

WSR 08-15-040
AGENDA
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed July 10, 2008, 12:22 p.m.]

Following is the department of social and health services' semi-annual rule-making agenda for July 1, 2008, through December 31, 2008. This agenda will be published in the state register under RCW 34.05.314 and distributed to interested parties, and is available online at <http://www1.dshs.wa.gov/msa/rpau/>.

This report represents DSHS rules under development at this time. There may be additional rule-making activity as DSHS responds to legislative actions, to comply with federal mandates, or to meet unforeseen circumstances.

Semi-Annual Rule-Making Agenda
July 1, 2008 through December 31, 2008

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
Aging and Disability Services Administration (ADSA)							
ADSA - Division of Developmental Disabilities (DDD)							
WAC 388-825-100 388-825-101 388-825-102	Who the department notifies of DDD decisions	Clarifying who will be notified of decisions made by DDD and specifying that both notices and correspondence will be sent to the appropriate parties.	Steve Brink ADSA-DDD		WSR 08-09-107 Filed 4/21/08	WSR 08-13-077 Hearing 7/22/08	
Chapter 388-827 WAC	State supplementary payment (SSP) program	Amending the payment levels to reflect the amounts paid under the individual and family services program.	Steve Brink ADSA-DDD		WSR 08-13-070 Filed 6/16/08		
Chapter 388-828 WAC	DDD assessment	Adding language to chapter 388-828 WAC to clarify the individual support plan process.	Debbie Roberts ADSA-DDD		Planned for future action		
WAC 388-828-5080 388-828-1200 388-828-1220 388-828-1240 388-828-1260 388-828-1280 388-828-1300 388-828-5360 388-828-1060 388-828-1480 388-828-1540 388-828-1640 388-828-5020 388-828-5140 388-828-5520 388-828-5940 388-828-8020 388-828-10000 through 388-828-10380	DDD assessment—Residential service levels	Incorporating the residential algorithm and the individual and family services assessment algorithm into the DDD assessment.	Debbie Roberts ADSA-DDD	WSR 07-23-020 Filed 11/9/07 388-828-1200 through 388-828-1300 WSR 08-07-018 Filed 3/7/08 388-828-5080 WSR 08-13-071 Filed 6/16/08	WSR 07-14-081 Filed 6/29/07 WSR 07-15-081 Filed 7/18/07	WSR 08-05-097 Hearing 4/22/08	WSR 08-12-037 Effective 7/1/08

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WAC 388-828-5360 388-828-9000 388-828-9020 388-828-9040 388-828-9060 388-828-9100 388-828-9120 388-828-9140 388-832-0001 through 388-832-0470	DDD assessment and individual and family services	Combining three family support programs into one individual and family services program as directed by the legislature.	Steve Brink ADSA-DDD	388-828 WSR 08-08-039 Filed 3/26/08 388-832 WSR 08-14-014 Filed 6/20/08	WSR 07-10-018 Filed 4/20/07 WSR 07-14-081 Filed 6/29/07 WSR 07-15-081 Filed 7/18/07	WSR 08-11-095 Hearing 7/22/08	
Chapter 388-831 WAC (new)	Community protection program	Establishing the community protection program as directed by recent state law.	Steve Brink ADSA-DDD		WSR 06-08-034 Filed 3/28/06		
Chapter 388-835 WAC	ICF/MR program and reimbursement system	Amending language to reflect new rates for intermediate care facilities for the mentally retarded.	Steve Brink ADSA-DDD		Planned for future action		
Chapter 388-845 WAC	DDD home and community based services waivers	Defining who can be respite providers.	Steve Brink ADSA-DDD		Planned for future action		
Chapter 388-845 WAC	DDD home and community based services waivers	Amending the procedures for administering the HCBS waivers, incorporating changes reflected in the waivers approved by the federal centers for medicare/medicaid services.	Steve Brink ADSA-DDD		WSR 08-05-004 Filed 2/6/08	WSR 08-15-008 Hearing 8/26/08	
Chapter 388-850 WAC	County plan for developmental disabilities	Rewriting rules in "plain talk" format and clarifying language.	Steve Brink ADSA-DDD		Planned for future action		
ADSA - Home and Community Services (HCS)							
Chapter 388-106 WAC	Long-term care services	Phasing out the medicare/medicaid integration project (MMIP).	Tiffany Sevruck ADSA-HCS		WSR 08-04-076 Filed 2/4/08	WSR 08-08-114 Hearing 5/6/08	WSR 08-12-023 Effective 7/1/08
WAC 388-106-0080 388-106-0110 388-106-0115	Long-term care services	Phasing in the full implementation of a new 17 level CARE assessment payment system.	Susan Engels ADSA-HCS	WSR 08-14-098 Filed 6/30/08	WSR 08-10-063 Filed 5/5/08	WSR 08-14-121 Hearing 8/5/08	

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WAC 388-106-0130	How does the department determine the number of hours I may receive for in-home care?	Clarifying that base hours are reduced for informal supports, or other paid services that meet some of an individual's need for personal care services, including adult day health.	Susan Engels ADSA-HCS		WSR 08-12-072 Filed 6/3/08		
WAC 388-106-0225 388-515-1505	Financial eligibility requirements for long-term care services under COPES, New Freedom, PACE, MMIP, and WMIP	Updating personal needs allowances, removing references to MMIP, clarifying policy.	Lori Rolley ADSA-HCS	WSR 08-14-099 Filed 6/30/08	WSR 08-09-012 Filed 4/4/08		
WAC 388-106-0250 388-106-0255 388-106-0260 388-106-0265	Long-term care services	Drafting a new section entitled, "roads to community living" to describe the nature of demonstration project services under the money follows the person grant.	Elizabeth Prince ADSA-HCS		WSR 07-22-085 Filed 11/6/07	WSR 08-13-076 Hearing 7/22/08	
WAC 388-513-1315 388-513-1320	Institutional status for long-term care services	Clarifying institutional status and adding information regarding excess home equity, updating WAC references and clarifying language.	Lori Rolley ADSA-HCS		WSR 08-13-089 Filed 6/17/08		
WAC 388-513-1350 388-513-1380	Long-term care services	Updating the 2008 federal resource standard and federal maximum maintenance standard that increase on January 1, 2008.	Lori Rolley ADSA-HCS	WSR 08-10-019 Filed 4/25/08	WSR 07-22-063 Filed 11/2/07	WSR 08-05-027 Hearing 3/25/08 Supplemental WSR 08-09-104 Hearing 5/27/08	WSR 08-13-072 Effective 7/17/08
WAC 388-561-0200 388-561-0201	Annuities	Adding new requirements pertaining to the treatment of annuities and clarifying and updating the rules.	Lori Rolley ADSA-HCS		WSR 08-04-077 Filed 2/4/08		
ADSA - Office of Rates Management							
Chapter 388-96 WAC	Nursing facility medicaid payment system	Adopting rules defining "home office" to help determine whether a nursing home is a "vital local provider" under state law.	Ed Southon ADSA-Nursing Home Rates Section		WSR 06-16-124 Filed 8/1/06		

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Chapter 388-96 WAC	Nursing facility medicaid payment system	Amending rules on: Accounts receivable audits; residents funds that a home must deposit; the definition of "direct care supplies;" the direct care rate for unbanked beds; minimum occupancy when setting rates; etc.	Patricia Hague ADSA-Office of Rates Management		WSR 06-24-112 Filed 12/6/06		
Chapter 388-96 WAC	Nursing facility medicaid payment system	Amending rules to clarify the treatment of quality maintenance fee costs in rebases of the medicaid nursing home payment rate that are based on cost reports from 2005 forward.	Patricia Hague ADSA-Office of Rates Management		WSR 07-05-024 Filed 2/13/07		
Chapter 388-96 WAC	Nursing facility medicaid payment system	Establishing reporting requirements and a settlement process to ensure that funds are spent on increasing wages in accordance with section 206(9), chapter 329, Laws of 2008.	Patricia Hague ADSA-Office of Rates Management	WSR 08-14-106 Filed 6/30/08	WSR 08-12-071 Filed 6/3/08		
WAC 388-97-550 388-97-555	Nursing homes	Increasing the nursing home bed license fee to comply with RCW 18.51.050 requiring the department to establish license fees at an amount adequate to reimburse the department in full for all costs of its licensing activities for nursing homes.	Patricia Hague ADSA-Office of Rates Management		WSR 08-03-072 Filed 1/14/08		
WAC 388-105-0005 388-105-0045	Medicaid rates for contracted home and community residential care services	Implementing adult family home provider rates to implement phase one of the 17 CARE level payment system for community care providers and clarifying bed hold policy.	Patricia Hague ADSA-Office of Rates Management	WSR 08-14-100 Filed 6/30/08	WSR 08-12-070 Filed 6/3/08		

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ADSA - Residential Care Services (RCS)							
WAC 388-76-10000 388-76-10230 388-76-10235 388-76-10330 388-76-10355 388-76-10650 388-76-10725 388-76-10775 388-76-10840 388-76-10845 388-76-10870 388-76-10995 and adding a new section	Adult family home rules	Clarifying requirements; making grammatical and technical corrections; and adding a new section regarding sharing background check information and immunities related to that sharing.	Roger Woodside ADSA-RCS		WSR 08-04-109 Filed 2/6/08		
Chapter 388-78A WAC	Boarding homes	Clarifying building requirements for new construction; enhancing readability of several sections; creating flexibility in construction requirements for providers to meet resident needs.	Todd Henry ADSA-RCS		WSR 07-23-078 Filed 11/19/07		
Chapter 388-78A WAC	Boarding homes	Adding new sections to implement ESSB [ESHB] 2668. Sections 2 and 3 of this bill address respite care in boarding homes. DSHS is also considering amending sections relating to plans of correction.	Todd Henry ADSA-RCS		WSR 08-10-061 Filed 5/5/08		
Chapter 388-97 WAC	Nursing homes	Changing outdated references; renumbering; adding language to be consistent with federal requirements and national standards; clarifying laundry system standards; deleting and updating sections on review of nursing home renewal licenses; clarifying new construction preoccupancy process; adding language on electronic monitoring; simplifying and clarifying existing due process for rights of individuals accused of	Judy Johnson ADSA-RCS		WSR 07-15-024 Filed 7/12/07 WSR 07-21-121 Filed 10/23/07	WSR 08-14-065 Hearing 8/26/08	

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		abusing, neglecting, exploiting or financially exploiting vulnerable adults in nursing homes.					
Chapter 388-110 WAC	Contracted residential care services	Addressing when a boarding home voluntarily withdraws from the medicaid program, and clarifying the new notice, transfer, and discharge requirements.	Todd Henry ADSA-RCS		WSR 08-10-062 Filed 5/5/08		
Children's Administration							
WAC chapter not determined yet	Domestic violence prevention	Proposing new rules establishing standards for programs receiving domestic violence prevention funds.	Maureen Kelly Children's Administration		WSR 06-06-073 Filed 2/28/06		
WAC 388-15-005 388-15-077	Child protective services	Reflecting changes from SSB 5321 (chapter 220, Laws of 2007) regarding a new two tiered finding system and new timeframes for expungement of records.	Collette McCully Children's Administration		WSR 08-07-095 Filed 3/19/08	WSR 08-14-141 Hearing 8/5/08	
Chapter 388-25 WAC	Financial support of foster children	Establishing, updating, aiding, explaining and strengthening services provided for protection and care of children needing out-of-home placement.	Carrie Kendig Children's Administration		WSR 08-05-044 Filed 2/13/08		
Chapter 388-27 WAC	Guardianship subsidies	Creating rules to provide clarity and guidance to persons receiving guardianship subsidy.	Lonnie Locke Children's Administration		WSR 08-05-045 Filed 2/13/08		
WAC 388-32-0020 388-32-0025 388-32-0030	Family reconciliation services	Reflecting efforts to best serve the needs of families served by children's administration, supporting access to appropriate services for families with adolescents across programs.	Tim Kelly Children's Administration		WSR 08-05-043 Filed 2/13/08		
Chapter 388-39A WAC	Child welfare services—Complaint resolution	Child welfare services—Complaint resolution.	Children's Administration		Planned for future action		

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Chapter 388-61A WAC	Shelters for victims of domestic violence	Updating and deleting outdated sections, and developing new sections specifically covering nonresidential services provided by emergency shelter contractors.	Susan Hannibal Children's Administration		WSR 08-06-086		
Economic Services Administration (ESA)							
ESA Division of Child Support (DCS)							
Chapter 388-14A WAC	Division of child support rules	Adopting new and amended sections to implement state legislation which implements the federal Deficit Reduction Act of 2005.	Nancy Koptur ESA-DCS	WSR 08-07-044 Filed 3/14/08	WSR 07-10-116 Filed 5/2/07	WSR 08-07-045 Hearing 5/27/08	WSR 08-12-029 Effective 7/1/08
Chapter 388-14A WAC	Division of child support rules	Adopting new and amended sections to implement state legislation which implements the federal Deficit Reduction Act of 2005 regarding distribution of child support collections.	Nancy Koptur ESA-DCS		WSR 08-06-089 Filed 3/5/08		
Chapter 388-14A WAC	Division of child support rules	Considering improvements to the conference board process in order to streamline agency procedures, increase efficiency, and increase the level of customer service.	Nancy Koptur ESA-DCS		WSR 08-08-113 Filed 4/2/08		
WAC 388-14A-3900 to 388-14A-3925	Division of child support rules	Revising rules on modification of support orders.	Nancy Koptur ESA-DCS		WSR 03-22-054 Filed 10/31/03		
ESA - Community Services Division (CSD)							
Chapter not yet determined	Basic Food and WASHCAP	Amending rules impacting eligibility and benefit level for WASHCAP and Basic Food by adopting mandatory food stamp provisions of the 2007 federal farm bill.	John Camp ESA-CSD		WSR 08-03-095 Filed 1/17/08		
WAC 388-310-0800	WorkFirst—Support services	Providing support services to recipients of diversion cash assistance who are receiving Work-First career services through the employment security department.	Ian Horlor ESA-CSD		WSR 08-09-140 Filed 4/23/08	WSR 08-14-126 Filed 7/1/08	

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WAC 388-310-1600 388-310-1800	WorkFirst	Updating cross refer- ences to depart- ment of early learn- ing rules.	Olga Walker ESA-CSD		Exempt	WSR 08-12-084 Hearing 7/8/08	
WAC 388-310-2100	WorkFirst career services	Allowing adults who receive diversion cash assistance and are working thirty or more hours per week to enroll in the WorkFirst career services program.	Jenny Egan Grayum ESA-CSD		WSR 08-05-041 Filed 2/13/08	WSR 08-11-089 Hearing 6/24/08	
WAC 388-406-0035	How long does the department have to process my applica- tion?	Clarifying the section and updating the WACs that should be referenced in regards to applications that are delayed.	Jenny Egan Grayum ESA-CSD		WSR 07-12-030 Filed 5/30/07		
WAC 388-406-0065	Can I still get bene- fits even after my application is denied?	Removing a refer- ence to # 1.c.ii. because it is obso- lete because of the expansion of cate- gorical eligibility to applicants with income at or below 130% of the federal poverty level.	Bill Callahan ESA-CSD		WSR 08-06-087 Filed 3/5/08	WSR 08-10-065 Hearing 6/10/08	WSR 08-15-011 Effective 8/3/08
WAC 388-412-0015 388-450-0185 388-450-0190 388-450-0195 388-478-0060 388-492-0040 388-492-0070	Washington combin- ed application program (WASH- CAP) and Basic Food	Adjusting standards in order to deter- mine a client's eligi- bility for WASH- CAP or the Basic Food program.	Don Winslow ESA-CSD		WSR 08-13-055 Filed 6/12/08		
WAC 388-412-0040	Can I get my bene- fits replaced?	Correcting a typo- graphical error in subsection (4).	Jenny Egan Grayum ESA-CSD		WSR 08-03-031 Filed 1/8/08	WSR 08-09-043 Filed 4/10/08	WSR 08-14-047 Effective 7/25/08
WAC 388-414-0001	Do I have to meet all eligibility requirements for Basic Food?	Conferring eligibil- ity status to house- holds with income up to 200% of the federal poverty rate.	John Camp ESA-CSD		WSR 08-08-109 Filed 4/2/08	WSR 08-12-083 Hearing 7/8/08	
WAC 388-418-0007 388-454-0015	TANF and state family assistance programs	Extending the defini- tion of "temporary absence" from ninety to one hun- dred eighty days.	Jenny Egan Grayum ESA-CSD		WSR 08-06-088 Filed 3/6/08	WSR 08-11-087 Hearing 6/24/08	WSR 08-14-105 Effective 8/1/08
WAC 388-418-0020	How does the department deter- mine the date a change affects my benefits?	Revising the rules to make them easier to understand and clar- ifying the effective date when a change causes and [an] increase in benefits.	Bill Callahan ESA-CSD		WSR 08-04-075 Filed 2/4/08		

