

WSR 18-02-047**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed December 27, 2017, 8:52 a.m.]

Subject of Possible Rule Making: Provide more clarity for the public inspection of books of account for candidates and political committees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 42.17A.235 (4)(a) requires a candidate or treasurer of a political committee to permit the public inspection for books of account. These changes will give the public, candidates, and political committees more clarity around these types of public inspections.

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

Process for Developing New Rule: Collaborative rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Sandahl, 711 Capitol Way, Suite 206, Olympia, WA 98504, phone 360-753-1111, fax 360-753-1112, email pdc@pdc.wa.gov, web site www.pdc.wa.gov.

December 15, 2017
B. G. Sandahl
Deputy Director

WSR 18-02-054**PREPROPOSAL STATEMENT OF INQUIRY
STUDENT ACHIEVEMENT COUNCIL**

[Filed December 28, 2017, 2:32 p.m.]

Subject of Possible Rule Making: Amend and update rules regarding residency for tuition and fee purposes, chapter 250-18 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.15.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Defines and clarifies new federal legislation from Section 702 of the "Choice Act," which expands resident tuition eligibility for certain veteran dependents. Revises and clarifies rules regarding financial dependence and independence.

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 Gail Wootan, Washington Student Achievement Council, P.O. Box 43430, Olympia, WA 98504, phone 360-753-7890, email gailw@wsac.wa.gov.

December 28, 2017
Gail Wootan
Associate Director of
Academic Affairs and Policy

WSR 18-02-055**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed December 28, 2017, 3:32 p.m.]

Subject of Possible Rule Making: WAC 468-38-100 Pilot/escort vehicle and operator requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.44.093.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Northwest Pilot Car Association proposed the rule to improve their industry's ability to better cope with the financial consequences of risk exposure that accompanies their duties required by the current rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state patrol coordinated the rule with this agency through meetings.

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 Anne Ford, Commercial Vehicle Services, P.O. Box 47367, Olympia, WA 98504-7367, phone 360-705-7341, fax 360-704-6391, email forda@wsdot.wa.gov.

December 28, 2017
Kara Larsen, Director
Risk Management and
Legal Services

WSR 18-02-065**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF CORRECTIONS**

[Filed December 29, 2017, 2:54 p.m.]

Subject of Possible Rule Making: Chapter 137-80 WAC, Institutional industries and programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 72.01.090 and 72.09.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To strike a better balance between stakeholders' concerns regarding the assumption of liability for worker injury claims and the agency's fundamental responsibility for the safety and security of the public.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: In 2015 revisions to this rule were closely coordinated with the Washington state department of labor and industries (L&I). Further, L&I is aware that portions of the revised rule, implemented January 1, 2016, created difficulty for some recipients of work crew services. L&I has more recently expressed to the department of corrections (DOC) that it is able to support DOC's position regarding liability either way and has asked to be notified by DOC of any changes made to the current WAC.

Process for Developing New Rule: Pilot rule making; agency study; and after two public hearings and written input

from stakeholders, DOC implemented revisions to chapter 137-80 WAC, effective January 1, 2016. Some recipients of worker services did not contract for continued services under the revised WAC. DOC continued to consider elements of WAC that were in dispute and under an emergency rule filing on October 3, 2017, implemented a pilot program to see if certain changes would result in use of worker services by recipients who had ceased to utilize work crew programs.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Debra Eisen, Rules Coordinator, DOC, Contracts and Legal Affairs, P.O. Box 41114, Olympia, WA 98504-1114, phone 360-725-8363, fax 360-664-2009, email debra.eisen@doc.wa.gov.

December 28, 2017
Stephen Sinclair
Secretary

WSR 18-02-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed January 2, 2018, 10:55 a.m.]

