WSR 26-16-006
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Pharmacy Quality Assurance Commission)
[Filed July 23, 2026, 7:37 a.m.]

Subject of Possible Rule Making: Clarifying licensure requirements for a change in pharmacy ownership. The pharmacy quality assurance commission (commission) and the department of health (department) are considering amending WAC 246-945-230 and 246-945-992 to allow a pharmacy, and potentially other pharmaceutical firm types, to retain the same credential number if a change of ownership occurs because of a stock sale.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005 and 18.64.043.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission received a petition on March 3, 2026, requesting rule making to clarify asset sales and stock sales in the commission's change of ownership rules. The petitioner requested that the goal of such rule making would be to allow a pharmacy purchased through a stock sale to maintain its current license number and contracts to prevent interruptions to patient care.

The commission's rules on change of ownership are in WAC 246-945-230 (3)(c)(i) and 246-945-992(2) and apply to all pharmaceutical firms: Pharmacies, health care entities, hospital pharmacy associated clinics, nonresident pharmacies, wholesalers, and manufacturers. The commission last discussed pharmacy change of ownership at its July 17, 2020, business meeting. The commission determined that a stock purchase involving more than 50 percent of the shares in a pharmacy corporation triggers the "change of ownership" process based on applicable laws and rules.

More recently, the commission determined, following discussion at its April 2, 2026, business meeting, that the existing rules around changes in pharmacy ownership and the associated licensing process merits further consideration. The commission granted the petitioner's request to consider rule making to reduce regulatory barriers for licensees undergoing the change of ownership process and to reduce delays in patient care brought about by that process.

While the commission does not anticipate changing any fees pertaining to this rule-making topic, there is a chance that amending change of ownership rules may impact revenue. As the relevant fees are under the joint authority of the commission and the secretary of health (secretary), it is necessary to conduct a joint filing between the commission and the department and to have the secretary sign off on rule-making documents to be filed with the office of the code reviser.

The commission will consult with departmental fiscal analysts to ensure the commission's budget is stable if any changes are anticipated, and the commission will involve department staff in conversations relating to subsequent rules package and language drafts and related information gathering efforts. A department representative will also preside over any public hearings on this topic.

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

Process for Developing New Rule: Collaborative rule making.

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

contacting Joshua Munroe, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-502-5058, fax 360-236-2260, TTY 711, email PharmacyRules@doh.wa.gov; or Heather Cantrell, P.O. Box 47850, Olympia, WA 98504-7852, TTY 711, email HSQAfeerules@doh.wa.gov.

Additional comments: Rule development takes place in open public meetings prior to a formal rule proposal and comment period. All rule-making notices are sent via email. To receive notices, interested persons may sign up by going to https://public.govdelivery.com/accounts/WADOH/subscriber/new. After signing up, click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions," then check the boxes next to either "Pharmacy Commission Meeting and Agenda" and/or "Pharmacy Commission Newsletter."

July 23, 2026
Ann Wolken, PharmD, RPh, Chair
Pharmacy Quality Assurance Commission
and Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health

WSR 26-16-013
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Dental Quality Assurance Commission)
[Filed July 24, 2026, 9:06 a.m.]

Subject of Possible Rule Making: Dental licensure requirements for graduates of nonaccredited schools. The dental quality assurance commission (commission) is considering amending WAC 246-817-160 to define the educational and training requirements for graduates of nonaccredited schools.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.002 and 18.32.0365.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission has been receiving an increased number of applicants who are graduates of nonaccredited schools. Due to the varying degree of dental schools and programs, the commission is considering amending the rules pertaining to dental training and educational programs to define the standard requirements necessary to obtain dental licensure in Washington state.

The commission will consider amending WAC 246-817-160 to define the educational and training requirements for graduates of nonaccredited schools. Establishing clear standards would ensure that minimum competency requirements are met.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Debbie Gardner, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4893, TTY 711, email dental@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The commission will be conducting rules workshops with interested parties and subject matter experts. The commission will use existing email lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit doh.wa.gov. To subscribe to emails, visit doh.wa.gov and select the button titled "Sign up for Updates From DOH" at the bottom of the page. After signing in, select "Health Systems Quality Assurance" and "Health Professions" and "Dental." You may also check the box next to one or more of the other professions listed to received information related to that specific profession.

