shall constitute unprofessional conduct under RCW 18-26.030 (10) and (11) which shall be good and sufficient cause for revocation or suspension of that chiropractor's license to practice chiropractic in Washington. [Statutory Authority: RCW 18.26.110(2). 84-23-033 (Order PL 497), § 113-12-200, filed 11/15/84. Statutory Authority: RCW 18.26.110. 81-13-002 (Order PL 380), § 113-12-200, filed 6/4/81.]

WAC 113-12-210 Clinically necessary x-rays. All offers of free x-rays should be accompanied by a disclosure statement that x-rays will only be taken if clinically necessary in order to avoid unnecessary radiation exposure. [Statutory Authority: RCW 18.26.110(2). 84-23-033 (Order PL 497), § 113-12-210, filed 11/15/84.]

Title 114 WAC
CHIROPRACTIC EXAMINERS, BOARD OF

Chapter 114-12 Approval of chiropractic colleges and symposiums.

Chapter 114-12 WAC
APPROVAL OF CHIROPRACTIC COLLEGES AND SYMPOSIUMS

WAC 114-12-005 Repealed.
114-12-121 Repealed.
114-12-125 Examinations—National board partial waiver.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


WAC 114-12-005 Repealed. See Disposition Table at beginning of this chapter.

WAC 114-12-121 Repealed. See Disposition Table at beginning of this chapter.

WAC 114-12-125 Examinations—National board partial waiver. (1) An applicant who has passed the following subjects on their most recently taken National Board of Chiropractors Examination will be considered to have satisfied the statutory requirement for examination in the equivalent subjects:

<table>
<thead>
<tr>
<th>Washington Examination</th>
<th>National Board Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anatomy</td>
<td>Anatomy</td>
</tr>
<tr>
<td>Physiology</td>
<td>Physiology</td>
</tr>
<tr>
<td>Hygiene</td>
<td>Microbiology—Public Health</td>
</tr>
<tr>
<td>Neurology</td>
<td>Spinal Anatomy</td>
</tr>
<tr>
<td>Symptomatology</td>
<td>General Diagnosis</td>
</tr>
<tr>
<td>Spinal Pathology</td>
<td>Neuromuscular Skeletal Diagnosis</td>
</tr>
</tbody>
</table>

(2) In addition to any subjects waived, all applicants will be required to pass an examination by the Washington state board of chiropractic examiners in the subjects of principles of chiropractic, x-ray and adjunctive technique. Each applicant must correctly answer seventy-five percent of all questions asked and seventy percent of the questions on any branch of examination given by the Washington state board in order to be eligible for licensure. [Statutory Authority: RCW 18.25.017. 86-01-040 (Order PL 572), § 114-12-125, filed 12/13/85; 85-13-081 (Order PL 533), § 114-12-125, filed 6/19/85.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffective changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Title 118 WAC
EMERGENCY MANAGEMENT, DEPARTMENT OF
(Formerly: Emergency Services, Dept. of)

Chapters

118-03 Mt. St. Helens closure—Rules for permitted entry and/or occupation.
118-04 Classes of emergency workers—Scope of duties of each class—Conditions for employment—Manner of registration.

Chapter 118-03 WAC
MT. ST. HELENS CLOSURE—RULES FOR PERMITTED ENTRY AND/OR OCCUPATION

WAC 118-03-010 Purpose.
118-03-030 Definitions.
118-03-050 Exempted personnel.
118-03-070 Conditions for entry.
118-03-090 Washington state department of licensing to process permits.
118-03-110 Application/processing procedures—Nonpermanent residents.
118-03-130 Permit and waiver issuance procedures—Permanent residents.
118-03-150 Permit and waiver issuance procedures—Recreation property owners, renters, or lessees.
118-03-170 Permit and waiver issuance procedures—Visitors to permanent residents or recreational property owners.

[1985 WAC Supp—page 188]
WAC 118-03-010 Purpose. The purpose of this chapter is to adopt rules, regulations, and guidelines to implement executive orders issued by the governor prohibiting any person or persons with certain limited exceptions from entering the high risk danger zone known as the restricted zone of the Mt. St. Helens volcano as described in that executive order, and providing entry permit procedures for persons excepted. These rules may be amended from time to time as conditions warrant. The executive orders issued by the governor recognize the continuing danger from additional eruptions, earthquakes, flash floods, and other related events from Mt. St. Helens. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-010, filed 9/27/85; 83-16-025 (Order 83-01), § 118-03-010 filed 7/27/83; 82-15-007 (Order 86-06), § 118-03-010, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-010, filed 7/7/81.]