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WAC 388-424-0001 388-424-0010 388-424-0020 388-466-0005 388-466-0120 388-466-0130	Refugee cash assistance and refugee medical assistance	Allowing Iraqi and Afghan special immigrants to be eligible for refugee cash assistance[,] refugee medical assistance, services and other entitlement benefits as allowed under federal law.	Olga Walker ESA-CSD	WSR 08-09-052 Filed 4/14/08	WSR 08-05-104 Filed 2/19/08 WSR 07-22-084 Filed 11/5/07	WSR 08-11-086 Hearing 6/24/08	WSR 08-14-116 Effective 8/1/08
WAC 388-428-0010 388-454-0025	Notifying parents of whereabouts of their children	Revising rules governing notifying parents of the whereabouts of their children to comply with state law, and recognize the rights of parents and protect the safety of children.	Tom Berry ESA-CSD		WSR 06-20-073 Filed 9/29/06		
WAC 388-436-0045 388-436-0055 388-436-0060	Disaster consolidated emergency assistance program	Revising chapter 388-436 WAC to include that CEAP benefits may be extended to individuals and families without children.	Ian Horlor ESA-CSD	WSR 08-13-029 Filed 6/10/08	WSR 08-09-109 Filed 4/21/08	WSR 08-14-122 Hearing 8/5/08	
WAC 388-436-0050	Financial need and benefit amount	Revising the payment standards and maximum earned income limits for consolidated emergency assistance program (CEAP) to match the 3% increase for TANF/SFA and refugee cash assistance (RCA).	Ian Horlor ESA-CSD	WSR 08-14-101 Filed 6/30/08	WSR 08-10-101 Filed 5/7/08	WSR 08-14-123 Hearing 8/5/08	
WAC 388-448-0030 388-448-0040	Providing medical evidence	Amending the description of medical evidence requirements needed to determine incapacity to align the rules with the intent of RCW 74.04.005.	Melissa Mathson ESA-CSD		WSR 08-13-048 Filed 6/12/08		
WAC 388-448-0180	How do we re-determine your eligibility when we decide you are eligible for general assistance expedited medicaid (GAX)?	Extending federal aid medical assistance to general assistance expedited medicaid recipients through the post appeal supplemental security income (SSI).	Melissa Mathson ESA-CSD		WSR 08-09-108 Filed 4/21/08	WSR 08-13-046 Hearing 7/22/08	

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WAC 388-450-0015 388-470-0045	Counting income when figuring out benefits	Applying the federal policy regarding economic stimulus rebate payments.	Melissa Mathson ESA-CSD	WSR 08-10-040 Filed 4/30/08	WSR 08-09-112 Filed 4/21/08		
WAC 388-450-0015 388-450-0185	Counting income when figuring benefits	Assisting low income families in meeting their child support debts while enhancing their supplies of food.	Don Winslow ESA-CSD		WSR 08-14-119 Filed 7/1/08		
WAC 388-450-0162	Using countable income to determine eligibility and amount of cash and food assistance benefits	Including references to WAC 388-478-0040 and 388-478-0045.	Logan McGregor ESA-CSD		WSR 07-14-099 Filed 6/30/07		
WAC 388-450-0162	Using countable income to determine eligibility and amount of cash and food assistance benefits	Clarifying how the department budgets deductions and earned income incentives for specific programs to ensure application of these incentives and deductions is consistent with state and federal requirements and department programs.	John Camp ESA-CSD		WSR 08-08-110 Filed 4/2/08	WSR 08-11-088 Hearing 6/24/08	WSR 08-15-009 Effective 8/3/08
WAC 388-450-0175	Does the department offer an income deduction as an incentive for GA-U clients to work	Clarifying that the income deductions described apply only to the general assistance cash program.	Melissa Mathson ESA-CSD		WSR 08-05-042 Filed 2/13/08	WSR 08-09-137 Hearing 5/27/08	WSR 08-12-031 Effective 7/1/08
WAC 388-450-0200	Will the medical expenses of elderly persons or individuals with disabilities in my assistance unit be used as an income deduction for Basic Food?	Removing obsolete references to deductions conferred by the medicare prescription drug card.	Rebecca Henrie ESA-CSD		WSR 08-08-112 Filed 4/2/08	WSR 08-11-085 Hearing 6/24/08	
WAC 388-454-0006	Background checks for persons acting in place of a parent without court-ordered custody	Amending the rule to be consistent with working connections child care rules regarding background checks for adult child-caregivers applying for assistance for unrelated children in their care.	Tom Berry ESA-CSD		WSR 06-09-037 Filed 4/13/06		

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Chapter 388-455 WAC	Lump sum payments	Correcting a WAC reference, using question and answer format, providing additional clarification of the impact of lump sum payments on a person's eligibility for department programs.	John Camp ESA-CSD		WSR 07-17-032 Filed 8/7/07	WSR 07-22-037 Hearing 12/11/07 Supplemental WSR 08-08-117 Hearing 5/6/08	WSR 08-11-105 Effective 7/1/08
WAC 388-472-0005	What are my rights and responsibilities?	Revising the reporting requirements currently listed under subsection (2)(c).	Ian Horlor ESA-CSD		WSR 08-08-111 Filed 4/2/08	WSR 08-14-124 Hearing 8/5/08	
WAC 388-478-0005	Cash assistance need and payment standards and grant maximum	Revising the minimum payment limit to reflect the 3% increase for TANF, state family assistance, and refugee cash assistance.	Ian Horlor ESA-CSD	WSR 08-14-103 Filed 6/30/08	WSR 08-14-120 Filed 7/1/08		
WAC 388-478-0020 388-478-0035	Payment standards for TANF, SFA, GA-S, GA-H, RCA	Revising the payment standards and maximum earned income limits for NF, SFA and RCA to reflect the 3% increase [increase] authorized by ESHB 2687, Section 207 (1)(e).	Ian Horlor ESA-CSD	WSR 08-14-102 Filed 6/30/08	WSR 08-09-040 Filed 4/9/08	WSR 08-13-045 Hearing 7/22/08	
WAC 388-478-0055	How much do I get from my state supplemental payments (SSP)?	Updating the state supplemental payment (SSP) standard for residents of a medical institution. The current monthly rate is \$25.45 and the department is proposing to increase the current rate to \$27.28.	Olga Walker ESA-CSD	WSR 08-14-104 Filed 6/30/08	WSR 08-09-106 Filed 4/21/08	WSR 08-13-047 Hearing 7/22/08	
WAC 388-492-0090	How often do my combined WASHCAP food benefits need to be reviewed?	Extending the certification periods for WASHCAP from twenty-four to thirty-six months.	Rebecca Henrie ESA-CSD		WSR 08-12-069 Filed 6/3/08		
Health and Recovery Services Administration (HRSA)							
HRSA - Division of Alcohol and Substance Abuse (DASA)							
Chapter 388-800 WAC	Chemical dependency assistance programs	Clarifying rules; updating references to patient eligibility standards; clarifying the process for secondary ADATSA clients.	Virginia Ochoa HRSA-DASA		WSR 05-02-065 Filed 1/4/05		

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Chapter 388-805 WAC	Certification requirements for chemical dependency service providers	Clarifying rules; updating definition and requirements for chemical dependency service providers.	Deb Cummins HRSA-DASA		WSR 07-24-004 Filed 11/26/07		
HRSA - Mental Health Division (MHD)							
Chapter 388-865 WAC	Community mental health and involuntary treatment programs (clubhouses)	Revising rules to establish certification "clubhouses" that meet minimum standards. Clubhouses are community-based programs that provide rehabilitative mental health services.	Kevin Sullivan HRSA-MHD		WSR 07-17-142 Filed 8/21/07	WSR 08-10-066 Hearing 6/10/08	WSR 08-14-080 Effective 7/27/08
Chapter 388-865 WAC	Certifying crisis stabilization units (new)	Codifying rules regarding the department's new requirement to certify crisis stabilization units that meet minimum standards.	Kevin Sullivan HRSA-MHD		WSR 07-21-078 Filed 10/16/07	WSR 08-10-067 Hearing 6/10/08	WSR 08-14-079 Effective 7/27/08
Chapter 388-865 WAC	Community mental health	Codifying its policy on how it administers community mental health services in the event of a nonparticipating regional support network.	Kevin Sullivan HRSA-MHD	WSR 08-10-017 Filed 4/25/08	WSR 08-01-107 Filed 12/18/07		
HRSA - Medical Assistance (MA)							
Unknown sections in Title 388 WAC	Health technology clinical committee assessments	Creating a new WAC to support the health technology assessment program established by the 2006 legislature.	Kevin Sullivan HRSA-MA		WSR 07-12-061 Filed 6/4/07		
WAC 388-406-0010	How do I apply for benefits?	Amending the rule to clarify the signature requirements on applications for medical assistance for children and pregnant women.	Mary Beth Ingram HRSA-MA		WSR 07-08-094 Filed 4/3/07	WSR 08-09-154 Hearing 5/27/08	
WAC 388-416-0020	Certification periods for noninstitutionalized medically needy program	Removing references to hospital expenses to comply with federal regulations.	Catherine Fisher HRSA-MA		WSR 08-06-044 Filed 2/27/08		
WAC 388-450-0085	Does the department count all of my self-employment income to determine if I am eligible for benefits?	Amending the rules to remove barriers for medical assistance clients with self-employment income.	Colleen Clifford HRSA-MA	WSR 08-10-018 Filed 4/25/08	WSR 08-01-020 Filed 12/7/07	WSR 08-10-068 Hearing 6/10/08	WSR 08-15-010 Effective 8/3/08

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				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
WAC 388-475-0300	SSI-related medical—Resources eligibility	Updating this WAC to comply with federal rules which govern how the department considers retroactive lump sum payments from any Title II or Title XVI payment, and to clarify that these resources are now excluded for nine months, not six.	Catherine Fisher HRSA-MA		WSR 08-03-093 1/16/08	WSR 08-09-111 Hearing 4/21/08	WSR 08-14-048 Effective 7/25/08
WAC 388-478-0075 388-505-0210 388-505-0211 388-542-0010 388-542-0300	Children's health-care program	Expanding premium-based children's healthcare for children in households with incomes up to and including 300% of the federal poverty level.	Jonell O. Blatt HRSA-MA		WSR 08-15-006 Filed 7/3/08		
WAC 388-500-0005	Medical definitions	Updating medical definitions to make them consistent with how the terms are used throughout HRSA rules.	Jonell O. Blatt HRSA-MA		WSR 07-20-052 Filed 9/27/07		
WAC 388-501-0060 388-501-0065	Healthcare coverage	Correcting errors made in developing the scope of covered services chart in new WAC 388-501-0060 and 388-501-0065.	Kevin Sullivan HRSA-MA		WSR 07-12-062 Filed 6/4/07		
WAC 388-501-0100	Subrogation; assignment or rights and cooperation. Rule originally filed as permanent with WSR 07-23-080 and 08-01-041. The effective date was extended for one year (until December 1, 2008) so the department could revisit the permanent rule-making process.	The department extended the effective date to December 1, 2008, for recently amended rule, WAC 388-501-0100, adopted under WSR 07-23-080 and initially scheduled to take effective [effect] December 20, 2007. (See WSR 08-01-041.) The department will adopt new subrogation rules consistent with 42 U.S.C. §§ 1396a, 1396k, 1396p, RCW 74.09.180, 74.09.-185, the decision of <i>Arkansas Department of Health and Human Services v. Ahlborn</i> , 547 U.S. 268, 126 S. Ct. 1752, 164 L. Ed. 2d	Wendy Boedigheimer HRSA-MA		WSR 08-03-073 Filed 1/14/08	WSR 08-11-091 Hearing 6/24/08	WSR 07-23-080 and 08-01-041 Effective 12/1/2008

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
		459, and will respond to concerns raised by the Washington State Trial Lawyers Association as well as other stakeholders.					
WAC 388-502-0010 388-531-0100 388-531-0250 388-531-1400	Psychiatric physician-related services; mental health services	Improving access to mental health services for children who do not meet regional support network access to care standards.	Kevin Sullivan HRSA-MA		WSR 08-03-091 Filed 1/16/08	WSR 08-08-124 Hearing 5/6/08	WSR 08-12-030 Effective 7/1/08
WAC 388-502-0160	Billing a client	Revising the rule to clarify when a provider can and cannot bill a client for medical services.	Wendy Boedigheimer HRSA-MA		WSR 08-01-021 Filed 12/7/07		
WAC 388-505-0220	Family medical eligibility	Correcting outdated cross references to WAC sections that no longer exist.	Jonell Blatt HRSA-MA		Note: This is an expedited rule (CR-105).	WSR 08-13-044 Comment deadline: 8/18/08	
WAC 388-505-0230	Family medical	Creating a new WAC to address family-related institutional medical benefits.	Catherine Fisher HRSA-MA	WSR 08-10-092 Filed 5/7/08	WSR 07-12-031 Filed 5/30/07		
WAC 388-517-0500	Medicare prescription drug copayment help	Codifying a new requirement for HRSA to pay medicare Part D copayment cost sharing for full-benefit dual eligible medicaid clients.	Carole McRae HRSA-MA		WSR 07-17-144 Filed 8/21/07	WSR 08-11-084 Hearing 6/24/08	
WAC 388-526-2610	Prehearing reviews for clients who request a fair hearing	Adding new sections to the chapter that are specific to the HRSA medical care programs in order to expand on and better define administrative hearing rules.	Kathy Sayre HRSA-MA		WSR 08-10-064 Filed 5/5/08		
Chapter 388-530 WAC	Outpatient drug program	Expanding the smoking cessation benefit, correcting typographical and grammatical errors, reinstating and clarifying rules regarding vitamins and over-the-counter coverage, etc.	Jonell O. Blatt HRSA-MA	WSR 08-14-097 Filed 6/30/08	WSR 08-10-109 Filed 5/7/08	WSR 08-15-007 Hearing 8/26/08	
WAC 388-531-2000	Increased payments for physician related services for qualified trauma cases	Clarifying, updating, and ensuring consistent policies for the trauma program.	Jonell O. Blatt HRSA-MA		WSR 08-01-083 Filed 12/17/07	WSR 08-05-105 Hearing 3/25/08	