July 24, 2026
Bryan Swanson, DDS, Chair
Dental Quality Assurance Commission

WSR 26-16-015
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed July 24, 2026, 9:22 a.m.]

Subject of Possible Rule Making: The department of health (department) is considering rule amendments to update fees for ambulatory surgical facilities, WAC 246-330-199. The department may also consider changes to clarify and standardize language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.110, 43.70.250, and 70.230.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to WAC 246-330-199 regarding initial license, renewal, and other charges for ambulatory surgical facilities to address funding requirements. An update may be needed to appropriately fund the ambulatory surgical facilities inspection, investigation, and licensing programs to protect patients. The requirement in RCW 43.70.250 states that fees must cover regulatory program expenses, which necessitates the program to be self-funding and changes to rules are the only way to make fee adjustments.

Revenue from ambulatory surgical facilities fees must support mandated licensing and regulatory activities, such as issuing licenses and ongoing inspections and investigations. In addition to covering current expenses, the revenue level must also provide a reserve for unexpected program costs. The office of financial management recommends a reserve level of two months of expenditures. Based on a regular review, it was discovered that current revenue may not be adequate to support regulated activities and ensure sufficient reserve levels. Fees were last adjusted for ambulatory surgical facilities in 2019.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Hilger, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-236-2929, TTY 711, email john.hilger@doh.wa.gov, website doh.wa.gov or https://public.govdelivery.com/accounts/WADOH/subscriber/new; or Heather Cantrell, P.O. Box 47850, Olympia, WA 98504-7850, TTY 711, email HSQAFeeRules@doh.wa.gov, website doh.wa.gov or https://public.govdelivery.com/accounts/WADOH/subscriber/new.

Additional comments: The department will use existing email lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit www.doh.wa.gov. To subscribe, visit www.doh.wa.gov, and select the "Sign up for Updates From DOH" button at the bottom of the page. After signing in, select the box labeled "Health Systems Quality Assurance." Next, select the box labeled "Community Health Systems," and then click "Facilities" and "Ambulatory Surgical Facilities" for ambulatory surgical facilities rules or select the relevant facility type(s).

July 24, 2026
Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health

WSR 26-16-016
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed July 24, 2026, 9:29 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making in response to SB 6278 to clarify related professional educator standards board responsibilities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Matt Dressen, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6275, email rulespesb@k12.wa.us, website www.pesb.wa.gov.

July 24, 2026
Matt Dressen
Rules Coordinator

WSR 26-16-018
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
[Filed July 24, 2026, 9:51 a.m.]

Subject of Possible Rule Making: WAC 182-530-5100 Billing requirements—Unit dose; 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 striking subsection (9) to reduce any misunderstanding that the prescription volume survey affects the unit dose dispensing fee. It does not. 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: 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 Blake O'Connor, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication relay services (TRS) 711, email blake.oconnor@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Janice Peoples, Program Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1847, fax 360-586-9727, TRS 711, email janice.peoples@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

July 24, 2026
Wendy Barcus
Rules Coordinator

WSR 26-16-026
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed July 28, 2026, 8:44 a.m.]

The department of labor and industries (L&I) is withdrawing the CR-101 preproposal statement of inquiry filed on November 18, 2025, and published under WSR 25-23-071, regarding reimbursement policies for physical medicine under chapter 296-21 WAC, Reimbursement policies: Psychiatric services, biofeedback, physical medicine.

Due to technology resource constraints and uncertainty about our ability to prioritize this work, L&I is not able to make system changes to support the requirements of this rule change. For this reason, we have decided to withdraw the rule making. L&I will revisit implementation and system options, consult with stakeholders, and file a new CR-101 preproposal if/when appropriate.

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

Caitlin Gates
Rules Coordinator

WSR 26-16-032
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed July 28, 2026, 4:40 p.m.]

This memo serves as notice that the department of enterprise services (DES) is formally withdrawing the CR-101 for small business use and spending affecting Title 200 WAC. The CR-101 was filed on December 5, 2024, and published as WSR 25-01-017.

After careful consideration of how best to strengthen the state's use of Washington small businesses, DES has decided to focus on efforts that fit within existing rules to ensure that contracting and spending benefits are reaching small businesses as intended by the legislature. As a result, the previously filed CR-101 is withdrawn in accordance with RCW 34.05.335 and WAC 1-21-060.

