

WSR 25-17-010

AGENDA

DEPARTMENT OF HEALTH  
STATE BOARD OF HEALTH

[Filed August 7, 2025, 5:20 p.m.]

July 2025  
Rules Agenda

This report details current and anticipated rule-making activities for the department of health (DOH) and the state board of health (SBOH). If you have any questions regarding this report or DOH rule-making activities, please contact Tami Thompson at 360-628-0096. If you have any questions regarding SBOH rule-making activities, please contact Michelle Davis at 360-236-4105.

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

**KEY:**

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

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

**CR-101:** Preproposal statement of inquiry filed under RCW 34.05.310.

**CR-102:** Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

**CR-103:** Rule-making order permanently adopting a rule and filed under RCW 34.05.360 and 34.05.380.

**CR-105:** Expedited rule making filed under RCW 34.05.353.

**RCW:** Revised Code of Washington.

**WAC:** Washington Administrative Code.

**WSR:** Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

SBOH  
Rule Making

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
SBOH	Local board of health composition, amends chapter 246-90 WAC. Implements the requirements of ESHB 1946. Amending the rule to clarify timelines for which local boards of health must include tribal representatives on local boards of health and ensure a balanced mix of elected and nonelected members.	Anticipate filing				Molly Dinardo 564-669-3455
SBOH	Notifiable conditions, amends chapter 246-101 WAC. Updating the COVID-19 reporting requirements while maintaining necessary data for disease surveillance. CR-101s will be combined into a single rule-making proposal.	25-08-026	Anticipate filing			Molly Dinardo 564-669-3455

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
SBOH	Water recreation facilities, amends chapters 246-260 and 246-262 WAC. Updates and consolidates rules related to Water recreation facilities and recreational water contact facilities and improves alignment with the Centers for Disease Control and Prevention Model Aquatics Health Code.	17-01-048				Ashley Noble 360-236-3736 Ashlie Laydon ashlie.laydon@doh.wa.gov
SBOH	Sanitary control of shellfish, amends chapter 246-282 WAC. Amends commercial shellfish operations harvest control requirements, updates definitions, seed size, and makes other technical and editorial changes.	22-06-034	Anticipate filing			Shay Bauman 564-669-8929
SBOH	Large Group A water systems, amends WAC 246-290-315 and 246-290-71006. Updates per- and polyfluoroalkyl substances; state action levels, state maximum contaminant levels and public notifications for Group A public water supplies to align with the federal Environmental Protection Agency's new standards.	24-20-093	Anticipate filing			Shay Bauman 564-669-8929 Zehra Siddiqui 360-236-3010
SBOH	Newborn screening, amends chapter 246-650 WAC. Adding ornithine transcarbamylase deficiency, guanidinoacetate methyltransferase deficiency, and arginase 1 deficiency to the list of mandatory conditions for newborn screening conducted by DOH.	22-05-012 23-24-016	Anticipate filing			Molly Dinardo 564-669-3455

**DOH  
Rule Making**

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Denturists	Denturist licensing standards. Amends WAC 246-812-120, 246-812-125, 246-812-159, and other applicable rules to comply with 2SHB 1724 (chapter 425, Laws of 2023), regarding removing barriers for denturist licensure including the jurisprudence exam and examination requirements for denturists.	24-10-064	25-12-045	Anticipate filing		Adriana Barcena 360-236-4865
Board of Hearing and Speech	Hearing aids. Amends WAC 246-828-025, 246-828-090, 246-828-095, 246-828-100, 246-828-320, and 246-828-330, regarding prescription hearing aid requirements for initial fitting and hearing tests.	25-12-078	Anticipate filing			Kim-Boi Shadduck 360-236-2912
Board of Massage	Massage licensure standards. Amends WAC 246-830-035 Licensing by endorsement for out-of-state applicants.	23-07-064	Anticipate filing			Sabine Meuse 360-878-7466
Board of Massage	Online education for massage therapists. Amends WAC 246-830-430 Education and training, to include parameters on online and virtual education and adding health equity awareness training to initial licensure requirements for new massage licensees.	23-12-002	Anticipate filing			Sabine Meuse 360-878-7466
Board of Naturopathy	Exam fees. Amends WAC 246-836-990 to remove the jurisprudence examination fee from rule to align with changes to naturopathic licensure requirements.	25-10-030	25-15-147	Anticipate filing		Heather Cantrell 360-236-4637

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Nursing	Nursing assistant rules. Amends chapter 246-841A WAC to implement skills testing in training programs, make changes to the specialty curricula rule requirements, and other related rules as appropriate. The board will also consider updates to this chapter resulting from legislation passed in the 2025 legislative session.	25-05-087	Anticipate filing			Jessilyn Dagum 360-236-3538
Board of Nursing	Nurse administrator education and experience requirements. Amends chapter 246-840 WAC for nurse administrators of baccalaureate nursing education programs in response to E2SSB 5582 (chapter 126, Laws of 2023), codified as RCW 18.79.150.	24-21-151	25-12-079	Anticipate filing		Jessilyn Dagum 360-236-3538
Board of Nursing	Registered nurse (RN) and licensed practical nurse (LPN) chapter update. Amends WAC 246-840-015 through 246-840-260 for RN and LPN licensing and continuing competency rules to clarify and update outdated language, rewrite and reformat existing rules to reflect current best practices, and restructure sections as necessary, as part of the board of nursing's five-year formal rule review process in accordance with RCW 43.70.041 Phase 1.	24-24-011	Anticipate filing			Jessilyn Dagum 360-236-3538
Board of Nursing	Advanced practice and pain management chapter update. Amends WAC 246-840-010 and 246-840-300 through 246-840-4990 for advanced practice and pain management rules conducted in accordance with the board of nursing's five-year formal rule review process under RCW 43.70.041 Phase 2.	25-15-033	Anticipate filing			Jessilyn Dagum 360-236-3538
Board of Nursing Home Administrators	Reducing licensure barriers for nursing home administrators. Amends WAC 246-843-090, 246-843-095, and 246-843-230 to reduce barriers for licensure and align with RCW 18.130.077.	24-21-101	25-15-075	Anticipate filing		Shelbee Scrimo 360-236-4723
Chiropractic Quality Assurance Commission	Chiropractor credentialing. Amends WAC 246-808-010, 246-808-105 through 246-808-140, 246-808-180 through 246-808-190, 246-808-510, 246-808-535, and 246-808-801 through 246-808-830 to address chiropractic credentialing requirements.	23-05-053				Betty Moe 360-764-6251
Chiropractic Quality Assurance Commission	Classification of chiropractic procedures and instrumentation. Amends WAC 246-808-505 to better align the rule language with statutory language and to modernize and streamline current language.	25-10-041	Anticipate filing			Betty Moe 360-764-6251
Dental Quality Assurance Commission	Expanded function dental auxiliaries licensure requirements. Amends WAC 246-817-195 to allow the amalgam clinical patient requirement to be optional. The dental quality assurance commission may consider amendments to other relevant licensure requirement rule sections in chapter 246-817 WAC.	25-03-075	Anticipate filing			Debbie Gardner 360-236-4277
Dental Quality Assurance Commission	Dental licensure without exam. Amends WAC 246-817-135, 246-817-160, and 246-817-160 to clarify clinical and didactic education and training requirements for foreign-trained dentists and graduates of nonaccredited schools or programs.	24-15-022	Anticipate filing			Debbie Gardner 360-236-4277

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Dental Quality Assurance Commission	Dental assistant registration. Amends WAC 246-817-190 to add minimum age requirements for dental assistant registration.	24-16-138	25-05-022 Continuance filed under 25-11-083	Anticipate filing		Debbie Gardner 360-236-4277
Dental Quality Assurance Commission	Dental interstate compact. Adds new section(s) to chapter 246-817 WAC to implement provisions of ESHB 1576 (chapter 297, Laws of 2023), codified as chapter 18.33 RCW, which creates a new interstate compact for dentists and gives member states the discretion to charge a fee.	24-21-097	Anticipate filing			Debbie Gardner 360-236-4637
Dental Quality Assurance Commission	Dental sedation continuing education. Amends WAC 246-817-773, continuing education for dentists administering sedation, to ensure clear continuing education requirements.	24-21-038	Anticipate filing			Debbie Gardner 360-236-4637
DOH	Washington Healthcare Emergency and Logistics Tracking Hub (WA HEALTH) statewide emergency and logistics tracking system. Amends Title 246 WAC to require acute care hospitals licensed under chapter 70.41 RCW and behavioral health facilities to report hospital data to the department through WA HEALTH.	24-03-126				Tyler Nowlan 360-790-1453
DOH	Brief adjudicated proceedings. Amends WAC 246-10-501 and 246-11-420 to expand applicability of brief adjudicated proceedings to additional categories of applicants in department rules and boards and commissions rules to streamline the adjudicative process while maintaining fairness to applicants.	25-11-080	25-16-028	Anticipate filing		Erin Brewster 360-535-7315
DOH	Suicide prevention. Amends chapter 246-12 WAC to establish in rule the minimum standards for advanced suicide prevention trainings for certain professions as required by ESHB 2411.	21-04-054	Anticipate filing			Kelsey Cato 564-669-1196
DOH	Administrative Procedure Act. Amends chapter 246-12 WAC with respect to DOH's process of emailing renewal notices instead of mailing them.	Anticipate filing				Stacey Saunders 360-236-2813
DOH	Medical cannabis product compliance. Amends chapter 246-70 WAC to update the term "marijuana" to "cannabis," examine the definition of a compliant product, review compliant product labeling, and align quality assurance standards with the Washington state liquor and cannabis board.	22-23-001	Anticipate filing			Annie Kause 360-236-2940
DOH	X-ray in healing arts, chapter 246-225 WAC. Considering amending existing rules and creating new rules to address advancements in technology for radiation therapy, fluoroscopic X-ray, and plan review shielding requirements.	24-03-137	Anticipate filing			Ashlie Laydon ashlie.laydon@doh.wa.gov Richard Montemarano 360-236-3238
DOH	On-site nonpotable water systems, chapter 246-275 WAC. Considering establishing a new chapter for on-site nonpotable water systems.	24-09-067	Anticipate filing			Kseniya Efreмова 360-236-3449

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
DOH	Office of environmental health and safety program fees. Considering adjusting fees to cover operating costs for: <ul style="list-style-type: none"> <li>• WAC 246-205-990 for decontamination of illegal drug manufacturing or storage sites;</li> <li>• WAC 246-260-9901 for water recreation facilities;</li> <li>• WAC 246-262-990 for recreational water contact facilities;</li> <li>• WAC 246-272-1000 through 246-272-6000 for onsite sewage systems;</li> <li>• WAC 246-272-3000 for large onsite sewage systems;</li> <li>• WAC 246-282-990 for commercial shellfish;</li> <li>• WAC 246-358-990 for temporary worker housing;</li> <li>• WAC 246-360-990 and 246-360-020 for transient accommodations;</li> <li>• WAC 246-380-990 for food service; and</li> <li>• Creating a new fee section in chapter 246-215 WAC for food service.</li> </ul> This may include updating or restructuring existing fees, making editorial updates, repealing obsolete fees, or creating new fees.	25-15-015	Anticipate filing			Zehra Siddiqui 260-236-3010
DOH	Office of radiation protection program fees. Amends chapter 246-254 WAC to consider adjusting fees to cover operating costs. This may include updating or restructuring existing fees, making editorial updates, repealing obsolete fees, or creating new fees.	25-15-013	Anticipate filing			Zehra Siddiqui 260-236-3010
DOH	Office of drinking water program fees. Considering adjusting fees to cover operating costs for: <ul style="list-style-type: none"> <li>• WAC 246-290-990 Water system evaluation, project review, and approval fees;</li> <li>• WAC 246-292-995 Certified operator and public water system certification fees; and</li> <li>• WAC 246-294-070 Operating permit fees.</li> </ul> This may include updating or restructuring existing fees, making editorial updates, repealing obsolete fees, or creating new fees.	25-15-014	Anticipate filing			Zehra Siddiqui 260-236-3010
DOH	Certificate of need (CN), adult elective percutaneous coronary intervention (PCI) program. Amends WAC 246-310-700 through 246-310-755; repeals WAC 246-310-710, 246-310-725, and 246-310-730; and adds new WAC 246-310-760. The purpose of the proposed rules is to update, modernize, and develop progressive enforcement tools for the adult elective PCI CN requirements.	24-03-083	25-15-150	Anticipate filing		Eric Hernandez eric.hernandez@doh.wa.gov