WAC 118-03-030 Definitions. "Restricted zone" shall mean that high hazard area immediately adjacent to or surrounding the Mt. St. Helens volcano closed to public access by the governor of the state of Washington pursuant to RCW 43.06.010, 43.06.210, 43.06.220, 38.52.050, and 38.52.010. The restricted zone boundary area may change from time to time as conditions warrant. "Fallback zones" shall mean areas immediately adjacent or surrounding the restricted zone which may be closed to public access by the governor of the state of Washington pursuant to RCW 43.06.010, 43.06.210, 43.06.220, 38.52.050, and 38.52.010. When closed to public access by the governor, a fallback zone shall be a part of the restricted zone defined by this section. Fallback zones may be instituted from time to time as conditions warrant. The abbreviation "DEM" as used hereinafter shall mean the Washington state department of emergency management. The term "director" used hereinafter shall mean the director of the department of emergency management. "DOL" shall mean the Washington state department of licensing. "News media" shall include journalists, publishers, television and radio broadcast persons who are regularly engaged in the business of publishing or broadcasting. "ECC" shall mean the emergency coordinating center located at the U.S. Forest Service Office in Vancouver, Washington. "Individual(s)" shall mean a person, partnership, joint venture, private or public corporation, association, firm, public service company, public utility district, or any other entity, public or private, however organized. "Control" shall mean to lease or rent. "DLE" shall mean driver's license examiner. "USFS" shall mean United States Forest Service. "USGS" shall mean United States Geological Survey. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-030, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-030, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-030, filed 7/7/81.]

WAC 118-03-050 Exempted personnel. The following shall be subject to a limited exception to the prohibition against entry or occupancy in the restricted zone.

(1) U.S. Geological Survey personnel who are performing official duties related to scientific evaluation and hazard assessments that require their presence in the restricted zone.

(2) U.S. Forest Service personnel who are performing official duties that require entry into the restricted zone.

(3) U.S. Army Corps of Engineers personnel who are performing official duties that require their presence in the restricted zone.

(4) Search and rescue personnel registered or identified pursuant to RCW 38.52.010(5) on official search and rescue missions within the restricted zone. The sheriffs of counties whose jurisdictions lie within the boundaries of the restricted zone or their designee(s) shall have the authority to approve entry and/or occupation by search and rescue personnel.

(5) Federal, state, county and local law enforcement and fire fighting personnel whose jurisdiction is within the restricted zone and who are on official business within the restricted zone.

(6) Federal, state, county or local administrative personnel on official business within the restricted zone.

(7) Individual(s) who own and/or control real property, or personal property being used as a residence, and whose official permanent residence is within the restricted zone when applicable.

(8) Individual(s) with a legitimate business reason for being within the restricted zone as determined by the director, department of emergency management, or his designee(s). [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-050, filed 9/27/85; 83-16-025 (Order 83-01), § 118-03-050, filed 7/27/83; 82-15-007 (Order 86-06), § 118-03-050, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-050, filed 7/7/81.]

WAC 118-03-070 Conditions for entry. (1) All permit holders must have two-way communications available within the restricted zone with a base station located outside of the zone. The base station must be monitored at all times while the permittee is in the restricted zone. The base station emergency phone number must be on file with DEM or the USFS.

(2) The restricted zone will be closed by a coordinated decision of the DEM and the USFS on the advice of the USGS that hazards are elevated. The restricted zone will be closed when there is an alert issued by the U.S. Geological Survey, and if necessary during advisories issued by the U.S. Geological Survey.

(3) Overnight stays in the restricted zone will be granted only by special permission by the USFS or by
the director of DEM or his designee. The permit holder must be doing work requiring night time operations and have constant radio communications. Otherwise, entry and occupancy of the restricted zone will normally be limited to the period one-half hour before sunrise to one-half hour after sunset, as established by the National Weather Service.

(4) The permit for entry into the restricted zone will contain specified routes of travel, duration of stay, type of vehicle or aircraft and description, destination, evacuation route, base radio contact alternative routes, and names of those entering.

(5) Helicopters entering the restricted zone must obtain a mission number from the Mt. St. Helens National Volcanic Monument ((206) 247-5473). Information required is the number of people entering, destination and estimated entry and departure times. All aircraft are to monitor aircraft radio frequency 122.75 MHz.

(6) Entry into the crater will be limited to scientists, media permit holders, and other officials on official business with supervision by the U.S. Forest Service or U.S. Geological Survey.

(7) Permit holders must be able to leave the restricted zone within one hour.

(8) Permit holders will leave the restricted zone when ordered by proper authorities.

(9) Anyone entering the restricted zone must have with them either a restricted zone permit or a restricted zone contractor's permit card.

(10) It is strongly recommended that all who enter the restricted zone carry emergency gear and a first aid kit. Recommended minimal emergency equipment should include: Hard hat, respirator or face mask, goggles, water and food. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-090, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-090, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-090, filed 7/7/81.]

