

OFFICE OF THE CODE REVISER
Quarterly Rule-Making Report
Covering Registers 21-14 through 21-19

Type of Activity	New	Amended	Repealed
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	1	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	15	12	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BELLINGHAM TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	4	0
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BIG BEND COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	3	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	32	3
Number of Rules Adopted as Emergency Rules	5	35	0
Number of Rules Proposed for Permanent Adoption	5	23	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	10	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CLARK COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	32	29	29
CLOVER PARK TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	2	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COLUMBIA BASIN COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COMMERCE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	11	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	50
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COUNTY ROAD ADMINISTRATION BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	27	5
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
EASTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	2
Number of Rules Adopted as Emergency Rules	13	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	24	11	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	2	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR PROFESSIONAL

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	8	22	4

ENTERPRISE SERVICES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0

ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	20	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EVERGREEN STATE COLLEGE, THE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	13	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FINANCIAL MANAGEMENT, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	26	0
Number of Rules Proposed for Permanent Adoption	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FISH AND WILDLIFE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	43	0
Number of Rules Adopted as Emergency Rules	125	0	77
Number of Rules Proposed for Permanent Adoption	1	13	1
Number of Rules Withdrawn	0	12	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	7	0	4
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GAMBLING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	24	4
Number of Rules Proposed for Permanent Adoption	24	12	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH CARE AUTHORITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	45	0
Number of Rules Adopted as Emergency Rules	1	10	0
Number of Rules Proposed for Permanent Adoption	3	27	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	39	10	1
Number of Rules Adopted as Emergency Rules	12	22	0
Number of Rules Proposed for Permanent Adoption	2	65	27
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
HIGHLINE COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	30	0	22
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HUMAN RIGHTS COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
INDUSTRIAL INSURANCE APPEALS, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	11	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
INSURANCE COMMISSIONER, OFFICE OF THE			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	8	21	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LABOR AND INDUSTRIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	63	23
Number of Rules Adopted as Emergency Rules	30	11	0

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	6	67	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LAKE WASHINGTON INSTITUTE OF TECHNOLOGY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	21	3
Number of Rules Proposed for Permanent Adoption	9	22	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LIQUOR AND CANNABIS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	4	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LOWER COLUMBIA COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	12
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
NATURAL RESOURCES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	4	0
PARAEDUCATOR BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PARKS AND RECREATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Rules Proposed for Permanent Adoption	20	5	9
Number of Rules Withdrawn	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PENINSULA COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	29	0	42
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	1
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PROFESSIONAL EDUCATOR STANDARDS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	37	19
Number of Rules Proposed for Permanent Adoption	3	13	1

Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	150	18
Number of Rules Adopted as Emergency Rules	7	14	18
Number of Rules Proposed for Permanent Adoption	0	6	10
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	5	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	1
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
REDISTRICTING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
RETIREMENT SYSTEMS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	16	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
REVENUE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Proposed for Permanent Adoption	2	1	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SECRETARY OF STATE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	8	1
SKAGIT VALLEY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	64	218	42
Number of Rules Adopted as Emergency Rules	20	58	26
Number of Rules Proposed for Permanent Adoption	1	15	0
Number of Rules Withdrawn	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	10	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SPOKANE, COMMUNITY COLLEGES OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
TRANSPORTATION IMPROVEMENT BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	14	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	0
Number of Rules Proposed for Permanent Adoption	0	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
VETERANS AFFAIRS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
WASHINGTON STATE PATROL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	3
Number of Rules Proposed for Permanent Adoption	0	9	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WASHINGTON STATE UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
WESTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	9	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WHATCOM COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	13	14	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	270	822	247
Number of Rules Adopted as Emergency Rules	225	163	121
Number of Rules Proposed for Permanent Adoption	143	454	98

Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	1	19	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	5	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	12	1
Number of Sections Adopted in Order to Comply with Federal Statute	0	10	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	1
Number of Sections Adopted on the Agency's own Initiative	10	3	4
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	3	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WSR 21-19-001

HEALTH CARE AUTHORITY

[Filed September 1, 2021, 1:58 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0030 - Psychiatric Long-Term Civil Commitment Payment.

Effective Date: October 1, 2021.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0030 regarding payment for services provided for psychiatric long-term civil commitments. Under this SPA, medicare and medicaid pay for specific "allowed" services at specific "allowed" payment rates; these rates may differ. HCA will pay up to the higher allowed payment for services provided for psychiatric long-term civil commitments when the claim is for an allowed service(s) and paid for by both medicare and medicaid. The total medicare and medicaid payments cannot exceed HCA's medicaid payment rate, using the per diem method that would have applied if the claim had been paid by medicaid alone. The change is expected to increase average expenditures per claim of \$39,000. HCA is making this change to better account for the increased costs for long-term psychiatric care.

SPA 21-0030 is expected to increase the annual aggregate expenditures/reimbursement/payment for long-term inpatient psychiatric services by \$1,437,543 annually.

A copy of SPA 21-0030 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA or to 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: Abby Frazier-Cole, Financial Services, 626 8th Avenue S.E., Olympia, WA 98504, phone 360-725-1835, TRS 711, email abby.frazier-cole@hca.wa.gov.

WSR 21-19-002

NOTICE OF PUBLIC MEETINGS

COLUMBIA BASIN COLLEGE

[Filed September 2, 2021, 8:23 a.m.]

The Columbia Basin College (CBC) board of trustees' regular meetings will be held on the second Monday of every month at 4:00 p.m. with the exception of its February, March (third Monday), and April meetings which will be held at 7:30 a.m. and the board retreat which will be held on Friday, August 19, 2022, from 9:00 a.m. to 3:00 p.m.

As a result of the ongoing COVID-19 pandemic, CBC offers a hybrid format for monthly board of trustees' meetings; this allows both in-person or virtual participation through an audience link via Zoom Webinar.

If you have any questions, please contact Ronda Rodgers at 509-542-4802.

WSR 21-19-019
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
SALMON COMMISSION

[Filed September 7, 2021, 1:56 p.m.]

2021 Meeting Schedule
Revised

Saturday, April 15, 2021, at 6:00 p.m., virtual.

Saturday, September 25, 2021, at 11:00 a.m., virtual meeting format. For meeting link, please email mjohnson@agmt.com.

For more information, please call 509-585-5460 or email mjohnson@agmt.com.

WSR 21-19-020
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Pharmacy Quality Assurance Commission)
 [Filed September 7, 2021, 2:57 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), following is the schedule of regular meetings for the department of health (DOH), pharmacy quality assurance commission (commission) for the year 2021. The commission meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Location
January 27-28, 2021	9:00 a.m.	By webinar/TBD
March 24-25, 2021	9:00 a.m.	By webinar/TBD
April 22-23, 2021	9:00 a.m.	By webinar/TBD
May 12-13, 2021	9:00 a.m.	By webinar/TBD
July 14-15, 2021	9:00 a.m.	By webinar/TBD
September 22-23, 2021	9:00 a.m.	By webinar/TBD
November 17-18, 2021	9:00 a.m.	By webinar/TBD

If you need additional information, please contact Joanne Miller, Health Services Consultant 4, DOH, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4834, fax 360-236-2260, email wspqac@doh.wa.gov, web www.doh.wa.gov.

Please be advised, the pharmacy quality assurance commission 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 commission, including personal information, may ultimately be subject to disclosure as a public record.

WSR 21-19-021
RULES OF COURT
STATE SUPREME COURT
[September 2, 2021]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 25700-A-1367
THE PATTERN FORMS CONTAINED)
IN CrR 4.2—PLEAS)

The Washington Pattern Form Committee, having recommended the adoption of the suggested amendments to the pattern forms contained in CrR 4.2—Pleas, 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 September, 2021.

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

CrR 4.2—PLEAS

(a)-(f) [Unchanged.]

(g) Written Statement. A written statement of the defendant in substantially the form set forth below shall be filed on a plea of guilty:

Superior Court of Washington for
State of Washington, Plaintiff
v. Defendant
No. Statement of Defendant on Plea of Guilty to Non-Sex Offense (Felony) (STDFG)

1. My true name is: _____.

2. My age is:_____.

3. The last level of education I completed was: _____.

4. I Have Been Informed and Fully Understand That:

(a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with: _____.

The elements are: _____.

5. I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

- (a) My right to appeal is limited.
- (b) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range**, as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
1					
2					
3					

* The sentencing enhancement codes are: (RPh) Robbery of a pharmacy, (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude. The following enhancements will run consecutively to all other parts of my entire sentence, including other enhancements and other counts: (F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone, (JP) Juvenile present, (VH) Veh. Hom, see RCW 9.94A.533(7), (P16) Passenger(s) under age 16.

(c) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(d) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(e) If I committed the above crime(s) while under age 18 and am sentenced to more than 20 years of confinement:

(i) As long as my conviction is not for aggravated first degree murder or certain sex crimes, and I have not been convicted of any crime committed after I turned 18 or committed a disqualifying serious infraction as defined by DOC in the 12 months before the petition is filed, I may petition the Indeterminate Sentence Review Board (Board) for early release after I have served 20 years.

(ii) If I am released early because my petition was granted or by other action of the Board, I will be subject to community custody under the supervision of the DOC for a period of time determined by the Board, up to the length of the court-imposed term of incarceration. I will be required to comply with any conditions imposed by the Board.

(iii) If I violate the conditions of community custody, the Board may return me to confinement for up to the remainder of the court-imposed term of incarceration.

(f) If I committed aggravated murder in the first degree and I was under the age of 18 at the time of the offense:

(i) If I was under the age of 16 at the time of the offense, the judge will impose a maximum term of life and impose a minimum term of total confinement of 25 years for that crime.

(ii) If I was at least 16 but less than 18 years old at the time of the offense, the judge will impose a maximum term of life and will impose a minimum term of total confinement that is at least 25 years.

(iii) During the minimum term, I will not be eligible for earned early release time, home detention, partial confinement, work release, or any form of early release.

(iv) After the minimum term, if I am released by the Board, I will be subject to community custody under the supervision of the DOC for a period of time determined by the board, and must comply with conditions imposed.

(v) If I violate the conditions of community custody, the Board may return me to confinement.

(g) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(h) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment and any mandatory fines or penalties that apply to my case. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees, and the costs of incarceration.

(i) For crimes committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody may be longer than my earned early release period. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me for up to 12 months of community custody. If the to-

tal period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.729 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses	36 months
Violent Offenses	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody, I will be under the supervision of the Department of Corrections. For crimes occurring on or after June 28, 2016, the supervision of the Department of Corrections cannot exceed the times specified in this paragraph. I may have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005 (6) (h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days' confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

(j) The prosecuting attorney will make the following recommendation to the judge: _____

The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(k) The judge does not have to follow anyone's recommendation as to sentence. If I was over the age of 18 when I committed this crime, the judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. If I was under the age of 18 when I committed this crime, the judge has the discretion to impose an exceptional sentence downward. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

(v) If I committed this crime under the age of 18, the judge must consider mitigating circumstances related to my youth, including, but not limited to immaturity, impetuosity, and failure to appreciate risks and consequences, the nature of my surrounding environment and family circumstances, the extent of my participation in the crime, the way familial and peer pressures may have affected me, how youth impacted any legal defense, and any factors suggesting that I might be successfully rehabilitated. If I am convicted of a sentencing enhancement, the court has full discretion to depart from mandatory sentencing enhancements and to take the particular circumstances surrounding my youth into account.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

(l) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(m) I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition, unless my right to do so is restored by the court in which I am convicted or the superior court in Washington State where I live, and by a federal court if required. I must immediately surrender any concealed pistol license(s).

(n) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3; RCW 29A.04.079; RCW 29A.08.520.

(o) Government assistance may be suspended during any period of confinement.

(p) I will be required to have a biological sample collected for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee, unless a DNA collection fee has previously been ordered.

Notification Relating to Specific Crimes: If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

(q) This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions

for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

(r) The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to one year of community custody plus all of the conditions described in paragraph 6(h). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.

