

**WSR 23-11-001**  
**POLICY STATEMENT**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed May 3, 2023, 12:43 p.m.]

Under RCW 34.05.230, following are statements regarding two amended policies, issued by the department of labor and industries insurance services division.

If you have any questions or need additional information, please contact Tracy West, rules coordinator, at Tracy.West@Lni.wa.gov, or 360-902-6954.

Title: Policy 13.05 - *Scheduling Independent Medical Examinations.*

Date Revised: April 1, 2023.

Description: The amended policy updated the "See Also" section with new independent medical examination rules, clarified an example, clarified written notice criteria for self-insured employers, updated a NOTE, and made minor grammatical changes.

Contact: Suzy Campbell, 7273 Linderson Way, Tumwater, WA 98501, Mailstop 4270, 360-902-5003, Suzanne.Campbell@Lni.wa.gov.

Title: Policy 13.07 - *Worker Cancels or Fails to Appear for an Independent Medical Examination.*

Date Revised: April 1, 2023.

Description: The amended policy clarifies how the policy applies to self-insured employers.

Contact: Suzy Campbell, 7273 Linderson Way, Tumwater, WA 98501, Mailstop 4270, 360-902-5003, Suzanne.Campbell@Lni.wa.gov.

Tracy West  
Rules Coordinator

**WSR 23-11-004**  
**NOTICE OF APPEAL**  
**OFFICE OF THE GOVERNOR**  
[Filed May 3, 2023, 4:28 p.m.]

**NOTICE OF APPEAL**  
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On April 26, 2023, the Governor's Office received an appeal from Jerry Dierker and Esther Kronenberg, relating to the Department of Ecology's denial of a petition to amend or repeal WAC 197-11-350 (*Mitigated DNS (Determination of Nonsignificance)*).

DATE: May 3, 2023

Taylor K. Wonhoff  
Deputy General Counsel  
to the Governor

**WSR 23-11-010**  
**RULES COORDINATOR**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed May 4, 2023, 4:41 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Department of Labor and Industries is Maggie Leland, P.O. Box 44001, Olympia, WA 98504-4001, phone 360-902-4504, fax 360-902-4202, [maggie.leland@lni.wa.gov](mailto:maggie.leland@lni.wa.gov).

Please contact Maggie Leland at 360-902-4504 or [Maggie.Leland@lni.wa.gov](mailto:Maggie.Leland@lni.wa.gov) if you have any questions.

Maggie Leland  
Executive Policy Manager

WSR 23-11-020
RULES OF COURT
STATE SUPREME COURT
[May 4, 2023]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO GR ) NO. 25700-A-1504
31—ACCESS TO COURT RECORDS )
AND CrR 2.1—THE INDICTMENT )
AND THE INFORMATION )

Whereas the Court adopted amendments to GR 31 and CrR 2.1 under Orders 25700-A-1415 and 25700-A-1416 to become effective upon publication pursuant to GR 9 (j)(1); and

Whereas the Court at its May 2022 En Banc Administrative Conference delayed implementation of these amendments under Order 25700-A-1426; and

Whereas the Supreme Court Rules Committee recommends that the Court accept in part a proposal to permanently repeal the amendments made to GR 31 and CrR 2.1 that were effective under Orders 25700-A-1415 and 25700-A-1416; and

Now, therefore, it is hereby

ORDERED:

(a) That Order Nos. 25700-A-1415, 25700-A-1416, and 25700-A-1426 are rescinded.

(b) The attached amendments to GR 31 are hereby adopted effective May 15, 2023.

DATED at Olympia, Washington this 4th day of May, 2023.

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

SUGGESTED AMENDMENT:

GR 31

ACCESS TO COURT
RECORDS

(a) Policy and Purpose. It is the policy of the courts to facilitate access to court records as provided by Article I, Section 10 of the Washington State Constitution. Access to court records is not absolute and shall be consistent with reasonable expectations of personal privacy as provided by article 1, Section 7 of the Washington State Constitution and shall not unduly burden the business of the courts.

(b) Scope. This rule applies to all court records, regardless of the physical form of the court record, the method of recording the court record or the method of storage of the court record. Administrative records are not within the scope of this rule. Court records are further governed by GR 22.

(c) Definitions.

(1) "Access" means the ability to view or obtain a copy of a court record.

(2) "Administrative record" means any record pertaining to the management, supervision or administration of the judicial branch, in-

cluding any court, board, or committee appointed by or under the direction of any court or other entity within the judicial branch, or the office of any county clerk.

(3) "Bulk distribution" means distribution of all, or a significant subset, of the information in court records, as is and without modification.

(4) "Court record" includes, but is not limited to: (i) Any document, information, exhibit, or other thing that is maintained by a court in connection with a judicial proceeding, and (ii) Any index, calendar, docket, register of actions, official record of the proceedings, order, decree, judgment, minute, and any information in a case management system created or prepared by the court that is related to a judicial proceeding. Court record does not include data maintained by or for a judge pertaining to a particular case or party, such as personal notes and communications, memoranda, drafts, or other working papers; or information gathered, maintained, or stored by a government agency or other entity to which the court has access but which is not entered into the record.

(5) "Criminal justice agencies" are government agencies that perform criminal justice functions pursuant to statute or executive order and that allocate a substantial part of their annual budget to those functions.

(6) "Dissemination contract" means an agreement between a court record provider and any person or entity, except a Washington State court (Supreme Court, court of appeals, superior court, district court or municipal court), that is provided court records. The essential elements of a dissemination contract shall be promulgated by the JIS Committee.

(7) "Judicial Information System (JIS) Committee" is the committee with oversight of the statewide judicial information system. The judicial information system is the automated, centralized, statewide information system that serves the state courts.

(8) "Judge" means a judicial officer as defined in the Code of Judicial Conduct (CJC) Application of the Code of Judicial Conduct Section (A).

(9) "Public" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency, however constituted, or any other organization or group of persons, however organized.

(10) "Public purpose agency" means governmental agencies included in the definition of "agency" in RCW 42.17.020 and other non-profit organizations whose principal function is to provide services to the public.

**(d) Access.**

(1) The public shall have access to all court records except as restricted by federal law, state law, court rule, court order, or case law.

(2) Information from an official juvenile offender court record shall not be displayed on a publicly accessible website, consistent with the JISC Policy\*. This rule does not preclude accessing the record, digital or otherwise, from a county clerk's office location.

