

**WSR 18-09-002**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**GAMBLING COMMISSION**

[Filed April 5, 2018, 10:55 a.m.]

Subject of Possible Rule Making: The gambling commission is considering amending its house-banked count requirement rules.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commission accepted a rules petition requesting a rule change to two of the agency's soft count rules for house-banked card rooms. The request was to reduce the number of people required for soft count from three to two if the house-banked card room used an automated bill counter. The second request was to streamline the soft count procedure rule if the house-banked card room uses an automated bill counter. The petitioner contends these changes will allow for better soft count accuracy and accountability and it will be more cost effective for licensed house-banked card rooms.

Process for Developing New Rule: Negotiated rule making; and interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency staff 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 Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, phone 360-486-3447, fax 360-486-3624, TTY 360-486-3637, email rules.coordinator@wsgc.wa.gov, web site www.wsgc.wa.gov.

April 5, 2018  
 Brian J. Considine  
 Legal and Legislative Manager

**WSR 18-09-004**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF THE**  
**LIEUTENANT GOVERNOR**

[Filed April 5, 2018, 2:08 p.m.]

Subject of Possible Rule Making: Copying fees for public records requests.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To meet the requirements described in RCW 42.56.040. Specifically, to publish in the Washington Administrative Code a description of the charges for copying (RCW 42.56.120).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None that apply to the office of the lieutenant governor's procedures.

Process for Developing New Rule: Establishment of agency procedure.

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

lication by contacting Cathleen Bright, P.O. Box 40400, Olympia, WA 98504, phone 360-786-7700, fax 360-786-7749, email Cathleen.bright@ltgov.wa.gov, web site www.ltgov.wa.gov.

April 5, 2018  
 Cathleen Bright  
 Executive Assistant

**WSR 18-09-021**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed April 11, 2018, 9:00 a.m.]

Subject of Possible Rule Making: Chapter 182-547 WAC, Hearing aids; and other related rules, as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160; E2SSB 5179, 65th legislature, 2018 regular session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending chapter 182-547 WAC, Hearing aids, to implement E2SSB 5179 which restores coverage of hearing instruments for adults. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, TTY 1-800-848-5429, email katherine.pounds@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

April 11, 2018  
 Wendy Barcus  
 Rules Coordinator

**WSR 18-09-026**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Developmental Disabilities Administration)

[Filed April 11, 2018, 10:35 a.m.]

The developmental disabilities administration requests the withdrawal of the preproposal statement of inquiry notice filed as WSR 17-14-106 on July 5, 2017 (chapter 388-828 WAC), regarding the ICF/IID level of care eligibility algorithm.

Katherine I. Vasquez  
 Rules Coordinator

**WSR 18-09-027**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Developmental Disabilities Administration)

[Filed April 11, 2018, 11:14 a.m.]

Subject of Possible Rule Making: The department is considering amending WAC 388-828-4200, 388-828-4220, 388-828-4240, 388-828-4260, 388-828-4280, 388-828-4300, 388-828-4320, 388-828-4360, 388-828-4380, 388-828-4400, 388-828-5700, 388-828-5800, 388-828-5900, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is considering amending these rules to align DDA's current supports intensity scale with the American Association on Intellectual and Developmental Disabilities' latest version of the Supports Intensity Scale - Adult Version.

Process for Developing New Rule: The department of social and health services (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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

April 9, 2018  
 Katherine I. Vasquez  
 Rules Coordinator

**WSR 18-09-028**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**

[Filed April 11, 2018, 11:42 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database (APCD). Specifically, the rules will address audit activities related to ensuring that there is compliance with the following requirements: Submission, release of data, use of data and destruction of data. (This replaces the CR-101 filed July 11, 2017, as WSR 17-15-040.)

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 43.371 RCW directs the office of financial management (OFM) to establish a

statewide APCD to support transparent public reporting of health care information. The chapter requires specified providers to submit claims data pursuant to the schedule developed by OFM and the data submission guide. There are also strict requirements regarding the release, use and destruction of the data from APCD. In order to ensure that the statutory and regulatory provisions are being followed, it is imperative that OFM develop an audit program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Health and Human Services.

Process for Developing New Rule: Other [no further information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thea Mounts, P.O. Box 43124, Olympia, WA 98504, email apcd@ofm.wa.gov, web site <https://www.ofm.wa.gov/washington-data-research/health-care/all-payer-health-care-claims>, sign up on the APCD list-serv at [https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qs=WAGOV\\_39](https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qs=WAGOV_39).

Additional comments: Those who sign up will receive information on the rules, hearing dates and the latest drafts of the rules for your comments.

April 11, 2018  
 Roselyn Marcus  
 Assistant Director  
 Legal and Legislative Affairs

**WSR 18-09-029**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**

[Filed April 11, 2018, 11:45 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database (APCD). Specifically, the rules will address the submission of claims data relating to chemical dependence/substance abuse claims. (This replaces the CR-101 filed April 18, 2017 as WSR 17-09-063.)