(s) The judge may sentence me under the Parenting Sentencing Alternative, if I qualify under RCW 9.94A.655. If I am eligible, the judge may order DOC to complete a risk assessment report, including a family impact statement, or a chemical dependency screening report, or both. If the judge decides to impose the Parenting Sentencing Alternative, the sentence will consist of 12 months of community custody and I will be required to comply with the conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. I have the right to assistance of counsel at this hearing and the court will appoint counsel if I am indigent. The court may modify the conditions of community custody or impose sanctions, including extending the length of participation in the alternative program by no more than six months. If the court finds I violated the conditions or requirements of the sentence or I failed to make satisfactory progress in treatment, the court may order me to serve a term of total confinement within the standard range for my offense.

(t) If this crime involves kidnapping involving a minor, including unlawful imprisonment involving a minor who is not my child, or if this crime is promoting prostitution in the first or second degree and I have at least one prior conviction for promoting prostitution in the first or second degree, or if this crime is (human) trafficking in the first degree under RCW 9A.40.100 (1)(a)(i)(A)(III) or (IV) or (1)(a)(i)(B) (relating to sexually explicit acts or commercial sex acts), I will be required to register where I reside, study, or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

(u) If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$115.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150. If I am convicted under RCW 26.50.110 for a violation of a domestic violence protection order issued under chapter 26.50 RCW, the court shall impose a mandatory fine of \$15.00.

(v) The judge may sentence me under the drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.660. If I qualify and the judge is considering a residential substance use disorder treatment-based alternative, the judge may order that I be examined by the DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential substance use disorder treatment-based alternative.

If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever

er is greater. During confinement, I will be required to undergo a comprehensive substance use disorder assessment and to participate in treatment. If this crime involves domestic violence, I also will be required to undergo a comprehensive domestic violence assessment and to participate in a domestic violence treatment program provided by a state-certified treatment provider during the term of community custody. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.

If the judge imposes the **residential substance use disorder treatment-based alternative**, the sentence will consist of a two-year term of community custody and I will have to enter and remain in a certified residential substance use disorder treatment program for **up to six months**, as set by the court. If this crime involves domestic violence, I will be required to undergo a comprehensive domestic violence assessment and to participate in a domestic violence treatment program provided by a state-certified treatment provider. The sentence may also include an indeterminate term of confinement of no more than 30 days in a facility operated under contract by the county in order to facilitate direct transfer to a residential substance use disorder treatment facility.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential substance use disorder treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the DOC on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring or in cases of domestic violence, for monitoring with global positioning system technology for compliance with a no-contact order and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(h). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.

(w) The judge may sentence me under the mental health sentencing alternative (MHSA) if I qualify under Laws of 2021, Ch. 242. The sentence will be between 12 and 36 months of community custody and include conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. At the review or termination hearing the court may impose different or additional conditions upon me, require me to

serve a term of total or partial confinement, or revoke the sentencing alternative and impose a term of total or partial confinement.

(x) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty. Rehabilitative programs may include an order to obtain an evaluation for alcohol or controlled substance chemical dependency treatment. The court may also prohibit me from possessing or consuming alcohol or controlled substances without a valid prescription.

~~(xy)~~ If this crime involves the manufacture, delivery, or possession with the intent to deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, and if a fine is imposed, \$3,000 of the fine may not be suspended. RCW 69.50.401 (2) (b).

~~(yz)~~ If this crime involves a violation of the state drug laws, my eligibility for state and federal education benefits may be affected. 20 U.S.C. § 1091(r).

~~(zaa)~~ I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.

~~(aab)~~ I understand that RCW 46.20.265 requires that my driver's license be revoked if (a) the current offense is a violation under chapters 69.41 [legend drug], 69.50 [violation of the Uniform Controlled Substances Act], or 69.52 [imitation drugs] RCW, and I was under the age of 21 at the time of the offense, or (b) the current offense is a violation under RCW 9.41.040 (unlawful possession of firearm) and I was under the age of 18 at the time of the offense, or (c) the current offense is a violation under chapter 66.44 RCW [alcohol] and I was under the age of 18 at the time of the offense, and if (a), (b), or (c) applies, the court finds that I previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

~~(bcc)~~ If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor, or any drug, as defined by RCW 46.61.520, an impaired driving enhancement of an additional two years shall be added to the standard sentence range for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14). All impaired driving enhancements are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under chapter 9.94A RCW.

~~(edd)~~ If I am pleading guilty to felony driving under the influence of intoxicating liquor, or any drugs, or felony actual physical control of a motor vehicle while under the influence of intoxicating liquor, or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked, or denied. Following the period of suspension, revocation or denial, I must comply with the Department of Licensing ignition interlock device requirements. In addition to any other costs of the ignition interlock device, I will be required to pay an additional fee of \$20 per month.

_____ (~~dee~~) For the crimes of vehicular homicide committed while under the influence of intoxicating liquor, or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor, or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)), or felony physical control under the influence (RCW 46.61.504(6)), the court shall add 12 months to the standard sentence range for each child passenger under the age of 16 who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other minor child enhancements, for all offenses sentenced under chapter 9.94A RCW.

_____ (~~eff~~) I am pleading guilty to the crime of driving without a required ignition interlock device (RCW 46.20.740), or the crime of circumventing or tampering with a required ignition interlock device (RCW 46.20.750(1)), and the offense occurred on or after September 26, 2015. The sentence for that offense must be served consecutively with any other sentence imposed for violations of either of those statutes and with any sentence imposed under RCW 46.61.502 (DUI), RCW 46.61.504 (physical control under the influence), or RCW 46.61.5055. The sentence for violation of RCW 46.20.750(1) also must be served consecutively with any sentence imposed under RCW 46.61.520 (1)(a) or 46.61.522 (1)(b) (vehicular homicide/assault while under the influence of alcohol/drugs).

_____ (~~fgg~~) For the crimes of felony driving under the influence of intoxicating liquor, or any drug, for vehicular homicide while under the influence of intoxicating liquor, or any drug, or vehicular assault while under the influence of intoxicating liquor, or any drug, the court may order me to reimburse reasonable emergency response costs up to \$2,500 per incident.

_____ (~~gff~~) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6(q).

_____ (~~hhi~~) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

_____ (~~ijj~~) The offense(s) I am pleading guilty to include(s) a Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.

_____ (~~jjk~~) The offense(s) I am pleading guilty to include(s) a deadly weapon, firearm, or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

(~~kkll~~) If I am pleading guilty to (1) unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to unlawful possession of more than one firearm, I must serve each of the sentences for unlawful possession consecutively to each other.

 (~~lmm~~) If I am pleading guilty to a felony firearm offense as defined in RCW 9.41.010, I may be required to register as a felony firearm offender under RCW 9.41.330. I will be required to register as a felony firearm offender if I committed the felony firearm offense in conjunction with an offense committed against a person under age 18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.

 (~~mmnn~~) If I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined in RCW 74.08.331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

 (~~nooo~~) The judge may authorize work ethic camp. To qualify for work ethic authorization, my term of total confinement must be more than 12 months and less than 36 months, I cannot currently be either pending prosecution or serving a sentence for violation of the Uniform Controlled Substances Act, and I cannot have a current or prior conviction for a sex or violent offense.

 (~~oopp~~) The judge may sentence me under the theft or taking of a motor vehicle sentencing option, RCW 9.94A.711, if I am pleading guilty to one of the following crimes committed on or after July 28, 2019, and the midpoint of the standard sentence range is greater than one year: Theft of a motor vehicle (RCW 9A.56.065) or an attempt; Possession of a stolen vehicle (RCW 9A.56.068) or an attempt; Taking a motor vehicle without permission in the first degree (RCW 9A.56.070); or Taking a motor vehicle without permission in the second degree (RCW 9A.56.075). My sentence would include 6 to 12 months of community custody and the sentence of confinement could not exceed the midpoint of the standard range reduced by one-third of the community custody term.

 (~~ppqq~~) If I am pleading guilty to Animal Cruelty in the First Degree I will be permanently prohibited from owning, caring for, or residing with any animal. RCW 16.52.200.

7. I plead guilty to:

count _____
count _____
count _____

_____ in the _____ Information. I have received a copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea, except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime, including enhancements and domestic violence relationships, if they apply. This is my statement: _____

Instead of making a statement, I agree that the court may re-view the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, and the "Felony Firearm Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant

I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer

Print Name

WSBA No.

Print Name

WSBA No.

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter

Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

Statement of Defendant on Plea of Guilty - Sex Offense
[Unchanged.]

Felony Firearm Offender Attachment
[Unchanged.]

Offender Registration Attachment
[Unchanged.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The unnecessary strike-through in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 21-19-021A
RULES OF COURT
STATE SUPREME COURT
[September 2, 2021]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 25700-A-1368
CrRLJ 4.2—PLEAS AND PRETRIAL)
DISPOSITION)

The Washington Pattern Form Committee, having recommended the adoption of the suggested amendments to CrRLJ 4.2—Pleas and Pretrial Disposition, 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 September, 2021.

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

CrRLJ 4.2

STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(a)-(f) [Unchanged.]

(g) Written Statement. A written statement of the defendant in substantially the form set below shall be filed on plea of guilty:

Form for Statement of Defendant on Plea of Guilty, including fields for Court of Washington, Plaintiff, Defendant, and No.

- 1. My true name is
2. My age is
3. The last level of education I completed was:

4. I Have Been Informed and Fully Understand that:

- (a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
(b) I am charged with:

Count	Crime	RCW or Ordinance (with subsection)
1.		
2.		
3.		
4.		

Count(s) _____ was (were) committed against an intimate partner.

Count(s) _____ was (were) committed against a family or household member.

The elements are:

as set out in the charging document.

as follows: _____

5. I Understand That I Have the Following Important Rights, and I Give Them All Up by Pleading Guilty:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) The right to be presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of My Guilty Plea, I Understand That:

(a) My right to appeal is limited.

(b) The crime with which I am charged carries a maximum sentence of _____ days in jail and a \$ _____ fine.

(c) The prosecuting authority will make the following recommendation to the judge:

(d) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting authority or anyone else recommends.

(e) The judge may place me on probation for up to ~~five~~(5) years if I am sentenced for a domestic violence offense or under RCW 46.61.5055, or up to ~~two~~(2) years for all other offenses and impose conditions of probation. If the court orders me to appear at a hearing regarding my compliance with probation and I fail to attend the hearing, the term of probation will be tolled until I appear before the court on the record.

(f) The judge may require me to pay costs, fees, and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I commit-

ted. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.

(g) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

Notification Relating to Specific Crimes: If any of the Following Paragraphs Apply, the Box Should Be Checked and the Paragraph Initialed by the Defendant.

(h) The crime of _____ has a mandatory minimum sentence of _____ days in jail and a \$ _____ fine, plus costs and assessments.

(i) The crimes of prostitution, indecent exposure, permitting prostitution, and patronizing a prostitute ~~has~~ have a mandatory assessment of \$ _____. The court may reduce up to ~~two-thirds~~ 2/3 of this assessment if the court finds that I am not able to pay the assessment. RCW 9A.88.120.

(j) If this crime involves patronizing a prostitute, a condition of my sentence will be that I not be subsequently arrested for patronizing a prostitute or commercial sexual abuse of a minor. The court will impose crime-related geographical restrictions on me, unless the court finds they are not feasible. If this is my first offense, the court will order me to attend a program designed to educate me about the negative costs of prostitution.

(k) This plea of guilty will result in suspension or revocation of my driving license or privilege by the Department of Licensing for a minimum period of _____. The Department of Licensing may impose a longer period of suspension or revocation based upon my record of conviction. This period may not include suspension or revocation based on other matters. RCW 46.61.5055(9).