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
DOH	Emergency medical treatment for pregnant persons. Amends WAC 246-320-010 and 246-320-281 and other related rules if appropriate in accordance with recently passed legislation and the Governor's Directive 25-01 to ensure access to treatment, including abortion care, for emergency medical conditions in hospital emergency departments and protection of a pregnant person's right to exercise informed consent in prioritizing their health and safety when receiving treatment for emergency medical conditions in hospital emergency departments.	25-12-043	Anticipate filing			Ian Corbridge ochsfacilities@doh.wa.gov
DOH	Behavioral health hospitals. Updating chapter 246-322 WAC to "Behavioral health hospitals," and adding some rules from chapter 246-324 WAC. Repealing chapter 246-324 WAC, Private alcohol and chemical dependency hospitals.	Anticipate filing				Dan Overton 360-236-2953
DOH	Birthing centers; inspections for accredited centers. Considering amendments to chapter 246-329 WAC to implement SHB 1824 (chapter 69, Laws of 2025) to reduce the frequency of audits and authority to inspect state licensure surveys, aligning standards with applicable accrediting bodies that are substantially equivalent.	Anticipate filing				John Hilger 360-236-2929
DOH	Uniform facility enforcement framework and background check standardization for ambulatory surgical facilities, in-home services agencies, residential treatment facilities, and behavioral health agencies. Amends rules and establishes new sections in chapter 246-330, 246-335, 246-337, and 246-341 WAC in response to ESSB 5271 (chapter 121, Laws of 2024). DOH will also consider standardizing background check requirements for these facility types.	Anticipate filing				Julie Tomaro 360-236-29
DOH	Ambulatory surgical facilities. Considering amendments to chapter 246-330 WAC as related to construction review services.	Anticipate filing				John Hilger 360-236-2929
DOH	In-home services agencies; aligning with statute. Amends WAC 246-335-510 and 246-335-610 to update audio-only telehealth appointments in rules for SB 5821 (chapter 215, Laws of 2024).			Anticipate filing	25-15-031	John Hilger 360-236-2929
DOH	In-home services agencies; fee updates. DOH is considering rule amendments to update fees for in-home services agencies and to clarify and standardize language in WAC 246-335-990.	25-08-070	Anticipate filing			Heather Cantrell 360-236-4637
DOH	23-Hour crisis relief centers (CRC) for minors in Washington state. Updates chapter 246-341 WAC including, but not limited to, WAC 246-341-0903, to implement E2SSB 5853 (chapter 367, Laws of 2024), an act relating to extending the CRC model to provide behavioral health crisis services for minors.	24-13-112	25-16-075			Dan Overton 360-236-2953
DOH	Private detention facilities. Considering creating a new chapter 246-385 WAC to set operational health and safety standards for private detention facilities. E2SHB 1232 amended chapter 70.395 RCW and expanded the scope to include a juvenile facility.	23-23-079				Kseniya Efreanova 360-236-3449

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
DOH	Hospital charity care. Amends chapter 246-453 WAC to implement new requirements in SSB 6273 (chapter 623, Laws of 2018) and SHB 1616 (chapter 197, Laws of 2022), which update definitions, income eligibility, and discounts for the program. DOH may also add a new section to address requirements for clarity and conciseness.	22-20-069	Anticipate filing			Carrie Baranowski 360-236-4210
DOH	Rapid health information network data reporting requirements, including a fee. Amends chapter 246-460 WAC to remove the list of data elements and move them to a department guide and establishes a fee for nonstandard reporting from researchers.	25-17-001	Anticipate filing			Cynthia Harry 206-472-4530
DOH	Vital records. Amends, repeals, and creates new rules in chapter 246-490 WAC, Vital statistics; and chapter 246-491 WAC, Vital statistics—Certificates. The rules may establish registration and amendment requirements for vital records; update or add program processes to align with statutory changes; adopt fees associated with amendment and delayed birth applications; add or adjust fees associated with the issuance of certifications and informational copies; add or remove data items collected in a vital record; expand use of electronic registration of a vital event; make editorial and technical changes to align with statutory changes; and repeal obsolete sections of rule.	23-04-062	Anticipate filing			Kelly Thomson 360-236-2274
DOH	Vital records birth certification fee waiver. Amends WAC 246-491-350 to implement a new birth certificate fee waiver process authorized by SSB 5030.	25-14-024	Anticipate filing			Kelly Thomson 360-236-2274
DOH	Farmers market nutrition program. Amends chapter 246-780 WAC to implement ESSB 5224 and allow mobile markets to participate in the farmers market nutrition program.	25-12-055	Anticipate filing			Karen Mullen 360-515-8279 Me'Kyel Bailey 360-764-9161
DOH	Occupational English test for acupuncture and Eastern medicine. Amends WAC 246-803-240 and 246-803-130.	25-04-007	Anticipate filing			Adriana Barcena 360-236-4865
DOH	Cooccurring disorder specialist (CODS) enhancement. Amends chapter 246-804 WAC to update curriculum standards, develop application processes, and clarify definitions for the CODS enhancement program.	25-13-086	Anticipate filing			Claire Wilson 564-669-0392
DOH	X-ray technician fee update. Amends WAC 246-808-990 to update chiropractic and X-ray technician licensure, registration, renewal, and other fees, including clarifying updates.	24-16-084	25-12-015	25-16-076		Betty Moe 360-236-2822
DOH	Mental health counselor associate health sciences library (HEAL-WA) access fee. Amends WAC 246-809-990 to add the fee for access to the University of Washington HEAL-WA for licensed mental health counselor associates, in accordance with HB 1190 (chapter 19, Laws of 2025).				Anticipate filing	Lana Crawford 564-669-1455

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
DOH	Silver diamine fluoride. Amends WAC 246-814-020 Practices authorized, and 246-814-030 Application process and documentation of training required for endorsement. Updates dental hygienist and dental assistant usage of silver diamine fluoride and participation in regional health coalition meetings.	25-04-089	Anticipate filing			Kitty Einert 360-236-4843
DOH	Dental hygienists' continuing education. Amend WAC 246-815-140.	Anticipate filing				Kitty Einert 360-236-4843
DOH	Dental hygienists' infection control. Amends chapter 246-815 WAC.	Anticipate filing				Kitty Einert 360-236-4843
DOH	Dental hygienist compact. Establishes new section(s) of rule in chapter 246-815 WAC to implement ESHB 1576 (chapter 297, Laws of 2023), codified as chapter 18.33 RCW, which creates a new interstate compact for dental hygienists and gives member states the discretion to charge a fee for granting compact privileges.	24-21-056	Anticipate filing			Kitty Einert 360-236-4843
DOH	Dental therapist profession. Establishes a new profession in chapter 246-819 WAC for the dental therapist profession in order to implement ESHB 1678 (chapter 460, Laws of 2023).	23-22-058	25-14-117	Anticipate filing		Kitty Einert 360-236-4843
DOH	Dental therapy sedation. Adding requirements to chapter 246-819 WAC.	Anticipate filing				Kitty Einert 360-236-4843
DOH	Dental therapy scope of practice. Adding requirements to chapter 246-819 WAC.	Anticipate filing				Kitty Einert 360-236-4843
DOH	Dietitians and nutritionists credentials. Amends chapter 246-822 WAC to implement 2SHB 1724 and consider national credentials for dietitians and nutritionists.	25-07-028	25-15-032	Anticipate filing		Kim-Boi Shadduck 360-236-2912
DOH	Anesthesiology assistant licensing fees. Establishes licensing fees for anesthesiologist assistants in WAC 246-921-990.	24-23-060	25-15-148	Anticipate filing		Heather Cantrell 360-236-4637
DOH	Certified peer support specialist. Amends chapter 246-929 WAC to implement recent legislative changes under 2SHB 1427 (chapter 360, Laws of 2025). The proposed amendments update the credential's titles from "certified peer specialist" and "certified peer specialist trainee" to "certified peer support specialist" and "certified peer support specialist trainee."		25-15-161	Anticipate filing		Ted Dale 360-236-2991
DOH	Sex offender treatment provider (SOTP) chapter rewrite. Amends chapter 246-930 WAC based on recommendations from the newly established SOTP advisory committee.	22-04-057	Anticipate filing			Lana Crawford 564-669-1455
DOH	Ground ambulance services. Amends WAC 246-976-260 and 246-976-270 in response to SSB 5986 (chapter 218, Laws of 2024), regarding out-of-network health care charges (balance billing) for ground ambulance services.	25-08-002	25-14-020	Anticipate filing		Jason Norris 360-236-2830
DOH	Home care aides; standardizing basic training requirements and exemptions for certification for SHB 1142. Amending chapter 246-980 WAC.	Anticipate filing				Jenni Osburn 360-236-2737

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Optometry	Optometry examination and licensure requirements; correcting RCW citations in WAC 246-851-490. The board of optometry is proposing amendments to WAC 246-851-490 to correct cross references to subsections in RCW 18.53.010.			Anticipate filing	25-15-095	Amber Freeberg 564-669-8562
Occupational Therapy Practice Board	Occupational therapy continuing competency hours. Amendments to clarify language in WAC 246-847-055 and 246-847-067 and align references.				Anticipate filing	Kathy Weed 360-236-4883
Pharmacy Quality Assurance Commission	Transfer practices for a dispensed prescription drug for the purpose of redispensing or subsequent administration to a patient. Amends chapter 246-945 WAC regarding alternate distribution models for a dispensed prescription drug for redispensing or subsequent administration to a patient.	23-20-115	Anticipate filing			Joshua Munroe 360-502-5058
Pharmacy Quality Assurance Commission	Uniform facility enforcement framework for pharmacy. Amends and establishes a new section in chapter 246-945 WAC to implement a uniform enforcement tool for pharmaceutical firms provided by ESSB 5271 (chapter 121, Laws of 2024). Other amendments to sections in chapter 246-945 WAC to implement ESSB 5271 may also be considered.	24-15-057	25-10-089	Anticipate filing		Julia Katz 360-791-1167
Pharmacy Quality Assurance Commission	Clarifying the utilization of pharmacy ancillary personnel. Amends WAC 246-945-001, 246-945-315, 246-945-317, and 246-945-320; and potentially adding a new section in chapter 246-945 WAC to clarify the utilization of pharmacy ancillary personnel and technology within the pharmacy.	24-18-032	Anticipate filing			Haleigh Mauldin 360-890-0720
Pharmacy Quality Assurance Commission	Drug Supply Chain Security Act (DSCSA). Proposing new WAC 246-945-003 to incorporate federal statutory language in DSCSA.		25-11-062			Joshua Munroe 360-502-5058
Pharmacy Quality Assurance Commission	Pharmacy registration for mobile opioid treatment program units. Amends WAC 246-945-060 and 246-945-250; and adds new sections in chapter 246 945 WAC to exempt mobile opioid treatment program (OTP) units from having to obtain separate registrations when covered under the OTP site's controlled substance registration. Develops more comprehensive facility requirements for analytical laboratories and dog handlers among other facilities that are licensed under the other controlled substance registration.	23-18-046	Anticipate filing			Haleigh Mauldin 360-890-0720
Pharmacy Quality Assurance Commission	Licensed pharmaceutical facility inspection requirements for modifications or remodels. Amending WAC 246-945-230 and establishing a new section in to clarify the need and parameters to submit a modification or remodel application.	25-05-060	25-13-005	Anticipate filing		Julia Katz 360-791-1167
Pharmacy Quality Assurance Commission	Pharmaceutical firm reporting time frames. Amends WAC 246-945-231 with respect to adding a time frame for pharmaceutical firms to report disciplinary action to the commission.	25-15-162	Anticipate filing			Julia Katz 360-791-1167

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Pharmacy Quality Assurance Commission	Pharmacy wholesaler reporting of suspicious orders and zero reports. Amends WAC 246-945-585 Wholesaler—Suspicious orders and due diligence; and creates a new section in chapter 246-945 WAC to clarify expectations for wholesalers submitting suspicious order and zero order reports to the commission.	23-10-012	25-14-077	Anticipate filing		Haleigh Mauldin 360-890-0720
Pharmacy Quality Assurance Commission	Medication assistance. Expanding the types of actions allowed for nonpractitioners providing medication assistance services. Amending WAC 246-945-714 following the passage of SHB 1720 (chapter 26, Laws of 2025).	25-16-045	Anticipate filing			Joshua Munroe 360-502-5058
Podiatric Medical Board	Removing licensure barriers for podiatric physicians and surgeons. Amends WAC 246-922-055 Reciprocity requirements, to comply with 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077.	24-16-137	Anticipate filing	Anticipate filing		Tommy Simpson III 360-236-4910
Veterinary Board of Governors	Veterinarian telehealth requirements. Updating telehealth requirements in chapter 246-933 WAC to establish a veterinarian-client-patient relationship.	Anticipate filing				Poppy Budrow 564-669-0026
Veterinary Board of Governors	Veterinary technician examination requirements. Updating eligibility requirements in WAC 246-935-060.	Anticipate filing				Poppy Budrow 564-669-0026
Veterinary Board of Governors	Animal health care tasks for and supervision of veterinary technicians and veterinary medication clerks. Amends WAC 246-935-010 Definitions, 246-935-050 Animal health care tasks, 246-935-040 Responsibilities of a veterinarian supervising a licensed veterinary technician or unregistered assistant, and 246-937-010 Definitions.	23-18-060	Anticipate filing			Poppy Budrow 564-669-0026
Washington Medical Commission	Collaborative drug therapy agreements. New sections in chapters 246-918 and 246-919 WAC regarding collaborative drug therapy agreements.	20-16-008				Amelia Boyd 360-918-6336
Washington Medical Commission	Nitrous oxide in office-based settings. Establishing requirements under WAC 246-919-601.	24-11-104	25-14-080	Anticipate filing		Amelia Boyd 360-918-6336
Washington Medical Commission	Opioid prescribing. Amends the following opioid prescribing rules to modernize the language, add clarity, and bring the rules more in line with current practice: Amends allopathic physicians (MD), WAC 246-919-850 through 246-919-985; and physician assistants, WAC 246-918-800 through 246-918-935.	25-10-039	Anticipate filing			Amelia Boyd 360-918-6336
Washington Medical Commission	MD chapter review. Considering amendments to WAC 246-919-010 through 246-919-520 and 246-919-602 through 246-919-700 to consider modernizing language, adding clarity, and bringing the rules more in line with current practice.	25-12-014				

**WSR 25-18-001  
NOTICE OF PUBLIC MEETINGS  
PUBLIC EMPLOYMENT  
RELATIONS COMMISSION**

[Filed August 20, 2025, 12:13 p.m.]

