

## WSR 25-18-025

## PREPROPOSAL STATEMENT OF INQUIRY

## TACOMA COMMUNITY COLLEGE

[Filed August 21, 2025, 3:57 p.m.]

Subject of Possible Rule Making: Chapter 132V-121 WAC, Student code of conduct; and chapter 132V-130 WAC, Hazing policy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13), 28B.10.900, 28B.10.904, and 28B.10.906; and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: **Title IX:** Tacoma Community College (college) amends its student conduct code to align student disciplinary processes with the Title IX regulations adopted by the United States Department of Education in 2020, following the vacatur of the 2024 regulations.

**Hazing:** The college further amends its student conduct code to implement the antihazing provisions of SHB [2SHB] 1751 (Sam's Law), RCW 28B.10.900 - [28B.10].902, and the federal Stop Campus Hazing Act; to bring adjudicative procedures into compliance with the Administrative Procedure Act, chapter 34.05 RCW; and to clarify and streamline college procedures.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Natalie Boes, 6501 South 19th Street, Tacoma, WA 98466, phone 253-566-5169, email nboes@tacomacc.edu, website tacomacc.edu.

August 21, 2025  
Natalie Boes  
Rules Coordinator

**WSR 25-18-035  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Filed August 25, 2025, 9:49 a.m.]

The health care authority requests withdrawal of the preproposal statement of inquiry filed as WSR 25-17-002 on August 6, 2025, and distributed in the 25-17 State Register.

Wendy Barcus  
Rules Coordinator

**WSR 25-18-036**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed August 25, 2025, 9:52 a.m.]

Subject of Possible Rule Making: WAC 182-503-0005 Washington apple health—How to apply, and 182-517-0100 Federal medicare savings programs; other related rules as appropriate.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (agency) is streamlining its processes for enrollment in and retention of eligibility for medicare savings programs. During this review, the agency may identify additional related changes that improve clarity or update policy.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brian Jensen, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunication relay services (TRS) 711, email [brian.jensen@hca.wa.gov](mailto:brian.jensen@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Heather Chrzan, Program Questions, P.O. Box 42722, Olympia, WA 98504-2722, phone 360-725-1513, fax 360-586-9727, TRS 711, email [heather.chrzan@hca.wa.gov](mailto:heather.chrzan@hca.wa.gov) [[heather.chrzan@hca.wa.gov](mailto:heather.chrzan@hca.wa.gov)], website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

August 25, 2025  
Wendy Barcus  
Rules Coordinator

WSR 25-18-041

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF CORRECTIONS

[Filed August 25, 2025, 5:58 p.m.]

Subject of Possible Rule Making: Chapters 137-25 and 137-56 WAC. Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 72.01.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC revisions are necessary to redefine some definitions to better capture the intent of the rules and to create new infractions that align with our current philosophy.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael Hathaway, Prisons Disciplinary Program Manager, Department of Corrections, 16774 170th Drive S.E., Monroe, WA 98272-0514, phone 425-754-0882, email mshathaway@doc1.wa.gov; or Vadim Chebotar, Senior Contracts Attorney, Department of Corrections, Contracts and Legal Affairs, P.O. Box 41114, Tumwater, WA 98504, phone 253-261-1465, email Vadim.chebotar@doc.wa.gov, website www.doc.wa.gov.

July 8, 2025  
Tim Lang  
Secretary

**WSR 25-18-073  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed August 29, 2025, 9:13 a.m.]

On December 19, 2023, the Washington state office of superintendent of public instruction (OSPI) filed a CR-101 preproposal statement of inquiry (WSR 24-01-118) concerning permanent rule making for chapters 392-121 and 392-169 WAC.

To align the rule language with recently enacted legislation, OSPI will need to rescind [withdraw] WSR 24-01-118 in order to file an updated version of the CR-101. The updated CR-101 will be filed on the same day that WSR 24-01-118 is rescinded [withdrawn].

Therefore, this document serves as official notification that OSPI is rescinding [withdrawing] WSR 24-01-118, effective August 29, 2025.