(l) I understand that RCW 46.20.265 requires that my driver's license be revoked if (a) the current offense is a violation under chapters 69.41 [legend drug], 69.50 [violation of the Uniform Controlled Substances Act], or 69.52 [imitation drugs] RCW, and I was under the age of 21 at the time of the offense **OR** (b) the current offense is a violation under RCW 9.41.040 (unlawful possession of firearm), and I was under the age of 18 at the time of the offense **OR** (c) the current offense is a violation under chapter 66.44 RCW [alcohol], and I was under the age of 18 at the time of the offense, **AND** if (a), (b), or (c) applies, the court finds that I previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapters 66.44, 69.41, 69.50, or 69.52 RCW.

(m) If I am convicted for violating a domestic violence protection order issued under chapter 26.50 RCW, the court shall impose a mandatory fine of \$15. RCW 26.50.110.

(n) I may not possess, own, or have under my control any firearm, and under federal law, any firearm or ammunition, unless my right to do so is restored by the court of record that ordered the prohibition on possession of a firearm or the superior court in Washington State where I live, and by a federal court if required.

(o) Concealed Pistol License (CPL):

~~My concealed pistol license (CPL)~~ If I am convicted of carrying a weapon apparently capable of producing bodily harm under RCW 9.41.270, my CPL will be revoked until reinstated. RCW 9.41.270

OR

If I am convicted of possessing a dangerous weapon on school facilities under RCW 9.41.280, my CPL will be revoked for a period of 3 years, and I will be prohibited from applying for a CPL for 3 years.

OR

If I am convicted of possessing a dangerous weapon on a child care premises under RCW 9.41.282, ~~My concealed pistol license (CPL) will be revoked for a period of three (3) years from the date of conviction, and, I am will be prohibited from applying for a CPL for three 3 years from the date of conviction, and I must immediately surrender any concealed pistol license. RCW 9.41.282.~~

(p) If this crime involves a violation of Title 77 RCW, the Department of Fish and Wildlife may, and in some cases shall, suspend or revoke my privileges under Fish and Wildlife licensing.

(q) If this crime involves a drug offense, my eligibility for state and federal education benefits will be affected. 20 U.S.C. § 1091(r).

(r) This plea of guilty is considered a conviction under RCW 46.25.010 and I will be disqualified from driving a commercial motor vehicle. RCW 46.25.090. I am required to notify the Department of Licensing and my employer of this guilty plea within 30 days after the judge signs this document. RCW 46.25.030.

(s) If this case involves driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, I have been informed and understand that I will be subject to:

the penalties described in the "DUI" Attachment" or the "Washington State Misdemeanor DUI Sentencing Attachment."

OR

these penalties: Mandatory minimum sentence:

- _____ days in jail.
- _____ days of electronic home monitoring.
- \$ _____ monetary penalty.
- If a 24/7 sobriety program is available, ~~if and~~ I have 2 prior offenses, a 6-month period of 24/7 sobriety program monitoring; or 6 months of ignition interlock device requirement; or both.
- Comply with the rules and requirements of the Department of Licensing regarding the installation and use of a functioning ignition interlock device on all motor vehicles that I operate.
- The Department of Licensing will suspend or revoke my driving privilege for the period of time stated in paragraph 6(1).

If I have no prior offenses: instead of the minimum jail term, the judge may order me to serve _____ days in electronic home monitoring or _____ days on 24/7 sobriety program monitoring.

If I have prior offense(s):

- The judge shall order me to submit to an expanded alcohol assessment and comply with treatment deemed appropriate by that assessment.
- If I have one prior offense, instead of mandatory jail and electronic home monitoring, the judge may order me to serve not less than _____ days in jail, and either _____ days of electronic home monitoring or a 120-day period of 24/7 sobriety program monitoring or a 120-day period of ignition interlock device requirement, or both.
- If I have ~~two~~ 2 prior offenses, instead of mandatory electronic home monitoring, the judge may order me to serve additional jail time.

If the judge orders me to refrain from consuming any alcohol, the judge may order me to submit to alcohol monitoring. I shall be required to pay for the monitoring unless the judge specifies that the cost will be paid with funds from another source.

The judge may waive electronic home monitoring or order me to obtain an alcohol monitoring device with wireless reporting technology, if that device is reasonably available, if I do not have a dwelling, telephone service, or any other necessity to operate electronic home monitoring. The judge may waive electronic home monitoring if I live out of state, or if the judge determines that I would violate the terms of electronic home monitoring. If the judge waives electronic home monitoring, he or she will impose an alternative sentence which may include use of an ignition interlock device, additional jail time, work crew, work camp, or a 24/7 sobriety program.

I understand that the 24/7 sobriety program is a program which requires tests of my blood, breath, urine, or other bodily substances to find out if I have alcohol, marijuana, or any controlled substance in my body. Testing must take place at designated location/s. I may be required to pay the fees and costs for the program.

The judge will order as conditions of probation that I (i) shall not drive a motor vehicle without a valid license; (ii) shall not drive a motor vehicle without proof of liability insurance or other financial responsibility; (iii) shall not drive or be in physical control of a motor vehicle with an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within ~~two~~ 2 hours after driving; (iv) shall submit to a breath or blood alcohol test upon the reasonable request of a law enforcement officer; (v) shall not drive a motor vehicle without a functioning ignition interlock device as required by the Department of Licensing. For each violation of the above mandatory conditions, the court shall order my confinement for a minimum of 30 days, which may not be suspended or deferred. For each incident involving a violation, the court shall suspend my license for 30 days.

(t) If this case involves reckless driving and the original charge was driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, and I have one or more prior offenses as defined in RCW 46.61.5055(14), within 7 years; or if the original charge was vehicular homicide (RCW 46.61.520) or vehicular assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug, I have been informed and understand that I will be subject to the penalties for Reckless Driving described in the "DUI" Attachment" or the "Washington State Misdemeanor DUI Sentencing Attachment."

(u) If this case involves negligent driving in the first degree, and I have ~~one~~ 1 or more prior offenses, as defined in RCW 46.61.5055(14) within 7 years, I have been informed and understand that I will be subject to the penalties for Negligent Driving-1st Degree described in the "DUI" Attachment" or the "Washington State Misdemeanor DUI Sentencing Attachment."

(v) If this case involves a conviction for operating a vehicle without an ignition interlock device under RCW 46.20.740, then my sentence will run consecutive to any sentences imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055. RCW 46.20.740(3).

(w) If this case involves a conviction for tampering with or circumventing an ignition interlock device under RCW 46.20.750, then

my sentence will run consecutive to any sentences imposed under RCW 46.20.740(3), 46.61.502, 46.61.504, 46.61.5055, 46.61.520(1), or 46.61.522 (1)(b).

(x) If this crime involves sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation, or conspiracy to commit a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.128, or unlawful transmission of HIV to a child or vulnerable adult under chapter 70.24 RCW, I will be required to register with the county sheriff as described in the "Offender Registration" Attachment."

(y) Pursuant to RCW 43.43.754, if this crime is an offense which requires sex or kidnapping offender registration, or is one of the following offenses: assault in the fourth degree where domestic violence was pleaded and proved, assault in the fourth degree with sexual motivation, communication with a minor for immoral purposes, custodial sexual misconduct in the second degree, failure to register, harassment, patronizing a prostitute, sexual misconduct with a minor in the second degree, stalking, indecent exposure, or violation of a sexual assault protection order granted under chapter 7.90 RCW, or comparable ordinance, I will be required to have a biological sample collected for purposes of DNA identification analysis, unless it is established that the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.

(z) **Travel Restrictions:** I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if I am placed on probation for ~~one~~ 1 year or more and this crime involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires the offender to register as a sex offender in the sending state. I understand that I will be required to pay an application fee with my travel or transfer request.

7. I plead guilty to the crime(s) of _____ as charged in the complaint(s) or citation(s) and notice. I have received a copy of that complaint or citation and notice.

The complaint or citation and notice was orally amended and I waive filing of a written amended complaint or citation and notice.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me, or to any other person, to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. **Statement of Facts [by Defendant]:** The judge has asked me to state in my own words what I did that makes me guilty of the crime(s), including domestic violence relationships if they apply. This is my statement (state the specific facts that support each element of the crime(s)):

_____.

The crime(s) was (were) committed against intimate partner(s):
(names) _____ (name(s)).

The crime(s) was (were) committed against family or household
member(s): (names) _____ (name(s)).

[**No statement made.**] Instead of making a statement, I agree
that the court may review the police reports and/or a statement of
probable cause supplied by the prosecution to establish a factual ba-
sis for the plea, including a determination of my relationship to each
victim as:

intimate partner(s): (names) _____ (name(s)).

family or household member(s): (names) _____
(name(s)).

12. My lawyer has explained to me, and we have fully discussed,
or I have read, all of the above paragraphs. I understand them all. I
have been given a copy of this "Statement of Defendant on Plea of
Guilty." I have no further questions to ask the judge.

Date:

Defendant

I have read and discussed this statement with the defendant
and believe that the defendant is competent and fully
understands the statement.

Prosecuting Authority

Defendant's Lawyer

Type or Print Name

WSBA No.

Type or Print Name

WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer, if represented,
and the undersigned judge. The defendant asserted that (check the appropriate box):

(a) The defendant had previously read; or

(b) The defendant's lawyer had previously read to him or her; or

(c) An interpreter had previously read to the defendant the entire statement above to the defendant and that the defendant
understood it in full.

Interpreter Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to
interpret in the _____ language, which the defendant understands. I have translated this
document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of
Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter _____

Print Name _____

I find the defendant's plea of guilty to be knowingly, intelligently, and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge/Commissioner/Judge Pro Tempore

"DUI" ATTACHMENT"

Case Name: _____

Cause No.: _____

"DUI" Attachment: Driving under the influence of alcohol and/or actual physical control of a vehicle while under the influence of alcohol and/or drugs. (If required, attach to "Statement of Defendant on Plea of Guilty.")

Court - DUI Sentencing Grid (RCW 46.61.5055 as amended by statute effective June 7, 2018)

BAC Result < .15 or No Test Result	<i>No Prior Offense¹</i>	<i>One Prior Offense¹</i>	<i>Two Prior Offenses¹</i>
Mandatory Minimum/Maximum Jail Time ²	24 Consecutive Hours/364 Days	30/364 Days	90/364 Days
If Passenger Under 16 Mandatory Jail	Additional 24 Hours	Additional 5 Days	Additional 10 Days
EHM/ or Jail Alternative ²	15 Days in Lieu of Jail	60 Days Mandatory	120 Days Mandatory/8 Days Jail Min.
Alternative to Mandatory Jail + EHM	N/A	At least 4 Days Jail +180 Days EHM ²	N/A
Mandatory Minimum/Maximum Fine ^{3***}	\$990.50/\$5,000	\$1,245.50/\$5,000	\$2,095.50/\$5,000
If Passenger Under 16 Minimum/Maximum Range ^{4***}	\$1,000/\$1,000-\$5,000 + assessments	\$1,000/\$2,000-\$5,000 + assessments	\$1,000/\$3,000-\$10,000 + assessments
Driver's License**	90-Day Suspension ⁵	2-Year Revocation ⁵	3-Year Revocation
If Passenger Under 16 II Device	Additional 6 Months	Additional 6 Months	Additional 6 Months
24/7 Sobriety Program ²	If available	If available	If available
Alcohol/Drug Ed./Victim Impact or Treatment	As Ordered	As Ordered	As Ordered
Expanded alcohol assessment/treatment	N/A	Mandatory/treatment if appropriate	Mandatory/treatment if appropriate
II Device	DOL imposed in all cases.		
BAC Result ≥ .15 or Test Refusal	<i>No Prior Offense¹</i>	<i>One Prior Offense¹</i>	<i>Two Prior Offenses¹</i>
Mandatory Minimum/Maximum Jail Time ²	48 Consecutive Hours/364 Days	45/364 Days	120/364 Days
If passenger under 16 Mandatory Jail	Additional 24 Hours	Additional 5 Days	Additional 10 Days
EHM/ or Jail Alternative ²	30 Days in Lieu of Jail	90 Days Mandatory.	150 Days Mandatory/10 Days Jail Min.
Alternative to Mandatory Jail + EHM	N/A	At least 6 Days Jail + 6 Months EHM ²	N/A

BAC Result < .15 or No Test Result	No Prior Offense ¹	One Prior Offense ¹	Two Prior Offenses ¹
Mandatory Minimum/Maximum Fine ^{3***}	\$1,245.50/\$5,000	\$1,670.50/\$5,000	\$2,945.50/\$5,000
If Passenger Under 16 Minimum/Maximum ^{4***}	\$1,000/\$1,000-\$5,000 + assessments	\$1,000/\$2,000-\$5,000 + assessments	\$1,000/\$3,000-\$10,000 + assessments
Driver's License ^{**}	1-Year Revocation ⁵ 2 Years if BAC refused	900-Days Revocation 3 Years if BAC refused	4-Year Revocation
If Passenger Under 16 II Device	Additional 6 Months	Additional 6 Months	Additional 6 Months
24/7 Sobriety Program ²	If available	If available	If available
Alcohol/Drug Ed./Victim Impact or Treatment	As Ordered	As Ordered	As Ordered
Expanded alcohol assessment/treatment	N/A	Mandatory/treatment if appropriate	Mandatory/treatment if appropriate

* See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 5.