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
WAC 388-533-0300 through 388-533-0386	Infant case management and maternity support services	Clarifying provider qualifications, client eligibility and services reimbursed for infant case management and maternity support services.	Jonell O. Blatt HRSA-MA		WSR 07-21-106 Filed 10/19/07		
WAC 388-533-0390	Childbirth education	Amending rules to break the information into smaller sections, clarify and update rules, and clarify policy on payment of childbirth education when delivered as a refresher course.	Wendy Boedigheimer HRSA-MA		WSR 07-03-055 Filed 1/12/07		
WAC 388-535-1245	Dental-related services—Access to baby and child dentistry (ABCD)	Amending sections relating to access to baby and child dentistry (ABCD) and sections relating to dental-related services for clients through age twenty and clients age twenty-one and older.	Kathy Sayre HRSA-MA		WSR 07-16-110 Filed 7/31/07	WSR 08-12-074 Hearing 7/8/08	
Chapter 388-535A WAC	Orthodontic services	Clarifying existing policy, better defining the scope of the rule, and reviewing the subchapter for other necessary changes.	Kathy Sayre HRSA-MA		WSR 07-21-021 Filed 10/8/07	WSR 08-12-073 Hearing 7/8/08	
Chapter 388-537 WAC	School services	Amending the chapter to bring the program into compliance with federal medicaid regulations and policies.	Wendy Boedigheimer HRSA-MA		WSR 07-03-057 Filed 1/12/07		
Chapter 388-538 WAC	Managed care delivery system	Updating and clarifying criteria regarding the patient review and coordination; the monthly capitated premiums the department pays to managed care organizations etc.	Kathy Sayre HRSA-MA		WSR 08-01-082 Filed 12/17/07	WSR 08-09-029 Hearing 5/27/08	
Chapter 388-541 WAC	Children's full premium (CFP) program	Creating rules to give families whose income is greater than 300% of the federal poverty level the opportunity to purchase healthcare coverage for their children.	Kevin Cornell HRSA-MA		WSR 08-13-003 Filed 6/5/08		

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
Chapter 388-544 WAC	Noncovered services, eyeglasses, and contact lenses	Removing the language in this section and readopting the rule through the permanent rule-making process.	Wendy Boedigheimer HRSA-MA	WSR 08-11-048 Filed 5/15/08	WSR 07-22-082 Filed 11/5/07 and WSR 07-10-125 Filed 5/2/07	WSR 08-09-110 Hearing 6/10/08	WSR 08-14-052 Effective 7/25/08
WAC 388-544-1010 388-544-1100 388-544-1200 388-544-1300 388-544-1400	Hearing aid services	Revising rules to move the hearing aid rules into their own chapter 388-547 WAC; creating clear section titles and clarifying text; and including digital hearing aids under covered services to align with industry standards.	Wendy Boedigheimer HRSA-MA		WSR 07-05-011 Filed 2/9/07		
Chapter 388-548 WAC	Federally qualified health centers	Implementing the federal payment methodology for federally qualified health centers. The Federal Benefit Improvement and Protection Act of 2000 replaced cost-based reimbursement methodology with medicaid FQHC prospective payment system.	Wendy Boedigheimer HRSA-MA		WSR 08-14-125 Filed 7/1/08		
Chapter 388-550 WAC	Hospital services (certified public expenditure)	Updating and clarifying the certified public expenditure (CPE) program requirements and processes.	Kathy Sayre HRSA-MA		WSR 08-11-090		
WAC 388-550-1050	Hospital services definitions	Correcting language erroneously adopted in the definition for "high cost outlier."	Kathy Sayre HRSA-MA		WSR 07-16-107 Filed 7/31/07		
Juvenile Rehabilitation Administration (JRA)							
Chapter 388-700 WAC	Juvenile rehabilitation administration—Practices and procedures	Potential revisions due to changes in background check procedures.	David Griffith JRA		Planned for future action		
Chapter 388-720 WAC	Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220	Potential changes to clarifying sentencing in relation to "victim in the home" status and to update the reimbursement schedule.	Lee Mosley, Trent Phillips JRA		Planned for future action		

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
WAC 388-740-0010 388-740-0040 388-740-0070	Confinement	To implement section 1, subsection (4)(b) of SSB 5243, (chapter 203, Laws of 2007), by defining behavior which may be cause for the secretary to modify parole and return a juvenile sex offender to confinement for up to twenty-four weeks. Also to incorporate guidelines and certain existing JRA parole standards to return certain juvenile sex offenders committed to JRA or basic training camp graduates to confinement for the remainder of his or her sentence.	Kecia Rongen JRA		WSR 07-16-089 Filed 7/30/07	WSR 07-23-092 Hearing 12/7/07 (the department will be filing a supplemental CR-102)	
Chapter 388-745 WAC	Transfer of juvenile offenders to the department of corrections (DOC)	Potential revisions due to changes in transfer procedures.	David Griffith JRA		Planned for future action		
Chapter 388-750 WAC	Impact account—Criminal justice cost	Review for potential updates.	Ken Moses, Trent Phillips JRA		Planned for future action		
Management Services							
Chapter 388-02 WAC	DSHS hearing rules	Modifying deadlines and timeframes in administrative hearings, making changes to the authority of administrative law judges and review judges, and making other changes in order to comply with federal rules.	Brian Lindgren MS - Board of Appeals		WSR 07-10-112 Filed 5/2/07	WSR 08-09-105 Hearing 6/10/08	
Chapter 388-03 WAC	Rules and regulations for the certification of DSHS spoken language interpreters and translators	Updating the chapter's references to units of DSHS (such as language interpreter services and translations, or LIST) that have been reorganized and renamed to change timeframes for DSHS mailing of letters notifying applications of their test dates, and	Hungling Fu, Katherine Vasquez MS - Language Testing and Certification		WSR 08-12-067 Filed 6/3/08		

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
		reviewing the chapter for other necessary changes.					
Chapter 388-06 WAC	Background checks	Amending, consolidating and collocating existing background check rules in other WAC chapters into this chapter.	Jackie Beery MS - Background Check Central Unit	WSR 08-07-043 and 08-07-042 Filed 3/14/08	WSR 07-11-097 Filed 5/16/07		
Office of Deaf and Hard of Hearing Services							
Chapter 388-818 WAC	Deaf and hard of hearing services		No current rule-making activity				
Office of Planning, Performance and Accountability (OPPA)							
Chapter 388-04 WAC	Protection of human research subjects		No current rule-making activity				
Office of Risk Management (ORM)							
Chapter 388-01 WAC	DSHS organization and disclosure of public records	Amending rules to reflect changes in DSHS organization structure, and to implement chapter 483, Laws of 2005.	Kristal K. Wiitala Privacy Officer		Planned for future action		
Special Commitment Center							
Chapter 388-885 WAC	Civil commitment cost	Updating reimbursement fee schedules for allowable activities under chapter 71.09 RCW.	Mark Davis Special Commitment Center		WSR 04-10-092 Filed 5/4/04		
WAC 388-885-005 388-885-010 388-885-015 388-885-020 388-885-025 388-885-030	Civil commitment cost reimbursement	Updating the rules to better reflect current practices as they relate to the reimbursement of local agencies for their costs associated with the civil commitment process of sexually violent predators.	Mark Davis Special Commitment Center		WSR 08-01-022 Filed 12/7/07		
Vocational Rehabilitation (DVR)							
Chapters 388-891 388-892 WAC			No current rule-making activity				

Notes and Definitions

Explanation of selected terms used in these tables:

"CR" stands for code reviser, or code reviser's office. The code reviser's office creates the "CR" forms used by DSHS and all state agencies to notify the public about rule-making actions.

A "Preproposal Notice" is a CR-101 Preproposal Statement of Inquiry filed under RCW 34.05.310. This is a preliminary notice to the public that DSHS is in the planning stages to adopt, amend or repeal rules on a particular subject, and notes the laws authorizing the agency's action. The

notice also lets the public know how to participate in the development of the rule, and identifies the department's contact person.

A "Proposed Rule" is a CR-102 Proposed Rule-Making notice filed under RCW 34.05.320. The notice includes:

- 1) A description of the rules that DSHS proposes to adopt, amend or repeal, and the reasons supporting the proposal;
- 2) The date and location of a public hearing or hearings to take formal comments about the proposed rule; the deadline for sending written comments about the rule; and how written comments may be sent;

- 3) The laws authorizing the agency action;
- 4) The complete text of the proposed new or amended rules, or a list of rule sections being repealed;
- 5) The text of a small business economic impact statement, if applicable;
- 6) Information on how to obtain a copy of the preliminary cost-benefit analysis, if applicable; and
- 7) Agency staff that the public may contact about the proposed rules.

An "**Expedited Rule**" is a **CR-105 Expedited Rule-Making** notice, filed under RCW 34.05.353. DSHS may use this process to notify the public that it intends to adopt, amend or repeal very limited types of rules without accepting public comments or holding a public hearing. After a minimum waiting period, DSHS may adopt the rule as permanent, if no one has objected in writing. If someone does object, the department must file a CR-102 notice, hold a public hearing and accept written comments before adopting the permanent rule.

A "**Permanent Rule**" is a **CR-103 Rule-Making Order**, filed under RCW 34.05.360 and 34.05.380. The CR-103 gives notice that the department is adopting final new, amended or repealed rules, completing the rule-making process. A CR-103 rule-making order includes the complete text of the new or amended rules, or a list of the WAC numbers and caption of rules being repealed, and an explanation of any changes to the rule made after the CR-102 notice. Agencies also may use a CR-103 notice form to adopt temporary *emergency* rules (see below).

An "**Emergency Rule**" is also a **CR-103 Rule-Making Order**, filed under RCW 34.05.350 and 34.05.380. This is a temporary rule used to meet an urgent public health, safety or welfare need, or to meet a deadline set in a law or federal requirement. Emergency rules are effective for one hundred twenty days after the filing date. Emergency rules may be extended in certain circumstances, but they may not become permanent rules unless the agency files a preproposal notice and/or a proposed rule notice as applicable, and complies with other applicable rule-making statutes. NOTE: Emergency rules listed in these tables are only those in effect at the time this agenda was filed for publication in the Washington state register.

"**Rules**" as used generally in this document are the Washington Administrative Code, also known as WAC or state regulations, which are adopted by state agencies according to the Administrative Procedure Act, chapter 34.05 RCW. References to "federal rules" or "federal regulations" are United States government regulations, also known as the Code of Federal Regulations or C.F.R.

State "**statutes**" are laws adopted by the Washington state legislature and signed by the governor, or may be initiatives adopted by the state's voters, and are codified as the Revised Code of Washington (RCW), except that laws adopting annual state budgets are not codified. Recent state statutes may also be listed by their session law numbers, such as "chapter 140, Laws of 2008," or by a legislative bill number, such as "ESSB 6387." United States government statutes may

be noted by their United States code number, public law number, act title, or congressional bill number.

"**WSR**" is the Washington state register, the legal publication of state agency rules and other notices, published twice each month by the office of the code reviser. Throughout this agenda, the seven-digit number following each WSR is the code reviser's official filing number assigned at the time DSHS files a rule-making notice with the code reviser. The WSR number, plus the date and time of filing, appears on the first page of each "CR" notice as filed. To view facsimiles of DSHS rule-making notices as filed with the code reviser, visit the DSHS public rule-making web site at <http://www1.dshs.wa.gov/msa/rpau/>. All DSHS rule-making notices are available to the public.

This agenda is for information purposes only. Errors in this rule-making agenda do not alter the content or effect of the DSHS rules and rule-making notices filed with the office of the code reviser and published in the Washington state register.

If you have questions about this rule-making agenda or the DSHS rule-making process, please contact the DSHS Rules Coordinator, at P.O. Box 45850, Olympia, WA 98504-5850, by phone at (360) 664-6097. If you would like to receive DSHS rule-making notices by e-mail, please visit the DSHS rules and policies assistance unit (RPAU) web site for available electronic lists, at <http://www1.dshs.wa.gov/msa/rpau/RPAU-Listserv.htm>. If you would like to receive notices by postal mail, please contact Jennisha Johnson, RPAU rules consultant, at (360) 664-6094, or by e-mail at johnsjl4@dshs.wa.gov.

Stephanie Schiller
Rules Coordinator

WSR 08-15-048
RULES OF COURT
STATE SUPREME COURT

[July, 2008]

IN THE MATTER OF THE ADOPTION)	ORDER
OF THE AMENDMENT TO CrR 4.2(g),)	NO. 25700-A-900
STATEMENT OF DEFENDANT ON)	
PLEA OF GUILTY TO NON-SEX)	
OFFENSE, CrR 4.2(g), STATEMENT OF)	
DEFENDANT ON PLEA OF GUILTY TO)	
SEX OFFENSE; JUCR 7.7, STATEMENT)	
OF PLEA OF GUILTY AND CrRLJ 4.2(g),)	
STATEMENT OF DEFENDANT ON)	
PLEA OF GUILTY)	

The Washington State Pattern Forms Committee having recommended the adoption of the proposed amendments to CrR 4.2(g), Statement of Defendant on Plea of Guilty to Non-Sex Offense, CrR 4.2(g), Statement of Defendant on Plea of Guilty to Sex Offense; JUCR 7.7, Statement of Plea of Guilty, and, CrRLJ 4.2(g), Statement of Defendant on Plea of Guilty, and the Court having determined that the proposed amendments will aid in the prompt and orderly administra-

tion of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this __ day of July, 2008.

	Alexander, C. J.
C. Johnson, J.	Owens, J.
Madsen, J.	Fairhurst, J.
Sanders, J.	J. M. Johnson, J.
Chambers, J.	Stephens, J.

Superior Court of Washington for State of Washington Plaintiff vs. Defendant	No. Statement of Defendant on Plea of Guilty to Non-Sex Offense (Felony) (STDFG)
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1. My true name is: _____

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f).)	MAXIMUM TERM AND FINE
1						
2						
3						

*(F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone, (VH) Veh. Hom, see RCW 46.61.520, (JP) Juvenile present, (SM) Sexual motivation, RCW 9.94A.533(8) (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude.

(b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to

2. My age is: _____
3. The last level of education I completed was _____
4. **I Have Been Informed and Fully Understand That:**

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with: _____
The elements are: _____

5. I Understand I Have the Following Important Rights, and I Give Them All up by Pleading Guilty:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

(a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.

(f) For crimes committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community supervision if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community placement. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community placement. The actual period of community placement, community custody, or community supervision may be as long as my earned early release period. During the period of community placement, community custody, or community supervision, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me to 36 to 48 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the community custody range established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody range will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY RANGE
Serious Violent Offenses	24 to 48 months or up to the period of earned release, whichever is longer.
Violent Offenses	18 to 36 months or up to the period of earned release, whichever is longer.
Crimes Against Persons as defined by RCW 9.94A.411(2)	9 to 18 months or up to the period of earned release, whichever is longer.
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	9 to 12 months or up to the period of earned release, whichever is longer.

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005 (6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

~~If I have not completed my maximum term of total confinement and I am subject to a third violation hearing and the Department of Corrections finds that I committed the violation, the Department of Corrections may return me to a state correctional facility to serve up to the remaining portion of my sentence.~~

(g) The prosecuting attorney will make the following recommendation to the judge: _____

_____ [] The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless there is a finding of substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

~~I understand that if the court imposes a standard range sentence, is imposed, then no one may appeal the sentence. cannot be appealed by anyone. If the court imposes an exceptional sentence is imposed after a contested hearing, either the State or I can appeal the sentence.~~

(i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(j) I ~~understand that I~~ may not possess, own, or have under my control any firearm unless my right to do so is restored by ~~a court of record~~ a superior court in Washington State, and by a federal court if required. ~~and that I must immediately surrender any concealed pistol license.~~ RCW 9.41.040.

(k) ~~I understand that~~ I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.

(l) Public assistance will be suspended during any period of imprisonment.

(m) ~~I understand that~~ I will be required to have a biological sample collected for purposes of DNA identification analysis. ~~For offenses committed on or after July 1, 2002, I will be required to pay a \$100.00 DNA collection fee, unless the court finds that imposing the fee will cause me undue hardship.~~

Notification Relating to Specific Crimes. If Any of the Following Paragraphs Do Not Apply, They Should Be Stricken and Initialed by the Defendant and the Judge.