\*[JISC policy: **Limitation on Dissemination of Juvenile Offender Court Records.**\*\* The dissemination of juvenile offender court records maintained in the Judicial Information System shall be limited as follows:

A. Juvenile offender court records shall be excluded from any bulk distribution of JIS records by the AOC otherwise authorized by GR

31(g), except for research purposes as permitted by statute or court rule.

B. The AOC shall not display any information from an official juvenile offender court record on a publicly-accessible website that is a statewide index of court cases.

\*\*Juvenile offender court records shall remain publicly accessible on the JIS Link notwithstanding any provision of this section. (Section added September 6, 2013.)

(3) Each court by action of a majority of the judges may from time to time make and amend local rules governing access to court records not inconsistent with this rule.

(4) A fee may not be charged to view court records at the courthouse.

**(e) Personal Identifiers Omitted or Redacted from Court Records.**

(1) Except as otherwise provided in GR 22, parties shall not include, and if present shall redact, the following personal identifiers from all documents filed with the court, whether filed electronically or in paper, unless necessary or otherwise ordered by the Court.

(A) Social Security Numbers. If the Social Security Number of an individual must be included in a document, only the last four digits of that number shall be used.

(B) Financial Account Numbers. If financial account numbers are relevant, only the last four digits shall be recited in the document.

(C) Driver's License Numbers.

(2) The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Court or the Clerk will not review each pleading for compliance with this rule. If a pleading is filed without redaction, the opposing party or identified person may move the Court to order redaction. The court may award the prevailing party reasonable expenses, including attorney fees and court costs, incurred in making or opposing the motion.

Comment

This rule does not require any party, attorney, clerk, or judicial officer to redact information from a court record that was filed prior to the adoption of this rule.

**(f) Distribution of Court Records Not Publicly Accessible.**

(1) A public purpose agency may request court records not publicly accessible for scholarly, governmental, or research purposes where the identification of specific individuals is ancillary to the purpose of the inquiry. In order to grant such requests, the court or the Administrator for the Courts must:

(A) Consider: (i) the extent to which access will result in efficiencies in the operation of the judiciary; (ii) the extent to which access will fulfill a legislative mandate; (iii) the extent to which access will result in efficiencies in other parts of the justice system; and (iv) the risks created by permitting the access.

(B) Determine, in its discretion, that filling the request will not violate this rule.

(C) Determine the minimum access to restricted court records necessary for the purpose is provided to the requestor.

(D) Assure that prior to the release of court records under section (f) (1), the requestor has executed a dissemination contract that includes terms and conditions which: (i) require the requester to specify provisions for the secure protection of any data that is confidential;

(ii) prohibit the disclosure of data in any form which identifies an individual; (iii) prohibit the copying, duplication, or dissemination of information or data provided other than for the stated purpose; and (iv) maintain a log of any distribution of court records which will be open and available for audit by the court or the Administrator of the Courts. Any audit should verify that the court records are being appropriately used and in a manner consistent with this rule.

(2) Courts, court employees, clerks and clerk employees, and the Commission on Judicial Conduct may access and use court records only for the purpose of conducting official court business.

(3) Criminal justice agencies may request court records not publicly accessible.

(A) The provider of court records shall approve the access level and permitted use for classes of criminal justice agencies including, but not limited to, law enforcement, prosecutors, and corrections. An agency that is not included in a class may request access.

(B) Agencies requesting access under this section of the rule shall identify the court records requested and the proposed use for the court records.

(C) Access by criminal justice agencies shall be governed by a dissemination contract. The contract shall: (i) specify the data to which access is granted, (ii) specify the uses which the agency will make of the data, and (iii) include the agency's agreement that its employees will access the data only for the uses specified.

**(g) Bulk Distribution of Court Records.**

(1) A dissemination contract and disclaimer approved by the JIS Committee for JIS records or a dissemination contract and disclaimer approved by the court clerk for local records must accompany all bulk distribution of court records.

(2) Dissemination contracts shall not include the dissemination or distribution of juvenile court records

~~(3)~~ A request for bulk distribution of court records may be denied if providing the information will create an undue burden on court or court clerk operations because of the amount of equipment, materials, staff time, computer time or other resources required to satisfy the request.

~~(4)~~ The use of court records, distributed in bulk form, for the purpose of commercial solicitation of individuals named in the court records is prohibited.

**(h) Appeals.** Appeals of denials of access to JIS records maintained at state level shall be governed by the rules and policies established by the JIS Committee.

**(i) Notice.** The Administrator for the Courts shall develop a method to notify the public of access to court records and the restrictions on access.

**(j) Access to Juror Information.** Individual juror information, other than name, is presumed to be private. After the conclusion of a jury trial, the attorney for a party, or party pro se, or member of the public, may petition the trial court for access to individual juror information under the control of court. Upon a showing of good cause, the court may permit the petitioner to have access to relevant information. The court may require that juror information not be disclosed to other persons.

**(k) Access to Master Jury Source List.** Master jury source list information, other than name and address, is presumed to be private. Upon a showing of good cause, the court may permit a petitioner to

have access to relevant information from the list. The court may require that the information not be disclosed to other persons.



**WSR 23-11-022**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**

[Filed May 8, 2023, 12:49 p.m.]

MEETING NOTICE

July 27, 2023  
Hampton Inn & Suites by Hilton Bremerton  
150 Washington Avenue  
Bremerton, WA 98337  
Zoom attendance available  
1:00 to 5:00 p.m.

July 28, 2023  
Hampton Inn & Suites by Hilton Bremerton  
150 Washington Avenue  
Bremerton, WA 98337  
Zoom attendance available  
8:30 a.m. to 12:30 p.m.

PUBLIC HEARING

July 27, 2023  
Hampton Inn & Suites by Hilton Bremerton  
150 Washington Avenue  
Bremerton, WA 98337  
Zoom attendance available  
2:00 p.m.

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodation, or other reasonable accommodation, by contacting Jason Bergquist at 360-753-5989. Hearing and/or speech impaired persons call 1-800-833-6384.

For questions, please call 360-753-5989.

## WSR 23-11-023

## ATTORNEY GENERAL'S OFFICE

[Filed May 9, 2023, 8:23 a.m.]

NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL

The Washington attorney general routinely publishes notice of an opportunity to comment for opinion requests that we receive from the heads of state agencies, state legislators, and county prosecuting attorneys if we anticipate publishing a formal opinion in response to the request. We do so in order to provide members of the public with a chance to provide any legal analysis that they would like us to consider as we develop our opinion. In preparing any comments, please be aware that our opinion will provide our considered legal analysis of the question presented, and therefore comments that address the interpretation of the law are more helpful than comments that express an opinion as to what the law should be.