** Driver's license minimum suspension/revocation. See note 5 for exceptions. DOL may impose more.

*** Mandatory Minimum fines may be reduced, waived, or suspended if defendant is indigent, as provided by law.

¹Prior¹ Prior Offenses: Count all prior offenses where the arrest date of the prior offense occurred within seven 7 years before or after the arrest date ~~on~~ of the current offense. RCW 46.61.5055 (14) (~~bc~~). "Prior offense" is defined by RCW 46.61.5055 (14) (a) to include-

- ~~Original Convictions for the following~~ (including equivalent local ordinances) for: (1) Driving Under the Influence (DUI) (RCW 46.61.502) or an equivalent out-of-state conviction; (2) Physical Control of a Vehicle under the Influence (Physical Control) (RCW 46.61.504) or an equivalent out-of-state conviction; (3) Commercial Vehicle DUI/Physical Control (RCW 46.25.110); (4) Watercraft DUI (RCW 79A.60.040(2)); (5) Aircraft DUI (RCW 47.68.220) committed under the influence of intoxicating liquor or any drug; (6) Nonhighway vehicle DUI (RCW 46.09.470(2)); and (7) Snowmobile DUI (RCW 46.10.490(2)); ~~(8) Veh. Homicide (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) if either committed while under the influence;~~ (9) Equiv. out-of-state statute for any of the above offenses.
- ~~Deferred Prosecution Granted for the following:~~ (1) DUI (RCW 46.61.502) (or equivalent local ordinance); (2) Phys. Cont. (RCW 46.61.504) (or equiv. local ordinance); (3) Neg. Driving 1st (RCW 46.61.5249, or equiv. local ord.), if the person was originally charged with DUI or Phys. Cont. (or an equiv. local ord.), or Veh. Hom. (RCW 46.61.520) or Veh. Assault (RCW 46.61.522). An equivalent out-of-state deferred prosecution for DUI or Phys. Cont., including a chemical dependency treatment program. If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in RCW 46.61.5055 (14) (a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing.
- ~~Amended Convictions for the following for:~~ ~~if~~ (1) Originally charged with DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504) or an equivalent local ordinance, or Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522); but convicted of ~~(1)~~ Negligent Driving 1st (RCW

46.61.5249), ~~(2) Reckless Driving (RCW 46.61.500), or (3) Reckless Endangerment (RCW 9A.36.050), or (4) Equiv. out of state or an equivalent local ordinance for the above offenses.~~ This section also applies for equivalent out-of-state convictions; (2) ~~If~~ **Originally charged with Veh-icular Homicide** (RCW 46.61.520) or Veh-icular Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug; **but convicted of Veh-icular Homicide or Veh-icular Assault committed in a reckless manner or with the disregard for the safety of others;** (3) ~~If~~ **Originally charged with Watercraft DUI** (RCW 79A.60.040(2) ~~or an equivalent local ordinance,~~ **but convicted of Operating a Watercraft in a reckless manner,** (RCW 79A.60.040(1)) ~~or an equivalent local ordinance;~~ (4) ~~If~~ **Originally charged with Aircraft DUI** (RCW 47.68.220) ~~or an equivalent local ordinance,~~ but convicted of Operating an Aircraft in a careless or reckless manner, (RCW 47.68.220) ~~or an equivalent local ordinance.~~

- **Deferred Prosecution Granted for:** (1) Driving Under the Influence (DUI) (RCW 46.61.502), including local and out-of-state equivalents; (2) Physical Control of a Vehicle under the influence (Physical Control) (RCW 46.61.504), including local and out-of-state equivalents; (3) Negligent Driving 1st (RCW 46.61.5249) or equivalent local ordinance if the charge under which the deferred prosecution was granted was originally filed as a violation of DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504), or an equivalent local ordinance, or Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522); and (4) An equivalent out-of-state deferred prosecution for DUI or Physical Control, including a substance use disorder treatment program (RCW 46.61.5055 (14) (a) (xvi)).

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in RCW 46.61.5055 (14) (a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing.

- **Deferred Sentences for for the following:** ~~If~~ **Originally charged with DUI (RCW 46.61.502) or Phys-ical Cont-rol (RCW 46.61.504) or an equivalent local ordinance, or Veh-icular Homicide (RCW 46.61.520) or Veh-icular Assault (RCW 46.61.522); but deferred sentence was imposed for:** ~~(1) Neg-ligent Driving 1st (RCW 46.61.5249), (2) Reckless Driving (RCW 46.61.500), (3) Reckless Endangerment (RCW 9A.36.050), or (4) Equiv. out of state or an equivalent local ordinance for the above offenses.~~

²Mandatory² Mandatory Jail, Electronic Home Monitoring (EHM), and 24/7 Sobriety Program:

No prior offenses: Where there are no prior offenses with an arrest date within seven years before or after the arrest date of the current offense, the mandatory imprisonment may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The court may grant EHM instead of mandatory minimum jail. Instead of jail time or EHM in lieu of jail time, and when the alcohol concentration is (1) less than 0.15, the court may order a

90-day period of 24/7 sobriety program monitoring or (2) at least 0.15, the court may order a 120-day period of 24/7 sobriety program monitoring.

One prior offense: Where there is ~~one~~ 1 prior offense with an arrest date within ~~seven~~ 7 years before or after the arrest date of the current offense, the mandatory imprisonment and EHM may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. In lieu of the mandatory term of imprisonment and EHM, when alcohol concentration is (1) less than 0.15, the court may order a minimum of 4 days in jail, and either 180 days of EHM or a 120-day period of 24/7 sobriety program monitoring or (2) at least 0.15, the court may order a minimum of 6 days in jail and either 6 months of EHM or a 120-day period of 24/7 sobriety program monitoring, or a 120-day ignition interlock device requirement, or both

Two prior offenses: If there are ~~two~~ 2 prior offenses with an arrest date within ~~seven~~ 7 years before or after the arrest date of the current offense, the mandatory jail shall be served by imprisonment for the minimum statutory term and may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The mandatory statutory term may not be converted to EHM. If the 24/7 sobriety program is available, the court shall order ~~six~~ 6-month 24/7 sobriety program monitoring, or a ~~six~~ 6-month ignition interlock device requirement, or both.

II Device: A sentence imposed for driving without an ignition interlock device (IID) installed as required or for circumventing an IID must be consecutive to any sentence imposed for DUI or Physical Control. RCW 46.20.740; RCW 46.20.750.

The 24/7 sobriety program is a program which requires tests of the defendant's blood, breath, urine, or other bodily substances to find out if there is alcohol, marijuana, or any controlled substance in ~~his/her~~ their body. Testing must take place at designated location(s). The defendant may be required to pay the fees and costs for the program. RCW 46.61.5055 (1), (2), (3), (5); RCW 36.28A.330.

Mandatory Conditions of Probation for any Suspended Jail Time:

The individual is not to: (i) drive a motor vehicle without a valid license to drive, (ii) drive a motor vehicle without proof of liability insurance or other financial responsibility (SR 22), (iii) drive or be in physical control of a vehicle while having an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher within ~~two~~ 2 hours after driving, (iv) refuse to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drug, (v) drive a motor vehicle without a functioning ignition interlock device as required by DOL. For each violation of the above mandatory conditions! the court shall order a minimum of 30-days! confinement, which may not be suspended or deferred. For each incident involving a violation, the court shall suspend the license for 30 days. RCW 46.61.5055(11). Courts are required to report violations of mandatory conditions requiring confinement or license suspension to DOL. RCW 46.61.5055.

³Mandatory Mandatory Monetary Penalty: Criminal Conviction Fee, RCW 3.62.085, shall not be imposed if the defendant is indigent as de-

fined in RCW 10.101.010 (3)(a)-(c). Fine, RCW 46.61.5055 (1)-(3), mandatory minimum may not be suspended unless the defendant is indigent. PSEA 1, RCW 3.62.090(1) if applicable, shall not be suspended or waived; Alcohol Violators Fee, RCW 46.61.5054, may suspend all or part of fee if the defendant does not have ability to pay; Criminal Justice Funding (CJF) Penalty, RCW 46.64.055, may not be reduced, waived, or suspended unless the defendant is indigent (Note: RCW 3.62.090 (1) and (2) apply to CJF penalty. If applicable, shall not be suspended or waived.)

4if⁴ If Passenger Under 16: The interpretation of RCW 46.61.5055(6), regarding the fines, is unsettled. Some interpret it as setting a new mandatory minimum and maximum fine, replacing a fine in RCW 46.61.5055 (1)-(3). Some interpret it as setting a fine that is in addition to one of those fines. Apply applicable assessments. The court may not suspend the minimum fine unless defendant is indigent.

5Driver's⁵ Driver's License and 24/7 Sobriety Program: If there are no prior offenses, and the person's alcohol concentration is:

1) less than 0.15, the person's driving privilege is suspended for 90 days or until the person is evaluated by an alcoholism agency or probation department and completes or is enrolled in a 90-day period of 24/7 sobriety program monitoring. The license suspension must not be fewer than 2 days.

2) at least 0.15, the person's driving privilege is revoked for ~~one~~ 1 year or until the person is evaluated by an alcoholism agency or probation department and completes or is enrolled in a 120-day period of 24/7 sobriety program monitoring. The license revocation must not be fewer than 4 days.

If there is ~~one~~ 1 prior offense and the person's alcohol concentration is less than 0.15, the person's driving privilege is **revoked** for ~~two~~ 2 years or until the person is evaluated by an alcoholism agency or probation department **and** the person completes or is enrolled in a ~~six~~ 6-month period of 24/7 sobriety program monitoring. In no circumstances shall the license **suspension** be for less than ~~one~~ 1 year.

Felony DUI and Felony Physical Control: A current offense is a Class B felony punished under ch. 9.94A RCW if the defendant has (a) ~~three~~ 3 prior convictions within ~~ten~~ 10 years, or (b) ~~one~~ 1 prior conviction of Veh. Homicide or Veh. Assault, or (c) a prior felony resulting from (a) or (b). "Within ~~ten~~ 10 years" means that the arrest for the prior offense occurred within ~~ten~~ 10 years before or after the arrest for the current offense. RCW 46.61.5055 (14)(c).

Jurisdiction: Court has ~~five~~ 5 years jurisdiction.

Court and Department of Licensing (DOL) Ignition Interlock Requirements, RCW 46.20.720 (as amended by statute effective June 7, 2018)

Court Order to Comply with Rules and Requirements of DOL: The court orders the person to comply with the rules and requirements of DOL regarding the installation and use of a functioning Ignition Interlock device on all motor vehicles operated by the person. If the court orders the person to refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring and to pay for the monitoring unless the court specifies the cost will be paid with funds available from an alternative source identified by the court. RCW 46.61.5055(5).

DOL Ignition Interlock Device (IID) Requirements RCW 46.20.720: Restriction and duration:

Post-conviction: After any applicable period of suspension, revocation, or denial of driving privilege due to conviction for DUI, Phys. Control, or an equivalent local or out-of-state statute or ordinance.