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.010(3), 43.371.030(1), and 43.371.070(1)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 43.371 RCW directs the office of financial management (OFM) to establish a statewide APCD to support transparent public reporting of health care information. To accomplish this requirement, OFM is directed to establish rules defining claim and data files that suppliers must submit. There are federal rules regarding the submission and use of data related to certain chemical dependency/substance use disorder treatment claims. This rule making is to establish the definition and requirements related to the data that must be submitted to APCD, and maintain compliance with federal law.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Substance Abuse and Mental Health Services Administration regulates the protections for certain chemical dependency/substance use disorder treatment claims information.

Process for Developing New Rule: A collaborative approach will be used. The APCD web site and associated listserv will be used to provide information and seek comments before a draft is filed for hearing. Stakeholder meetings to review and discuss draft rules will also be scheduled as appropriate.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thea Mounts, P.O. Box 43124, Olympia, WA 98504, email [apcd@ofm.wa.gov](mailto:apcd@ofm.wa.gov), web site <https://www.ofm.wa.gov/washington-data-research/health-care/all-payer-health-care-claims>, sign up on the APCD listserv at [https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV\\_39](https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV_39).

Additional comments: Those who sign up will receive information on the rules, hearing dates and the latest drafts of the rules for your comments.

April 11, 2018  
Roselyn Marcus  
Assistant Director  
Legal and Legislative Affairs

**WSR 18-09-030**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**

[Filed April 11, 2018, 11:47 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database (WA-APCD). WAC 82-75-030 provides additional definitions for terms used in the chapter that establishes and regulates WA-APCD. This rule making is to revise definitions that have been enacted and add definitions for other terms that have not previously been defined in statute or rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.010(3) and 43.371.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 43.371 RCW directs the office of financial management (OFM) to establish a statewide WA-APCD to support transparent public reporting of health care information. To accomplish this requirement, OFM is directed to establish rules necessary to implement this chapter, and to establish rules that specifically define claim and data files that suppliers must submit. OFM enacted additional definitions in WAC 82-75-030 and has added definitions as needed. Based on stakeholder feedback and experience since WA-APCD has been implemented, there are definitions that need to be amended (such as "member," "DUA" and "WA covered persons" and other terms that need to be defined (such as "allowed cost"). Through the rule-making process, other definitions may need to be added or amended.

Process for Developing New Rule: A collaborative approach will be used. The APCD web site and associated listserv will be used to provide information and seek comments before a draft is filed for hearing. Stakeholder meetings to review and discuss draft rules will also be scheduled as appropriate.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thea Mounts, P.O. Box 43124, Olympia, WA 98504, email [apcd@ofm.wa.gov](mailto:apcd@ofm.wa.gov), web site <https://www.ofm.wa.gov/washington-data-research/health-care/all-payer-health-care-claims>, sign up on the APCD listserv at [https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV\\_39](https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV_39).

Additional comments: Those who sign up will receive information on the rules, hearing dates and the latest drafts of the rules for your comments.

April 11, 2018  
Roselyn Marcus  
Assistant Director  
Legal and Legislative Affairs

**WSR 18-09-037**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed April 12, 2018, 9:07 a.m.]

Subject of Possible Rule Making: Implementing the paid family and medical leave program (Title 50A RCW) requires substantial rule making. Consistent with Agile methodology, rule making is being done in [in] several distinct phases. This preproposal statement of inquiry begins phase 2 of the program's rule making. This phase includes, but is not limited to, employer responsibilities, penalties, small business grants, and other topics related to establishing the program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.04.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Being a new state entitlement, the paid family and medical leave program needs clear and usable guidance for the public regarding program operations. These rules will contribute to that guidance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal agencies and no other state agencies regulate this program as it is a new state entitlement with authority granted solely to the employment security department.

Process for Developing New Rule: The draft rules will be shared with the public, stakeholders, and the program's advisory committee. The department will solicit input from all involved parties and consider all comments in the development of the final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Christina Streuli, 640 Woodland Square Loop S.E., Lacey, WA 98503, phone 360-791-6710, TTY Teresa Eckstein, State EO Officer, 771 [711] or 360-

902-9354, email Cstreuli@esd.wa.gov, web site www.esd.wa.gov.

April 12, 2018  
Dale Peinecke  
Commissioner

**WSR 18-09-038**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CENTER FOR CHILDHOOD**  
**DEAFNESS AND HEARING LOSS**

[Filed April 12, 2018, 9:14 a.m.]

Subject of Possible Rule Making: The purpose of this possible rule making is to adopt a permanent rule that implements the state legislature's new Public Records Act (PRA) requirement and provides the necessary findings so that the center for childhood deafness and hearing loss (CDHL) may continue to use the amended statutory default fee schedule that became effective July 23, 2017, and continue to waive copy fees under the listed circumstances. The additional purpose of the rule is to continue to explain procedures for payment for copies. CDHL intends to repeal WAC 148-276-090, a copying fees rule adopted under prior PRA statutes [statutes].