The date(s) or time(s) in **bold** have changed in the following schedule of regular meetings of the public employment relations commission in 2025, all to be held virtually via Zoom and in Olympia with location and format subject to change:

Date	Time	Location
January 13, 2025	1:30 p.m.	Via Zoom and in person at 112 Henry Street N.E., Suite 300, Olympia, WA
February 10, 2025	1:30 p.m.	Same as above
March 10, 2025	1:30 p.m.	Same as above
April 14, 2025	1:30 p.m.	Same as above
May 12, 2025	1:30 p.m.	Same as above
June 9, 2025	1:30 p.m.	Same as above
July 2025	No meeting	
August 11, 2025	1:30 p.m.	Same as above
<b>September 15, 2025</b>	<b>9:30 a.m.</b>	Same as above
October 13, 2025	<b>9:30 a.m.</b>	Same as above
November 10, 2025	<b>9:30 a.m.</b>	Same as above
December 2025	No meeting	

If you need further information, contact Vanessa Smith at [vanessa.smith@perc.wa.gov](mailto:vanessa.smith@perc.wa.gov) or 360-570-7332.

**WSR 25-18-002**

**INTERPRETIVE STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed August 20, 2025, 12:55 p.m.]

This memo serves as notice that the dental quality assurance commission (commission) is rescinding interpretive statement Dental-03, Application Requirements for Moderate Sedation with Parenteral Agents Permits, which was filed May 24, 2023, and published in WSR 23-12-003.

This interpretive statement clarified the experience requirements stated in WAC 246-817-760 for obtaining a moderate sedation with parenteral agents permit. The commission is rescinding this interpretive statement because it is no longer needed. Permanent rules were adopted under WSR 24-01-033, filed on December 11, 2023, for WAC 246-817-760.

Individuals requiring additional information on this should contact Debbie Gardner, program manager, at dental@doh.wa.gov.

WSR 25-18-005
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1645
JISC RULE 13—LOCAL COURT )
SYSTEMS )

The Judicial Information System Committee, having recommended the suggested amendments to JISC Rule 13—Local Court Systems, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2026.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2026. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 2nd day of July, 2025.

For the Court

Stephens, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment to
Judicial Information Systems Committee Rule 13
Submitted by the Judicial Information Systems Committee

A. Name of Proponent: Judicial Information Systems Committee (JISC)

B. Spokespersons: Justice Barbara A. Madsen, Chair
Judge John Hart, Vice-Chair

C. Purpose:

These revisions to the language of the Judicial Information Systems Committee (JISC) Rule (JISCR) 13 are proposed to provide guidance to Washington State Superior Courts, Superior Court Clerks, Courts of Limited Jurisdiction and the Administrative Office of the Courts (AOC) when a local court intends to use an alternative electronic court record system in lieu of using the statewide court record system and to facilitate sharing of statewide court data relied on for judicial decision making and public safety. This rule also acknowledges that the Judicial Information System Committee (JISC) and the AOC set statewide information technology (IT) priorities through a JISC-adopted IT governance process.

The JISC considered the revisions proposed to this rule at its regular meeting. These changes were considered by the committee and unanimously approved. The changes proposed represent the consensus of the committee on updates needed to bring this rule into line with developments that have occurred since this rule was last updated.

We seek to amend, delete, and add language to JISCR 13 to provide guidance to Washington State Superior Courts, Superior Court Clerks, Courts of Limited Jurisdiction and the Administrative Office of the Courts (AOC) when a local court intends to use an alternative electronic court record system and to clarify that the Judicial Information System Committee (JISC) and the AOC set statewide information technology (IT) priorities through a JISC-adopted IT governance process.

**D. Hearing:** A hearing is not requested.

**E. Expedited Consideration:** Expedited consideration is not requested.

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

## Judicial Information Systems Committee Rules

### JISCR 13

#### ~~LOCAL~~ ELECTRONIC COURT RECORD SYSTEMS

##### Preamble

This rule provides guidance to Washington State Superior Courts, Superior Court Clerks, Courts of Limited Jurisdiction and the Administrative Office of the Courts (AOC) when a local court intends to use an alternative electronic court record system in lieu of using the statewide court record system and to facilitate sharing of statewide court data relied on for judicial decision making and public safety.

(a) An "electronic court record system" is any electronic court data technology system that is a source of statewide court data identified in the JIS Data Standards for Alternative Local Court Record Systems Policy ("JIS Data Standards Policy").

(b) If an alternative electronic court records system is implemented in a superior court jurisdiction, the presiding judge and county clerk will be consulted and included for purposes of compliance with this rule.

(c) Counties or cities may implement alternative electronic court record systems in compliance with procedures established by the Judicial Information System Committee (JISC). Courts wishing to establish ~~implement automated~~ alternative electronic court record systems shall provide advance notice of the proposed development ~~their intent~~ to the ~~Judicial Information System Committee~~ JISC and the ~~Office of the Administrator for the Courts~~ AOC at least 90 days prior to the commencement of such projects ~~start of the procurement process~~ for the purpose of review and ~~approval~~ coordination.

(d) Courts implementing an alternative electronic court record system shall meet the requirements outlined in the JIS Data Standards Policy. AOC, on behalf of the JISC, will provide the courts and/or clerk with all necessary information and requirements needed to support the local court's implementation of the alternative electronic court record system and data exchange into the statewide data repository.

(e) As soon as practicable after selection of an alternative electronic court record system, the court will provide AOC with a project schedule and detailed plan for integration with the statewide

data repository and will also provide ongoing updates and changes to the project schedule and plan.

(f) The local court and/or county clerk agree to coordinate with AOC on data mapping to ensure data quality standards are met for successful data exchange between the alternative electronic court record system and the statewide data repository.

(g) AOC, the court and/or clerk will meet to establish an agreed upon timeline for transfer of data into the statewide data repository which should not exceed more than two months after implementation of the alternative electronic court records system, unless agreed upon by the court, clerk, and AOC.

(h) Individual courts and/or county clerks are responsible for arranging resources for implementing and maintaining locally procured electronic court record systems and for programming and testing local systems that interface with the statewide data repository.

(i) The court, clerk, and AOC agree to address and resolve any identified issues that may impact implementation of the alternative electronic court record system and successful exchange of data into the statewide data repository.

(j) The AOC will provide sufficient notice to the courts and clerks using alternative electronic court record systems to allow for adoption of any necessary changes to the JIS Data Standards Policy, legislative requirements, or required business and technical changes.

Comments:

This rule recognizes that early and frequent communication and collaboration between the local court and the AOC is essential for success. This rule also acknowledges that the Judicial Information System Committee (JISC) and the AOC set statewide information technology (IT) priorities through a JISC-adopted IT governance process.

WSR 25-18-006
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1646
RAP FORM 6—BRIEF OF )
APPELLANT )

The Court of Appeals, having recommended the adoption of the suggested amendments to RAP Form 6—Brief of Appellant, and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 2nd day of July, 2025.

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

GENERAL RULE 9
RULE AMENDMENT COVER SHEET

SUGGESTED AMENDMENT TO RAP FORM 6 BRIEF OF APPELLANT (RULE 10.3(a))

- 1. Proponent: Washington State Court of Appeals
2. Spokesperson & Contact Info: Judge Janet Chung, Chair of the COA Rules Committee
3. Purpose of Suggested Rule Amendment: This amendment will assist pro se litigants by providing an example of a correctly formatted brief compliant with RAP 10.3(a) and RAP 18.17. There is no substantive change, just formatting changes.
4. Is expedited consideration requested? Yes
5. Is a public hearing recommended? No

See RAP 18.17 for document formatting requirements.

RAP FORM 6. BRIEF OF APPELLANT
(Rule 10.3(a))

(See Form 5 for form of cover and title page. For useful discussions of appellate brief writing, see the latest edition of the Washington State Bar Association Appellate Practice Deskbook.)

TABLE OF CONTENTS

I. Introduction [Optional. See rule 10.3 (a) (3).]
II. Assignments of Error. . . . . {Page #s}
Assignments of Error

No. 1. . . . . {Page #s}  
 No. 2. . . . . {Page #s}  
 No. 3. . . . . {Page #s}

Issues Pertaining to Assignments of Error  
 No. 1. . . . . {Page #s}  
 No. 2. . . . . {Page #s}

III. Statement of the Case. . . . . {Page #s}

IV. Summary of Argument. . . . . {Page #s}  
[Optional. See rule 10.3 (a) (6).]

V. Argument. . . . . {Page #s}  
 [If the argument is divided into separate headings, list each separate heading and give the page where each begins.]

VI. Conclusion. . . . . {Page #s}

VII. Appendix. . . . . A-1  
 [List each separate item in the Appendix and give page where each item begins.]

**TABLE OF AUTHORITIES**

- Table of Cases  
 [Here list cases, alphabetically arranged, with citations complying with rule 10.4(g), and page numbers where each case appears in the brief. Washington cases may be first listed alphabetically with other cases following and listed alphabetically.]
- Constitutional Provisions  
 [Here list constitutional provisions in the order in which the provisions appear in the constitution with page numbers where each is referred to in the brief.]
- Statutes  
 [Here list statutes in the order in which they appear in RCW, U.S.C., etc., with page numbers where each is referred to in the brief. Common names of statutes may be used in addition to code numbers.]
- Regulations and Rules  
 [Here list regulations and court rules grouped in appropriate categories and listed in numerical order in each category with page numbers where each is referred to in the brief.]
- Other Authorities  
 [Here list other authorities with page numbers where each is referred to in the brief.]

Note: For form of citations, see GR 14(d).

**[Brief begins here with the Introduction]**

- I. INTRODUCTION Introduction  
 [An introduction is optional and may be included as a separate section of the brief at the filing party's discretion. The introduction need not contain citations to the record or authority.]
- II. ASSIGNMENTS OF ERROR ~~Assignments of Error~~  
Assignments of Error  
 [Here separately state and number each assignment of error as required by rule 10.3 (a) and (g). For example:  
 "1. The trial court erred in entering the order of May 12, 1975, denying defendant's motion to vacate the judgment entered on May 1, 1975."]

OR

"2. The trial court erred in denying the defendant's motion to suppress evidence by order entered on March 10, 1975."]

Issues Pertaining to Assignments of Error

[Concisely define the legal issues in question form which the appellate court is asked to decide and number each issue.

List after each issue the Assignments of Error which pertain to the issue. Proper phrasing of the issues is important. Each issue should be phrased in the terms and circumstances of the case, but without unnecessary detail. The court should be able to determine what the case is about and what specific issues the court will be called upon to decide by merely reading the issues presented for review.]—[Examples of issues presented for review are:

"Does an attorney, without express authority from ~~his~~ their client, have implied authority to stipulate to the entry of judgment against ~~his~~ their client as a part of a settlement which limits the satisfaction of the judgment to specific property of the client? (Assignment of Error 1.)"

OR

"Defendant was arrested for a traffic offense and held in jail for 2 days because of outstanding traffic warrants. The police impounded defendant's car and conducted a warrantless 'inventory' search of defendant's car and seized stolen property in the trunk. The impound was not authorized by any ordinance. Did the search and seizure violate defendant's rights under the fourth and fourteenth amendments to the Constitution of the United States and under article 1, section 7 of the Constitution of the State of Washington? (Assignment of Error 2.)"

III. STATEMENT OF THE CASE

[Write a statement of the procedure below and the facts relevant to the issues presented for review. The statement should not be argumentative. Every factual statement should be supported by a reference to the record. See rule 10.4(f) for proper abbreviations for the record.]

IV. SUMMARY OF ARGUMENT

[*This is optional.*]

V. ARGUMENT

[The argument should ordinarily be separately stated under appropriate headings for each issue presented for review. Long arguments should be divided into subheadings. The argument should include citations to legal authority and references to relevant parts of the record. The court ordinarily encourages a concise statement of the standard of review as to each issue.]

VI. CONCLUSION

[Here state the precise relief sought.]

**WORD CERTIFICATE**

[If the petition is prepared using word processing software, include the following statement: This document contains \_\_\_\_\_ words, excluding the parts of the document exempted from the word count by RAP 18.17.]

[Date]

Respectfully submitted,

---

Signature

*[Name of Attorney] [personal pronouns (optional)]*  
*Attorney for [Appellant, Respondent, or Petitioner]*  
*Washington State Bar Association membership number*  
*Electronic Signatures to comply with GR 30*

VII. APPENDIX

*[Optional. See rule 10.3 (a) (8).] APPENDIX TO BE ATTACHED TO BRIEF*

WSR 25-18-007
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1647
RAP 18.13A—ACCELERATED )
REVIEW OF JUVENILE )
DEPENDENCY DISPOSITON )
ORDERS, ETC.; RAP FORM 15B— )
STATEMENT OF ARRANGEMENTS )
IN APPEALS FROM DEPENDENCY )
DISPOSITIONAL ORDERS, ETC.; )
AND RAP FORM 15—STATEMENT )
OF ARRANGEMENTS )

The Court of Appeals, having recommended the adoption of the suggested amendments to RAP 18.13A—Accelerated Review of Juvenile Dependency Disposition Orders, Etc.; RAP Form 15B—Statement of Arrangements in Appeals from Dependency Dispositional Orders, Etc.; and RAP Form 15—Statement of Arrangements, and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby ORDERED:

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

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

DATED at Olympia, Washington this 2nd day of July, 2025.