No Previous Restriction:	Previous 1-Year Restriction:	Previous 5-Year Restriction:
1 Year	5 Years	10 Years

Passenger Under Age 16: DOL shall extend the ignition interlock restriction an additional ~~six~~ 6 months as required by RCW 46.61.5055 (6) (a).

Tolling: For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person unless DOL determines the person is unable to operate an IID due to a physical disability.

Court Order: If the court orders that a person may drive only a motor vehicle equipped with a functioning IID, the court sets the duration of the restriction, up to the ~~five~~ 5 years' jurisdictional limit of the court, and the calibration level. RCW 46.20.720 (1) (e).

Calibration: Unless otherwise ordered, the calibration level for any IID shall be .025%.

IID Costs: \$20 fee per month and any other costs associated with the use of an IID. DOL may waive the monthly fee if the person is indigent under RCW 10.101.010.

Requirements for removal: Restriction effective until IID vendor certifies to DOL that none of the following occurred within 180 days prior to date of release: any attempt to start the vehicle with a BAC of .04 or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than ~~and~~ .04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required.

Day-for-Day credit: All time during which a required IID is installed applies on a day-for-day basis toward a post-conviction IID requirement for the same incident. If day-for-day credit exceeds the post-conviction requirement, DOL may waive requirements.

Employer Exemption: The installation of an IID is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer and driven at the direction of a person's employer as a requirement of employment during business hours upon providing an Employer Exemption declaration to DOL. However, the employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and is used solely for commuting to and from employment.

Court - Reckless Driving/Negligent Driving - 1st Degree Sentencing Grid (RCW 46.61.500, RCW 46.61.5249, RCW 46.20.720 as amended through June 7, 2018)

Reckless Driving

Conviction	Qualifications
Reckless Driving (RCW 46.61.500 (3)(a))	<ul style="list-style-type: none"> • Original charge: Violation of DUI (RCW 46.61.502) or Phys. Control (RCW 46.61.504) or equivalent local ordinance. • One or More Prior Offenses within 7 years as defined above.
Reckless Driving (RCW 46.61.500 (3)(b))	<ul style="list-style-type: none"> • Original charge; Violation of Veh. Homicide (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug.
Consequences	
II Device	<ul style="list-style-type: none"> • 6 Months. • Restriction remains in effect; until IID vendor certifies to DOL that none of the following incidents occurred within four 4 months before date of release: any attempt to start the vehicle with a BAC of <u>0.04</u> or more, unless another test performed within 10 minutes registers a breath alcohol concentration lower than <u>0.04</u> and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required. • For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person. • DOL will give day-for-day credit as allowed by law. • Costs associated with the use of the ignition interlock device, and \$20 fee per month.
Maximum Jail Time	<ul style="list-style-type: none"> • 364 Ddays, if convicted of reckless driving.
Maximum Fine	<ul style="list-style-type: none"> • \$5,000, if convicted of reckless driving.
EHM	<ul style="list-style-type: none"> • As ordered.
Driver's License	<ul style="list-style-type: none"> • 30-day suspension. • DOL will give day-for-day credit as allowed by law.
Ignition Interlock (II) Driver's License	<ul style="list-style-type: none"> • As imposed by DOL. May apply for II driver's license if original charge was violation of DUI (RCW 46.61.502) or Phys. Control (RCW 46.61.504) or equivalent local ordinance. If the Defendant is eligible to apply, but does not have a Washington driver's license, the defendant may apply for an II license. DOL may require the defendant to take a licensing examination and apply and qualify for a temporary restricted driver's license. • During any period of suspension, revocation, or denial, a person who has obtained an II driver's license under RCW 46.20.385 may continue to drive without getting a separate, temporary restricted driver's license.
Alcohol/Drug Ed./Victim Impact or Treatment	<ul style="list-style-type: none"> • As ordered.
24/7 Sobriety Program	<ul style="list-style-type: none"> • As ordered by the court, if use of alcohol or drugs was a contributing factor in the commission of the crime.

Negligent Driving - 1st Degree	
Conviction	Qualifications
Negligent Driving - 1st Degree (RCW 46.61.5249)	<ul style="list-style-type: none"> • One or More Prior Offenses within 7 years as defined above.
Consequences	
II Device	<ul style="list-style-type: none"> • 6 Months. • Restriction remains in effect; until IID vendor certifies to DOL that none of the following incidents occurred within four 4 months before date of release: any attempt to start the vehicle with a BAC of <u>0.04</u> or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than <u>0.04</u> and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required. • For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person.

Maximum Jail Time	• 90 D days, if convicted of negligent driving in the 1st degree.
Maximum Fine	• \$1,000, if convicted of negligent driving in the 1st degree.
EHM	• As ordered.
Driver's License	• As imposed by DOL.
Alcohol/Drug Ed./Victim Impact or Treatment	• As ordered.
24/7 Sobriety Program	• As ordered by the court, if use of alcohol or drugs was a contributing factor in the commission of the crime.

**"Offender Registration" Attachment
[Unchanged.]**

(i) Deferred Prosecution. A written petition shall be filed at the time a defendant moves the court to grant a deferred prosecution under chapter 10.05 RCW. The petition shall be in substantially the following form:

<p align="center">____ Court of Washington For _____</p> <p align="right">_____ Plaintiff,</p> <p align="center">vs.</p> <p align="left">_____ Defendant.</p>	<p>No: _____</p> <p>Petition for Deferred Prosecution (DPPF)</p> <p>Charges: _____</p> <p>Violation Date: _____</p>
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I am the defendant in this case and I petition the court for deferred prosecution under ~~RCW Chapter ch.~~ 10.05 RCW. I make the following statement in support of my petition:

1. The wrongful conduct charged is the result of or caused by [] substance use disorders [] mental problems [] domestic violence behavior, for which I need treatment.

2. Unless I receive treatment for my problem, the probability is great that I will offend again.

3. I agree to pay the cost of diagnosis and treatment, if I am financially able to do so, subject to RCW 10.05.130.

4. I understand that the court will not accept a petition for deferred prosecution from a person who sincerely believes that ~~he or she is they are~~ innocent of the crime(s) charged or does not suffer from alcoholism, drug addiction, ~~or~~ mental problems, or domestic violence behavior problems.

5. If this charge is a violation of Title 46 RCW or similar municipal ordinance, I have not previously been placed on a deferred prosecution for a Title 46 or similar municipal ordinance violation.

6. If this charge is a domestic violence offense, I have not previously been placed on a deferred prosecution for a domestic violence offense, this charge was not originally charged in superior court as a felony offense, and a prior stipulated order of continuance was not previously granted. RCW 10.05.010; RCW 10.05.160.

~~6.~~ 7. I have filed a case history and assessment with this petition as required by RCW 10.05.020.

~~7.~~ 8. I have the following rights: (a) to have a lawyer represent me at all hearings; (b) to have a lawyer appointed at public expense if I cannot afford one; (c) to have a speedy, public jury trial; (d) to appeal any conviction; (e) to remain silent and not testify; (f) to question witnesses who testify against me; (g) to call witnesses to

testify for me, at no cost; (h) to be presumed innocent unless the charge(s) against me is (are) proved beyond a reasonable doubt; and (i) to present evidence and a defense. By deferring prosecution on these charges, I give up my right to: (a) a speedy trial; (b) a jury; (c) testimony on my own behalf; an opportunity to (d) call and (e) question witnesses; and (f) present evidence or a defense.

8. 9. I agree that the facts as reported in the attached police reports are admissible evidence and are sufficient to support a conviction. I acknowledge that the above items will be used to support a finding of guilty if the deferred prosecution is revoked.

9. 10. If my deferred prosecution is revoked and I am found guilty, I may be sentenced up to the maximum penalty allowed by law.

10. 11. If I proceed to trial and I am found guilty, I may be allowed to seek suspension of some or all fines and incarceration if I seek treatment. I understand that I may seek treatment from a public or private agency at any time, whether or not I have been found guilty or placed on deferred prosecution.

11. 12. For some crimes, a deferred prosecution will enhance mandatory penalties for subsequent offenses committed within a ~~seven~~ 7-year period. I understand that a deferred prosecution will be a prior offense under RCW 46.61.5055 (driving under the influence, physical control of a vehicle under the influence, negligent driving if originally charged as driving under the influence or physical control of a vehicle under the influence, vehicular homicide, or vehicular assault).

12. 13. If the court defers prosecution on any crime that would be a violation of state law or local ordinance relating to motor vehicle traffic control, I will be disqualified from driving a commercial motor vehicle for the period specified in RCW 46.25.090 and, if I drive a commercial motor vehicle holding a license issued by Washington State, I will be required to notify the Department of Licensing and my employer of this deferred prosecution within 30 days of the judge granting this petition. RCW 46.25.030. If the court grants this Petition, I may not operate a motor vehicle on the public highways without a valid operator's license and proof of liability insurance pursuant to RCW 46.29.490. If my wrongful conduct is the result of or caused by alcohol dependency, I shall also be required to install an ignition interlock device under RCW 46.20.720. The required periods of interlock use shall be not less than the periods provided for in RCW 46.20.720, and subject to certification from the ignition interlock device vendor. RCW 46.20.720(4). I may also be required to pay restitution to victims, pay court costs, and pay probation costs authorized by law. To help ensure continued sobriety and reduce the likelihood of ~~reoffense~~ re-offense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for alcoholism or drugs, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. Substance use disorder treatment programs shall require a minimum of ~~two~~ 2 self-help recovery groups per week for the duration of the treatment program. The court may terminate the deferred prosecution program if I violate this paragraph.

14. If the court defers prosecution for any crime involving domestic violence behavior, I will be ordered not to possess firearms and I will be ordered to surrender firearms in my possession under RCW 9.41.800. The court may order me to make restitution and to pay costs under RCW 10.01.160. The court may also order reasonable conditions

during the deferred prosecution to ensure continued sobriety and reduce the likelihood of re-offense in co-occurring domestic violence and substance abuse or mental health cases. These conditions include, but are not limited to, attendance at a self-help recovery support group for alcoholism or drugs, complete abstinence from alcohol and all non-prescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law abiding behavior. The court may terminate the deferred prosecution program if I violate the deferred prosecution order.

15. A deferred prosecution program for domestic violence behavior, or domestic violence co-occurring with substance abuse or mental health, must include, but is not limited to, the following requirements: (1) Completion of a risk assessment; (2) Participation in the level of treatment recommended by the program as outlined in the current treatment plan; (3) Compliance with the contract for treatment; (4) Participation in any ancillary or co-occurring treatments that are determined to be necessary for the successful completion of the domestic violence intervention treatment including, but not limited to, mental health or substance use treatment; (5) Domestic violence intervention treatment within the purview of this section to be completed with a state-certified domestic violence intervention treatment program; (6) Signature of the petitioner agreeing to the terms and conditions of the treatment program; (7) Proof of compliance with any active order to surrender weapons issued in this program or related civil protection orders or no-contact orders.

~~13.~~ 16. If the court grants this petition, during the period of deferred prosecution I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if my wrongful conduct involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; or (iv) a sexual offense that requires me to register as a sex offender in Washington state. I understand that I will be required to pay an application fee with my travel or transfer request.

~~14.~~ 17. If I fail or neglect to comply with any part of my treatment plan or with any ignition interlock device requirements, then the court will hold a hearing to determine whether I should be removed from the deferred prosecution program. After the hearing, the court will either order that I continue with treatment or be removed from deferred prosecution and enter judgment. If I am convicted of a similar offense during the deferred prosecution, the court will revoke the deferred prosecution and enter judgment.

~~15.~~ 18. The court will dismiss the charge(s) against me in this case ~~three~~ 3 years from the end of the ~~two~~ 2-year treatment program and following proof to the court that I have complied with the conditions imposed by the court following successful completion of the ~~two~~ 2-year treatment program, but no less than ~~five~~ 5 years from the date the deferred prosecution is granted, if the court grants this petition and if I fully comply with all the terms of the court order placing me on deferred prosecution.

I certify under penalty of perjury under the laws of the state of Washington that I have read the foregoing and agree with all of its provisions and that all statements made are true and correct.