You may provide your comments to the attorney general's office by email to [OpinionComments@atg.wa.gov](mailto:OpinionComments@atg.wa.gov) or by writing to the Office of the Attorney General, Solicitor General Division, Attention Opinions Chief, P.O. Box 40100, Olympia, WA 98504-0100. We will consider any comments we receive before we complete our opinion. Although there is no deadline for submitting comments, comments are the most helpful if received within 30 days of this notice. Comments focused solely on what the law should be are less helpful than comments that interpret current law. You may also request a copy of the opinion request in which you are interested and information about the attorney general's opinion process.

If you are interested in receiving notice of new formal opinion requests via email, you may visit the attorney general's website at <http://www.atg.wa.gov/ago%E2%80%90opinions> for more information on how to join our AGO Opinions List.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 23-04-02**  
**Request by Senator Phil Fortunato, District 31****QUESTION:**

If a pawn broker receives an assault weapon as collateral for a loan, before or after the enactment of legislation banning assault weapons, is the pawn broker permitted to either return the firearm to the owner or sell the firearm if the owner does not redeem the pawn of the firearm?

**WSR 23-11-025**

**NOTICE OF APPEAL**

**OFFICE OF THE GOVERNOR**

[Filed May 9, 2023, 4:53 p.m.]

**NOTICE OF APPEAL**

RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On April 5, 2023, the Governor's Office received an appeal from Conner Edwards, relating to the Public Disclosure Commission's denial of a petition to amend WAC 390-16-034 (*Additional contribution reporting requirements*). The Governor's Office denied the appeal on May 9, 2023.

DATE: April 5, 2023

Taylor K. Wonhoff  
Deputy General Counsel  
to the Governor

## WSR 23-11-027

## HEALTH CARE AUTHORITY

[Filed May 10, 2023, 9:12 a.m.]

## NOTICE

Subject: Medicaid State Plan Amendment (SPA) 23-0027 Health Home Updates.

Effective Date: July 1, 2023.

Description: The health care authority (HCA) intends to submit Medicaid SPA 23-0027 in order to update the rate structure for managed fee-for-service (MFFS) health home services, as directed by the state legislature. HCA also intends to use this opportunity to make minor updates to SPA language to better align with current health home program processes. The health home program was established in July 2013 as a voluntary care coordination program for eligible high-risk clients who have multiple chronic conditions. The program is available statewide.

HCA anticipates this SPA to be effective July 1, 2023.

SPA 23-0027 is expected to increase the annual aggregate payment for MFFS health home providers. The Washington state legislature approved a \$3.6 million rate increase through June 2025.

SPA 23-0027 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:** Nicole Bishop, Medicaid Program Division, 626 8th Avenue S.E., Mailstop 45530, Olympia, WA 98504, phone 360-725-9448, TRS 711, email [nicole.bishop@hca.wa.gov](mailto:nicole.bishop@hca.wa.gov), website <https://www.hca.wa.gov/billers-providers-partners/program-information-providers/health-home>.

WSR 23-11-040  
INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Division of Child Support)  
[Filed May 11, 2023, 11:06 a.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 AP 3.02: Signature Authorization for Financial Documents.

Subject: DCS AP 3.02.

Effective Date: May 3, 2023.

Document Description: This DCS administrative policy establishes and clarifies policies regarding signature authority for financial documents.

To receive a copy of the interpretive or policy statements, contact Kirsten Turner, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5178, TDD/TTY 800-833-6384, fax 360-664-5342, email [Kirsten.Turner@dshs.wa.gov](mailto:Kirsten.Turner@dshs.wa.gov), website <http://www.dshs.wa.gov/dcs/>.

**WSR 23-11-041**  
**PUBLIC RECORDS OFFICER**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed May 11, 2023, 12:02 p.m.]

Effective May 11, 2023, pursuant to RCW 42.56.580, the public records officer for the Department of Retirement Systems is Mike Ricchio, P.O. Box 48380, Olympia, WA 98504-8380, 360-664-7227, and public records requests should be sent to [mike.ricchio@drs.wa.gov](mailto:mike.ricchio@drs.wa.gov).

Mike Ricchio  
Public Records Officer

**WSR 23-11-046**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed May 11, 2023, 2:09 p.m.]

**NOTICE OF ADOPTION**

**POLICY STATEMENT**

Title of Policy Statement: Urgent information about the Federal Public Health Emergency and Acute Care Hospital at Home.

Issuing Entity: Department of health, office of community health systems.

Subject Matter: Regulatory flexibility allowing acute care hospitals to continue to provide hospital at home care after the end of the federal public health emergency.

Effective Date: May 11, 2023.

Contact Person: Ian Corbridge at Ian.Corbridge@doh.wa.gov.

**WSR 23-11-047**

**NOTICE OF APPEAL**

**OFFICE OF THE GOVERNOR**

[Filed May 11, 2023, 2:32 p.m.]

**NOTICE OF APPEAL**

RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On May 11, 2023, the Governor's Office received an appeal from William Stehl, relating to the Office of Superintendent of Public Instruction's denial of a petition to amend or repeal WAC 392-144-103 (*Disqualifying Conditions for Authorized School Bus Drivers*).

DATE: May 11, 2023

Taylor K. Wonhoff  
Deputy General Counsel  
to the Governor



**WSR 23-11-050**

**NOTICE OF PUBLIC MEETINGS**

**STATUTE LAW COMMITTEE**

[Filed May 12, 2023, 6:46 a.m.]

The statute law committee meeting scheduled for Wednesday, June 21, 2023, has changed location.

From: The ABC Room, JAC Building.

To: JLOB B15/B18.

The meeting will remain a hybrid meeting with an in-person option at the new location listed above, and via Zoom, and will begin at noon.

Shayne O'Grady or Kathleen Buchli are the contact persons for information concerning this meeting and can be reached at 360-786-6777 or CROFrontDesk@leg.wa.gov.

**WSR 23-11-056**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

(Podiatric Medical Board)

[Filed May 12, 2023, 2:32 p.m.]

This memo serves as notice that the podiatric medical board (board) is rescinding the Policy Statement PO 20-51.4 for Continuing Medical Education Requirements During the COVID-19 Response, which was filed September 28, 2022, and published in WSR 22-20-053.

The board is rescinding this policy statement because it expired December 31, 2022, and is no longer needed.

