	NEW	87-11-001	50-52-170	NEW	87-13-030	50-52-560	NEW-P	87-10-046
30-36-070	NEW	87-11-001	50-52-180	NEW-P	87-10-046	50-52-560	NEW	87-13-030
30-36-080	NEW	87-11-001	50-52-180	NEW	87-13-030	50-52-570	NEW-P	87-10-046
30-36-090	NEW	87-11-001	50-52-190	NEW-P	87-10-046	50-52-570	NEW	87-13-030
30-36-100	NEW	87-11-001	50-52-190	NEW	87-13-030	50-52-580	NEW-P	87-10-046
30-36-110	NEW	87-11-001	50-52-200	NEW-P	87-10-046	50-52-580	NEW	87-13-030
30-40-010	NEW	87-11-001	50-52-200	NEW	87-13-030	50-52-590	NEW-P	87-10-046
30-40-020	NEW	87-11-001	50-52-210	NEW-P	87-10-046	50-52-590	NEW	87-13-030
30-40-030	NEW	87-11-001	50-52-210	NEW	87-13-030	50-52-600	NEW-P	87-10-046
30-40-040	NEW	87-11-001	50-52-220	NEW-P	87-10-046	50-52-600	NEW	87-13-030
30-40-050	NEW	87-11-001	50-52-220	NEW	87-13-030	50-52-610	NEW-P	87-10-046
30-40-060	NEW	87-11-001	50-52-230	NEW-P	87-10-046	50-52-610	NEW	87-13-030
30-40-070	NEW	87-11-001	50-52-230	NEW	87-13-030	50-52-620	NEW-P	87-10-046
30-40-080	NEW	87-11-001	50-52-240	NEW-P	87-10-046	50-52-620	NEW	87-13-030
30-40-090	NEW	87-11-001	50-52-240	NEW	87-13-030	50-52-630	NEW-P	87-10-046
30-44-010	NEW	87-11-001	50-52-250	NEW-P	87-10-046	50-52-630	NEW	87-13-030
30-44-020	NEW	87-11-001	50-52-250	NEW	87-13-030	50-52-640	NEW-P	87-10-046
30-44-030	NEW	87-11-001	50-52-260	NEW-P	87-10-046	50-52-640	NEW	87-13-030
30-44-040	NEW	87-11-001	50-52-260	NEW	87-13-030	82-24-080	AMD	87-06-012
30-44-050	NEW	87-11-001	50-52-270	NEW-P	87-10-046	82-24-090	AMD	87-06-012
30-48-010	NEW	87-11-001	50-52-270	NEW	87-13-030	82-24-110	AMD	87-06-012
30-48-020	NEW	87-11-001	50-52-280	NEW-P	87-10-046	82-24-130	AMD	87-06-012
30-48-030	NEW	87-11-001	50-52-280	NEW	87-13-030	82-50-021	AMD-P	87-13-066
30-48-040	NEW	87-11-001	50-52-290	NEW-P	87-10-046	82-50-021	AMD	87-16-060
30-48-050	NEW	87-11-001	50-52-290	NEW	87-13-030	100-100-050	AMD-P	87-09-099
30-48-060	NEW	87-11-001	50-52-300	NEW-P	87-10-046	100-100-050	AMD-E	87-09-100
30-48-070	NEW	87-11-001	50-52-300	NEW	87-13-030	100-100-070	AMD-P	87-06-046
50-12-110	AMD-P	87-16-109	50-52-310	NEW-P	87-10-046	100-100-070	AMD-C	87-09-101
50-12-115	NEW-P	87-16-109	50-52-310	NEW	87-13-030	100-100-070	AMD-E	87-09-102
50-12-116	NEW-P	87-16-109	50-52-320	NEW-P	87-10-046	100-100-070	AMD	87-18-004
50-12-210	NEW-P	87-16-108	50-52-320	NEW	87-13-030	113-12-087	NEW	87-05-064
50-12-220	NEW-P	87-16-108	50-52-330	NEW-P	87-10-046	113-12-115	AMD	87-05-064
50-12-230	NEW-P	87-16-108	50-52-330	NEW	87-13-030	113-12-195	AMD	87-05-064
50-12-240	NEW-P	87-16-108	50-52-340	NEW-P	87-10-046	113-12-197	NEW	87-05-064
50-12-250	NEW-P	87-16-108	50-52-340	NEW	87-13-030	114-12-136	AMD-P	87-07-046
50-12-260	NEW-P	87-16-108	50-52-350	NEW-P	87-10-046	114-12-136	AMD	87-10-028
50-12-270	NEW-P	87-16-108	50-52-350	NEW	87-13-030	118-33-010	NEW-E	87-18-026
50-12-280	NEW-P	87-16-108	50-52-360	NEW-P	87-10-046	118-33-010	NEW-P	87-18-068
50-12-290	NEW-P	87-16-108	50-52-360	NEW	87-13-030	118-33-020	NEW-E	87-18-026
50-12-300	NEW-P	87-16-108	50-52-370	NEW-P	87-10-046	118-33-020	NEW-P	87-18-068
50-48-100	NEW-P	87-08-071	50-52-370	NEW	87-13-030	118-33-030	NEW-E	87-18-026
50-48-100	NEW	87-10-047	50-52-380	NEW-P	87-10-046	118-33-030	NEW-P	87-18-068
50-48-100	AMD-P	87-10-058	50-52-380	NEW	87-13-030	118-33-040	NEW-E	87-18-026
50-48-100	AMD	87-13-015	50-52-390	NEW-P	87-10-046	118-33-040	NEW-P	87-18-068
50-52-010	NEW-P	87-10-046	50-52-390	NEW	87-13-030	118-33-050	NEW-E	87-18-026
50-52-010	NEW	87-13-030	50-52-400	NEW-P	87-10-046	118-33-050	NEW-P	87-18-068
50-52-020	NEW-P	87-10-046	50-52-400	NEW	87-13-030	118-33-060	NEW-E	87-18-026
50-52-020	NEW	87-13-030	50-52-410	NEW-P	87-10-046	118-33-060	NEW-P	87-18-068
50-52-030	NEW-P	87-10-046	50-52-410	NEW	87-13-030	118-33-070	NEW-E	87-18-026
50-52-030	NEW	87-13-030	50-52-420	NEW-P	87-10-046	118-33-070	NEW-P	87-18-068
50-52-040	NEW-P	87-10-046	50-52-420	NEW	87-13-030	118-33-080	NEW-E	87-18-026
50-52-040	NEW	87-13-030	50-52-430	NEW-P	87-10-046	118-33-080	NEW-P	87-18-068
50-52-050	NEW-P	87-10-046	50-52-430	NEW	87-13-030	118-33-090	NEW-E	87-18-026
50-52-050	NEW	87-13-030	50-52-440	NEW-P	87-10-046	118-33-090	NEW-P	87-18-068
50-52-060	NEW-P	87-10-046	50-52-440	NEW	87-13-030	118-33-100	NEW-E	87-18-026
50-52-060	NEW	87-13-030	50-52-450	NEW-P	87-10-046	118-33-100	NEW-P	87-18-068
50-52-070	NEW-P	87-10-046	50-52-450	NEW	87-13-030	118-33-110	NEW-E	87-18-026
50-52-070	NEW	87-13-030	50-52-460	NEW-P	87-10-046	118-33-110	NEW-P	87-18-068
50-52-080	NEW-P	87-10-046	50-52-460	NEW	87-13-030	118-33-120	NEW-E	87-18-026
50-52-080	NEW	87-13-030	50-52-470	NEW-P	87-10-046	118-33-120	NEW-P	87-18-068
50-52-090	NEW-P	87-10-046	50-52-470	NEW	87-13-030	131-08-010	AMD	87-04-025
50-52-090	NEW	87-13-030	50-52-480	NEW-P	87-10-046	132E-136-010	REP-P	87-10-039
50-52-100	NEW-P	87-10-046	50-52-480	NEW	87-13-030	132E-136-010	REP	87-14-002
50-52-100	NEW	87-13-030	50-52-490	NEW-P	87-10-046	132E-136-020	REP-P	87-10-039
50-52-110	NEW-P	87-10-046	50-52-490	NEW	87-13-030	132E-136-020	REP	87-14-002
50-52-110	NEW	87-13-030	50-52-500	NEW-P	87-10-046	132E-136-030	REP-P	87-10-039
50-52-120	NEW-P	87-10-046	50-52-500	NEW	87-13-030	132E-136-030	REP	87-14-002
50-52-120	NEW	87-13-030	50-52-510	NEW-P	87-10-046	132E-137-010	NEW-P	87-10-038
50-52-130	NEW-P	87-10-046	50-52-510	NEW	87-13-030	132E-137-010	NEW	87-14-001
50-52-130	NEW	87-13-030	50-52-520	NEW-P	87-10-046	132E-137-020	NEW-P	87-10-038
50-52-140	NEW-P	87-10-046	50-52-520	NEW	87-13-030	132E-137-020	NEW	87-14-001
50-52-140	NEW	87-13-030	50-52-530	NEW-P	87-10-046	132E-137-030	NEW-P	87-10-038
50-52-150	NEW-P	87-10-046	50-52-530	NEW	87-13-030	132E-137-030	NEW	87-14-001
50-52-150	NEW	87-13-030	50-52-540	NEW-P	87-10-046	132E-137-040	NEW-P	87-10-038
50-52-160	NEW-P	87-10-046	50-52-540	NEW	87-13-030	132E-137-040	NEW	87-14-001

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132E-137-050	NEW-P	87-10-038	132L-20-040	REP-E	87-14-024	132L-22	AMD-E	87-07-048
132E-137-050	NEW	87-14-001	132L-20-040	REP	87-17-037	132L-22	AMD-P	87-08-018
132E-137-060	NEW-P	87-10-038	132L-20-050	AMD-E	87-07-048	132L-22	AMD-P	87-14-023
132E-137-060	NEW	87-14-001	132L-20-050	AMD-P	87-08-018	132L-22	AMD-E	87-14-024
132E-137-070	NEW-P	87-10-038	132L-20-050	AMD-P	87-14-023	132L-22	AMD	87-17-037
132E-137-070	NEW	87-14-001	132L-20-050	AMD-E	87-14-024	132L-22-010	AMD-E	87-07-048
132F-104-010	AMD-P	87-15-098	132L-20-050	AMD	87-17-037	132L-22-010	AMD-P	87-08-018
132F-148-010	AMD-P	87-04-064	132L-20-060	AMD-E	87-07-048	132L-22-010	REP-P	87-14-023
132F-148-010	AMD	87-08-026	132L-20-060	AMD-P	87-08-018	132L-22-010	REP-E	87-14-024
132F-148-030	AMD-P	87-04-064	132L-20-060	REP-P	87-14-023	132L-22-010	REP	87-17-037
132F-148-030	AMD	87-08-026	132L-20-060	REP-E	87-14-024	132L-22-020	AMD-E	87-07-048
132F-148-040	AMD-P	87-04-064	132L-20-060	REP	87-17-037	132L-22-020	AMD-P	87-08-018
132F-148-040	AMD	87-08-026	132L-20-070	AMD-E	87-07-048	132L-22-020	AMD-P	87-14-023
132L-10-010	NEW-E	87-07-031	132L-20-070	AMD-P	87-08-018	132L-22-020	AMD-E	87-14-024
132L-10-010	NEW-P	87-08-017	132L-20-070	AMD-P	87-14-023	132L-22-020	AMD	87-17-037
132L-10-010	NEW	87-13-026	132L-20-070	AMD-E	87-14-024	132L-22-030	AMD-E	87-07-048
132L-10-020	NEW-E	87-07-031	132L-20-070	AMD	87-17-037	132L-22-030	AMD-P	87-08-018
132L-10-020	NEW-P	87-08-017	132L-20-080	AMD-E	87-07-048	132L-22-030	REP-P	87-14-023
132L-10-020	NEW	87-13-026	132L-20-080	AMD-P	87-08-018	132L-22-030	REP-E	87-14-024
132L-10-030	NEW-E	87-07-031	132L-20-080	AMD-P	87-14-023	132L-22-030	REP	87-17-037
132L-10-030	NEW-P	87-08-017	132L-20-080	AMD-E	87-14-024	132L-22-040	AMD-E	87-07-048
132L-10-030	NEW	87-13-026	132L-20-080	AMD	87-17-037	132L-22-040	AMD-P	87-08-018
132L-10-040	NEW-E	87-07-031	132L-20-090	AMD-E	87-07-048	132L-22-040	REP-P	87-14-023
132L-10-040	NEW-P	87-08-017	132L-20-090	AMD-P	87-08-018	132L-22-040	REP-E	87-14-024
132L-10-040	NEW	87-13-026	132L-20-090	AMD-P	87-14-023	132L-22-040	REP	87-17-037
132L-10-050	NEW-E	87-07-031	132L-20-090	AMD-E	87-14-024	132L-22-050	AMD-E	87-07-048
132L-10-050	NEW-P	87-08-017	132L-20-090	AMD	87-17-037	132L-22-050	AMD-P	87-08-018
132L-10-050	NEW	87-13-026	132L-20-100	AMD-E	87-07-048	132L-22-050	REP-P	87-14-023
132L-10-060	NEW-E	87-07-031	132L-20-100	AMD-P	87-08-018	132L-22-050	REP-E	87-14-024
132L-10-060	NEW-P	87-08-017	132L-20-100	REP-P	87-14-023	132L-22-050	REP	87-17-037
132L-10-070	NEW-E	87-07-031	132L-20-100	REP-E	87-14-024	132L-22-060	AMD-E	87-07-048
132L-10-070	NEW-P	87-08-017	132L-20-100	REP	87-17-037	132L-22-060	AMD-P	87-08-018
132L-10-080	NEW-E	87-07-031	132L-20-110	AMD-E	87-07-048	132L-22-060	AMD-P	87-14-023
132L-10-080	NEW-P	87-08-017	132L-20-110	AMD-P	87-08-018	132L-22-060	AMD-E	87-14-024
132L-10-090	NEW-E	87-07-031	132L-20-110	REP-P	87-14-023	132L-22-060	AMD	87-17-037
132L-10-090	NEW-P	87-08-017	132L-20-110	REP-E	87-14-024	132L-22-070	AMD-E	87-07-048
132L-10-100	NEW-E	87-07-031	132L-20-110	REP	87-17-037	132L-22-070	AMD-P	87-08-018
132L-10-100	NEW-P	87-08-017	132L-20-120	AMD-E	87-07-048	132L-22-070	AMD-P	87-14-023
132L-10-100	NEW	87-13-026	132L-20-120	AMD-P	87-08-018	132L-22-070	AMD-E	87-14-024
132L-10-110	NEW-E	87-07-031	132L-20-120	REP-P	87-14-023	132L-22-070	AMD	87-17-037
132L-10-110	NEW-P	87-08-017	132L-20-120	REP-E	87-14-024	132L-23-010	NEW-E	87-07-031
132L-10-110	NEW	87-13-026	132L-20-120	REP	87-17-037	132L-23-010	NEW-P	87-08-017
132L-10-120	NEW-E	87-07-031	132L-20-135	NEW-P	87-14-023	132L-23-010	NEW	87-13-026
132L-10-120	NEW-P	87-08-017	132L-20-135	NEW-E	87-14-024	132L-23-020	NEW-E	87-07-031
132L-10-120	NEW	87-13-026	132L-20-135	NEW	87-17-037	132L-23-020	NEW-P	87-08-017
132L-10-130	NEW-E	87-07-031	132L-20-140	AMD-E	87-07-048	132L-23-020	NEW	87-13-026
132L-10-130	NEW-P	87-08-017	132L-20-140	AMD-P	87-08-018	132L-23-030	NEW-E	87-07-031
132L-10-130	NEW	87-13-026	132L-20-140	AMD-P	87-14-023	132L-23-030	NEW-P	87-08-017
132L-10-140	NEW-E	87-07-031	132L-20-140	AMD-E	87-14-024	132L-23-030	NEW	87-13-026
132L-10-140	NEW-P	87-08-017	132L-20-140	AMD	87-17-037	132L-23-040	NEW	87-13-026
132L-10-150	NEW-E	87-07-031	132L-20-150	AMD-E	87-07-048	132L-24	AMD-E	87-07-048
132L-10-150	NEW-P	87-08-017	132L-20-150	AMD-P	87-08-018	132L-24	AMD-P	87-08-018
132L-10-160	NEW-E	87-07-031	132L-20-150	REP-P	87-14-023	132L-24	AMD-P	87-14-023
132L-10-160	NEW-P	87-08-017	132L-20-150	REP-E	87-14-024	132L-24	AMD-E	87-14-024
132L-20	AMD-E	87-07-048	132L-20-150	REP	87-17-037	132L-24	AMD	87-17-037
132L-20	AMD-P	87-08-018	132L-20-160	AMD-E	87-07-048	132L-24-010	AMD-E	87-07-048
132L-20	AMD-P	87-14-023	132L-20-160	AMD-P	87-08-018	132L-24-010	AMD-P	87-08-018
132L-20	AMD-E	87-14-024	132L-20-160	REP-P	87-14-023	132L-24-010	AMD-P	87-14-023
132L-20	AMD	87-17-037	132L-20-160	REP-E	87-14-024	132L-24-010	AMD-E	87-14-024
132L-20-010	AMD-E	87-07-048	132L-20-160	REP	87-17-037	132L-24-010	AMD	87-17-037
132L-20-010	AMD-P	87-08-018	132L-20-170	AMD-E	87-07-048	132L-24-020	AMD-E	87-07-048
132L-20-010	AMD-P	87-14-023	132L-20-170	AMD-P	87-08-018	132L-24-020	AMD-P	87-08-018
132L-20-010	AMD-E	87-14-024	132L-20-170	REP-P	87-14-023	132L-24-020	AMD-P	87-14-023
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173-105-050	NEW-E	87-16-018	173-245-075	NEW-C	87-04-014	173-303-801	AMD-P	87-09-078
173-105-060	NEW-E	87-16-018	173-245-075	NEW	87-04-020	173-303-801	AMD	87-14-029
173-145	AMD-C	87-02-043	173-245-080	NEW-C	87-02-050	173-303-802	AMD-P	87-09-078
173-145	AMD-C	87-03-044	173-245-080	NEW-C	87-04-014	173-303-802	AMD	87-14-029
173-145-010	AMD	87-04-022	173-245-080	NEW	87-04-020	173-303-805	AMD-P	87-09-078

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-303-805	AMD	87-14-029	173-434-130	NEW	87-07-041	174-116-070	REP	87-14-020