WAC 118-03-090 Washington state department of licensing to process permits. When the restricted zone is expanded by governor's executive order to include areas outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

The DOL may process restricted zone entry permit applications at but limited to the following locations:

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Longview</td>
<td>73 Third Avenue,</td>
</tr>
<tr>
<td></td>
<td>98632</td>
</tr>
<tr>
<td>Vancouver</td>
<td>915 MacArther Blvd.,</td>
</tr>
<tr>
<td></td>
<td>98661</td>
</tr>
<tr>
<td>Morton</td>
<td>141 North 2nd,</td>
</tr>
<tr>
<td></td>
<td>98356 (P. O. Box 774)</td>
</tr>
<tr>
<td>Centralia</td>
<td>112 Harrison Ave.,</td>
</tr>
<tr>
<td></td>
<td>98531</td>
</tr>
<tr>
<td>Seattle</td>
<td>King County Administrative</td>
</tr>
<tr>
<td></td>
<td>Bldg. Room 615</td>
</tr>
<tr>
<td></td>
<td>500 4th Avenue</td>
</tr>
</tbody>
</table>

(4) DOL will provide the director, DEM; the director, USFS emergency coordination center; and the sheriffs of
counties whose jurisdictions lie within the boundaries of the restricted zone with a daily list of permits issued. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-110, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-110, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-110, filed 7/7/81.]

WAC 118-03-130 Permit and waiver issuance procedures—Permanent residents. When the restricted zone is expanded by governor's executive order to include lands outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

1. Permanent residence applicants must present proof of ownership or control of real property or personal property being used as a residence and a permanent residence status at the time of application.

2. Permanent residence applicants eighteen years of age or older, but who have not attained eighteen years of age, shall obtain a permit and their parent/guardian must sign a waiver on their behalf.

3. Permanent residence applicants between sixteen years of age and older, but who have not attained eighteen years of age, shall obtain a permit and their parent/guardian must sign a waiver on their behalf.

4. All permanent residence applicants under sixteen years of age must be included on the application of their parent/guardian.

5. DOL will maintain a current list of permanent residents with permits within the restricted zone.

6. Permanent residents must have either a proven two-way communications system for warning or be a part of a local government warning and evacuation system. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-130, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-130, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-130, filed 7/7/81.]

WAC 118-03-150 Permit and waiver issuance procedures—Recreation property owners, renters, or lessees. When the restricted zone is expanded by governor's executive order to include lands outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

1. Recreation property owners, renters, or lessees must comply with the following conditions:

   a. Applicants must present proof of ownership or control of real property or personal property.

   b. Applicants eighteen years of age and older shall be required to obtain a permit and sign a waiver.

   c. Applicants between sixteen years of age and older, but who have not attained eighteen years of age, shall obtain a permit and their parent/guardian must sign a waiver on their behalf.

   d. Applicants under sixteen years of age must be included on the application of their parent/guardian.

2. DOL will maintain a current list of recreation property owners, renters, or lessees with permits within the restricted zone.

3. Recreation property owners, renters, or lessees must have either a proven two-way communications system for warning or be a part of a local government warning and evacuation system. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-130, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-130, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-130, filed 7/7/81.]

WAC 118-03-170 Permit and waiver issuance procedures—Visitors to permanent residents or recreational property owners. When the restricted zone is expanded by governor's executive order to include lands outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

1. Visitors must maintain a signed waiver on file with DOL.

   a. All visitors eighteen years of age and older shall sign a waiver.

   b. All visitors between sixteen years of age or older, but who have not attained eighteen years of age must have a waiver signed on their behalf by their parent/guardian.

2. Permanent residents or recreational property owners must notify DOL by mail in advance of the names of visitors and the dates the visitors will be with them in the restricted zone.

3. Visitor(s) will obtain their pending permit that is being held at the DOL office where the visitor permit application was mailed. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-170, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-170, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-170, filed 7/7/81.]

WAC 118-03-190 Permit and waiver issuance procedures—Media and scientific research. (1) Media permit applications will be reviewed by a USFS review committee.

(2) Scientific research permit applications will be reviewed by a USFS scientific research review committee.

(3) Requests for permits by both media and scientific research personnel will be forwarded to the USFS ECC coordinator for distribution and consideration by the appropriate review committee.

4. Applicants must meet all criteria contained in WAC 118-03-070 and 118-03-230. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-190, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-190, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-190, filed 7/7/81.]

WAC 118-03-210 Conditions for entry—Permanent residents and recreation property owners. When the restricted zone is expanded by governor's executive order to include lands outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

1. Individuals who establish proof of permanent residence in communities or areas within the restricted zone will be issued a permit by DOL.

[1985 WAC Supp—page 191]
(2) Movement within the restricted zone will be restricted to the most direct access/exit route, the generally recognized boundaries of the community and service and supply locations within the zone.

(3) The permit does not allow the holder unlimited movement or access to any other areas within the restricted zone unless a specific permit has been issued.

[Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-210, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-210, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-210, filed 7/7/81.]

WAC 118-03-230 Conditions for entry—Employees, contractors, and agents of individual(s) or government entity(s) issued industrial permits. When the restricted zone is expanded by governor's executive order to include lands outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

(1) Individual(s) or governmental entity(s) issued a permit under WAC 118-03-050, 118-03-110, and 118-03-270 shall:

(a) Have a method to identify the location(s) of each authorized employee, agent and contractor who is within the restricted zone for the permittee's business.

(b) Inform each authorized employee, agent and contractor of predesignated escape routes.