Subject of Possible Rule Making: Chapter 296-65 WAC, Safety standards for asbestos removal and encapsulation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, chapter 49.26 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of occupational safety and health (DOSH) intends to conduct rule making to update the requirements in chapter 296-65 WAC, Asbestos removal and encapsulation. This is a state initiated change that proposes to remove confusing and unnecessary language as well as add clarification where necessary throughout the rule. Some requirements that may have updates include: Certification and testing requirements; when refresher training is required; and when temporary certificates can be issued.

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

Process for Developing New Rule: Stakeholder meetings will be held to allow those affected by the rule to provide input prior to the rule proposal being filed. Parties interested in the formulation of these rules for proposal may contact the individual listed below. 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 Gail Hughes, Administrative Regulations Analyst, Department of Labor and Industries, DOSH, P.O. Box 44620, Olympia, WA 98504, phone 360-902-6772, email Gail.hughes@lni.wa.gov, web site <http://www.lni.wa.gov/Safety/Rules/WhatsNew/default.asp>.

January 2, 2018
Joel Sacks
Director

WSR 18-02-073
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)

[Filed January 2, 2018, 10:57 a.m.]

Subject of Possible Rule Making: The department is planning to repeal WAC 388-835-0150 When does DSHS require discharge and readmission of a resident? and amend or repeal any 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 department proposes to repeal WAC 388-835-0150 in order to harmonize DSHS internal processes with guidance from the federal Centers for Medicare and Medicaid Services.

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.

January 2, 2018
Katherine I. Vasquez
Rules Coordinator

WSR 18-02-074
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed January 2, 2018, 10:58 a.m.]

Subject of Possible Rule Making: Chapter 246-337 WAC, Residential treatment facilities, the department is considering new rules, and revising related rule sections as appropriate, on licensure of pediatric transitional care facilities to implement SSB 5152 (chapter 263, Laws of 2017). These facilities would provide twenty-four hour care for newborns and infants who had prenatal exposure to drugs and suffer neonatal abstinence syndrome and related health issues.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 5152 (chapter 263, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: More than twelve thousand children are born in Washington state each year who have had prenatal exposure to drugs, and some of these infants need short-term, round-the-clock health care related to this exposure. Pediatric transitional care facilities are an alternative to continued hospitalization, and support the infant's and family's transition to care at home. The legislature determined that rules are needed to set licensing, construction, staffing, and operational requirements for these facilities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will involve the department of social and health services on setting relevant standards for these facilities, and the state building code council on construction standards during rule development.

Process for Developing New Rule: The department will participate in collaborative rule making and will notify interested stakeholder[s] about rule development meetings and rule notices and related activities through email and on the department of health web site. A public hearing on proposed rules will be held at a later date.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Hilger, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2929, fax 360-236-2901, TTY 360-833-6388 or 711, email John.Hilger@doh.wa.gov.

Additional comments: Stakeholders may sign up for the program's interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. All rule-making notices will be emailed via GovDelivery. Rule development will take place in open public meetings prior to a formal rule proposal and comment period.

January 2, 2018
John Wiesman, DrPH, MPH
Secretary

WSR 18-02-075
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed January 2, 2018, 11:43 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-106-0950 What services may I receive under the residential care discharge allowance? and 388-106-0955 Am I eligible for residential care discharge allowance?, and other related rules as may be required.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: By planning to amend these rules, the department proposes to increase the maximum service limit to match the limit available under community first choice community transition services and expand the definition of the service to ensure continuity of services after the

conclusion of the Washington roads program when funding for the state-only funded program ends. Washington roads provides stabilizing goods and services to individuals already residing in the community who are at risk of losing their current setting of care. Without these changes, some individuals currently served under the Washington roads program would not be able to access necessary stabilizing goods and services, thus putting clients at risk of institutionalization in a nursing home or hospital.

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 Angel Sullivan, P.O. Box 45600, Olympia, WA 98504, phone 360-725-2495, fax 360-407-7582, TTY 360-493-2637, email angel.sullivan@dshs.wa.gov.

January 2, 2018
Katherine I. Vasquez
Rules Coordinator

WSR 18-02-077
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed January 2, 2018, 12:16 p.m.]