(n) This offense is a most serious offense or strike as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

(o) The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement, and up to two years community supervision if the crime was committed prior to July 1, 2000, or up to two years of community custody if the crime was committed on or after July 1, 2000, plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.

(p) If this crime involves a kidnapping offense involving a minor, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

(q) If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

(r) If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

(s) The judge may sentence me under the ~~special~~ drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.660. Even if I qualify, the judge may order that I be examined by a licensed or certified treatment provider

before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of at least one-half of the midpoint of the standard range.

If the judge imposes the **residential chemical dependency treatment-based alternative**, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of *three to six months*, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.715.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the ~~any violations of the~~ conditions of the sentence ~~have occurred~~. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.

(t) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.

(u) If this crime involves the manufacture, delivery, or possession with the intent to deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, a

mandatory methamphetamine clean-up fine of \$3,000 will be assessed. RCW 69.50.401 (2)(b).

(v) If this crime involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.

(w) If this crime involves a motor vehicle, my driver's license or privilege to drive will be suspended or revoked.

(x) If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(13).

(y) If I am pleading guilty to felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements.

(z) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].

(aa) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

(bb) ~~I understand that~~ The offense(s) I am pleading guilty to include(s) a Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.

(cc) ~~I understand that~~ The offense(s) I am pleading guilty to include(s) a deadly weapon, firearm, or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

(dd) ~~I understand that~~ The offense(s) I am pleading guilty to include(s) both a conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm. The sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

(ee) ~~I understand that~~ If I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined

in RCW 74.08.331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

(ff) The judge may authorize work ethic camp. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense.

7. I plead guilty to:

count _____
count _____
count _____
in the _____ Information. I have received a copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime.

This is my statement: _____

Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant
I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer

Print Name WSBA No. Print Name WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
(b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
(c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below attached.

Interpreter's Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the language, which the defendant understands, and I have translated this document the (identify document being translated) for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) (state) on (date)

Interpreter Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated:

Judge

Interpreter's Declaration

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the language, which the defendant understands, and I have translated the (Identify document being translated) for the defendant from English into that language.

The defendant has acknowledged his or her understanding of both the translation and the subject matter of this doc-

ument. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated:

Interpreter

Print Name

Location:

Table with 2 columns: Superior Court of Washington for State of Washington, Plaintiff vs. Defendant

No. Statement of Defendant on Plea of Guilty to Sex Offense (Felony) (STTDFG)

- 1. My true name is:
2. My age is:
3. The last level of education I completed was
4. I Have Been Informed and Fully Understand That:
(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
(b) I am charged with: The elements are:

5. I Understand I Have the Following Important Rights, and I Give Them All Up by Pleading Guilty:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;
(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
(c) The right at trial to hear and question the witnesses who testify against me;
(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
(e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;
(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a Standard Sentence Range as follows:

Table with 7 columns: COUNT NO., OFFENDER SCORE, STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements), PLUS Enhancements*, TOTAL ACTUAL CONFINEMENT (standard range including enhancements), COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f).), MAXIMUM TERM AND FINE

*(F) Firearm, (D) Other deadly weapon, (SM) Sexual Motivation, RCW 9.94A.533(8), (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude.

(b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.

(f) For sex offenses committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community supervision if the total period of confinement ordered is not more than 12 months. If the period of confinement is more than one year, the judge will order me to serve three years of community custody or up to the period of earned early release, whichever is longer. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after July 1, 2000 but prior to September 1, 2001: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, the judge will sentence me to community custody for a period of 36 to 48 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after September 1, 2001: (i) Sentencing under RCW 9.94A.712: If this offense is for any of the offenses listed in subsections (aa) or (bb), below, the judge will impose a maximum term of confinement consisting of the statutory maximum sentence of the offense and a minimum term of confinement either within the standard range for the offense or outside the standard range if an exceptional sentence is appropriate. The minimum term

of confinement that is imposed may be increased by the Indeterminate Sentence Review Board if the Board determines by a preponderance of the evidence that it is more likely than not that I will commit sex offenses if released from custody. In addition to the period of confinement, I will be sentenced to community custody for any period of time I am released from total confinement before the expiration of the maximum sentence. During the period of community custody I will be under the supervision of the Department of Corrections and I will have restrictions and requirements placed upon me, which may include electronic monitoring, and I may be required to participate in rehabilitative programs.

(aa) If the current offense is any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree committed when I was at least 18 years old	Rape of a child in the second degree committed when I was at least 18 years old
Child molestation in the first degree committed when I was at least 18 years old	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
Murder in the first degree	Murder in the second degree
Homicide by abuse	Kidnapping in the first degree
Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Assault of a child in the second degree	Burglary in the first degree

(bb) If the current offense is any sex offense and I have a prior conviction for any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree	Rape of a child in the second degree
Child molestation in the first degree	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
Murder in the first degree	Murder in the second degree
Homicide by abuse	Kidnapping in the first degree
Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Assault of a child in the second degree	Burglary in the first degree

(ii) If this offense is for a sex offense that is not listed in paragraph 6 (f)(i), then in addition to sentencing me to a term of confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, or if my crime is failure to register as a sex offender, the judge will sentence me to community custody for a period of 36 to 48 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, which may include electronic monitoring.

For sex offenses committed on or after March 20, 2006: For the following offenses and special allegations, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater:

1) If the offense is rape of a child in the first degree, rape of a child in the second degree or child molestation in the first degree and the offense includes a special allegation that the offense was predatory.

2) If the offense is rape in the first degree, rape in the second degree, indecent liberties by forcible compulsion, or kidnapping in the first degree with sexual motivation and the offense includes special allegation that the victim of the offense was under 15 years of age at the time of the offense.

3) If the offense is rape in the first degree, rape in the second degree with forcible compulsion, indecent liberties with forcible compulsion, or kidnapping in the first degree with sexual motivation and this offense includes a special allegation that the victim of the offense was, at the time of the offense, developmentally disabled, mentally disordered, or a frail elder or vulnerable adult.

Community Custody Violation: If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

~~If I am subject to a first or second violation hearing and the Department of Corrections finds that I committed the violation, I may receive as a sanction up to 60 days of confinement per violation. If I have not completed my maximum term of total confinement and I am subject to a third violation hearing and the Department of Corrections finds that I committed the violation, the Department of Corrections may return me to a state correctional facility to serve up to the remaining portion of my sentence.~~

(g) The prosecuting attorney will make the following recommendation to the judge:

[] The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless there is a finding of substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

~~If I understand that if the court imposes a standard range sentence is imposed, then no one may appeal the sentence cannot be appealed by anyone.~~ If an exceptional sentence is imposed after a contested hearing, either the State or I can appeal the sentence.

(i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

~~(j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required, a court of record and that I must immediately surrender any concealed pistol license. RCW 9.41.040.~~

~~(k) I understand that I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.~~

(l) Public assistance will be suspended during any period of imprisonment.

(m) I will be required to register where I reside, study or work. The specific registration requirements are described in the "Offender Registration" Attachment.

(n) I will be required to have a biological sample collected for purposes of DNA identification analysis. ~~For offenses committed on or after July 1, 2002, I will be required to pay a \$100.00 DNA collection fee, unless the court finds that imposing the fee will cause me undue hardship.~~

(o) I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

Notification Relating to Specific Crimes. If Any of the Following Paragraphs Do Not Apply, They Should Be Stricken and Initialed by the Defendant and the Judge.

(p) This offense is a most serious offense or strike as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the offense for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole. In addition, if this offense is (i) rape in the first degree, rape of a child in the first degree, rape in the second degree, rape of a child in the second degree, indecent liberties by forcible compulsion, or child molestation in the first degree, or (ii) murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree, with a finding of sexual motivation, or (iii) any attempt to commit any of the offenses listed in this sentence and I have at least one prior conviction for one of these listed offenses in this state, in federal court, or elsewhere, the offense for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

(q) **Special sex offender sentencing alternative:** In addition to other eligibility requirements under RCW 9.94A.670, to be eligible for the special sex offender sentencing alternative, I understand that I must voluntarily and affirmatively admit that I committed all of the elements of the crime(s) to which I am pleading guilty. I make my voluntary and affirmative admission in my statement in paragraph 11.

For offenses committed before September 1, 2001: The judge may suspend execution of the standard range term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under former RCW 9.94A.120(8) (for offenses committed before July 1, 2001) or RCW 9.94A.670 (for offenses committed on or after July 1, 2001). If the judge suspends execution of the standard range term of confinement, I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater; I will be ordered to serve up to 180 days of total confinement; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

For offenses committed on or after September 1, 2001: The judge may suspend execution of the standard range term of confinement or the minimum term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.670. If the judge suspends execution of the standard range term of confinement for a sex offense that is not listed in paragraph 6 (f)(i), I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater. If the judge suspends execution of minimum term of confinement for a sex offense listed in paragraph 6 (f)(i), I will be placed on community custody for the length of the statutory maximum sentence of the offense. In addition to the term of community custody, I will be ordered to serve up to 180 days of total con-

finement; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me, which may include electronic monitoring; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

(r) If this is a crime of domestic violence, the court may order me to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

(s) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.

(t) If this offense involves a motor vehicle, my driver's license or privilege to drive will be suspended or revoked.

(u) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[p].

(v) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

(w) ~~I understand that~~ The offense(s) I am pleading guilty to include a deadly weapon, firearm or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

(x) For crimes committed on or after July 22, 2007: ~~I understand that~~ If I am pleading guilty to rape of a child in the first, second, or third degree, and I engaged, agreed or offered to engage the victim in sexual intercourse or sexual contact for a fee, or if I attempted, solicited another, or conspired to engage, agree or offer to engage the victim in sexual intercourse or sexual contact for a fee, then a one-year enhancement shall be added to the standard sentence range. If I am pleading guilty to more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement.

7. I plead guilty to:

- count _____
- count _____
- count _____
- count _____

in the _____ Information. I have received a copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime.

This is my statement: _____

Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant
I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer

Print Name WSBA No.

Print Name WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

Interpreter's Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defen-

dant understands, and I have translated this document the (identify document being translated) _____ for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

Interpreter's Declaration

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands, and I have translated the _____ (Identify document being translated) _____ for the defendant from English into that language.

The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: _____

Interpreter

Print Name

Location: _____

SUPERIOR COURT OF WASHINGTON	
COUNTY OF _____	
JUVENILE COURT	
STATE OF WASHINGTON	
vs.	
Respondent	

NO.
STATEMENT ON PLEA OF GUILTY (STJOPG)

1. My true name is: _____
I am also known as: _____
2. My age is: _____ . Date of Birth _____
3. I have been informed and fully understand that I have the right to a lawyer, and that if I cannot afford to pay for a lawyer, the judge will provide me with one at no cost. I understand that a lawyer can look at the social and legal files in my case, talk to the police, probation counselor and prosecuting attorney, tell me about the law, help me understand my rights, and help me at trial.
4. I understand that I am charged with Count 1 _____

the elements of which are _____

_____ ;

Count 2 _____,
the elements of which are _____

And I have been given a copy of the charge(s).

5. I UNDERSTAND I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:

- a. I have the right to a speedy and public trial in the county where the offense(s) allegedly occurred.
b. I have the right to remain silent before and during trial, and I need not testify against myself.
c. I have the right to hear and question witnesses who might testify against me.
d. I have the right to testify and to have witnesses testify for me. These witnesses may be required to appear at no cost to me.

[] LOCAL SANCTIONS:

Table with 7 columns: COUNT, SUPERVISION, COMMUNITY RESTITUTION, FINE, DETENTION, CVC, RESTITUTION. Rows 1-3 show options for counts 1, 2, and 3 with corresponding supervision, restitution, fine, and CVC details.

I understand that, if community supervision is imposed, I will be required to comply with various rules, which could include school attendance, curfew, law abiding behavior, associational restrictions, counseling, treatment, urinalysis,

[] JUVENILE REHABILITATION ADMINISTRATION (JRA) COMMITMENT:

Table with 4 columns: COUNT, WEEKS AT JUVENILE REHABILITATION ADMINISTRATION (JRA) FACILITY, CVC, RESTITUTION. Rows 1-3 show options for counts 1, 2, and 3 with week ranges and CVC/restitution details.

I understand that, if I am committed to a Juvenile Rehabilitation Administration (JRA) facility, following my release I may be required to comply with a program of parole for a number of months. I understand that if placed on parole, I will be under the supervision of a parole officer. The conditions of parole will restrict my actions and may require me to participate in activities and programs including, but not limited to, evaluation, treatment, education, employment, community restitution, electronic monitoring, and urinalysis. Failure to comply with the conditions of parole may result in parole revocation and further confinement. If the offense to which I am pleading guilty is a sex offense, failure to comply with the conditions of parole may result in further confinement of up to 24 weeks.

I understand that if I am pleading guilty to two or more offenses, the disposition terms shall run consecutively (one term after the other) subject to the limitations in RCW 13.40.180.

I understand that if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding.

8. RIGHT TO APPEAL SENTENCE: I understand, that the judge must impose a sentence within the standard range,

e. I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty.

f. I have the right to appeal a finding of guilt after trial.

6. I have been informed that in order to determine an appropriate sentence regarding the charges to which I plead guilty in this matter, the judge will take into consideration my criminal history, which is as follows:

- a. _____
b. _____
c. _____
d. _____
e. _____
f. _____

7. The Standard Sentencing Range, which was calculated using my criminal history as referenced in Paragraph 6, above, is as follows:

and/or other conditions deemed appropriate by the judge. Failure to comply with the conditions of supervision could result in a violation being found and further confinement imposed for the violation up to 30 days.

unless the judge finds by clear and convincing evidence that the standard range sentence would amount to a manifest injustice. If the judge goes outside the standard range, either the state or I can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.

9. MAXIMUM PUNISHMENT: I have been informed, and fully understand, that the maximum punishment I can receive is commitment until I am 21 years old, but that I may be incarcerated for no longer than the adult maximum sentence for this offense.

10. COUNTS AS CRIMINAL HISTORY: I understand that my plea of guilty and the judge's acceptance of my plea will become part of my criminal history. I understand that if I am pleading guilty to two or more offenses that arise out of the same course of conduct, only the most serious offense will count as an offense in my criminal history. I understand that my guilty plea will remain part of my criminal history when I am an adult and may affect my ability to remain in the Juvenile Justice System should I re-offend. I understand that the judge will consider my criminal history when sentencing me for any offense that I commit in the future as an adult or juvenile.

11. GROUNDS FOR DEPORTATION: If I am not a citizen of the United States, a plea of guilty to an offense punishable as

a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

12. NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS DO NOT APPLY, THEY SHOULD BE STRICKEN AND INITIALED BY THE DEFENDANT AND THE JUDGE.

[A] SUSPENSION/REVOCAION OF DRIVING PRIVILEGE FOR FIREARMS OR DRUGS: I have been informed that if the offense that I am pleading guilty to involves a finding that I was armed with a firearm when I committed the offense or if the offense was a violation of RCW 9.41.040(+) (2)(a)(iii) or chapters 66.44, 69.41, 69.50 or 69.52 and I was 13 years of age or older when I committed the offense, then the plea will result in the suspension or revocation of my privilege to drive.

[B] SUSPENSION/REVOCAION OF DRIVING PRIVILEGE FOR DRIVING OFFENSES: I have been informed that if the offense that I am pleading guilty to is any felony in the commission of which a motor vehicle was used, reckless driving, driving or being in physical control of a motor vehicle while under the influence of intoxicants, driving while license suspended or revoked, vehicular assault, vehicular homicide, hit and run, theft of motor vehicle fuel, or attempting to elude a pursuing police vehicle, the plea will result in the suspension or revocation of my privilege to drive.