Chris P.S. Reykdal  
State Superintendent of Public Instruction

**WSR 25-18-075**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed August 29, 2025, 9:15 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-447-0005 What evidence do we consider to determine incapacity?, and 388-449-0010 What evidence do we consider to determine disability?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.770, 74.08.090, 74.08A.100, 74.09.035, 74.09.530, and 74.62.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments will clarify which health care professionals can be considered as a supplemental or treating medical source for the aged, blind, or disabled and housing and essential needs referral programs, and update certain professional titles to be consistent with current certification language. If applicable, these amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Evelyn Acopan, P.O. Box 45470, Olympia, WA 98504, phone 360-397-4845, email [evelyn.acopan@dshs.wa.gov](mailto:evelyn.acopan@dshs.wa.gov).

August 29, 2025  
Katherine I. Vasquez  
Rules Coordinator

**WSR 25-18-077**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed August 29, 2025, 9:24 a.m.]

Subject of Possible Rule Making: WAC 392-121-106 Definition—Enrolled student, 392-121-119 Definition—Enrollment count dates, 392-121-123 Nonstandard school year programs, 392-121-136 Limitation on enrollment counts, 392-121-187 Technical college direct-funded enrollment, 392-122-220 State institutional education program—Enrolled institutional education program student, 392-169-015 Running start program—Definition, 392-169-020 Eligible student—Definition, 392-169-022 Running start student—Definition, 392-169-025 Full-time equivalent (FTE) running start enrollment—Definition, 392-169-055 Enrollment—Extent and duration of running start enrollment, 392-169-100 Running start enrollment count dates, 392-169-105 Finance—Institution of higher education reporting requirements, 392-169-115 Finance—Limitations on enrollment counts, 392-169-120 Finance—Documentation requirements, 392-172A-02000 Students' rights to a free appropriate public education (FAPE), 392-172A-02005 Exceptions to a student's right to FAPE, 392-172A-02055 Continuum of alternative placements, and 392-700-035 Student eligibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 2SHB 1316 (chapter 350, Laws of 2023), E2SSB 5670 (chapter 159, Laws of 2024), SSB 5253 (chapter 256, Laws of 2025); and RCW 28A.600.390 and 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making concerning running start in alignment with 2SHB 1316 (2023) and E2SSB 5670 (2024), students who are age 21 and receiving special education services in alignment with SSB 5253 (2025), and changing the first running start count day of a college term to clarify which students can be claimed for running start funding.

OSPI will conduct permanent rule making concerning these rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: In accordance with RCW 28A.600.390, OSPI will work with the state board for community and technical colleges and the student achievement council in developing and adopting the rules related to running start.

Process for Developing New Rule: Early solicitation of feedback and recommendations concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tim McClain, Dual Credit Program Supervisor, OSPI, P.O. Box 47200, Olympia, WA 98504, TTY 360-664-3631, email [tim.mcclain@k12.wa.us](mailto:tim.mcclain@k12.wa.us), website [ospi.k12.wa.us](http://ospi.k12.wa.us); or Becky McLean, Manager, Enrollment Reporting and Categorical Funding, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6306, TTY 360-664-3631, email [becky.mclean@k12.wa.us](mailto:becky.mclean@k12.wa.us), website [ospi.k12.wa.us](http://ospi.k12.wa.us).

August 29, 2025

Chris P.S. Reykdal

State Superintendent of Public Instruction

**WSR 25-18-080**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**

[Filed August 29, 2025, 11:33 a.m.]