Dated at _____, Washington this ____ day of _____,
_____.

Petitioner-Defendant

Defense Attorney/WSBA
No.

**Petition for Deferred Prosecution of Criminal Mistreatment Charge
[Unchanged.]**

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 21-19-022
RULES COORDINATOR
EMPLOYMENT SECURITY DEPARTMENT
[Filed September 8, 2021, 1:30 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the employment security department is Joshua Dye, 212 Maple Park Avenue, Olympia, WA 98501, phone 360-890-3472, fax 844-652-7096, email rules@esd.wa.gov.

Scott E. Michael
Legal Services
Coordination Manager

WSR 21-19-024
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF ECOLOGY

[Filed September 8, 2021, 1:57 p.m.]

Notice of Interpretive and Policy Statements

Under chapter 42.56 RCW, 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 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)
2019-2021 Local Solid Waste Financial Assistance Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/1907009.html
2021 Drought Response Grant Funding Guidance - Chapter 173-167 WAC	https://apps.ecology.wa.gov/publications/SummaryPages/2111014.html
2021-23 Municipal Stormwater Capacity - Building Grant Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2110033.html
Air Quality Local Partner Woodsmoke Reduction Grant Funding Guidelines 2021-23	https://apps.ecology.wa.gov/publications/SummaryPages/2102010.html
2021 Clean Water State Revolving Fund Emergency Funding Program Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2010042.html
Municipal Stormwater Grants of Regional or Statewide Significance 2021-23 Funding Guidance	https://apps.ecology.wa.gov/publications/SummaryPages/2110021.html
Rehabilitation of High Hazard Potential Dams Grant Program Fiscal Year 2020, Funding Program Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2111007.html
Spills Coastal Protection Fund Grant Program 2021 Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2108005.html
State Fiscal Year 2022 Draft Water Quality Funding Offer List and Intended Use Plan	https://apps.ecology.wa.gov/publications/SummaryPages/2110001.html
State Fiscal Year 2023 Funding Guidelines—Water Quality Combined Funding Program	https://apps.ecology.wa.gov/publications/SummaryPages/2110028.html
Washington State Local Partner Core Operations Grant Funding Guidelines 2021-23	https://apps.ecology.wa.gov/publications/SummaryPages/2102009.html
Waste Reduction and Recycling Education Grant Program Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/1807009.html

Rescinded Statements:

Title of Interpretive/ Policy Statement	Web Link (if applicable)
Public Participation Grants	https://apps.ecology.wa.gov/publications/SummaryPages/1707008.html

Statements with Title Change (indicated with bold):

Title of Interpretive/ Policy Statement	Web Link (if applicable)
2020 Clean Water State Revolving Fund Emergency Funding Program Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2010005.html
Funding Guidelines FY 2017-2019 Floodplains by Design	https://apps.ecology.wa.gov/publications/SummaryPages/1506019.html
2019-2021 Public Participation Grants Program Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/1907006.html

WSR 21-19-026
NOTICE OF PUBLIC MEETINGS
OLYMPIC REGION
CLEAN AIR AGENCY

[Filed September 8, 2021, 3:58 p.m.]

The Olympic Region Clean Air Agency's board of directors has changed the following regular meeting:

From: Cancelled.

To: December 8, 2021.

If you need further information contact Debbie Moody, 2940 Limited Lane N.W., Olympia, 360-539-7610 ext. 114, fax 360-491-6308, debbie.moody@orcaa.org, www.orcaa.org.

WSR 21-19-030

NOTICE OF PUBLIC MEETINGS

SKAGIT VALLEY COLLEGE

[Filed September 9, 2021, 3:08 p.m.]

The meeting location for the March 8, 2022, regular meeting of the Skagit Valley College board of trustees has been changed to the Board Room in the Administrative Annex, Skagit Valley College, 2405 East College Way, Mount Vernon, WA 98273. The meeting start time remains as originally scheduled, 4:30 p.m.

WSR 21-19-032

HEALTH CARE AUTHORITY

[Filed September 9, 2021, 4:20 p.m.]

NOTICE

Title or Subject: 1115 Waiver Amendment for Reimbursement of Dental Health Aid[e] Therapist (DHAT) Services.

Effective Date: Date of Centers for Medicare and Medicaid Services approval.

Description: This amendment request would authorize reimbursement for critically important DHAT services at Indian health programs within the state. See attached for the complete description [contact agency for attachment].

CONTACT: Chase Napier, Medicaid Transformation Project, 626 8th Avenue S.E., Olympia, WA 98501, TRS/TDD/TTY 711, email medicaidtransformation@hca.wa.gov, website <https://www.hca.wa.gov/about-hca/medicaid-transformation-project-mtp/one-year-extension-and-amendment>.

WSR 21-19-037

HEALTH CARE AUTHORITY

[Filed September 10, 2021, 8:46 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0029 - Medicare Cost Reports.

Effective Date: October 1, 2021.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0029 regarding medicare cost reports. This SPA clarifies that HCA may, but is not required to, audit the cost report data used for rate setting. The SPA also clarifies that any HCA division with audit authority will audit hospital billings, as well as other financial and statistical records, and rebase the medicaid payment system on a periodic basis.

SPA 21-0029 is expected to have no effect on the annual aggregate expenditures, reimbursements, or payments for any programs or services; this SPA is for administrative purposes only.

A copy of SPA 21-0029 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: Abby Frazier-Cole, Financial Services, 626 Eighth Avenue S.E., Olympia, WA 98504, phone 360-725-1835, TRS 711, email abby.frazier-cole@hca.wa.gov.

WSR 21-19-038
RULES COORDINATOR
PUBLIC DISCLOSURE COMMISSION
[Filed September 10, 2021, 9:19 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington state public disclosure commission is Sean Flynn, General Counsel, 711 Capitol Way South, #206, Olympia, WA 88504 [98504], phone 360-753-1111, fax 360-753-1112, pdc@pdc.wa.gov.

Sean Flynn
General Counsel

WSR 21-19-042
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL

[Filed September 10, 2021, 11:23 a.m.]

People living with disabilities have the influence to shape the vocational rehabilitation services they receive. All are welcome.

On Tuesday, November 2, 2021, at 9:00 a.m. - 12:00 p.m. Meeting will be open starting at 8:50 a.m. if you want to check your connection.

On Wednesday, November 3, 2021, at 9:00 a.m. - 12:00 p.m. Meeting will be open starting at 8:50 a.m. if you want to check your connection.

Join Zoom meeting <https://dshs-telehealth.zoom.us/j/89159128714?pwd=YVI1amVUdVFBUWlaUHd2THFpVks6UT09>, Meeting ID 891 5912 8714, Passcode 507214, One tap mobile 253-215-8782. Please contact wsrc@dshs.wa.gov for details.

The Washington state rehabilitation council (WSRC) is proud to serve the division of vocational rehabilitation (DVR) customers and we continue to pursue the reforms and improvements they deserve. Our goal is to make sure their voice is heard. We provide the customer's perspective to help DVR deliver effective, equitable, and timely services to increase the number of people with disabilities who become employed.

To request reasonable accommodation, an ASL interpreter, a spoken language interpreter, or to provide a written comment please contact WSRC office by emailing wsrc@dshs.wa.gov or calling 360-725-3631 no later than Monday, October 18, 2021.

WSR 21-19-044
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed September 10, 2021, 3:57 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 9.05: Translation of DCS Forms.

Subject: AP 9.05.

Effective Date: September 9, 2021.

Document Description: This DCS administrative policy explains procedures for translating forms.

To receive a copy of the interpretive or policy statements, contact Amy Hahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-397-9801, TDD/TTY 800-833-6384, fax 360-664-5342, email amy.hahl@dshs.wa.gov, website <http://www.dshs.wa.gov/dcs/>.

WSR 21-19-047
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD
 [Filed September 13, 2021, 8:01 a.m.]

The following is a revision to the to the date of a 2021 regular meeting of the Washington state investment board (WSIB).

Original Date	Time	Location
September 16, 2021	9:30 a.m.	Olympia Office Webex
Revised Date	Revised Time	Revised Location
October 18, 2021	9:00 a.m.	Webex
*Public access will be available via teleconference. Details can be found on the WSIB website at www.sib.wa.gov .		

If you need further information, contact Stacy Conway by regular mail at WSIB, P.O. Box 40916, Olympia, WA 98504-0916, phone 360-956-4612, email Stacy.Conway@sib.wa.gov, or website www.sib.wa.gov.

WSR 21-19-048
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
 [Filed September 13, 2021, 10:36 a.m.]

The Eastern Washington University board of trustees has changed the following regular meeting schedule:

From:

October 7, 2021	1:00 - 5:30 p.m.	EWU Hargreaves Hall 223 Cheney, Washington or virtual per current guidelines
October 8, 2021	8:00 a.m. - 2:00 p.m.	EWU Tawanka Hall 215 Cheney, Washington or virtual per current guidelines

To:

October 21, 2021	10:00 a.m. - 5:00 p.m.	EWU Tawanka Hall 215 Cheney, Washington or virtual per current guidelines
October 22, 2021	8:00 a.m. - 2:00 p.m.	EWU Tawanka Hall 215 Cheney, Washington or virtual per current guidelines

Updated information on meeting location (whether it will be virtual or in-person per current state and federal health guidelines) is posted on the university's website <https://www.ewu.edu/about/leadership/bot/meeting-agendas-minutes/>.

If you need further information contact Chandalin Bennett, 214 Showalter Hall, Cheney, WA 99004, phone 509-359-6362, cmbennett@ewu.edu.

WSR 21-19-052

AGENDA

PARKS AND RECREATION
COMMISSION

[Filed September 13, 2021, 3:58 p.m.]

In accordance with RCW 34.05.314, the state parks and recreation commission submit[s] its semi-annual agenda for rules under development for publishing in the Washington State Register.

State parks is conducting a thorough review and may have additional rules as conditions arise. Rule changes filed from July to December 2021 are located on the agency's website at <https://parks.state.wa.us/179/rules-regulations> [<https://parks.state.wa.us/179/rules-regulations>].

Any questions related to the specific rules identified in the agenda can be directed to the manager or Valeria Veasley, Rules Coordinator, 1111 Israel Road, Olympia, WA 98504-2560, 360-902-8597 or valeria.veasley@parks.wa.gov.

**Rule-Making [Agenda]
July 1 to December 31, 2021**

WAC Citation	Reason and/or Expected Outcome	Contact	Status of Rule Making	Anticipated Date of Adoption	Comments
352-28 Resource Sale Rule	Language clarification.	Lisa Lantz Program Manager Lisa.lantz@parks.wa.gov 360-902-8641	CR-102 filed with WSR	Requested action for September 16 commission meeting.	
352-37 Seashore Conservation Area Mining	Update to reflect Washington department of fish and wildlife rule.	Lisa Lantz Program Manager Lisa.lantz@parks.wa.gov 360-902-8641	CR-102 filed with WSR	Requested action for September 16 commission meeting.	
352-66 Uniform Waterway Marking System	Update to reflect C.F.R.	Rob Sendak Boating Programs Manager Rob.sendak@parks.wa.gov 360-628-1876	CR-102 filed with WSR	Requested action for September 16 commission meeting	
352-32-15001	Update agency regulations to reflect changes in history, recreation use and tech and use of other types of watercrafts.	Melinda Posner Parks Planner Melinda.posner@parks.wa.gov 360-280-2670	Planning process - public comments		Adoption to happen before opening 2022 opening recreation season at St. George's Trailhead, May 27, 2022

Valeria Veasley
Management Analyst

WSR 21-19-053

RULES COORDINATOR

THE EVERGREEN STATE COLLEGE

[Filed September 13, 2021, 4:04 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for The Evergreen State College is Daniel Ralph, 2700 Evergreen Parkway N.W., L3200B, Olympia, WA 98505, 360-867-6500, fax 360-867-6577, ralphd@evergreen.edu.

John Carmichael, Ph.D.
Interim President

WSR 21-19-055

HEALTH CARE AUTHORITY

[Filed September 13, 2021, 4:43 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0033
Medicaid Disaster Relief - Pharmacy.