[C] OFFENDER REGISTRATION FOR SEX OFFENSE OR KIDNAPPING OFFENSE: Because this crime involves a sex offense, or a kidnapping offense involving a minor, or sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation, or conspiracy to commit a sex offense or a kidnapping offense involving a minor, as defined in RCW 9A.44.130, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

[D] DNA TESTING: Pursuant to RCW 43.43.754, ~~if~~ this crime involves a felony, or an offense which requires sex or kidnapping offender registration, or any of the following offenses: stalking, harassment, or communication with a minor for immoral purposes, assault in the fourth degree with sexual motivation, custodial sexual misconduct in the second degree, failure to register as a sex or kidnapping offender, patronizing a prostitute, sexual misconduct with a minor in the second degree, or violation of a sexual assault protection order. I will be required to have a biological sample collected for purposes of DNA identification analysis. ~~RCW 43.43-754.~~

[E] HIV TESTING: If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus. RCW 70.24.340.

[F] DOMESTIC VIOLENCE ASSESSMENT: If this offense involves domestic violence, I may be required to pay a domestic violence assessment of up to \$100.

[G] CRIME LAB FEES: If this offense involves a controlled substance, I will be required to pay \$100 for the State Patrol Crime Lab fees to test the substance.

[H] SCHOOL NOTIFICATION: If I am enrolled in a common school, the court will notify the principal of my plea of

guilty if the offense for which I am pleading guilty is a violent offense as defined in RCW 9.94A.030; a sex offense as defined in RCW 9.94A.030; inhaling toxic fumes under chapter 9.47A RCW; a controlled substance violation under chapter 69.50 RCW; a liquor violation under RCW 66.44.-270; or any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48 RCW. RCW 13.04.155.

[I] SCHOOL ATTENDANCE WITH VICTIM PROHIBITED: I understand that if I am pleading guilty to a sex offense, I will not be allowed to attend the school attended by the victim or victim's siblings. RCW 13.40.160.

[J] FEDERAL BENEFITS: I understand that if I am pleading guilty to a felony drug offense, my eligibility for state and federal food stamps and welfare will be affected. 21 U.S.C. § 862a.

[K] MANDATORY MINIMUM SENTENCE: The crime of _____ has a mandatory minimum sentence of at least _____ weeks of total confinement. The law does not allow any reduction of this sentence.

[L] RIGHT TO POSSESS FIREARMS: [JUDGE MUST READ THE FOLLOWING TO OFFENDER] I have been informed that if I am pleading guilty to any offense that is classified as a felony or any of the following crimes when committed by one family or household member against another: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence; that I may not possess, own, or have under my control any firearm unless my right to do so has been restored by a superior court in Washington State, and by a federal court if required. RCW 9.41.040(1).

[M] FIREARMS POSSESSION OR COMMISSION WHILE ARMED:

[i] Minimum 10 Days for Possession Under Age 18: I understand that the offense I am pleading guilty to includes possession of a firearm in violation of RCW 9.41.040 (1)(b) (iii), and pursuant to RCW 13.40.193, the judge will impose a mandatory minimum disposition of 10 days of confinement, which must be served in total confinement without possibility of release until a minimum of 10 days has been served.

[ii] Unlawful Possession with Stolen Firearm: I understand that if the offenses I am pleading guilty to include both a conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm, that the sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

[iii] Armed During Commission of Any Offense: I understand that if the offense I am pleading guilty to includes a finding that either I or my accomplice was armed with a firearm during the commission of the offense, that the standard range disposition shall be determined pursuant to RCW 13.40.160, unless the judge finds a manifest injustice, in which case the disposition shall be determined pursuant to RCW 13.40.193(3). Such confinement will run consecutive to any other sentence that may be imposed.

[iv] Armed During Commission of a Felony: I further understand that the offense I am pleading guilty to includes a finding that either myself or my accomplice was armed with a firearm during the commission of a felony (other than possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first or second degree, or use of a machine gun in a felony) and, therefore, the following mandatory periods of total confinement will be added to my sentence: For a class A felony, six (6) months; for a class B felony, four (4) months; and for a class C felony, two (2) months. Such confinement will run consecutive to any other sentence that may be imposed.

13. I understand that the prosecuting attorney will make the following recommendation to the judge:

14. I understand that the probation counselor will make the following recommendation to the judge:

15. Although the judge will consider recommendations of the prosecuting attorney and the probation officer, the judge may impose any sentence he or she feels is appropriate, up to the maximum allowed by law.

16. The judge has asked me to state in my own words what I did that makes me guilty of this crime. This is my statement:

[] Instead of making a statement, I agree that the judge may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

17. I plead guilty to count ____ in the _____ Information. I have received a copy of that Information.

18. I make this plea freely. No one has threatened to harm me or anyone else to get me to plead guilty.

19. No one has made any promises to make me plead guilty, except as written in this statement.

20. I have read or someone has read to me everything printed above, and in Attachment "A," if applicable, and I understand it in full. I have been given a copy of this statement. I have no more questions to ask the judge.

Dated: _____
Respondent

I have read and discussed this statement with the respondent and believe that the respondent is competent and fully understands the statement.

Deputy Prosecuting Attorney	WSBA No.	Attorney for Respondent	WSBA NO.
Type or Print Name		Type or Print Name	

JUDGE'S CERTIFICATE

The foregoing statement was signed by the respondent in open court in the presence of his or her lawyer and the undersigned judge. The respondent asserted that [check appropriate box]:

- (a) The respondent had previously read the entire statement above and that the respondent understood it in full;
- (b) The respondent's lawyer had previously read to him or her the entire statement above and that the respondent understood it in full; or
- (c) An interpreter had previously read to the respondent the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

INTERPRETER'S DECLARATION: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands, and I have translated this document the (identify document being translated) _____ for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____

Interpreter _____ Print Name _____

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Respondent understands the charge and the consequences of the plea. There is a factual basis for the plea. The respondent is guilty as charged.

Dated: _____
Judge/Commissioner

INTERPRETER'S DECLARATION

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the respondent understands, and I have translated the _____ (Identify document being translated) _____ for the respondent from English into that language.

The respondent has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED: _____
Interpreter

Location: _____

Court of Washington for
Plaintiff
vs.
Defendant.

No. _____

**Statement of Defen-
dant
on Plea of Guilty**

~~++ Count 1:~~ _____

~~++ Count 2:~~ _____

~~++ Count 3:~~ _____

~~++~~ _____

1. My true name is _____
2. My age is _____
3. I went through the _____ grade.

4. I Have Been Informed and Fully Understand that:

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with: _____

Count	Crime	RCW or Ordinance (with subsection)
1.		
2.		
3.		
4.		

In count(s) _____, the defendant committed the offense against another family or household member as defined in RCW 10.99.020.

The elements are:

as set out in the charging document.

as follows:

5. I Understand That I Have the Following Important Rights, and I Give Them All Up by Pleading Guilty:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

(a) The crime with which I am charged carries a maximum sentence of _____ days in jail and a \$_____ fine.

(b) The prosecuting authority will make the following recommendation to the judge:

(c) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting authority or anyone else recommends.

(d) The judge may place me on probation for up to five years if I am sentenced under RCW 46.61.5055 or up to two years for all other offenses and impose conditions of probation. If the court orders me to appear at a hearing regarding my compliance with probation and I fail to attend the hearing, the term of probation will be tolled until I appear before the court on the record.

(e) The judge may require me to pay costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.

(f) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

Notification Relating to Specific Crimes. If any of the Following Paragraphs Apply, the Box Should Be Checked and the Paragraph Initialed by the Defendant.

(g) The crime of _____ has a mandatory minimum sentence of _____ days in jail and \$_____ fine plus costs and assessments. The law does not allow any reduction of this sentence.

(h) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus.

(i) This plea of guilty will result in suspension or revocation of my driving license or privilege by the Department of Licensing for a period of _____. This period may not include suspension or revocation based on other matters.

(j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. ~~court of record and that~~ I must

immediately surrender any concealed pistol license. RCW 9.41.040.

[] (k) If this crime involves a drug offense, my eligibility for state and federal education benefits will be affected. 20 U.S.C. § 1091(r).

[] (l) If this case involves driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, I have been informed and understand that I will be subject to

[] the penalties described in the "DUI" Attachment.

OR

[] these penalties: The mandatory minimum sentence of _____ days in jail, _____ days of electronic home monitoring and \$ _____ monetary penalty. I may also be required to drive only motor vehicles equipped with an ignition interlock device as imposed by the Department of Licensing and/or the court. My driving privilege will be suspended or revoked by the Department of Licensing for the period of time stated in paragraph 6(i). In lieu of the minimum jail term, the judge may order me to serve _____ days in electronic home monitoring. If I do not have a dwelling, telephone service, or any other necessity to operate electronic home monitoring; if I live out of state; or if the judge determines I would violate the terms of electronic home monitoring, the judge may waive electronic home monitoring and impose an alternative sentence which may include additional jail time, work crew or work camp.

[] (m) I understand that if this crime involves sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.130, I will be required to register with the county sheriff as described in the "Offender Registration" Attachment.

[] (n) Pursuant to RCW 43.43.754, if this crime involves is an offense which requires sex or kidnapping offender registration, or is one of the following offenses, assault in the fourth degree with sexual motivation, communication with a minor for immoral purposes, custodial sexual misconduct in the second degree, failure to register, harassment, patronizing a prostitute, sexual misconduct with a minor in the second degree, stalking, or violation of a sexual assault protection order granted under chapter 7.90 RCW harassment or communication with a minor for immoral purposes, I will be required to have a biological sample collected for purposes of DNA identification analysis. RCW 43.43.754.

[] (o) Travel Restrictions: I understand that I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if I am placed on probation for one year or more and this crime involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires the offender to register as a sex offender in the sending state. I understand that I will be required to pay an application fee with my travel or transfer request.

7. I plead guilty to the crime(s) of _____ as charged in the complaint(s) or citation(s) and notice. I have received a copy of that complaint or citation and notice.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. **Statement of Facts:** The judge has asked me to state in my own words what I did that makes me guilty of the crime(s). This is my statement: (State the specific facts that support each element of the crime(s)):

[] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Date: _____

Defendant

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer

Type or Print Name WSBA No.

Type or Print Name WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that (check the appropriate box):

- (a) The defendant had previously read; or
- (b) The defendant's lawyer had previously read to him or her; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

Interpreter Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands, and I have translated this document (identify document being translated) _____ for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under

penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____

 Interpreter Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____
Judge

Interpreter's Declaration

(If required, attach to Statement of Defendant on Plea of Guilty.)

~~I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands, and I have trans-~~

~~lated _____ (Identify document being translated) _____ for the defendant from English into that language.~~

~~The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.~~

Dated: _____

 Interpreter

 Type or Print Name

Location: _____

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 in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 08-16-006
 AGENDA
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed July 23, 2008, 4:58 p.m.]

Following in accordance with RCW 34.05.314 is the department of labor and industries' semi-annual rules development agenda for July 1, 2008, through December 31, 2008.

Please contact Josh Swanson at (360) 902-6805 or e-mail at swaj235@lni.wa.gov, if you have any questions.

