

WSR 24-16-003
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Consumer Directed Employer Rate Setting Board)
[Filed July 24, 2024, 2:28 p.m.]

Following is the schedule of regular meetings for the consumer directed employer rate setting board (RSB) for 2024:

Date	Time	Location
April 22	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
April 24	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
May 6	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
May 16	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
May 29	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
June 5	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
June 13	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
July 8	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503

Date	Time	Location
July 25 Cancelled due to unexpected situation	9:00 a.m. - 3:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established) In-person: Blake Office Park East 4450 10th Avenue S.E. Lacey, WA 98503
August 8	9:00 a.m. - 12:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503
August 19	1:00 - 4:00 p.m.	Virtual: Zoom (Link will be added to the RSB website when established). In person: Blake Office Park West 4450 10th Avenue S.E. Lacey, WA 98503

If you need further information, contact Sonya Declet, CDERateSettingBoard@dshs.wa.gov, <https://www.dshs.wa.gov/altsa/stakeholders/consumer-directed-employer-rate-setting-board>.

WSR 24-16-005

AGENDA

EMPLOYMENT SECURITY DEPARTMENT

[Filed July 24, 2024, 3:53 p.m.]

**Semi-Annual Rule-Making Agenda
July - December 2024**

The employment security department (ESD) prepares a semi-annual rule-making agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is published in the Washington State Register.

ESD encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments on rules. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WAESD/subscriber/new>. Additional rule-making information is available on the ESD website at <https://esd.wa.gov/newsroom/rulemaking>.

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment Insurance Benefits	192-320-070	Updating ESD's rule on benefit charging.	Filed June 20, 2024, as WSR 24-14-004	To be determined	To be determined
Unemployment Insurance Benefits	192-04-100	Developing a process and standard of review for rescinding the withdrawal of an appeal.	Filed May 30, 2024, as WSR 42-12-044	To be determined	To be determined
Unemployment Insurance Benefits	New 192-03-010 and 192-03-020	Concerning allocation of payments across agency programs (unemployment insurance, paid family and medical leave, WA Cares fund).	Filed November 13, 2023, as WSR 23-23-076	Filed April 10, 2024, as WSR 24-09-025	To be determined
Unemployment Insurance Benefits	New 192-150-145 and 192-150-065	Implementing HB 1106 (2023).	Filed May 25, 2023, as WSR 23-12-017	Filed May 21, 2024, as WSR 24-11-139	To be determined
Unemployment Insurance Benefits	192-150-115 and 192-150-120	Implementing HB 1570 (2023).	Filed May 15, 2023, as WSR 23-11-067	To be determined	To be determined
Unemployment Insurance Benefits	192-140-035	Addressing disqualification and ineligibility for failure to respond to a request for information from ESD.	Filed March 21, 2024, as WSR 24-08-006	Filed June 21, 2024, as WSR 24-14-005	To be determined
Paid Family and Medical Leave	To be determined	Repealing pandemic leave assistance rules, clarifying the definition of health care provider, documentation requirements for designated representatives, weekly claim reporting requirements, and additional clarification as needed.	To be determined Anticipated July - August 2024	To be determined	To be determined
Long-Term Services and Supports Trust (WA Cares Fund)	To be determined	Implementing SHB 2467 (chapter 120, Laws of 2024), implementing portions of chapter 50B.04 RCW, and considering rules related to program definitions, qualified individuals, public records requests, verification of information submitted to the department, and other rules as needed.	Filed March 26, 2024, as WSR 24-08-028	To be determined	To be determined

ESD is responsible for initiating rule making to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for informational purposes only and any dates noted herein are planning estimates that are subject to change. Additional rule making can occur in addition to what is listed on the agenda.

This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual rules or

rule-making notices filed with the office of the code reviser and published in the Washington State Register.

The rule-making process can appear complex. ESD has outlined the process on its website to help constituents understand and become involved <https://www.esd.wa.gov/newsroom/rulemaking-process>. If you have additional questions, please contact the rules coordinator, Janette Benham, 360-790-6583, or email rules@esd.wa.gov.

WSR 24-16-009
NOTICE OF PUBLIC MEETINGS
WASHINGTON CITIZENS' COMMISSION ON
SALARIES FOR ELECTED OFFICIALS
 [Filed July 25, 2024, 11:22 a.m.]

2024-25 Meeting Schedule

Date	Time	City	Meeting Location
September 10, 2024 (Orientation for commissioners)	9 a.m. to 5 p.m.	SeaTac and virtually	Radisson 18118 International Boulevard Seattle, WA 98188
October 9 - 10, 2024 (Propose salaries)	9 a.m. to 5 p.m.	Tumwater and virtually	LaQuinta Inn 4600 Capitol Boulevard S.E. Tumwater, WA 98501
November 14, 2024 (Public input)	6 to 8 p.m.	Port Angeles and virtually	Red Lion Hotel 221 North Lincoln Street Port Angeles, WA 98362
December 11, 2024 (Public input)	6 to 8 p.m.	Vancouver and virtually	Hilton Vancouver Washington 301 West 6th Street Vancouver, WA 98660
January 8, 2025 (Public input)	6 to 8 p.m.	Ocean Shores and virtually	Shilo Inn 707 Ocean Shores Boulevard Ocean Shores, WA 98569
February 5, 2025 (Last salary setting meeting)	9 a.m. to 5 p.m.	Tumwater and virtually	LaQuinta Inn 4600 Capitol Boulevard S.E. Tumwater, WA 98501
March 12, 2025 (Approve February minutes)	10 a.m.	virtually	Zoom meeting originating in Olympia, Washington

See our website for meeting links www.salaries.wa.gov/meetings.
 Meetings may be dismissed early if all business is complete.

WSR 24-16-011

AGENDA

DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed July 25, 2024, 11:33 a.m.]

SEMI-ANNUAL RULE-MAKING AGENDA

July - December 2024

This is the semi-annual rule-making agenda from the department of retirement systems (DRS) for publication in the Washington State Register pursuant to RCW 34.05.314.

As conditions warrant, additional rule-making activity may occur beyond what is listed on this agenda. For questions, please contact Bianca Stoner, Rules Coordinator, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7291, email bianca.stoner@drs.wa.gov.