Subject of Possible Rule Making: Washington prescribed burn manager certification program (program) requirements and application process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 76.04.183 Prescribed burn manager certification program—Rule-making authority.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The program has been created as required. Rules are needed to memorialize the certified prescribed burn manager certification, regulations, standards, and processes.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kyle Lapham, P.O. Box 47013, Olympia, WA 98504-7013, phone 360-485-8580, email [kyle.lapham@dnr.wa.gov](mailto:kyle.lapham@dnr.wa.gov), website <https://dnr.wa.gov/forest-resilience-division/prescribed-fire-program/certified-burner-program>; or Jeff Dimke, 5552 Industry Way, East Wenatchee, WA 98802, phone 564-669-0946, email [jeffrey.dimke@dnr.wa.gov](mailto:jeffrey.dimke@dnr.wa.gov), website <https://dnr.wa.gov/forest-resilience-division/prescribed-fire-program>.

August 29, 2025  
George Giessler  
Deputy Supervisor  
Wildfire and State Forester

**WSR 25-18-083**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BIG BEND**  
**COMMUNITY COLLEGE**

[Filed August 29, 2025, 11:43 a.m.]

Subject of Possible Rule Making: Student code of conduct, chapter 132R-04 WAC.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Big Bend Community College (college) has revised chapter 132R-04 WAC, Student code of conduct, in order to continue to ensure compliance with the Title IX regulatory requirements. The college previously amended this code in consideration of the federal regulations made effective in August 2024. In *Tennessee v. Cardona*, No. 2:24-00072 (January 9, 2025); however, the court vacated the 2024 Title IX federal regulations. The United States Department of Education subsequently also indicated its intent to enforce the 2020 Title IX regulations. Consequently, the college seeks to amend its student code of conduct to ensure compliance.

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

Process for Developing New Rule: Compliance with United States Department of Education.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chandra Rodriguez, 7662 Chanute Street N.E., phone 509-793-2001, email [chandrar@bigbend.edu](mailto:chandrar@bigbend.edu), website [www.bigbend.edu](http://www.bigbend.edu).

August 29, 2025  
Chandra Rodriguez  
Executive Assistant to the President

**WSR 25-18-085**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed August 29, 2025, 2:08 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits?; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, and 74.08A.902.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments are necessary to comply with the approved federal waiver for the elderly simplified application project (ESAP), requiring periodic reviews every six months for the remaining months of the 36-month certification period when ESAP eligibility is lost due to a change of circumstance. If applicable, these amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Agriculture, Food and Nutrition Service (FNS) administers supplemental nutrition assistance program provisions of the 2008 Food and Nutrition Act, as amended, codified in C.F.R. DSHS amends rules to align with the act, federal regulations, and FNS administrative notices and formal guidance. DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joyce Hensen, P.O. Box 45470, Olympia, WA 98504-4570, phone 425-999-5162, email joyce.hensen@dshs.wa.gov.

August 26, 2025  
Katherine I. Vasquez  
Rules Coordinator

**WSR 25-18-091**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

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

Subject of Possible Rule Making: Youth employment updates: Chapters 296-125 and 296-131 WAC; WAC 296-128-400; and a new chapter in Title 296 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Industrial Welfare Act, chapter 49.12 RCW; ESHB 1644 (chapter 173, Laws of 2025), SHB 1121 (chapter 79, Laws of 2025), and HB 1722 (chapter 98, Laws of 2025).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries (L&I) is considering rule amendments in response to three bills that the Washington state legislature passed during the 2025 legislative session. Those bills are:

- SHB 1121, chapter 79, Laws of 2025, requires L&I to allow minors enrolled in career and technical education programs to work the same number of hours during the school year as during school vacations, so long as the work is performed for an employer approved by the educational program;
- ESHB 1644, chapter 173, Laws of 2025, increases safety and health requirements for minors and consequences for failures to keep minor workers safe in both agricultural and nonagricultural industries; and
- HB 1722, chapter 98, Laws of 2025, requires L&I to allow minors with certain licenses to work around bloodborne pathogens.

L&I is considering amending chapter 296-125 WAC, Nonagricultural employment of minors; and chapter 296-131 WAC, Agricultural employment standards, to implement the bills.

L&I may also consider rules to clarify existing requirements in chapters 296-125 and 296-131 WAC, which may include reorganizing, combining, renumbering, and moving existing standards as well as repealing any duplicates. L&I may consider removing outdated requirements in chapters 296-125 and 296-131 WAC and WAC 296-128-400.

