

WSR 09-05-014**PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON**

[Filed February 6, 2009, 1:51 p.m.]

Subject of Possible Rule Making: Chapter 478-116 WAC, Parking and traffic rules of the University of Washington, Seattle.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.560 and 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule revisions move the administrative oversight of parking enforcement from the University Police Department to the commuter services unit within the University of Washington transportation services department. These changes would consolidate and improve the administration of all parking-related matters within one campus department including: Providing more cost-effective management of limited parking resources, streamlining the citation and appeal adjudication processes, providing greater alignment of enforcement regulations with the current transportation environment, and making house-keeping changes to update unit names.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments or inquiries may be directed to Rebecca Goodwin Deardorff, director of rules coordination by one of the following routes: Mail: University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195; e-mail rules@u.washington.edu; or fax (206) 685-3825.

February 6, 2009

Rebecca Goodwin Deardorff
UW Director of Rules Coordination

WSR 09-05-016**PREPROPOSAL STATEMENT OF INQUIRY
THE EVERGREEN STATE COLLEGE**

[Filed February 6, 2009, 4:43 p.m.]

Subject of Possible Rule Making: Student medical leave of absence.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.40.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule will permit the college to withdraw a student if it is determined the student is unable to continue without risk of harming self or others.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy Endress, The Evergreen State

College, 2700 Evergreen Parkway N.W., Olympia, WA 98505, phone (360) 867-6291, e-mail endressw@evergreen.edu.

February 6, 2009

John P. Carmichael
Rules Coordinator

WSR 09-05-019**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed February 9, 2009, 12:02 p.m.]

Subject of Possible Rule Making: Nonhouse-banked card games.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change requesting that players be allowed to use half dollars and quarters in nonhouse-banked card games.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Mark Harris, Assistant Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3579; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] March 13 and April 10, 2009, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; and on May 15, 2009, at the Red Lion Hotel, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701.

February 9, 2009

Susan Arland
Rules Coordinator

WSR 09-05-021**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed February 9, 2009, 1:24 p.m.]

Subject of Possible Rule Making: WAC 260-70-630 Threshold levels.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is beginning rule making in anticipation of new plasma/serum thresholds being developed for androgenic-anabolic steroids.

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

Process for Developing New Rule: Negotiated rule making.

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

February 9, 2009

R. J. Lopez
Executive Secretary

WSR 09-05-028

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 08-07—Filed February 10, 2009, 2:21 p.m.]

Subject of Possible Rule Making: The department of ecology is proposing to update the Model Toxics Control Act (MTCA) cleanup regulation (chapter 173-340 WAC) and certain portions of the sediment management standards (SMS) (chapter 173-204 WAC). These rules govern the cleanup of contaminated sites in Washington. Issues being considered by ecology include:

- Revisions to establish clear policies and align MTCA and SMS requirements for sediments.
- Updating cleanup standards to reflect new scientific information and recent changes to state and federal regulations. Issues include, but are not limited to: Policies and methods to address the vapor intrusion pathway, fish consumption rates for high exposure groups, cleanup levels for lead-contaminated soils and revisions to Method A cleanup levels.
- Revising the rule to address implementation concerns identified since the 2001 MTCA rule amendment. Issues include, but are not limited to: Clarifying and streamlining procedures for establishing cleanup standards and selecting cleanup actions; and adding procedures for issuing property-specific opinions under ecology's voluntary cleanup program.
- Revising the rule to incorporate new statutory requirements enacted since the 2001 MTCA rule amendments, including: The Uniform Environmental Covenants Act (passed in 2007 as SB 5421).