WAC Citations	Subject Matter/Rule Purpose	Current Activity and Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103)
415-104-011 415-104-225 415-104-235 415-104-374	Implementing chapter 319, Laws of 2024, flexible and part-time work for general and limited authority Washington peace officers.	WSR 24-11-032	TBD	TBD
TBD	Implementing SSB 6197, law enforcement officers' and firefighters' (LEOFF) Plan 2, Various provisions.	TBD	TBD	TBD
415-501-495 415-501-488 415-501-491	Revising some deferred compensation plan WAC.	WSR 24-13-103	TBD	TBD
415-104-367 415-106-290 415-108-455 415-110-455 415-112-4604	Revising several DRS WAC to improve clarity.	TBD	TBD	TBD
415-104-478	LEOFF Plan 2 disability benefits: Clarifying the requirement for LEOFF Plan 2 disability benefits to specify that members are not required to have a medical diagnosis regarding the disabling condition as of the date of separation, as long as sufficient supporting medical evidence is available later.	WSR 24-06-053	TBD	TBD
415-501-110 415-501-400	Creating an exclusion from the definition of full-time employment for the purposes of automatic enrollment into a deferred compensation program (DCP) for seasonal workers: Under RCW 41.50.770(3), eligible new state employees are automatically enrolled in DCP unless they waive participation. However, some new employees are in positions that will only last for a limited number of months, so their employment ends before their contributions are deferred. In this rule, DRS would like to exclude these people from the definition of full-time employees so that they aren't required to be automatically enrolled.	WSR 24-06-076	WSR 24-11-062	Will be published in the Washington State Register in August 2024
TBD	Similar compensated relationship: Clarifying the definition of "similar compensated relationship" as it applies to retirees who are returning to work.	WSR 23-17-155	TBD	TBD

WAC Citations	Subject Matter/Rule Purpose	Current Activity and Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103)
415-104-215 415-104-482	LEOFF Plan 1 and 2 benefit enhancements and taxation: To support the implementation of SHB 1701 and SB 5791 from the 2022 legislative session, which add benefit enhancements to LEOFF Plan 1 and 2. In addition, the rule will bring WAC language into alignment with Internal Revenue Service (IRS) taxation requirements.	WSR 23-05-087	TBD	TBD
415-700-010	Higher education retirement plan (HERP) supplemental benefit fund: Revising WAC 415-700-010 to specify the process that will occur when the pension funding council, in consultation with the state actuary, determines that the HERP supplemental benefit funds contain sufficient funding to allow benefit payments.	WSR 24-05-038	WSR 24-10-052	Will be published in the Washington State Register in August 2024
415-112-640 (Creating a new WAC section)	Teachers' retirement system (TRS) Plan 2 and 3 disability benefits: To clarify TRS Plan 2 and 3 disability retirement benefits, including eligibility and application requirements.	WSR 21-12-098	TBD	TBD
415-02-380	Nonspousal survivor benefit option: To comply with IRS regulations governing nonspousal survivor benefits from a retirement plan.	WSR 21-04-142	TBD	TBD

Bianca Stoner
Rules Coordinator

WSR 24-16-013
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
 [Filed July 25, 2024, 1:56 p.m.]

2024-25 Board of Trustees meeting Schedule

Meetings are typically held the second Wednesday of the month, unless a specific conflict requires a date change. Meetings are held in person on Tacoma Community College's Tacoma campus, located at 6501 South 19th Street, Tacoma, WA 98466, in Building 12, Room 120, unless otherwise stated. Meetings are also offered virtually and the Zoom link can be found on BoardDocs.

Month	Day	Time	Comments
September 11, 2024	Wednesday	3:00 p.m.	Study session
September 11, 2024	Wednesday	4:00 p.m.	Regular meeting
October 9, 2024	Wednesday	3:00 p.m.	Study session *Gig Harbor Campus
October 9, 2024	Wednesday	4:00 p.m.	Regular meeting *Gig Harbor Campus
November 1, 2024	Friday	11:00 a.m. - 5:00 p.m.	Fall retreat Location TBD
November 6, 2024	Wednesday	3:00 p.m.	Study session
November 6, 2024	Wednesday	4:00 p.m.	Regular meeting
December 11, 2024	Wednesday	3:00 p.m.	Study session
December 11, 2024	Wednesday	4:00 p.m.	Regular meeting
January 8, 2025	Wednesday	3:00 p.m.	Study session
January 8, 2025	Wednesday	4:00 p.m.	Regular meeting
January 31, 2025	Friday	10:00 a.m. - 5:00 p.m.	Winter retreat Location TBD
February 5, 2025	Wednesday	3:00 p.m.	Study session
February 5, 2025	Wednesday	4:00 p.m.	Regular meeting
March 12, 2025	Wednesday	9:00 a.m. - 6 p.m.	Tenure study session
March 12, 2025	Wednesday	9:00 a.m. - 6 p.m.	Regular meeting
April 2, 2025	Wednesday	3:00 p.m.	Study session *Gig Harbor campus
April 2, 2025	Wednesday	4:00 p.m.	Regular meeting *Gig Harbor campus
May 14, 2025	Wednesday	3:00 p.m.	Study session
May 14, 2025	Wednesday	4:00 p.m.	Regular meeting
June 11, 2025	Wednesday	3:00 p.m.	Study session
June 11, 2025	Wednesday	4:00 p.m.	Regular meeting
June 27, 2025	Friday	9:00 a.m. - 4:00 p.m.	June retreat Location TBD

* Gig Harbor Campus, 3993 Hunt Street, Gig Harbor, WA 98335.

WSR 24-16-016

NOTICE OF PUBLIC MEETINGS

**LAW ENFORCEMENT OFFICERS' AND
FIREFIGHTERS' PLAN 2 RETIREMENT BOARD**

[Filed July 25, 2024, 3:00 p.m.]

The law enforcement officers' and firefighters' Plan 2 retirement board has voted to cancel their August 28th meeting date.

The next scheduled meeting will be September 25, 2024, and will be held at the Washington state investment board in Olympia with public access available by Zoom video conference and telephone.

Please feel free to contact 360-586-2320 or email chloe.drawsby@leoff.wa.gov with any questions.

WSR 24-16-017

AGENDA

DEPARTMENT OF
FISH AND WILDLIFE

[Filed July 25, 2024, 3:25 p.m.]

This is the semi-annual rule-making agenda for the department of fish and wildlife (DFW) for the July-December 2024 time period. The attached agenda briefly describes both the current and anticipated rule-making activities for DFW. This agenda has been compiled and sent to you as required under RCW 34.05.314. If you have any questions regarding this proposed agenda, please contact Scott Bird at 360-790-7561 or at Rules.Coordinator@dfw.wa.gov.