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120 (as amended by chapter 304, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: PRA is chapter 42.56 RCW. The 2017 legislature amended RCW 42.56.120, section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual [costs for copying] is because to do [so] would be unduly burdensome. CDHL is not calculating actual costs for copying records because to do so would be unduly burdensome. CDHL intends to adopt the rule on a permanent basis so it can continue to use the statutory default copy fee schedule. In addition, RCW 42.56.120 as amended by section 3, chapter 304, Laws of 2017, allows an agency to wave any charge assessed for a public record pursuant to agency rule. CDHL intends to enact a permanent rule to address waiver of charges assessed for a public record. CDHL intends to continue to explain the procedures for payment for copies. Finally, CDHL intends to repeal WAC 148-276-090, its copying fees rule originally adopted under former chapter 42.17 RCW because that rule is now outdated.

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

Process for Developing New Rule: CDHL will be proposing a permanent rule and repealing a current rule in response to the copying fee amendments to RCW 42.56.120. CDHL will provide public notice of this rule making through filings in the *Washington State Register* and through posting information on the school web site at www.wsd.wa.gov. During a public comment period, CDHL will also seek com-

ment: (1) As to be described in the anticipated rule-making proposal form (CR-102); (2) from persons who have requested notice of CDHL rule making; and (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard Hauan, Executive Director, 611 Grand Boulevard, Vancouver, WA 98661, phone 360-418-0400, fax 360-696-6291, email rick.hauan@cdhl.wa.gov, web site www.wsd.wa.gov; or Judy Smith, Executive Assistant, 611 Grand Boulevard, Vancouver, WA 98661, phone 360-418-0401, fax 360-696-6291, email judy.smith@cdhl.wa.gov, web site www.wsd.wa.gov [www.wsd.wa.gov].

April 11, 2018  
Richard Hauan  
Executive Director

**WSR 18-09-063**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
**(Pharmacy Quality Assurance Commission)**

[Filed April 16, 2018, 10:47 a.m.]

Subject of Possible Rule Making: Title 246 WAC, The pharmacy quality assurance commission (commission) is considering revising rules around operational standards for facilities under the commission's jurisdiction and is considering reorganizing these standards into a new chapter or chapters to address any changes identified as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.64, 18.64A, 69.41, 69.50, and 69.51 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission is responsible for setting the standards for licensing of pharmacists, pharmacy interns, and facilities and locations where drugs are created, made, distributed, sold, and dispensed. A 2017 review of all of the commission's rules has shown a majority are out of date, sixty percent of the commission's thirty-four chapters of WAC have not been amended since the 1980s. Health care delivery and the role of pharmacists and other pharmacy personnel has changed dramatically over the last thirty years, and outdated rules have led to inconsistent application and interpretation of rules. Following the review and examination, the commission determined it needed to reexamine and consider aligning existing standards with current pharmacy practice, trends and industry standards. Reexamining the standards may involve reorganizing or replacing standards in chapters currently in place.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tracy West, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-236-4988, TTY 360-833-6388 or 711, email tracy.west@doh.wa.gov.

Additional comments: Interested parties can sign up for and receive updates on all rule projects through the commis-

sion's GovDelivery email lists. Additional updates will be posted regularly on the commission's Rules in Progress web site.

April 13, 2018  
Tim Lynch, PharmD, MS, Chair  
Pharmacy Quality Assurance Commission

### WSR 18-09-065

#### PREPROPOSAL STATEMENT OF INQUIRY

#### HEALTH CARE AUTHORITY

(Public Employees Benefits Board)

[Admin. 2018-01—Filed April 16, 2018, 1:22 p.m.]

Subject of Possible Rule Making: Enrollment, eligibility, and appeal rules in chapters 182-08, 182-12, and 182-16 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1. The health care authority (HCA) will consider amendments and new rules to implement the following:

- The PEBB program will review rules in chapters 182-08, 182-12, and 182-16 WAC to determine the need for amending existing sections or adopting new sections to reflect changes the agency is making to its brief adjudicative proceedings and administrative hearing processes.
- Clarify that it is the PEBB program that sends the Consolidated Omnibus Budget Reconciliation Act (COBRA) election form, reviews COBRA eligibility, receives the election form and first payment in WAC 182-12-133 and 182-12-146. Also, determine if nonqualified COBRA beneficiaries who qualify for PEBB continuation coverage should be included in WAC 182-12-146.
- Review rules related to the administration of the medical flexible spending account (FSA) and dependent care assistance program (DCAP) programs in WAC 182-08-197, 182-12-138, 182-12-141 and 182-12-146 to clarify notice requirements for employees after termination of employment and to ensure rules are consistent with Family Medical Leave Act and Uniformed Services Employment and Reemployment Rights Act requirements.
- Amend the definitions of employer contribution, special open enrollment, waive, premium surcharge and premium payment plan in WAC 182-08-015, 182-12-109, and 182-16-020. Add new definitions of transfer and break-in PEBB coverage to chapters 182-08, 182-12, and 182-16 WAC.
- Amend dependent enrollment verification during special enrollment in WAC 182-12-262.
- Amend WAC 182-12-262 to convey antirescission limitations in the PEBB program's discretion.
- Amend child eligibility consistent within policy adopted by PEBB and changes recommended to the SEB board.
- Clarify that the employing state agency or the applicable contracted vendor must receive the employee form no later than thirty-one days after the employee becomes eligible for PEBB benefits in WAC 182-08-197.
- Clarify each employer's responsibility for payment of the employer contribution when an employee transfers from one employing agency to another, and that there will be no break-in PEBB coverage between transfer in WAC 182-08-200.
- Amend WAC 182-08-187 to correct numbering errors.
- Amend WAC 182-12-123 and 182-12-205 to make technical corrections.
- Amend language based on a rule change in WAC 182-12-171.
- Amend rules to account for the implementation of family and medical leave insurance program. Amend WAC 182-08-198 to address when coverage begins when a member enrolls in a medicare advantage plan.
- Clarify the enforcement of the National Medical Support Notice (NMSN) when a terminated employee elects self-only COBRA in WAC 182-12-263.
- Clarify forty-five day rule related to premium payments and premium refunds by cross-referencing WAC 182-12-146 with WAC 182-08-180, clarify if WAC 182-08-180 is applicable to all or just employees eligible for the employer contribution.
- Review rules related to premium surcharge requirements.
- Amend the employer group application process by adding alternative requirements for employer groups that are not able to provide historical claims data and cost information as required in WAC 182-08-235 and review WAC 182-08-240 for readability.
- Clarify that the dependent of a retiree must be enrolled in the same medical and dental plan with narrow exceptions in chapter 182-12 WAC.
- Consider adding details regarding eligibility for judges and a cross-reference to the definition of separated employee in RCW 41.05.022 in WAC 182-12-171.
- Amend WAC 182-12-205 to add an exception regarding when PEBB insurance coverage will end for a member who enrolls in a medicare advantage plan. Clarify once a retiree voluntarily terminates the coverage, the retiree cannot reenroll in PEBB benefits unless the retiree becomes newly eligible.
- Clarify that the subscriber must maintain continuous enrollment in one of the types of coverage allowed and clarify timelines for deferral upon retirement and post retirement in WAC 182-12-200 and 182-12-205.
- Amend rules to include elected officials in chapters 182-08, 182-12, and 182-16 WAC.
- Clarify whether enrollment forms should be submitted to the PEBB program or the employing agency in WAC 182-08-198.
- Consider separating court orders and NMSN into two special open enrollment events by evaluating impacts in chapters 182-08 and 182-12 WAC.
- Amend WAC 182-08-199 to clarify procedures during open enrollment and special open enrollment for FSA

and DCAP and amend multiple rules to better align with salary reduction plan document language.

- Clarify COBRA and deferral processes for surviving dependents in WAC 182-12-265.
- Amend rules in chapter 182-12 WAC to clarify that an employee must provide evidence in addition to the required form to enroll in coverage during special open enrollment event.
- Amend WAC 182-12-300 regarding whether subscribers who complete the well-being assessment to earn the \$25 gift card must also claim the gift card within the same calendar year and to clarify earned wellness incentives for subscribers who enroll in Medicare Parts A and B the following year.

2. HCA will conduct a full review of PEBB program rules in these chapters and make changes as necessary to provide technical corrections, implement legislation, implement PEBB policy, and to comply with federal or state regulations.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 42684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, TTY 1-800-848-5429, email Barbara.Scott@hca.wa.gov, web site <https://www.hca.wa.gov/about-hca/rulemaking>; or Stella Ng, P.O. Box 42684, Olympia, WA 98504-2684, phone 360-725-0932, fax 360-586-9727, TTY 1-800-848-5429, email Stella.Ng@hca.wa.gov, web site <https://www.hca.wa.gov/about-hca/rulemaking>.

Additional comments: Individuals wishing to receive PEBB program rule-making notices are encouraged to join the PEB [PEBB] rules and policy GovDelivery service available by following this path [https://public.govdelivery.com/accounts/WAHCA/subscriber/new?topic\\_id=WAHCA\\_303](https://public.govdelivery.com/accounts/WAHCA/subscriber/new?topic_id=WAHCA_303).

April 16, 2018  
Wendy Barcus  
Rules Coordinator

### WSR 18-09-066

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed April 16, 2018, 2:21 p.m.]