(c) Monitor the local sheriff's department or other governmental agency radio frequency which is established for transmitting emergency messages related to Mt. St. Helens.

(d) Maintain a daily check-in and check-out procedure for all authorized employee(s), agent(s) and contractor(s) who are within the restricted zone under the permittee's business.

(e) Issue an identification card, tag or other form of identification approved by the director of DEM or his designee to each authorized employee, agent and contractor who is within the restricted zone for the permittee's business.

(f) Provide the foreman of each work crew, or one member of each group working together with a two-way radio and require them to make regular contact with a central dispatcher.

(g) Inform each employee, agent and contractor authorized to enter the restricted zone for permittee's business that they must be able to leave the restricted zone within one hour.

(h) Make every reasonable effort to ensure compliance from their authorized employee(s), agent(s), and contractor(s) according to WAC 118-03-070, 118-03-230, and all other applicable safety regulations and procedures.

(2) Individual(s) other than government entity(s) shall indemnify the United States, the state of Washington, all political subdivisions thereof and their officer(s), agent(s) and employee(s), against all claims and liabilities which may be asserted against them for any damages, injuries, or losses due to natural volcanic or flash flood causes suffered by any person while within the restricted zones or as a result of entering or occupying this zone under the authority of the industrial permit.

(3) Entry and occupancy of the restricted zone for industrial permittees will be authorized as per WAC 118-03-070(3).

(a) Industrial permits will be good for the length of contract, not to exceed three months.

(b) Industrial permits may be renewed upon approval of the director of DEM or his designee(s).

(4) Entry and occupancy of the restricted zone for continuous 24-hour periods by industrial permittees will be permitted on a case-by-case basis by the director of DEM or his designee(s) upon a showing of overriding necessity.

(5) Each individual(s) at the time of application for an industrial permit issued under WAC 118-03-050 and 118-03-110 or prior to application must file with DEM an evacuation, emergency communication and warning plan.

(6) The evacuation plan must include the following:

(a) A description of the areas of operation by township, range, and section.

(b) Number of personnel to be engaged within these areas.

(c) Type and number of vehicles to be used for evacuation.

(d) Primary and alternate escape routes to be used.

(7) The emergency communication and warning plans must include the following:

(a) Manner in which the industrial permit holder would receive notification of a volcanic event.

(b) Procedures which the industrial permit holder would use to warn his/her personnel in the restricted zone. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-230, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-230, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-230, filed 7/7/81.]

WAC 118-03-250 Industrial permit reapplication procedure. When the restricted zone is expanded by governor's executive order to include lands outside of USFS lands and the Mt. St. Helens National Volcanic Monument, the following shall apply.

(1) Industrial permits issued for the restricted zone prior to August 1, 1985, are valid until the expiration date on the permit has been attained and then only if all requirements under WAC 118-03-230 have been complied with.

(2) Industrial permittee(s) may request a new permit prior to the existing permit date via telephone or personal contact with/or in person to the DLE whose DOL office issued the application and permit.

(3) The DLE must be advised of the date and approximate time an authorized agent of the industrial permittee will arrive to sign and pick up the new permit.

(4) The industrial permittee must also give all necessary information required to process the application.

(5) On assigned day, the authorized industrial agent must go to the DOL, identify him/herself to the DLE,
review the application form and permit for accuracy, and sign the waiver. [Statutory Authority: Chapters 43-06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-250, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-250, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-250, filed 7/7/81.]

WAC 118-03-270 Federal, state, and local government administrative personnel. Federal, state or local government administrative personnel on official business shall be authorized entry into the restricted zone when:

(1) Such entry will not burden official search and rescue missions or other emergency operations in the restricted zone, and

(2) Such entry be limited, to the extent possible, to specified destination(s) and route(s) within the restricted zone, and

(3) Approval for permit issue has been made by the director, DEM or his designee(s) or the USFS, and

(a) Such entry is necessary to provide for the health, safety, and welfare of citizens in the disaster area, or

(b) Such entry is necessary to assess damages caused by the volcanic activity for the purpose of mitigating further damage or providing for the well being of disaster victims, or

(c) Such entry will provide information necessary for federal, state or local officials responsible for disaster response. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-270, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-270, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-270, filed 7/7/81.]

WAC 118-03-290 Other permit applicants. The director, DEM, his designee(s) or the USFS may authorize persons not included in the above specific categories to enter the restricted zone when:

(1) Such entry be limited, to the extent possible, to specified destinations and routes within the restricted zone, and

(2) Such entry will not burden official search and rescue missions or other emergency operations, and

(3) Such entry is limited in duration and by type of transportation to minimize, to the extent consistent with urgency of the entry, the safety of those granted entry permits, and

(a) Such entry is necessary for or will contribute to the health, safety, and welfare of the citizens in the disaster area, or

(b) Such entry is necessary for maintenance of privately owned property within the restricted zone when applicable, or

(c) Such entry is necessary or will contribute to the successful mitigation of damages caused by volcanic activity. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-290, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-290, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-290, filed 7/7/81.]