Effective Date: Retroactive to March 1, 2020.

Description: The health care authority (HCA) intends to submit Medicaid SPA 21-0036 to implement policies and procedures that may be different from the policies and procedures otherwise applied under the Medicaid state plan, during the period of the presidential and secretarial emergency declarations related to the COVID-19 outbreak. SPA 21-0033 addresses fees for administering COVID[-19] vaccines.

This SPA is the preprint developed by the Centers for Medicare and Medicaid Services to waive or modify certain requirements of Titles XVIII, XIX, and XXI of the act as a result of the consequences of the COVID-19 pandemic, to ensure that sufficient health care items and services are available to meet the needs of individuals enrolled in the respective programs and to ensure that health care providers that furnish such items and services in good faith, but are unable to comply with one or more of such requirements as a result of the COVID-19 pandemic, may be reimbursed for such items and services and exempted from sanctions for such noncompliance, absent any determination of fraud or abuse.

SPA 21-0033 will cover and reimburse for the administration of monoclonal antibody treatment and drugs to treat COVID-19 that are authorized under an Food and Drug Administration (FDA) emergency use authorization, regardless of rebate or language in Attachment 3 of the Washington Medicaid state plan that precludes coverage of investigational or experimental treatments.

The state will cover prescribed drugs that are not covered outpatient drugs when the drug is authorized for use in the United States by the FDA and when the state determines coverage is medically necessary due to a recognized drug shortage.

Providers that are Medicaid enrolled and qualified based on their scope of practice, and subject to applicable law, may receive reimbursement for administering monoclonal antibody treatment or any other COVID-19 drug treatment authorized above.

At this time, due to the nature of the public health emergency, HCA is unable to determine the effect of SPA 21-0033 on the annual aggregate expenditures/reimbursement/payment for the administration of monoclonal antibody treatment and drugs to treat COVID-19 that are authorized under an FDA emergency use authorization.

SPA 21-0033 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Donna Sullivan, Clinical Quality and Care Transformation, Pharmacy Services, 626 8th Avenue S.E., Olympia, WA 98501, phone 360-791-8783, TTY 711, email donna.sullivan@hca.wa.gov.

**WSR 21-19-062
POLICY STATEMENT
LIQUOR AND CANNABIS
BOARD**

[Filed September 14, 2021, 12:57 p.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy Statement: Structure or Function Claims Concerning Marijuana (Cannabis) Infused Products - Policy Statement Number PS21-04.

Issuing Entity: Washington state liquor and cannabis board.

Subject Matter: This policy statement is intended to define medically compliant cannabis product structure or function claims to the extent possible, and establish a framework to guide structure or function label claim evaluation.

Effective Date: September 14, 2021.

Contact Person: Katherine Hoffman, policy and rules manager, 360-664-1622.

WSR 21-19-063
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Veterinary Board of Governors)
[Filed September 14, 2021, 1:07 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), veterinary board of governors for the year 2022. The board meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Location
March 21, 2022	9:00 a.m.	Webinar only Possible location TBD
March 22, 2022	9:00 a.m.	Webinar only Possible location TBD
June 6, 2022	9:00 a.m.	Webinar Possible location TBD
September 12, 2022	9:00 a.m.	Webinar Possible location TBD
December 5, 2022	9:00 a.m.	Webinar Possible location TBD

If you need further information, please contact Lorelei Walker, Program Manager, DOH, Veterinary Board of Governors, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4947, fax 360-236-2901, email loralei.walker@doh.wa.gov, web <http://www.doh.wa.gov>.

Please be advised the veterinary board of governors 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.

WSR 21-19-064
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Optometry)
 [Filed September 14, 2021, 1:07 p.m.]

In accordance with the Open Public Meetings 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), board of optometry for the year 2022. The board meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Location
March 4, 2022	9:00 a.m.	Webinar only Possible location TBD
June 24, 2022	9:00 a.m.	Webinar only Possible location TBD
September 9, 2022	9:00 a.m.	Webinar Possible location TBD
December 2, 2022	9:00 a.m.	Webinar Possible location TBD

If you need further information, please contact Lorelei Walker, Program Manager, DOH, Board of Optometry, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4947, fax 360-236-2901, email loralei.walker@doh.wa.gov, web www.doh.wa.gov.

Please be advised the board of optometry is required to comply with the Public 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.

WSR 21-19-067

NOTICE OF PUBLIC MEETINGS

UNIVERSITY OF WASHINGTON

[Filed September 14, 2021, 3:19 p.m.]

In accordance with RCW 42.30.075, 28B.20.105, 28B.20.130, and WAC 478-04-035, the board of regents of the University of Washington established the following meeting schedule for 2022 at its regular meeting held on September 9, 2021.

Meeting time of regular meetings. The board will meet on the Wednesdays noted below beginning at 3:00 p.m. or 5:30 p.m. and on the Thursdays noted below beginning at 8:30 a.m., or such later time as may be announced on the board's web page (<http://www.washington.edu/regents/>) and posted at the board office in Gerberding Hall. A portion of each day's meetings will be allocated to meetings of the board's standing committees. The detailed schedule of the day's meetings will be posted in advance on the board's web page and at the board office in Gerberding Hall.

Except as otherwise indicated, the meetings listed above are held at the University of Washington Seattle Campus, Seattle, Washington, at the locations noted below, unless a different location is established and public notice is given in accordance with chapter 42.30 RCW. A map of the Seattle campus can be found at <https://www.washington.edu/maps/>.

Day	Date	Time	Location	Description
Wednesday	January 12	5:30 p.m.	UW - Gerberding Hall Room 142	Board meeting
Thursday	January 13	8:30 a.m.	UW - Petersen Room Allen Library	Standing committees* and board meeting
Wednesday	March 9	3:00 p.m.	UW - Gerberding Hall Room 142	Governance standing committee and board meeting
Thursday	March 10	8:30 a.m.	UW Bothell - North Creek Events Center	Standing committees* and board meeting
Wednesday	May 11	5:30 p.m.	UW - Gerberding Hall Room 142	Board meeting
Thursday	May 12	8:30 a.m.	UW - Petersen Room Allen Library	Standing committees* and board meeting
Wednesday	June 8	5:30 p.m.	UW - Gerberding Hall Room 142	Board meeting
Thursday	June 9	8:30 a.m.	UW - Petersen Room Allen Library	Standing committees* and board meeting
Wednesday	July 13	3:00 p.m.	UW - Allen Center Room CSE 691	Governance standing committee and board meeting
Thursday	July 14	8:30 a.m.	UW - Gates Center Zillow Commons	Standing committees* and board meeting
Wednesday	September 7	3:00 p.m.	UW - Allen Center Room CSE 691	Governance standing committee and board meeting
Thursday	September 8	8:30 a.m.	UW - Gates Center Zillow Commons	Standing committees* and board meeting
Wednesday	November 9	5:30 p.m.	UW - Gerberding Hall Room 142	Board meeting
Thursday	November 10	8:30 a.m.	UW Tacoma - Milgard Assembly Hall	Standing committees* and board meeting

* The standing committees noted here include the academic and student affairs committee and the finance and asset management committee.

Requests for disability accommodation. To request disability accommodation, contact the disability services office at 206-543-6450 (voice), 206-543-6452 (TTY), 206-685-7264 (fax), or email at dso@uw.edu. The University of Washington makes every effort to honor disability accommodation requests. Requests can be responded to most effectively if received as far in advance of the event as possible.

WSR 21-19-075

HEALTH CARE AUTHORITY

[Filed September 15, 2021, 11:24 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0034 October 2021 Fee Schedule Effective Date Updates.

Effective Date: October 1, 2021.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0034 to update the fee schedule effective dates for several medicaid programs and services. This is a regular, budget neutral update to keep rates and billing codes in alignment with the coding and coverage changes from the Centers for Medicare and Medicaid Services, the state, and other sources. These changes are routine and do not reflect significant changes to policy or payment. SPA 21-0034 addresses the fee schedule effective dates for the following (please note that other fee schedules may be identified for update subsequent to this notice):

- Ambulatory surgery centers.
- Outpatient hospital services.
- Transportation.
- Air ambulance.

SPA 21-0034 is expected to have no effect on the annual aggregate expenditures/payments for the services listed above. These changes are routine and do not reflect significant changes to policy or payment.

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

CONTACT: Ann Myers, State Plan Coordinator, P.O. Box 42716, Olympia, WA 98504, TRS 711, email ann.myers@hca.wa.gov.

WSR 21-19-078

HEALTH CARE AUTHORITY

[Filed September 15, 2021, 3:39 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0036
COVID-Related Supplemental Hospital Payments.

Effective Date: March 1, 2020.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0036 to implement policies and procedures that may be different from the policies and procedures otherwise applied under the medicaid state plan, during the period of the presidential and secretarial emergency declarations related to the COVID-19 outbreak. SPA 21-0008 addresses fees for administering COVID[-19] vaccines.

This SPA is the preprint developed by the Centers for Medicare and Medicaid Services to waive or modify certain requirements of titles XVIII, XIX, and XXI of the act as a result of the consequences [of the] COVID-19 pandemic, to ensure that sufficient health care items and services are available to meet the needs of individuals enrolled in the respective programs and to ensure that health care providers that furnish such items and services in good faith, but are unable to comply with one or more of such requirements as a result of the COVID-19 pandemic, may be reimbursed for such items and services and exempted from sanctions for such noncompliance, absent any determination of fraud or abuse.

SPA 21-0036 will address COVID[-19]-related inpatient and outpatient supplemental payments paid to the following hospital categories:

- Prospective payment hospitals other than psychiatric or rehabilitation hospitals,
- Psychiatric hospitals,
- Rehabilitation hospitals, and
- Border hospitals.

Prior to the public health emergency, the state has not claimed enhanced federal matching funds for these supplemental payments. Therefore, it is necessary to submit this SPA so the state may receive enhanced matching funds. This SPA will not affect the current state share of supplemental payments; the SPA is being submitted to allow the state to claim COVID[-19]-related enhanced federal matching funds.

SPA 21-0035 is expected to increase the annual fee-for-service expenditures/reimbursement/payment for supplemental payment amounts for inpatient and outpatient services. Effective March 2020, the federal share of the supplemental payment described above increased uniformly by 6.2 percent.

SPA 21-0035 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, you may 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: Benjamin Davis-Bloom, Hospital Safety Net Assessment Program, 626 8th Avenue S.E., Olympia, WA 98501, TTY 711, email Benjamin.davis-bloom@hca.wa.gov.

WSR 21-19-082

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed September 15, 2021, 4:28 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Continuing Education Requirements During the COVID-19 Response. Policy Number: BOM 20-01.3.

Issuing Entity: Board of massage.

Subject Matter: The board of massage has extended the policy addressing the impact COVID-19 response measures are having on licensed massage therapists regarding meeting continuing medical education requirements until December 31, 2021. The board of massage has amended this policy for the sole purpose of reflecting the update [updated] rule language and citations as a result of amendments to WAC 246-830-475, effective September 1, 2021.

Effective Date: September 1, 2021.

Contact Person: Megan Maxey, program manager,
Megan.maxey@doh.wa.gov, 360-236-4945.

WSR 21-19-086

HEALTH CARE AUTHORITY

[Filed September 16, 2021, 8:50 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0035
Supplemental Hospital Payments.

Effective Date: September 17, 2021.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0035 to update the fee-for-service supplemental payment amounts for inpatient services described in the medicaid state plan for prospective payment hospitals other than psychiatric or rehabilitation hospitals, psychiatric hospitals, and rehabilitation hospitals to align with the amounts outlined in RCW 74.60.120.

SPA 21-0035 is expected to increase the annual aggregate fee-for-service supplemental payment amounts for inpatient services. For hospitals designated as prospective payment system hospitals, the supplemental payment pool will be increased by \$1,335,000 per state fiscal year. For hospitals designated as freestanding psychiatric specialty hospitals, the supplemental payment pool will be increased by \$500,000 per state fiscal year. For hospitals designated as freestanding rehabilitation specialty hospitals, the supplemental payment pool will be increased by \$150,000 per state fiscal year.