No further rule development on this topic will proceed unless a new CR-101 is filed at a future date. If DES resumes work in this area, we will file a new preproposal statement of inquiry and notify interested and affected parties.

Please contact Rules@des.wa.gov with any questions.

Ashley Olson, Director
Policy, Rules, and Compliance

WSR 26-16-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Board of Osteopathic Medicine and Surgery)
[Filed July 29, 2026, 7:53 a.m.]

Subject of Possible Rule Making: Office-based surgical settings; establishing the use of nitrous oxide. The board of osteopathic medicine and surgery (board) is considering amendments to WAC 246-853-650 and adding a new section to chapter 246-853 WAC to establish the use of nitrous oxide in office-based surgical settings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.57.005 and 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington medical commission (commission) recently adopted rules establishing the use of nitrous oxide in office-based surgical settings. The commission adopted rules that address a gap in existing regulations for allopathic physicians that ensure consistent safety standards for the use of nitrous oxide in office-based settings.

Given the updates and the work done by the commission to update their rules for allopathic physicians related to this topic, the board is considering updating WAC 246-853-650 Safe and effective analgesia and anesthesia in office-based settings, and adding a new section to chapter 246-853 WAC to ensure alignment of rules between osteopathic and allopathic physicians when administering nitrous oxide in office-based settings. The board works to remain consistent with the commission as osteopathic physicians and allopathic physicians regularly provide care in the same settings. Maintaining consistency with the commission makes rules easier to apply standards in the complex health care regulatory environment and for licensees to follow.

Rule making is necessary to establish enforceable standards related to the use of nitrous oxide in office-based settings.

Other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becky Cornwall, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4766, fax 360-236-2901, TTY 711, email osteopathic@doh.wa.gov, website www.doh.wa.gov/osteo.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The board will be conducting rules workshops with interested parties and subject matter experts. The board will use existing email communication lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit www.doh.wa.gov. To subscribe, visit https://public.govdelivery.com/accounts/WADOH/subscriber/new?topic_id=WADOH_153. After signing in, click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health professions" and then check "Osteopathic Board."

July 27, 2026
James Chaney
Executive Director
Board of Osteopathic Medicine and Surgery

WSR 26-16-037
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL
[Filed July 29, 2026, 1:53 p.m.]

Subject of Possible Rule Making: Amendments to chapters 446-16 and 446-20 WAC to update organization references within the Washington state patrol (WSP).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 10.97 and 43.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WSP is considering amendments to chapters 446-16 and 446-20 WAC to update references to the criminal records division to reflect WSP's current organizational structure. The proposed amendments would update organizational references throughout the affected rules while maintaining existing processes, responsibilities, and requirements. The rule making is intended to improve clarity, accuracy, and consistency within WAC and align the rules with WSP's organizational structure.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None. The proposed amendments are administrative in nature and pertain only to WSP's organizational references within agency rules. Coordination with other agencies is not anticipated.

Process for Developing New Rule: Technical amendments to update organizational references.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kimberly Mathis, Rules Coordinator, 106 11th Avenue S.W., Olympia, WA, phone 360-596-4017, email wsprules@wsp.wa.gov, website wsp.wa.gov/rules-development/.

July 29, 2026
John R. Batiste
Chief

WSR 26-16-041
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 26-01—Filed July 30, 2026, 7:22 a.m.]

Subject of Possible Rule Making: Chapter 173-224 WAC, Water quality permit fees. The purpose of this chapter is to provide a permit fee system for state waste discharge and National Pollutant Discharge Elimination System (NPDES) permits issued by the department of ecology (ecology), pursuant to RCW 90.48.160, 90.48.162, or 90.48.260.

Chapter 173-224 WAC implements RCW 90.48.465 that requires ecology to establish, by rule, annual fees to recover the cost of administering the wastewater and stormwater permit programs. The rule making considers the economic impact on small dischargers and public entities, and provides appropriate adjustments where applicable.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.48 RCW, Water pollution control; and RCW 90.48.465 Water discharge fees—Report to the legislature.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 90.48.465 requires ecology to establish, by rule, annual permit fees to recover the cost of administering the wastewater and stormwater permit programs. Ecology adopted chapter 173-224 WAC, Water quality permit fees, in response to this law in 1989.