Individuals requiring information on this rule should contact Lana Crawford, program manager, at Lana.Crawford@doh.wa.gov or 564-669-1455.

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 23-11-057**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

(Veterinary Board of Governors)

[Filed May 12, 2023, 2:45 p.m.]

This memo serves as notice that the veterinary board of governors (board) is rescinding policy statement VBOG 20.01.01 Continuing Education Requirements During the COVID-19 Response, filed on November 15, 2021, as WSR 21-23-074.

The board is rescinding this policy statement as the state of emergency ended on October 31, 2022. The policy was effective for the duration of the coronavirus disease 2019 (COVID-19) declared state of emergency through 90 days following the end of the emergency, which was January 31, 2023. The board determined there is no longer a concern with veterinarians and veterinary technicians' access to acceptable continuing education. The board officially rescinded the policy statement at its March 6, 2023, business meeting.

Individuals requiring information on this rule should contact Lorelei Walker, program manager, at 360-236-4947.

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 23-11-058**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

(Veterinary Board of Governors)

[Filed May 12, 2023, 2:58 p.m.]

This memo serves as notice that the veterinary board of governors (board) is rescinding policy statement VBOG 20-02 Veterinary-Client-Patient Relationship Requirements During the COVID-19 Response, filed on May 18, 2020, as WSR 20-11-049.

The board is rescinding this policy statement addressing enforcement of WAC 246-933-200(2), as the state of emergency ended on October 31, 2022. The policy was effective for the duration of the coronavirus disease 2019 (COVID-19) declared state of emergency to allow veterinarians flexibility to establish veterinary-client-patient-relationships (VCPR) due to difficulties during COVID-19. The board determined VCPR requirements listed in WAC 246-933-200 are necessary to ensure safety of animal patients. The board is currently considering rule making to amend WAC 246-933-200 requirements for a permanent solution for veterinarian flexibility. The board officially rescinded the policy statement at its December 5, 2022, business meeting.

Individuals requiring information on this rule should contact Lorelei Walker, program manager, at 360-236-4947.

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 23-11-059**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed May 12, 2023, 3:10 p.m.]

This memo serves as notice that the department of health (department) is rescinding the policy statement Electronic Signatures for Counseling Disclosure Statements during the COVID-19 declared emergency - Policy Number BH-052620.1, which was filed July 16, 2021, and published under WSR 21-15-068.

The department is rescinding this policy statement because it was intended to provide additional flexibility to Washington residents during the COVID-19 declared emergency and the subsequent 90-day period. With the end of this period on January 29, 2023, this policy statement is obsolete.

Individuals requiring information on this should contact Ted Dale, program manager, email [ted.dale@doh.wa.gov](mailto:ted.dale@doh.wa.gov), or phone 360-236-2991 for information about certified advisers, certified counselors, hypnotherapists, or substance use disorder professionals; or Brandon Williams, program manager, email [brandon.williams@doh.wa.gov](mailto:brandon.williams@doh.wa.gov), or phone 360-236-4611 for information about marriage and family therapists, mental health counselors, or social workers.

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 23-11-061**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed May 12, 2023, 3:18 p.m.]

This memo serves as notice that the department of health (department) is rescinding the policy statement Simulation and Clinical Training for Respiratory Care Practitioners during the COVID-19 Declared Emergency - Policy Number: RCP-21-01, which was filed July 16, 2021, and published in WSR 21-15-069.

The department is rescinding this policy statement because it is no longer needed. It was adopted to promote social distancing and provide flexibility to training programs during the coronavirus disease 2019 (COVID-19) pandemic. As written, the policy statement was effective from filing until 180 days after the end of the declared state of emergency in Washington. As the declared state of emergency has ended and the policy statement's expiration date has passed, the department is rescinding this policy.

Individuals requiring information on this rule should contact Trina Crawford, executive director, respiratory care practitioner at 360-236-4890.

Tami M. Thompson  
Regulatory Affairs Manager

WSR 23-11-063

INTERPRETIVE AND POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed May 12, 2023, 3:29 p.m.]

This memo serves as notice that the department of health (department) is rescinding the following policy and interpretive statements:

Policy Statement CHS-09-13-22, "Face-to-face" and "In person" Services or Assessments Provided by Behavioral Health Agencies. Filed as WSR 22-21-065 on October 12, 2022.

Policy Statement CHS-07-20-22, DC:0-5 Assessment Tool for Behavioral Health Agencies Licensed Under chapter 246-341 WAC. Filed as WSR 22-17-164 on August 24, 2022.

Interpretive Statement CHS-04-23-21, Opioid Treatment Program (OTP) Annual Medical Exam via Telehealth. Filed as WSR 21-11-071 on May 17, 2021.

The department is rescinding these filings because they have been incorporated into permanent rule in chapter 246-341 WAC by WSR 22-24-091 and the policy and interpretive statements are no longer needed.

Individuals requiring information on this rule should contact Kseniya Efremova at [Kseniya.efremova@doh.wa.gov](mailto:Kseniya.efremova@doh.wa.gov).

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 23-11-080**  
**RULES COORDINATOR**  
**INDETERMINATE SENTENCE**  
**REVIEW BOARD**

[Filed May 17, 2023, 10:18 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Indeterminate Sentence Review Board is Corey McNally, Executive Director, P.O. Box 40907, Olympia, WA 98504-1114, 360-407-5773, email [cmmcnally@doc1.wa.gov](mailto:cmmcnally@doc1.wa.gov).

Corey McNally  
Executive Director



WSR 23-11-084

NOTICE OF PUBLIC MEETINGS

GREEN RIVER COLLEGE

[Filed May 17, 2023, 3:32 p.m.]