Subject of Possible Rule Making: New chapter 246-827A WAC, Forensic phlebotomists, the department of health (department) is considering establishing a new chapter of rules to implement provisions of E2SHB 1614. The bill creates a new forensic phlebotomist credential and requires the department to adopt rules to specify the minimum qualifications for the credential. This preproposal statement of inquiry is replacing a previously filed notice (WSR 17-15-022) to clarify that, in addition to training requirements, the department is considering additional new sections necessary to implement the credential.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.360.030, 18.360.070, 43.70.040, and E2SHB 1614 (chapter 336, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: E2SHB 1614 requires the department to adopt rules setting training requirements for the new forensic phlebotomist credential. In addition to training requirements, new sections are needed that are typical of other health professions. The department is considering sections that may include, but are not limited to, defining terms, setting necessary fees, and explaining general standards and expectations for this new credential, as well as the processes required for obtaining and renewing the credential. The department is considering establishing a new chapter for

forensic phlebotomist credential holders to clarify that rules related to holders of the forensic phlebotomist credential do not apply to medical assistants, whose administrative rules are under chapter 246-827 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state patrol and Washington state department of corrections. Qualified employees of these agencies will be eligible for the new credential. The department will encourage leaders from both of these agencies to attend rules workshops and participate in the rule-making process.

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 Brett Cain, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4766, fax 360-236-2901, TTY 360-833-6388 or 711, email brett.cain@doh.wa.gov.

Additional comments: Notices will be emailed through GovDelivery (<https://public.govdelivery.com/accounts/WADOH/subscriber/new>) to the program's interested parties list. At the formal proposal stage of rule making, proposed rule language will be posted on the department's rules comments web site for public comment up to the date of the public hearing.

January 2, 2018
John Wiesman, DrPH, MPH
Secretary

WSR 18-02-078
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed January 2, 2018, 12:26 p.m.]

The department of health (department) is withdrawing the CR-101 to consider adding a new section and other amendments to chapter 246-827 WAC, which was filed July 7, 2017, and published in WSR 17-15-022.

The department intends to withdraw WSR 17-15-022 in order to consider rule making under a different chapter of rule to implement the requirements of E2SHB 1614 that creates a new department-issued forensic phlebotomist credential.

Throughout the course of our rule-making meetings, department staff and participating stakeholders agreed that, although E2SHB 1614 created the forensic phlebotomist profession under the medical assistant chapter of statute, it is a distinct profession from the other medical assistant professions. Because this is a separate profession, a new chapter is necessary so that it is clear that the standards set through this rule making will apply to forensic phlebotomists, and not to the other medical assistant professions. As a result, the department is filing a new CR-101 to consider creating a new chapter of rules under chapter 246-827A WAC, and are withdrawing the previously filed CR-101 (WSR 15-15-022).

Individuals requiring information on this rule should contact Brett Cain, medical assistant program manager, at 360-236-4766 or brett.cain@doh.wa.gov.

Tami M. Thompson
Regulatory Affairs Manager

WSR 18-02-079
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Medical Quality Assurance Commission)

[Filed January 2, 2018, 12:29 p.m.]

Subject of Possible Rule Making: Chapter 246-919 WAC, Medical quality assurance commission (allopathic physicians), the medical quality assurance commission (commission) is considering amending the chapter to update and modernize the rules to align with current law and practice.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.71.017, 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Several sections within chapter 246-919 WAC have not been updated since 1996. Since then, several changes have occurred that may require rule revisions. The commission is considering updating rules to more closely align with current industry standards and provide clearer rules language for licensed allopathic physicians. In addition, RCW 43.70.041 requires the commission to review its administrative rules every five years to ensure that regulations are current and relevant. Rule amendments being considered will potentially benefit the public's health by ensuring participating providers are informed and regulated by current national industry and best practice standards.