173-303-806	AMD-P	87-09-078	173-434-160	NEW	87-07-041	174-116-071	AMD-P	87-10-054
173-303-806	AMD	87-14-029	173-434-170	NEW	87-07-041	174-116-071	AMD-C	87-13-029
173-303-809	AMD-P	87-09-078	173-434-190	NEW	87-07-041	174-116-071	AMD	87-14-020
173-303-809	AMD	87-14-029	173-434-200	NEW	87-07-041	174-116-072	AMD-P	87-10-054
173-303-810	AMD-P	87-09-078	173-434-210	NEW	87-07-041	174-116-072	AMD-C	87-13-029
173-303-810	AMD	87-14-029	173-440-010	NEW-P	87-15-117	174-116-072	AMD	87-14-020
173-303-830	AMD-P	87-09-078	173-440-020	NEW-P	87-15-117	174-116-091	AMD-P	87-10-054
173-303-830	AMD	87-14-029	173-440-030	NEW-P	87-15-117	174-116-091	AMD-C	87-13-029
173-303-910	AMD-P	87-18-062	173-440-040	NEW-P	87-15-117	174-116-091	AMD	87-14-020
173-303-9901	AMD-P	87-09-078	173-440-100	NEW-P	87-15-117	174-116-092	AMD-P	87-10-054
173-303-9901	AMD	87-14-029	173-440-900	NEW-P	87-15-117	174-116-092	AMD-C	87-13-029
173-303-9904	AMD-P	87-09-078	173-450-010	NEW-P	87-15-118	174-116-092	AMD	87-14-020
173-303-9904	AMD	87-14-029	173-450-020	NEW-P	87-15-118	174-116-119	AMD-P	87-10-054
173-303-9905	AMD-P	87-09-078	173-450-030	NEW-P	87-15-118	174-116-119	AMD-C	87-13-029
173-303-9905	AMD	87-14-029	173-450-040	NEW-P	87-15-118	174-116-119	AMD	87-14-020
173-303-9906	AMD-P	87-09-078	173-450-050	NEW-P	87-15-118	174-116-121	AMD-P	87-10-054
173-303-9906	AMD	87-14-029	173-450-060	NEW-P	87-15-118	174-116-121	AMD-C	87-13-029
173-303-9907	AMD-P	87-09-078	173-450-070	NEW-P	87-15-118	174-116-121	AMD	87-14-020
173-303-9907	AMD	87-14-029	173-450-080	NEW-P	87-15-118	174-116-122	AMD-P	87-10-054
173-304-012	NEW-C	87-02-035	173-450-090	NEW-P	87-15-118	174-116-122	AMD-C	87-13-029
173-304-012	NEW-C	87-04-019	173-450-100	NEW-P	87-15-118	174-116-122	AMD	87-14-020
173-304-012	NEW-W	87-04-037	173-470-010	NEW-P	87-15-119	174-116-123	AMD-P	87-10-054
173-304-012	NEW-P	87-04-038	173-470-020	NEW-P	87-15-119	174-116-123	AMD-C	87-13-029
173-304-012	NEW-W	87-05-035	173-470-030	NEW-P	87-15-119	174-116-123	AMD	87-14-020
173-304-012	NEW-P	87-05-054	173-470-100	NEW-P	87-15-119	174-116-126	AMD-P	87-10-054
173-304-012	NEW-C	87-08-060	173-470-110	NEW-P	87-15-119	174-116-126	AMD-C	87-13-029
173-304-012	NEW-W	87-11-038	173-470-150	NEW-P	87-15-119	174-116-126	AMD	87-14-020
173-304-012	NEW-P	87-11-039	173-470-160	NEW-P	87-15-119	174-116-127	AMD-P	87-10-054
173-304-012	NEW	87-15-049	173-474-010	NEW-P	87-15-120	174-116-127	AMD-C	87-13-029
173-304-100	AMD-P	87-14-060	173-474-020	NEW-P	87-15-120	174-116-127	AMD	87-14-020
173-304-400	AMD-P	87-14-060	173-474-030	NEW-P	87-15-120	174-116-190	REP-P	87-10-054
173-304-405	AMD-P	87-14-060	173-474-100	NEW-P	87-15-120	174-116-190	REP	87-14-020
173-304-407	NEW-P	87-13-067	173-474-150	NEW-P	87-15-120	174-116-260	REP-P	87-10-054
173-304-407	NEW-P	87-14-060	173-474-160	NEW-P	87-15-120	174-116-260	REP	87-14-020
173-304-430	AMD-P	87-14-060	173-481-010	NEW-P	87-15-121	180-16-210	AMD-P	87-09-051
173-304-440	AMD-P	87-04-038	173-481-020	NEW-P	87-15-121	180-16-210	AMD	87-12-043
173-304-440	AMD-W	87-05-035	173-481-030	NEW-P	87-15-121	180-16-221	AMD-P	87-09-092
173-304-440	AMD-P	87-05-054	173-481-100	NEW-P	87-15-121	180-16-221	AMD	87-12-040
173-304-440	AMD-C	87-08-060	173-481-110	NEW-P	87-15-121	180-24-003	NEW	87-04-059
173-304-440	AMD-W	87-11-038	173-481-150	NEW-P	87-15-121	180-24-005	REP	87-04-059
173-304-450	AMD-P	87-14-060	173-481-160	NEW-P	87-15-121	180-24-007	NEW	87-04-059
173-304-460	AMD-P	87-14-060	174-107-261	NEW-E	87-03-038	180-24-008	NEW	87-04-059
173-304-467	NEW-P	87-13-067	174-116	AMD-P	87-10-054	180-24-010	REP	87-04-059
173-304-467	NEW-P	87-14-060	174-116	AMD	87-14-020	180-24-013	NEW	87-04-059
173-304-600	AMD-P	87-14-060	174-116-010	AMD-P	87-10-054	180-24-015	REP	87-04-059
173-326-010	NEW-E	87-05-032	174-116-010	AMD-C	87-13-029	180-24-016	NEW	87-04-059
173-326-010	NEW-P	87-11-028	174-116-010	AMD	87-14-020	180-24-017	NEW	87-04-059
173-326-010	NEW-E	87-11-029	174-116-020	AMD-P	87-10-054	180-24-020	REP	87-04-059
173-326-010	NEW	87-14-078	174-116-020	AMD-C	87-13-029	180-24-021	NEW	87-04-059
173-326-020	NEW-E	87-05-032	174-116-020	AMD	87-14-020	180-24-025	REP	87-04-059
173-326-020	NEW-P	87-11-028	174-116-030	AMD-P	87-10-054	180-24-030	REP	87-04-059
173-326-020	NEW-E	87-11-029	174-116-030	AMD-C	87-13-029	180-24-080	NEW	87-04-059
173-326-020	NEW	87-14-078	174-116-030	AMD	87-14-020	180-24-100	REP	87-04-059
173-326-030	NEW-E	87-05-032	174-116-040	AMD-P	87-10-054	180-24-101	NEW	87-04-059
173-326-030	NEW-P	87-11-028	174-116-040	AMD-C	87-13-029	180-24-102	NEW	87-04-059
173-326-030	NEW-E	87-11-029	174-116-040	AMD	87-14-020	180-24-110	NEW	87-04-059
173-326-030	NEW	87-14-078	174-116-041	AMD-P	87-10-054	180-24-112	NEW	87-04-059
173-326-040	NEW-E	87-05-032	174-116-041	AMD-C	87-13-029	180-24-115	NEW	87-04-059
173-326-040	NEW-P	87-11-028	174-116-041	AMD	87-14-020	180-24-120	NEW	87-04-059
173-326-040	NEW-E	87-11-029	174-116-042	AMD-P	87-10-054	180-24-125	NEW	87-04-059
173-326-040	NEW	87-14-078	174-116-042	AMD-C	87-13-029	180-24-130	NEW	87-04-059
173-400-105	NEW-P	87-15-114	174-116-042	AMD	87-14-020	180-24-140	NEW	87-04-059
173-403-030	AMD-P	87-15-115	174-116-043	AMD-P	87-10-054	180-24-200	AMD	87-04-059
173-421-010	NEW-P	87-15-116	174-116-043	AMD-C	87-13-029	180-24-300	NEW	87-04-059
173-421-020	NEW-P	87-15-116	174-116-043	AMD	87-14-020	180-24-305	NEW	87-04-059
173-421-030	NEW-P	87-15-116	174-116-044	AMD-P	87-10-054	180-24-310	NEW	87-04-059
173-421-100	NEW-P	87-15-116	174-116-044	AMD-C	87-13-029	180-24-312	NEW	87-04-059
173-422-130	AMD	87-02-051	174-116-044	AMD	87-14-020	180-24-315	NEW	87-04-059
173-434	NEW-C	87-03-045	174-116-045	AMD-P	87-10-054	180-24-320	NEW	87-04-059
173-434-010	NEW	87-07-041	174-116-045	AMD-C	87-13-029	180-24-325	NEW	87-04-059
173-434-020	NEW	87-07-041	174-116-045	AMD	87-14-020	180-24-327	NEW	87-04-059
173-434-030	NEW	87-07-041	174-116-050	AMD-P	87-10-054	180-24-330	NEW	87-04-059
173-434-050	NEW	87-07-041	174-116-050	AMD-C	87-13-029	180-24-335	NEW	87-04-059
173-434-100	NEW	87-07-041	174-116-050	AMD	87-14-020	180-24-340	NEW	87-04-059
173-434-110	NEW	87-07-041	174-116-070	REP-P	87-10-054	180-24-345	NEW	87-04-059
173-434-120	NEW	87-07-041	174-116-070	REP-C	87-13-029	180-24-350	NEW	87-04-059

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180-24-355	NEW	87-04-059	180-78-193	NEW	87-09-011	180-79-346	NEW-P	87-05-050
180-24-360	NEW	87-04-059	180-78-194	NEW-P	87-05-049	180-79-346	NEW	87-09-012
180-24-365	NEW	87-04-059	180-78-194	NEW	87-09-011	180-79-348	NEW-P	87-05-050
180-24-370	NEW	87-04-059	180-78-195	NEW-P	87-05-049	180-79-348	NEW	87-09-012
180-24-375	NEW	87-04-059	180-78-195	NEW	87-09-011	180-79-350	NEW-P	87-05-050
180-24-380	NEW	87-04-059	180-78-197	NEW-P	87-05-049	180-79-350	NEW	87-09-012
180-40-235	AMD-P	87-05-047	180-78-197	NEW	87-09-011	180-79-352	NEW-P	87-05-050
180-40-235	AMD	87-09-040	180-78-198	NEW-P	87-05-049	180-79-352	NEW	87-09-012
180-75-005	AMD-P	87-09-052	180-78-198	NEW	87-09-011	180-79-354	NEW-P	87-05-050
180-75-005	AMD	87-12-042	180-78-199	NEW-P	87-05-049	180-79-354	NEW	87-09-012
180-75-015	AMD-P	87-05-048	180-78-199	NEW	87-09-011	180-79-356	NEW-P	87-05-050
180-75-015	AMD	87-09-010	180-79	AMD-P	87-05-050	180-79-356	NEW	87-09-012
180-75-018	NEW-P	87-05-048	180-79	AMD	87-09-012	180-79-358	NEW-P	87-05-050
180-75-018	NEW	87-09-010	180-79-003	NEW-P	87-05-050	180-79-358	NEW	87-09-012
180-75-019	NEW-P	87-05-048	180-79-003	NEW	87-09-012	180-79-360	NEW-P	87-05-050
180-75-019	NEW	87-09-010	180-79-007	NEW-P	87-09-053	180-79-360	NEW	87-09-012
180-75-025	AMD-P	87-05-048	180-79-007	NEW	87-12-039	180-79-362	NEW-P	87-05-050
180-75-025	AMD	87-09-010	180-79-010	AMD-P	87-05-050	180-79-362	NEW	87-09-012
180-75-026	NEW-P	87-05-048	180-79-010	AMD	87-09-012	180-79-364	NEW-P	87-05-050
180-75-026	NEW	87-09-010	180-79-045	AMD-P	87-05-050	180-79-364	NEW	87-09-012
180-75-034	NEW-P	87-05-048	180-79-045	AMD	87-09-012	180-79-366	NEW-P	87-05-050
180-75-034	NEW	87-09-010	180-79-060	AMD-P	87-05-050	180-79-366	NEW	87-09-012
180-75-035	AMD-P	87-05-048	180-79-060	AMD	87-09-012	180-79-366	NEW-P	87-05-050
180-75-035	AMD	87-09-010	180-79-065	AMD-P	87-05-050	180-79-368	NEW	87-09-012
180-75-037	NEW-P	87-05-048	180-79-065	AMD	87-09-012	180-79-370	NEW-P	87-05-050
180-75-037	NEW	87-09-010	180-79-065	AMD-P	87-09-093	180-79-370	NEW	87-09-012
180-75-038	NEW-P	87-05-048	180-79-065	AMD	87-13-044	180-79-372	NEW-P	87-05-050
180-75-038	NEW	87-09-010	180-79-075	AMD-P	87-05-050	180-79-372	NEW	87-09-012
180-75-039	NEW-P	87-05-048	180-79-075	AMD	87-09-012	180-79-374	NEW-P	87-05-050
180-75-039	NEW	87-09-010	180-79-075	AMD-P	87-09-093	180-79-374	NEW	87-09-012
180-75-040	AMD-P	87-05-048	180-79-075	AMD	87-13-044	180-79-376	NEW-P	87-05-050
180-75-040	AMD	87-09-010	180-79-080	AMD-P	87-05-050	180-79-376	NEW	87-09-012
180-75-042	NEW-P	87-05-048	180-79-080	AMD	87-09-012	180-79-378	NEW-P	87-05-050
180-75-042	NEW	87-09-010	180-79-086	AMD-P	87-05-050	180-79-378	NEW	87-09-012
180-75-043	NEW-P	87-05-048	180-79-086	AMD	87-09-012	180-79-380	NEW-P	87-05-050
180-75-043	NEW	87-09-010	180-79-115	AMD-P	87-05-050	180-79-380	NEW	87-09-012
180-75-044	NEW-P	87-05-048	180-79-115	AMD	87-09-012	180-79-382	NEW-P	87-05-050
180-75-044	NEW	87-09-010	180-79-230	AMD-P	87-05-050	180-79-382	NEW	87-09-012
180-75-065	AMD-P	87-05-048	180-79-230	AMD	87-09-012	180-79-384	NEW-P	87-05-050
180-75-065	AMD	87-09-010	180-79-300	NEW-P	87-05-050	180-79-384	NEW	87-09-012
180-75-070	AMD-P	87-05-048	180-79-300	NEW	87-09-012	180-79-386	NEW-P	87-05-050
180-75-070	AMD	87-09-010	180-79-305	NEW-P	87-05-050	180-79-386	NEW	87-09-012
180-75-075	AMD-P	87-05-048	180-79-305	NEW	87-09-012	180-79-388	NEW-P	87-05-050
180-75-075	AMD	87-09-010	180-79-310	NEW-P	87-05-050	180-79-388	NEW	87-09-012
180-75-080	AMD-P	87-05-048	180-79-310	NEW	87-09-012	180-79-390	NEW-P	87-05-050
180-75-080	AMD	87-09-010	180-79-312	NEW-P	87-05-050	180-79-390	NEW	87-09-012
180-75-081	NEW-P	87-05-048	180-79-312	NEW	87-09-012	180-79-392	NEW-P	87-05-050
180-75-081	NEW	87-09-010	180-79-315	NEW-P	87-05-050	180-79-392	NEW	87-09-012
180-75-082	NEW-P	87-05-048	180-79-315	NEW	87-09-012	180-79-394	NEW-P	87-05-050
180-75-082	NEW	87-09-010	180-79-317	NEW-P	87-05-050	180-79-394	NEW	87-09-012
180-75-083	NEW-P	87-05-048	180-79-317	NEW	87-09-012	180-79-396	NEW-P	87-05-050
180-75-083	NEW	87-09-010	180-79-320	NEW-P	87-05-050	180-79-396	NEW	87-09-012
180-75-084	NEW-P	87-05-048	180-79-320	NEW	87-09-012	180-79-398	NEW-P	87-05-050
180-75-084	NEW	87-09-010	180-79-322	NEW-P	87-05-050	180-79-398	NEW	87-09-012
180-75-085	AMD-P	87-05-048	180-79-322	NEW	87-09-012	180-85-020	AMD-P	87-09-094
180-75-085	AMD	87-09-010	180-79-324	NEW-P	87-05-050	180-85-020	AMD	87-12-041
180-75-086	NEW-P	87-05-048	180-79-324	NEW	87-09-012	180-85-045	AMD-P	87-05-051
180-75-086	NEW	87-09-010	180-79-326	NEW-P	87-05-050	180-85-045	AMD	87-09-013
180-75-087	AMD-P	87-05-048	180-79-326	NEW	87-09-012	180-85-220	AMD-P	87-05-051
180-75-087	AMD	87-09-010	180-79-328	NEW-P	87-05-050	180-85-220	AMD	87-09-013
180-75-199	NEW-P	87-05-048	180-79-328	NEW	87-09-012	180-85-225	AMD-P	87-05-051
180-75-199	NEW	87-09-010	180-79-330	NEW-P	87-05-050	180-85-225	AMD	87-09-013
180-78	AMD-P	87-05-049	180-79-330	NEW	87-09-012	180-90-125	NEW-P	87-05-052
180-78	AMD	87-09-011	180-79-332	NEW-P	87-05-050	180-90-125	NEW	87-09-039
180-78-003	NEW-P	87-05-049	180-79-332	NEW	87-09-012	180-90-141	NEW-P	87-05-052
180-78-003	NEW	87-09-011	180-79-334	NEW-P	87-05-050	180-90-141	NEW	87-09-039
180-78-005	AMD-P	87-05-049	180-79-334	NEW	87-09-012	180-90-160	AMD-P	87-05-052
180-78-005	AMD	87-09-011	180-79-336	NEW-P	87-05-050	180-90-160	AMD	87-09-039