Ecology is considering amendments to chapter 173-224 WAC to continue recovering the costs of operating the water quality permit program, as required by RCW 90.48.465. Ecology is considering adjusting fee amounts for fiscal years 2028 and 2029 to ensure cost recovery and fairly balance program costs between permit fee categories. Ecology is also considering administrative corrections for clarity and readability, and changes to fee structures to better reflect the current state of certain industries.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ligeia Heagy, P.O. Box 47600, Olympia, WA 98504-760[0], phone 564-233-8279, Washington relay service or TTY call 711 or 877-833-6341, email wqfeeunit@ecy.wa.gov, website https://ecology.wa.gov/WQ-fee-rule or https://ecology.wa.gov/EmailList/WQfee; or Matthew Tietjen, P.O. Box 47600, Olympia, WA 98504-760[0], phone 360-280-3697, Washington relay service or TTY call 711 or 877-833-6341, email wqfeeunit@ecy.wa.gov, website https://ecology.wa.gov/WQ-fee-rule or https://ecology.wa.gov/EmailList/WQfee.

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

Ecology will conduct an environmental justice assessment in accordance with RCW 70A.02.060 as a part of this rule making.

July 30, 2026
Jon Kenning, PhD

Water Quality Program Manager

WSR 26-16-043
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed July 30, 2026, 8:47 a.m.]

Subject of Possible Rule Making: Allopathic physician and surgeon fees in WAC 246-919-990 and physician assistants fees in WAC 246-918-990. The department of health (department), in consultation with the Washington medical commission (commission), is considering amending existing fees to appropriate levels for the commission's operating costs and reserve levels. The department is also considering adding a new fee(s) to implement SSB 5185 (chapter 154, Laws of 2026) regarding international medical graduates (IMG).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.110, 43.70.250, 43.70.280, and SSB 5185 (chapter 154, Laws of 2026), codified in chapter 18.71 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.250 requires that licensing fees cover regulatory program expenses which necessitates the program to be self-funding. Limited fee adjustments may be made to ensure revenue is set at appropriate levels to support regulated activities and maintain sufficient reserve levels without generating a surplus.

SSB 5185, codified under chapter 18.71 RCW, directs the commission to establish a pilot program and a limited license for IMG. While the statute establishes the framework for the program, it does not provide the detailed standards needed for implementation without additional rule making.

As a result of SSB 5185, the commission filed a separate preproposal statement under WSR 26-14-046, to consider new sections to chapter 246-919 WAC that establish a limited license for international medical graduates and a pilot program to allow supervised practice as a pathway to full licensure. As part of implementing SSB 5185, the department will also consider establishing a new fee for the new limited license to be in conjunction with the commission's current rule project.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Heather Cantrell, P.O. Box 47850, Olympia, WA 98504-7850, TTY 711, email HSQAfeerules@doh.wa.gov, website doh.wa.gov or https://public.govdelivery.com/accounts/WADOH/subscriber/new.

Additional comments: The department, in consultation with the commission, will notify interested parties by posting information to the department and commission websites and by use of email communication lists. To join the commission's rules interested parties email list, please visit https://public.govdelivery.com/accounts/WAMC/subscriber/new?topic_id=WAMC_2.

July 30, 2026
Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health

WSR 26-16-051
PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY
[Filed July 30, 2026, 6:41 p.m.]

Subject of Possible Rule Making: Chapter 172-121 WAC, Student conduct code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Eastern Washington University (EWU) is planning on making updates to the standards for student conduct and the procedures used for student conduct processes.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Annika Scharosch, EWU, 214 Showalter Hall, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu, website https://inside.ewu.edu/policies/.

July 30, 2026
Annika Scharosch
Chief of Staff and Compliance

WSR 26-16-052
PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY
[Filed July 30, 2026, 6:45 p.m.]

Subject of Possible Rule Making: Chapter 172-90 WAC, Student academic integrity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Eastern Washington University (EWU) is planning on making updates to the standards for student academic integrity and the procedures used for potential violations of the integrity standards.

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

Process for Developing New Rule: 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 Annika Scharosch, EWU, 214 Showalter Hall, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu, website https://inside.ewu.edu/policies/.

July 30, 2026
Annika Scharosch
Chief of Staff and Compliance

WSR 26-16-069
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 4, 2026, 8:59 a.m.]