The prospective dates on the agenda are estimates of anticipated rule-making actions. Any errors in this agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register.

ANNUAL RULES DEVELOPMENT AGENDA
July - December 2024

WAC Chapter	Rule Title or Subject	Agency Contact	Current Status	Anticipated Date of Adoption	Short Description
220-340-130, 220-340-170	2024 Annual oyster drill	Kelly Henderson Kelly.henderson@dfw.wa.gov	December 6, 2023 CR-101 filing WSR 23-24-102	TBD	DFW is considering updates to beach designations (oyster drill restricted areas) according to shellfish pest status.
220-330-110, 220-330-140	2024 Clam and oyster season	Camille Speck Camille.speck@dfw.wa.gov	January 24, 2024 CR-101 filing WSR 23-21-087	Spring 2025	DFW is considering annual changes to rules for recreational clam, mussel, and oyster harvest seasons.
Chapter 330-352	Quick reporting vessel information	Kelly Henderson Kelly.henderson@dfw.wa.gov	February 9, 2023 CR-101 filing WSR 23-05-040	TBD	Seeks to explore modification of the quick reporting rules to require additional information for the Puget Sound commercial and coastal troll salmon fisheries.
220-440-150, 220-440-180	Crop damage	Jim Brown Jim.Brown@dfw.wa.gov	Intended filing August 2024	TBD	Allows DFW to continue to use contracted crop damage claim adjusters. To do so, we must establish updated certification and experience standards for DFW contracted crop adjusters, as well as follow 2024 SSB 5784, changing the value limits of an appeal.
220-417-010	Trapping permit	Heather Bonagofski Heather.Bonagofski@dfw.wa.gov	July 3, 2024 CR-102 filing WSR 24-14-151	September 27, 2024	Trapping seasons and regulations to restrict trapping of red fox.
220-415-100	Cougar season setting	Heather Bonagofski Heather.Bonagofski@dfw.wa.gov	April 30, 2024 CR-102 filing WSR 24-10-080	July 19, 2024	The proposal incorporates the commission's intent for rule changes based on an accepted rule petition. The rule proposal seeks to maintain biologically sustainable cougar hunting seasons.
220-415-030, 220-415-060, 220-415-070, 220-415-120, 220-415-130	Special hunt permits	Heather Bonagofski Heather.Bonagofski@dfw.wa.gov	Intended filing in September 2024	TBD	Seeks to increase the total number of special hunt permits allowed by 738 for the 2024-25 hunting season in order to align with the number of special hunt permits that were drawn in error through DFW's electronic licensing system.
220-415-080	Spring black bear	Heather Bonagofski Heather.Bonagofski@dfw.wa.gov	May 4, 2022 CR-101 filing WSR 22-10-098	TBD	Amendments would be needed to set season dates and permit numbers in order to offer a 2023 spring black bear season.
Chapter 220-410	Columbia River commercial logbooks	Kelly Henderson Kelly.henderson@dfw.wa.gov	January 3, 2024 CR-101 filing WSR 24-02-093	TBD	This project seeks to collect data about fishing effort and catch and release information from the Columbia River commercial fisheries for management purposes.

WAC Chapter	Rule Title or Subject	Agency Contact	Current Status	Anticipated Date of Adoption	Short Description
Chapter 220-370	Amend aquaculture regulations	Kelly Henderson Kelly.henderson@dfw.wa.gov	March 30, 2018 CR-101 filing WSR 18-05-055	TBD	This is an expedited rule making to amend regulations in chapter 220-370 WAC following passage of ESHB 2957 in the 2018 legislative session.
220-312-050	Yellow perch/blue, Park and Deep Lake	Kelly Henderson Kelly.henderson@dfw.wa.gov	Intended filing of CR-101 in Fall 2024	TBD	This rule making is from petitions DFW has received this past six months and the commission has accepted to move forward with regarding changes to closures and openings at these locations.
Chapter 220-450	Beaver relocation	Heather Bonagofski Heather.Bonagofski@dfw.wa.gov	July 3, 2024 CR-102 filing WSR 24-14-150	September 27, 2024	DFW is developing a new permit for beaver relocation that is consistent with requirements of RCW 77.32.585.
Chapter 220-500	Construction, creation and maintenance of roads, trails, and structures	Heather Bonagofski Heather.Bonagofski@dfw.wa.gov	July 3, 2023 CR-102 filing WSR 24-14-14	August 16, 2024	DFW is considering adding new sections to chapter 220-500 WAC to prevent further resource damage to department-managed lands.
New chapter 220-670	Fishway and screening rules	Gabrielle Stillwater Gabrielle.stilwater@dfw.wa.gov	CR-102 Fall 2024	Spring 2025	DFW is creating a new chapter in WAC (220-670) that defines inadequate fishways and water diversions across the state and compliance actions for inadequate structures.
Chapter 220-500	Recreational easements on private lands	Shane Belson Shane.belson@dfw.wa.gov	August 30, 2022 CR-101 filing WSR 22-18-037		DFW seeks to amend terms used in chapter 220-500 WAC to improve clarity and consistency.
Title 220	Amending and consolidating rules into one chapter under Title 220 WAC	Thomas Knoll Thomas.knoll@dfw.wa.gov	January 23, 2019 CR-101 filing WSR 19-03-170		DFW seeks to consolidate and clarify its administrative hearing rules into one chapter for all of Title 220 WAC.
220-610-010, 220-200-100	Periodic status review for the gray wolf	Julia Smith Julia.smith@dfw.wa.gov	February 7, 2024 CR-102 filing WSR [24-04-094]	Withdrawn	This is a periodic status review for the gray wolf.

Scott Bird
Rules Coordinator

WSR 24-16-018

HEALTH CARE AUTHORITY

[Filed July 25, 2024, 3:41 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 24-0023.
Effective Date: October 1, 2024.

Description: The health care authority (HCA) intends to submit SPA 24-0023 in order to comply with new federal requirements under Section 1945A (g) (1) (B) of the Social Security Act that requires the state to provide assurance it will report to the Centers for Medicare and Medicaid Services required core measures submitted by health home providers.

SPA 24-0023 is expected to have no effect on the annual aggregate payment for health home services.