180-78-010	AMD-P	87-05-049	180-79-336	NEW	87-09-012	182-08-060	AMD-E	87-11-003
180-78-010	AMD	87-09-011	180-79-338	NEW-P	87-05-050	182-08-060	AMD-E	87-14-004
180-78-025	AMD-P	87-05-049	180-79-338	NEW	87-09-012	182-08-060	AMD-P	87-15-025
180-78-025	AMD	87-09-011	180-79-340	NEW-P	87-05-050	182-12-126	REP-E	87-11-003
180-78-191	NEW-P	87-05-049	180-79-340	NEW	87-09-012	182-12-126	REP-E	87-14-004
180-78-191	NEW	87-09-011	180-79-342	NEW-P	87-05-050	182-12-126	REP-P	87-15-025
180-78-192	NEW-P	87-05-049	180-79-342	NEW	87-09-012	182-12-127	NEW-E	87-11-003
180-78-192	NEW	87-09-011	180-79-344	NEW-P	87-05-050	182-12-127	NEW-E	87-14-004
180-78-193	NEW-P	87-05-049	180-79-344	NEW	87-09-012	182-12-127	NEW-P	87-15-025

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
182-12-210	AMD-E	87-04-016	204-65-060	NEW	87-04-065	220-32-03000E	REP-E	87-06-037
182-12-210	AMD-P	87-04-039	204-76-99001	AMD-P	87-15-078	220-32-03000F	NEW-E	87-14-005
182-12-210	AMD	87-07-034	204-76-99002	AMD-P	87-15-078	220-32-03000G	REP-E	87-14-018
192-09-064	NEW-E	87-15-026	204-76-99005	NEW-P	87-15-078	220-32-03000H	NEW-E	87-14-018
192-12-005	NEW-P	87-08-049	204-90-030	AMD-P	87-15-077	220-32-03000G	REP-E	87-14-033
192-12-005	NEW	87-12-021	204-91-050	AMD-P	87-13-048	220-32-03000H	NEW-E	87-14-033
192-12-011	NEW-P	87-08-049	204-91-050	AMD	87-16-033	220-32-03000H	REP-E	87-17-011
192-12-011	NEW	87-12-021	204-91-060	AMD-P	87-13-048	220-32-03000I	NEW-E	87-17-011
192-12-012	NEW-P	87-08-049	204-91-060	AMD	87-16-033	220-32-04100J	NEW-E	87-11-059
192-12-012	NEW	87-12-021	212-32-015	AMD-P	87-14-075	220-32-05100H	NEW-E	87-05-037
192-12-042	AMD-P	87-16-052	212-32-015	AMD	87-18-067	220-32-05100I	NEW-E	87-14-008
192-12-141	AMD-P	87-08-049	212-51-001	NEW-P	87-03-053	220-32-05100I	REP-E	87-14-025
192-12-141	AMD	87-12-021	212-51-001	NEW	87-06-044	220-32-05100J	NEW-E	87-14-025
192-12-158	NEW	87-03-006	212-51-005	NEW-P	87-03-053	220-32-05100J	REP-E	87-14-033
192-23	AMD-P	87-08-049	212-51-005	NEW	87-06-044	220-32-05100K	NEW-E	87-14-033
192-23	AMD	87-12-021	212-51-010	NEW-P	87-03-053	220-32-05100K	REP-E	87-15-007
192-23-011	AMD-P	87-08-049	212-51-010	NEW	87-06-044	220-32-05100L	NEW-E	87-15-007
192-23-011	AMD	87-12-021	212-51-015	NEW-P	87-03-053	220-32-05100L	REP-E	87-15-071
192-23-012	AMD-P	87-08-049	212-51-015	NEW	87-06-044	220-32-05100M	NEW-E	87-15-071
192-23-012	AMD	87-12-021	212-51-020	NEW-P	87-03-053	220-32-05100M	REP-E	87-17-011
192-23-014	AMD-P	87-08-049	212-51-020	NEW	87-06-044	220-32-05100N	NEW-E	87-17-011
192-23-014	AMD	87-12-021	212-51-025	NEW-P	87-03-053	220-32-05100N	REP-E	87-17-030
192-23-015	AMD-W	87-08-049	212-51-025	NEW	87-06-044	220-32-05100P	NEW-E	87-17-030
192-23-016	AMD-P	87-08-049	212-51-030	NEW-P	87-03-053	220-32-05100P	NEW-E	87-11-033
192-23-016	AMD	87-12-021	212-51-030	NEW	87-06-044	220-32-05900K	NEW-E	87-09-065
192-23-018	NEW-P	87-08-049	212-51-035	NEW-P	87-03-053	220-32-05900L	NEW-E	87-09-084
192-23-018	NEW	87-12-021	212-51-035	NEW	87-06-044	220-32-05900M	NEW-E	87-13-011
192-23-051	AMD-P	87-08-049	212-51-040	NEW-P	87-03-053	220-32-05900N	NEW-E	87-15-071
192-23-051	AMD	87-12-021	212-51-040	NEW	87-06-044	220-36-021	AMD-P	87-15-131
192-23-800	AMD-P	87-08-049	212-51-045	NEW-P	87-03-053	220-36-02100J	NEW-E	87-15-005
192-23-800	AMD	87-12-021	212-51-045	NEW	87-06-044	220-36-02100J	REP-E	87-15-062
192-23-810	AMD-P	87-08-049	212-51-050	NEW-P	87-03-053	220-36-02100K	NEW-E	87-15-062
192-23-810	AMD	87-12-021	212-51-050	NEW	87-06-044	220-36-02100K	REP-E	87-15-130
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196-08-085	REP	87-13-005	220-16-075	AMD-P	87-09-082	220-36-02100L	REP-E	87-16-051
196-12-010	AMD-P	87-08-052	220-16-075	AMD-C	87-12-086	220-36-02100M	NEW-E	87-16-051
196-12-010	AMD	87-13-005	220-16-075	AMD	87-15-059	220-36-02100M	REP-E	87-17-007
196-12-020	AMD-P	87-08-052	220-16-385	REP-P	87-17-070	220-36-02100M	NEW-E	87-17-007
196-12-020	AMD	87-13-005	220-16-38500A	NEW-E	87-08-034	220-36-022	AMD-P	87-15-131
196-16-007	AMD-P	87-08-052	220-16-390	REP-P	87-17-070	220-36-024	AMD-P	87-15-131
196-16-007	AMD	87-13-005	220-16-395	NEW-P	87-03-056	220-36-02500A	NEW-E	87-13-035
196-16-010	AMD-P	87-08-052	220-16-395	NEW	87-09-066	220-36-02500Y	NEW-E	87-10-031
196-16-010	AMD	87-13-005	220-20-018	NEW-P	87-13-010	220-36-02500Y	REP-E	87-12-004
196-20-020	AMD-P	87-08-052	220-20-018	NEW-W	87-14-032	220-36-02500Z	NEW-E	87-12-004
196-20-020	AMD	87-13-005	220-20-02000U	REP-E	87-15-015	220-36-02500Z	REP-E	87-12-062
196-20-030	AMD-P	87-08-052	220-20-02000V	NEW-E	87-15-015	220-40-021	AMD-P	87-15-131
196-20-030	AMD	87-13-005	220-20-02000V	REP-E	87-15-060	220-40-02100U	NEW-E	87-15-005
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196-24-050	AMD	87-13-005	220-20-050	NEW-P	87-17-069	220-40-02100V	NEW-E	87-17-007
196-24-070	REP-P	87-08-052	220-20-055	NEW-P	87-13-010	220-40-02100V	REP-E	87-17-029
196-24-070	REP	87-13-005	220-20-055	NEW-P	87-17-069	220-40-02100W	NEW-E	87-17-029
196-24-085	AMD-P	87-08-052	220-22-030	AMD-P	87-09-082	220-40-022	AMD-P	87-15-131
196-24-085	AMD	87-13-005	220-22-030	AMD-C	87-12-086	220-40-024	AMD-P	87-15-131
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196-24-105	NEW	87-13-005	220-24-02000T	NEW-E	87-11-006	220-44-05000D	REP-E	87-09-030
196-24-110	NEW-P	87-08-052	220-24-02000T	REP-E	87-11-023	220-44-05000E	NEW-E	87-09-030
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196-26-010	REP-P	87-07-046	220-24-02000U	REP-E	87-15-060	220-44-05000F	NEW-E	87-09-083
196-26-010	REP-P	87-13-057	220-24-02000U	NEW-E	87-15-060	220-44-05000F	REP-E	87-15-096
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196-26-010	REP	87-18-031	220-24-02000V	NEW-E	87-15-097	220-44-060	REP	87-04-003
196-26-020	NEW-P	87-07-046	220-24-02000W	REP-E	87-16-017	220-44-070	REP	87-04-003
196-26-020	NEW-P	87-13-057	220-24-02000W	REP-E	87-16-017	220-44-09000A	NEW-E	87-14-048
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196-26-020	NEW	87-18-031	220-24-02000Y	NEW-E	87-16-049	220-47-301	AMD-P	87-09-082
196-27-020	AMD-P	87-08-052	220-24-02000Y	REP-E	87-17-005	220-47-301	AMD-C	87-12-086
196-27-020	AMD	87-13-005	220-24-02000Z	NEW-E	87-17-005	220-47-301	AMD	87-15-059
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204-08-010	AMD	87-16-032	220-24-02000A	NEW-E	87-18-045	220-47-311	AMD-C	87-12-086
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204-65-010	NEW	87-04-065	220-28-625	NEW-E	87-03-008	220-47-312	AMD-P	87-09-082
204-65-020	NEW	87-04-065	220-28-625	REP-E	87-05-002	220-47-312	AMD-C	87-12-086
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204-65-040	NEW	87-04-065	220-32-02000C	NEW-E	87-14-005	220-47-313	AMD-P	87-09-082
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220-47-401	AMD-C	87-12-086	220-52-060	AMD-P	87-17-070	220-56-32000A	NEW-E	87-08-048
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220-47-402	AMD-C	87-12-086	220-52-069	AMD-P	87-12-063	220-56-32500J	NEW-E	87-11-031
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220-47-403	AMD-C	87-12-086	220-52-071	AMD	87-15-022	220-56-35000C	NEW-E	87-08-048
220-47-403	AMD	87-15-059	220-52-071	AMD-P	87-17-070	220-56-35000D	NEW-E	87-12-030
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220-47-411	AMD-C	87-12-086	220-52-07100B	REP-E	87-09-025	220-56-360	AMD	87-09-066
220-47-411	AMD	87-15-059	220-52-07100C	NEW-E	87-09-025	220-56-36000N	NEW-E	87-06-034
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220-47-412	AMD-C	87-12-086	220-52-07200A	NEW-E	87-04-004	220-56-372	AMD	87-09-066
220-47-412	AMD	87-15-059	220-52-073	AMD-P	87-12-063	220-56-37200A	NEW-E	87-08-048
220-47-413	AMD-P	87-09-082	220-52-073	AMD	87-15-022	220-56-380	AMD-P	87-03-056
220-47-413	AMD-C	87-12-086	220-52-073	AMD-P	87-17-070	220-56-380	AMD	87-09-066
220-47-413	AMD	87-15-059	220-52-074	REP-P	87-17-070	220-57-130	AMD-P	87-03-056
220-47-414	AMD-P	87-09-082	220-52-075	AMD-P	87-12-063	220-57-130	AMD	87-09-066
220-47-414	AMD-C	87-12-086	220-52-075	AMD	87-15-022	220-57-13000K	NEW-E	87-15-061
220-47-414	AMD	87-15-059	220-52-35000B	NEW-E	87-08-047	220-57-13000K	REP-E	87-18-043
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220-47-50101	REP-C	87-12-086	220-55-025	AMD	87-09-066	220-57-135	AMD-P	87-03-056
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220-47-50201	REP-P	87-09-082	220-55-065	AMD-P	87-03-056	220-57-13500I	NEW-E	87-15-061
220-47-50201	REP-C	87-12-086	220-55-065	AMD	87-09-066	220-57-13500I	REP-E	87-18-043
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220-47-503	REP-C	87-12-086	220-56-11500E	NEW-E	87-08-048	220-57-155	AMD-P	87-03-056
220-47-503	REP	87-15-059	220-56-120	AMD-P	87-03-056	220-57-155	AMD	87-09-066
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220-47-800	REP-E	87-16-056	220-56-180	AMD-P	87-03-056	220-57-160	AMD	87-09-066
220-47-801	NEW-E	87-16-056	220-56-180	AMD-C	87-08-005	220-57-16000F	NEW-E	87-07-011
220-47-801	REP-E	87-17-010	220-56-180	AMD	87-08-006	220-57-16000G	NEW-E	87-17-028
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220-47-804	REP-E	87-18-044	220-56-19000G	NEW-E	87-11-021	220-57-175	AMD	87-09-066
220-47-805	NEW-E	87-18-044	220-56-19000G	REP-E	87-14-003	220-57-20000C	NEW-E	87-18-043
220-47-805	REP-E	87-18-058	220-56-19000H	NEW-E	87-14-003	220-57-215	AMD-P	87-03-056
220-47-806	NEW-E	87-18-058	220-56-19000H	REP-E	87-15-006	220-57-215	AMD	87-09-066
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220-48-01500Y	NEW-E	87-07-007	220-56-19000K	REP-E	87-15-047	220-57-240	AMD	87-09-066
220-48-01500Y	REP-E	87-08-010	220-56-19000L	NEW-E	87-15-047	220-57-24200B	NEW-E	87-13-011
220-48-01500Z	NEW-E	87-08-010	220-56-19000L	REP-E	87-15-075	220-57-250	AMD-P	87-03-056
220-48-017	AMD	87-04-003	220-56-19000M	NEW-E	87-15-075	220-57-250	AMD	87-09-066
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220-48-026	AMD	87-04-003	220-56-19000N	NEW-E	87-16-005	220-57-270	AMD	87-09-066
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220-48-046	REP	87-04-003	220-56-19000P	REP-E	87-16-055	220-57-280	AMD	87-09-066
220-48-056	REP	87-04-003	220-56-19000Q	NEW-E	87-16-055	220-57-290	AMD-P	87-03-056
220-48-06200B	NEW-E	87-09-050	220-56-19000Q	REP-E	87-17-006	220-57-290	AMD	87-09-066
220-49-02000A	NEW-E	87-09-055	220-56-19000R	NEW-E	87-17-006	220-57-29000I	NEW-E	87-10-016
220-49-02000A	REP-E	87-10-004	220-56-19000R	REP-E	87-17-072	220-57-300	AMD-P	87-03-056
220-49-02000U	NEW-E	87-10-004	220-56-19000S	NEW-E	87-17-072	220-57-300	AMD	87-09-066
220-49-02000U	REP-E	87-11-002	220-56-195	AMD-P	87-03-056	220-57-310	AMD-P	87-03-056
220-49-02000V	NEW-E	87-11-002	220-56-195	AMD	87-09-066	220-57-310	AMD	87-09-066
220-49-02000V	REP-E	87-13-028	220-56-19500F	NEW-E	87-15-058	220-57-31000F	NEW-E	87-08-048
220-49-02000W	NEW-E	87-13-028	220-56-19500G	NEW-E	87-17-071	220-57-315	AMD-P	87-03-056
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220-57-38500M	NEW-E	87-15-061	220-110-110	AMD-P	87-08-062
220-57-38500M	REP-E	87-18-043	220-110-110	AMD	87-15-086
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220-57-410	AMD-P	87-03-056	220-110-120	AMD	87-15-086
220-57-410	AMD	87-09-066	220-110-140	AMD-P	87-08-062
220-57-415	AMD-P	87-03-056	220-110-140	AMD	87-15-086
220-57-415	AMD	87-09-066	220-110-190	AMD-P	87-08-062
220-57-42500J	NEW-E	87-14-003	220-110-190	AMD	87-15-086
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220-57-42500K	NEW-E	87-18-059	220-110-200	AMD	87-15-086
220-57-445	AMD-P	87-03-056	220-110-210	AMD-P	87-08-062
220-57-445	AMD	87-09-066	220-110-210	AMD	87-15-086
220-57-45000F	NEW-E	87-17-071	220-110-220	AMD-P	87-08-062