Subject of Possible Rule Making: Title 246 WAC, the pharmacy quality assurance commission (commission) is considering revising its rules around professional standards for pharmacy personnel under the commission's jurisdiction and considering reorganizing these standards into a new chapter or chapters to address any changes identified as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.64, 18.64A, 69.41, 69.50, and 69.51 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission is responsible for setting the standards for licensing of pharmacists, pharmacy interns, and facilities and locations where drugs are created, made, distributed, sold, and dispensed. A 2017 review of all of the commission's rules has shown a majority are out-of-date, sixty percent of the commission's thirty-four chapters of WAC have not been amended since the 1980s. Health care delivery and the role of pharmacists and other pharmacy personnel has changed dramatically over the last thirty years, and outdated rules have led to inconsistent application and interpretation of rules. Following the review and examination, the commission determined it needed to reexamine and consider aligning existing standards with current pharmacy practice, trends and industry standards. Reexamining the standards may involve reorganizing or replacing standards in chapters currently in place.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Drug Enforcement Administration and the Washington state attorney general's office will be kept up-to-date throughout the rule-making process to ensure they are apprised of any new standards.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tracy West, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-236-4988, TTY 360-833-6388 or 711, email [tracy.west@doh.wa.gov](mailto:tracy.west@doh.wa.gov).

Additional comments: Interested parties can sign up for and receive updates on all rule projects through the commission's GovDelivery email lists. Additional updates will be posted regularly on the commission's Rules in Progress web site.

April 16, 2018  
Tim Lynch, PharmD, MS, Chair  
Pharmacy Quality Assurance Commission

### WSR 18-09-073

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed April 17, 2018, 8:12 a.m.]

Subject of Possible Rule Making: WAC 182-551-1010 Hospice program—Definitions, 182-551-1510 Rates methodology and payment method for hospice agencies, 182-551-1800 Pediatric palliative care (PPC) case management/coordination services—General, 182-551-1810 Pediatric palliative care (PPC) case management/coordination services—Client eligibility, 182-551-1820 Pediatric palliative care (PPC) contact—Services included and limitations to coverage, 182-551-1830 How to become a medicaid-approved pediatric palliative care (PPC) case management/coordination services provider, 182-551-1840 Pediatric palliative care

(PPC) case management/coordination services—Provider requirements, 182-551-1850 Pediatric palliative care (PPC) case management/coordination services—Rates methodology, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending these rules to add palliative services for adults. During the course of this review, the agency may identify additional changes that are required in order to improve clarity of [or] update policy.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, TTY 1-800-848-5429, email [melinda.froud@hca.wa.gov](mailto:melinda.froud@hca.wa.gov), web site [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

April 17, 2018  
Wendy Barcus  
Rules Coordinator

#### WSR 18-09-074

##### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed April 17, 2018, 8:16 a.m.]

Subject of Possible Rule Making: WAC 182-531-0100 Scope of coverage for physician-related and health care professional services—General and administrative, 182-531-0150 Noncovered physician-related and health care professional services—General and administrative, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising these sections to clarify which vaccines the agency covers. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-

586-9727, TTY 1-800-848-5429, email [melinda.froud@hca.wa.gov](mailto:melinda.froud@hca.wa.gov), web site [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

April 17, 2018  
Wendy Barcus  
Rules Coordinator

#### WSR 18-09-075

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed April 17, 2018, 10:54 a.m.]

Subject of Possible Rule Making: Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.20 [51.04.020] and 51.32.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing rules are outdated, and have been a point of concern for both business and labor. An advisory workgroup of business and labor representatives has worked with the department to formulate modernized rule concepts for consideration by the broader communities.

Key objectives of this rule-making effort:

- Better communication to workers.
- Greater certainty for employers.
- Reduced readjudication and strengthened regulation by the department of labor and industries that better aligns with statutory mandates.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local, or federal agency regulates this subject.

Process for Developing New Rule: The department of labor and industries will work collaboratively with representatives of the labor and self-insured employer communities throughout all phases of this rule-making process. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting James Nylander, Self-Insurance Program Manager, P.O. Box 44890, Olympia, WA 98504-4890, phone 360-902-6907, fax 360-902-6977, email [James.Nylander@lni.wa.gov](mailto:James.Nylander@lni.wa.gov).

April 17, 2018  
Joel Sacks  
Director

**WSR 18-09-084**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Developmental Disabilities Administration)

[Filed April 17, 2018, 2:54 p.m.]

Subject of Possible Rule Making: The department is planning to amend chapter 388-101D WAC, Requirements for providers of residential services and support, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120, chapter 71A.22 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is planning to create new sections regarding group training homes in chapter 388-101D WAC.

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

Process for Developing New Rule: 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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

April 17, 2018  
 Katherine I. Vasquez  
 Rules Coordinator

**WSR 18-09-085**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BUILDING CODE COUNCIL**

[Filed April 17, 2018, 2:59 p.m.]

Subject of Possible Rule Making: Chapter 51-11C WAC, Adoption and amendment of the 2018 Washington State Energy Code, Commercial.

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 statewide code amendments. The estimated effective date of the 2018 codes is July 1, 2020.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Krista Braaksma, P.O. Box 41449, phone 360-407-9278, fax 360-586-9088, email krista.braaksma@des.wa.gov, web site www.sbcc.wa.gov.