SPA 24-0023 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below by August 28, 2024. (Please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Nicole Bishop, Medicaid Programs Division, 626 8th Avenue S.E., Olympia, WA 98504-5530, phone 360-725-9448, TRS 711, email nicole.bishop@hca.wa.gov, website www.hca.wa.gov.

WSR 24-16-026

AGENDA

FOREST PRACTICES BOARD

[Filed July 26, 2024, 2:47 p.m.]

**Semi-Annual Rule-Making Agenda For
Publication in the Washington State Register Pursuant to RCW 34.05.314
July - December 2024**

The forest practices board's (board) mandate is to adopt rules to protect the state's public resources while maintaining a viable forest products industry. The following rule proposals are under development or are anticipated during this period. There may be additional rule-making activity not on the agenda as conditions warrant.

1. Water Typing System. The board has been engaged in rule development to establish a permanent water typing system. The board may initiate rule making at their November 2024 [meeting].

2. Type Np Water Buffer. The board may initiate rule making in February 2024 on type Np water (nonfish perennial) riparian management zone buffers in chapter 222-30 WAC.

3. Northern Spotted Owl Safe Harbor Agreement. The board may begin the rule-making process in late 2024 to develop rules to implement SB 5390 that will allow the department of natural resources (DNR) to administer a voluntary programmatic safe harbor agreement for the Northern spotted owl.

4. Water Typing Lidar Map-based Model. The board confirmed a lidar map-based model as a goal for the permanent water typing system rule. The board may engage in rule making when there is sufficient statewide lidar coverage.

Contact Person: Patricia Anderson, DNR, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone 360-890-0277, fax 360-902-1428, email patricia.anderson@dnr.wa.gov.

WSR 24-16-031

AGENDA

EASTERN WASHINGTON UNIVERSITY

[Filed July 27, 2024, 1:09 p.m.]

SEMI-ANNUAL RULE DEVELOPMENT AGENDA

July-December 2024

In accordance with RCW 34.05.314, Eastern Washington University publishes the following semi-annual rule development agenda. This agenda is for informational purposes only and items and dates listed below are tentative.

Additional rule-development activity not on the agenda may occur as conditions warrant.

If you have questions about this rule development agenda, please contact Annika Scharosch, Associate Vice President, Tawanka 211, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu.

WAC Citation	Subject Matter	Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
172-108	Adjudicative proceedings	Filed 7/27/2024	Expected 9/13/2024	Expected 10/25/2024
172-121	Student conduct code	Filed 3/29/2024 WSR 24-08-054	Expected 8/16/2024	Expected 10/25/2024
172-125	Discrimination and Title IX violations by students	Filed 6/24/2024 WSR 24-14-020	Expected 8/16/2024	Expected 10/25/2024

WSR 24-16-037

NOTICE OF PUBLIC MEETINGS

CASCADIA COLLEGE

[Filed July 29, 2024, 3:07 p.m.]

The board of trustees of Cascadia College will meet in the Robert and Linda Tjossem Board Room at 18345 Campus Way N.E., Bothell, WA 98011, on the following dates:

Wednesday, September 18, 2024

Wednesday, October 16, 2024

Wednesday, November 20, 2024

Wednesday, January 15, 2025

Wednesday, February 19, 2025

Wednesday, March 19, 2025

Wednesday, April 16, 2025

Wednesday, May 21, 2025

Wednesday, June 18, 2025

WSR 24-16-039
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 (Universal Health Care Commission)
 [Filed July 30, 2024, 8:14 a.m.]

The following is the schedule of **remaining** regular meetings for the Washington state health care authority's universal health care commission for 2024:

Date	Time	Location
August 8, 2024 Rescheduled to August 15, 2024	2 - 5 p.m.	*Hybrid
October 10, 2024	2 - 5 p.m.	*Hybrid
December 5, 2024	2 - 5 p.m.	*Hybrid

*Unless indicated otherwise, meetings will be hybrid with attendance options either via the Zoom platform or in person at the Washington State Health Care Authority, Cherry Street Plaza, Sue Crystal Conference Rooms 106A and 106B, 626 8th Avenue S.E., Olympia, WA 98501.

Visit our universal health care commission page to learn more about the commission, meeting materials, and Zoom information.

Sign up to receive announcements about the commission.

Live captioning may be available: Communication access real-time transcription (CART) services or live closed captioning may be available for this event on demand. To request this accommodation, please submit a request to addie.augsburger@hca.wa.gov as soon as possible. We will make every effort to accommodate this request but cannot guarantee that a CART writer will be available.

If you need further information or are a person with a disability and need a special accommodation, please contact HCAUniversalHCC@hca.wa.gov.

WSR 24-16-049
NOTICE OF PUBLIC MEETINGS
SEATTLE COLLEGES
 [Filed July 30, 2024, 3:38 p.m.]

2024-25 Board of Trustees Meeting Schedule

BOT Meeting Day	Location	Address and Room	Exec Session
Thursday, September 12, 2024	South	6000 N.E. 16th Avenue Seattle, WA 98106 Cascade Hall 107	Cascade Hall 102
Thursday, October 10, 2024	Central	1701 Broadway Seattle, WA 98122 BE 1110	BE 1111
Thursday, November 14, 2024	North	9600 College Way North Seattle, WA 98103 North Star Dining Room	President's Boardroom
Thursday, December 12, 2024	South	6000 N.E. 16th Avenue Seattle, WA 98106 Cascade Hall 107	Cascade Hall 102
Thursday, January 16, 2025	Central	1701 Broadway Seattle, WA 98122 BE 1110	BE 1111
Thursday, February 13, 2025	North	9600 College Way North Seattle, WA 98103 North Star Dining Room	President's Boardroom
Thursday, March 13, 2025	South	6000 N.E. 16th Avenue Seattle, WA 98106 Cascade Hall 107	Cascade Hall 102
Thursday, April 10, 2025	Central	1701 Broadway Seattle, WA 98122 BE 1110	BE 1111
Thursday, May 8, 2025	North	9600 College Way North Seattle, WA 98103 North Star Dining Room	President's Boardroom
Thursday, June 12, 2025	South	6000 N.E. 16th Avenue Seattle, WA 98106 Cascade Hall 107	Cascade Hall 102
Thursday, July 10, 2025	Central	1701 Broadway Seattle, WA 98122 BE 1110	BE 1111

WSR 24-16-054

HEALTH CARE AUTHORITY

[Filed July 30, 2024, 5:45 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 24-0045
Community Behavioral Health Support.