Other rule-making topics L&I may consider include housekeeping and technical updates to ensure each child labor chapter describes L&I's existing child labor procedures. L&I may consider improving the alignment of child labor standards, including between state and federal nonagricultural prohibited duty standards, between child labor protections and procedures in agricultural and nonagricultural industries, and between private and public employers in nonagricultural industries.

SHB 1121 and ESHB 1644 go into effect July 1, 2026. HB 1722 went into effect July 27, 2025.

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

Process for Developing New Rule: Parties interested in the formulation of these rule amendments may contact the individual listed below. The public may also participate by commenting after the rule amendments are proposed by providing written comments or giving oral testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Reed Simock, L&I, Fraud Prevention and Labor Standards, Employment Standards, P.O. Box 44510, Olympia, WA 98504-4510, phone 360-902-5310, fax 360-902-5300, email [ESRules@Lni.wa.gov](mailto:ESRules@Lni.wa.gov).

Additional comments: For more information on L&I rule making, visit the rule-making activity web page at <http://www.lni.wa.gov/rulemaking-activity>.

September 2, 2025  
Joel Sacks  
Director

**WSR 25-18-092**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed September 2, 2025, 9:01 a.m.]

Subject of Possible Rule Making: Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations. Obligations and liabilities of decertified self-insured employer groups and counties, cities, or municipalities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: HB 1275, chapter 57, Laws of 2025.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to implement HB 1275, which established the department of labor and industries' (L&I) authority to ensure payment is received from a self-insured group or municipal employer after their self-insurer certification is withdrawn.

These rules will ensure funds are available for the continuity of benefits for injured workers if their self-insured employer becomes decertified. This will include rules regarding the continued obligations of decertified self-insured employers and the methods of how the self-insured employer shall meet financial obligations.

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held after the proposed language is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Starla Treznoski, L&I, Insurance Services, Self-Insurance, P.O. Box 44890, Olympia, WA 98504-4890, phone 360-902-5668, fax 360-902-6977, email Starla.Treznoski@Lni.wa.gov [Starla.Treznoski@Lni.wa.gov]; or Caroline Roberts, L&I, Insurance Services, Self-Insurance, P.O. Box 44890, Olympia, WA 98504-4890, phone 360-902-6871, fax 360-902-6977, email Caroline.Roberts@Lni.wa.gov.

Additional comments: For more information on L&I rule making, visit the rule-making activity web page at <https://www.lni.wa.gov/rulemaking-activity/>.

September 2, 2025  
Joel Sacks  
Director

**WSR 25-18-093  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed September 2, 2025, 10:15 a.m.]

The department of labor and industries is withdrawing the preproposal statement of inquiry for rule making filed on November 5, 2013, and published under WSR 13-22-071. This rule making was intended to address extending requirements for businesses that enroll in individual retro plans and revise enrollment requirements for businesses under common majority ownership under chapter 296-17B WAC, Retrospective rating for workers' compensation insurance.

If you have any questions, contact Caitlin Gates, deputy policy director and rules coordinator, at 360-902-6744 or [Caitlin.Gates@Lni.wa.gov](mailto:Caitlin.Gates@Lni.wa.gov).

Caitlin Gates  
Rules Coordinator

**WSR 25-18-094  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed September 2, 2025, 10:23 a.m.]

The department of labor and industries is withdrawing the preproposal statement of inquiry for rule making filed on August 5, 2015, and published under WSR 15-16-132. This rule making was intended to initiate pilot rule making to create an exception process under WAC 296-17B-770 Common ownership, regarding the enrollment of commonly-owned businesses in the retrospective rating program.

If you have any questions, contact Caitlin Gates, deputy policy director and rules coordinator, at 360-902-6744 or Caitlin.Gates@Lni.wa.gov.