SPA 21-0035 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available OR submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Benjamin Davis-Bloom, Hospital Safety Net Assessment Program, phone 360-725-0459, TTY 711, email hospsafetynet@hca.wa.gov.

WSR 21-19-102

**PUBLIC RECORDS OFFICER
GOVERNOR'S OFFICE OF
THE EDUCATION OMBUDS**

[Filed September 20, 2021, 7:24 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the Washington state governor's office of the education ombuds is Jinju Park, 3518 Fremont Avenue North, #349, Seattle, WA 98103, phone 1-866-297-2597, fax 844-866-5196, email jinju.park@gov.wa.gov.

Carrie Basas
Director

WSR 21-19-109

POLICY STATEMENT

DEPARTMENT OF AGRICULTURE

[Filed September 20, 2021, 12:08 p.m.]

Administrative Policy No. POL-AM-135 - Supporting the Rights and Dignity of Immigrants

On August 25, 2021, an administrative policy regarding how the Washington state department of agriculture (WSDA) and its employees support the rights and dignity of all residents, regardless of their immigration or citizenship status was signed.

RCW 43.17.425(4) requires publication of this administrative policy.

A copy of the administrative policy may be obtained by accessing our website or by contacting Gloriann Robinson, Agency Rules Coordinator, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1802, email wsdarulescomments@agr.wa.gov.

Subject Matter Lead: Administrative regulations manager.

Effective Date: August 25, 2021.

Sunset Review Date: August 2025.

Approved By: Derek I. Sandison.

References: RCW 43.17.425 Immigration and citizenship status—State agency restrictions.

WSDA supports the rights and dignity of all residents, regardless of their immigration or citizenship status. The 2019 Washington state legislature passed legislation (chapter 440, Laws of 2019) reinforcing that the federal government, not local and state governments, bears the primary jurisdiction to enforce federal immigration law.

1. NO EMPLOYEE MAY USE AGENCY FUNDS, FACILITIES, PROPERTY, EQUIPMENT, OR PERSONNEL TO INVESTIGATE, ENFORCE, COOPERATE WITH, OR ASSIST IN THE INVESTIGATION OR ENFORCEMENT OF ANY FEDERAL REGISTRATION OR SURVEILLANCE PROGRAMS OR ANY OTHER LAWS, RULES, OR POLICIES THAT TARGET WASHINGTON RESIDENTS SOLELY ON THE BASIS OF RACE, RELIGION, IMMIGRATION, OR CITIZENSHIP STATUS, OR NATIONAL OR ETHNIC ORIGIN

- This does not apply to any program with the primary purpose of providing persons with services or benefits.

2. EMPLOYEES MAY NOT CONDITION SERVICES BASED ON A PERSON'S IMMIGRATION STATUS, CITIZENSHIP STATUS, OR PLACE OF BIRTH.

- Employees shall serve and provide agency services to all Washington residents without regard to immigration or citizenship status.

3. EMPLOYEES MAY NOT REQUEST INFORMATION OR PROOF REGARDING A PERSON'S IMMIGRATION STATUS, CITIZENSHIP STATUS, OR PLACE OF BIRTH.

- Except as specified in section (5), below.

4. EMPLOYEES MUST LIMIT THE COLLECTION OF INFORMATION ABOUT INDIVIDUALS TO THE MINIMUM NECESSARY TO COMPLY WITH SECTION (5) OF THIS POLICY.

- Employees may not disclose information collected from individuals except as necessary to comply with section (5) of this policy or as permitted by state and federal law.

5. EMPLOYEES MAY COLLECT, USE, OR DISCLOSE INFORMATION WHEN:

- Required to comply with state or federal law;
- Responding to a lawfully issued court order;

- Necessary to perform agency duties, functions, or other business, as permitted by statute or rule, conducted by the agency that is not related to immigration enforcement;
- Required to comply with policies, grants, waivers, or other requirements necessary to maintain funding; or
- The information is in the form of deidentified or aggregated data, including census data.

6. EMPLOYEES MAY NOT ENTER INTO IMMIGRATION DETENTION AGREEMENTS.

7. IF ANY PART OF THIS POLICY IS FOUND TO BE IN CONFLICT WITH FEDERAL REQUIREMENTS THAT ARE A PRESCRIBED CONDITION TO THE ALLOCATION OF FEDERAL FUNDS, THE CONFLICTING PART IS INOPERATIVE SOLELY TO THE EXTENT OF THE CONFLICT.

DEFINITIONS:

Court order means a directive issued by a judge or magistrate under the authority of Article III of the United States Constitution or Article IV of the Washington Constitution. A "court order" includes but is not limited to warrants and subpoenas.

Deidentified means information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.

Immigration or citizenship status means such status as has been established to such individual under the Immigration and Nationality Act.

Gloriann Robinson
Agency Rules Coordinator

**WSR 21-19-110
RULES COORDINATOR
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed September 20, 2021, 12:32 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the professional educator standards board is Sophia Keskey, 600 Washington Street, Olympia, WA 98504-7236, 360-890-5814, email rulespesb@k12.wa.us.

Alexandra Manuel
Executive Director

WSR 21-19-111

NOTICE OF PUBLIC MEETINGS

SECRETARY OF STATE

(Election Administration and Certification Board)

[Filed September 20, 2021, 1:33 p.m.]

The Washington election administration and certification board has cancelled the following noticed meeting: **Thursday, October 7, 2021, 1:00 p.m.**

If you need further information contact Fina Ormond, 520 Union Avenue S.E., Olympia, WA 98504, phone 360-902-4146, fax 360-664-4619, fina.ormond@sos.wa.gov, www.sos.wa.gov.

WSR 21-19-112

POLICY STATEMENT

DEPARTMENT OF AGRICULTURE

[Filed September 20, 2021, 2:06 p.m.]

REPEAL OF POLICY STATEMENT

**PP-20-0001 - Gasoline Volatility Requirements Enforcement in April
2020**

The Washington state department of agriculture repeals Policy Statement Number PP-20-0001. Notification of the policy statement was filed with the office of the code reviser on April 2, 2020 (WSR 20-09-005). It allowed winter blend high volatility gasoline to continue moving through the supply chain through April 30, 2020.

Since the time frame that this policy statement was addressing (April 1-30, 2020) has passed, this policy statement is no longer necessary and should be repealed.

Date Approved: September 20, 2021.

Approved by: Derek I. Sandison, Director.

WSR 21-19-113

POLICY STATEMENT

DEPARTMENT OF AGRICULTURE

[Filed September 20, 2021, 2:07 p.m.]

REPEAL OF POLICY STATEMENT

PP-20-0002 - Gasoline Volatility Requirements Enforcement in May 2020

The Washington state department of agriculture repeals Policy Statement Number PP-20-0002. Notification of the policy statement was filed with the office of the code reviser on April 28, 2020 (WSR 20-10-029). It allowed April blend high volatility gasoline to continue moving through the supply chain through May 31, 2020.

Since the time frame that this policy statement was addressing (May 1-31, 2020) has passed, this policy statement is no longer necessary and should be repealed.

Date Approved: September 20, 2021.

Approved by: Derek I. Sandison, Director.

WSR 21-19-122
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 (Health Technology Clinical Committee)
 [Filed September 20, 2021, 4:47 p.m.]

The health technology clinical committee (HTCC) has determined its public meeting schedule for 2022. Following dates are current as of September 21, 2021.

Date	Time	Location
January 14, 2022	8:00 a.m. - 10:00 a.m.	Zoom
March 18, 2022	8:00 a.m. - 5:00 p.m.	Zoom
May 20, 2022	8:00 a.m. - 5:00 p.m.	Zoom
July 8, 2022	8:00 a.m. - 9:30 a.m.	Zoom
September 16, 2022	8:00 a.m. - 5:00 p.m.	Zoom
November 18, 2022	8:00 a.m. - 5:00 p.m.	Zoom

More information on joining HTCC webinars will be posted on the health care authority website 14 days prior to each meeting. (Go to <https://www.hca.wa.gov/about-hca/health-technology-assessment>.)

Interested parties may sign up to receive notice of HTCC meetings, including a link to register for all virtual meetings by clicking on <https://public.govdelivery.com/accounts/WAHCA/subscriber/new>).

For further information contact Christine Masters, Program Specialist, Health Technology Assessment, P.O. Box 626, Olympia, WA 98504-2712, christine.masters@hca.wa.gov.

WSR 21-19-128

PUBLIC RECORDS OFFICER

THE EVERGREEN STATE COLLEGE

[Filed September 21, 2021, 8:31 a.m.]

Pursuant to RCW 42.56.580, the public records officer for The Evergreen State College is Katherine MacKinnon, 2700 Evergreen Parkway N.W., Olympia, WA 98505, 360-867-6914, fax 360-867-6577, publicrecords@evergreen.edu.

David Kohler
Chief Financial Officer

WSR 21-19-144
DEPARTMENT OF
FISH AND WILDLIFE

[Filed September 22, 2021, 9:23 a.m.]

NOTICE

The department of fish and wildlife is in the process of developing a species recovery plan for pinto abalone, as directed by WAC 220-610-110. The department seeks comment on the recovery plan from interested parties. The plan is available at <https://wdfw.wa.gov/publications/02284>.

The pinto abalone (*Haliotis kamtschatkana*) is a large marine snail and Washington's only species of abalone. It lives on shallow rocky reefs and kelp forests in the San Juan Islands and Strait of Juan de Fuca. It is prized for its delicious meat and decorative shell and was the subject of a state recreational fishery between 1959 and 1994.

Under the authority of RCW 77.12.020, the fish and wildlife commission listed the species as endangered in July 2019 following a status review by the department of fish and wildlife staff and subsequent public comment. The status review concluded that the population continued to decline even after the fishery closure, likely due to reproductive failure related to a low density of spawning adults. The status review also concluded that the species would likely become extinct in the state without additional protection and active management.

The public comment period will extend until January 6, 2022. Comments to the plan can be submitted via:

- Comment home page URL is <https://publicinput.com/PintoAbalone>
- Email address for public comments on the recovery plan is AbaloneRecoveryPlan@PublicInput.com.
- Email address for public comments on the SEPA determination is AbaloneRecoveryPlanSEPA@PublicInput.com.

For questions, please contact Katie Sowul in the Fish Program, Washington department of fish and wildlife, at abalone@dfw.wa.gov.

Assistance for language translation, alternate format, or reasonable accommodation: Contact Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email Title6@dfw.wa.gov. For more information, see <https://wdfw.wa.gov/accessibility/requests-accommodation>.

WSR 21-19-146

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE LOTTERY

[Filed September 22, 2021, 10:27 a.m.]

Washington's lottery commission has changed the following regular meetings:

From: October 21, 2021, at Lottery Headquarters, Olympia, Washington.

To: October 21, 2021, Virtual meeting via Microsoft Teams.

If you require additional information, please contact Stephanie Porter at 360-810-2887, SPorter@walottery.com, or visit our website at www.walottery.com.

WSR 21-19-155

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

[Filed September 22, 2021, 11:17 a.m.]

Pursuant to RCW 42.30.075, following is notice of the 2022 meeting schedule of the Washington State University board of regents. The board will meet on the dates and at the locations listed below, beginning at 8:00 a.m. on Thursdays and 8:00 a.m. on Fridays or at such time as may be announced on the board's web page (<http://regents.wsu.edu>). Additionally, a detailed meeting schedule will be posted in advance on the board's web page, and a portion of that schedule may be allocated to the board's standing committee meetings.

Thursday and Friday	January 20-21	Electronic
Thursday and Friday	March 10-11	Tri-Cities
Thursday and Friday	May 5-6	Spokane
Thursday and Friday	June 9-10	TBD (retreat)
Thursday and Friday	September 15-16	Pullman
Thursday and Friday	November 17-18	Vancouver

Inquiries about this schedule or board of regents meetings, in general, may be directed to the WSU board of regents office at 509-335-4200.