Effective Date: August 1, 2024.

Description: The health care authority (HCA) intends to submit SPA 24-0045 in order to correct inaccurate tier levels in the "Methods & Standards for Establishing Payment Rates" section of the 1915(i) home and community-based services section of the medicaid state plan that were approved in SPA 24-0001. SPA 24-0045 will remove nonprimary diagnoses from the eligibility list. Child-specific diagnoses will also be removed, as children do not meet the age requirement for community behavioral health support eligibility for this 1915(i) service.

SPA 24-0045 is expected to have no effect on the annual aggregate expenditures/reimbursement/payment for community behavioral health support services.

SPA 24-0045 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below by September 3, 2024. (Please note that all comments are subject to public review and disclosure, as are the names of those who comment.)

CONTACT: Nicole Bishop, Medicaid Programs Division, 626 8th Avenue S.E., Olympia, WA 98504-5530, phone 360-725-9448, TRS 711, email nicole.bishop@hca.wa.gov, website www.hca.wa.gov.

WSR 24-16-060

AGENDA

DEPARTMENT OF COMMERCE

[Filed July 31, 2024, 8:54 a.m.]

Following is the department of commerce (commerce) semi-annual rules development agenda for publication in the Washington State Register, pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

Please contact Amanda Hathaway if you have questions, amanda.hathaway@commerce.wa.gov or 360-789-0843.

**Semi-Annual Rule-Making Agenda
July through December 2024**

Division	WAC Citation	Subject Matter/Purpose of Rule	Current Activity/Approximate Filing Date
LGD	365-196, 365-199	To incorporate recently enacted legislation for housing, urban growth areas, and the rural element in chapter 365-196 WAC. This includes changes in how local government plan for affordable housing, increases in residential density, accessory dwelling units, tiny housing, design review, local project review, urban growth area swaps, and infill development in limited areas of more intensive rural development.	CR-101: Filed June 21, 2023 CR-102: September 2024 CR-103: December 2024
LGD	365-196, 365-199, 365-190, 365-195	To create and update rules associated with E2SHB 1181 (2023) adding a climate element to comprehensive plans under RCW 36.70A.040. E2SHB 1181 creates a new regulatory requirement for commerce and requires commerce to update the WAC by December 2025.	CR-101: Filed January 17, 2024 CR-102: TBD CR-103: TBD
ED	194-28-070	Updating rules to maintain consistency with corresponding rules for local governments in WAC 194-29-070 in determining how these entities can achieve the goals set forth in RCW 43.19.648.	CR-105: Filed May 9, 2024 CR-103P: End of July, 2024
ED	New 194-50-170 Amended 194-50-001, 194-50-010, 194-50-020, 194-50-030, 194-50-040, 194-50-050, 194-50-060, 194-50-070, 194-50-080, 194-50-090, 194-50-140, 194-50-150, 194-50-160	The passage of 2SHB 1390 in 2023 (chapter 291, Laws of 2023) added new requirements for the decarbonization of campus district energy systems to statute (RCW 19.27A.210). These statutory changes require commerce to clarify its rules for the clean building performance standard (chapter 194-50 WAC) in order to add additional requirements and maintain consistency.	CR-101: Filed December 11, 2023 CR-102: Filed May 1, 2024 CR-103: July, 2024

Amanda Hathaway
Rules Coordinator

WSR 24-16-062

AGENDA

GAMBLING COMMISSION

[Filed July 31, 2024, 9:47 a.m.]

Following is the gambling commission's semi-annual rule-making agenda for rules under development for July 31, 2024, through January 31, 2025, pursuant to RCW 34.05.314.

WAC Chapter and/or Section(s)	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposal (CR-102) or Expedited (CR-105)	Permanent (CR-103P)
Chapter 230-16 Chapter 230-06	Gambling equipment in warehouses	WSR 19-03-095	ON HOLD	
Title 230 WAC	Fee adjustment	WSR 24-03-063		
Chapter 230-15	Minimum cash on hand required for card rooms	WSR 24-07-075	WSR 24-13-056	
Title 230 WAC	Centralized surveillance for card rooms	WSR 24-06-002		

Adam Amorine
Rules Coordinator

WSR 24-16-065

HEALTH CARE AUTHORITY

(Health Technology Clinical Committee)

[Filed July 31, 2024, 11:51 a.m.]

The health technology clinical committee reached a final coverage decision for the following technology at their July 26, 2024, meeting:

Bariatric surgery

Decision No: 20240517B

All documents related to this evidence assessment, including final coverage decision, are available on the health technology assessment program website www.hca.wa.gov/about-hca/programs-and-initiatives/health-technology-assessment.

For further information, contact Val Hamann, Program Specialist, Health Technology Assessment, P.O. Box 626, Olympia, WA 98504-2712, valerie.hamann@hca.wa.gov.

WSR 24-16-066

HEALTH CARE AUTHORITY

(Health Technology Clinical Committee)

[Filed July 31, 2024, 11:53 a.m.]

The health technology clinical committee reached a final coverage decision for the following technology at their July 26, 2024, meeting:

Whole genome sequencing Decision No: 20240614A

All documents related to this evidence assessment, including final coverage decision, are available on the health technology assessment program website www.hca.wa.gov/about-hca/programs-and-initiatives/health-technology-assessment.

For further information, contact Val Hamann, Program Specialist, Health Technology Assessment, P.O. Box 626, Olympia, WA 98504-2712, valerie.hamann@hca.wa.gov.

WSR 24-16-080

AGENDA

TRANSPORTATION COMMISSION

[Filed July 31, 2024, 4:55 p.m.]

**Semi-Annual Rules Development Agenda
for July to December 2024 (as of July 31, 2024)**

In accordance with RCW 34.05.314, the Washington state transportation commission's (WSTC) current and anticipated rules under development are as follows:

- Changes to WAC 468-270-071 to update toll rates for the SR 520 Bridge, which were adopted on July 10, 2024, and will take effect on August 15, 2024. The adopted rule changes and contact information have been filed as WSR 24-15-035, which will be published in the Washington State Register on August 7, 2024.
- Initiate changes to chapter 468-270 WAC regarding toll rates and exemptions for the I-405 express toll lanes and the SR-167 high occupancy toll lanes.

This agenda is subject to change. If you have any questions about this agenda or WSTC rule-making activities, please contact Reema Griffith, executive director, reema.griffith@wstc.wa.gov.