Caitlin Gates  
Rules Coordinator

**WSR 25-18-096**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed September 2, 2025, 11:38 a.m.]

Subject of Possible Rule Making: The health care authority (agency) is creating new chapter 182-600 WAC for rules to support the long-term services and supports trust program (WA Cares). This chapter will address the portions outlined in RCW 50.04.020, which the authority is responsible for. Other related rules, if appropriate, may also be revised as a result of these new rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50B.04.020 (2)(e), 41.05.021, and 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is tasked with developing and adopting rules for implementing the responsibilities outlined in RCW 50B.04.020(2) for the WA Cares program. During this review, the agency may identify additional related changes that improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services and the employment security department.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy Barcus, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone [3]60-725-1306, fax 360-586-9727, telecommunication relay services (TRS) 711, email [wendy.barcus@hca.wa.gov](mailto:wendy.barcus@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Paige Lewis, Program Questions, P.O. Box 42722, Olympia, WA 98504-2722, phone 360-725-0757, fax 360-586-9727, TRS 711, email [paige.lewis@hca.wa.gov](mailto:paige.lewis@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

September 2, 2025  
Wendy Barcus  
Rules Coordinator

**WSR 25-18-097**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed September 2, 2025, 11:48 a.m.]

Subject of Possible Rule Making: WAC 363-116-076 Examination for pilot applicants, 363-116-077 Simulator evaluation for pilot applicants, 363-116-083 Written examination protest and appeal procedures, and 363-116-084 Simulator evaluation review and appeal procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 88.16 RCW, Pilotage Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In preparation for the 2026 Washington state marine pilot exam, the board of pilotage commissioners (BPC) will be reviewing and updating these WAC as needed for continued psychometric validation, diversity, equity, and inclusion, and clarity for applicants, as well as other housekeeping items.

Process for Developing New Rule: Discussions regarding proposed amendments to these rules will occur at regular monthly meetings of BPC, open to the public, as well as at BPC's pilot exam committee. Upon review and recommendation from the pilot exam committee and BPC's exam consultant, BPC's assistant attorney general will review the proposed language. A public hearing will be scheduled as per formal notice requirements. Stakeholder comments are welcome throughout the process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jaimie C. Bever, Executive Director, 2901 3rd Avenue, Suite 500, Seattle, WA 98121, phone 206-515-3887, fax 206-515-3906, email Jaimie.Bever@wsdot.wa.gov, website www.pilotage.wa.gov.

September 2, 2025  
Jaimie C. Bever  
Executive Director

**WSR 25-18-102**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed September 3, 2025, 8:20 a.m.]

Subject of Possible Rule Making: Clarifying the extent to which WAC 480-100-373 requires utilities to maintain its delivered voltage, measured at the point of service, with a maximum total allowable variation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040 and 80.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The utilities and transportation commission (UTC) received a petition from a member of the public requesting a revision to WAC 480-100-373 to clarify the location on an electric distribution system for which regulated utilities would be required to resolve standard voltage disruptions. UTC determined a full administrative record with input from stakeholders and interested persons is needed for consideration of possible amendments to WAC 480-100-373. Amendments to WAC 480-100-373 may address ambiguity in the rule regarding the location at which voltage stability is measured.

Process for Developing New Rule: UTC will request public comment on the CR-101 and may issue additional notices for comment or hold public workshops to determine whether UTC will draft proposed amended rules. If UTC determines amended rules are necessary and in the public interest, additional comments on the proposed draft rules will be requested prior to finalizing the proposed rule in the CR-102 phase.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeff Killip, Executive Director and Secretary, 621 Woodland Square Loop, Lacey, WA 98503, phone 360-664-1173, fax 360-586-1150, TTY 1-800-833-6384 or 711, email records@utc.wa.gov, website [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing).

September 3, 2025  
Jeff Killip  
Executive Director and Secretary

**WSR 25-18-103**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**LIQUOR AND CANNABIS**  
**BOARD**

[Filed September 3, 2025, 8:54 a.m.]