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220-57-460	AMD	87-09-066	220-110-320	AMD-P	87-08-062
220-57-46000Q	NEW-E	87-13-006	220-110-320	AMD	87-15-086
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220-57-46000R	REP-E	87-14-033	220-110-350	AMD-P	87-08-062
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220-57-46000T	NEW-E	87-18-043	222-08-035	NEW-P	87-10-018
220-57-473	AMD-P	87-03-056	222-08-040	AMD-P	87-10-018
220-57-473	AMD	87-09-066	222-12-030	AMD-P	87-10-018
220-57-495	AMD-P	87-03-056	222-12-040	AMD-P	87-10-018
220-57-495	AMD	87-09-066	222-12-045	NEW-P	87-10-018
220-57-49500E	NEW-E	87-08-048	222-12-090	AMD-P	87-10-018
220-57-505	AMD-P	87-03-056	222-16-010	AMD-P	87-10-018
220-57-505	AMD	87-09-066	222-16-030	AMD-P	87-10-018
220-57-50500L	NEW-E	87-08-048	222-16-040	REP-P	87-10-018
220-57-50500M	NEW-E	87-09-024	222-16-050	AMD-P	87-10-018
220-57-510	AMD-P	87-03-056	222-20-010	AMD-P	87-10-018
220-57-510	AMD	87-09-066	222-20-020	AMD-P	87-10-018
220-57-51500B	NEW-E	87-09-024	222-20-040	AMD-P	87-10-018
220-57-520	AMD-P	87-03-056	222-20-060	AMD-P	87-10-018
220-57-520	AMD	87-09-066	222-20-090	AMD-P	87-10-018
220-57-525	AMD-P	87-03-056	222-20-100	AMD-P	87-10-018
220-57-525	AMD	87-09-066	222-20-120	NEW-P	87-10-018
220-57A-175	AMD-P	87-03-056	222-24-010	AMD-P	87-10-018
220-57A-175	AMD	87-09-066	222-24-020	AMD-P	87-10-018
220-57A-180	AMD-P	87-03-056	222-24-025	AMD-P	87-10-018
220-57A-180	AMD	87-09-066	222-24-030	AMD-P	87-10-018
220-76-030	REP-P	87-04-071	222-24-035	AMD-P	87-10-018
220-77-010	NEW-P	87-04-071	222-24-040	AMD-P	87-10-018
220-77-010	NEW	87-08-033	222-24-050	AMD-P	87-10-018
220-77-020	NEW-P	87-04-071	222-24-060	AMD-P	87-10-018
220-77-020	NEW	87-08-033	222-30-020	AMD-P	87-10-018
220-77-030	NEW-P	87-04-071	222-30-030	AMD-P	87-10-018
220-77-030	NEW	87-08-033	222-30-040	AMD-P	87-10-018
220-77-040	NEW-P	87-04-071	222-30-050	AMD-P	87-10-018
220-77-040	NEW	87-08-033	222-30-060	AMD-P	87-10-018
220-77-050	NEW-P	87-04-071	222-30-070	AMD-P	87-10-018
220-77-050	NEW	87-08-033	222-30-090	AMD-P	87-10-018
220-77-060	NEW-P	87-04-071	222-30-100	AMD-P	87-10-018
220-77-060	NEW	87-08-033	222-34-010	AMD-P	87-10-018
220-77-070	NEW-P	87-04-071	222-34-020	AMD-P	87-10-018
220-77-070	NEW	87-08-033	222-34-030	AMD-P	87-10-018
220-87-010	NEW	87-04-003	222-34-040	AMD-P	87-10-018
220-87-020	NEW	87-04-003	222-38-020	AMD-P	87-10-018
220-110-010	AMD-P	87-08-062	230-02-240	NEW-P	87-06-013
220-110-010	AMD	87-15-086	230-02-245	NEW-P	87-06-013
220-110-020	AMD-P	87-08-062	230-02-350	AMD-P	87-03-024
220-110-020	AMD	87-15-086	230-02-350	AMD	87-07-038
220-110-030	AMD-P	87-08-062	230-04-020	AMD-P	87-06-008
220-110-030	AMD	87-15-086	230-04-020	AMD	87-09-043
220-110-040	AMD-P	87-08-062	230-04-020	AMD	87-10-017
220-110-040	AMD	87-15-086	230-04-020	AMD-P	87-15-050
220-110-050	AMD-P	87-08-062	230-04-020	AMD-E	87-15-053
220-110-050	AMD	87-15-086	230-04-123	AMD-P	87-06-008
220-110-060	AMD-P	87-08-062	230-04-123	AMD	87-09-043
220-110-060	AMD	87-15-086	230-04-140	AMD-P	87-06-008
220-110-080	AMD-P	87-08-062	230-04-140	AMD	87-09-043
220-110-080	AMD	87-15-086	230-04-145	AMD-P	87-03-024
220-110-090	AMD-P	87-08-062	230-04-145	AMD-P	87-06-008
230-04-145	AMD	87-07-038	230-04-145	AMD	87-09-043
230-04-145	AMD	87-09-043	230-04-145	AMD-P	87-11-016
230-04-145	AMD-P	87-15-052	230-04-145	AMD	87-15-052
230-04-190	AMD-P	87-15-050	230-04-190	AMD-P	87-15-050
230-04-190	AMD-E	87-15-053	230-04-190	AMD-E	87-15-053
230-04-201	AMD-P	87-03-024	230-04-201	AMD-P	87-03-024
230-04-201	AMD-C	87-07-037	230-04-201	AMD-C	87-07-037
230-04-201	AMD-P	87-15-050	230-04-201	AMD-P	87-15-050
230-04-201	AMD-E	87-15-053	230-04-201	AMD-E	87-15-053
230-04-900	REP-P	87-15-050	230-04-900	REP-P	87-15-050
230-08-010	AMD-P	87-13-047	230-08-010	AMD-P	87-13-047
230-08-010	AMD	87-17-052	230-08-010	AMD	87-17-052
230-08-170	AMD-P	87-11-011	230-08-170	AMD-P	87-11-011
230-08-170	AMD-P	87-13-047	230-08-170	AMD-P	87-13-047
230-08-170	AMD	87-17-052	230-08-170	AMD	87-17-052
230-12-200	AMD-P	87-15-050	230-12-200	AMD-P	87-15-050
230-12-305	NEW-P	87-06-008	230-12-305	NEW-P	87-06-008
230-12-305	NEW	87-09-043	230-12-305	NEW	87-09-043
230-20-064	AMD-P	87-03-024	230-20-064	AMD-P	87-03-024
230-20-064	AMD-C	87-07-037	230-20-064	AMD-C	87-07-037
230-20-064	AMD-P	87-09-041	230-20-064	AMD-P	87-09-041
230-20-064	AMD-E	87-09-042	230-20-064	AMD-E	87-09-042
230-20-064	AMD	87-13-045	230-20-064	AMD	87-13-045
230-20-380	AMD-P	87-03-024	230-20-380	AMD-P	87-03-024
230-20-380	AMD	87-07-038	230-20-380	AMD	87-07-038
230-20-380	AMD-P	87-11-011	230-20-380	AMD-P	87-11-011
230-20-380	AMD-C	87-15-051	230-20-380	AMD-C	87-15-051
230-30-050	AMD-P	87-11-011	230-30-050	AMD-P	87-11-011
230-30-050	AMD-P	87-13-047	230-30-050	AMD-P	87-13-047
230-30-060	AMD	87-03-023	230-30-060	AMD	87-03-023
230-30-070	AMD	87-03-023	230-30-070	AMD	87-03-023
230-30-070	AMD-P	87-11-011	230-30-070	AMD-P	87-11-011
230-30-070	AMD-P	87-13-047	230-30-070	AMD-P	87-13-047
230-30-070	AMD	87-17-052	230-30-070	AMD	87-17-052
230-30-075	AMD-P	87-11-011	230-30-075	AMD-P	87-11-011
230-30-075	AMD-P	87-13-047	230-30-075	AMD-P	87-13-047
230-30-075	AMD-C	87-17-053	230-30-075	AMD-C	87-17-053
230-30-103	AMD-P	87-11-011	230-30-103	AMD-P	87-11-011
230-30-103	AMD	87-15-052	230-30-103	AMD	87-15-052
230-30-106	AMD-P	87-11-011	230-30-106	AMD-P	87-11-011
230-30-106	AMD-P	87-11-017	230-30-106	AMD-P	87-11-017
230-30-999	REP-P	87-11-011	230-30-106	AMD-C	87-15-051
230-40-401	NEW-P	87-15-052	230-30-999	REP-P	87-11-011
230-40-401	NEW-C	87-13-046	230-40-401	REP	87-15-052
230-40-401	NEW-C	87-17-053	230-40-401	NEW-P	87-13-046
232-12-024	AMD-P	87-08-066	232-12-024	NEW-P	87-11-011
232-12-024	AMD-W	87-12-072	232-12-024	AMD-P	87-15-052
232-12-067	NEW-P	87-14-083	232-12-024	AMD-P	87-08-066
232-12-067	NEW	87-18-017	232-12-067	NEW-P	87-12-072
232-12-131	AMD-P	87-08-067	232-12-067	NEW	87-14-083
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232-12-136	NEW-P	87-08-068	232-12-131	AMD-P	87-08-067
232-12-136	NEW-W	87-12-073	232-12-136	AMD	87-12-034
232-12-141	AMD-P	87-12-074	232-12-136	NEW-P	87-08-068
232-12-141	AMD	87-15-082	232-12-141	AMD-P	87-12-073
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232-12-181	AMD-P	87-12-075	232-12-169	NEW-P	87-05-030
232-12-181	AMD-W	87-15-080	232-12-181	NEW	87-09-026
232-12-181	NEW-P	87-18-075	232-12-181	AMD-P	87-12-075
232-12-274	REP-P	87-14-081	232-12-181	AMD-W	87-15-080
232-12-275	NEW-P	87-14-084	232-12-274	NEW-P	87-18-075
232-12-275	NEW-W	87-17-032	232-12-275	REP-P	87-14-081
232-12-276	NEW-P	87-14-081	232-12-275	NEW-P	87-14-084
232-12-276	NEW-W	87-17-031	232-12-276	NEW-W	87-17-032
232-14-010	AMD-P	87-08-070	232-12-276	NEW-P	87-14-081
232-14-010	AMD	87-15-085	232-14-010	NEW-W	87-17-031
232-28-109	REP-P	87-12-076	232-14-010	AMD-P	87-08-070
232-28-109	REP	87-15-083	232-28-109	AMD	87-15-085
232-28-110	NEW-P	87-12-076	232-28-109	REP-P	87-12-076
232-28-212	NEW	87-15-083	232-28-109	REP	87-15-083
232-28-212	REP-P	87-08-069	232-28-110	NEW-P	87-12-076
232-28-212	REP	87-14-031	232-28-212	NEW	87-15-083
232-28-213	NEW-P	87-08-069	232-28-212	REP-P	87-08-069
			232-28-212	REP	87-14-031
			232-28-213	NEW-P	87-08-069

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232-28-21301	NEW-E	87-17-033	248-97-140	NEW-P	87-12-088	248-100-115	REP-P	87-07-039
232-28-21301	NEW-P	87-18-077	248-97-150	NEW-P	87-12-088	248-100-115	REP	87-11-047
232-28-21302	NEW-E	87-17-034	248-97-160	NEW-P	87-12-088	248-100-120	REP-P	87-07-039
232-28-214	NEW-P	87-12-077	248-97-170	NEW-P	87-12-088	248-100-120	REP	87-11-047
232-28-214	NEW-E	87-13-050	248-97-180	NEW-P	87-12-088	248-100-125	REP-P	87-07-039
232-28-214	NEW	87-15-081	248-100-001	REP-P	87-07-039	248-100-125	REP	87-11-047
232-28-215	NEW-P	87-12-078	248-100-001	REP	87-11-047	248-100-130	REP-P	87-07-039
232-28-215	NEW-W	87-14-079	248-100-002	REP-P	87-07-039	248-100-130	REP	87-11-047
232-28-215	NEW-P	87-14-080	248-100-002	REP	87-11-047	248-100-135	REP-P	87-07-039
232-28-216	NEW-P	87-18-076	248-100-003	REP-P	87-07-039	248-100-135	REP	87-11-047
232-28-410	REP-P	87-14-082	248-100-003	REP	87-11-047	248-100-140	REP-P	87-07-039
232-28-410	REP	87-18-024	248-100-006	NEW-P	87-07-039	248-100-140	REP	87-11-047
232-28-411	NEW-P	87-14-082	248-100-006	NEW	87-11-047	248-100-145	REP-P	87-07-039
232-28-411	NEW	87-18-024	248-100-010	REP-P	87-07-039	248-100-145	REP	87-11-047
232-28-509	REP-P	87-12-079	248-100-010	REP	87-11-047	248-100-150	REP-P	87-07-039
232-28-509	REP	87-18-016	248-100-011	NEW-P	87-07-039	248-100-150	REP	87-11-047
232-28-510	NEW-P	87-12-079	248-100-011	NEW	87-11-047	248-100-155	REP-P	87-07-039
232-28-510	NEW	87-18-016	248-100-015	REP-P	87-07-039	248-100-155	REP	87-11-047
232-28-61519	NEW-E	87-03-042	248-100-015	REP	87-11-047	248-100-160	REP-P	87-07-039
232-28-616	REP-P	87-18-078	248-100-016	NEW-P	87-07-039	248-100-160	REP	87-11-047
232-28-617	NEW-P	87-18-078	248-100-016	NEW	87-11-047	248-100-170	REP-P	87-07-039
232-28-61601	NEW-E	87-02-046	248-100-020	REP-P	87-07-039	248-100-170	REP	87-11-047
232-28-61602	NEW-E	87-06-028	248-100-020	REP	87-11-047	248-100-180	REP-P	87-07-039
232-28-61603	NEW-E	87-08-039	248-100-021	NEW-P	87-07-039	248-100-180	REP	87-11-047
232-28-61604	NEW-E	87-13-049	248-100-021	NEW	87-11-047	248-100-195	REP-P	87-07-039
232-28-61605	NEW-E	87-16-062	248-100-025	AMD-P	87-07-039	248-100-195	REP	87-11-047
232-28-61606	NEW-E	87-18-049	248-100-025	AMD	87-11-047	248-100-200	REP-P	87-07-039
232-28-61607	NEW-E	87-18-048	248-100-030	REP-P	87-07-039	248-100-200	REP	87-11-047
232-28-61608	NEW-E	87-17-014	248-100-030	REP	87-11-047	248-100-205	REP-P	87-07-039
232-28-61609	NEW-E	87-18-018	248-100-031	NEW-P	87-07-039	248-100-205	REP	87-11-047
232-28-61610	NEW-P	87-18-078	248-100-031	NEW	87-11-047	248-100-206	NEW-P	87-07-039
232-28-708	REP	87-06-027	248-100-035	REP-P	87-07-039	248-100-206	NEW	87-11-047
232-28-709	NEW	87-06-027	248-100-035	REP	87-11-047	248-100-210	REP-P	87-07-039
232-28-70901	NEW-E	87-06-029	248-100-040	REP-P	87-07-039	248-100-210	REP	87-11-047
232-28-808	REP-P	87-05-031	248-100-040	REP	87-11-047	248-100-211	NEW-P	87-07-039
232-28-808	REP	87-12-080	248-100-041	NEW-P	87-07-039	248-100-211	NEW	87-11-047
232-28-809	NEW-P	87-05-031	248-100-041	NEW	87-11-047	248-100-215	REP-P	87-07-039
232-28-809	NEW	87-12-080	248-100-045	REP-P	87-07-039	248-100-215	REP	87-11-047
240-10-030	AMD-P	87-13-052	248-100-045	REP	87-11-047	248-100-216	NEW-P	87-07-039
240-10-030	AMD	87-18-003	248-100-046	NEW-P	87-07-039	248-100-216	NEW	87-11-047
240-10-040	AMD-P	87-13-052	248-100-046	NEW	87-11-047	248-100-220	REP-P	87-07-039
240-10-040	AMD	87-18-003	248-100-050	AMD-P	87-07-039	248-100-220	REP	87-11-047
240-10-057	NEW-P	87-13-052	248-100-050	AMD	87-11-047	248-100-221	NEW-P	87-07-039
240-10-057	NEW	87-18-003	248-100-055	REP-P	87-07-039	248-100-221	NEW	87-11-047
248-14-080	AMD	87-03-018	248-100-055	REP	87-11-047	248-100-225	REP-P	87-07-039
248-14-090	AMD	87-03-018	248-100-060	REP-P	87-07-039	248-100-225	REP	87-11-047
248-15-020	AMD-P	87-16-085	248-100-060	REP	87-11-047	248-100-226	NEW-P	87-07-039
248-15-025	NEW-P	87-16-085	248-100-065	REP-P	87-07-039	248-100-226	NEW	87-11-047
248-18-031	AMD	87-03-020	248-100-065	REP	87-11-047	248-100-230	REP-P	87-07-039
248-18-312	NEW	87-03-030	248-100-070	REP-P	87-07-039	248-100-230	REP	87-11-047
248-18-320	REP	87-03-030	248-100-070	REP	87-11-047	248-100-231	NEW-P	87-07-039
248-18-321	NEW	87-03-030	248-100-071	NEW-P	87-07-039	248-100-231	NEW	87-11-047
248-18-662	NEW	87-03-030	248-100-071	NEW	87-11-047	248-100-235	REP-P	87-07-039
248-18-663	NEW	87-03-030	248-100-075	REP-P	87-07-039	248-100-235	REP	87-11-047