WAC 118-03-310 Revocation and suspension. (1) In the event that volcanic activity or other events increase the danger already present in the restricted zone, permits, except permanent residents, when applicable, and scientific personnel approved by the director of DEM, his designee(s), or the USFS may be suspended or revoked by the director, DEM, his designee(s), or the USFS. This decision will be based on available scientific information and/or joint evaluation by the USFS (ECC director) and DEM. This evaluation will be made on a daily basis or as necessary. Notification of revocation/suspension will be made by DEM and the USFS in accordance with established DEM and USFS operational procedures.

(2) The director of DEM or his designee(s) may suspend or revoke any permit issued under this chapter of the Washington Administrative Code, except for permanent residents when applicable, upon the failure of the permit holder(s) to meet the conditions of the permit of this chapter. [Statutory Authority: Chapters 43.06 and 38.52 RCW. 85-20-062 (Order 85-02), § 118-03-310, filed 9/27/85; 82-15-007 (Order 86-06), § 118-03-310, filed 7/9/82; 81-15-012 (Order 81-03), § 118-03-310, filed 7/7/81.]

Chapter 118-04 WAC Classes of Emergency Workers--Scope of Duties of Each Class--Conditions for Employment--Manner of Registration

WAC 118-04-010 Purpose. The purpose of this chapter is to adopt rules, regulations, and guidelines pursuant to chapter 38.52 RCW, for appropriate action pertaining to the class, scope of duty, conditions of duty, and coverage of emergency workers. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-010, filed 5/11/84.]

WAC 118-04-030 Scope. (1) This chapter is applicable for emergency activities as outlined in chapter 38.52 RCW; for emergencies and disasters as determined by appropriate local authorities and the governor of the state of Washington, and for search and rescue missions under the authority of local law enforcement.
(2) This chapter is not applicable to air search and rescue missions or training exercises conducted by the Washington state aeronautics division. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-030, filed 5/11/84.]

WAC 118-04-050 Definitions. The terms used in this chapter have the same meaning as they do in chapter 38.52 RCW. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-050, filed 5/11/84.]

WAC 118-04-070 Registration. (1) Registration is a prerequisite for eligibility of workers for benefits and legal protection under chapter 38.52 RCW. Except as provided in subsections (2), (3), and (4) of this section, an emergency worker shall be considered as registered if he/she has met these qualifications prior to participating in emergency activities:

(a) Has a properly filled out and current registration card on file with an approved organization under chapter 38.52 RCW.

(b) Has been assigned to an emergency class as listed in WAC 118-04-110.

(c) Has been issued an identification card which conforms substantially with those recommended by the Washington state department of emergency services.

(2) An employee of the state, or a political subdivision of the state who is required to perform emergency duties shall be considered as registered with the local organization of emergency services in whose jurisdiction he/she resides.

(3) In emergency situations which require recruiting of volunteers to assist in an immediate time frame, these workers will be considered registered if they are under the control and supervision of a responsible agency under the provisions of chapter 38.52 RCW and if said agency provides adequate documentation including name, age, and address, the emergency function they provided, and time they were involved in said service.

(4) Any citizen commandeered for service shall be entitled, during the period of such service, to all privileges, benefits and immunities provided by state law and state or federal regulations for registered emergency workers. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-070, filed 5/11/84.]

WAC 118-04-090 Scope of emergency duties. Each emergency worker in any class, is considered to be on duty while he/she is performing emergency functions with the authorization and under the direction and control of an appropriate authority in the local or state emergency organization. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-090, filed 5/11/84.]

WAC 118-04-110 Classes of emergency workers. The following classes of emergency workers and the scope of duties of each class are hereby established. Classes additional to these may be established from time to time by the director, state department of emergency services.

(1) Staff services:
Staff services include the recruiting, coordinating, and directing any emergency activities, including technical, administrative, and clerical services.

(2) Law enforcement services:
Law enforcement services include securing compliance with both state and federal laws, in accordance with chapter 38.52 RCW, and assisting law enforcement officials and agencies in administrative and nonenforcement functions for the purpose of relieving commissioned personnel for enforcement duties.

(3) Fire services:
Fire services include assisting fire fighting forces or agencies in both urban and rural areas, rescuing persons or protecting property, and instructing residents regarding fire prevention and emergency information for individual citizens, methods of detecting fires and precautions to be observed in reducing fire hazards.

(4) Medical and health services:
Medical and health services include medical and surgical field teams, triage, general emergency and mobile hospitals, nursing service, first aid and ambulance service, sanitation, mortuary and laboratory service, radiological monitoring, defense against biological and/or chemical incidents, identification of sick and injured, and other medical and health services.

(5) Welfare services:
Welfare services include the provision of food, clothing, and lodging in mass care centers for persons whose homes have been destroyed, or made temporarily uninhabitable by emergency or disaster; evacuation service for other than medical cases, registration and information, welfare inquiries, rehousing, counseling, and other necessary assistance to disaster victims.