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

GENERAL RULE 9
RULE AMENDMENT COVER SHEET
SUGGESTED AMENDMENT TO RAP 18.13A & FORM 15B

- 1. Proponent: Washington State Court of Appeals (COA)
2. Spokesperson & Contact Info: Judge Janet Chung, Chair of the COA Rules Committee
3. Purpose of Suggested Rule Amendment: The suggested amendments to RAP 18.13A and Form 15B seek to align this rule and the associated form with the recently adopted changes to RAP 9.2 that govern similar procedures.

RAP 18.13A(e) Statement of Arrangements (SOAs) outlines the procedures for preparation of SOAs in cases involving Juvenile Dependency Disposition Orders, Orders Terminating Parental Rights, Dependency Guardianship Orders, and Orders Entered in Dependency and Dependency Guardianship proceedings.

A statewide workgroup was convened by the Court of Appeals that consisted of representatives from courts, county prosecutors' offices, appellate criminal defense attorneys, court reporters who prepare VRPs

from the notes they take during superior court proceedings, and authorized transcriptionists who prepare VRPs based on audio recordings. The workgroup agreed that an increasingly challenging issue is the difficulty in organizing, reviewing and citing the VRPs in briefing, particularly in cases where there are multiple volumes prepared at different times by multiple court reporters and transcriptionists.

The process outlined in the suggested rule change was based on a review of practices in other jurisdictions. In summary, the suggested changes require the statement of arrangements (SOAs) to include page number "blocks" for each hearing date or partial hearing date. The court reporter or authorized transcriptionist then uses those assigned page number blocks so that once completed the entire VRP being reviewed will be sequentially numbered and each page has a unique number.

The proposed change would harmonize the procedures for SOAs and ensure that VRPs follow a consistent format regardless of the type of case or issue on review.

4. **Is a public hearing recommended?** No public hearing is requested or recommended.

5. **Is expedited consideration requested?** Yes, we request that this suggested change be considered on an expedited basis to ensure consistent practices for preparing statement of arrangements and verbatim report of proceedings in appellate cases.

### Suggested Amendments

#### RAP 18.13A

#### ACCELERATED REVIEW OF JUVENILE DEPENDENCY DISPOSITION ORDERS, ORDERS TERMINATING PARENTAL RIGHTS, DEPENDENCY GUARDIANSHIP ORDERS, AND ORDERS ENTERED IN DEPENDENCY AND DEPENDENCY GUARDIANSHIP PROCEEDINGS

(a)-(d) [Unchanged.]

(e) **Statement of Arrangements.** A statement of arrangements should be filed contemporaneously with the notice of appeal or within seven days after discretionary review is accepted. The party seeking review should arrange for the transcription of ~~an original and one copy of~~ the verbatim report of proceedings. If the proceeding being reviewed was recorded electronically, transcription of the recordings shall be completed by a court-approved transcriber in accordance with the procedures developed by the Administrative Office of the Courts. An indigent party should provide the court reporter, transcriber, or court administrator a copy of the order of indigency. A non-indigent party should arrange for payment for the transcription of the report.

The party seeking review must file with the trial and appellate courts and serve the statement of arrangements on all parties of record and all named court reporters and file proof of service with the appellate court. The party must indicate the date that the report of proceedings was ordered, the financial arrangements which have been made for payment of transcription costs, the name of each court reporter or other person authorized to prepare the report of proceedings who will be preparing a transcript, the volume number and hearing dates, and the trial court judge. If the verbatim report of proceedings will be prepared by more than one court reporter or authorized transcriptionist, the statement of arrangements shall include assigned page ranges in blocks of 500 pages for each date. If the party seeking review does not intend to provide a report of proceedings, a statement

to that effect should be filed in lieu of a statement of arrangements and served on all parties of record. See Form 15B (f) - (1) [Unchanged.]

See RAP 18.17 for document formatting requirements.

RAP FORM 15B. STATEMENT OF ARRANGEMENTS IN APPEALS FROM DEPENDENCY DISPOSITIONAL ORDERS AND ORDERS TERMINATING PARENTAL RIGHTS

[Rule 18.13A(e)]

SUPERIOR COURT OF WASHINGTON FOR ( ) COUNTY

[Name of plaintiff], ) Plaintiff ) No. [trial court] v. ) [Name of defendant], ) Defendant ) STATEMENT OF ARRANGEMENTS )

\_\_\_\_\_, attorney for \_\_\_\_\_, states that on \_\_\_\_\_, 20\_\_\_\_, I ordered transcription of the original and one copy of the verbatim report of proceedings from the court reporter(s)/transcriptionist(s) named below and have arranged to pay the cost of transcription and preparation of the record on appeal [at public expense by Order of Indigency]:

Table with 5 columns: Volume, Date, Judge, Court Reporter/Transcriber, Page Range. Includes rows for page ranges 1-500 and 501-1000.

Hearing date(s) Judge Court Reporter/Transcriptionist

A copy of this statement is being filed with the Court of Appeals and served on all parties of record and all court reporters and/or court-approved transcribers.

The reports of proceedings in appeals under RAP 18.13A take precedence over the preparation and filing of all other appeal records. Extensions will be granted only in exceptional circumstances. RAP 18.13A(f).

Attorney for [ ] Print or print name WSBA No. \_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I caused a true and correct copy of this Statement of Arrangements to be served on the following in the manner indicated below:

Counsel for \_\_\_\_\_ ( ) U.S. Mail  
Name \_\_\_\_\_ ( ) Hand Delivery  
Address \_\_\_\_\_ ( ) \_\_\_\_\_

Counsel for \_\_\_\_\_ ( ) U.S. Mail  
Name \_\_\_\_\_ ( ) Hand Delivery  
Address \_\_\_\_\_ ( ) \_\_\_\_\_

Court Reporter \_\_\_\_\_ ( ) U.S. Mail  
Name \_\_\_\_\_ ( ) Hand Delivery  
Address \_\_\_\_\_ ( ) \_\_\_\_\_

By: \_\_\_\_\_

GR 9 COVER SHEET

Suggested Amendment Rules of Appellate Procedure

RAP FORM 15 - STATEMENT OF ARRANGEMENTS [Rule 9.2(a)]

**A. Proponent:** Washington State Court of Appeals

**B. Spokesperson:** Judge Janet Chung, COA Rules Committee Chair

**C. Purpose of Suggested Rule Amendment:** This amendment to RAP Form 15 updates the form for the Statement of Arrangements required by RAP 9.2(a) to reflect changes adopted by the Supreme Court of Washington to RAP 9.2—Verbatim Report of Proceedings (VRPs), which became effective April 29, 2025. The revised Form will assist litigants in complying with the new method of preparing VRPs.

A statewide workgroup was convened by the Court of Appeals that consisted of representatives from courts, county prosecutors' offices, appellate criminal defense attorneys, court reporters who prepare VRPs from the notes they take during superior court proceedings, and authorized transcriptionists who prepare VRPs based on audio recordings. The workgroup proposed the changes to RAP 9.2 that were adopted as well as the proposed changes to the associated Form 15.

**D. Is a public hearing recommended?** No public hearing is requested or recommended.

**E. Is expedited consideration requested?** Yes, we request expedited consideration as the RAP 9.2 changes are already in effect.

RAP FORM 15

~~(Replaces Current Form 15)~~

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION \_\_\_\_

)  
) No.  
)  
) STATEMENT OF ARRANGEMENTS  
) [Rule 9.2(a)]  
)

, attorney for , states that on , 20 , I ordered transcription of the original and one copy of the verbatim report of proceedings from the court reporter(s)/transcriptionist(s) named below and arranged to pay the cost of transcriptions as follows:

<u>Volume</u>	<u>Date</u>	<u>Judge</u>	<u>Court Reporter/Transcriber</u>	<u>Page Range</u>
				<u>1 - 500</u>
				<u>501 - 1000</u>

---

<u>Hearing date(s)</u>	<u>Judge</u>	<u>Court Reporter/Transcriptionist</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_ A complete verbatim report of proceedings has been ordered.  
\_\_\_ A partial report has been ordered. In compliance with RAP 9.2, the following issues will be presented. \_\_\_\_\_

Signature \_\_\_\_\_  
WSBA No. \_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I caused a true and correct copy of this Statement of Arrangements to be served on the following in the manner indicated below:

Counsel for \_\_\_\_\_ ( ) U.S. Mail  
Name \_\_\_\_\_ ( ) Hand Delivery  
Address \_\_\_\_\_ ( ) \_\_\_\_\_

Counsel for \_\_\_\_\_ ( ) U.S. Mail  
Name \_\_\_\_\_ ( ) Hand Delivery  
Address \_\_\_\_\_ ( ) \_\_\_\_\_

Court Reporter \_\_\_\_\_ ( ) U.S. Mail  
Name \_\_\_\_\_ ( ) Hand Delivery  
Address \_\_\_\_\_ ( ) \_\_\_\_\_

By: \_\_\_\_\_

WSR 25-18-008
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENTS TO CR 55— ) NO. 25700-A-1648
DEFAULT AND JUDGMENT AND )
CRLJ 55—DEFAULT )

The Superior Court Judges' Association, having recommended the adoption of the proposed amendments to CR 55—Default and Judgment, and the Supreme Court Rules Committee, having recommended the adoption of the proposed amendments to CRLJ 55—Default, and the Court having published the proposed amendments for comment, and 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 2nd day of July, 2025.

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

CR 55
DEFAULT AND JUDGMENT

(a) Entry of Default.

(1)-(2) [Unchanged.]

(3) Notice. Any party who has appeared in the action for any purpose shall be served with a written notice of motion for default and the supporting affidavit at least 5 days before the hearing on the motion. Any party who has not appeared before the motion for default and supporting affidavit are filed is not entitled to a notice of the motion, except as provided in rule 55 (f)(2)(A).

(4) [Unchanged.]

(b)-(f) [Unchanged.]

CRLJ 55
DEFAULT

(a) Entry of Default.

(1)-(2) [Unchanged.]

(3) Notice. Any party who has appeared in the action for any purpose shall be served with a written notice of motion for default and the supporting affidavit at least 5 days before the hearing on the motion. Any party who has not appeared before the motion for default and

supporting affidavit are filed is not entitled to a notice of the motion, except as provided in subsection (f) ~~(2)(i)~~.

(4) [Unchanged.]

~~(b)-(e)~~ [Unchanged.]

**(f) How Made After Elapse of Year.**

(1) [Unchanged.]

(2) *Service*. Service of notice of the time and place on the application for the order of default or default judgment shall be made as follows:

~~(A)~~ by service upon the attorney of record;

~~(B)~~ if there is no attorney of record, then by service upon the defendant by certified mail with return receipt of said service to be attached to the affidavit in support of the application; or

~~(C)~~ by a personal service upon the defendant in the same manner provided for service of process.

~~(D)~~ If service of notice cannot be made under subsections (A) and ~~(C)~~, the notice may be given by publication in a newspaper of general circulation in the county in which the action is pending for one publication, and by mailing a copy to the last known address of each defendant. Both the publication and mailing shall be done 10 days prior to the hearing.

**Reviser's note:** The typographical error in the above material occurred in the copy filed by the state supreme court and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 25-18-009**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
 [July 2, 2025]

IN THE MATTER OF THE PROPOSED	)	ORDER
AMENDMENTS TO RPC 1.0B—	)	NO. 25700-A-1649
ADDITIONAL WASHINGTON	)	
TERMINOLOGY; RPC 1.7—	)	
CONFLICT OF INTEREST: CURRENT	)	
CLIENTS; RPC 1.10—IMPUTATION	)	
OF CONFLICT OF INTEREST:	)	
GENERAL RULE; AND RPC 1.13—	)	
ORGANIZATION AS CLIENT	)	

The Washington State Bar Association, having recommended the adoption of the proposed amendments to RPC 1.0B—Additional Washington Terminology; RPC 1.7—Conflict of Interest: Current Clients; RPC 1.10—Imputation of Conflict of Interest: General Rule; and RPC 1.13—Organization as Client, and the Court having published the proposed amendments for comment, and having considered the proposed amendments, and having determined that the proposed amendments as revised by the Court to include a suggested amendment by the Attorney General's Office 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, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

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

**RPC 1.0B**

**ADDITIONAL WASHINGTON TERMINOLOGY**

**(a) - (e)** [Unchanged.]

**(f)** "Government Entity" denotes the United States of America, the State of Washington, and any political subdivision or municipal corporation of the State.

**Washington Comments (1-3)**

[1]-[3] [Unchanged.]

**RPC 1.7**

**CONFLICT OF INTEREST: CURRENT CLIENTS**

**(a) - (b)** [Unchanged.]

**(c)** A lawyer who is a public officer or employee shall not be in violation of this rule when that lawyer represents more than one agency, branch, or unit, or subdivision within a government entity, and/or officer or employee within that government entity, if the lawyer reasonably believes that the multiple representations are required or allowed by constitutional or statutory provisions or by other applicable law.

## Comments

*General Principles*

[1]-[5] [Unchanged.]

*Identifying Conflicts of Interest: Directly Adverse*

[6]-[7] [Unchanged.]

*Identifying Conflicts of Interest: Material Limitation*

[8] [Unchanged.]