The board of trustees of Green River College District No. 10 will meet in the Zgolinski Center Boardroom at 12401 S.E. 320th Street, Auburn, WA 98092, on the following dates in 2023:

Thursday	January 19
Thursday	February 16
Thursday	March 16
Thursday	April 20
Thursday	May 18
Thursday	June 15
Thursday	July 20
Thursday	August 17
Thursday	September 21
Thursday	October 19
Thursday	November 16
Thursday	December 21

## WSR 23-11-090

## NOTICE OF PUBLIC MEETINGS

## DEPARTMENT OF HEALTH

(Acupuncture and Eastern Medicine Advisory Committee)

[Filed May 18, 2023, 8:58 a.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 amended schedule of regular meetings for the department of health (DOH), acupuncture and eastern medicine advisory committee (committee), for the year 2023. The committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Meeting Date	Time	Location
Friday February 17, 2023	1:00 p.m.	Webinar
Friday April 14, 2023 CANCELLED	1:00 p.m.	Hybrid in Tumwater
Friday July 14, 2023	1:00 p.m. Time changed to 10:30 a.m.	Hybrid: • Physical Location: Tumwater Timberland Regional Library, 7023 New Market Street, Joyce Nichols & Norman Wisner Meeting Room, Tumwater, WA 98501-6563 • Virtual via Microsoft Teams meeting, hyperlink provided on website and agenda. Public attendees can access the meeting online.
Friday November 3, 2023	1:00 p.m.	Hybrid: <del>in Tumwater</del> • Physical Location: TBD • Virtual via Microsoft Teams meeting, hyperlink provided on website and agenda. Public attendees can access the meeting online.

Time and locations subject to change as needed. See the acupuncture and Eastern medicine website for the most current information.

If you need further information, please contact Vicki Brown, Program Manager, Acupuncture and Eastern Medicine Advisory Committee, DOH, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4865, fax 360-236-2901, vicki.brown@doh.wa.gov, www.doh.wa.gov.

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

WSR 23-11-092

HEALTH CARE AUTHORITY

[Filed May 18, 2023, 9:43 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0033  
Outpatient Sole Community Hospital Rate Update.

Effective Date: January 1, 2024.

Description: The health care authority (HCA) intends to submit SPA 23-0033 in order to update the rates for outpatient sole community hospital rates.

SPA 23-0033 is expected to have no effect on the annual aggregate expenditures/reimbursement/payment for outpatient hospital services.

A copy of SPA 23-0033 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: Abigail Cole, Hospital Finance, P.O. Box 45501, Olympia, WA 98506, phone 360-725-1835, TRS 711, email abby.cole@hca.wa.gov, website hca.gov.

**WSR 23-11-094**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed May 18, 2023, 2:26 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 (DSHS).

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

Document title: DCS AP 1.27.

Subject: Instant messaging.

Effective Date: May 17, 2023.

Document description: This DCS administrative policy explains the procedures and requirements for all DCS staff using instant messaging software approved by DSHS.

To receive a copy of the interpretive or policy statements, contact Kirsten Turner, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5178, TDD/TTY 800-833-6384, fax 360-664-5342, email [Kirsten.Turner@dshs.wa.gov](mailto:Kirsten.Turner@dshs.wa.gov), website <http://www.dshs.wa.gov/dcs/>.

WSR 23-11-095  
INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
[Filed May 18, 2023, 2:36 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 8.01: Travel Receipt Retention.

Subject: Travel receipt retention.

Effective Date: May 17, 2023.

Document description: This DCS administrative policy standardizes the process for retaining and archiving travel receipts in a centralized location within the accounting unit of the economic services administration, division of finance and financial resources, and DCS.

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 23-11-103
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 19, 2023, 11:11 a.m.]

BOARD OF TRUSTEES
WASHINGTON COMMUNITY COLLEGE DISTRICT 17
2023 MEETING SCHEDULE

Notice is hereby given, pursuant to RCW 42.30.075, that the board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) shall hold regular meetings on the following dates (typically the third Tuesday of the month):

Table with 3 columns: Date, Location, and Session Type. Rows include dates from January 17, 2023 to December 19, 2023, with locations like Lodge, Spokane Community College (SCC) campus, Spokane Falls Community College (SFCC) campus, and Colville campus.

In-person meetings will be held at 8:30 a.m. in the Lodge Building, 3305 West Fort George Wright Drive, Spokane, WA. The June 20, 2023, meeting will be held at the SFCC Pullman campus at 8:30 a.m. located at 185 Veterans Way, Pullman, WA 99164. The October 17, 2023, meeting will be held at the SCC Colville campus at 8:30 a.m. at 985 South Elm Street, Colville, WA 99114.

The board of trustees has the right to change in-person meetings to Zoom for weather-related changes.

WSR 23-11-110

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed May 22, 2023, 8:35 a.m.]

CANCELLATION OF INTERPRETIVE STATEMENT

The department of revenue has cancelled the following excise tax advisory (ETA): **ETA 3072.2009 (*Rentals of Tangible Personal Property Used Both Within and Without Washington*)**.

This ETA addresses the sourcing of rentals of property used in more than one jurisdiction prior to June 30, 2008. This ETA is being cancelled because it is outdated and the subject matter it addresses is now covered by RCW 82.32.730 and WAC 458-20-145.

A copy of this document is available via the internet at Recent Rule and Interpretive Statements, Adoptions, and Repeals.

Atif Aziz  
Rules Coordinator

WSR 23-11-111

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed May 22, 2023, 9:04 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA): **ETA 3213.2023 Data Center Exemption Durations.**

This ETA explains the various durations and expirations of the data center exemption available under RCW 82.08.986 and 82.12.986. It is being updated to reflect changes arising from 2022 legislation. The changes include information on durations and expirations of a new exemption in RCW 82.08.9861 and 82.12.9861 for data centers located in urban counties.

A copy of this document is available via the internet at Rule and Tax Advisory Adoptions and Repeals.

Atif Aziz  
Tax Policy Manager  
Rules Coordinator



WSR 23-11-112

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed May 22, 2023, 9:45 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA): **ETA 3237.2023 *Prosthetic Devices Sold by Chiropractors***.

This ETA addresses the application of retail sales tax, and the sales tax exemption in RCW 82.08.0283 (1)(a), on prosthetic devices sold by licensed chiropractors.

A copy of this document is available via the internet at Excise Tax Advisories.

Atif Aziz  
Tax Policy Manager  
Rules Coordinator

**WSR 23-11-113**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Board of Denturists)  
 [Filed May 22, 2023, 10:08 a.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 amended schedule of regular meetings for the department of health (DOH), board of denturists (board), for the year 2023. 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 GovDelivery and the 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
January 27, 2023	12:00 p.m.	Hybrid meeting with a webinar option
April 27, 2023	To Be Determined	In-person at Skamania Lodge, Stevenson
August 17, 2023	To Be Determined Time changed to 3:00 p.m.	Hybrid: meeting with a webinar option • Physical Location: TBD in the Tacoma vicinity. • Virtual via Teams meeting, hyperlink provided on website and on the agenda. Public attendees can access the meeting online.
October 27, 2023 Date changed to: November 17, 2023	To Be Determined Time changed to 12:00 p.m.	Hybrid: meeting with a webinar option • Physical location: TBD in the Tumwater area. • Virtual via Teams meeting, hyperlink provided on website and on the agenda. Public attendees can access the meeting online.