More detail on potential rule making issues is available on the ecology web site described below.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The MTCA, chapter 70.105D RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: According to the MTCA statute, chapter 70.105D RCW, ecology must publish and periodically update minimum cleanup standards. The cleanup regulation specifying these standards, chapter 173-340 WAC, must be reviewed and, as appropriate, updated at

least once every five years. Significant changes were made to the rule in 2001 and more targeted amendments added in 2007. Since these amendments, changes have emerged in the body of scientific information used to set cleanup standards. Ecology believes it is appropriate to consider updates so that cleanup decisions continue to be based on the best available science. In addition, certain parts of the regulation need updating to reflect new state and federal laws. Ecology is using this opportunity to consider whether the 2001 amendments in practice have worked as envisioned when promulgated. If not, then ecology will consider options for clarifying or revising those provisions.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Establishing state cleanup standards is a unique responsibility assigned to the department of ecology in chapter 70.105D RCW. The United States Environmental Protection Agency oversees cleanup actions conducted under the federal superfund program and will be consulted during this rule-making process. The Agency for Toxic Substances and Disease Registry and the Washington department of health are responsible for evaluating human health hazards at contaminated sites and will be consulted during the rule-making process. Tribal nations have lands or usual and accustomed fishing areas on or adjacent to cleanup sites and will be consulted during the rule-making process.

Process for Developing New Rule: This rule-making process will result in an amendment to an existing rule. Ecology plans to provide several options for interested people and organizations to participate in the rule-making process, including informal information sessions about the issues and options being considered. Once ecology formally proposes rule amendments, people will have an opportunity to comment on the proposed amendments. At least two public hearings will be conducted. Additionally, the proposed amendments will be posted on the ecology web site and provided to interested persons.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Ecology recognizes that public involvement is key to this rule-making effort. One of our goals is to provide interested persons the opportunity to contribute to the rule development process in an informed and meaningful way. To do this we will be creating and maintaining a web page with background on the issues being analyzed, options being considered, opportunities to provide input, and contact information. Interested persons are invited to visit the web site. Go to www.ecy.wa.gov (click on *Toxics Cleanup* then on *In Progress: MTCA Cleanup Regulation Update*). For more information contact: Martha Hankins, Policy and Technical Support, Toxics Cleanup Program, Washington Department of Ecology, (360) 407-6864 or send e-mail to mhan461@ecy.wa.gov.

February 10, 2009

James J. Pendowski
Program Manager

WSR 09-05-029
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed February 10, 2009, 3:17 p.m.]

Subject of Possible Rule Making: WAC 220-88E-040 Logbook requirements for the coastal trial commercial haggfish fishery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047 and 77.04.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The number of participants in the fishery is increasing. To conserve the resource, the department needs to more closely monitor the fishery through more frequent logbook submittals.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lorna L. Wargo, Fish Management Program, 48 Devonshire Road, Montesano, WA 98563, phone (360) 249-4628.

February 10, 2009
 Loreva M. Preuss
 Rules Coordinator

WSR 09-05-045
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON CITIZENS' COMMISSION ON
SALARIES FOR ELECTED OFFICIALS

[Filed February 12, 2009, 10:34 a.m.]

Subject of Possible Rule Making: Repeal and replace chapter 183-04 WAC, Public records and chapter 183-06 WAC, Public hearing procedures. Adopt new WAC chapters to define commission operating policies and procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.03.300 to 3.10 [43.03.310].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing operating policies and procedures are out-of-date or do not exist. Adoption of comprehensive operating policies and procedures will aid the public in understanding the commission's role in state government and inform them how to contact the commission and to become involved in the salary setting process.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carol Sayer, Director, Citizen's Commission on Salaries for Elected Officials, P.O. Box 43120, Olympia, WA 98504-3120, Csayer@salaries.wa.gov, 1-866-809-8116, fax (360) 586-7544, www.salaries.wa.gov. Visit

the web site or contact the commission for times and dates of upcoming public meetings.

February 12, 2009
 Carol Sayer
 Director

WSR 09-05-047
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed February 12, 2009, 1:24 p.m.]

Subject of Possible Rule Making: Amendment of chapter 51-19 WAC, Washington State Historic Building Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074, 19.27.120, and 19.27.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074. The Historic Building Code has not been updated since 1991 and contains many obsolete references. The estimated effective date of the new code is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2967, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009
 John P. Neff
 Council Chair

WSR 09-05-048
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed February 12, 2009, 1:25 p.m.]