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

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 Daidria Amelia Underwood, P.O. Box 47866, Olympia, WA 98504-7866, phone 360-236-2727, fax 360-236-2795, TTY 360-833-6388 or 711, email daidria.underwood@doh.wa.gov.

Additional comments: Interested persons may sign up for the commission's interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new> to participate in the commission's rule drafting workshops. All commission rule-making notices will be emailed via GovDelivery and interested parties will be invited to participate in public rules meetings and submit written comments for consideration.

January 2, 2018
Melanie de Leon
Executive Director

WSR 18-02-080**PREPROPOSAL STATEMENT OF INQUIRY
EVERETT COMMUNITY COLLEGE**

[Filed January 2, 2018, 1:45 p.m.]

Subject of Possible Rule Making: Amending the rule for student conduct adjudicative process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 132E-122 WAC already addresses adjudicative process for student conduct hearings. Amending WAC 132E-108-050 will clear up any confusion.

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 Jennifer Howard, 2000 Tower Street, Everett, WA 98201, phone 425-388-9232, email jhoward@everettcc.edu.

January 2, 2018
Jennifer L. Howard
Vice President
Administrative Services

WSR 18-02-084**PREPROPOSAL STATEMENT OF INQUIRY
EVERETT COMMUNITY COLLEGE**

[Filed January 2, 2018, 1:52 p.m.]

Subject of Possible Rule Making: WAC 132E-133-020 Organization—Operating—Information/facility.

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: Everett Community College occupies property at 909 North Broadway Avenue, Everett, WA, for the purposes of holding advanced manufacturing training classes. This property should be added to the list of educational operations locations.

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 Jennifer Howard, 2000 Tower Street, phone 425-388-9232, email jhoward@everettcc.edu.

January 2, 2018
Jennifer L. Howard
Vice President
Administrative Services

WSR 18-02-081**PREPROPOSAL STATEMENT OF INQUIRY
EVERETT COMMUNITY COLLEGE**

[Filed January 2, 2018, 1:47 p.m.]

Subject of Possible Rule Making: WAC 132E-130-030 Seniority.

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 subject of this rule, seniority is regulated by the collective bargaining agreement for the three unions at Everett Community College. The college seeks to eliminate this WAC to avoid conflicting language.

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 Jennifer Howard, 2000 Tower Street, Everett, WA 98201, phone 425-388-9232, email jhoward@everettcc.edu.

January 2, 2018
Jennifer L. Howard
Vice President
Administrative Services

WSR 18-02-089**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

[Filed January 2, 2018, 4:03 p.m.]

Subject of Possible Rule Making: WAC 182-531-0100 Scope of coverage for physician-related health care professional services—General and administrative; and new section WAC 182-531-0425 Collaborative care.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 5779 Concerning behavioral health integration in primary care; RCW 41.05.021 and 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As authorized in SSB 5883, the agency is creating rules for a new model of care called collaborative care model which is part of the integration of mental health and physical health.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services and the department of social and health services.

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 Amy Emerson, P.O. Box 42716,

Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, TTY 1-800-848-5429, email amy.emerson@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

January 2, 2018
Wendy Barcus
Rules Coordinator

WSR 18-02-092**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE UNIVERSITY**

[Filed January 3, 2018, 9:04 a.m.]

Subject of Possible Rule Making: The university is adding new rules regarding the administration of the state renewable energy system incentive program for citizens, businesses, and utilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In accordance with the renewable energy system incentive program law, ESSB 5939, signed into law on July 7, 2017, the state renewable energy system incentive program is to be administered by the Washington State University (WSU) energy program. The new rules are needed to provide procedures and requirements for the administration of this program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of revenue, Washington state department of ecology, Washington utilities and transportation commission.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, fax 509-335-3969, email prf.forms@wsu.edu, web site <http://public.wsu.edu/~forms/ProposedWAC.html>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

January 3, 2018
Deborah L. Bartless, Director
Procedures, Records, and Forms
and University Rules Coordinator