Time and locations subject to change as needed. See the dentist website for the most current information.

If you need further information, please contact Vicki Brown, Program Manager, DOH, Board of Denturists, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4865, fax 360-236-2901, vicki.brown@doh.wa.gov, www.doh.wa.gov.

Please be advised the board 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 23-11-114

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed May 22, 2023, 10:15 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue (department) has issued the following excise tax advisory (ETA): **ETA 3238.2023 *Interest Received on Direct Obligations of the Federal Government.***

This ETA provides information about the B&O tax deduction under RCW 82.04.4286 for interest received on direct obligations of the federal government. The ETA includes examples of what the department has concluded are direct obligations of the federal government.

A copy of this document is available via the internet at Excise Tax Advisories.

Atif Aziz  
Tax Policy Manager  
Rules Coordinator

WSR 23-11-117

NOTICE OF PUBLIC MEETINGS

COMMISSION ON PESTICIDE REGISTRATION

[Filed May 22, 2023, 3:02 p.m.]

Meeting dates for 2023 (meetings are at 10 a.m. unless specially listed):

February 24	Special meeting	9 a.m.
March 3	Prosser	
April 5	Special meeting	2 p.m.
September 8	Snoqualmie Pass	
December 14 and 15	Ellensburg	

**WSR 23-11-119**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed May 22, 2023, 3:31 p.m.]

Prevailing Rate of Wage Publication - Rate Corrections

Pursuant to RCW 39.12.015, 39.12.020, and WAC 296-127-011, on April 12, 2023, the industrial statistician determined and published on the internet corrections to prevailing wage rates. These corrections will impact two trades, shipbuilding and flaggers. The corrections will take effect 30 days after publication on June 11, 2023.

- Shipbuilding: Several new construction shipbuilding rates are impacted in Puget Sound counties, including Clallam, Island, Jefferson, King, Kitsap, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston, and Whatcom.
- Flagger: Corrections will only impact apprentice level rates in Eastern Washington counties, including Asotin, Benton, Franklin, Garfield, Lincoln, Spokane, Walla Walla, and Whitman.

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

Maggie Leland  
Rules Coordinator

WSR 23-11-120  
NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF  
LABOR AND INDUSTRIES  
(Advisory Board of Plumbers)  
[Filed May 22, 2023, 3:34 p.m.]

Revised Meeting

The advisory board of plumbers meeting for July 2023 has been changed to:

Date	Time	Location
July 18, 2023	9:30 a.m.	Department of Labor and Industries (L&I) 7273 Linderson Way S.W. Tumwater, WA 98501 The link to attend virtually and meeting updates will be available on the L&I website at <a href="https://lni.wa.gov/licensing-permits/plumbing/plumber-advisory-board">https://lni.wa.gov/licensing-permits/plumbing/plumber-advisory-board</a> .

If you have any questions, please contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@lni.wa.gov.

**WSR 23-11-138**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**JUDICIAL CONDUCT**

[Filed May 23, 2023, 3:41 p.m.]

The commission on judicial conduct (commission) will conduct all 2023 meetings listed below at Crowne Plaza, 17338 International Boulevard, SeaTac, WA 98188. All public meetings start at 1:00 p.m. Additional information can be obtained by calling 360-753-4585 or visiting the commission's website at [www.cjc.state.wa.us](http://www.cjc.state.wa.us).

Friday, June 23, 2023  
Friday, September 8, 2023\*  
Friday, November 17, 2023

\*The commission's Friday, September 8, 2023, business meeting will be at Cedarbrook Lodge, 18525 36th Avenue South, Seattle, WA 98188 at 3:30 p.m. The commission's 2023 education session will be at this location also on Saturday, September 9, 2023, starting at 9 a.m.

## WSR 23-11-140

## DEPARTMENT OF ECOLOGY

[Filed May 23, 2023, 4:15 p.m.]

**Notice of Public Input Period**

The Washington state department of ecology (ecology) wants your input on the draft 6PPD alternatives assessment hazard criteria.

Ecology has developed draft 6PPD alternatives assessment hazard criteria. These criteria will set a transparent standard for identifying safer alternatives to 6PPD for use in motor vehicle tires. We will use these hazard criteria when conducting a 6PPD alternatives assessment.

Ecology invites you to review the draft 6PPD alternatives assessment hazard criteria and provide written feedback from June 14 to July 14, 2023. You can learn more about the draft hazard criteria in a recorded presentation available at this link [https://youtu.be/Gtb9MQZA\\_m4](https://youtu.be/Gtb9MQZA_m4).

**View the draft 6PPD alternatives assessment hazard criteria:**

Starting on **June 14, 2023**, the draft 6PPD alternatives assessment hazard criteria will be available for review at this link <https://apps.ecology.wa.gov/publications/SummaryPages/2304036.html>.

**Submit comments online:** Ecology will accept online comments on the draft 6PPD hazard criteria from **June 14 to July 14, 2023**. Comments must be submitted no later than **11:59 p.m.** on July 14, 2023.

To submit a comment online, fill out the online comment form <https://nw.ecology.commentinput.com/?id=CTdRijet3>.

**Recorded presentations:** Ecology has recorded informational videos about our 6PPD work, including a presentation that discusses our 6PPD alternatives assessment hazard criteria. Individuals can review this presentation to learn more about the criteria [https://youtu.be/Gtb9MQZA\\_m4](https://youtu.be/Gtb9MQZA_m4).

**Related event: 6PPD public webinar:** In addition to the recorded informational video, Washington state (and other partner agencies in the state) will be hosting a public webinar to discuss our 6PPD work more generally. This live virtual event will take place on Wednesday, June 21, 2023, from 1 to 3 p.m. PDT. During this meeting, individuals are welcome to ask questions about the 6PPD hazard criteria. If you have a question you would like addressed during the meeting, you may also submit it in advance of the meeting using this online comment form <https://hwtr.ecology.commentinput.com/?id=rx2aKfb8Qu>.

**Background on 6PPD hazard criteria:** 6PPD prevents cracking and blowouts in tires. As 6PPD performs these functions, it reacts with ozone in the environment and creates a transformation product called 6PPD-quinone. Unfortunately, 6PPD and 6PPD-quinone are highly toxic to some species of aquatic life; tiny amounts of 6PPD-quinone can kill coho salmon before they're able to spawn.