Subject of Possible Rule Making: Title 314 WAC. The Washington state liquor and cannabis board (board) is considering amending chapter 314-55 WAC to clarify requirements and establish definitions related to research and development (R&D) activities for cannabis products, including laboratory testing, reporting of test results, tracking of samples, and sampling limits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342, 69.50.345, and 69.50.348.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending sections in chapter 314-55 WAC may be necessary to address ongoing feedback from licensees and certified cannabis testing laboratories, and to respond to a rule-making petition accepted by the board in May 2025 about inconsistent and inadequate terminology in existing rules related to requirements for cannabis testing and reporting of test results, including samples submitted to certified laboratories for R&D purposes. Additionally, rule making is being considered to establish requirements and limits for cannabis samples that licensees use during product development, as follow-up to rule making completed in April 2025 under WSR 25-08-032.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state department of agriculture (WSDA) establishes and administers cannabis testing laboratory quality standards and cannabis laboratory accreditation under chapters 16-309 and 16-310 WAC. The Washington state department of health (DOH) regulates the sale and product standards of medical cannabis (chapter 246-70 WAC). The board will coordinate rule making with these two agencies under our ongoing interagency coordination team (cannabis lab analysis standards program (CLASP)) that consists of members representing the board, DOH, and WSDA, as authorized under RCW 15.150.020. The CLASP team meets regularly and was created by HB 1859 (chapter 135, Laws of 2022) to establish and maintain cannabis laboratory quality standards. Additionally, the board will coordinate, as needed, with the Washington department of revenue related to any tax implications for R&D samples.

Process for Developing New Rule: Collaborative rule making. Board staff will hold public stakeholder meetings to discuss rule changes being considered and solicit feedback prior to filing a rule proposal. Interested parties will then have an opportunity to submit written comments on the proposed rules during a subsequent public comment period and may present oral testimony at a public hearing announced with the publication of the rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Denise Laflamme, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504, phone 360-819-0452, fax 360-704-5027, email rules@lcb.wa.gov, website lcb.wa.gov.

Additional comments: Anyone who is interested in this rule-making effort is encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rule-making notices and stakeholder engagement oppor-

tunities will be emailed via GovDelivery and posted to the board website at [lcb.wa.gov](http://lcb.wa.gov).

September 3, 2025

Justin Nordhorn

Policy and External Affairs Director

**WSR 25-18-104**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF REGISTRATION**  
**FOR PROFESSIONAL ENGINEERS**  
**AND LAND SURVEYORS**

[Filed September 3, 2025, 9:38 a.m.]

Subject of Possible Rule Making: Chapter 196-12 WAC, Registered professional engineers.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments may be made to help clarify language throughout chapter 196-12 WAC, including licensing and retirement status requirements.

Process for Developing New Rule: Notice will be made to stakeholders and active licensees via the board of registration for professional engineers and land surveyors' (board) contact lists; and will be posted on our website and distributed through the board and board staff. Interested parties may contact the individual listed below and the public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Shanan Gillespie, P.O. Box 9025, Olympia, WA 98507-9025, phone 360-664-1570, TTY 711, email shanan.gillespie@brpels.wa.gov, website <https://brpels.wa.gov/current-laws-and-rules/rulemaking-activity>.

September 3, 2025  
Ken Fuller  
Director

WSR 25-18-108

PREPROPOSAL STATEMENT OF INQUIRY

HORSE RACING COMMISSION

[Filed September 3, 2025, 11:39 a.m.]

Subject of Possible Rule Making: WAC 260-84-060 Penalty matrixes.  
Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The Washington horse racing commission is consider-  
ing amending penalties assessed for violations of Title 260 WAC.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the  
new rule and formulation of the proposed rule before publication by  
contacting Amanda Benton, 6326 Martin Way, Suite 209, Olympia, WA  
98516, phone 360-450-6462, fax 360-450-6461, TTY 360-450-6462, email  
amanda.benton@whrc.wa.gov, website www.whrc.wa.gov.

September 3, 2025  
Amanda Benton  
Executive Secretary