*Lawyer's Responsibilities to Former Clients and Other Third Persons*

[9] [Unchanged.]

*Personal Interest Conflicts*

[10]-[12] [Unchanged.]

*Interest of Person Paying for a Lawyer's Service*

[13] [Unchanged.]

*Prohibited Representations*

[14]-[17] [Unchanged.]

*Informed Consent*

[18]-[19] [Unchanged.]

*Consent Confirmed in Writing*

[20] [Unchanged.]

*Revoking Consent*

[21] [Unchanged.]

*Consent to Future Conflict*

[22] [Unchanged.]

*Conflicts in Litigation*

[23]-[25] [Unchanged.]

*Nonlitigation Conflicts*

[26]-[28] [Unchanged.]

*Special Considerations in Common Representation*

[29]-[33] [Unchanged.]

*Organizational Clients*

[34]-[35] [Unchanged.]

**Additional Washington Comments (31-41 42)***General Principles*

[36] [Unchanged.]

*Identifying Conflicts of Interest: Material Limitation*

[37] [Unchanged.]

*Prohibited Representations*

[38] [Unchanged.]

*Informed Consent*

[39] [Unchanged.]

*Nonlitigation Conflicts*

[40] [Unchanged.]

*Special Considerations in Internal Government ~~Common~~ Representations*

[41] [Unchanged.]

[42] RPC 1.7(c) merely codifies established practice that lawyers who are public officers or employees when they represent multiple agencies have the authority to represent multiple agencies and does not imply that prior to its adoption that lawyers representing multiple governmental entities violated the Rules of Professional Conduct relating to conflicts. A client within a government entity may be a specific agency, a branch of government, another unit or subdivision of that government, or an individual government officer or employee. See Rule 1.13 Comment [9] and Rule 1.11 Comment [5]. Lawyers who are public officers or employees may be authorized or required to represent different adverse government agencies, branches, units, subdivi-

sions, or individuals in intragovernmental legal controversies where a private lawyer could not represent multiple private clients. See Scope Comment [18]. Consistent with applicable Washington law, lawyers within a government may represent intragovernmental agencies, branches, units, subdivisions, and officers and employees including former officers or employees, with conflicting or potentially conflicting interests. When the representation of an agency, branch, unit, subdivision, or officer or employee appears to be directly adverse to another governmental agency, branch, unit, subdivision, or officer or employee, or former officer or employee, and particularly when there is adverse representation in litigation or before a tribunal, the multiple representations may require informed consent from various agencies, branches, units or subdivisions, and/or an effective screening mechanism among the lawyers or the engagement of one or more lawyers who are not officers or employees of that government.

## RPC 1.10

## IMPUTATION OF CONFLICTS OF INTEREST: GENERAL RULE

**(a)** Except as provided in paragraph (e) and in Rule 1.7(c) with respect to a lawyer who is a public officer or employee of a government entity, while lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless the prohibition is based on a personal interest of the disqualified lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.

**(b) - (f)** [Unchanged.]

## Comments

*Definition of "Firm"*

[1] [Unchanged.]

*Principles of Imputed Disqualification*

[2]-[8] [Unchanged.]

**Additional Washington Comments [9-15]***Principles of Imputed Disqualification*

[9]-[15] [Unchanged.]

## RPC 1.13

## ORGANIZATION AS CLIENT

**(a) - (h)** [Unchanged.]

## Comments

*The Entity as the Client*

[1]-[5] [Unchanged.]

*Relation to Other Rules*

[6]-[8] [Unchanged.]

*Government Agency*

[9] **[Washington Revision]** The duty defined in this Rule applies to lawyers representing governmental organizations. Defining precisely the identity of the client and prescribing the resulting obligations of such lawyers may be more difficult in the government context and is a matter beyond the scope of these Rules. See Scope [18]. Although in some circumstances the client may be a specific government agency, unit, subdivision, or it may also be a branch of government, such as the executive branch, or it may also be the government entity as a whole. For example, if the action or failure to act involves the head of a government unit bureau, either the department of which the unit bureau is a part or the relevant branch of government entity may be

the client for purposes of this Rule. Moreover, in a matter involving the conduct of government officials, a government lawyer who is a public officer or employee may have authority under applicable law to question such conduct more extensively than that of a lawyer for a private organization in similar circumstances. Thus, when the client is a governmental organization, a different balance may be appropriate between maintaining confidentiality and assuring that the wrongful act is prevented or rectified, for public business is involved. In addition, duties of lawyers who are public officers or employees, employed by the government or lawyers in military service, may be defined by statutes and regulation. This Rule does not limit that authority. See Scope. See also Rule 1.7(c), permitting a lawyer who is a public officer or employee to represent more than one government agency, branch, unit, or subdivision, and officers and employees including former officers or employees of that government, if the lawyer reasonably believes that the multiple representations are required or allowed by constitutional or statutory provisions, or by other applicable law.

*Clarifying the Lawyer's Role*

[10]-[11] [Unchanged.]

*Dual Representation*

[12] [Unchanged.]

*Derivative Actions*

[13]-[14] [Unchanged.]

**Additional Washington Comments [15-16]**

[15]-[16] [Unchanged.]

WSR 25-18-010
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENTS TO RPC 6.1—PRO ) NO. 25700-A-1650
BONO PUBLICO SERVICE )

Attorney Kevin Flannery, having recommended the adoption of the proposed amendments to RPC 6.1—Pro Bono Publico Service, and the Court having published the proposed amendments for comment, and having considered the proposed amendments, and having determined that the proposed amendments to Comment 3 to RPC 6.1 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 to Comment 3 to RPC 6.1 as revised by the Court and as shown below are adopted. A majority of the Court declined to adopt the remainder of the proposed amendments, with Justices Gordon McCloud, Montoya-Lewis, and Whitener dissenting from that decision.

(b) That the proposed amendments to Comment 3 to RPC 6.1 will be published in the Washington Reports and will become effective September 1, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

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

RPC 6.1
PRO BONO PUBLICO SERVICE

[Unchanged.]

Comments

[1]-[2] [Unchanged.]

[3] [Washington revision] Persons eligible for legal services under paragraphs (a) (1) are those who qualify for services provided by a qualified legal services provider (see Washington Comment [14]) and those whose incomes and financial resources are slightly above the guidelines utilized by such programs but nevertheless, cannot afford legal services. Legal services under paragraphs (a) (1) and (2) include those rendered to individuals or to organizations such as homeless shelters, battered women's centers for individuals affected by domestic violence, or and food pantries that serve those of limited means. The term "governmental organizations" includes, but is not limited to, public protection programs and sections of governmental or public sector agencies.

[4]-[16] [Unchanged.]

WSR 25-18-011
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENTS TO CrR 3.2/CrRLJ 3.2 ) NO. 25700-A-1651
—RELEASE OF ACCUSED )

The King County Department of Public Defense (KCDPD), the Wash-
ington State Office of Public Defense, the Washington Defender Associ-
ation, and the Snohomish County Office of Public Defense submitted
proposed amendments to CrR 3.2/CrRLJ 3.2—Release of Accused, which
were published for comment by the Court with a comment deadline of
April 30, 2025. See Order No. 25700-A-1620 (Dec. 5, 2024). On April
30, 2025, the Court received a comment from Katherine Hurley of the
KCDPD that suggested a potential change to the proposed amendments for
consideration.<sup>1</sup>

<sup>1</sup> Ms. Hurley's comment stated that "if this Court disagreed, it could replace consideration of 'administration of justice' with the following
additional language in bold: intimidate or threaten a witness, victim, or court employee, or tamper with evidence or violate a civil or criminal
protection order."

Having considered the proposed amendments and the comments re-
ceived, a majority of the Court declines to adopt the proposed amend-
ments as originally submitted by the proponents, with Justices Gordon
McCloud, Montoya-Lewis, and Whitener dissenting from that decision.
The Court will publish for comment a revised version of the proposed
amendments that incorporates the suggested change submitted by Ms.
Hurley in her comment.

Now, therefore, it is hereby

ORDERED:

(a) That the revised version of the proposed amendments as shown
below is to be expeditiously published for comment in the Washington
Reports, Washington Register, Washington State Bar Association and Ad-
ministrative Office of the Court's websites.

(b) The purpose statement as required by GR 9(e) that was origi-
nally submitted by the proponents shall be republished solely for the
information of the Bench, Bar and other interested parties, with a no-
tation added by the Court regarding the revised version of the pro-
posed amendments.

(c) Comments are to be submitted to the Clerk of the Supreme
Court by either U.S. Mail or Internet E-Mail by no later than October
15, 2025. Comments may be sent to the following addresses: P.O. Box
40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Com-
ments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 2nd day of July, 2025.

For the Court

Stephens, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
PROPOSED AMENDMENTS TO CR/CrRLJ 3.2

**A. Name of Proponent:** The King County Department of Defense, the Washington State Office of Public Defense, the Washington Defender Association, and the Snohomish County Office of Public Defense.

**B. Spokesperson:** Matt Sanders, Larry Jefferson, Christie Hedman, and Jason Schwarz

**C. Purpose:** Revise CrR/CrRLJ 3.2 to clarify the confusing and broad language regarding "administration of justice" and replace it with the specific and clear inquiry into whether a person may unlawfully intimidate with or threaten a witness, victim or court participant, or tamper with evidence. [NOTE: The Supreme Court is publishing a revised version of the proposed amendments for comment that incorporates a suggestion received by the Court to include "or violate a civil or criminal protection order" as a consideration.]

**D. Public Hearing:** A public hearing is not recommended.

**E. Expedited Consideration:** Expedited consideration is not requested.

**F. Supporting Material:** Suggested rule amendment.

Introduction

The King County Department of Public Defense, the Washington State Office of Public Defense, the Washington Defender Association, and the Snohomish County Office of Public Defense propose changes to CrR/CrRLJ 3.2 to bring greater clarity to the factors that the trial court may consider when imposing pretrial conditions of release. Instead of an unduly broad criterion of "interference with the administration of justice", the proposed amendment will ensure the trial court properly considers whether a person will seek to intimidate or threaten witnesses, victims, and court employees or seek to tamper with evidence.

Background

Under CrR/CrRLJ 3.2, a court may impose conditions of release when the court finds there is a likely danger that the accused ... will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice," but the rule does not define "administration of justice." This lack of clarity undermines the presumption of release, as the State has successfully argued that factors as commonplace as past failures to appear constitute likely interference with the administration of justice.

We have seen the state argue and the court impose bail after finding that a person is likely to commit a *nonviolent offense* and thus violate release conditions, which would undermine the "administration of justice." In addition, increasingly often, when examining the interference with the "administration of justice" prong, courts consider whether a person has previously violated conditions of release, even if the violations were unrelated to any behavior towards witnesses, court employees, victims or evidence.

While there is little appellate case law interpreting the "administration of justice" prong of CrR/CrRLJ 3.2, in *State v. Rose*, the Court of Appeals applied a broad interpretation, writing that "no evidence in Wentz's case supported that he would be likely to commit a violent crime or intimidate a witness ... Accordingly, the only remaining possibility is that the trial court found there was a likely danger that Wentz would 'otherwise unlawfully interfere with the administration of justice' ... **we presume that failing to attend a hearing is an unlawful interference with the administration of justice.**" 146 Wn. App. 439, 454, 191 P.3d 83, 91 (2008).

By clarifying the "administration of justice" prong to focus on whether a person will seek to intimidate or threaten witnesses, victims or court employees, or tamper with evidence, the Court can focus the inquiry and mitigate the risk that conditions of release like unaffordable bail are unnecessarily imposed. This is critical because the harms of unaffordable bail and pretrial incarceration are well known, with research demonstrating that that short periods of incarceration frequently upend a person's employment, housing, child custody, and access to health care.<sup>1</sup>

<sup>1</sup> See Lisa Foster, *Judicial Responsibility for Justice in Criminal Courts*, 46 Hofstra L. Rev. 21 (2018).

In addition, greater clarity regarding the "administration of justice" prong is also important because studies demonstrate that both the imposition and effect of bail are racially disproportionate.<sup>2</sup> The racial disproportionality of the bail system has additional, far-reaching impacts due to the deleterious impact that pretrial incarceration has on case outcomes.<sup>3</sup>

<sup>2</sup> See Cynthia E. Jones, "Give Us Free": *Addressing Racial Disparities in Bail Determinations*, 16 N.Y.U.J. Legis. & Pub. Pol'y 919 (2013). Black defendants face higher bail amounts than white defendants charged with the same crimes. See Shawn Bushway & Jonah Gelbach, National Science Foundation, *Testing for Racial Discrimination in Bail Setting Using Nonparametric Estimation of a Parametric Model* (2011), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1990324](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1990324).

<sup>3</sup> See Arpit Gupta, Christopher Hansman, Ethan Frenchman, *The Heavy Costs of High Bail: Evidence from Judge Randomization*, 45 J. Legal Stud. 471, 472 (2016) ("We find that the assessment of money bail is a significant, independent cause of convictions and recidivism.").

### Conclusion

The "administration of justice" prong must be clarified given the known harms of pretrial incarceration that result when unaffordable bail is imposed. Through this proposed amendment, the trial court will still be able to consider whether a person is likely to tamper with evidence or intimidate or threaten witnesses, victims, or court employees.

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

## Proposed Amendments to CrR 3.2 and CrRLJ 3.2

### **CRR 3.2**

#### **RELEASE OF ACCUSED**

If the court does not find, or a court has not previously found, probable cause, the accused shall be released without conditions.