248-18-99902	AMD	87-04-061	248-100-075	REP	87-11-047	248-100-236	NEW-P	87-07-039
248-19-230	AMD-P	87-06-048	248-100-076	NEW-P	87-07-039	248-100-236	NEW	87-11-047
248-19-230	AMD	87-10-023	248-100-076	NEW	87-11-047	248-100-240	REP-P	87-07-039
248-19-270	AMD-P	87-06-048	248-100-080	REP-P	87-07-039	248-100-240	REP	87-11-047
248-19-270	AMD	87-10-023	248-100-080	REP	87-11-047	248-100-241	NEW-P	87-07-039
248-19-327	AMD-P	87-06-048	248-100-081	NEW-P	87-07-039	248-100-241	NEW	87-11-047
248-19-327	AMD	87-10-023	248-100-081	NEW	87-11-047	248-100-246	REP-P	87-07-039
248-19-328	NEW-P	87-06-048	248-100-085	REP-P	87-07-039	248-100-246	REP	87-11-047
248-19-328	NEW	87-10-023	248-100-085	REP	87-11-047	248-100-249	REP-P	87-07-039
248-86-010	AMD-P	87-16-087	248-100-086	NEW-P	87-07-039	248-100-249	REP	87-11-047
248-97-010	NEW-P	87-12-088	248-100-086	NEW	87-11-047	248-100-250	REP-P	87-07-039
248-97-020	NEW-P	87-12-088	248-100-090	REP-P	87-07-039	248-100-250	REP	87-11-047
248-97-030	NEW-P	87-12-088	248-100-090	REP	87-11-047	248-100-255	REP-P	87-07-039
248-97-040	NEW-P	87-12-088	248-100-091	NEW-P	87-07-039	248-100-255	REP	87-11-047
248-97-050	NEW-P	87-12-088	248-100-091	NEW	87-11-047	248-100-260	REP-P	87-07-039
248-97-060	NEW-P	87-12-088	248-100-095	REP-P	87-07-039	248-100-260	REP	87-11-047
248-97-070	NEW-P	87-12-088	248-100-095	REP	87-11-047	248-100-265	REP-P	87-07-039
248-97-080	NEW-P	87-12-088	248-100-100	REP-P	87-07-039	248-100-265	REP	87-11-047
248-97-090	NEW-P	87-12-088	248-100-100	REP	87-11-047	248-100-270	REP-P	87-07-039
248-97-100	NEW-P	87-12-088	248-100-105	REP-P	87-07-039	248-100-270	REP	87-11-047
248-97-110	NEW-P	87-12-088	248-100-105	REP	87-11-047	248-100-275	REP-P	87-07-039
248-97-120	NEW-P	87-12-088	248-100-110	REP-P	87-07-039	248-100-275	REP	87-11-047

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250-44-120	AMD-P	87-12-066	251-10-108	NEW-P	87-02-054	260-70-025	AMD-P	87-08-029
250-44-120	AMD	87-16-061	251-10-108	NEW-P	87-04-057	260-70-025	AMD-W	87-09-076
250-44-130	AMD-P	87-12-066	251-10-108	NEW-P	87-06-054	260-70-025	AMD-P	87-09-077
250-44-130	AMD	87-16-061	251-10-108	NEW	87-08-056	260-70-025	AMD	87-15-020
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296-17-57601	AMD-P 87-07-047	296-18A-470	AMD-P 87-05-060	296-22-022	AMD-P 87-11-050
296-17-57601	AMD 87-12-032	296-18A-470	AMD-W 87-12-031	296-22-022	AMD-E 87-12-044
296-17-57602	AMD-P 87-07-047	296-18A-480	AMD-P 87-02-057	296-22-022	AMD 87-16-004
296-17-57602	AMD 87-12-032	296-18A-480	AMD 87-08-004	296-22-023	AMD-P 87-11-050
296-17-578	AMD-P 87-07-047	296-18A-490	AMD-P 87-05-057	296-22-023	AMD-E 87-12-044
296-17-578	AMD 87-12-032	296-18A-490	AMD-E 87-08-044	296-22-023	AMD 87-16-004
296-17-579	AMD-P 87-07-047	296-18A-490	AMD 87-10-072	296-22-024	AMD-P 87-11-050
296-17-579	AMD 87-12-032	296-18A-510	AMD-P 87-05-059	296-22-024	AMD-E 87-12-044
296-17-600	AMD-P 87-07-047	296-18A-510	AMD 87-10-073	296-22-024	AMD 87-16-004
296-17-600	AMD 87-12-032	296-20-010	AMD-P 87-18-071	296-22-025	AMD-P 87-11-050
296-17-603	AMD-P 87-07-047	296-20-01002	AMD-P 87-18-071	296-22-025	AMD-E 87-12-044
296-17-603	AMD 87-12-032	296-20-022	NEW 87-03-004	296-22-025	AMD 87-16-004
296-17-612	AMD-P 87-07-047	296-20-022	AMD-P 87-18-071	296-22-031	AMD-P 87-11-050
296-17-612	AMD 87-12-032	296-20-024	NEW-P 87-18-071	296-22-031	AMD-E 87-12-044
296-17-615	AMD-P 87-07-047	296-20-03001	AMD-P 87-18-071	296-22-031	AMD 87-16-004
296-17-615	AMD 87-12-032	296-20-035	AMD-P 87-02-057	296-22-036	AMD-P 87-11-050
296-17-619	AMD-P 87-07-047	296-20-035	AMD 87-08-004	296-22-036	AMD-E 87-12-044
296-17-619	AMD 87-12-032	296-20-075	AMD-P 87-18-071	296-22-036	AMD 87-16-004
296-17-620	AMD-P 87-07-047	296-20-1102	AMD-P 87-18-072	296-22-038	AMD-P 87-11-050
296-17-620	AMD 87-12-032	296-20-12050	NEW-P 87-18-071	296-22-038	AMD-E 87-12-044
296-17-622	AMD-P 87-07-047	296-20-125	AMD-P 87-11-050	296-22-038	AMD 87-16-004
296-17-622	AMD 87-12-032	296-20-125	AMD-E 87-12-044	296-22-039	AMD-P 87-11-050
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296-17-643	AMD 87-12-032	296-20-135	AMD 87-03-004	296-22-039	AMD 87-16-004
296-17-649	AMD-P 87-07-047	296-20-140	AMD 87-03-004	296-22-042	AMD-P 87-11-050
296-17-649	AMD 87-12-032	296-20-145	AMD 87-03-004	296-22-042	AMD-E 87-12-044
296-17-655	AMD-P 87-07-047	296-20-150	AMD 87-03-004	296-22-042	AMD 87-16-004
296-17-655	AMD 87-12-032	296-20-155	AMD 87-03-004	296-22-051	AMD-P 87-11-050
296-17-680	AMD-P 87-07-047	296-21-011	AMD-E 87-02-042	296-22-051	AMD-E 87-12-044
296-17-680	AMD 87-12-032	296-21-011	AMD 87-03-005	296-22-051	AMD 87-16-004
296-17-681	AMD-P 87-07-047	296-21-013	AMD-P 87-11-050	296-22-053	AMD-P 87-11-050
296-17-681	AMD 87-12-032	296-21-013	AMD-E 87-11-051	296-22-053	AMD-E 87-12-044
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296-17-689	AMD-P 87-07-047	296-21-013	AMD-E 87-16-007	296-22-061	AMD-E 87-12-044
296-17-689	AMD 87-12-032	296-21-013	AMD-P 87-18-071	296-22-061	AMD 87-16-004
296-17-691	AMD-P 87-07-047	296-21-015	AMD-P 87-11-050	296-22-063	AMD-P 87-11-050
296-17-691	AMD 87-12-032	296-21-015	AMD-E 87-12-044	296-22-063	AMD-E 87-12-044
296-17-692	AMD-P 87-07-047	296-21-015	AMD 87-16-004	296-22-063	AMD 87-16-004
296-17-692	AMD 87-12-032	296-21-025	AMD-P 87-11-050	296-22-067	AMD-P 87-11-050
296-17-695	AMD-P 87-07-047	296-21-025	AMD-E 87-12-044	296-22-067	AMD-E 87-12-044
296-17-695	AMD 87-12-032	296-21-025	AMD 87-16-004	296-22-067	AMD 87-16-004
296-17-704	AMD-P 87-07-047	296-21-026	AMD-P 87-11-050	296-22-071	AMD-P 87-11-050
296-17-704	AMD 87-12-032	296-21-026	AMD-E 87-12-044	296-22-071	AMD-E 87-12-044
296-17-724	AMD-P 87-07-047	296-21-026	AMD 87-16-004	296-22-071	AMD 87-16-004
296-17-724	AMD 87-12-032	296-21-027	AMD-P 87-11-050	296-22-073	AMD-P 87-11-050
296-17-758	AMD-P 87-07-047	296-21-027	AMD-E 87-12-044	296-22-073	AMD-E 87-12-044
296-17-758	AMD 87-12-032	296-21-027	AMD 87-16-004	296-22-073	AMD 87-16-004
296-17-759	AMD-P 87-07-047	296-21-030	AMD-P 87-11-050	296-22-079	AMD-P 87-11-050
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296-17-760	AMD-P 87-07-047	296-21-030	AMD 87-16-004	296-22-079	AMD 87-16-004
296-17-760	AMD 87-12-032	296-21-035	AMD-P 87-11-050	296-22-082	AMD-P 87-11-050
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296-23-232	AMD-E	87-12-044	296-23A-190	NEW-P	87-18-071	296-23A-310	NEW	87-03-005
296-23-232	AMD	87-16-004	296-23A-200	NEW-E	87-02-042	296-23A-315	NEW-E	87-02-042
296-23-300	REP-E	87-02-042	296-23A-200	NEW	87-03-005	296-23A-315	NEW	87-03-005
296-23-300	REP	87-03-005	296-23A-205	NEW-E	87-02-042	296-23A-320	NEW-E	87-02-042
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296-23-305	REP	87-03-005	296-23A-215	NEW-E	87-02-042	296-23A-325	AMD-P	87-11-050
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296-23-310	REP	87-03-005	296-23A-220	NEW-E	87-02-042	296-23A-325	AMD	87-16-004
296-23-315	REP-E	87-02-042	296-23A-220	NEW	87-03-005	296-23A-330	NEW-E	87-02-042
296-23-315	REP	87-03-005	296-23A-225	NEW-E	87-02-042	296-23A-330	NEW	87-03-005
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296-23-335	REP	87-03-005	296-23A-235	NEW-E	87-02-042	296-23A-335	AMD-E	87-12-044
296-23-340	REP-E	87-02-042	296-23A-235	NEW	87-03-005	296-23A-335	AMD	87-16-004
296-23-340	REP	87-03-005	296-23A-240	NEW-E	87-02-042	296-23A-340	NEW-E	87-02-042
296-23-356	REP-E	87-02-042	296-23A-240	NEW	87-03-005	296-23A-340	NEW	87-03-005
296-23-356	REP	87-03-005	296-23A-242	NEW-E	87-02-042	296-23A-340	AMD-P	87-11-050
296-23-357	REP-E	87-02-042	296-23A-242	NEW	87-03-005	296-23A-340	AMD-E	87-12-044
296-23-357	REP	87-03-005	296-23A-244	NEW-E	87-02-042	296-23A-340	AMD	87-16-004
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296-23-50014	AMD-P	87-18-072	296-23A-244	AMD-P	87-11-050	296-23A-345	NEW	87-03-005
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296-23-615	AMD-E	87-11-051	296-23A-244	AMD	87-16-004	296-23A-345	AMD-E	87-12-044
296-23-615	AMD	87-16-004	296-23A-246	NEW-E	87-02-042	296-23A-345	AMD	87-16-004
296-23-615	AMD-E	87-16-007	296-23A-246	NEW	87-03-005	296-23A-350	NEW-E	87-02-042
296-23-715	AMD-P	87-11-050	296-23A-246	AMD-P	87-11-050	296-23A-350	NEW	87-03-005
296-23-715	AMD-E	87-12-044	296-23A-246	AMD-E	87-12-044	296-23A-355	NEW-E	87-02-042
296-23-715	AMD	87-16-004	296-23A-246	AMD	87-16-004	296-23A-355	NEW	87-03-005
296-23-720	AMD-P	87-11-050	296-23A-248	NEW-E	87-02-042	296-23A-355	AMD-P	87-11-050
296-23-720	AMD-E	87-12-044	296-23A-248	NEW	87-03-005	296-23A-355	AMD-E	87-12-044
296-23-725	AMD-P	87-02-057	296-23A-250	NEW-E	87-02-042	296-23A-355	AMD	87-16-004
296-23-725	AMD	87-08-004	296-23A-250	NEW	87-03-005	296-23A-360	NEW-E	87-02-042
296-23-811	AMD-P	87-11-050	296-23A-252	NEW-E	87-02-042	296-23A-360	NEW	87-03-005
296-23-811	AMD-E	87-11-051	296-23A-252	NEW	87-03-005	296-23A-360	AMD-P	87-11-050
296-23-811	AMD	87-16-004	296-23A-252	AMD-P	87-11-050	296-23A-360	AMD	87-16-004
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296-23-980	AMD	87-08-004	296-23A-254	NEW-E	87-02-042	296-23A-400	NEW	87-03-005
296-23A-100	NEW-E	87-02-042	296-23A-254	NEW	87-03-005	296-23A-400	NEW-E	87-02-042
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296-23A-100	AMD-P	87-11-050	296-23A-254	AMD-E	87-12-044	296-23A-415	NEW-E	87-02-042
296-23A-100	AMD-E	87-12-044	296-23A-254	AMD	87-16-004	296-23A-415	NEW	87-03-005
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296-23A-105	NEW-E	87-02-042	296-23A-256	NEW	87-03-005	296-23A-420	NEW	87-03-005
296-23A-105	NEW	87-03-005	296-23A-256	AMD-P	87-11-050	296-23A-425	NEW-E	87-02-042
296-23A-105	AMD-P	87-18-071	296-23A-256	AMD-E	87-12-044	296-23A-425	NEW	87-03-005
296-23A-110	NEW-E	87-02-042	296-23A-256	AMD	87-16-004	296-23A-425	AMD-P	87-11-050
296-23A-110	NEW	87-03-005	296-23A-258	NEW-E	87-02-042	296-23A-425	AMD-E	87-11-051
296-23A-115	NEW-E	87-02-042	296-23A-258	NEW	87-03-005	296-23A-425	AMD	87-16-004
296-23A-115	NEW	87-03-005	296-23A-258	AMD-P	87-11-050	296-23A-425	AMD-E	87-16-007
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296-23A-120	NEW	87-03-005	296-23A-258	AMD	87-16-004	296-24-14011	AMD	87-07-022
296-23A-125	NEW-E	87-02-042	296-23A-260	NEW-E	87-02-042	296-27-160	AMD	87-03-011
296-23A-125	NEW	87-03-005	296-23A-260	NEW	87-03-005	296-27-16001	AMD	87-03-011
296-23A-130	NEW-E	87-02-042	296-23A-260	AMD-P	87-11-050	296-27-16002	NEW	87-03-011
296-23A-130	NEW	87-03-005	296-23A-260	AMD-E	87-12-044	296-27-16003	AMD	87-03-011
296-23A-135	NEW-E	87-02-042	296-23A-260	AMD	87-16-004	296-27-16004	NEW	87-03-011
296-23A-135	NEW	87-03-005	296-23A-262	NEW-E	87-02-042	296-27-16005	REP	87-03-011
296-23A-140	NEW-E	87-02-042	296-23A-262	NEW	87-03-005	296-27-16007	AMD	87-03-011
296-23A-140	NEW	87-03-005	296-23A-262	AMD-P	87-11-050	296-27-16009	REP	87-03-011
296-23A-145	NEW-E	87-02-042	296-23A-262	AMD-E	87-12-044	296-27-16011	AMD	87-03-011
296-23A-145	NEW	87-03-005	296-23A-262	AMD	87-16-004	296-27-16013	REP	87-03-011
296-23A-150	NEW-E	87-02-042	296-23A-264	NEW-E	87-02-042	296-27-16015	REP	87-03-011
296-23A-150	NEW	87-03-005	296-23A-264	NEW	87-03-005	296-27-16017	REP	87-03-011
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296-46-140	AMD-P	87-06-047	296-62-07733	NEW-P	87-05-055
296-46-140	AMD	87-10-030	296-62-07733	NEW	87-10-008
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296-46-370	AMD-P	87-06-047	296-65-005	AMD-P	87-05-055
296-46-370	AMD	87-10-030	296-65-005	AMD	87-10-008
296-46-420	AMD-P	87-06-047	296-65-015	AMD-P	87-05-055
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296-46-422	NEW	87-10-030	296-65-020	AMD	87-10-008