The department of labor and industries (L&I) is withdrawing the preproposal statement of inquiry for rule making filed on April 19, 2016, and published under WSR 16-09-092. This rule making was intended to update WAC 296-62-07521 Lead, under general occupational health standards, Part 1 air contaminants; and WAC 296-155-176 through 296-155-17654 under safety standards for construction work. The rule making was paused in 2020 due to the COVID-19 pandemic and competing L&I priorities. A new CR-101 preproposal statement of inquiry for rule making will be filed on August 4, 2026.

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 26-16-071
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMERCE

[Filed August 4, 2026, 9:14 a.m.]

Subject of Possible Rule Making: RCW 43.330.540 established the cannabis social equity program (CSEP) and gave the department of commerce (commerce) rule-making authority to adopt rules to implement the program.

Possible rule-making topics include, but are not limited to:

- Define commonly used words.
- Establish criteria for applicants.
- Establish criteria for contracts.
- Clarify program guidelines around reimbursement and fiscal responsibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.330.540.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Commerce is conducting rule making in order to establish clear and consistent rules to guide the CSEP. This will enhance the program's effectiveness. Commerce will ensure that rules are consistent with agency guidance, that they are internally consistent, and that they are consistent with rules of other departments.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal entities; the liquor and cannabis board (LCB) administers the LCB CSEP, with responsibilities limited to determining social equity eligibility and issuing cannabis business licenses. These functions are conducted independently and are distinct from the commerce CSEP, which is responsible for providing grants and technical assistance. As a result, coordination of rule making between LCB and commerce is not required.

Process for Developing New Rule: Standard rule-making process, including a public comment period and public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Linda Womack, 2001 6th Avenue, Suite 2600, Seattle, WA 98121, phone 206-256-6151, email COMCSEPRulemaking@commerce.wa.gov, website https://mystartup365.com/cannabis-social-equity-program/; or Mary Ferguson, 2001 6th Avenue, Suite 2600, Seattle, WA 98121, phone 206-256-6130, email COMCSEPRulemaking@commerce.wa.gov, website https://mystartup365.com/cannabis-social-equity-program/.

August 4, 2026
Amanda Hathaway
Rules Coordinator

WSR 26-16-074
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Order 26-13—Filed August 4, 2026, 1:21 p.m.]

Subject of Possible Rule Making: WAC 296-14-8810 Pension tables, pension discount rate and mortality tables.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.44.070(1), and 51.44.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to amend the rule by lowering the pension discount rate to better align with the rate of return for long term treasuries for self-insured pensions. These reductions allow our financial statements to more accurately reflect our liabilities and overall financial position, and are consistent with recommendations from our annual independent actuarial review of our rate making.

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

Process for Developing New Rule: Parties interested in this rule 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. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Suzy Campbell, Department of Labor and Industries (L&I), Insurance Services, Legal Services, P.O. Box 44270, Olympia, WA 98504-4270, phone 360-902-5003, fax 360-902-5029, TTY 360-902-4252, email suzanne.campbell@Lni.wa.gov.

Additional comments: For more information regarding L&I rule making, visit L&I's rule-making activity web page at https://www.lni.wa.gov/rulemaking-activity/.

August 4, 2026
Joel Sacks
Director

WSR 26-16-080
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Order 26-14—Filed August 4, 2026, 4:52 p.m.]

Subject of Possible Rule Making: Lead safety and health rules; medical removal. Chapter 296-62 WAC, General occupational health standards, Part 1 Air contaminants (WAC 296-62-07521 Lead); and chapter 296-155 WAC, Safety standards for construction work, Part B-1 Occupational health and environmental control (WAC 296-155-176 through 296-155-17654, lead).

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current medical removal provisions within Washington's occupational lead standards have remained largely unchanged for decades. A previous lead rule-making effort initiated in 2016 was paused in 2020 due to the COVID-19 pandemic and competing priorities. The department of labor and industries (L&I) is now initiating a new rule-making effort with an updated and more targeted scope focused on strengthening medical protections for workers with elevated blood lead levels (BLLs).