Subject of Possible Rule Making: Adoption and amendment of the 2009 International Building Code, chapter 51-50 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. The estimated effective date of the 2009 codes is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2967, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009
John P. Neff
Council Chair

WSR 09-05-049

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed February 12, 2009, 1:27 p.m.]

Subject of Possible Rule Making: Adoption and amendment of the 2009 International Fire Code, chapter 51-54 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. The estimated effective date of the 2009 codes is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2967, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009
John P. Neff
Council Chair

WSR 09-05-050

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed February 12, 2009, 1:29 p.m.]

Subject of Possible Rule Making: Adoption and amendment of the 2009 International Mechanical Code and International Fuel Gas Code; 2009 National Fuel Gas Code (NFPA 54); and 2008 Liquefied Petroleum Gas Code (NFPA 58), under chapter 51-52 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code

council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. The estimated effective date of the new codes is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Krista Braaksma, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2964, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009
John P. Neff
Council Chair

WSR 09-05-051

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed February 12, 2009, 1:30 p.m.]

Subject of Possible Rule Making: Adoption and amendment of the 2009 International Residential Code, chapter 51-51 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. The estimated effective date of the 2009 codes is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2967, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009
John P. Neff
Council Chair

WSR 09-05-052**PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL**

[Filed February 12, 2009, 1:32 p.m.]

Subject of Possible Rule Making: Adoption and amendment of the 2009 Uniform Plumbing Code, chapter 51-56 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. The estimated effective date of the 2009 codes is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Krista Braaksma, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2964, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009

John P. Neff
Council Chair**WSR 09-05-053****PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL**

[Filed February 12, 2009, 1:34 p.m.]

Subject of Possible Rule Making: Amendment of chapter 51-13 WAC, Washington State Ventilation and Indoor Air Quality Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074, 19.27.190, and 19.27.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. The estimated effective date of the new code is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Krista Braaksma, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2964, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009

John P. Neff
Council Chair**WSR 09-05-054****PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL**

[Filed February 12, 2009, 1:36 p.m.]

Subject of Possible Rule Making: Amendment of chapter 51-11 WAC, Washington State Energy Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27A.025, 19.27A.045.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.-074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for state-wide code amendments. In addition, the governor has requested that the council revise the Energy Code to achieve a 30% reduction in new building energy use compared to the 2006 edition. The estimated effective date of the new codes is July 1, 2010.

Process for Developing New Rule: Technical advisory group (TAG) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs, contact Krista Braaksma, Washington State Building Code Council, P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-2964, fax (360) 586-9383, e-mail sbcc@cted.wa.gov.

February 12, 2009

John P. Neff
Council Chair**WSR 09-05-055****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed February 12, 2009, 2:52 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-501-0050 Healthcare general coverage, 388-501-0070 Healthcare coverage—Noncovered services, 388-501-0163 Healthcare coverage—Process for submitting a valid request for authorization, and 388-501-0169 Healthcare coverage—Limitation extension.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.08.090, 74.09.530, 74.09.700.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These revisions are necessary to update the department's policy regarding payment for healthcare services; add diskography and upright magnetic resonance imaging to the list of noncovered services; add a new section WAC 388-501-0163 to clarify the process for submitting a valid request for authorization; and to clarify limitation extensions. During the course of this review, the department may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested

should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

February 12, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-05-056

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed February 12, 2009, 2:54 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-502-0010 Payment—Eligible providers defined, 388-502-0020 General requirements for providers, 388-502-0030 Denying, suspending, and terminating a provider's enrollment, and 388-502-0230 Provider review and appeal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.080, 74.09.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is intended to update, clarify, and ensure rules which protect the health and safety of DSHS clients. This includes, but is not limited to, eligible provider types, noneligible provider types, core provider agreement, enrollment, review and consideration of an applicant's history, continuing requirements, change of ownership, healthcare record requirements, termination of a provider for cause or convenience, provider dispute of a department decision, reapplying for participation, and provider review and appeal.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504,

phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

February 12, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-05-057

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed February 12, 2009, 2:56 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-543-1150 Limits and limitation extensions, 388-543-1300 Equipment, related supplies, or other nonmedical supplies, and devices that are not covered, 388-543-1600 Items and services which require authorization, and 388-543-2300 Bathroom/shower equipment.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments to the durable medical equipment (DME) and related supplies program are required due to shortfalls in anticipated budget revenues.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