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296-46-680	AMD	87-10-030	296-81-008	AMD-P	87-14-077
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296-46-910	AMD	87-10-030	296-104-701	NEW-E	87-07-024
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296-62-07353	AMD	87-07-022	296-150B-125	AMD-P	87-15-031
296-62-07517	AMD-P	87-05-055	296-150B-185	AMD-P	87-15-031
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296-62-07701	NEW	87-10-008	296-150B-513	AMD-P	87-15-031
296-62-07703	NEW-P	87-05-055	296-150B-515	NEW-P	87-15-031
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296-62-07705	NEW-P	87-05-055	296-155-160	AMD	87-10-008
296-62-07705	NEW	87-10-008	296-155-175	NEW-P	87-05-055
296-62-07707	NEW-P	87-05-055	296-155-175	NEW	87-10-008
296-62-07707	NEW	87-10-008	296-155-17505	NEW-P	87-05-055
296-62-07709	NEW-P	87-05-055	296-155-17505	NEW	87-10-008
296-62-07709	NEW	87-10-008	296-155-17510	NEW-P	87-05-055
296-62-07711	NEW-P	87-05-055	296-155-17510	NEW	87-10-008
296-62-07711	NEW	87-10-008	296-155-17515	NEW-P	87-05-055
296-62-07713	NEW-P	87-05-055	296-155-17515	NEW	87-10-008
296-62-07713	NEW	87-10-008	296-155-17520	NEW-P	87-05-055
296-62-07715	NEW-P	87-05-055	296-155-17520	NEW	87-10-008
296-62-07715	NEW	87-10-008	296-155-17525	NEW-P	87-05-055
296-62-07717	NEW-P	87-05-055	296-155-17525	NEW	87-10-008
296-62-07717	NEW	87-10-008	296-155-17530	NEW-P	87-05-055
296-62-07719	NEW-P	87-05-055	296-155-17530	NEW	87-10-008
296-62-07719	NEW	87-10-008	296-155-17532	NEW-P	87-05-055
296-62-07721	NEW-P	87-05-055	296-155-17532	NEW	87-10-008
296-62-07721	NEW	87-10-008	296-155-17535	NEW-P	87-05-055
296-62-07723	NEW-P	87-05-055	296-155-17535	NEW	87-10-008
296-62-07723	NEW	87-10-008	296-155-17540	NEW-P	87-05-055
296-62-07725	NEW-P	87-05-055	296-155-17540	NEW	87-10-008
296-62-07725	NEW	87-10-008	296-155-17545	NEW-P	87-05-055
296-62-07727	NEW-P	87-05-055	296-155-17545	NEW	87-10-008
296-62-07727	NEW	87-10-008	296-155-17550	NEW-P	87-05-055
296-62-07729	NEW-P	87-05-055	296-155-17550	NEW	87-10-008

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296-155-449	NEW-C	87-07-021	308-12-312	REP	87-10-028	308-40-125	AMD-E	87-14-088
296-155-449	NEW-W	87-13-008	308-12-326	NEW-P	87-07-046	308-40-125	AMD	87-18-031
296-155-450	REP-P	87-02-058	308-12-326	NEW	87-10-028	308-41-025	REP-P	87-07-046
296-155-450	REP-C	87-07-021	308-13-150	AMD-E	87-03-031	308-42-040	AMD-P	87-05-061
296-155-450	REP-W	87-13-008	308-13-150	AMD-P	87-07-046	308-42-040	AMD	87-08-065
296-155-452	NEW-P	87-02-058	308-13-150	AMD-P	87-10-024	308-42-075	AMD-P	87-07-046
296-155-452	NEW-C	87-07-021	308-13-150	AMD-E	87-10-026	308-42-075	AMD	87-10-028
296-155-452	NEW-W	87-13-008	308-13-160	NEW-P	87-10-025	308-42-210	NEW-P	87-14-086
296-155-455	REP-P	87-02-058	308-13-160	NEW-E	87-10-027	308-42-210	NEW	87-18-040
296-155-455	REP-C	87-07-021	308-20-040	AMD-E	87-16-019	308-42-220	NEW-P	87-14-086
296-155-455	REP-W	87-13-008	308-20-040	AMD-P	87-17-056	308-42-220	NEW	87-18-040
296-155-456	NEW-P	87-02-058	308-20-060	AMD-E	87-16-019	308-42-230	NEW-P	87-14-086
296-155-456	NEW-C	87-07-021	308-20-060	AMD-P	87-17-056	308-42-230	NEW	87-18-040
296-155-456	NEW-W	87-13-008	308-20-200	REP-P	87-07-046	308-42-240	NEW-P	87-14-086
296-155-459	NEW-P	87-02-058	308-20-200	REP	87-10-028	308-42-240	NEW	87-18-040
296-155-459	NEW-C	87-07-021	308-20-210	NEW-P	87-07-046	308-42-250	NEW-P	87-14-086
296-155-459	NEW-W	87-13-008	308-20-210	NEW	87-10-028	308-42-250	NEW	87-18-040
296-155-462	NEW-P	87-02-058	308-25-065	AMD-P	87-07-046	308-42-260	NEW-P	87-14-086
296-155-462	NEW-C	87-07-021	308-25-065	AMD	87-10-028	308-42-260	NEW	87-18-040
296-155-462	NEW-W	87-13-008	308-26-025	NEW-P	87-13-042	308-42-270	NEW-P	87-14-086
296-155-745	AMD-P	87-02-058	308-26-025	NEW-E	87-15-018	308-42-270	NEW	87-18-040
296-155-745	AMD-C	87-07-021	308-26-040	REP-P	87-07-046	308-42-280	NEW-P	87-14-086
296-155-745	AMD-W	87-13-008	308-26-040	REP	87-10-028	308-42-280	NEW	87-18-040
296-155-775	AMD-P	87-05-055	308-26-045	NEW-P	87-07-046	308-48-075	NEW-P	87-08-051
296-155-775	AMD	87-10-008	308-26-045	NEW	87-10-028	308-48-075	NEW	87-11-063
296-200-340	AMD	87-07-003	308-29-030	AMD-P	87-07-025	308-48-210	NEW-P	87-08-051
296-200-350	AMD	87-07-003	308-29-030	AMD	87-11-064	308-48-210	NEW	87-11-063
296-200-370	AMD	87-07-003	308-29-045	AMD-P	87-10-028	308-48-250	REP-P	87-07-046
296-306-003	NEW-C	87-02-056	308-29-045	AMD	87-10-028	308-48-250	REP	87-10-028
296-306-003	NEW-C	87-05-023	308-29-060	AMD-P	87-07-025	308-48-800	NEW-P	87-07-046
296-306-003	NEW	87-09-079	308-29-060	AMD	87-11-064	308-48-800	NEW	87-10-028
296-306-005	REP-C	87-02-056	308-29-070	AMD-P	87-07-025	308-49-140	AMD-P	87-15-105
296-306-005	REP-C	87-05-023	308-29-070	AMD	87-11-064	308-49-140	AMD	87-18-053
296-306-005	REP	87-09-079	308-29-080	AMD-P	87-07-025	308-49-170	AMD-P	87-15-105
296-306-006	NEW-C	87-02-056	308-29-080	AMD	87-11-064	308-49-170	AMD	87-18-053
296-306-006	NEW-C	87-05-023	308-31-015	AMD	87-04-050	308-49-180	REP-P	87-15-105
296-306-006	NEW	87-09-079	308-31-025	NEW	87-04-050	308-49-180	REP	87-18-053
296-306-009	NEW-C	87-02-056	308-31-025	AMD-P	87-04-054	308-50-010	AMD-P	87-10-066
296-306-009	NEW-C	87-05-023	308-31-025	AMD	87-09-045	308-50-010	AMD	87-14-030
296-306-009	NEW	87-09-079	308-31-055	AMD-P	87-07-046	308-50-020	AMD-P	87-10-066
296-306-012	NEW-C	87-02-056	308-31-055	AMD-P	87-13-057	308-50-020	AMD	87-14-030
296-306-012	NEW-C	87-05-023	308-31-055	AMD-E	87-14-088	308-50-035	NEW-P	87-10-066
296-306-012	NEW	87-09-079	308-31-055	AMD	87-18-031	308-50-035	NEW	87-14-030
296-306-025	AMD-C	87-02-056	308-31-100	AMD	87-04-050	308-50-375	REP-P	87-07-046
296-306-025	AMD-C	87-05-023	308-31-120	AMD	87-04-050	308-50-375	REP-P	87-13-057
296-306-025	AMD	87-09-079	308-31-500	AMD	87-04-050	308-50-375	REP-E	87-14-088
296-306-057	NEW-C	87-02-056	308-31-500	AMD-P	87-04-054	308-50-375	REP	87-18-031
296-306-057	NEW-C	87-05-023	308-31-500	AMD	87-09-045	308-50-440	NEW-P	87-07-046
296-306-057	NEW	87-09-079	308-32-080	AMD-P	87-16-106	308-50-440	NEW-P	87-13-057
296-306-300	NEW-C	87-02-056	308-32-090	REP-P	87-07-046	308-50-440	NEW-E	87-14-088
296-306-300	NEW-C	87-05-023	308-32-100	NEW-P	87-07-046	308-50-440	NEW	87-18-031
296-306-300	NEW	87-09-079	308-33-011	AMD-P	87-11-061	308-51-125	NEW-P	87-18-052
296-306-310	NEW-C	87-02-056	308-33-020	AMD-P	87-11-061	308-51-200	REP-P	87-07-046
296-306-310	NEW-C	87-05-023	308-33-030	AMD-P	87-11-061	308-51-200	REP-P	87-13-057
296-306-310	NEW	87-09-079	308-33-040	REP-P	87-11-061	308-51-200	REP-E	87-14-088
296-306-320	NEW-C	87-02-056	308-33-050	REP-P	87-11-061	308-51-200	REP	87-18-031
296-306-320	NEW-C	87-05-023	308-33-060	AMD-P	87-11-061	308-51-210	NEW-P	87-07-046
296-306-320	NEW	87-09-079	308-33-080	AMD-P	87-11-061	308-51-210	NEW-P	87-13-057
300-12-010	AMD-P	87-16-100	308-33-095	AMD-P	87-11-061	308-51-210	NEW-E	87-14-088
300-12-015	AMD-P	87-16-100	308-33-105	AMD-P	87-07-046	308-51-210	NEW	87-18-031
300-12-020	AMD-P	87-16-100	308-33-105	AMD	87-10-028	308-52-139	AMD-P	87-13-054
304-12-030	NEW-P	87-16-099	308-34-080	AMD-P	87-16-106	308-52-140	AMD-P	87-13-054
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304-12-140	AMD	87-07-029	308-34-090	NEW-E	87-14-088	308-52-148	NEW-P	87-13-054
308-04-020	NEW-P	87-13-041	308-34-090	NEW	87-18-031	308-52-315	REP-P	87-07-046
308-04-020	NEW-W	87-14-085	308-37-190	AMD-P	87-07-045	308-52-315	REP	87-10-028
308-04-020	NEW-P	87-18-064	308-37-190	AMD-W	87-09-095	308-52-590	NEW-P	87-07-046
308-11-030	AMD-P	87-07-046	308-37-190	AMD-P	87-09-096	308-52-590	NEW	87-10-028
308-11-030	AMD	87-10-028	308-37-190	AMD-W	87-11-026	308-52-590	AMD-P	87-16-107
308-11-100	AMD-P	87-16-106	308-37-190	REP-P	87-18-063	308-53-020	AMD-P	87-07-046
308-12-083	NEW-P	87-14-016	308-40-102	AMD-P	87-06-051	308-53-020	AMD	87-10-028
308-12-085	AMD-P	87-14-016	308-40-102	AMD	87-09-097	308-53-084	AMD-C	87-02-060
308-12-115	AMD-P	87-14-016	308-40-105	AMD-P	87-06-051	308-53-084	AMD	87-09-046
308-12-150	AMD-P	87-14-016	308-40-105	AMD	87-09-097	308-53-085	AMD-C	87-02-060
308-12-312	AMD-E	87-04-049	308-40-125	AMD-P	87-07-046	308-53-085	AMD	87-09-046
308-12-312	REP-P	87-07-046	308-40-125	AMD-P	87-13-057	308-53-320	NEW-P	87-09-074

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308-53-330	NEW-P	87-09-075	308-94-265	NEW	87-03-041	308-122-200	AMD-P	87-15-104
308-54-315	AMD-P	87-07-046	308-94-270	NEW	87-03-041	308-122-275	AMD-P	87-07-046
308-54-315	AMD-P	87-13-057	308-96A-005	AMD-P	87-04-067	308-122-275	AMD	87-10-028
308-54-315	AMD-E	87-14-088	308-96A-005	AMD	87-12-023	308-124-001	AMD-P	87-17-068
308-54-315	AMD	87-18-031	308-96A-021	NEW-P	87-04-067	308-124-005	AMD-P	87-17-068
308-55-025	AMD-P	87-07-046	308-96A-021	NEW	87-12-023	308-124-007	AMD-P	87-17-068
308-55-025	AMD-P	87-13-057	308-96A-065	AMD-P	87-04-067	308-124-021	AMD-P	87-17-068
308-55-025	AMD-E	87-14-088	308-96A-065	AMD	87-12-023	308-124A-010	AMD-P	87-17-068
308-55-025	AMD	87-18-031	308-96A-100	AMD-P	87-04-067	308-124A-020	AMD-P	87-17-068
308-56A-006	NEW-P	87-04-069	308-96A-100	AMD	87-12-023	308-124A-025	AMD-P	87-17-068
308-56A-021	NEW-P	87-17-050	308-96A-136	NEW-P	87-04-067	308-124A-030	AMD-P	87-17-068
308-56A-022	NEW-P	87-17-050	308-96A-136	NEW	87-12-023	308-124A-040	AMD-P	87-17-068
308-56A-023	NEW-P	87-17-050	308-96A-205	AMD-P	87-04-067	308-124A-110	AMD-P	87-17-068
308-56A-115	AMD-P	87-04-069	308-96A-205	AMD	87-12-023	308-124A-115	NEW-P	87-14-054
308-56A-125	AMD-P	87-04-069	308-96A-220	AMD-P	87-04-067	308-124A-115	NEW-E	87-16-020
308-56A-155	NEW-P	87-04-069	308-96A-220	AMD	87-12-023	308-124A-115	NEW	87-17-051
308-56A-156	NEW-P	87-04-069	308-96A-300	AMD-P	87-04-067	308-124A-120	AMD-P	87-17-068
308-56A-160	NEW-P	87-04-069	308-96A-300	AMD	87-12-023	308-124A-130	AMD-P	87-17-068
308-56A-195	AMD-P	87-04-069	308-96A-306	NEW-P	87-04-067	308-124A-200	AMD-P	87-14-054
308-56A-300	AMD-P	87-17-050	308-96A-306	NEW	87-12-023	308-124A-200	AMD-E	87-16-020
308-61-026	AMD-E	87-16-053	308-96A-310	AMD-P	87-04-067	308-124A-200	AMD	87-17-051
308-61-050	AMD-E	87-16-053	308-96A-325	AMD-P	87-04-067	308-124A-205	NEW-P	87-17-068
308-61-108	AMD-E	87-16-053	308-96A-325	AMD	87-12-023	308-124A-210	REP-P	87-17-068
308-61-135	AMD-E	87-16-053	308-96A-330	AMD-P	87-04-067	308-124A-410	AMD-P	87-17-068
308-61-158	AMD-E	87-16-053	308-96A-330	AMD	87-12-023	308-124A-420	AMD-P	87-17-068
308-61-175	AMD-E	87-16-053	308-96A-335	AMD-P	87-04-067	308-124A-450	AMD-P	87-17-068
308-61-210	AMD-E	87-16-053	308-96A-335	AMD	87-12-023	308-124A-460	NEW-P	87-14-054
308-61-240	AMD-E	87-16-053	308-96A-400	AMD-P	87-04-067	308-124A-460	NEW	87-17-051
308-61-260	AMD-E	87-16-053	308-96A-400	AMD	87-12-023	308-124A-470	NEW-E	87-16-020
308-61-330	AMD-E	87-16-053	308-96A-410	NEW-P	87-04-067	308-124B-040	REP-P	87-17-068
308-61-430	AMD-E	87-16-053	308-96A-410	NEW	87-12-023	308-124B-100	AMD-P	87-17-068
308-79-050	REP-P	87-13-083	308-96A-415	NEW-P	87-04-067	308-124B-120	AMD-P	87-17-068
308-79-050	REP	87-16-058	308-96A-415	NEW	87-12-023	308-124B-130	AMD-P	87-17-068
308-90-010	REP-E	87-14-072	308-96A-420	NEW-P	87-04-067	308-124C-010	AMD-P	87-17-068
308-90-020	REP-E	87-14-072	308-96A-420	NEW	87-12-023	308-124C-030	AMD-P	87-17-068
308-90-030	AMD-E	87-14-072	308-99-010	AMD-P	87-14-087	308-124C-040	AMD-P	87-17-068
308-90-040	AMD-E	87-14-072	308-99-010	AMD-E	87-16-022	308-124D-040	AMD	87-05-065
308-90-050	REP-E	87-14-072	308-99-020	AMD-P	87-14-087	308-124D-050	NEW-P	87-17-068
308-90-060	AMD-E	87-14-072	308-99-020	AMD-E	87-16-022	308-124E-011	AMD-P	87-17-068
308-90-070	AMD-E	87-14-072	308-99-021	AMD-P	87-14-087	308-124F-010	AMD-P	87-17-068
308-90-080	AMD-E	87-14-072	308-99-021	AMD-E	87-16-022	308-124H-010	AMD-P	87-17-068