WSR 24-16-083

AGENDA

DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH

[Filed August 1, 2024, 9:52 a.m.]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [24-18](#) issue of the Register.

WSR 24-16-090

POLICY STATEMENT

UNIVERSITY OF WASHINGTON

[Filed August 1, 2024, 11:21 a.m.]

The University of Washington recently created or revised the following bylaws, orders, policy statements, scholastic regulations, and faculty code:

- "Delegation of Authority," revised July 11, 2024 (BRG, Standing Orders, Chapter 1).
- "Sexual Violence Elimination," revised June 7, 2024 (PO, Executive Order No. 51).
- "Additional Compensation to Faculty," revised June 4, 2024 (PO, Executive Order No. 59).
- "Senate Procedure: Class B Actions," revised May 30, 2024 (FCG, Chapter 22, Section 22-74).
- "Faculty Vote on Amendments," revised May 30, 2024 (FCG, Chapter 29, Section 29-36).
- "Low Academic Standing and Academic Dismissal," revised April 23, 2024 (SGP, Chapter 107).
- "The Grading System," revised April 23, 2024 (SGP, Chapter 110, Section 1).
- "Officers of the Faculty," revised March 15, 2024 (FCG, Chapter 21, Section 21-33).
- "Meetings of the Board," revised March 14, 2024 (BRG, Bylaws, Article III).
- "Delegation of Authority," revised March 14, 2024 (BRG, Standing Orders, Chapter 1).
- "Policy on Financial Aid, Including Scholarships, Grants, and Fellowships, to Promote Student Diversity at the University of Washington," revised March 14, 2024 (BRG, Regent Policy No. 34).

For more information regarding University of Washington policy, please visit washington.edu/admin/rules/policies/.

For more information regarding these materials, contact Barbara Lechtanski, Director of University Policy and Rules Office, University of Washington, Box 351210, Seattle, WA 98195-1210, or email at rules@uw.edu.

WSR 24-16-091

AGENDA

UNIVERSITY OF WASHINGTON

[Filed August 1, 2024, 11:26 a.m.]

**Semi-Annual Agenda for Rules Under Development
(Per RCW 34.05.314)
July 2024**

Rule-making activity not now anticipated may be added if conditions warrant between semi-annual agendas.

1. Rule making is not anticipated for chapter 478-04 WAC, Organization, during the second half of 2024.

2. Rule making is not anticipated for chapter 478-140 WAC, Rules and regulations for the University of Washington governing student education records, during the second half of 2024.

3. Rule making is not anticipated for chapter 478-156 WAC, Rules for the University of Washington, Seattle campus residence halls, single student and family housing apartments, during the second half of 2024.

4. Rule making is not anticipated for chapter 478-276 WAC, Governing access to public records, during the second half of 2024.

For more information concerning the above rules, please contact Barbara Lechtanski, Director of University Policy and Rules Office, Rules Coordinator, University of Washington, Box 351210, Seattle, WA 98195-1210, phone 206-543-9219, email rules@uw.edu, web washington.edu/rules.

WSR 24-16-095
RULES OF COURT
STATE SUPREME COURT
[June 10, 2024]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [24-18](#) issue of the Register.

WSR 24-16-096
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [24-18](#) issue of the Register.

WSR 24-16-097
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
NEW RULE ARLJ 15—) NO. 25700-A-1571
APPEARANCES BY PARTICIPANTS)

The BJA Remote Proceedings Work Group, having recommended the adoption of the proposed new rule ARLJ 15—Appearances by Participants, and the Court having considered the proposed new rule, and a majority having determined that the proposed new rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed new rule as shown below is adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the proposed new rule will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 7th day of June, 2024.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Yu, J.
Montoya-Lewis, J.

ARLJ 15
APPEARANCES BY PARTICIPANTS
[NEW]

(a) All participants shall physically appear for court proceedings unless a statute, court rule, or order of the court permits a remote appearance or appearance through counsel.

(b) Any participant permitted to remotely appear or appear through counsel may be required to physically appear for good cause shown.

(c) Any participant required to physically appear may be permitted to remotely appear or appear through counsel in the discretion of the court.

WSR 24-16-098
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO CR 43—TAKING) NO. 25700-A-1572
TESTIMONY)

The BJA Remote Proceedings Work Group, having recommended the adoption of the proposed amendments to CR 43—Taking Testimony, and the Court having considered the proposed amendments, and having determined that the proposed amendments as revised by the Court will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the revised proposed amendments as shown below are adopted.

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

DATED at Olympia, Washington this 7th day of June, 2024.

Table listing judges: Johnson, J.; Madsen, J.; Owens, J.; Stephens, J.; Gonzalez, C.J.; Gordon McCloud, J.; Yu, J.; Montoya-Lewis, J.; Whitener, J.

CR 43
TAKING OF TESTIMONY

(a) Testimony.

(1) Generally. In all trials the testimony of witnesses shall be taken orally in open court, unless otherwise directed by the court or provided by rule or statute. For good cause in compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location. Except as provided in CR 43 (f) (1), the court may permit, with appropriate safeguards, testimony by remote means if the parties agree and the court approves, or if the court determines the purposes of CR 1 will be served. In determining whether testimony should be allowed by remote means per CR 1, the court may consider whether the witness is subject to a trial subpoena, whether there will be any prejudice to any party or the witness if testimony by remote means is permitted, the witness' access to technology that allows the witness to be seen and heard, and the court's ability to facilitate remote testimony. Advance notice of a party's intention to use remote testimony must be given no less than 10 days prior to trial, absent good cause shown.

(2) [Unchanged.]

(b) - (c) [Unchanged.]

(d) Oaths of Witnesses.

(1) Administration. The oaths of all witnesses in the superior court

(A) - (B) [Unchanged.]

~~(C) the witness shall stand while the oath is administered.~~

(2)-(3) [Unchanged.]

(e) Evidence on Motions.

(1) *Generally.* When a motion is based on facts not appearing of record the court may hear the matter on affidavits presented by the respective parties, but the court may direct that the matter be heard wholly or partly on oral testimony or depositions. Oral testimony may be taken by remote means.

(2) [Unchanged.]

(f) - (k) [Unchanged.]