April 17, 2018  
 Doug Orth  
 Council Chair

**WSR 18-09-087**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BUILDING CODE COUNCIL**

[Filed April 17, 2018, 3:07 p.m.]

Subject of Possible Rule Making: Chapter 51-50 WAC, Adoption and amendment of the 2018 International Building Code and International Existing Building Code.

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 statewide code amendments. The estimated effective date of the 2018 codes is July 1, 2020.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard Brown, Managing Director, P.O. Box 41449, phone 360-407-9277, fax 360-586-9088, email Richard.brown@des.wa.gov [Richard.brown@des.wa.gov], web site www.sbcc.wa.gov.

April 17, 2018  
 Doug Orth  
 Council Chair

**WSR 18-09-089**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BUILDING CODE COUNCIL**

[Filed April 17, 2018, 3:11 p.m.]

Subject of Possible Rule Making: Chapter 51-53 WAC, Adoption and amendment of the 2018 International Wildland Urban Interface Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074, chapter 189, Laws of 2018.

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 statewide code amendments.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard Brown, Managing Director, P.O. Box 41449, phone 360-407-9277, fax 360-586-9088, email Richard.brown@des.wa.gov, web site www.sbcc.wa.gov.

April 17, 2018  
Doug Orth  
Council Chair

### WSR 18-09-090

#### PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed April 17, 2018, 3:12 p.m.]

Subject of Possible Rule Making: Chapter 51-54A WAC, Adoption and amendment of the 2018 International Fire Code.

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 statewide code amendments. The estimated effective date of the 2018 codes is July 1, 2020.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard Brown, Managing Director, P.O. Box 41449, phone 360-407-9277, fax 360-586-9088, email Richard.brown@des.wa.gov, web site www.sbcc.wa.gov.

April 17, 2018  
Doug Orth  
Council Chair

### WSR 18-09-095

#### PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed April 17, 2018, 3:57 p.m.]

Subject of Possible Rule Making: Chapter 392-145 WAC, Transportation—Operation rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.61.380.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering making technical revisions to chapter 392-145 WAC to clarify rule language

and assist school districts and school bus drivers in their day-to-day operations.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Glenn Gorton, Director, OSPI, Student Transportation, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6121, fax 360-753-4201, TTY 360-664-3631, email glenn.gorton@k12.wa.us, web site k12.wa.us/transportation.

April 16, 2018  
Chris P. S. Reykdal  
State Superintendent  
of Public Instruction

### WSR 18-09-096

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed April 17, 2018, 4:09 p.m.]

Subject of Possible Rule Making: WAC 196-23-070 Signature, 196-33-400 Seals and stamps, and 196-33-600 Signature (proposed new section).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.43.035, 18.210.050, 18.210.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amendment to WAC 196-23-070 will give licensees the option to use electronic signatures when submitting documents required to have a signature, and will align signature requirements for all design professions. The amendment to the stamp design for WAC 196-33-400 will make it easier for licensees to upload documents requiring a stamp to local jurisdictions. Proposed new WAC 196-33-600 will outline the meaning of "signature" or "signed" as it is used in chapters 18.43, 18.210 RCW, and Title 196 WAC. It will include criteria for handwritten, digital and electronic representations of a signature and their requirements.

Process for Developing New Rule: Direct notice will be made to stakeholders and all active licensees and will be posted on our website and distributed through the BORPELS board and board staff. Interested parties may contact the individual listed below and the public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Julie Konnersman, P.O. Box 9025, Olympia, WA 98507-9025, phone 360-664-1507, fax 360-570-7098, TTY 711, email engineers@dol.wa.gov, web site <http://www.dol.wa.gov/business/engineerslandsurveyors/>.

April 17, 2018  
Damon Monroe  
Rules Coordinator

**WSR 18-09-102**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Filed April 18, 2018, 9:03 a.m.]

The department of ecology (ecology) is withdrawing its notice of rule making (Preproposal Statement of Inquiry CR-101 form) filed February 6, 2017, AO 16-09, WSR 17-05-021 and immediately filing a new preproposal statement of inquiry for this rule making.

Ecology proposed to amend chapter 173-455 WAC, Air quality fee rule and chapter 173-400 WAC, General regulations for air pollution sources. The air quality fee rule consolidates most of the air quality related fees into one chapter so the regulated community can easily find what fees they may need to pay. The general regulations for air pollution sources establishes the regulatory framework to ensure healthy air quality in Washington and meet federal air quality standards.

As we prepared to propose rule amendments we realized we were changing the structure of the registration program without clearly identifying this as a purpose in our original notice of rule making. Therefore, ecology is withdrawing our original notice of rule making and immediately refile a notice of rule making, including the original topics identified and expanding the scope to include this action.

For more information, contact Jean-Paul Huys at 360-407-6827 or [jean-paul.huys@ecy.wa.gov](mailto:jean-paul.huys@ecy.wa.gov).