#### **(a) Presumption of Release in Noncapital Cases.**

Any person, other than a person charged with a capital offense, shall at the preliminary appearance or reappearance pursuant to rule 3.2.1 or CrRLJ 3.2.1 be ordered released on the accused's personal recognizance pending trial unless:

(1) the court determines that such recognizance will not reasonably assure the accused's appearance, when required, or

(2) there is shown a likely danger that the accused:

(a) will commit a violent crime, or

(b) ~~will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice. will seek to intimidate or threaten a witness, victim or court employee, or tamper with evidence, or violate a civil or criminal protection order.~~

For the purpose of this rule, "violent crimes" are not limited to crimes defined as violent offenses in RCW 9.94A.030.

In making the determination herein, the court shall, on the available information, consider the relevant facts including, but not limited to, those in subsections (c) and (e) of this rule.

**(b) - (c)** [unchanged]

**(d) Showing of Substantial Danger—Conditions of Release.** Upon a showing that there exists a substantial danger that the accused will commit a violent crime or will seek to intimidate or threaten a witness, victim or court employee, or tamper with evidence, or violate a civil or criminal protection order, ~~that the accused will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice,~~ the court may impose one or more of the following nonexclusive conditions:

(1)-(5) [unchanged]

(6) Require the accused to post a secured or unsecured bond or deposit cash in lieu thereof, conditioned on compliance with all conditions of release. This condition may be imposed only if no less restrictive condition or combination of conditions would reasonably assure the safety of the community. If the court determines under this section that the accused must post a secured or unsecured bond, the court shall consider, on the available information, the accused's financial resources for the purposes of setting a bond that will reasonably assure the safety of the community and prevent the defendant from intimidating witnesses or otherwise unlawfully interfering with the administration of justice or threatening a witness, victim or court participant, or tampering with evidence or violating a civil or criminal protection order;

(7)-(9) [unchanged]

(10) Impose any condition other than detention to assure ~~noninterference with the administration of justice~~ that the accused will not threaten or intimidate witnesses, victims or court employees, or tamper with evidence or violate a civil or criminal protection order, and reduce danger to others or the community.

**(e) Relevant Factors—Showing of Substantial Danger.** In determining which conditions of release will reasonably assure ~~the accused's noninterference with the administration of justice~~ that the accused will not threaten or intimidate witnesses, victims or court employees, or tamper with evidence or violate a civil or criminal protection order, and reduce danger to others or the community, the court shall, on the available information, consider the relevant facts including but not limited to:

(1)-(4) [unchanged]

(5) The accused's past record of threats to victims or witnesses, ~~or interference with witnesses or the administration of justice,~~ victims or court employees, or tampering with evidence or violating a civil or criminal protection order;

(6) [unchanged]

(7) The accused's past record of committing violent offenses while on pretrial release, probation or parole; and

(8) [unchanged]

(f) [unchanged]

**(g) Release in Capital Cases.** Any person charged with a capital offense shall not be released in accordance with this rule unless the court finds that release on conditions will reasonably assure that the accused will appear for later hearings, will not intimidate or threaten witnesses, victims or court employees, or tamper with evidence or violate a civil or criminal protection order ~~significantly interfere with the administration of justice~~ and will not pose a substantial danger to another or the community. If a risk of flight, interference or danger is believed to exist, the person may be ordered detained without bail.

(h) - (o) [unchanged]

CRRLJ 3.2  
RELEASE OF ACCUSED

If the court does not find, or the court has not previously found, probable cause, the accused shall be released without conditions.

(a) Presumption of Release in Noncapital Cases. Any person, other than a person charged with a capital offense, shall at the preliminary appearance or reappearance pursuant to rule 3.2.1 be ordered released on the accused's personal recognizance pending trial unless:

(1) the court determines that such recognizance will not reasonably assure the accused's appearance, when required, or

(2) there is shown a likely danger that the accused:

(a) will commit a violent crime, or

(b) ~~will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice.~~ will seek to intimidate or threaten a witness, victim or court employee, or tamper with evidence or violate a civil or criminal protection order.

For the purpose of this rule, "violent crimes" may include misdemeanors and gross misdemeanors and are not limited to crimes defined as violent offenses in RCW 9.94A.030.

In making the determination herein, the court shall, on the available information, consider the relevant facts including, but not limited to, those in subsections (c) and (e) of this rule.

(b) - (c) [unchanged]

**(d) Showing of Substantial Danger—Conditions of Release.** Upon a showing that there exists a substantial danger that the accused will commit a violent crime or will seek to intimidate or threaten a witness, victim or court employee, or tamper with evidence or violate a civil or criminal protection order, ~~that the accused will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice,~~ the court may impose one or more of the following nonexclusive conditions:

(1)-(5) [unchanged]

(6) Require the accused to post a secured or unsecured bond or deposit cash in lieu thereof, conditioned on compliance with all conditions of release. This condition may be imposed only if no less restrictive condition or combination of conditions would reasonably assure the safety of the community. If the court determines under this section that the accused must post a secured or unsecured bond, the court shall consider, on the available information, the accused's financial resources for the purposes of setting a bond that will reasonably assure the safety of the community and prevent the defendant from ~~intimidating witnesses or otherwise unlawfully interfering with the administration of justice~~ or threatening a witness, victim or court participant, or tampering with evidence or violating a civil or criminal protection order;

(7)-(9) [unchanged]

(10) Impose any condition other than detention to assure ~~noninterference with the administration of justice~~ that the accused will not threaten or intimidate witnesses, victims or court employees, or tamper with evidence or violate a civil or criminal protection order, and reduce danger to others or the community.

**(e) Relevant Factors—Showing of Substantial Danger.** In determining which conditions of release will reasonably assure ~~the accused's~~

~~noninterference with the administration of justice that the accused will not threaten or intimidate witnesses, victims or court employees, or tamper with evidence or violate a civil or criminal protection order,~~ and reduce danger to others or the community, the court shall, on the available information, consider the relevant facts including but not limited to:

(1)-(4) [unchanged]

(5) The accused's past record of threats to victims or witnesses, ~~or interference with witnesses or the administration of justice,~~ victims or court employees, or tampering with evidence or violating a civil or criminal protection order;

(6) [unchanged]

(7) The accused's past record of committing violent offenses while on pretrial release, probation or parole; and

(8) [unchanged]

**(f)** [unchanged]

**(g) Release in Capital Cases.** Any person charged with a capital offense shall not be released in accordance with this rule unless the court finds that release on conditions will reasonably assure that the accused will appear for later hearings, will not intimidate or threaten witnesses, victims or court employees, or tamper with evidence or violate a civil or criminal protection order significantly interfere with the administration of justice and will not pose a substantial danger to another or the community. If a risk of flight, interference or danger is believed to exist, the person may be ordered detained without bail.

**(h) - (q)** [unchanged]

WSR 25-18-012
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENTS TO RAP 10.2—TIME ) NO. 25700-A-1652
FOR FILING BRIEFS )

The Court of Appeals' Rules Committee, having recommended the adoption of the proposed amendments to RAP 10.2—Time for Filing Briefs, and the Court having published the proposed amendments for comment, and 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, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

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

RAP 10.2
TIME FOR FILING BRIEFS

(a) Brief of Appellant or Petitioner. The brief of an appellant or petitioner should be filed with the appellate court within 45 60 days after the report of proceedings is filed in the appellate court; or, if the record on review does not include a report of proceedings, within 45 days after the party seeking review has filed the designation of clerk's papers and exhibits in the trial court.

(b) - (i) [Unchanged.]

References

[Unchanged.]

WSR 25-18-013
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENTS TO CrR 4.1/CrRLJ 4.1 ) NO. 25700-A-1653
—ARRAIGNMENT AND CrRLJ 3.2.1 )
—PROCEDURE FOLLOWING
WARRANTLESS ARREST—
PRELIMINARY HEARING

The King County Department of Public Defense and the Snohomish County Public Defender Association, having recommended the adoption of the proposed amendments to CrR 4.1/CrRLJ 4.1—Arraignment and CrRLJ 3.2.1—Procedure Following Warrantless Arrest—Preliminary Hearing, and the Court having published the proposed amendments for comment, and 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, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

Table with 2 columns and 5 rows of names: Yu, J.; Montoya-Lewis, J.; Whitener, J.; Mungia, J.; Madsen, J.; Gonzalez, J.; Gordon McCloud, J.

CrR 4.1
ARRAIGNMENT

(a) Time.

(1) Defendant Detained in Jail. The defendant shall be arraigned not later than 14 3 days after the date the information or indictment is filed in the adult division of the superior court, if the defendant is (i) detained in the jail of the county where the charges are pending or (ii) subject to conditions of release imposed in connection with the same charges. At the time of the arraignment, the defendant shall have an opportunity to argue bail and other conditions of release pursuant to CrR 3.2.

(2) [Unchanged.]

(b) - (f) [Unchanged.]

Comment

[Unchanged.]

CrRLJ 4.1
ARRAIGNMENT

(a) Time.

(1) Defendant Detained in Jail. The defendant shall be arraigned not later than 14 3 days after the date the complaint or citation and notice is filed in court, if the defendant is (i) detained in a county

or city jail in the county where the charges are pending, or (ii) subject to conditions of release imposed in connection with the same charges. At the time of the arraignment, the defendant shall have an opportunity to argue bail and other conditions of release pursuant to CrRLJ 3.2.

(2) [Unchanged.]

**(b)-(g)** [Unchanged.]

#### CrRLJ 3.2.1

#### PROCEDURE FOLLOWING WARRANTLESS ARREST—PRELIMINARY HEARING

**(a)-(f)** [Unchanged.]

**(g) Preliminary Hearing on Felony Complaint.**

(1) When a felony complaint is filed, the court ~~may~~ must conduct a preliminary hearing within 48 hours to determine whether there is probable cause to believe that the accused has committed a felony unless an information or indictment is filed in superior court prior to the time set for the preliminary hearing. If the court finds probable cause, the court shall bind the defendant over to the superior court. If the court binds the accused over, or if the parties waive the preliminary hearing, an information shall be filed within 3 days without unnecessary delay. Jurisdiction vests in the superior court at the time the information is filed.

(2) If at the time a felony complaint is filed with the district court the accused is detained in jail or subjected to conditions of release, the time from the filing of the complaint in district court to the filing of an information in superior court shall not exceed ~~30~~ 5 days plus any time ~~which~~ that is the subject of a stipulation under subsection (g)(3). If at the time the complaint is filed with the district court the accused is not detained in jail or subjected to conditions of release, the time from the accused's first appearance in district court ~~which~~ that next follows the filing of the complaint to the time of the filing of an information in superior court shall not exceed 30 days, excluding any time ~~which~~ that is the subject of a stipulation under subsection (g)(3). If the applicable time period specified above elapses and no information has been filed in superior court, the case shall be dismissed without prejudice.

(3) Before or after the preliminary hearing or a waiver thereof, the court may delay a preliminary hearing or defer a bind-over date if the parties stipulate in writing that the case shall remain in the court of limited jurisdiction for a specified time, which may be in addition to the ~~30~~ 5-day time limit established in subsection (g)(2).

(4)-(6) [Unchanged.]

WSR 25-18-014
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1654
IRLJ 6.2—MONETARY PENALTY )
SCHEDULE FOR INFRACTIONS )

The Washington Department of Fish and Wildlife, having recommended the adoption of the suggested amendments to IRLJ 6.2—Monetary Penalty Schedule for Infractions, and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the suggested amendments will be expeditiously published in the Washington Reports and will become effective July 27, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

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

GENERAL RULE 9
RULE AMENDMENT COVER SHEET
PROPOSED AMENDMENT TO RULE IRLJ 6.2 (d) (5)

1. Proponent Organization: Washington Department of Fish and Wildlife

2. Spokesperson & Contact Info: Jeff Wickersham, Enforcement Captain; Jeffrey.wickersham@dfw.wa.gov; 509-254-1829

3. Purpose of Proposed Rule Amendment: Align infraction numbering and penalties with updates from SHB 1325, which amends RCW 77.15.160, and subsequently impacts the penalty schedule under IRLJ 6.2 (d) (5).

Changes Made?

Added new violations to IRLJ 6.2 (d) (5) from SHB 1325 (2025 session), added base penalty amounts for the new violations, and updated existing penalty amounts within the rule to align with legislative changes to RCW 77.15.160.

Is Expedited Consideration Requested?

Yes. SHB 1325 goes into effect July 27, 2025, and resulted in new or updated RCW violation codes. As such, almost all existing penalties have to be restated to align the numbering in the court rule with statute.