Semi-Annual Rules Development Agenda
July 1, 2008 - December 31, 2008

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
DIVISION: DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (DOSH)						
Chapter 296-800 WAC	Accident prevention program (APP)	Cathy Julian (360) 902-5401	TBD	TBD	TBD	Provide an improved description of the characteristics and parameters of an acceptable accident prevention program (APP) and to provide consistent wording and requirements regarding APPs across all rules that require an APP.
Chapter 296-155 WAC	Certification of crane inspectors, and crane operator qualifications and experience	Cindy Ireland (360) 902-5522	7/17/07	7/23/08	11/4/08	This rule making is in response to chapter 27, Laws of 2007 (ESHB 2171), requiring the department of labor and industries to have rules relating to certification of crane inspectors and cranes.
Chapter 296-115 WAC	Charter boats	Jill Saibel (360) 902-4519	4/22/08	7/1/08	9/30/08	The purpose of this rule making is to update the appeals section to more accurately reflect the intent of chapter 88.04 RCW, the Charter Boat Safety Act. The penalty language of this rule will also be updated to give the department more flexibility.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapters 296-24 and 296-155 WAC	Cranes and rigging for construction	Cindy Ireland (360) 902-5522	8/19/08	3/09	9/09	This rule making is in response to chapter 27, Laws of 2007 (ESHB 2171), requiring the department of labor and industries to have rules relating to certification of crane inspectors and cranes.
WAC 296-45-475	Electrical	Kim Johnson (360) 902-5008	8/5/08	TBD	TBD	The electric utility safety advisory committee (EUSAC) has come to the department with concerns about the protection of nonqualified workers while in energized electric utility substations. The EUSAC recommends that the department adopt language to help the industry ensure the safety of these workers.
WAC 296-800-310	Exit routes (core rules)	Kim Johnson (360) 902-5008	N/A	CR-105 expedited 6/17/08	9/2/08	The occupational safety and health administration (OSHA) has found some of the requirements in our rewritten rule regarding exit routes and employee alarm systems less-effective-than the federal rule. This proposal addresses the changes that will make our rule at-least-as-effective-as the federal equivalent.
Chapter 296-52 WAC	Explosives	Beverly Clark (360) 902-5516	4/1/08	5/20/08	7/22/08	This rule making is in response to chapter 285, Laws of 2008 (EHB 3381), which gave the department the authority to increase the fees associated with the explosives program.
Chapters 296-24, 296-45, 296-155, 296-305, 296-307, 296-800 WAC	Fall protection	Jamie Scibelli (360) 902-4568	4/4/06	TBD	TBD	We are reviewing language and combining two parts of the construction rule for clarity and ease of use. The department will clarify the interpretation of current rules and policies concerning employees working on a roof between four and ten feet and inconsistencies in requirements for common hazards (i.e. the height of guardrails and specifications for floor openings).
Chapter 296-305 WAC	Fire fighting	Kim Johnson (360) 902-5008	TBD	TBD	TBD	We are reviewing the fire fighting rules for possible updates and to make them easier to use and understand.
Chapter 296-817 WAC	Hearing loss	Kim Johnson (360) 902-5008	2/6/07	TBD	TBD	We are reviewing language in the hearing loss prevention (noise) rule, to clarify requirements and update language for consistency with industry standards.
Chapters 296-24, 296-27, 296-37, 296-305, 296-800 WAC	Hospitalization	Kim Johnson (360) 902-5008	N/A	CR-105 expedited 8/5/08	10/20/08	These sections are being added to DOSH's rules requiring employers to report when one employee is hospitalized due to a workplace illness or incident. These sections were inadvertently left out of the previous rule filing that changed these requirements.
Chapters 296-800, 296-304, 296-45, 296-56, 296-155 WAC	Personal protective equipment (PPE)	Kim Johnson (360) 902-5008	N/A	CR-105 expedited 8/5/08	9/30/08	The occupational safety and health administration (OSHA) has recently revised several of their rules to clarify the fact that personal protective equipment (PPE) for employees is to be paid for by the employer. We are proposing to make the same changes to our rule, to remain as-effective-as OSHA as mandated by statute.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
DIVISION: INSURANCE SERVICES (WORKERS' COMPENSATION)						
Chapters 296-14 and 296-15 WAC	Industrial insurance —Suppressing workers' compensa- tion claims	Valerie Grimm (360) 902-5005	6/5/07	9/08	12/08	The proposed rules will assist in the implementation of chapter 77, Laws of 2007 (SSB 5443). The proposed rule making will: <ul style="list-style-type: none"> • Define bona fide workplace safety and accident prevention program and first aid, and • Establish the penalty structure for employers when there is a finding of claim suppression. <p>Consideration will be given to when and how employers may be required to notify workers of a finding of claim suppression. In addition, the rule making may address additional issues identified in the rule-development process.</p>
Chapter 296-14 WAC	Industrial insurance —Wages	Valerie Grimm (360) 902-5005	4/22/08	9/08	12/08	This rule making will amend existing rules for consistency with chapter 297, Laws of 2007 (SHB 1244). A new rule will be added to clarify when the value of health care benefits is included in determining the worker's monthly wage.
Chapter 296-14 WAC	Industrial insurance —Confidentiality of worker's compensa- tion claim files	Valerie Grimm (360) 902-5005	11/6/04	TBD	TBD	This rule making will define the responsibility of employers, workers, and other parties who have access to worker's compensation claim files for confidentiality and release of claim information.
Chapter 296-14 WAC	Industrial insuranc e—Pension dis- count rates and mor- tality assumptions	Valerie Grimm (360) 902-5005	6/20/01	TBD	TBD	This rule making will update the mortality assumptions used to determine pension reserves and actuarial benefit reductions.
Chapter 296-14 WAC	Industrial insurance —Definitions	Valerie Grimm (360) 902-5005	5/3/05	10/08	3/09	This rule making will define terms used in chapter 296-14 WAC and move definitions currently in chapter 296-20 WAC to chapter 296-14 WAC. The rule making will amend the definition of temporary partial disability. This rule making will impact crime victims' compensation.
Chapter 296-14 WAC	Industrial insurance —Social security offset	Valerie Grimm (360) 902-5005	TBD	TBD	TBD	This rule making will consider possible changes to the social security offset requirements.
Chapter 296-19A WAC	Vocational rehabili- tation	Valerie Grimm (360) 902-5005	4/22/08	9/17/08	12/31/08	The proposed rules will address option 2 benefits. Content of this rule filing has not been determined yet.
Chapter 296-19A WAC	Vocational rehabili- tation	Valerie Grimm (360) 902-5005	5/21/08	3/09	6/30/09	The proposed rules will address criteria for approving nonaccredited and unlicensed training programs.
Chapter 296-14 WAC	Industrial insur- ance—Worker employment pat- terns	Valerie Grimm (360) 902-5005	8/21/02	TBD	TBD	This rule making will provide clarification on how to determine a worker's employment pattern at the time of injury or on the date of disease manifestation for the purpose of calculating the worker's wage. This rule will impact crime victims' compensation.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-17 WAC	Rates	Bill Moomau (360) 902-4774 or JoAnne Smith (360) 902-4777	6/17/08	9/16/08	11/26/08	This rule making is for 2009 industrial insurance rate changes.
Chapter 296-17 WAC	Extraterritorial rules	Bill Moomau (360) 902-4774 or JoAnne Smith (360) 902-4777	5/12/08	7/22/08	9/19/08	This rule making is a result of chapter 88, Laws of 2008 (SB 6839), to clarify premium liability and information needed when Washington employers work out of state.
Chapters 296-17A and 296-17 WAC	Construction classifications and reporting	Bill Moomau (360) 902-4774 or JoAnne Smith (360) 902-4777	7/2/08	8/6/08	10/22/08	This rule making will consider house-keeping changes to existing construction classifications and rules, a new reporting allowance for light-duty injured workers.
Chapter 296-21 WAC	Psychiatric advanced registered nurse practitioners	Jami Lifka	7/29/08	TBD	TBD	The department is looking into this issue in response to a petition to change WAC 296-21-270. Currently WAC 296-21-270 limits psychiatric services for injured workers to psychiatrists and psychologists.
Chapter 296-15 WAC	2nd injury fund experience rating	Margaret Conley (360) 902-6723	1/23/07	12/2/08	3/3/09	This rule making is in response to chapter 475, Laws of 2005 (SSB 5992), we will implement rules to establish an experience rating for self-insurers' use of the industrial insurance 2nd injury fund. The rules will clarify how the experience rating for each self-insurer will be calculated effective July 1, 2009.
Chapter 296-15 WAC	SIEDRS (self insurance electronic data reporting system)	Margaret Conley (360) 902-6723	1/23/07	10/22/08	12/23/08	This rule making is in response to chapter 145, Laws of 2005 (SHB 1310), we will implement rules to enable self-insured employers to provide claim data. The rules will clarify what self-insurers must do to comply with the electronic data reporting requirements.
Chapter 296-15 WAC	Pay during appeal	Margaret Conley (360) 902-6723	8/5/08	9/5/08	11/18/08	This rule making is in response to chapter 280, Laws of 2008 (ESSB 3139 [E2SHB 3139]), we will implement rules to allow for stays of industrial insurance orders on appeal. These rules will clarify the process for self-insurers, including when benefits must be paid, how any overpayments resulting from a denial of stay can be recouped, establishing a fund for such repayment, and defining new reporting requirements so that the department can effectively track such overpayments.
Chapter 296-15 WAC	Housekeeping	Margaret Conley (360) 902-6723	8/5/08	9/5/08	11/18/08	The purpose of this rule making is to review chapter 296-15 WAC for possible changes.
WAC 296-23-302 through 296-23-392	Independent medical exams	Anita Austin (360) 902-6825	5/6/08	11/4/08	1/28/09	The purpose of this rule making is to review the credentialing requirements for independent medical examiners for possible changes.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
DIVISION: SPECIALTY COMPLIANCE SERVICES - (SCS)						
Chapter 296-05 WAC	Apprenticeship rules	Sally Elliott (360) 902-6411	9/18/07	TBD	TBD	The purpose of this rule making is to create provisional approval for new apprenticeship programs. The department will work with stakeholders to develop language and to review other possible housekeeping changes.
Chapter 296-46B WAC	Electrical rules	Sally Elliott (360) 902-6411	11/6/07	8/08	10/08	The department plans to review the electrical rules for possible changes. The electrical rules are reviewed on a regular basis to ensure the rules are consistent with the national consensus standards, industry practice, to clarify the rules, and for possible changes to fees.
Chapter 296-96 WAC	Elevator rules	Sally Elliott (360) 902-6411	N/A	CR-105 expedited 7/23/08	9/23/08	The purpose of this rule making is to make housekeeping changes to the elevator rules.
Chapter 296-104 WAC	Board of boiler rules	Sally Elliott (360) 902-6411	8/5/08	9/30/08	11/18/08	The purpose of the rule making is to make the following changes: <ul style="list-style-type: none"> • Clarify insurance inspector's responsibilities in WAC 296-104-045. • Adopt current editions of inspection codes in WAC 296-104-102. • Write new administrative WAC 296-104-250 for standards for installation. • Write new administrative WAC 296-104-500 for standards for repair. • Revise WAC 296-104-302 to adopt nationally recognized fuel train standards. • Update references throughout the rule.
Chapter 296-127 WAC	Prevailing wage— Electronic technician	Sally Elliott (360) 902-6411	5/2/06	TBD	TBD	This rule making will amend the scope of work definition for electronic technicians. The department will work with stakeholders throughout the rule-making process.
Chapter 296-127 WAC	Prevailing wage fee changes	Sally Elliott (360) 902-6411	4/22/08	6/17/08	8/19/08	This rule making is as a result of chapter 285, Laws of 2008 (EHB 3381), which updated the filing fees for intents and affidavit from \$25 to \$40. The rule making will remove the \$25 filing fee from the rule. The filing fees for prevailing wage intents and affidavits will be removed from the rule. The rules will have a reference to RCW 39.12.070, which clearly states the current fee set by the legislature. This will prevent the program from having to conduct rule making every time a fee change occurs.
Chapter 296-127 WAC	Prevailing wage— Scope of work	Sally Elliott (360) 902-6411	7/22/08	9/16/08	11/18/08	The purpose of this rule making is to adopt scope of work descriptions for: <ul style="list-style-type: none"> • Construction site surveyor • Industrial power vacuum • Divers - Diver tenders.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
WAC 296-127-018	Prevailing wage material delivery	Sally Elliott (360) 902-6411	2/5/08	TBD	TBD	<p>During the last decade the prevailing wage program has seen a number of court decisions identify the extent to which prevailing wages are required to be paid for the work of incorporation and delivery of material on public projects. In particular, the recent Silverstreak case (2007), after nine years of court action, clarified the delivery and incorporation of fill material via belly dump and end-dump trucks. In addition, a series of other published cases (<i>Heller v. Mclure Superior Asphalt 1 and 2</i>) provided coverage for the oiling of machinery and the delivery and incorporation of asphalt, respectively.</p> <p>The purpose of this rule making is to clarify the coverage of delivery services and make the coverage of work and payment of wages consistent with the direction from the courts.</p>
Chapter 296-128 WAC	Minimum wages hours worked	Sally Elliott (360) 902-6411	5/6/08	7/23/08	10/21/08	<p>The rule making is in response to <i>Bostain v. Food Express, Inc.</i>, 159 Wn.2d 700, 153 P.3d 846 (2007). In that case, the court concluded that RCW 49.46.130(1) requires overtime compensation for hours worked over forty per week for interstate driving, including hours spent working out of state. Current rules require overtime pay for truck drivers only for their hours worked within Washington. These rules are not consistent with the statute and need to be amended. The court's ruling directly affects two regulations with corresponding policies and enforcement practices. The court's decision has invalidated portions of WAC 296-128-011 and 296-128-012 where the rules define hours for purposes of overtime provisions as hours worked only within Washington state. Language is being considered that allows employers to submit their compensation systems to the department for review and approval.</p>
Chapters 296-125, 296-126, 296-128, and 296-131 WAC	Employment stan- dards policy to rule integration	Sally Elliott (360) 902-6411	9/20/08	TBD	TBD	<p>The purpose of this rule making is to integrate administrative policies into the rules.</p>
Chapter 296-150M WAC	Manufactured homes rules	Sally Elliott (360) 902-6411	N/A	CR-105 expedited 2/22/08	9/22/08	<p>The purpose of this rule making will repeal sections of chapter 296-150M WAC that will be moved into the new mobile and manufactured home installation program, chapter 296-150I WAC.</p>

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-200A WAC	Contractor certificate of registration	Sally Elliott (360) 902-6411	5/22/07	Original CR-102 1/22/08 supplemental CR-102 6/17/08	8/1/08	This rule making is a result of chapter 436, Laws of 2007 (SHB 1843). The legislation amends the contractor registration rules to be consistent with the statute. The rule making will also review the contractor registration rules for possible changes.
Chapter 296-200A WAC	Contractor certificate of registration	Sally Elliott (360) 902-6411	8/19/08	TBD	TBD	This rule making is a result of chapter 120, Laws of 2008 (SSSB [SSSB] 6732). The contractor registration rules need to be updated and implemented to be consistent with the statute.
Chapter 296-400A WAC	Plumbers certification rules	Sally Elliott (360) 902-6411	8/19/08	10/21/08	12/3/08	The purpose of this rule making is to implement and review the plumber rules for possible changes.

Josh Swanson
Legislative Liaison
Rules Coordinator

WSR 08-16-074

AGENDA

**DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH**

[Filed July 31, 2008, 3:33 p.m.]

July 2008 Rules Agenda

This report details current and anticipated rule-making activities for the department of health (DOH) and the state board of health (SBOH). If you have any questions regarding this report or DOH rule-making activities, please contact Tami Thompson at (360) 236-4044. If you have any questions regarding SBOH rule-making activities please contact Craig McLaughlin at (360) 236-4106.

This agenda is for information purposes, and the noted dates of anticipated rule-making actions are estimates. Any errors in this agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington state register. There may be additional DOH rule-making activities that cannot be forecasted as the department initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. See the "key" at the end of the tables for explanations of terms and acronyms.

State Board of Health

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
Chapter 64.44 RCW	State board of health and department of health (joint rules)	Chapter 246-205 WAC, Decontamination of illegal drug manufacturing or storage sites.	07-24-092 12/5/07	Anticipate filing by 10/08			EH - Gregory McKnight (360) 236-3381
RCW 70.118B.040	State board of health and department of health (joint rules)	Chapter 246-272B WAC, Large on-site sewage system (LOSS) regulations.	08-03-065 1/14/08	Anticipate filing by 3/09			EH - Kelly Cooper (360) 236-3012
RCW 43.20.050	State board of health	Chapter 246-215 WAC, Food service.	Anticipate filing by 1/09				EH - Dave Gifford (360) 236-3074
RCW 43.20.051	State board of health	Chapter 246-260 WAC, Water recreation facilities.	Anticipate filing by 12/08				EH - Gary Fraser (360) 236-3073

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 43.20.050	State board of health	Chapter 246-272A WAC, On-site sewage systems. This rule making will explore creation of a process for the approval and state registration of drain field remediation technologies. The state board of health does not currently regulate remediation technologies.	06-12-108 6/7/06				EH - Kelly Cooper (360) 236-3012
RCW 43.20.050	State board of health	Chapter 246-272C WAC, a new chapter establishing standards for sewage (septic) tanks. WSR 04-03-010 listed standards for large on-site sewage systems (LOSS) and sewage tanks.	06-06-051 2/28/06	Anticipate filing by 1/09			EH - Mamdouh El-Aarag (509) 456-2754
RCW 43.20.050	State board of health	Chapter 246-290 WAC, Group A public water supplies - Stage 2.	Anticipate filing by 8/08				SBOH - Ned Therien (360) 236-4103
RCW 43.20.050	State board of health	Chapter 246-291 WAC, Group B public water supplies.	07-14-147 7/5/07	Anticipate filing by 10/09			EH - Theresa Phillips (360) 236-3147
RCW 70.62.240	State board of health	Chapter 246-360 WAC, Transient accommodations.	07-14-148 7/5/07				HSQA - Yvette Fox (360) 236-2928
RCW 43.20.050	State board of health	Chapter 246-366 WAC, Primary and secondary schools.	04-20-050 10/1/04	08-15-174 7/23/08 pending hearings 8/27/08 and 9/10/08			SBOH - Ned Therien (360) 236-4103
RCW 43.20.050	State board of health	Chapter 246-390 WAC, Drinking water laboratory certification.	06-23-077 11/13/06	Anticipate filing by 11/08			EH - Theresa Phillips (360) 236-3147
RCW 43.20.050	State board of health	Chapter 246-XXX WAC, HIV AIDS partner notification.	TBD				CFH - John Peppert (360) 236-3427
RCW 28A.210.140, 43.20.050	State board of health	WAC 246-100-166 Immunization of child care and school children against certain vaccine-preventable diseases.	08-07-097 3/19/08	Anticipate filing by 9/3/08 pending hearing 10/8/08			SBOH - Tara Wolff (360) 236-4101 CFH - Jeff Wise (360) 236-3483
RCW 43.20.050	State board of health	WAC 246-100-191 Animals, birds, pets—Measures to prevent human disease. WAC 246-100-201 Birds—Measures to prevent psittacosis.	07-10-117 5/2/07	Anticipate filing by 1/10			EH - Liz Dykstra (360) 236-3223

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 70.24.130	State board of health	WAC 246-100-202 Special diseases—Sexual transmitted duties and authorities.	Anticipate filing by 12/08				CFH - Bat-sheva Stein (360) 236-3582
RCW 43.20.050	State board of health	WAC 246-101-XXX Notifiable conditions.	Anticipate filing by 10/08				EHSPHL - Pamela Lovinger (360) 236-4225
Chapter 70.54 RCW	State board of health	Chapter 246-680 WAC, Prenatal tests—Congenital and heritable disorders.	Anticipate filing by 10/08				CFH - Deb Doyle (360) 236-6742