**WSR 18-09-105**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Order 16-09—Filed April 18, 2018, 9:08 a.m.]

Subject of Possible Rule Making: Ecology proposes to amend two rules:

- Air quality fee rule, chapter 173-455 WAC, consolidates most of the air quality related fees into one chapter. This makes it easier for the regulated community to find what fees they may need to pay.
- General regulations for air pollution sources, chapter 173-400 WAC, establishes the regulatory framework to ensure healthy air quality in Washington and that we meet federal air quality standards.

The amendments will:

- Revise the registration program structure, including requiring all sources to register.
- Increase fees to more fully cover the costs of the air quality source registration program.
- Revise the fee process to create an equitable distribution of fees across all sources and establish a process to increase fees without going through rule making.
- Align chapters 173-400 and 173-455 WAC.
- Match hourly rate charge in WAC 173-455-050, 173-455-100(4) and 173-455-130 with the current ecology hourly billing rate (currently \$95).

Identify, and where appropriate, make needed edits in chapters 173-455 and 173-400 WAC to increase clarity and readability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.94 RCW, Washington Clean Air Act, RCW 70.94.151, 70.94.892.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:

- The existing registration program structure does not require all sources of air pollution to register. Under this rule making we will be proposing to require all sources to register. Lack of registration hampers and complicates the program because it fails to collect fees from an estimated one hundred seventy-five sources. The administrative costs for ecology to regulate these sources are currently being covered by the remaining three hundred seventy-five sources registered in the program.
- Existing registration program fees fund approximately fifty percent of the estimated cost of operating the program. The rule making would better align fees to more fully cover program costs.
- The current fee process for the registration program does not equitably distribute fees across all registered sources. The rule making would increase fairness. Establishing a process to determine fees outside of rule making simplifies the process and allows us to recover our costs through more frequent, more predictable, and smaller fee increases.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jean-Paul Huys, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, phone 360-407-6827, TTY 711, for deaf or hard of hearing: 877-833-6341 (Washington relay service), sign up to receive email notices <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECY-AQ-RULE-AND-SIP-UPDATES&X=OF7D460E8D17CE2B31F&Y=egui461%40ecy.wa.gov>, web site <https://ecology.wa.gov/About-us/How-we-operate/Laws-rules-rulemaking>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

April 18, 2018

Stuart A. Clark

Air Quality Program Manager

**WSR 18-09-109****PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Filed April 18, 2018, 10:05 a.m.]

Subject of Possible Rule Making: WAC 182-550-7500 OPSS rate, other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, ESSB 6032, section 213 (1)(fff), Supplemental operating budget, 65th legislature, 2018 regular session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending WAC 182-550-7500 to comply with ESSB 6032, section 213 (1)(fff) that provides funding for a fifty percent rate increase of outpatient services for sole community hospitals for SFY 2019. The new operating budget becomes effective on July 1, 2018. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, TTY: 1-800-848-5429, email vance.taylor@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

April 18, 2018  
Wendy Barcus  
Rules Coordinator

**WSR 18-09-111****PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Filed April 18, 2018, 10:10 a.m.]

Subject of Possible Rule Making: Chapter 182-538 WAC, Managed care.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 5883, section 213 (1)(c), 65th legislature, 2017 regular session; RCW 41.05.021, 41.05.160 and 42 C.F.R. Parts 431, 433, 438, 440, 457, and 495.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising this chapter to reflect recent legislative requirements under SSB 5883 to contract with licensed dental health plans or managed health care plans to provide managed dental care services on a statewide basis. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, TTY 1-800-848-5429, email Melinda.Froud@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

April 18, 2018  
Wendy Barcus  
Rules Coordinator

**WSR 18-09-116****PREPROPOSAL STATEMENT OF INQUIRY  
LIQUOR AND CANNABIS  
BOARD**

[Filed April 18, 2018, 10:40 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rule changes to vapor products rules in chapter 314-35 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.345.020 and 70.345.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The new statutory framework for vapor products became effective on June 28, 2016, and was codified in chapter 70.345 RCW. WSLCB engaged in rule making to implement the new statutory framework for vapor products passed by the legislature later the same year. The board may adopt rules regarding the regulation of the licenses under RCW 70.345.020(2). WSLCB enforcement officers throughout the state of Washington have made contact at more than one thousand four hundred vapor product locations (licensed/unlicensed). Information gathered resulting from these contacts identified a need for changes to rules for vapor products licensees. Additional rule making is proposed to further refine and clarify existing requirements, as well as address other requirements needed as a result of what we have learned since the implementation of the new statutory and regulatory framework.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSLCB will be coordinating with the Washington state department of health as needed on these rule changes.

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 Joanna Eide, Policy and Rules Coordinator, 3000 Pacific Avenue S.E., Olympia, WA 98504, phone 360-664-1622, fax 360-664-9689, TTY 711 or 1-800-833-6388, email rules@lcb.wa.gov, web site www.lcb.wa.gov.