Given the toxicity of 6PPD and 6PPD-quinone, we're searching for a safer alternative to 6PPD for use in tires. Before we can do this, however, we need to be clear about the guidelines we're using to define "safer." We refer to these guidelines as "hazard criteria." We'll use 6PPD hazard criteria to set standards to collect data and analyze the safety of possible replacement chemicals for 6PPD.

For more background information on 6PPD, please visit our web page <https://ecology.wa.gov/6PPD>.

If you have any questions, please contact Craig Manahan, 6PPD Chemist, Washington state department of ecology, email [craig.manahan@ecy.wa.gov](mailto:craig.manahan@ecy.wa.gov).



**WSR 23-11-141**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF ECOLOGY**  
[Filed May 23, 2023, 4:15 p.m.]

Washington state agencies invite you to review informational materials and attend a 6PPD webinar to learn more about our work addressing 6PPD and 6PPD-quinone.

In 2020, researchers at the University of Washington-Tacoma, Washington State University, and additional collaborators identified the connection between car tires, 6PPD-quinone, and prespawn mortality in coho salmon. In response to this discovery, Washington state is taking action to protect humans and aquatic organisms from these chemicals.

We invite you to attend our upcoming 6PPD webinar to learn more about our work addressing 6PPD and 6PPD-quinone.

Agencies across the state have prepared materials to get you up-to-speed. You can review these materials before the live virtual event, then submit your questions using our comment form. We will respond to as many questions as possible during the live event.

**View informational 6PPD webinar materials:** You can review the informational materials that Washington state agencies have developed in advance of the webinars at the following web page [https://www.ezview.wa.gov/site/alias\\_\\_1962/37858/addressing\\_6ppd.aspx](https://www.ezview.wa.gov/site/alias__1962/37858/addressing_6ppd.aspx).

**Submit questions online:** We will accept questions about these materials from **12:00 a.m on May 31, 2023, to 11:59 p.m. on June 28, 2023**. We will respond to as many questions as possible during the live virtual event on June 21, 2023. Any questions that remain (or that are submitted after the live webinar) will be answered through our online comment form.

To submit a question online, fill out the following comment form <https://hwtr.ecology.commentinput.com/?id=rx2aKfb8Qu>

**Public webinar:** Participating agencies will provide a brief overview of 6PPD during our live virtual event. Then, we will spend most of our time together answering your questions (including those received in our public comment form). Our live event will take place on **Wednesday, June 21, 2023, 1:00 to 3:00 p.m. PDT**. Join through the link <https://waecy-wa-gov.zoom.us/j/81383495263>, Meeting ID 813 8349 5263; join by calling in: +1 253 215 8782 US.

**Related event: Ecology's 6PPD alternative assessment hazard criteria public input period:** In addition to this webinar, ecology will be requesting public input on our draft 6PPD alternatives assessment hazard criteria from June 14 to July 14, 2023. You can learn more about these criteria in this presentation that we recorded for the webinar [https://youtu.be/Gtb9MQZA\\_m4](https://youtu.be/Gtb9MQZA_m4).

Starting on June 14, 2023, the draft 6PPD alternatives assessment hazard criteria will be available for review at this link <https://apps.ecology.wa.gov/publications/SummaryPages/2304036.html>.

You can use this online comment form to submit your feedback on the draft hazard criteria <https://nw.ecology.commentinput.com/?id=CTdRijet3>.

**6PPD Background:** 6PPD prevents cracking and blowouts in tires. As 6PPD performs these functions, it reacts with ozone in the environment and creates a transformation product called 6PPD-quinone. Unfortunately, 6PPD and 6PPD-quinone are highly toxic to some species of aquatic life; tiny amounts of 6PPD-quinone can kill coho salmon before they're able to spawn.

For more background information on 6PPD, please visit our web page <https://ecology.wa.gov/Waste-Toxics/Reducing-toxic-chemicals/Addressing-priority-toxic-chemicals/6PPD>.

If you have any questions, please contact Tanya Williams, 6PPD Lead Planner, Washington state department of ecology, email [Tanya.Williams@ecy.wa.gov](mailto:Tanya.Williams@ecy.wa.gov).

**WSR 23-11-142**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF ECOLOGY**  
[Filed May 23, 2023, 4:17 p.m.]

**Notice of Public Meeting and Comment Period**

The Washington state department of ecology (ecology) and the Washington state department of health (health) want your feedback on identified chemicals and chemical classes of concern.

On June 7, 2023, ecology begins the second cycle of safer products for Washington by releasing a draft version of our report that identifies chemicals or chemical classes of concern.

Ecology invites you to review the report, including the chemicals and chemical classes we identified, and provide written comments.

Ecology will host two informational public webinars on the report.

**Submitting written comments:** Ecology will accept online comments on the draft report from **June 7 to July 14, 2023**. Comments must be submitted by **11:59 p.m.** on July 14, 2023.

To submit a comment online, fill out the online comment form <https://hwtr.ecology.commentinput.com?id=aUG8fNS4B>.

To submit a comment form via US mail, send your comment to Safer Products for WA, Hazardous Waste and Toxics Reduction Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

**Public webinar:** Ecology will host a virtual public webinar on the rule. During the webinar, ecology staff will provide a brief background on identified chemicals or chemical classes of concern and answer questions. We ask that you submit formal comments using the online comment form or via US Mail.

**Public webinar:** Wednesday, June 21, 2023, 9:00 to 11:00 a.m. PDT. Join through the link <https://waecy-wa-gov.zoom.us/j/83831101623>.

**Project background:** The toxic pollution law (chapter 70A.350 RCW) creates a way to keep harmful chemicals out of the environment. Our program that implements the law is called safer products for Washington.

The law authorizes us to regulate classes of chemicals in consumer products. It also identifies priority chemical classes.

The law established a process for ecology to:

- Designate priority chemicals.
- Identify consumer products that contain these chemicals.
- Determine needed regulatory actions, including whether to regulate those chemical-product combinations by requiring reporting or chemical restrictions.
- Adopt rules to implement those regulatory actions.

Chemical restrictions require that safer alternatives are feasible and available. Each of these steps involve stakeholder consultation and legislative reporting.

**Current phase of safer products for Washington:** We are currently in phase 1 of our second cycle, which identifies chemicals and chemical classes of concern.

For more background on safer products for Washington, please visit our web page <https://ecology.wa.gov/Waste-Toxics/Reducing-toxic-chemicals/Washington-s-toxics-in-products-laws/Safer-Products-for-Washington>.