(6) Engineering and rescue services:
Engineering and rescue services include construction, repair and maintenance of highways, roads, streets, and essential facilities and performing heavy-duty rescue operations.

(7) Transportation services:
Transportation services include the movement of supplies, evacuees, personnel, and equipment, including planning, organizing, maintaining, operating, and coordinating available means of transportation.

(8) Communications services:
Communications services include communications activities in accordance with approved state and/or local emergency operations and communications plans.

(9) Radiological services:
Radiological services include radiological monitoring, reporting, and planning duties, in accordance with approved state and/or local emergency operations and radiological emergency plans including gathering and evaluating radiological data and providing technical guidance concerning radiological decontamination operations.

(10) Chemical services:
Chemical services include chemical hazards incident response duties such as planning and coordination of response resources, in accordance with approved state and/or local emergency operations and hazardous materials plans.

(11) Supply services:
Supply services include procurement, warehousing, and release of supplies, equipment, and materials.

(12) Utilities services:
Utilities services include assisting utility personnel in the repair of water, gas, electric, telephone, telegraph, steam, sewer, and other utility facilities.

(13) Congregate care services:
Congregate care services include duties in accordance with the current shelter managing guidelines and subsequent procedures published in approved state and/or local emergency operations and shelter plans.

(14) Special services:
Special services include duties which can be performed by persons who are without permanent specific emergency services assignment and who do not carry a standard emergency identification card but whose participation is essential to training (i.e., students or other serving as triage victims during a medical exercise). These personnel shall be issued a temporary registration card for the period of time they are participating in emergency training activities.

(15) General services:
General services include duties which can be performed by persons without permanent specific emergency assignment. These may include general purpose emergency workers who support local or state emergency departments in a variety of activities. They may also include personnel who are not ordinarily a part of an emergency organization and who do not carry a standard emergency identification card but whose participation is essential to a specific emergency operation, such as sandbagging in a flood.

(16) Search and rescue services:
Search and rescue services include duties involving searching for, rescuing, or recovering by means of ground, marine, or air activity any person who becomes lost, injured, or is killed while out of doors, or as a result of a natural or man-made disaster, including instances involving searches for downed aircraft when ground personnel are used.

(17) Training and education services:
Training and education services include all activities, public and private, relating to the education process and proficiency skill building for the enhancement of emergency preparedness under the concept of comprehensive emergency management, including but not limited to, specific courses, workshops, seminars, exercises, volunteer training activities, which includes the administration, reporting, and maintaining of appropriate records.

(18) Aviation services:
Aviation services include duties performed by pilots licensed by the FAA, operating FAA approved aircraft, in support of emergency management activities. No compensation will be provided under chapter 38.52 RCW for those activities of air search which are the statutory responsibility of the division of aeronautics, department of transportation. [Statutory Authority: RCW 38.52.310, 84-11-022 (Order 118-04), § 118-04-110, filed 5/11/84.]

WAC 118-04-130 Emergency worker criteria and standards. Local jurisdictions have the responsibility to establish criteria and standards for emergency workers whom they register. This may include the demonstrated proficiency of the worker to perform emergency activities as indicated by assignment and personnel class. [Statutory Authority: RCW 38.52.310, 84-11-022 (Order 118-04), § 118-04-130, filed 5/11/84.]

WAC 118-04-140 Search and rescue emergency worker guidelines. The following guidelines are offered as minimal standards which all search and rescue emergency workers should meet.

(1) The level of knowledge, proficiency, and experience for field personnel will be greater than support personnel.

(2) Support personnel should have a working knowledge of the skills of field personnel, but need not have hands-on experience nor the physical capabilities of field personnel.

(3) Specific desirable qualifications:
(a) First aid training.
(b) Demonstrated self-proficiency in survival techniques and outdoor living.
(c) Good physical fitness.
(d) Demonstrated proficiency in wilderness navigation (map and compass).
(e) Demonstrated proficiency in search and rescue techniques.
(f) Demonstrated proficiency in two-way radio communications.
(g) Demonstrated knowledge in procedures if a crime or deceased is discovered in the search and rescue operation.
(h) Demonstrated knowledge in heli-rescue operations.

(4) The department of emergency services acknowledges the following state-wide volunteer search and rescue organizations as having existing standards, training, and certification programs:
(a) Washington Mountain Rescue Association;
(b) Washington Explorer Search and Rescue Association;
(c) National Ski Patrol Systems, Inc.;
(d) The Search and Rescue Dog Association;
(e) German Shepherd Search Dog Association;
(f) Northwest Bloodhound Association;
(g) Civil Air Patrol;
(h) Coast Guard Auxiliary.

Further, the department of emergency services may acknowledge the self-certification programs of these volunteer organizations by letters of agreement between each organization and this department, which authorize these organizations to certify their own members and any new organizations wishing to be identified with these particular state-wide volunteer organizations.

[1985 WAC Supp—page 195]
[Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-140, filed 5/11/84.]