WSR 24-16-099
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO RAP 10.10—) NO. 25700-A-1573
STATEMENT OF ADDITIONAL)
GROUND FOR REVIEW)

The Appellate Court Clerks and Washington State Office of Public Defense, having recommended the adoption of the proposed amendments to RAP 10.10—Statement of Additional Grounds for Review, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

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

DATED at Olympia, Washington this 7th day of June, 2024.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

RAP 10.10

STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

(a) - (c) [Unchanged.]

(d) Time for Filing. The statement of additional grounds for review should be filed within 35 days after the filing of the brief filed by the defendant's counsel. The defendant's counsel is responsible for promptly advising the defendant of the substance of this rule when they provide the defendant a copy of the brief being filed by counsel. mailing of a notice from the clerk of the appellate court advising the defendant of the substance of this rule. If the defendant is represented by counsel, the clerk will mail the notice to the defendant's counsel, who should promptly forward the notice to the defendant with a copy of the opening brief. The clerk will advise all parties if the defendant files a statement of additional grounds for review.

(e) - (f) [Unchanged.]

WSR 24-16-100
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO RAP 9.5—FILING) NO. 25700-A-1574
AND SERVICE OF REPORT OF)
PROCEEDINGS—OBJECTIONS)

The Washington State Court of Appeals Rules Committee, having recommended the adoption of the proposed amendments to RAP 9.5—Filing and Service of Report of Proceedings—Objections, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the revised proposed amendments as shown below are adopted.

(b) That the proposed amendments will be published in the Washington Reports and will become effective September 1, 2024.

DATED at Olympia, Washington this 7th day of June, 2024.

Table listing judges: Johnson, J.; Madsen, J.; Owens, J.; Stephens, J.; Gonzalez, C.J.; Gordon McCloud, J.; Yu, J.; Montoya-Lewis, J.; Whitener, J.

RAP 9.5

FILING AND SERVICE OF REPORT OF PROCEEDINGS—OBJECTIONS

(a) Generally. The party seeking review must file an agreed or narrative report of proceedings with the appellate court within 60 days after the statement of arrangements is filed. The court reporter or authorized transcriptionist preparing a verbatim report of proceedings must file it in the appellate court within 60 days after the statement of arrangements is filed and all named court reporters or authorized transcriptionists are served. The court reporter or authorized transcriptionist shall promptly notify all parties that the report of proceedings has been filed with the appellate court, and shall provide a copy of the report of proceedings to the party who arranged for the transcript.

(1) A party filing a brief must promptly forward a copy of the verbatim report of proceedings with a copy of the brief to the party with the right to file the next brief. If more than one party has the right to file the next brief, the parties must cooperate in the use of the report of proceedings. The party who files the last brief should return the copy of the report of proceedings to the party who paid for it. This subsection does not apply if the party with the right to file the next brief participates in electronic filing and has thereby received electronic copies of the verbatim report of proceedings.

(2) [Unchanged.]

(b) - (e) [Unchanged.]

References

[Unchanged.]

WSR 24-16-101
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
NEW RULE JuCR 11.23—) NO. 25700-A-1576
PROCEEDINGS USING REMOTE)
TECHNOLOGY AUTHORIZED)

The BJA Remote Proceedings Work Group, having recommended the adoption of the proposed new rule JuCR 11.23—Proceedings Using Remote Technology Authorized, and the Court having considered the proposed new rule, and a majority having determined that the proposed new rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the revised proposed amendments as shown below are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the proposed new rule will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 7th day of June, 2024.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

JuCR 11.23
PROCEEDINGS USING REMOTE TECHNOLOGY AUTHORIZED
[NEW]

(a) Application. This rule applies to cases filed under chapter 13.34 RCW, chapter 13.36 RCW, and chapter 13.38 RCW.

(b) The court may allow persons to use remote technology (e.g., telephone, videoconferencing) to appear at any hearing, provided that the hearing comports with due process and, if applicable, CR 43. If the court allows appearances by remote technology, the following provisions apply:

(1) Any person whose remote technology does not allow them to participate clearly and consistently may be required to appear in person.

(2) All hearings shall be public, and the public shall be able to hear and, if applicable, see persons using remote technology.

(3) Represented persons shall have the opportunity to communicate confidentially with their counsel, including before the cross-examination of any witnesses, and these private consultations shall not be recorded.

(4) Persons shall immediately inform the court if their ability to understand or participate in the proceeding is or becomes compromised by the use of remote technology.

(5) If a person uses remote technology to appear, and their appearance is disconnected, and they do not immediately contact the court or reappear in person or by remote technology, the court may de-

termine if the person voluntarily absented themselves from the proceeding.

(6) Nothing in this rule infringes on the authority of the court to control and manage the proceeding.

(c) Interpreters. GR 11.3 applies.

WSR 24-16-102
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO RAP 10.4—) NO. 25700-A-1575
PREPARATION AND FILING OF)
BRIEF BY PARTY)

The Washington State Court of Appeals Rules Committee, having recommended the adoption of the proposed amendments to RAP 10.4—Preparation and Filing of Brief by Party, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That the proposed amendments will be published in the Washington Reports and will become effective September 1, 2024.

DATED at Olympia, Washington this 7th day of June, 2024.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

RAP 10.4

PREPARATION AND FILING OF BRIEF BY PARTY

(a) - (b) [Unchanged.]

(c) Text of Statute, Rule, Jury Instruction, Exhibit, or the Like. If a party presents an issue which requires study of a statute, rule, regulation, jury instruction, finding of fact, exhibit, or the like, the party should type the material portions of the text out verbatim or include them by copy in the text or in an appendix to the brief. Pictorial images may be copied in the body of the text or in an appendix and may be in color, notwithstanding GR 14(a).

(d) - (h) [Unchanged.]

WSR 24-16-103
RULES OF COURT
STATE SUPREME COURT
[June 7, 2024]

IN THE MATTER OF THE PROPOSED) ORDER
NEW RULE GR 41—JURY) NO. 25700-A-1577
SELECTION BY USING REMOTE)
TECHNOLOGY)

The BJA Remote Proceedings Work Group, having recommended the adoption of the proposed new rule GR 41—Jury Selection by Using Remote Technology, and the Court having considered the proposed new rule, and a majority having determined that the proposed new rule as revised by the Court will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the revised proposed new rule will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 7th day of June, 2024.

Signature block for judges: Johnson, J.; Madsen, J.; Owens, J.; Stephens, J.; Gonzalez, C.J.; Yu, J.; Montoya-Lewis, J.