April 18, 2018

Jane Rushford  
Chair

**WSR 18-09-117**

**PREPROPOSAL STATEMENT OF INQUIRY  
LIQUOR AND CANNABIS  
BOARD**

[Filed April 18, 2018, 10:40 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is [making] changes to rules in chapter 314-55 WAC regarding cannabis retail license title certificates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342 and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since the passage of Initiative 502 in 2012, some local jurisdictions have passed moratoria, bans, restrictive zoning laws, reduced allocations, and placed other prohibitions on the retail sale of cannabis. In some areas, these ordinances have prevented cannabis retail licensees from opening. WSLCB rules require stores to follow all license requirements, whether they are able to open or not, resulting in significant costs to retail licensees. To reduce the costs of maintaining license requirements under WSLCB rules, this proposed rule making will seek to provide an option for cannabis retail licensees who are legally prohibited from opening within their allotted jurisdiction to apply for a title certificate. Title certificate holders will not be required to maintain all license requirements, but must meet the conditions specified in the rule provisions that will be proposed in this rule making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSLCB will coordinate with the department of revenue's business licensing services as needed on proposed rule changes.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Policy and Rules Coordinator, 3000 Pacific Avenue S.E., Olympia, WA 98504, phone 360-664-1622, fax 360-664-9689, TTY 711 or 1-800-833-6388, email rules@lcb.wa.gov, web site www.lcb.wa.gov.

April 18, 2018  
Jane Rushford  
Chair

**WSR 18-09-119**

**PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Filed April 18, 2018, 10:41 a.m.]

Subject of Possible Rule Making: Chapter 182-531 WAC, Physician-related services; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021 and 41.05.160, ESSB 6032, section 213 (1)(ddd).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To comply with ESSB 6032, rule making is necessary to allow for an increase in rates for pediatric care services and vaccines. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, TTY 1-800-848-5429, email vance.taylor@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

April 18, 2018  
Wendy Barcus  
Rules Coordinator

**WSR 18-09-120**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
EARLY LEARNING**

[Filed April 18, 2018, 10:44 a.m.]

Subject of Possible Rule Making: Outdoor, nature-based early learning and child care programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.215.060, 43.215.070, and 43.215.566.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Department of early learning (DEL) is implementing a legislatively mandated pilot project to explore the possibility of licensing outdoor, nature-based early learning and child care programs. As part of the pilot project, DEL will explore options for developing a quality rating and improvement system for outdoor preschools. The pilot project is expected to conclude June 30, 2021.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The state department of social and health services jointly administers the working connections and seasonal child care (WCCC and SCC) subsidy programs. DEL must

follow United States Administration for Children and Families, CCDF regulations consistent with the state's CCDF plan when licensing early learning programs that will participate in the WCCC and SCC programs. DEL plans to coordinate rule development with these state and federal agencies.

Process for Developing New Rule: To the extent practicable, DEL intends to seek stakeholder and public input during rule development. DEL expects that proposed rules will be filed and comments will be solicited before permanent rules are adopted.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, P.O. Box 40970, Olympia, WA 98504-0970, phone 360-725-4670, fax 360-725-4925, email rules@del.wa.gov, web site www.del.wa.gov.

Additional comments: Effective July 1, 2018, chapter 6, Laws of 2017 3rd sp. sess. (2E2SHB 1661), creates the department of children, youth and families (DCYF), abolishes DEL, and assigns DEL's powers and duties as well as the powers and duties of the department of social and health services' children's administration to DCYF. Effective July 1, 2018, this rule making will transfer to DCYF.

April 18, 2018  
Heather Moss  
Director

**WSR 18-09-122**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SHORELINE COMMUNITY COLLEGE**

[Filed April 18, 2018, 11:19 a.m.]

Subject of Possible Rule Making: Repeal of chapter 132G-156 WAC, Housing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Federal law prohibits discrimination in housing under the Fair Housing and Equal Opportunity Act so an additional rule specific to Shoreline is not required.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None identified, the state board for community and technical college[s] has general supervision and control over the state system of community and technical colleges but does not regulate each individual college's rule making.

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 Veronica Zura, 16101 Greenwood Avenue North, Shoreline, WA 98133, phone 206-546-4769, email sccrulemaking@shoreline.edu.

April 18, 2018  
Veronica Zura  
Executive Director  
Human Resources

**WSR 18-09-123**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**SHORELINE COMMUNITY COLLEGE**

[Filed April 18, 2018, 11:20 a.m.]

Subject of Possible Rule Making: Repeal of chapter 132G-124 WAC, General conduct.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 132G-124 WAC provides authority regarding general conduct at the college. Authority relating to these topics of general conduct is already provided by other more recently updated rules and college policies so a separate rule on general conduct is not needed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None identified, the state board for community and technical colleges has general supervision and control over the state system of community and technical colleges but does not regulate each individual college's rule making.

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 Veronica Zura, 16101 Greenwood Avenue North, phone 206-546-7858, fax 206-546-5850, email sccrulemaking@shoreline.edu.

April 18, 2018  
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