WAC 118-04-150 Department of emergency services mission number. (1) The state department of emergency services may assign a mission number to emergency response activities and to search and rescue missions reported by a local jurisdiction. The local department of emergency services director, or their designee shall notify the state department of emergency services as soon as practical of all emergency response activities or search and rescue missions in the respective local jurisdiction and request the assignment of a mission number when emergency workers are called out to assist.

(2) The mission number assigned shall provide a reference for the dispatch of state, local, or federal resources to assist in the mission, and as a basis for record keeping for the payment of any emergency worker compensation claims which may be filed as a result of activities on that mission.

(3) If additional resources from a different jurisdiction are needed to respond to an emergency response activity or search and rescue mission, the appropriate authority should make the request through (or inform that the request has been made) the state department of emergency services duty officer (206-753-5990) in Olympia, WA.

(4) Upon notification by an appropriate authority to report to regular or training duty at a specific time and place, volunteers are then covered under the provisions of chapter 38.52 RCW when acting in compliance with such notification. Coverage will be limited to the time and distance necessary to travel to duty station, performance of duty, and return to the point of origin.

(5) Mission numbers will not be assigned nor compensation provided for activities which involve arrest, search, apprehension, or detention of suspects or persons in the act of committing a crime or breaking a law.

[Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-150, filed 5/11/84.]

WAC 118-04-170 Evidence search training mission number. An evidence search training mission number may be issued by the state department of emergency services for the utilization of emergency workers to search for evidence in support of law enforcement agencies. To receive authorization for an evidence search training mission number, the following criteria must be met. The local department of emergency services, or its designee, will send a hard copy via ACCESS to the state department of emergency services (ACCESS address code BK) or to the Washington state patrol dispatch in Olympia (ACCESS address code BN), if during nonbusiness hours, addressed "PLEASE RELAY TO DES DUTY OFFICER IMMEDIATELY" outlining the following by item:

Item 1 — Jurisdiction requesting the evidence search training mission number.
Item 2 — Name of officer in charge on scene.
Item 3 — Location of the evidence search.

Item 4 — Emergency workers being utilized listed by name or by unit.
Item 5 — A statement certifying that the activity is being accomplished for the development of proficiency skills.
Item 6 — A statement certifying that the emergency workers will be utilized and trained within the scope of their normal emergency worker assignment.
Item 7 — A statement certifying that the activity does not involve the arrest, search for, apprehension, or detention of suspects or persons in the act of committing a crime or breaking a law.

After the hard copy is sent via ACCESS, the local DES or designee may call the DES duty officer and coordinate the details of the mission. Upon receipt of the hard copy information, the request will be considered, and if approved, an EVIDENCE SEARCH TRAINING MISSION NUMBER will be assigned.

Other rules and policy established by the director, state department of emergency services, for the utilization of emergency workers will apply for the evidence search, including the submission of the training mission report. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-170, filed 5/11/84.]

WAC 118-04-190 Eligibility and responsibility. (1) Compensation will be authorized only when appropriate eligibility has been clearly established and the provisions of all appropriate regulations and statutes have been complied with.

(2) Compensations board composition, procedural records and claim preparations are the responsibility of the local jurisdiction, in which the loss occurred (see RCW 38.52.210).

(3) Volunteer emergency workers, in supporting other agencies, must remain under the direction and control of an appropriate authority to continue compensation eligibility.

(4) In no event, shall a public agency, other than the local emergency services organization or local law enforcement agency as outlined in other sections of this chapter, utilize the services of an emergency worker unless the said agency has received the prior approval of the director, Washington state department of emergency services or his designee. Said approval shall set forth time and purpose of the utilization of said emergency worker. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-190, filed 5/11/84.]

WAC 118-04-210 Eligibility requirements and procedures for filing personal injury claims by emergency workers. (1) Claimant must be a duly registered emergency worker of his county of residence and/or with the jurisdiction directing the mission. Claimant must file the claim with the jurisdiction where the mission occurred.

(2) Claimant must have been activated by an appropriate authority on an authorized activity under the provisions of chapter 38.52 RCW.

(3) Claimant must have registered his name and registration card number if applicable with the on-scene commander or other appropriate authority.

[1985 WAC Supp—page 196]
(4) In the event of injury the responsible agency's on-scene authority must be notified as soon as possible.

(5) The responsible agency's on-scene authority will advise the local emergency services director of any injuries and will provide appropriate and timely documentation. The local director will notify the state department of emergency services of any injuries. The state department of emergency services will assist the local director in processing claims for those claimants registered outside of the county and activated by state department of emergency services.

(6) The state department of emergency services will provide necessary forms for personal injury claims which must be completed by the local department of emergency services director, the emergency worker, and the attending physician and submitted with other documentation to Washington state department of emergency services. DO NOT USE LABOR AND INDUSTRIES WORKMAN'S COMPENSATION FORMS, AND DO NOT SUBMIT ANY INFORMATION TO THE DEPARTMENT OF LABOR AND INDUSTRIES FOR A CLAIM MADE PURSUANT TO CHAPTER 38.52 RCW.