308-90-090	AMD-E	87-14-072	308-99-025	AMD-P	87-14-087	308-124H-030	AMD-P	87-17-068
308-90-110	AMD-E	87-14-072	308-99-025	AMD-E	87-16-022	308-124H-038	NEW-P	87-17-068
308-90-120	NEW-E	87-14-072	308-99-040	AMD-P	87-14-087	308-124H-040	AMD-P	87-17-068
308-90-130	NEW-E	87-14-072	308-99-040	AMD-E	87-16-022	308-124H-070	AMD-P	87-17-068
308-90-140	NEW-E	87-14-072	308-100-010	AMD-E	87-12-024	308-128B-080	NEW-P	87-13-056
308-90-150	NEW-E	87-14-072	308-100-010	AMD-P	87-15-139	308-128B-080	NEW	87-18-032
308-90-160	NEW-E	87-14-072	308-104-004	NEW-P	87-15-139	308-138-080	AMD-P	87-07-046
308-93-010	AMD-P	87-04-068	308-104-006	NEW-P	87-15-139	308-138-080	AMD	87-10-028
308-93-010	AMD	87-09-073	308-104-008	NEW-P	87-15-139	308-138-321	NEW-P	87-04-048
308-93-074	AMD-P	87-04-068	308-104-050	AMD-P	87-15-139	308-138-321	NEW	87-11-062
308-93-074	AMD	87-09-073	308-115-140	AMD-P	87-16-106	308-138-322	NEW-P	87-04-048
308-94	AMD	87-03-041	308-115-405	AMD-P	87-07-046	308-138-322	NEW	87-11-062
308-94-010	AMD	87-03-041	308-115-405	AMD-P	87-13-057	308-138-323	NEW-P	87-04-048
308-94-020	REP	87-03-041	308-115-405	AMD-E	87-14-088	308-138-323	NEW	87-11-062
308-94-030	AMD	87-03-041	308-115-405	AMD	87-18-031	308-138-324	NEW-P	87-04-048
308-94-040	AMD	87-03-041	308-116-325	REP-P	87-07-046	308-138-324	NEW	87-11-062
308-94-050	AMD	87-03-041	308-116-325	REP	87-10-028	308-138-325	NEW-P	87-04-048
308-94-060	REP	87-03-041	308-117-130	AMD-P	87-10-067	308-138-325	NEW-P	87-14-017
308-94-070	AMD	87-03-041	308-117-130	AMD	87-17-021	308-138-326	NEW-P	87-04-048
308-94-080	AMD	87-03-041	308-117-200	AMD-P	87-10-067	308-138-326	NEW	87-11-062
308-94-100	AMD	87-03-041	308-117-200	AMD	87-17-021	308-138-327	NEW-P	87-04-048
308-94-110	AMD	87-03-041	308-117-300	AMD-P	87-10-067	308-138-327	NEW	87-11-062
308-94-160	AMD	87-03-041	308-117-300	AMD	87-17-021	308-138-328	NEW-P	87-04-048
308-94-170	AMD	87-03-041	308-117-500	NEW-P	87-07-046	308-138-328	NEW-P	87-14-017
308-94-180	REP	87-03-041	308-117-500	NEW	87-10-028	308-138-330	AMD-P	87-04-048
308-94-181	NEW	87-03-041	308-120-162	AMD-P	87-15-103	308-138-330	AMD	87-11-062
308-94-190	REP	87-03-041	308-120-165	AMD-P	87-15-103	308-138A-020	AMD-P	87-04-048
308-94-191	NEW	87-03-041	308-120-186	AMD-P	87-15-103	308-138A-020	AMD	87-13-004
308-94-200	AMD	87-03-041	308-120-275	AMD-P	87-07-046	308-138A-020	AMD-P	87-14-046
308-94-210	AMD	87-03-041	308-120-275	AMD	87-10-028	308-138A-025	AMD-P	87-14-046
308-94-220	AMD	87-03-041	308-120-511	AMD-P	87-15-103	308-138B-170	AMD-P	87-14-046
308-94-230	REP	87-03-041	308-120-700	NEW-P	87-15-103	308-152-015	REP-P	87-07-046
308-94-240	AMD	87-03-041	308-120-710	NEW-P	87-15-103	308-152-015	REP	87-10-028
308-94-250	AMD	87-03-041	308-120-720	NEW-P	87-15-103	308-152-030	NEW-P	87-07-046
308-94-260	REP	87-03-041	308-120-730	NEW-P	87-15-103	308-152-030	NEW	87-10-028

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308-171-001	AMD-P	87-05-062	308-400-110	NEW-P	87-13-055	315-11-252	NEW-P	87-07-050
308-171-001	AMD	87-09-044	308-400-110	NEW-E	87-16-021	315-11-252	NEW-E	87-07-052
308-171-002	AMD-P	87-05-062	308-400-110	NEW-E	87-16-057	315-11-252	NEW	87-10-043
308-171-002	AMD	87-09-044	308-400-110	NEW	87-16-059	315-11-260	NEW-P	87-07-050
308-171-003	NEW-P	87-05-062	314-12-025	NEW-P	87-13-060	315-11-260	NEW	87-10-043
308-171-003	NEW	87-09-044	314-12-025	NEW	87-16-002	315-11-261	NEW-P	87-07-050
308-171-010	AMD-P	87-05-062	314-12-070	AMD-P	87-13-060	315-11-261	NEW	87-10-043
308-171-010	AMD	87-09-044	314-12-070	AMD	87-16-002	315-11-262	NEW-P	87-07-050
308-171-020	AMD-P	87-05-062	314-12-140	AMD	87-04-018	315-11-262	NEW	87-10-043
308-171-020	AMD	87-09-044	314-12-145	NEW-E	87-11-043	315-11-270	NEW-P	87-07-050
308-171-030	AMD	87-04-015	314-12-145	NEW-P	87-11-044	315-11-270	NEW	87-10-043
308-171-030	REP-P	87-07-046	314-12-145	NEW	87-14-009	315-11-271	NEW-P	87-07-050
308-171-030	REP	87-10-028	314-12-150	AMD-P	87-11-019	315-11-271	NEW	87-10-043
308-171-040	AMD	87-04-015	314-12-150	AMD	87-14-010	315-11-272	NEW-P	87-07-050
308-171-310	NEW-P	87-07-046	314-16-040	AMD-P	87-17-023	315-11-272	NEW	87-10-043
308-171-310	NEW	87-10-028	314-16-155	REP-P	87-18-046	315-11-280	NEW-P	87-14-058
308-175-040	AMD-P	87-17-067	314-16-160	AMD-C	87-03-025	315-11-280	NEW	87-17-047
308-175-050	AMD-P	87-17-067	314-16-160	AMD	87-04-017	315-11-281	NEW-P	87-14-058
308-175-065	NEW-P	87-17-067	314-16-205	AMD-P	87-13-012	315-11-281	NEW	87-17-047
308-175-075	NEW-P	87-17-067	314-16-205	AMD	87-15-110	315-11-282	NEW-P	87-14-058
308-175-085	NEW-P	87-17-067	314-16-240	NEW-P	87-12-027	315-11-282	NEW	87-17-047
308-175-090	AMD-P	87-17-067	314-16-240	NEW-E	87-15-112	315-11-290	NEW-P	87-14-058
308-175-095	NEW-P	87-17-067	314-16-240	NEW	87-15-113	315-11-290	NEW	87-17-047
308-175-100	NEW-P	87-17-067	314-20-020	AMD-P	87-05-045	315-11-291	NEW-P	87-14-058
308-175-105	NEW-P	87-17-067	314-20-020	AMD	87-08-015	315-11-291	NEW	87-17-047
308-175-110	NEW-P	87-17-067	314-20-020	AMD-P	87-18-047	315-11-292	NEW-P	87-14-058
308-175-115	NEW-P	87-17-067	314-20-050	AMD-P	87-17-062	315-11-292	NEW	87-17-047
308-175-120	NEW-P	87-17-067	314-24-090	AMD-P	87-05-044	315-14-010	NEW-P	87-14-058
308-175-125	NEW-P	87-17-067	314-24-090	AMD	87-08-016	315-14-010	NEW	87-17-047
308-175-130	NEW-P	87-17-067	314-24-090	AMD-P	87-18-047	315-30-090	AMD-P	87-14-057
308-175-135	NEW-P	87-17-067	314-24-095	NEW-E	87-12-020	315-30-090	AMD	87-17-012
308-175-140	NEW-P	87-17-067	314-24-095	NEW-P	87-12-028	315-32-040	AMD-P	87-17-066
308-180-100	AMD-E	87-03-013	314-24-095	NEW	87-15-016	315-32-050	AMD-P	87-17-066
308-180-100	AMD	87-06-050	314-24-110	AMD-P	87-13-013	315-32-060	AMD-P	87-17-066
308-180-100	REP-P	87-07-046	314-24-110	AMD	87-15-111	320-08-001	NEW-P	87-10-068
308-180-100	REP-P	87-13-057	314-24-150	AMD-P	87-17-062	320-08-001	NEW	87-14-053
308-180-100	REP-E	87-14-088	314-24-190	AMD-P	87-13-013	320-08-010	AMD-P	87-10-068
308-180-100	REP	87-18-031	314-24-190	AMD	87-15-111	320-08-010	AMD	87-14-053
308-180-130	NEW-E	87-03-013	314-24-200	AMD-P	87-13-013	320-08-030	AMD-P	87-10-068
308-180-130	NEW	87-06-050	314-24-200	AMD	87-15-111	320-08-030	AMD	87-14-053
308-180-140	NEW-E	87-03-013	314-24-210	AMD-P	87-13-059	320-08-040	AMD-P	87-10-068
308-180-140	NEW	87-06-050	314-24-210	AMD	87-16-003	320-08-040	AMD	87-14-053
308-180-150	NEW-E	87-03-013	314-27	REVIEW	87-03-034	320-08-050	AMD-P	87-10-068
308-180-150	NEW	87-06-050	314-27-010	REVIEW	87-03-034	320-08-050	AMD	87-14-053
308-180-160	NEW-E	87-03-013	314-36-020	AMD-P	87-04-063	320-08-055	NEW-P	87-10-068
308-180-160	NEW	87-06-050	314-36-020	AMD	87-07-008	320-08-055	NEW	87-14-053
308-180-170	NEW-E	87-03-013	314-36-100	AMD-P	87-04-063	320-08-070	AMD-P	87-10-068
308-180-170	NEW	87-06-050	314-36-100	AMD	87-07-008	320-08-070	AMD	87-14-053
308-180-190	NEW-E	87-03-013	314-36-110	AMD-P	87-04-063	320-08-080	AMD-P	87-10-068
308-180-190	NEW	87-06-050	314-36-110	AMD	87-07-008	320-08-080	AMD	87-14-053
308-180-200	NEW-E	87-03-013	314-36-150	AMD-P	87-04-063	320-08-090	AMD-P	87-10-068
308-180-200	NEW	87-06-050	314-36-150	AMD	87-07-008	320-08-090	AMD	87-14-053
308-180-210	NEW-E	87-03-013	314-52-114	AMD	87-04-026	320-08-100	AMD-P	87-10-068
308-180-210	NEW	87-06-050	315-02-020	AMD	87-05-005	320-08-100	AMD	87-14-053
308-180-220	NEW-E	87-03-013	315-04-070	AMD-P	87-07-051	320-08-140	AMD-P	87-10-068
308-180-220	NEW	87-06-050	315-04-070	AMD	87-10-043	320-08-140	AMD	87-14-053
308-180-230	NEW-E	87-03-013	315-04-090	AMD-P	87-07-051	320-08-160	AMD-P	87-10-068
308-180-230	NEW	87-06-050	315-04-090	AMD	87-10-043	320-08-160	AMD	87-14-053
308-180-240	NEW-E	87-03-013	315-04-190	AMD	87-05-005	320-08-180	AMD-P	87-10-068
308-180-240	NEW	87-06-050	315-04-190	AMD-P	87-14-057	320-08-180	AMD	87-14-053
308-180-250	NEW-E	87-03-013	315-04-190	AMD	87-17-012	320-08-190	AMD-P	87-10-068
308-180-250	NEW	87-06-050	315-06-020	AMD-P	87-14-057	320-08-190	AMD	87-14-053
308-180-260	NEW-P	87-07-046	315-06-020	AMD	87-17-012	320-08-200	AMD-P	87-10-068
308-180-260	NEW-P	87-13-057	315-06-120	AMD-P	87-14-057	320-08-200	AMD	87-14-053
308-180-260	NEW-E	87-14-088	315-06-120	AMD	87-17-012	320-08-210	AMD-P	87-10-068
308-180-260	NEW	87-18-031	315-10-060	AMD-P	87-14-057	320-08-210	AMD	87-14-053
308-190-010	NEW-P	87-13-053	315-10-060	AMD	87-17-012	320-08-260	AMD-P	87-10-068
308-190-010	NEW	87-18-033	315-11-240	NEW	87-05-005	320-08-260	AMD	87-14-053
308-190-020	NEW-P	87-16-106	315-11-241	NEW	87-05-005	320-08-270	AMD-P	87-10-068
308-400-095	NEW-P	87-13-055	315-11-242	NEW	87-05-005	320-08-270	AMD	87-14-053
308-400-095	NEW-E	87-16-021	315-11-250	NEW-P	87-07-050	320-08-300	AMD-P	87-10-068
308-400-095	NEW-E	87-16-057	315-11-250	NEW-E	87-07-052	320-08-300	AMD	87-14-053
308-400-095	NEW	87-16-059	315-11-250	NEW	87-10-043	320-08-310	AMD-P	87-10-068
308-400-100	NEW-P	87-13-055	315-11-251	NEW-P	87-07-050	320-08-310	AMD	87-14-053
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308-400-100	NEW-E	87-16-057	315-11-251	NEW	87-10-043	320-08-350	AMD	87-14-053
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320-08-380	AMD-P	87-10-068	326-30-039	NEW-E	87-18-028	332-24-055	REP	87-11-005
320-08-380	AMD	87-14-053	326-30-039	NEW	87-18-029	332-24-056	REP-P	87-06-055
320-08-390	AMD-P	87-10-068	332-10-180	AMD-P	87-15-101	332-24-056	REP	87-11-005
320-08-390	AMD	87-14-053	332-16-010	REP-P	87-15-102	332-24-057	REP-P	87-06-055
320-08-400	AMD-P	87-10-068	332-16-020	REP-P	87-15-102	332-24-057	REP	87-11-005
320-08-400	AMD	87-14-053	332-16-030	REP-P	87-15-102	332-24-058	REP-P	87-06-055
320-08-410	AMD-P	87-10-068	332-16-035	NEW-E	87-15-035	332-24-058	REP	87-11-005
320-08-410	AMD	87-14-053	332-16-035	NEW-P	87-15-101	332-24-059	REP-P	87-06-055
320-08-420	AMD-P	87-10-068	332-16-040	AMD-E	87-15-100	332-24-059	REP	87-11-005
320-08-420	AMD	87-14-053	332-16-040	REP-P	87-15-102	332-24-060	REP-P	87-06-055
320-08-430	AMD-P	87-10-068	332-16-045	NEW-P	87-15-101	332-24-060	REP	87-11-005
320-08-430	AMD	87-14-053	332-16-050	REP-P	87-15-102	332-24-063	REP-P	87-06-055
320-08-440	AMD-P	87-10-068	332-16-055	NEW-P	87-15-102	332-24-063	REP	87-11-005
320-08-440	AMD	87-14-053	332-16-060	REP-P	87-15-102	332-24-070	REP-P	87-06-055
320-08-445	NEW-P	87-10-068	332-16-065	NEW-P	87-15-102	332-24-070	REP	87-11-005
320-08-445	NEW	87-14-053	332-16-070	AMD-E	87-15-100	332-24-090	REP-P	87-06-055
320-08-450	AMD-P	87-10-068	332-16-070	REP-P	87-15-102	332-24-090	REP	87-11-005
320-08-450	AMD	87-14-053	332-16-075	NEW-P	87-15-102	332-24-095	REP-P	87-06-055
320-08-460	AMD-P	87-10-068	332-16-080	REP-P	87-15-102	332-24-095	REP	87-11-005
320-08-460	AMD	87-14-053	332-16-085	NEW-P	87-15-102	332-24-100	REP-P	87-06-055
320-08-470	AMD-P	87-10-068	332-16-090	REP-P	87-15-102	332-24-100	REP	87-11-005
320-08-470	AMD	87-14-053	332-16-095	NEW-P	87-15-102	332-24-105	REP-P	87-06-055
320-08-510	AMD-P	87-10-068	332-16-100	AMD-E	87-15-100	332-24-105	REP	87-11-005
320-08-510	AMD	87-14-053	332-16-100	REP-P	87-15-102	332-24-10501	REP-P	87-06-055
320-08-520	AMD-P	87-10-068	332-16-105	NEW-P	87-15-102	332-24-10501	REP	87-11-005
320-08-520	AMD	87-14-053	332-16-110	REP-P	87-15-102	332-24-10502	REP-P	87-06-055
320-08-530	AMD-P	87-10-068	332-16-115	NEW-P	87-15-102	332-24-10502	REP	87-11-005
320-08-530	AMD	87-14-053	332-16-120	REP-P	87-15-102	332-24-150	REP-P	87-06-055
320-08-540	AMD-P	87-10-068	332-16-125	NEW-P	87-15-102	332-24-150	REP	87-11-005
320-08-540	AMD	87-14-053	332-16-130	REP-P	87-15-102	332-24-160	REP-P	87-06-055
320-12-030	AMD-P	87-10-069	332-16-135	NEW-P	87-15-102	332-24-160	REP	87-11-005
320-12-030	AMD	87-14-047	332-16-140	REP-P	87-15-102	332-24-170	REP-P	87-06-055