Department of Health

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
Chapter 18.108 RCW	Board of massage therapy	Amending chapter 246-830 WAC, regarding requirements for intraoral massage.	07-17-036 8/7/07	08-09-101 4/21/08 and 08-11-117 5/21/08			HSQA - Kris Waidely (360) 236-4847
RCW 18.108.025	Board of massage therapy	WAC 246-830-475, updating the continuing education requirements for massage practitioners and adding a new section WAC 246-830-XXX Inactive credential.	08-14-009 6/19/08				HSQA - Kris Waidely (360) 236-4847
RCW 18.52.071	Board of nursing home administrators	WAC 246-843-010, 246-843-070, 246-843-071, 246-843-073, 246-843-090, 246-843-093, 246-843-095, 246-843-230 and 246-843-231, application for initial license and endorsement.	06-12-109 6/7/06				HSQA - Terry West
RCW 18.130.050, 18.57.005, 18.57A.020	Board of osteopathic medicine and surgery	Chapter 246-853 WAC, Osteopathic physicians; chapter 246-854 WAC, Osteopathic physician assistants—Sedation and anesthesia.	07-16-141 8/1/07				HSQA - Arlene Robertson (360) 236-4945
RCW 18.130.050, 18.57.005, 18.57A.020	Board of osteopathic medicine and surgery	Chapter 246-853 WAC, Osteopathic physicians; chapter 246-854 WAC, Osteopathic physician assistant. Delegation and supervision of nonsurgical cosmetic procedure.	07-16-143 8/1/07				HSQA - Arlene Robertson (360) 236-4945

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.64.005, 18.64.165	Board of pharmacy	New chapter 246-874 WAC, Pharmaceutical services—Correctional facilities. The board of pharmacy is considering developing rules that will establish minimum enforceable requirements specifically for Washington correctional facilities in safe handling, storage, recordkeeping and administration of pharmaceuticals.	07-14-145 7/5/07				HSQA - Doreen Beebe (360) 236-4834
RCW 18.64.005(7)	Board of pharmacy	WAC 246-865-060 Extended care facility—Pharmaceutical services, allowing pharmacies to register as a controlled substance registrant to receive outdated, discontinued, or unwanted controlled substance prescription from extended care facilities.	04-21-078 10/20/04				HSQA - Lisa Salmi (360) 236-2927
RCW 69.50.301, 18.64.005	Board of pharmacy	Chapters 246-865, 246-869, 246-887 WAC, Faxing of schedule II prescription for patients in long term care facilities.	01-14-090 7/5/01				HSQA - Lisa Salmi (360) 236-2927
RCW 18.64.005(7), 69.50.201	Board of pharmacy	Chapter 246-887 WAC, Regulations implementing the Uniform Controlled Substances Act. Placement of the substance, carisoprodol, in schedule IV of the Uniform Controlled Substances Act.	03-09-124 4/23/03				HSQA - Lisa Salmi (360) 236-2927
RCW 18.64A.020	Board of pharmacy	WAC 246-901-030 (3)(b) Technician education and training and WAC 246-901-060(2) Technician certification—Establish board approved standardized examination for pharmacy technicians.	06-08-103 4/5/06	08-09-102 4/21/08			HSQA - Timothy Fuller (360) 236-4827

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.74.023	Board of physical therapy	Chapter 246-915 WAC regarding the licensing and supervision of physical therapist assistants.	07-16-063 7/26/07	08-07-100 3/19/08		Anticipate filing by 8/08	HSQA - Kris Waidely (360) 236-4847
RCW 18.25.0171, 18.130.050 (1), (12)	Chiropractic quality assurance commission	Chapter 246-808 WAC, Chiropractic quality assurance commission (CQAC) is considering amending the documentation of care rule. In addition, CQAC may amend the continuing education rule as well.	07-20-038 9/25/07				HSQA - Leann Yount (360) 236-4856
RCW 18.25.0171	Chiropractic quality assurance commission	WAC 246-808-510 Definitions.	05-10-062 5/2/05				HSQA - Betty Moe (360) 236-4912
RCW 18.32.0365, 18.32.040, 18.32.195	Dental quality assurance commission	New WAC 246-817-155 Dental resident license to full dental license—Conditions.	07-13-073 6/18/07	Anticipate filing by 9/08			HSQA - Jennifer Bressi (360) 236-4893
RCW 18.32.0365	Dental quality assurance commission	WAC 246-817-010 Definitions—Dental quality assurance commission.	07-13-074 6/18/07	Anticipate filing by 8/08			HSQA - Jennifer Bressi (360) 236-4893
RCW 43.70.280, 18.32.035	Dental quality assurance commission	WAC 246-817-110 Dental licensure—Initial eligibility and application requirements and 246-817-120 Examination content.	02-15-160 7/23/02	Anticipate filing by 8/08			HSQA - Jennifer Bressi (360) 236-4893
RCW 18.32.0365, 18.32.215	Dental quality assurance commission	WAC 246-817-130 Licensure without examination for dentists—Eligibility and 246-817-140 Licensure without examination for dentists—Licensing examination standards.	07-13-072 6/18/07	Anticipate filing by 8/08			HSQA - Jennifer Bressi (360) 236-4893
RCW 18.32.0365, 18.32.215	Dental quality assurance commission	WAC 246-817-135 Licensure without examination for dentists—Application procedure.	04-08-096 4/6/04	Anticipate filing by 8/08			HSQA - Jennifer Bressi (360) 236-4893
RCW 18.32.0365, 18.32.640	Dental quality assurance commission	WAC 246-817-170 Applications—Permits—Renewals for the administration of conscious sedation with multiple oral or parenteral agents or general anesthesia (including deep sedation) and 246-817-175 Conscious	07-14-144 7/5/07				HSQA - Jennifer Bressi (360) 236-4893

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
		sedation w/parenteral or multiple oral agents—Education and training requirements—Application.					
RCW 18.32.0365, 18.32.640	Dental quality assurance commission	WAC 246-817-180 General anesthesia (including deep sedation)—Education and training requirements.	04-15-151 7/21/04				HSQA - Jennifer Bressi (360) 236-4893
RCW 18.32.0365, 18.32.640	Dental quality assurance commission	WAC 246-817-701 Purpose, 246-817-710 Definitions, 246-817-720 Basic life support, 246-817-730 Local anesthesia, 246-817-740 Nitrous oxide/oxygen sedation, 246-817-750 Conscious sedation with an oral agent, 246-817-760 Conscious sedation with parenteral or multiple oral agents, 246-817-770 General anesthesia (including deep sedation), and 246-817-780 Mandatory reporting of death or significant complications—Dental.	05-09-001 4/7/05				HSQA - Jennifer Bressi (360) 236-4893
Chapter 70.54 RCW	Department of health	Chapter 246-102 WAC, Cancer registry.	Anticipate filing by 12/08				CFH - Katie Golub (360) 236-3624
Section 12, chapter 134, Laws of 2008	Department of health	Chapter 246-16 WAC, Standards of professional conduct relating to sanctions for unprofessional conduct.	08-14-076 6/26/08				HSQA -Margaret Gilbert (360) 236-4913
RCW 18.130.080, 18.130.050	Department of health	Chapter 246-16 WAC, Standards of professional conduct, adding a section for mandatory reporting by license holders, corporations, organizations, health care facilities, and state and local governmental agencies that employ licensed health care providers.	08-14-117 6/30/08				HSQA -Margaret Gilbert (360) 236-4913
RCW 70.98.050	Department of health	Chapter 246-247 WAC, Radiation protection—Air emission.	05-12-140 6/1/05				EH - Al Conklin (360) 236-3261

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 43.20.050	Department of health	Chapter 246-290 WAC, Revisions to the Group A public water supplies regulations.	07-24-072 12/4/07	Anticipate filing by 9/08			EH - Theresa Phillips (360) 236-3147
Chapter 70.41 RCW, RCW 43.70.040	Department of health	Chapter 246-320 WAC, Revise and update hospital licensing rules (operational standards).	07-17-173 8/22/07	Anticipate filing by 8/20/08			HSQA - Byron Plan (360) 236-2916
RCW 70.175.040 and 70.185.040	Department of health	WAC 246-560-010 Definitions, rural health system project.	07-17-172 8/22/07	08-14-138 7/1/08			HSQA - John Hanson (360) 236-2819
Chapter 70.185 RCW	Department of health	Chapter 246-562 WAC, J-1 physician visa waiver regulations.	08-14-077 6/26/08				HSQA - Jennell Prentice (360) 236-2814
RCW 18.225.040	Department of health	Chapter 246-809 WAC, Licensed counselors, independent clinical social worker associate, licensed advanced social worker associate, licensed mental health counselor associate, and licensed marriage and family therapist associate.	08-14-140 7/1/08				HSQA - Betty Moe (360) 236-4912
RCW 18.19.050	Department of health	Chapter 246-810 WAC, Counselors, agency affiliated counselor, certified adviser, and certified counselor.	08-14-142 7/1/08				HSQA - Betty Moe (360) 236-4912
RCW 18.205.060	Department of health	Chapter 246-811 WAC, Certified chemical dependency professional and amending chapter 246-811 WAC, to include requirements for CDP trainee.	08-14-139 7/1/08				HSQA - Betty Moe (360) 236-4912
RCW 62.51A.080	Department of health	New chapter 246-XXX WAC, establishing a sixty-day supply of medical marijuana for qualifying patients.	07-16-130 8/1/07	08-14-149 7/1/08			HSQA - Kristin Reichl (360) 236-4985
Chapter 70, Laws of 2007	Department of health	New chapter 246-XXX WAC, relating to certification of animal massage practitioners.	07-18-016 8/24/07				HSQA - Judy Haenke (360) 236-4828
Chapter 70.225 RCW	Department of health	Title 246 WAC, adding new chapter for prescription monitoring program (PMP).	08-15-085 7/16/08				HSQA - Doreen Beebe (360) 236-4834

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 70.168.060, 70.168.090	Department of health	Trauma registry standards: WAC 246-976-420 Trauma registry—Department responsibilities and 246-976-430 Trauma registry—Provider responsibilities.	06-02-086 1/4/06	Anticipate filing by 9/08			HSQA - Kathy Schmitt (360) 236-2869
RCW 34.05.220	Department of health	WAC 246-10-606, 246-11-520, Standard of proof.	Proposal is exempt RCW 34.05.310(4)	08-08-089 4/1/08			HSQA - Margaret Gilbert (360) 236-4913
RCW 70.38.135	Department of health	WAC 246-310-010 Certificate of need definition of "established ratio."	07-07-072 3/16/07	08-12-079 6/3/08		Anticipate filing by 10/08	HSQA - Janis Sigman (360) 236-2956
RCW 70.38.128	Department of health	WAC 246-310-262 Nonemergent interventional cardiology standards.	07-17-170 8/22/07	08-12-105 6/4/08			HSQA - Janis Sigman (360) 236-2956
Chapter 70.56 RCW	Department of health	Chapter 246-322 WAC, Private psychiatric and alcoholism hospitals—Adverse health events and incident reporting system.	08-08-088 4/1/08	08-14-143 7/1/08			HSQA - Alisa Harris (360) 236-2907
RCW 70.42.090	Department of health	WAC 246-338-022, 246-338-024 and 246-338-990, Medical test site fees and due.	06-08-014 3/23/06				HSQA - Susan Walker (206) 418-5418
RCW 43.70.340	Department of health	WAC 246-358-990 Temporary worker housing fee, 246-359-990 Temporary worker housing construction standard fees, 246-361-990 Cherry harvest camp fees.	07-17-171 8/22/07				HSQA - Alisa Harris (360) 236-2907
RCW 43.70.150	Department of health	Chapter 246-491 WAC, Vital statistics—Certificates.	Anticipate filing by 12/08				EHSPHL - Philip Freeman (360) 236-4330
Chapter 251, Laws of 2001	Department of health	Chapter 246-809 WAC, Define experience requirements for licensed mental health counselors, marriage and family therapists, and social workers.	01-22-068 11/1/05				HSQA - Betty Moe (360) 236-4912
RCW 18.225.040, 18.225.090	Department of health	WAC 246-809-130 Supervised postgraduate experience (for licensed marriage and family therapists), 246-809-230 Supervised postgraduate experience (for licensed	06-07-092 3/15/06				HSQA - Betty Moe (360) 236-4912

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
		mental health counselors) and 246-809-321 Education requirements and supervised postgraduate experience (for licensed social workers).					
RCW 18.34.120	Department of health	WAC 246-824-075 Continuing education requirements for dispensing opticians.	08-03-064 1/14/08				HSQA - Janette Benham (360) 236-4947
RCW 18.36A.060	Department of health	WAC 246-836-XXX Education and training requirements for the use of controlled substances for naturopathic physicians.	05-14-152 7/6/05				HSQA - Susan Gragg (360) 236-4941
RCW 18.71.200, 18.71.215, chapter 18.73 RCW etc.	Department of health	WAC 246-976-001, 246-976-400, 246-976-890, 246-976-920, 246-976-950, amending EMS and trauma system pre-hospital rules and standards.	08-16-037 7/29/08				HSQA - Maura Craig (360) 236-4987
Chapter 70.230 RCW	Department of health	Chapter 246-XXX WAC, establishes a new WAC chapter for new licensing requirements along with fee schedule for ambulatory surgical facilities.	08-10-090 5/6/08	Anticipate filing by 3/09			HSQA - John Hilger (360) 236-2929
RCW 43.70.150, chapter 70.58 RCW	Department of health	Chapter 246-XXX WAC, Electronic death registration system (EDRS).	07-08-051 3/29/07				EHSPhL - Philip Freeman (360) 236-4330
RCW 18.130.050, 18.71.017, 18.71A.020	Medical quality assurance commission	Chapter 246-919 WAC, Physicians, and chapter 246-918 WAC, Physician assistants. Delegation and supervision of nonsurgical cosmetic procedures.	07-08-103 4/4/07				HSQA - Beverly Thomas (360) 236-4788
RCW 18.130.050, 18.71A.020	Medical quality assurance commission	New sections in chapter 246-918 WAC, Safe and effective analgesia and anesthesia administration in office-based surgery settings as it applies to physician assistants.	07-23-125 11/21/07				HSQA - Beverly Thomas (360) 236-4788

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.71.017	Medical quality assurance commission	WAC 246-919-601 Safe and effective analgesia and anesthetic administration in office-based surgical settings. The commission is considering proposed rules for physicians who perform surgery within their offices.	07-03-178 1/24/07				HSQA - Beverly Thomas (360) 236-4788
RCW 18.79.050	Nursing care quality assurance commission	Qualifications and practice of advanced registered nurse practitioners (ARNPs). WAC 246-840-300 Advanced registered nurse practitioner, 246-840-305 Criteria for formal advanced nursing education meeting the requirement for ARNP licensure, 246-840-310 Use of nomenclature, 246-840-311 ARNP previously adopted specialties, and 246-840-320 Certification and certification program.	07-17-037 8/7/07	Anticipate filing by 8/08			HSQA - Kendra Pitzler (360) 236-4723
RCW 18.79.010, 18.79.110	Nursing care quality assurance commission	WAC 246-840-XXX, new rule for the nursing care quality assurance commission mandatory continuing competency for licensed nurses.	08-13-092 6/18/08				HSQA - Robin Sheldon (360) 236-4766
RCW 18.79.110, 18.79.260, 18.88A.210, 18.88A.060	Nursing care quality assurance commission	WAC 246-841-405 Nursing assistant delegation, 246-840-910 Purpose, 246-840-920 Definitions, 246-840-930 Criteria for delegation, and 246-840-940 Washington state nursing care quality assurance commission community-based and in-home care setting delegation decision tree, WAC 246-840-950.	08-14-158 7/2/08				HSQA - Robin Sheldon (360) 236-4766

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.59.090, 18.130.050	Occupational therapy practice board	WAC 246-847-030 Occupational therapists acting in a consulting capacity, 246-847-055 Initial application for individuals who have not practiced within the past four years, 246-847-068 Expired license, 246-847-070 Inactive credential, 246-847-125 Applicants currently licensed in other states or territories and 246-847-XXX Renewal for those that have not practiced in four years.	08-15-088 7/17/08				HSQA - Vicki Brown (360) 236-4865
RCW 18.22.015, 18.130.050	Podiatric medical board	New sections to chapter 246-922 WAC. The podiatric medical board is creating rules on the administration of sedation and anesthesia in the offices of podiatric physicians. The rule making may include necessary training and equipment requirements for podiatric physicians to perform office-based surgery.	07-16-139 8/1/07				HSQA - Arlene Robertson (360) 236-4945
RCW 18.22.015, 18.130.050	Podiatric medical board	WAC 246-922-010 Definitions adding new sections to chapter 246-922 WAC to establish standards for prescribing orthotic devices by podiatric physicians.	07-16-140 8/1/07				HSQA - Arlene Robertson (360) 236-4945
RCW 18.92.030	Veterinary board of governors	New WAC 246-935-XXX Identification of veterinary technician standard tasks and procedures that must be included in the experience of a person who qualifies to take the veterinary technician examination through a period of practical experience.	07-16-142 8/1/07				HSQA - Judy Haenke (360) 236-4828
RCW 18.92.030	Veterinary board of governors	WAC 246-933-300 Veterinary specialty licensure.	08-03-070 1/14/08				HSQA - Judy Haenke (360) 236-4828

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.92.030	Veterinary board of governors	WAC 246-935-010 Definitions, 246-935-040 Responsibilities of veterinarians supervising a veterinary technician or an unregistered assistant, and 246-935-050 Animal health care tasks.	08-05-119 2/19/08				HSQA - Judy Haenke (360) 236-4828

KEY

CR means "code reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

CR-101 is a preproposal statement of inquiry filed under RCW 34.05.310.