4. Is a Public Hearing Recommended? No. The substantive legal changes are required by statute.

Attachment:

IRLJ 6.2 (d) (5)—Fish and Wildlife Infractions (redline)

IRLJ 6.2 (d)

**MONETARY PENALTY SCHEDULE FOR  
INFRACTIONS**

**(a) - (c) [Unchanged.]**

**(d) Penalty Schedule.** The following infractions shall have the penalty listed, not including statutory assessments.

	Base Penalty	
(1)-(4) [Unchanged.]		
(5) Fish and Wildlife Infractions		
Fish for Personal Use—Barbed Hooks (RCW 77.15.160 (1)(a))	\$29	<u>\$48</u>
Fail to Immediately Record Fish/Shellfish on Catch Record Card (RCW 77.15.160 (1)(b))	\$29	<u>\$48</u>
Fail to Return Catch Record Card (RCW 77.15.160 (1)(c))	\$29	
Recreational Fishing—License not with Person (RCW 77.15.160 (1)(d)(i)(A))	\$48	<u>\$87</u>
Recreational Fishing—Rule Violation:		
Involves Salmon or Steelhead (RCW 77.15.160 (1)(d)(ii)(AB)(I))	\$87	<u>\$122</u>
Involves Sturgeon (RCW 77.15.160 (1)(d)(ii)(B)(II))	\$48	<u>\$87</u>
Involves Game Fish (RCW 77.15.160 (1)(d)(ii)(CB)(III))	\$48	<u>\$87</u>
Involves Food Fish (RCW 77.15.160 (1)(d)(ii)(DB)(IV))	\$38	<u>\$87</u>
Involves Shellfish (RCW 77.15.160 (1)(d)(ii)(EB)(V))	\$38	<u>\$74</u>
Involves Unclassified Fish or Shellfish (RCW 15.160(1)(d)(ii)(FB)(VI))	\$28	<u>\$87</u>
Involves Waste of Food Fish, Game Fish or Shellfish (RCW 77.15.160 (1)(d)(ii)(GB)(VII))	\$97	
Seaweed—License not with Person (<2x daily limit) (RCW 77.15.160 (1)(e)(i))	\$28	<u>\$87</u>
Seaweed—Rule Violation (<2x daily limit) (RCW 77.15.160 (1)(e)(ii))	\$28	<u>\$29</u>
Hunting Wild Animals—Infraction no license on person except big game (RCW 77.15.160 (2)(a))	\$48	<u>\$73</u>
Harm Bird Eggs/Nests (not endangered/protected wild birds) (RCW 77.15.160 (2)(b))	\$73	<u>\$87</u>
<u>Small Game Hunting Infractions</u> <del>Hunting Infractions for Wildlife, except big game:</del>		
Involves Unclassified Wildlife (RCW 77.15.160 (2)(c)(i))	\$48	<u>\$73</u>
Involves Small Game (RCW 77.15.160 (2)(c)(ii))	\$73	<u>\$87</u>
Involves Furbearers (RCW 77.15.160 (2)(c)(iii))	\$73	<u>\$87</u>
Involves Game Birds (RCW 77.15.160 (2)(c)(iv))	\$87	
Involves Wild birds (RCW 77.15.160 (2)(c)(v))	\$73	<u>\$87</u>
Involves Wild Animals (RCW 77.15.160 (2)(c)(vi))	\$48	<u>\$87</u>
Involves Waste of Small Game (RCW 77.15.160 (2)(c)(vii))	\$97	<u>\$87</u>
Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Maintain Records (RCW 77.15.160 (3)(a)(i))	\$73	<u>\$87</u>
Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Report Information (RCW 77.15.160 (3)(a)(ii))	\$48	<u>\$87</u>
Trapper—Fail to Report Trapping Activity (RCW 77.15.160 (3)(b))	\$48	<u>\$87</u>
Limited Fish Seller Infraction (RCW 77.15.160(4))	\$73	<u>\$87</u>
Invasive Species Infraction—No out-of-state certificate (RCW 77.15.160 (5)(a)(i))	\$43	<u>\$87</u>
Invasive Species Infraction—Clean and Drain Requirements (RCW 77.15.160 (5)(a)(ii))	\$43	<u>\$87</u>
Invasive Species Infraction—Fail to Obey Clean and Drain Order (RCW 77.15.160 (5)(a)(iii))	\$87	
Invasive Species Infraction—Fail to Possess aquatic invasive species prevention permit (RCW 77.15.160 (5)(a)(iv))	\$43	<u>\$87</u>
<u>Big Game Infractions</u>		
Big Game—License not with Person (RCW 77.15.160 (6)(a))	\$500	
Big Game Rule Violation—Deer, Elk, Black Bear, Cougar (RCW 77.15.160 (6)(b))	\$500	
<u>General Hunting Violations</u>		
Rifle/Shotgun violation—Live Rounds in Magazine (RCW 77.15.160 (7)(a))	\$122	
Discharge Firearm from or across maintained highway (RCW 77.15.160 (7)(b))	\$122	
Fail to properly notch a transport tag (RCW 77.15.160 (7)(c))	\$122	

Hydraulic Activities

<u>Operate a motor vehicle in wetted portion of a streambed (RCW 77.15.160 (8)(a))</u>	\$122
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<u>Construct a rock dam or similar structure by hand that impedes fish movement (RCW 77.15.160 (8)(b))</u>	\$48
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Department licensed guides

<u>Failing to display department registration stickers as required (RCW 77.15.160 (9)(a))</u>	\$87
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<u>Fail to initiate, complete or submit guide logbooks as required (RCW 77.15.160 (9)(b))</u>	
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Fishing Guide or Charter Boat operator violations

<u>Guide or charter aids in commission of a recreational fishing infraction (RCW 77.15.160 (10)(a)(i))</u>	\$146
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<u>Guide or charter permits recreational fishing violation by a client (RCW 77.15.160 (10)(a)(ii))</u>	\$122
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Other Infractions

<del>Other Infractions—Unlawfully Conducting or Holding a Fishing Contest or Field Trial (RCW 77.15.160 (11)(6)(a))</del>	\$146
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<del>Other Infractions—Violate any other Department rule designated as an infraction (RCW 77.15.160 (11)(6)(b))</del>	<del>\$73</del>	\$87
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<del>Other Infractions—Unlawfully posting signs (RCW 77.15.160 (11)(6)(c))</del>	\$122
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<del>Department Permits—Violates any Terms or Conditions (RCW 77.15.160 (11)(6)(d)(i))</del>	\$122
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<u>Department Permits - Violates any Department rule applicable to issuance or use of permits (RCW 77.15.160 (11)(d)(ii))</u>	\$122
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<del>Department Permits—Violates any commercial use or activity active permits, noncommercial use or activity active permits, or parking permits issued by the Department (RCW 77.15.160 (11)(d)(iii)(6)(d)(ii))</del>	\$122
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<u>Violate Distance/Feeding Prohibitions for Southern Resident Orca Whales (RCW 77.15.740)</u>	\$500
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<u>Negligently Feed/Attempt to Feed Large Wild Carnivores (RCW 77.15.790)</u>	\$500
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**Reviser's note:** The typographical errors in the above material occurred in the copy filed by the state supreme court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 25-18-015
RULES OF COURT
STATE SUPREME COURT
[July 2, 2025]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENTS TO CrR 8.3/CrRLJ 8.3 ) NO. 25700-A-1655
-DISMISSAL )

The King County Department of Public Defense, the Washington State Office of Public Defense, the Washington Defender Association, and the Snohomish County Office of Public Defense, having recommended the adoption of the proposed amendments to CrR 8.3/CrRLJ 8.3—Dismissal, and the Court having published the proposed amendments for comment, and 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 proposed amendments as revised by the Court as shown below are adopted.

(b) That the proposed amendments as revised by the Court will be published in the Washington Reports and will become effective September 1, 2025.

DATED at Olympia, Washington this 2nd day of July, 2025.

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

CrR 8.3
DISMISSAL

(a) [Unchanged.]

(b) On Motion of Court. The court, in the furtherance of justice, after notice and hearing, may dismiss any criminal prosecution due to arbitrary action or governmental misconduct when there has been prejudice to the rights of the accused which materially affect the accused's right to a fair trial. In deciding whether to dismiss, the court shall consider the following factors in addition to any other information the court believes is relevant to the inquiry:

- (1) the seriousness and circumstances of the offense;
(2) the impact of a dismissal or lack of dismissal on the safety or welfare of the community (the defendant is part of the community);
(3) the impact of a dismissal or lack of dismissal upon the confidence of the public in the criminal justice system;
(4) the degree and impact of the arbitrary action or governmental misconduct.

The court shall set forth its reasons in a written order.

(c) [Unchanged.]

Comment

[Unchanged.]

## CrRLJ 8.3

## DISMISSAL

(a) [Unchanged.]

(b) **On Motion of Court.** The court, in the furtherance of justice, after notice and hearing, may dismiss any criminal prosecution due to arbitrary action or governmental misconduct when there has been prejudice to the rights of the accused ~~which materially affect the accused's right to a fair trial.~~ In deciding whether to dismiss, the court shall consider the following factors in addition to any other information the court believes is relevant to the inquiry:

(1) the seriousness and circumstances of the offense;

(2) the impact of a dismissal or lack of dismissal on the safety or welfare of the community (the defendant is part of the community);

(3) the impact of a dismissal or lack of dismissal upon the confidence of the public in the criminal justice system;

(4) the degree and impact of the arbitrary action or governmental misconduct.

The court shall set forth its reasons in a written order.

(c) [Unchanged.]

**WSR 25-18-016  
 INTERPRETIVE AND POLICY STATEMENT  
 DEPARTMENT OF ECOLOGY**

[Filed August 20, 2025, 4:08 p.m.]

**Notice of Interpretive and Policy Statements**

Under chapter 42.56 RCW, the department of ecology (ecology) maintains an index that includes interpretive and policy statements issued by the agency. Under RCW 34.05.230, we are filing notice in the Washington State Register about these statements.

To obtain copies of these items, please:

- Copy and paste the web address (URL) from the table below into a web browser to view and download; or
- Submit an email records request to ecology's public records officer at [PublicRecordsOfficer@ecy.wa.gov](mailto:PublicRecordsOfficer@ecy.wa.gov) following the instructions on the public records requests web page at <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>.

New Statements:

Title of Interpretive/Policy Statement	Web Link (if applicable)
Ecology Source Test Manual - Procedures for Compliance Testing February 2025	<a href="https://apps.ecology.wa.gov/publications//2502001.html">https://apps.ecology.wa.gov/publications//2502001.html</a>
Policy on second tier review health impact assessment for emergency generators (greater than 2000 bhp)	<a href="https://apps.ecology.wa.gov/publications/SummaryPages/2502028.html">https://apps.ecology.wa.gov/publications/SummaryPages/2502028.html</a>

Updated Statements:

Title of Interpretive/Policy Statement	Web Link (if applicable)
"AQP-GUI-2025 AERMOD APP Review" is replacing: "AQP-GUI-2021 AERMOD APP Review"	N/A

**WSR 25-18-018**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE UNIVERSITY**  
 [Filed August 20, 2025, 11:07 p.m.]

Following is the schedule of regular meetings for the associated students of Washington State University, Tri-Cities for fall 2025:

<b>Date</b>	<b>Time</b>	<b>Location</b>
August 25, 2025	3:10 - 4:30 p.m.	East 212
September 8, 2025	3:10 - 4:30 p.m.	East 212
September 15, 2025	3:10 - 4:30 p.m.	East 212
September 22, 2025	3:10 - 4:30 p.m.	East 212
September 29, 2025	3:10 - 4:30 p.m.	East 212
October 6, 2025	3:10 - 4:30 p.m.	East 212
October 13, 2025	3:10 - 4:30 p.m.	East 212
October 20, 2025	3:10 - 4:30 p.m.	East 212
October 27, 2025	3:10 - 4:30 p.m.	East 212
November 3, 2025	3:10 - 4:30 p.m.	East 212
November 10, 2025	3:10 - 4:30 p.m.	East 212
November 17, 2025	3:10 - 4:30 p.m.	East 212
December 1, 2025	3:10 - 4:30 p.m.	East 212

If you need further information, contact Romeo Ross, 2710 Crimson Way, Richland, WA 99354, 509-372-7127, [romeo.ross@wsu.edu](mailto:romeo.ross@wsu.edu).

**WSR 25-18-023**  
**NOTICE OF PUBLIC MEETINGS**  
**BATES TECHNICAL COLLEGE**  
 [Filed August 21, 2025, 3:08 p.m.]

**Board of Trustees Meeting Calendar**  
**2025 - 2026**

September 29, 2025	3:00 p.m.	Meeting, Downtown Campus
October 27, 2025	2:00 p.m.	Study session, Downtown Campus
	3:00 p.m.	Meeting, Downtown Campus
November 17, 2025	3:00 p.m.	Meeting, Downtown Campus
January 26, 2026	3:00 p.m.	Meeting, Downtown Campus
February 23, 2026	2:00 p.m.	Study session, Downtown Campus
	3:00 p.m.	Meeting, Downtown Campus
March 30, 2026	3:00 p.m.	Meeting, Downtown Campus
April 27, 2026	3:00 p.m.	Meeting, Downtown Campus
May 18, 2026	2:00 p.m.	Study session, Downtown Campus
	3:00 p.m.	Meeting, Downtown Campus
TBD (May or June)	6:00 p.m.	<b>Commencement</b>
June 29, 2026	2:00 p.m.	Study session, Downtown Campus
	3:00 p.m.	Meeting, Downtown Campus
July 27, 2026	3:00 p.m.	Meeting, Downtown Campus
August 13 - 14, 2026	10:00 a.m.	<b>Board retreat, TBD</b>
September 28, 2026	3:00 p.m.	Meeting, Downtown Campus
October 27, 2026	3:00 p.m.	Meeting, Downtown Campus
November 16, 2026	3:00 p.m.	Meeting, Downtown Campus

**WSR 25-18-039**  
**NOTICE OF PUBLIC MEETINGS**  
**YAKIMA VALLEY COLLEGE**  
 [Filed August 25, 2025, 3:14 p.m.]

<b>2025-2026 Date</b>	<b>Time</b>	<b>Location</b>
Monday, August 18, 2025	9:00 a.m. - 4:00 p.m.	South Central Workforce Council 1205 Ahtanum Ridge Drive Suite B Union Gap, WA 98903 Board summer retreat
Thursday, September 11, 2025	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, October 9, 2025	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, November 6, 2025	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, January 8, 2026	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, February 19, 2026	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, March 12, 2026	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, April 9, 2026	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, May 14, 2026	4:30 p.m.	Conference Room 038-103B West Campus
Thursday, June 11, 2026	4:30 p.m.	Conference Room 038-103B West Campus

WSR 25-18-040

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed August 25, 2025, 3:59 p.m.]