GR 41
JURY SELECTION BY USING REMOTE TECHNOLOGY
[NEW]

(a) Scope of rule. This rule addresses the procedures for conducting jury selection using remote technology.

(b) Jury selection using remote technology. In all cases, jury selection may be conducted using remote technology in which all participants can simultaneously see, hear, and speak with each other. The technology should be of sufficient quality to ensure participants are easily seen and understood.

(c) Procedures prior to jury selection. The court may divide the venire into smaller groups and determine the number of remote participants per voir dire session. The court shall confirm with prospective jurors that they can participate in jury selection using remote technology. The court shall not excuse potential jurors from jury service who cannot participate in jury selection using remote technology due to lack of resources or access and shall arrange for alternative methods, including but not limited to in-person voir dire, for such potential jurors.

(d) Juror remote appearance. The juror's demeanor and appearance shall remain their own as if they were in person and shall not be manipulated or altered.

WSR 24-16-104

HEALTH CARE AUTHORITY

[Filed August 1, 2024, 2:07 p.m.]

NOTICE

Medicaid Transformation Project (MTP) Housing Transition Navigation Services rate methodology under Health-Related Social Needs (HRSN) program.

Effective Date: October 1, 2024.

The health care authority (HCA) intends to submit a rate methodology for housing transition navigation services provided under MTP 2.0. These services aim to remove barriers to affordable housing, including transition costs and housing deposits to assist with identifying, coordinating, securing, or funding one-time services and modifications necessary to help a person establish a basic household. The navigation services also provide pretenancy and tenancy sustaining services to assist with short- and long-term housing goals and remove barriers to stable housing.

Housing transition navigation services are expected to **increase** the annual aggregate expenditures/reimbursement/payment for housing providers by \$18 million under MTP 2.0. Providers will be able to access MTP funds to provide new housing services to participants in the foundational community supports (FCS) program not covered by existing support services.

Housing transition navigation services fee schedule is available for review on the HCA website or at <https://www.hca.wa.gov/assets/program/housing-transition-navigation-services-rate-schedule.pdf>. HCA welcomes interested parties to submit comments and concerns about the rate methodology and/or the effects **no later than Friday, August 30, 2024**. Note: All comments are subject to public review and disclosure, as are the names of those who comment.

Please submit comments and concerns to Matt Christie, FCS Supervisor, matt.christie@hca.wa.gov, 360-725-1015, TTY 711, 626 8th Avenue S.E., Olympia, WA 98501, hca.wa.gov.

WSR 24-16-105

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed August 1, 2024, 3:42 p.m.]

Notice of Adoption - Policy Statement

Title: Nursing Pool Transparency, Policy Number NR 24-01.

Issuing Entity: Department of health.

Subject Matter: Providing clarity about the reporting requirements outlined in SSB 5547 Nursing pool transparency.

Effective Date: June 12, 2024.

Contact Person: Kristina Bell, 360-236-4841,
kristina.bell@doh.wa.gov.

WSR 24-16-106
POLICY STATEMENT
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed August 2, 2024, 1:48 p.m.]

Interim Policy Statement Addressing Performance Measures and Goals,
Targets, Performance Incentives, and Penalty Mechanisms

The legislature directed the utilities and transportation commission (commission), in section 1 of ESSB 5295, to conduct a proceeding to develop a policy statement addressing alternatives to traditional cost of service rate making, including performance-based measures or goals, targets, performance incentives, and penalty mechanisms.

As directed by the legislature, on August 2, 2024, the commission issued a policy statement to finalize the initial reported metrics for regulated energy companies to file with the commission on an annual basis. These metrics may be revised as needed in future proceedings within this docket (U-210590) or future multiyear rate plans. This is the final policy statement for the first phase of this proceeding.

A copy of the initial reported metric policy statement and associated proceeding materials may be obtained by accessing the commission website www.utc.wa.gov or by contacting Stacey Brewster, Rules Coordinator, 621 Woodland Square Loop S.E., P.O. Box 47250, Lacey, WA 98503, phone 360-664-1149, email stacey.brewster@utc.wa.gov.

WSR 24-16-112

NOTICE OF PUBLIC MEETINGS

COLUMBIA BASIN COLLEGE

[Filed August 5, 2024, 10:35 a.m.]

Following is the schedule of regular meetings for the Columbia Basin College for 2024:

Date	Time	Location
August 28, 2024	3:30 - 4:30 p.m.	Columbia Basin College Human Resources Conference Room Building A

If you need further information, contact Lindsey Carpenter, 2600 North 20th Avenue, Pasco, WA 99301, 509-543-1481, 509-544-2029, lcarpenter@columbiabasin.edu, www.columbiabasin.edu.

WSR 24-16-122

HEALTH CARE AUTHORITY

[Filed August 6, 2024, 10:10 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 24-0035 Update Physician Assistant Information; Add Certified Behavioral Health Support Specialists and Licensed Mental Health Counselor Associates, Licensed Marriage and Family Therapist Associates, Licensed Advance Social Worker Associates, and Licensed Independent Social Worker Associates as SBIRT Providers.

Effective Date: January 1, 2025.

Description: The health care authority (HCA) intends to submit SPA 24-0035 to:

- Comply with HB 2041 which replaces the supervision model with the collaborative practice model for physician assistants (PA). SPA 24-0035 will remove the requirement for PAs to be supervised by a physician when providing such services.
- Comply with SB 5189 adding certified behavioral health support specialists (BHSS) as medicaid providers who deliver brief, evidence-based interventions that include behavioral health under the supervision of a state credentialed provider whose scope of practice includes assessment, diagnosis, and treatment of identifiable mental and behavioral health conditions. BHSS will be added as providers of screening, brief interventions, and referral to treatment (SBIRT) services.
- Simplify the existing list of providers and add certified behavioral health specialists, licensed mental health counselor associates, licensed marriage and family therapist associates, licensed advance social worker associates, and licensed independent social worker associates as providers of SBIRT services.
- Update the title "chemical dependency professional" with "substance use disorder professional" in the list of health care professionals who can provide Collaborative Care services.

SPA 24-0035 is expected to have no effect on annual aggregate expenditures/payments for physician assistants, certified behavioral health support specialists, licensed mental health counselor associates, licensed marriage and family therapist associates, licensed advance social worker associates, and licensed independent social worker associates.

HCA is in the process of developing the SPA. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA when it becomes available or submit comments, you may contact the persons named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment). Please submit comments by September 9, 2024.

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