CR-102 is a proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

Proposal is Exempt under RCW 34.05.310(4) means a rule that does not require the filing of a CR-101 notice under RCW 34.05.310(4).

CR-105 is an expedited rule-making notice filed under RCW 34.05.353. This is an accelerated rule adoption process with no public hearing required.

CR-103 is rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

Emergency rules are temporary rules filed under RCW 34.05.350 and 34.05.380 by using a CR-103 rule-making order. Emergency rules may be used to meet certain urgent circumstances. These rules are effective for one hundred twenty days after the filing date, and may be extended in certain circumstances.

Dashed cells in tables mean the anticipated filing date is not known at the time this rule agenda is filed.

Blank cells in tables mean the anticipated filing date is not known at the time this rule agenda is filed.

To Be Determined is when a date is still being discussed.

RCW is the Revised Code of Washington.

WAC is the Washington Administrative Code.

WSR number is the Washington state register official filing reference number given by the office of the code reviser when a notice is filed.

DOH is the department of health.

HSQA is the health systems quality assurance division.

EH is the environmental health division.

EHSPHL is the epidemiology health statistics and public health labs division.

CFH is the community family health division.

SBOH is the state board of health.

WSR 08-17-004

**NOTICE OF PUBLIC MEETINGS
GUARANTEED EDUCATION
TUITION COMMITTEE**

[Filed August 7, 2008, 8:50 a.m.]

Due to the lack of agenda items, the Wednesday, August 13, 2008, GET committee meeting is canceled.

If you need additional information, please contact Betty Lochner at (360) 753-7871.

WSR 08-17-005

**NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE**

[Filed August 7, 2008, 8:50 a.m.]

NOTIFICATION OF MEETING CANCELLATION

The board of trustees of Everett Community College has cancelled their regularly scheduled meeting of August 13, 2008. Please call (425) 388-9572 for information.

WSR 08-17-006**NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE**

[Filed August 7, 2008, 8:51 a.m.]

**BOARD OF TRUSTEE
MEETING DATES
2008 - 2008 [2009]**

July 9, 2008
 August 13, 2008
 September 17, 2008
 October 15, 2008
 November 19, 2008
 December 17, 2008
 January 21, 2009
 February 18, 2009
 March 18, 2009
 April 15, 2009
 May 20, 2009
 June 17, 2009

WSR 08-17-007**NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE**

[Filed August 7, 2008, 8:51 a.m.]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, August 21, 2008, 9:00 - 11:00 a.m., in the College Services Board Room on the Bellingham Technical College campus. Call 752-8334 for information.

WSR 08-17-014**RULES COORDINATOR
HOME CARE
QUALITY AUTHORITY**

[Filed August 8, 2008, 12:01 p.m.]

As the executive director of the Washington state home care quality authority, I have appointed Ann Bariekman as our agency rules coordinator as well as electronic filing contact, effective immediately.

Thank you for your attention to this matter and should you need additional information, please feel free to contact Rick Hall at (360) 493-9353.

Rick Hall
 Executive Director

WSR 08-17-015**NOTICE OF PUBLIC MEETINGS
ECONOMIC DEVELOPMENT
COMMISSION**

[Filed August 8, 2008, 12:02 p.m.]

This is to notify the intent of the Washington economic development commission to meet on September 18, 2008, in Walla Walla, Washington and not on September 11, as initially published.

WSR 08-17-018**NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE**

[Filed August 11, 2008, 10:53 a.m.]

The Shoreline Community College board of trustees will hold a special meeting beginning at 9:00 a.m. on Wednesday, August 13, 2008, for the purpose of: A presentation on policy governance; 2008 - 2009 board logistics (including travel); board of trustees self-evaluation; and the strategic plan and the board's 2008 - 2009 strategic goals.

This special meeting will take place in Room 3 at the Center for Business and Continuing Education at Shoreline Community College at Lake Forest Park, located in the Lake Forest Park Towne Center, 17171 Bothell Way N.E., Suite A220, Lake Forest Park, WA 98155.

Please call (206) 546-4552 or e-mail Lori Y. Yonemitsu at lyonemitsu@shoreline.edu if you need further information.

WSR 08-17-019**DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed August 11, 2008, 12:32 p.m.]

As per RCW 39.12.015, 39.12.020 and WAC 296-127-011 and as was published on the internet on February 1, 2008, and corrected on August 5, 2008, the industrial statistician has determined the statewide prevailing rates of wage. These prevailing rates of wage are effective for public works projects bid on or after March 2, 2008.

Every contractor and subcontractor on every public works project must file a statement of intent to pay prevailing wages and an affidavit of wages paid. Both forms must be filed on every project. The filing of the affidavit of wages paid does not set aside the requirement to also file the statement of intent to pay prevailing wages. The department may fine contractors \$500 for failure to file these forms.

For more information on prevailing wage or a copy of the rates please visit our web site at www.lni.wa.gov/TradesLicensing/PrevailingWage/ or call (360) 902-5335.

David Soma
 Prevailing Wage Manager
 Industrial Statistician

WSR 08-17-020
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed August 11, 2008, 12:32 p.m.]

As per RCW 39.12.015, 39.12.020 and WAC 296-127-011 and as was published on the internet on August 1, 2007, and corrected on August 5, 2008, the industrial statistician has determined the statewide prevailing rates of wage. These prevailing rates of wage are effective for public works projects bid on or after August 31, 2007.

Every contractor and subcontractor on every public works project must file a statement of intent to pay prevailing wages and an affidavit of wages paid. Both forms must be filed on every project. The filing of the affidavit of wages paid does not set aside the requirement to also file the statement of intent to pay prevailing wages. The department may fine contractors \$500 for failure to file these forms.

For more information on prevailing wage or a copy of the rates please visit our web site at www.lni.wa.gov/TradesLicensing/PrevailingWage/ or call (360) 902-5335.

David Soma
Prevailing Wage Manager
Industrial Statistician

WSR 08-17-021
NOTICE OF PUBLIC MEETINGS
GROWTH MANAGEMENT
HEARINGS BOARDS
[Filed August 11, 2008, 1:14 p.m.]

WAC 242-02-076 requires that the growth management hearings boards hold their annual meeting on the first Thursday and Friday of October. By this notice, we are officially notifying the public that the boards are moving their meeting to the 1st Thursday of October 2008. The meeting will not be held on Friday, October 3, 2008.

On October 2, 2008, commencing at 8:00 a.m., the three growth management hearings boards will hold their 2008 annual joint board meeting in Yakima. This meeting will be held at 15 West Yakima Avenue, Yakima, WA.

WSR 08-17-022
NOTICE OF PUBLIC MEETINGS
SIRTI
[Filed August 11, 2008, 2:26 p.m.]

The August 21, 2008, regularly scheduled meeting of the Sirti board of director's has been cancelled.

WSR 08-17-047
RULES COORDINATOR
BATES TECHNICAL COLLEGE
[Filed August 14, 2008, 3:53 p.m.]

Tina Cranmer, executive assistant to the president, is the rules coordinator for Bates Technical College. Tina can be contacted at 1101 South Yakima Avenue, Tacoma, WA 98405, phone (253) 680-7100, fax (253) 680-7101, trcranmer@bates.ctc.edu.

If you have any questions, please feel free to contact David Borofsky at (253) 680-7100, or by e-mail at dborofsky@bates.ctc.edu.

David Borofsky
President

WSR 08-17-048
PUBLIC RECORDS OFFICER
BATES TECHNICAL COLLEGE
[Filed August 14, 2008, 3:53 p.m.]

Vickie Lackman, vice-president of human resources, is the public records officer for Bates Technical College. Vickie can be contacted at 1101 South Yakima Avenue, Tacoma, WA 98405, phone (253) 680-7180, fax (253) 680-7171, vlackman@bates.ctc.edu.

If you have any questions, please feel free to contact David Borofsky at (253) 680-7100, or by e-mail at dborofsky@bates.ctc.edu.

David Borofsky
President

WSR 08-17-052
NOTICE OF PUBLIC MEETINGS
CORRECTIONAL INDUSTRIES
[Filed August 15, 2008, 9:05 a.m.]

LOCATION AND DATE CHANGE FOR SEPTEMBER

Board of Directors
September 2008
Meeting Dates for 2008

March 28 and 29	Tumwater (for meeting) Tour of McNeil Island Corrections Center CI Headquarters
June 6 and 7	Tumwater Tour of Washington Corrections Center for Women
September 19 and 20	Tumwater CI Headquarters 9:00-3:00
December 12 and 13	Tumwater (for meeting) Stafford Creek Corrections Center (tour)

Contact Danielle Wiles, (360) 725-9105.

WSR 08-17-058**NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE**

[Filed August 18, 2008, 9:34 a.m.]

The board of trustees of Bates Technical College has rescheduled its regularly scheduled meeting of October 28, 2008, to October 27, 2008, at Bates Technical College, 1101 South Yakima Avenue, Tacoma, WA 98405, in the Clyde Hupp Boardroom. The meeting will begin at 3:00 p.m.

WSR 08-17-064**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Boarding Home Advisory Board)

[Filed August 18, 2008, 2:59 p.m.]

The boarding home advisory board 2008-2010 term begins September 2008.

During the remainder of 2008, the boarding home advisory board will meet on Thursday, September 25, 2008; and Friday, December 5, 2008.

During 2009, the board will meet on Thursday, March 5, 2009; Thursday, June 4, 2009; Thursday, October 1, 2009; and Friday, December 4, 2009.

All meetings are from 9:00 a.m. to noon.

Meetings will be held at the residential care services (RCS) headquarters. The RCS headquarters is located at Blake Office Building East, 4500 10th Avenue S.E., Lacey, WA. Meetings will be held in the Rose Conference Room (first floor).

A map with driving directions to the RCS headquarters may be found at <http://www.aasa.dshs.wa.gov/Resources/rshelp.htm>.

The boarding home advisory board is established under RCW 18.20.260.

If you have questions, you may address them to Todd Erik Henry, JD, MPA, MA, MS, boarding home advisory board/residential care services, at (360) 725-2580 or henryte@dshs.wa.gov.

WSR 08-17-071**NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
(Public Employees Benefits Board)**

[Filed August 19, 2008, 10:14 a.m.]

Amended 2008 Meeting Schedule

October 21, 2008, Tuesday, Board Retreat, 9:00 a.m. to 4:30 p.m., Cedarbrook, 18525 36th Avenue South, SeaTac, WA 98188.

If you are a person with a disability and need a special accommodation, please contact Lynn Kennedy, (360) 923-2829.

WSR 08-17-079**NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE**

(Recreation and Conservation Funding Board)

[Filed August 19, 2008, 12:49 p.m.]

Following is a REVISED announcement.

The next public meeting of the recreation and conservation funding board will be **Tuesday, September 23, 2008, from 9:00 a.m. to 5:00 p.m.**, and **Wednesday, September 24, 2008, from 9:00 a.m. to 1:45 p.m.** in the Columbia Room of the Capitol Building, Olympia.

For further information, please contact Patty Dickason at (360) 902-3085 or check recreation and conservation office's (RCO) web page at <http://www.rco.wa.gov/rcfb/board/scheduled.htm>.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance, such as large-type materials, may contact Patty Dickason at the number listed above or by e-mail at Patty.Dickason@rco.wa.gov.

WSR 08-17-080**NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE**

(Salmon Recovery Funding Board)

[Filed August 19, 2008, 12:50 p.m.]

The next public meeting of the salmon recovery funding board will be **Thursday October 16, 2008, from 9:30 a.m. to 3:30 p.m.**, and **October 17, 2008, from 8:30 a.m. to 3:00 p.m.** in Room 172 of the Natural Resources Building in Olympia, Washington.

For further information, please contact Moriah Blake, recreation and conservation office (RCO), (360) 902-3086 or check the web page at <http://www.rco.wa.gov/srfb/board/schedules.htm>.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Moriah Blake at the number listed above or by e-mail moriah.blake@rco.wa.gov.

WSR 08-17-094**NOTICE OF PUBLIC MEETINGS
CLEMENCY AND PARDONS BOARD**

[Filed August 20, 2008, 7:04 a.m.]

The Washington state clemency and pardons board hereby gives notice of cancellation of the special hearing scheduled for August 22, 2008, at 11:00 a.m., in Hearing Room A, of the John L. O'Brien Building, Olympia, Washington. An alternative date has not been set.

WSR 08-17-104
NOTICE OF PUBLIC MEETINGS
PUGET SOUND PARTNERSHIP

[Filed August 20, 2008, 9:34 a.m.]

Revised 2008 Puget Sound Partnership Leadership Council Meeting Schedule

Per direction from leadership council chair, Bill Ruckelshaus, and executive director David Dicks, the leadership meeting schedule has been revised as follows:

Work on the action agenda is proceeding on many fronts simultaneously across the Puget Sound region. To better harmonize this work, the following refinements have been made to the fall leadership council meeting schedule leading to action agenda adoption in December:

The September 4 and 5 leadership council meeting has been canceled. This allows staff time to incorporate feedback received at the August ecosystem coordination board and September science panel meetings and finalize the draft action agenda for public comment in October.

The October 22 and 23 meeting will remain as scheduled.

A November 11 meeting has been added to the leadership council schedule.

December 1 and 2 remains the meeting when the council will adopt the action agenda.

Meeting locations, directions, agendas, and meeting materials will be posted on the leadership council web page as arrangements are confirmed.

bution list, visit <http://dor.wa.gov>, and click on "Contact Us" and "e-mail."

Please direct questions about the study to one of the following persons: Gil Brewer, (360) 570-6135, gilb@dor.wa.gov; or Drew Shirk, (360) 570-3225, drews@dor.wa.gov; or Becky Hufana, (360) 586-3132, beckyh@dor.wa.gov.

WSR 08-17-118
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF REVENUE
 (Electronically-delivered Products Study Committee)

[Filed August 20, 2008, 10:38 a.m.]

Study of the Taxation of Electronically Delivered Products

The committee established to conduct a study of the taxation of electronically delivery [delivered] products, as provided under section 136(3) of SHB 1128 (chapter 522, Laws of 2007 PV), will meet:

Date	Time	Location
Thursday September 25, 2008	10:00 a.m. - 3:00 p.m.	John O'Brien Building Hearing Room D Capital Campus Olympia, Washington

Information about the committee is available on the department of revenue's web site at <http://dor.wa.gov>. Under "Quick Clicks," click on "Get Statistics and Reports" to access the committee's preliminary report, meeting minutes, and other information.

Interested persons may use the department of revenue's internet site to sign up to receive future information concerning the study of the taxation of electronically delivered products via e-mail. To sign up for the digital goods e-mail distri-