**Prevailing Rate of Wage Publication**

Pursuant to RCW 39.12.015, 39.12.020, and WAC 296-127-011, on August 22, 2025, the industrial statistician determined and published corrections to several prevailing rates of wage. These rates become effective 30 days from publication on September 21, 2025.

Trades impacted by this correction include:

1. Laborers
2. Landscape construction
3. Power equipment operators
4. Power equipment operators - underground sewer and water

For more information on prevailing wage or a copy of the rates, please visit our website at <https://lni.wa.gov/licensing-permits/public-works-projects/prevailing-wage-rates/> or call 360-902-5335.

Caitlin Gates  
Rules Coordinator

**WSR 25-18-044**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
[Filed August 26, 2025, 1:44 p.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Economic Services Administration**  
**Division of Child Support (DCS)**

Document Title: DCS Administrative Policy (AP) 10.0.0: Information Security Definitions.

Subject: DCS AP 10.0.0.

Effective Date: August 21, 2025.

Document description: This DCS AP ensures a common understanding of information security terms.

To receive a copy of the interpretive or policy statements, contact Rachel Shaddox, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5073, TDD/TTY 360-753-9122, fax 360-664-5342, email Rachel.Shaddox@dshs.wa.gov, website <https://www/dshs.wa.gov/esa/division-child-support> [<https://www.dshs.wa.gov/esa/division-child-support>].

**WSR 25-18-046  
NOTICE OF PUBLIC MEETINGS  
OFFICE OF  
PUBLIC DEFENSE**

[Filed August 27, 2025, 10:39 a.m.]

The Washington state office of public defense (OPD) advisory committee will hold meetings in 2025 as follows:

- March 13, 2025      Virtual
- June 12, 2025      Virtual
- September 18, 2025 ~~In-person~~  
3056 South 188th Street  
SeaTac, WA 98188  
Virtual
- December 11, 2025    Virtual

Meeting time is from 10:00 a.m. to 12:00 p.m., unless otherwise posted. Draft agendas are posted at [www.opd.wa.gov](http://www.opd.wa.gov) no less than one business day prior to the meeting.

Contact OPD at 360-586-3164 ext. 120 if you have questions regarding the above meeting schedule.

(Meeting dates, times, and locations are subject to change.)

WSR 25-18-047

HEALTH CARE AUTHORITY

[Filed August 27, 2025, 10:55 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 25-0025.  
Effective Date: October 1, 2025.

Description: The health care authority (HCA) intends to submit SPA 25-0025 in order to align payment for freestanding birthing centers' facility fee with the state legislature's 2024 financial allocation for this service, as well as to reflect current payment methodology.

SPA 25-0025 is expected to have no effect on the annual aggregate expenditures/reimbursement/payment for these services; payments will remain at the current levels.

A copy of SPA 25-0025 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Shauna James, Professional Rates, 626 8th Avenue S.E., Olympia, WA 98504, phone 360-725-0841, TRS 711, email shauna.james@hca.wa.gov.

WSR 25-18-048

NOTICE OF PUBLIC MEETINGS

EVERETT COMMUNITY COLLEGE

[Filed August 27, 2025, 1:02 p.m.]

**2025-2026 Board of Trustees Meeting Dates**

Please refer to the website at <https://www.everettcc.edu/administration/trustees/meetings-and-minutes> for updated meeting details.

Date: July 15, 2025, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

Date: September 16, 2025, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

Date: October 28, 2025, study session

Time: 5 p.m.

Location: Jackson Wilderness

Date: November 18, 2025, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

Date: January 20, 2026, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

Date: February 17, 2026, study session

Time: 5 p.m.

Location: Jackson Wilderness

Date: March 17, 2026, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

Date: April 21, 2026, study session

Time: 5 p.m.

Location: Jackson Wilderness

Date: May 19, 2026, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

Date: June 16, 2026, regular meeting

Time: 5 p.m.

Location: Jackson Wilderness

**WSR 25-18-051**

**INTERPRETIVE STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed August 27, 2025, 3:02 p.m.]

**Rescind Interpretive Statement ABA 23-01,  
Health Equity Continuing Education for Licensed Behavior Analysts  
(LBA) and Licensed Assistant Behavior Analysts (LABA)**

This memo serves as notice that the department of health (department) is rescinding Interpretive Statement ABA 23-01, Health Equity Continuing Education for Licensed Behavior Analysts (LBA) and Licensed Assistant Behavior Analysts (LABA), which was filed December 22, 2023, and published in WSR 24-02-025.

This statement clarified the department's interpretation that LBAs and LABAs must complete health equity training as part of their continuing education.

The department is rescinding this interpretive statement because it is no longer needed. Permanent rules were adopted under WSR 24-11-103, filed on May 17, 2024, for chapter 246-805 WAC.

Individuals requiring additional information on this should contact Shelbee Scrimo, program manager, at aba@doh.wa.gov.

Tami M. Thompson  
Deputy Director

**WSR 25-18-055**

**INTERPRETIVE STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed August 27, 2025, 4:35 p.m.]

This memo serves as notice that the department of health (department) is rescinding Interpretive Statement HP-9-27-17, Supervision of Applied Behavior Analysis Licensees by Psychologists, which was filed October 2, 2017, and published in WSR 17-20-067.

This statement gives the department's interpretation of RCW 18.380.030(1) to encompass Washington state licensed psychologists' practice of applied behavior analysis, including the supervision of licensed assistant behavior analysts and certified behavior technicians.

The department is rescinding this policy because the clarification of RCW 18.380.030(1) has been addressed through a frequently asked question on the department website at <https://doh.wa.gov/licenses-permits-and-certificates/professions-new-renew-or-update/applied-behavior-analysis/frequently-asked-questions>.

Individuals requiring additional information on this should contact Shelbee Scrimo, program manager, at [aba@doh.wa.gov](mailto:aba@doh.wa.gov).

Tami M. Thompson  
Regulatory Affairs Manager

WSR 25-18-059

AGENDA

OFFICE OF THE CODE REVISER

[Filed August 28, 2025, 9:32 a.m.]

**Semi-Annual Rule-Making Agenda  
July through December 2025**

Following is the office of the code reviser's semi-annual rule-making 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.

If you have questions about this rule-making agenda, contact Jennifer Meas, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, phone 360-786-6697, email Jennifer.Meas@leg.wa.gov.

WAC Chapter	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103P)
1-06	Changes related to public records; and updating a web address for the office of the code reviser's website.	ON HOLD		
1-21	Updating web addresses for the Washington State Register web pages.		CR-105 WSR 25-08-089 Filed 4/2/25	WSR 25-17-044 Filed 8/14/25

Jennifer C. Meas  
Rules Coordinator

**WSR 25-18-066**  
**RULES COORDINATOR**  
**INDETERMINATE SENTENCE**  
**REVIEW BOARD**

[Filed August 28, 2025, 12:00 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the indeterminate sentence review board is Leah Landon, Executive Director, P.O. Box 40907, Olympia, WA 98504-1114, phone 360-407-5773, email leah.landon@docl.wa.gov.

Leah Landon  
Executive Director

**WSR 25-18-067**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
 (Universal Health Care Commission)  
 [Filed August 28, 2025, 12:56 p.m.]

The following is the schedule of regular meetings for the Washington state health care authority's universal health care commission (commission) for 2026:

Date	Time	Location
February 12, 2026	2:00 - 5:00 p.m.	*Hybrid
April 30, 2026	2:00 - 5:00 p.m.	*Hybrid
June 18, 2026	2:00 - 5:00 p.m.	*Hybrid
September 3, 2026	2:00 - 5:00 p.m.	*Hybrid
October 15, 2026	2:00 - 5:00 p.m.	*Hybrid
December 10, 2026	2:00 - 5:00 p.m.	*Hybrid

\*Unless indicated otherwise, meetings will be hybrid with attendance options either via the Zoom platform or in person at 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. [Contact agency for link.]

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 [audrey.rodney@hca.wa.gov](mailto:audrey.rodney@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](mailto:HCAUniversalHCC@hca.wa.gov).

WSR 25-18-068

NOTICE OF PUBLIC MEETINGS

HEALTH CARE AUTHORITY

(Universal Health Care Commission)

(Finance Technical Advisory Committee)

[Filed August 28, 2025, 12:59 p.m.]

The following is the schedule of regular meetings for the Washington state health care authority, universal health care commission's (commission) finance technical advisory committee (committee) for 2026:

Date	Time	Location
January 15, 2026	2:00 - 4:30 p.m.	*Zoom
March 19, 2026	2:00 - 4:30 p.m.	*Zoom
May 14, 2026	2:00 - 4:30 p.m.	*Zoom
July 16, 2026	2:00 - 4:30 p.m.	*Zoom
September 24, 2026	2:00 - 4:30 p.m.	*Zoom
November 12, 2026	2:00 - 4:30 p.m.	*Zoom

\*Committee members and the public will attend meetings virtually through the Zoom platform. No registration required.

Visit our finance technical advisory committee page to learn more about the committee, meeting materials, and Zoom information.

Sign up to receive announcements about the committee.

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 [audrey.rodney@hca.wa.gov](mailto:audrey.rodney@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, contact [HCAUniversalFTAC@hca.wa.gov](mailto:HCAUniversalFTAC@hca.wa.gov).

**WSR 25-18-069**

**INTERPRETIVE STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed August 28, 2025, 5:37 p.m.]

This memo serves as notice that the dental quality assurance commission (commission) is rescinding Interpretive Statement DQAC IS-02, Novel coronavirus disease 2019 (COVID-19) vaccine ordering and administration, which was filed January 28, 2021, and published as WSR 21-04-058.

This interpretive statement was intended to help boost capacity for priority populations who may not otherwise be connected to traditional health care systems during the COVID-19 pandemic. The commission is rescinding this policy because it is no longer needed due to the end of the COVID-19 pandemic state of emergency.

Individuals requiring additional information on this should contact Debbie Gardner, program manager, at dental@doh.wa.gov.

Tami M. Thompson  
Deputy Directory of Regulatory Affairs

**WSR 25-18-079**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed August 29, 2025, 9:31 a.m.]

This memo serves as notice that the dental quality assurance commission (commission) is rescinding Policy HSQA DQAC 2025-01.1, Delayed Effective Date for Pediatric Sedation Endorsement, which was filed February 26, 2025, and published in WSR 25-06-032.

Permanent rules were adopted under WSR 24-01-033, filed on December 11, 2023, for WAC 246-817-765. This policy statement extended the effective date for when a licensed dentist must have a pediatric sedation endorsement to administer moderate sedation with enteral agents or moderate sedation with parenteral agents to pediatric patients from February 28, 2025, to June 30, 2025. The commission is rescinding this policy because additional extensions are not needed.

Individuals requiring additional information on this should contact Debbie Gardner, program manager, at dental@doh.wa.gov.

Tami M. Thompson  
Deputy Director of Regulatory Affairs

**WSR 25-18-090**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed September 2, 2025, 8:55 a.m.]

**Notice of Adoption - Policy Statement**

Title: Temporary practice of pharmacists and pharmacy technicians licensed out-of-state to assist with impacts of Rite Aid and Bartell Drugs closures in Washington state, HSQA-25-01.2.

Issuing Entity: Office of the assistant secretary.

Subject Matter: The secretary of health (secretary) will exercise enforcement discretion to permit pharmacists and pharmacy technicians to practice in Washington state without an active Washington state credential or certification under chapters 18.64, 18.64A, or 18.130 RCW only for the purpose of assisting with prescription transfers due to the closures of Rite Aid and Bartell Drugs pharmacies in Washington. The secretary is clarifying authorized work of assisting with prescription transfers.

Effective Date: August 27, 2025.

Contact Person: Megan Veith, policy director, health systems quality assurance, Megan.Veith@doh.wa.gov.

WSR 25-18-098

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF HEALTH

(Music Therapy Advisory Committee)

[Filed September 2, 2025, 3:57 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health (DOH), music therapy advisory committee (committee) for the year 2026. The committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person shown below for more information.

Agendas for the meetings listed below are made available in advance via GovDelivery and the DOH website. Every attempt is made to ensure that the agenda is up-to-date. However, the committee reserves the right to change or amend agendas at the meeting.

Date	Time	Location
May 15, 2026	9:00 a.m.	Microsoft Teams (physical location TBD)

Start time is 9:00 a.m. unless otherwise specified. Time and locations are subject to change as needed. See the [committee web page] for the most current information.

If you need further information, contact Shelbee Scrimo, Program Manager, DOH, Applied Behavior Analysis Advisory Committee, [Music Therapy Advisory Committee], P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4723, fax 360-236-2901, email shelbee.scrimo@doh.wa.gov, web www.doh.wa.gov.

Please be advised the committee is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.