This rule making is intended to provide targeted updates to medical removal protections informed by available exposure and blood lead data while maintaining the existing scope of Washington's airborne permissible exposure limits and action levels, exposure control, and methods of compliance. L&I anticipates initiating a subsequent, broader rule-making effort to evaluate additional elements of Washington's occupational lead standard following completion of this targeted update. This phased approach allows L&I to address priority medical removal protections while providing additional opportunities for stakeholder engagement and consideration of other aspects of the lead standards.

L&I is committed to conducting an open and transparent rule-making process that will provide opportunities for participation from interested stakeholders.

Other areas needing adjustment or clarification in this first phase of rule making may include:

- Strengthening medical protections for workers with elevated BLLs.
- Addressing outdated BLL thresholds for medical removal.
- Establishing criteria for safe return-to-work following medical removal.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Asher Brennan, Administrative Regulations Analyst, L&I, Division of Occupational Safety and Health, P.O. Box 44620, Olympia, WA 98504-4620, phone 253-427-1678, fax 360-902-5619, email Asher.Brennan@Lni.wa.gov.

Additional comments: For more information on L&I rule making, visit L&I's rule-making activity web page at https://www.Lni.wa.gov/rulemaking-activity/.

August 4, 2026
Joel Sacks
Director

WSR 26-16-081
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
[Filed August 5, 2026, 7:59 a.m.]

Subject of Possible Rule Making: Chapter 182-537 WAC, School-based health care services (SBHS); 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 (HCA) is sunsetting the current, three distinct medicaid reimbursement options available to schools today for services provided by school staff: SBHS fee-for-service program for health care services provided to students with individualized education programs (IEPs)/individualized family service plans (IFSPs), medicaid administrative claiming (MAC) program for administrative activities, and managed care contracting for behavioral health services provided to students without an IEP/IFSP.

To replace these, HCA is implementing one comprehensive school-based services (SBS) program using a cost-based reimbursement (CBR) methodology for direct and administrative services provided to apple health-enrolled students pursuant to a special education plan (IEP, IFSP, or 504), and/or other individualized health or behavioral health plan. CBR uses a random moment time study and certified public expenditure (CPE) for all SBS, similar to the current MAC program. With CPE, schools use their own state and local education funds to pay for services and certify their actual, allowable expenditures for apple health-covered services, and then receive federal medicaid reimbursement to offset those verified costs.

This model allows schools to recover a portion of staff salaries and benefits for the time spent delivering apple health-reimbursable services and administrative activities. HCA is amending chapter 182-537 WAC to support these changes. During this review, HCA 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: None.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jason Crabbe, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-9563, fax 360-586-9727, telecommunication relay services (TRS) 711, email jason.crabbe@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Reilly Fairbrother, Program Questions, P.O. Box 42716, Olympia, WA 98504-5530, phone 360-725-5137, fax 360-586-9727, TRS 711, email hcasbs@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

August 5, 2026
Wendy Barcus
Rules Coordinator

WSR 26-16-084
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed August 5, 2026, 9:06 a.m.]

Subject of Possible Rule Making: Chapter 308-04 WAC, General provisions; this rule making will clarify language to align with current practice, update pronouns, and other updates to grammar. During the review of chapter 308-04 WAC, the department of licensing will consider rule making as necessary to align rule to current policy or practice, correct references to law, improve readability of the rule, or make other changes identified during the review of the WAC section.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 Rule-making authority, 46.01.230 Payment by check or money order—Dishonored checks or money orders—Failure to surrender canceled certificate, registration, or permit—Immunity from payment of uncollected fees—Rules, 62A.3-515 Checks dishonored by nonacceptance or nonpayment; liability for interest; rate; collection costs and attorneys' fees; satisfaction of claim, 18.235.030 Disciplinary authority—Powers, 82.38.260 Administration and enforcement, 82.41.120 Implementing rules required, 82.42.130 Administration and enforcement, 46.87.010 Applicability—Implementation, 9.41.137 Department of licensing, authority to adopt rules—Reporting of violations—Authority to revoke licenses, and 46.79.080 Rules.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is to update the language around dishonored payments to more accurately represent current practices and to update pronouns and other updates to grammar. The current language stating that registrations, licenses, or permits will be canceled does not accurately represent current process, as they could be suspended or otherwise invalidated.

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 Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98501, phone 360-902-3846, email RulesCoordinator@DOL.WA.GOV, website dol.wa.gov/about/rulemaking/current-activity.

August 5, 2026
Ellis Starrett
Rules and Policy Manager