February 12, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-05-058

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed February 12, 2009, 2:58 p.m.]

Subject of Possible Rule Making: The community services division is proposing to amend WAC 388-436-0050 Determining financial need and benefit amount for consolidated emergency assistance program (CEAP).

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule change is needed to add child transportation to the payment chart as allowed in WAC 388-436-0015 Consolidated emergency assistance program (CEAP).

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ian Horlor, Program Manager, Division of Employment and Assistant Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4905, e-mail Horloit@dshs.wa.gov.

February 12, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-05-059

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed February 12, 2009, 3:00 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-501-0165 Medical and dental coverage—Fee-for-service (FFS) prior authorization—Determination process for payment.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The only revision the department is making to this section is to add the word "business" before "days" in subsection (7). This amendment is necessary to clarify exactly what the department means by "fifteen days" in subsection (7), and to make subsection (7) consistent with the rest of the section.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504,

phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

February 12, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-05-060

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Health and Recovery Services Administration)

[Filed February 12, 2009, 3:03 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-865-0350 Mental health screening for children, 388-865-0420 Intake evaluation, 388-865-0425 Individual service plan, and possibly other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.05.560, 71.24.035 (5)(c), and 71.34.380; 42 C.F.R., Part 441, Subpart B.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The mental health division (MHD) is updating and clarifying policy, as well as making the language clearer and easier to read.

Other policy changes that arise during this rule-making process may be incorporated. Other WAC sections may need to be updated as a result of these changes.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kevin Sullivan, HRSA Rules Coordinator, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sullikm@dshs.wa.gov.

February 12, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-05-061
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Health and Recovery Services Administration)
 [Filed February 12, 2009, 3:06 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-865-0255 Consumer grievance process, and possibly other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.05.560, 71.24.035 (5)(c), and 71.34.380, 42 C.F.R. § 438.400.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The mental health division (MHD) is updating and clarifying policy, as well as making the language clearer and easier to read.

Other policy changes that arise during this rule-making process may be incorporated. Other WAC sections may need to be updated as a result of these changes.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kevin Sullivan, HRSA Rules Coordinator, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sullikm@dshs.wa.gov.

February 12, 2009
 Stephanie E. Schiller
 Rules Coordinator

WSR 09-05-068
PREPROPOSAL STATEMENT OF INQUIRY
YAKIMA VALLEY
COMMUNITY COLLEGE
 [Filed February 13, 2009, 10:31 a.m.]

Subject of Possible Rule Making: Chapter 132P-33 WAC, Student rights and responsibilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The last full review of the student rights and responsibilities at Yakima Valley Community College was in 1998. The rule is outdated and needs to be reviewed/revised to accommodate changes in local, state and federal guidelines.

Process for Developing New Rule: Agency study.

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

lication by contacting Ms. Leslie Blackaby, Dean, Student Services, Yakima Valley Community College, P.O. Box 22520, Yakima, WA 98907-2520, (509) 574-6867, lblackaby@yvcc.edu. A public hearing will be held. Meetings and input from current student government leaders will be solicited as necessary.

February 13, 2009
 Leslie Blackaby
 Dean of Student Services

WSR 09-05-078
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed February 17, 2009, 11:01 a.m.]

Pursuant to RCW 34.05.335 and WAC 1-21-060, the department of retirement systems requests to withdraw its preproposal statement of inquiry (CR-101) filed on November 6, 2001, as WSR 01-22-092.

Sarah White
 Rules Coordinator