**Your feedback:** We invite you to provide feedback on the report and the chemicals and chemical classes we identified. We also want to hear from you about your concerns regarding chemicals of concern in products that you, your family, or your community use.

Information about how you use and interact with the chemicals on our list is always useful to us. It helps us understand how the use of products varies across individuals and communities. While your use of the product might seem obvious, it could be a use we haven't considered.

If you have any questions, please contact the safer products for Washington team, Washington state department of ecology, email SaferProductsWA@ecy.wa.gov.

## WSR 23-11-149

## HEALTH CARE AUTHORITY

[Filed May 24, 2023, 9:34 a.m.]

## NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0036  
Consumer-Directed Employer Rates.

Effective Date: June 1, 2023.

Description: The health care authority (HCA) and the aging and long-term support administration (AL TSA) of the department of social and health services (DSHS) intend to submit medicaid SPA 23-0036 in order to increase daily rates for consumer-directed employer (CDE) rates. SPA 23-0036 is expected to:

- Increase the hourly rate for CDE from the current rate of \$30.32, excluding COVID add-on, to \$31.96 (\$31.92 to \$33.68, including COVID add-on). This is due to increased funding from the state legislature for individual provider (IP) training for state fiscal year 2023. During the pandemic, Washington state waived training and credentialing requirements for IPs. With the ending of this waiver, IP CDE rate is temporarily increased to pay for increased utilization of provider training hours (wages and taxes) to keep up with the legal requirement to employ only credentialed IPs.

A copy of draft SPA 23-0036 is available on request. HCA and DSHS would appreciate any input or concerns regarding this SPA. To request a copy 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).

Interested parties may submit comments and concerns about the rates or the effects the changes may have on beneficiary access to care or continued service. Please submit comments and concerns to Elizabeth Pashley, regulatory advisor, at [Elizabeth.pashley@dshs.wa.gov](mailto:Elizabeth.pashley@dshs.wa.gov) with a courtesy copy to Ann Myers, state plan coordinator, at [ann.myers@hca.wa.gov](mailto:ann.myers@hca.wa.gov) by June 2, 2023. Please note that all comments are subject to public review and disclosure, as are the names of those who comment.

CONTACT: Elizabeth Pashley, Office of Rates Management, AL TSA, DSHS, P.O. Box 45600, phone 360-995-2807, TRS 711, Fax 360-725-2641, email [Elizabeth.Pashley@gmail.com](mailto:Elizabeth.Pashley@gmail.com), website <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management>.

WSR 23-11-156

HEALTH CARE AUTHORITY

[Filed May 24, 2023, 10:13 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0032  
Civil Commitment Enhancement.

Effective Date: July 1, 2023.

Description: The health care authority (HCA) intends to submit medicaid SPA 23-0032 in order to provide for a rate enhancement to providers that serve apple health clients who are committed to a psychiatric hospital pursuant to the dismissal of criminal charges. The rate will not apply to hospitals that receive a long-term civil commitment rate that is 100 percent of their costs.

SPA 23-0032 is expected to increase the annual aggregate payment for hospitals that accept apple health members who are experiencing a conversion from criminal commitment to civil commitment. The rate is based on the number of hours of protective supervision required in the facility. Nine to 16 hours a day of protective supervision will be paid \$246.66 additional per day and 16-24 hours a day of protective supervision will be paid \$331.66 additional per day.

A copy of SPA 23-0032 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: Abigail Cole, Hospital Finance and Rates, P.O. Box 45501, Olympia, WA 98506, phone 360-725-1835, TRS 711, email [abby.cole@hca.wa.gov](mailto:abby.cole@hca.wa.gov), website [hca.wa.gov](http://hca.wa.gov).

WSR 23-11-157

HEALTH CARE AUTHORITY

[Filed May 24, 2023, 10:17 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0031 Inpatient Hospital Supplemental Payments (Safety Net Program).

Effective Date: January 1, 2024.

Description: The health care authority (HCA) intends to submit medicaid SPA 23-0031 in order to update inpatient hospital supplemental payment amounts for the new safety net program. Prospective payment system hospitals total supplemental payment pool will be reduced to \$43,600,000. SPA 23-0031 will also change "state fiscal year" to "calendar year."

SPA 23-0031 is expected to decrease the annual aggregate expenditures/payments for prospective payment system hospitals that receive supplemental payments by \$16,185,000.

A copy of SPA 23-0031 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: Abigail Cole, Hospital Finance and Rates, P.O. Box 45501, Olympia, WA 98506, phone 360-725-1835, TRS 711, email [abby.cole@hca.wa.gov](mailto:abby.cole@hca.wa.gov), website [hca.wa.gov](http://hca.wa.gov).

**WSR 23-11-164**

**HEALTH CARE AUTHORITY**

[Filed May 24, 2023, 10:39 a.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0028 Update Terminology from Chemically-Dependent Pregnant Women to Substance Using Pregnant People.

Effective Date: July 1, 2023.

Description: The health care authority (HCA) intends to submit medicaid SPA 23-0028 in order to update the language "Chemically-Dependent Pregnant Women" to "Substance Using Pregnant People" for consistency with current program terms.

SPA 23-0028 is an administrative action and is expected to have no impact on the annual aggregate expenditures/reimbursement/payment for the services offered under this program.

A copy of draft SPA 23-0028 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy 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: Abigail Cole, Hospital Finance and Rates, P.O. Box 45501, Olympia, WA 98506, phone 360-725-1835, TRS 711, email [abby.cole@hca.wa.gov](mailto:abby.cole@hca.wa.gov), website [hca.wa.gov](http://hca.wa.gov).



WSR 23-11-170

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

(Global Operations and Leadership Development)

[Filed May 24, 2023, 11:56 a.m.]

Following is the schedule of regular meetings for the board of directors of Global Operations and Leadership Development for 2023:

<b>Date</b>	<b>Time</b>	<b>Location</b>
Tuesday September 26, 2023	10:00 a.m.	Join Zoom meeting from PC, Mac, Linux, iOS, or Android, <a href="https://wsu.zoom.us/j/94378496127?from=addon">https://wsu.zoom.us/j/94378496127?from=addon</a> , Meeting ID 943 7849 6127. Join by phone 1-253-215-8782, Meeting ID 943 7849 6127.

If you need further information, contact Bethany Loomis at P.O. Box 641045, Pullman, WA 99164-1045, [bethany.loomis@wsu.edu](mailto:bethany.loomis@wsu.edu).