320-12-050	AMD-P	87-10-069	332-16-145	NEW-P	87-15-102	332-24-170	REP	87-11-005
320-12-050	AMD	87-14-047	332-16-150	AMD-E	87-15-100	332-24-180	REP-P	87-06-055
320-12-060	AMD-P	87-10-069	332-16-150	REP-P	87-15-102	332-24-180	REP	87-11-005
320-12-060	AMD	87-14-047	332-16-155	NEW-P	87-15-102	332-24-185	REP-P	87-06-055
320-12-070	AMD-P	87-10-069	332-16-160	REP-P	87-15-102	332-24-185	REP	87-11-005
320-12-070	AMD	87-14-047	332-16-165	NEW-P	87-15-102	332-24-185001	REP-P	87-06-055
320-16-001	REP-P	87-10-069	332-16-170	REP-P	87-15-102	332-24-185001	REP	87-11-005
320-16-001	REP	87-14-047	332-16-175	NEW-P	87-15-102	332-24-190	REP-P	87-06-055
320-16-010	REP-P	87-10-069	332-16-180	REP-P	87-15-102	332-24-190	REP	87-11-005
320-16-010	REP	87-14-047	332-16-185	NEW-P	87-15-102	332-24-192	REP-P	87-06-055
320-16-015	REP-P	87-10-069	332-16-190	REP-P	87-15-102	332-24-192	REP	87-11-005
320-16-015	REP	87-14-047	332-16-195	NEW-P	87-15-102	332-24-194	REP-P	87-06-055
320-20-010	AMD-P	87-10-069	332-16-200	REP-P	87-15-102	332-24-194	REP	87-11-005
320-20-010	AMD	87-14-047	332-16-205	NEW-P	87-15-102	332-24-196	REP-P	87-06-055
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320-20-030	AMD-P	87-10-069	332-16-220	REP-P	87-15-102	332-24-197	REP	87-11-005
320-20-030	AMD	87-14-047	332-16-225	NEW-P	87-15-102	332-24-200	REP-P	87-06-055
320-20-060	REP-P	87-10-069	332-16-230	REP-P	87-15-102	332-24-200	REP	87-11-005
320-20-060	REP	87-14-047	332-16-235	NEW-P	87-15-102	332-24-201	NEW-P	87-06-055
322-12-010	AMD	87-04-035	332-16-240	REP-P	87-15-102	332-24-201	NEW	87-11-005
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323-12-020	NEW	87-05-014	332-16-250	REP-P	87-15-102	332-24-205	NEW	87-11-005
323-12-030	NEW	87-05-014	332-16-255	NEW-P	87-15-102	332-24-210	REP-P	87-06-055
323-12-040	NEW	87-05-014	332-16-260	REP-P	87-15-102	332-24-210	REP	87-11-005
323-12-050	NEW	87-05-014	332-16-270	REP-P	87-15-102	332-24-211	NEW-P	87-06-055
323-12-060	NEW	87-05-014	332-16-290	REP-P	87-15-102	332-24-211	NEW	87-11-005
323-12-070	NEW	87-05-014	332-16-300	REP-P	87-15-102	332-24-215	NEW-P	87-06-055
323-12-080	NEW	87-05-014	332-16-310	REP-P	87-15-102	332-24-215	NEW	87-11-005
323-12-090	NEW	87-05-014	332-16-320	REP-P	87-15-102	332-24-220	REP-P	87-06-055
323-12-100	NEW	87-05-014	332-16-330	REP-P	87-15-102	332-24-220	NEW	87-11-005
323-12-110	NEW	87-05-014	332-16-340	REP-P	87-15-102	332-24-221	NEW-P	87-06-055
323-12-120	NEW	87-05-014	332-24-001	REP-P	87-06-055	332-24-221	NEW	87-11-005
326-02-030	AMD-P	87-15-143	332-24-001	REP	87-11-005	332-24-225	NEW-P	87-06-055
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326-20-010	AMD-P	87-15-143	332-24-005	NEW	87-11-005	332-24-230	REP-P	87-06-055
326-20-010	AMD	87-18-030	332-24-015	NEW-P	87-06-055	332-24-230	REP	87-11-005
326-20-050	AMD-P	87-15-143	332-24-015	NEW	87-11-005	332-24-231	NEW-P	87-06-055
326-20-050	AMD	87-18-030	332-24-020	REP-P	87-06-055	332-24-231	NEW	87-11-005
326-20-080	AMD-P	87-15-143	332-24-020	REP	87-11-005	332-24-232	NEW-P	87-06-055
326-20-080	AMD	87-18-030	332-24-025	REP-P	87-06-055	332-24-232	NEW	87-11-005
326-20-090	REP-E	87-16-066	332-24-025	REP	87-11-005	332-24-234	NEW-P	87-06-055
326-20-300	NEW-E	87-16-065	332-24-027	REP-P	87-06-055	332-24-234	NEW	87-11-005
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332-24-238	NEW	87-11-005	332-26-040	NEW-E	87-15-008	352-42	REP-C	87-08-042
332-24-240	NEW-P	87-06-055	332-26-050	NEW-E	87-15-008	352-42-010	REP-P	87-04-075
332-24-240	NEW	87-11-005	332-26-060	NEW-E	87-15-008	352-42-010	REP	87-11-037
332-24-242	NEW-P	87-06-055	332-26-081a	REP-E	87-03-022	352-42-020	REP-P	87-04-075
332-24-242	NEW	87-11-005	332-26-081b	NEW-E	87-03-022	352-42-020	REP	87-11-037
332-24-244	NEW-P	87-06-055	332-26-101	NEW-E	87-17-003	352-42-030	REP-P	87-04-075
332-24-244	NEW	87-11-005	332-26-101	REP-E	87-17-009	352-42-030	REP	87-11-037
332-24-261	NEW-P	87-06-055	332-26-101a	NEW-E	87-17-009	352-42-040	REP-P	87-04-075
332-24-261	NEW	87-11-005	332-26-101a	REP-E	87-17-040	352-42-040	REP	87-11-037
332-24-301	NEW-P	87-06-055	332-26-101b	NEW-E	87-17-040	352-42-050	REP-P	87-04-075
332-24-301	NEW	87-11-005	332-26-101b	REP-E	87-17-048	352-42-050	REP	87-11-037
332-24-310	REP-P	87-06-055	332-26-101c	NEW-E	87-17-048	352-42-060	REP-P	87-04-075
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388-17-510	NEW 87-03-015	388-37-040	AMD 87-18-005	388-53-100	REP-P 87-09-021
388-24-050	AMD-P 87-10-010	388-37-050	AMD-P 87-13-079	388-53-100	REP 87-12-053
388-24-107	AMD-P 87-09-086	388-37-050	AMD-E 87-14-027	388-53-120	REP-E 87-09-020
388-24-107	AMD 87-12-058	388-37-050	AMD 87-18-005	388-53-120	REP-P 87-09-021
388-24-250	AMD-P 87-10-064	388-37-060	REP-P 87-13-079	388-53-120	REP 87-12-053
388-24-250	AMD 87-13-077	388-37-060	REP-E 87-14-027	388-54-601	AMD-P 87-08-045
388-24-253	AMD-P 87-10-064	388-37-060	REP 87-18-005	388-54-601	AMD-E 87-08-046
388-24-253	AMD 87-13-077	388-37-120	AMD-P 87-13-079	388-54-601	AMD 87-15-055
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388-24-270	REP-P 87-10-064	388-40	AMD-P 87-13-080	388-54-645	RESCIND 87-09-029
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388-24-276	REP-P 87-10-064	388-40	AMD 87-18-006	388-54-645	AMD-E 87-12-055
388-24-276	REP 87-13-077	388-40-010	AMD-P 87-13-080	388-54-660	AMD-P 87-12-017
388-26-025	AMD-P 87-16-088	388-40-010	AMD-E 87-14-026	388-54-660	AMD-E 87-12-048
388-26-040	AMD-P 87-16-088	388-40-010	AMD 87-18-006	388-54-660	AMD 87-15-054
388-26-050	AMD-P 87-16-088	388-40-020	NEW-P 87-13-080	388-54-662	NEW 87-06-003
388-26-055	AMD-P 87-16-088	388-40-020	NEW-E 87-14-026	388-54-665	AMD-P 87-12-017
388-26-060	AMD-P 87-16-088	388-40-020	NEW 87-18-006	388-54-665	AMD-E 87-12-048
388-26-065	AMD-P 87-16-088	388-40-030	NEW-P 87-13-080	388-54-665	AMD 87-15-054
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388-26-080	AMD-P 87-16-088	388-40-030	NEW 87-18-006	388-54-675	AMD-P 87-08-045
388-26-105	AMD-P 87-16-088	388-40-040	NEW-P 87-13-080	388-54-675	AMD-E 87-08-046
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388-31-010	NEW-E 87-16-028	388-40-060	NEW-P 87-13-080	388-54-677	AMD-E 87-15-056
388-31-015	NEW-P 87-16-025	388-40-060	NEW-E 87-14-026	388-54-680	AMD-P 87-18-036
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388-31-025	NEW-P 87-16-025	388-40-070	NEW 87-18-006	388-54-730	AMD-E 87-14-070
388-31-025	NEW-E 87-16-028	388-40-080	NEW-P 87-13-080	388-54-730	AMD 87-14-071
388-31-030	NEW-P 87-16-025	388-40-080	NEW-E 87-14-026	388-54-735	AMD 87-03-019
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388-54-740	AMD	87-17-044	388-99-020	AMD-P	87-02-064	392-196-052	NEW-E	87-17-049
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388-83-015	AMD-E	87-03-002	392-100-050	NEW-P	87-07-027	392-202-025	NEW-P	87-18-042
388-83-015	AMD	87-06-005	392-100-050	NEW	87-10-012	392-202-030	NEW-P	87-18-042
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388-83-032	NEW-E	87-14-069	392-100-060	NEW	87-10-012	392-202-040	NEW-P	87-18-042
388-83-032	NEW	87-17-042	392-101-010	NEW-P	87-07-026	392-202-045	NEW-P	87-18-042
388-84-120	AMD-P	87-16-026	392-101-010	NEW	87-10-013	392-202-050	NEW-P	87-18-042
388-84-120	AMD-E	87-16-029	392-122-605	AMD-P	87-04-046	392-202-055	NEW-P	87-18-042
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388-86-009	AMD	87-06-001	392-123-054	AMD	87-15-067	392-202-070	NEW-P	87-18-042
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388-86-00901	AMD-E	87-03-003	392-123-078	AMD	87-15-067	392-202-080	NEW-P	87-18-042
388-86-00901	AMD	87-06-004	392-123-145	AMD-P	87-05-039	392-202-085	NEW-P	87-18-042
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388-87-005	AMD-P	87-09-057	392-137-060	AMD	87-10-014	392-202-105	NEW-P	87-18-042
388-87-005	AMD	87-12-056	392-140-058	AMD-P	87-04-047	392-202-110	NEW-P	87-18-042
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388-87-070	AMD-E	87-16-029	392-162	AMD-P	87-17-039	392-202-120	NEW-P	87-18-042
388-87-105	AMD-P	87-09-057	392-162-005	AMD-P	87-17-039	392-202-125	NEW-P	87-18-042
388-87-105	AMD	87-12-056	392-162-010	AMD-P	87-17-039	392-202-130	NEW-P	87-18-042
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388-92-041	NEW	87-10-022	392-162-032	NEW-P	87-17-039	399-30-040	AMD	87-17-013
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388-96-217	NEW	87-09-058	392-162-040	AMD-P	87-17-039	415-02-090	AMD	87-07-013
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388-96-366	AMD	87-09-058	392-162-044	NEW-P	87-17-039	415-02-099	NEW-P	87-14-037
388-96-565	AMD-P	87-05-018	392-162-045	AMD-P	87-17-039	415-02-099	NEW	87-17-059
388-96-565	AMD	87-09-058	392-162-047	NEW-P	87-17-039	415-100	AMD-P	87-03-046
388-96-585	AMD-P	87-05-018	392-162-049	NEW-P	87-17-039	415-100	AMD	87-07-014
388-96-585	AMD	87-09-058	392-162-052	NEW-P	87-17-039	415-100-005	NEW-P	87-03-046
388-96-710	AMD-P	87-05-018	392-162-053	NEW-P	87-17-039	415-100-005	NEW	87-07-014
388-96-710	AMD	87-09-058	392-162-057	NEW-P	87-17-039	415-100-010	REP-P	87-03-046
388-96-722	AMD-P	87-05-018	392-162-060	AMD-P	87-17-039	415-100-010	REP	87-07-014
388-96-722	AMD	87-09-058	392-162-062	NEW-P	87-17-039	415-100-015	NEW-P	87-03-046
388-96-745	AMD-P	87-05-018	392-162-065	AMD-P	87-17-039	415-100-015	NEW	87-07-014
388-96-745	AMD	87-09-058	392-162-067	NEW-P	87-17-039	415-100-020	REP-P	87-03-046
388-96-754	AMD-P	87-05-018	392-162-070	AMD-P	87-17-039	415-100-020	REP	87-07-014
388-96-754	AMD	87-09-058	392-162-075	AMD-P	87-17-039	415-100-025	NEW-P	87-03-046
388-96-774	AMD-P	87-05-018	392-162-080	AMD-P	87-17-039	415-100-025	NEW	87-07-014
388-96-774	AMD	87-09-058	392-162-085	AMD-P	87-17-039	415-100-035	NEW-P	87-03-046
388-98-001	AMD-P	87-17-016	392-162-090	AMD-P	87-17-039	415-100-035	NEW	87-07-014
388-98-001	AMD-E	87-17-017	392-162-095	AMD-P	87-17-039	415-100-040	REP-P	87-03-046
388-98-001	AMD-P	87-18-057	392-162-100	AMD-P	87-17-039	415-100-040	REP	87-07-014
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388-98-700	AMD-E	87-17-017	392-162-110	AMD-P	87-17-039	415-100-050	REP	87-07-014
388-98-700	AMD-P	87-18-057	392-162-115	AMD-P	87-17-039	415-100-060	REP-P	87-03-046
388-98-800	AMD-P	87-17-016	392-185-060	AMD-P	87-13-065	415-100-060	REP	87-07-014
388-98-800	AMD-E	87-17-017	392-185-060	AMD	87-16-034	415-100-100	REP-P	87-03-046
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388-98-830	AMD-E	87-17-017	392-196-010	AMD-E	87-17-049	415-100-110	REP	87-07-014
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440-44-048	AMD-E	87-14-065	458-15-100	NEW	87-05-022	460-70-050	NEW	87-02-044
440-44-048	AMD	87-14-066	458-15-110	NEW	87-05-022	460-70-060	NEW	87-02-044
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440-44-076	AMD	87-14-066	458-20-170	AMD-P	87-16-080	468-38-120	AMD-P	87-15-079
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446-55-005	NEW	87-05-012	458-20-186	AMD-P	87-16-080	468-95-010	AMD	87-05-043
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446-55-030	AMD	87-05-012	458-20-211	AMD-E	87-14-056	468-300-010	AMD-C	87-09-047
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446-55-170	AMD	87-05-012	458-30-510	NEW	87-07-009	468-300-030	REP-C	87-09-047
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446-55-200	REP	87-05-012	458-30-550	NEW	87-07-009	468-300-040	AMD-C	87-09-047
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446-55-210	REP	87-05-012	458-30-570	NEW	87-07-009	468-300-040	AMD	87-12-005
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446-55-250	AMD-E	87-02-041	458-40-660	AMD-P	87-10-062	468-300-210	NEW-C	87-18-010
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