(7) Other documentation should include any reports, mission logs, ambulance and hospital bills, receipts, medical reports, or other information helpful in describing the circumstances of how the injury occurred and what costs were incurred.

(8) Claims for injury, disability, death, and related compensation are adjusted and paid in accordance with labor and industry workman's compensation schedules.

(9) For claims in excess of the amount set by statute, a compensation board must meet to review the claim under RCW 38.52.210, 38.52.220, 38.52.230, and 38.52.250.

(10) The local emergency services director will give immediate notice to Washington state emergency services of any pending claim in excess of the amount set by statute.

(a) The claimant will be notified of date, time and place of the compensation board hearing by the local emergency services director by personal service or registered mail.

(b) Claimant may be requested to appear before the compensation board as established under chapter 38.52 RCW. Itemized medical bills and reports must be presented at the hearing to support the claim.

(c) The local emergency services director will transmit the findings of the compensation board to Washington state department of emergency services for final disposition. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-210, filed 5/11/84.]

WAC 118-04-230 Eligibility requirements and procedures for filing property loss/damage claims by emergency workers. (1) Claimant must be a duly registered emergency worker of his county of residence and/or the jurisdiction directing the mission. Claimant must file the claim with the jurisdiction where the mission occurred.

(2) Claimant must have been activated by an appropriate authority on an authorized activity under the provisions of chapter 38.52 RCW.

(3) Claimant must have registered his name and registration card number if applicable with the on-scene commander or other appropriate authority.

(4) In the event of property loss or damage the responsible agency's on-scene authority must be notified as soon as possible.

(5) The responsible agency's on-scene authority will advise the local emergency services director of any property loss or damage and will provide appropriate and timely documentation. The local director will notify the state department of emergency services of any property loss or damage. The state department of emergency services will assist the local director in processing claims for those claimants registered outside of the jurisdiction and activated by state department of emergency services.

(6) Only property that is deemed necessary and reasonable for the emergency services activity will be considered for compensation, if lost or damaged. Claims will not be paid for personal property lost or damaged that was not necessary and reasonable to the activity. For example, expensive watches, cameras, jewelry, etc., generally will not be considered necessary and reasonable.

(7) Damage to personal property caused by normal wear and tear, mechanical or electrical breakdown, or other such loss or damage, and loss or inconvenience consequent to such loss or damage that was not the result of the emergency services activity in which the owner was engaged will not be considered for compensation. Damage must not have been caused by the willful misconduct, gross negligence, or bad faith of the claimant.

(8) Compensation for the loss or theft of property left unsecured, or damage incurred which could have been prevented through reasonable care may be denied.

(9) The state department of emergency services will provide necessary forms for property loss/damage claims which when filled out by the emergency worker must be notarized and sent, with all supporting documentation to the Washington state office of financial management.

(10) For claims in excess of the amount set by statute, a compensation board must meet to review the claim under RCW 38.52.210, 38.52.220, 38.52.230, and 38.52.250.

(11) The local emergency services director will give immediate notice to the Washington state emergency services of the pending claim, in excess of the amount set by statute.

(a) The claimant will be notified of date, time, and place of the county compensation board hearing by the local emergency services director by personal service or registered mail.

(b) Claimant may be requested to appear before the compensation board as established under chapter 38.52 RCW. Itemized bills and reports must be presented at the hearing to support the claim.

(c) The local emergency services director will transmit the findings of the compensation board to Washington state department of emergency services for final disposition. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-230, filed 5/11/84.]
WAC 118-04-250 Fuel and toll claims. (1) The state department of emergency services will provide necessary forms for use by emergency workers for reimbursement of out-of-county fuel and toll expenses as authorized by chapter 38.52 RCW. Proper receipts and documentation must be submitted with these forms for reimbursement.

(2) Claims for fuel and toll expenses may be sent directly to the state Department of Emergency Services, 4220 E. Martin Way, Olympia, WA 98504. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-250, filed 5/11/84.]

WAC 118-04-270 Extraordinary expense claims. The state department of emergency services will provide necessary forms for use by emergency workers for extraordinary expenses for missions lasting over twenty-four hours as authorized by chapter 38.52 RCW. Local organizations of emergency services and local law enforcement agencies may submit extraordinary expense claims on behalf of volunteers if the expenses meet the following criteria:

(1) They are in direct support of volunteers working under a state DES mission number;

(2) They represent extraordinary, expendable obligations such as for feeding or lodging volunteers; and

(3) All expenses must be documented with proper receipts. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-270, filed 5/11/84.]

WAC 118-04-290 After action reports—Search and rescue. The state department of emergency services will provide a form to be used by local jurisdictions to report information about search and rescue missions. This information should include data on the subject(s), location of incident, local response, weather conditions, results, subject behavior, and resources used. Information from local responders including any reports, rosters, mission event and communications logs, lost person information forms, and any other information that may be helpful in a descriptive reconstruction of the mission should be forwarded to the responsible local authority as designated by local plans within two weeks or ten working days from the termination of the mission. This information should be compiled and sent to the state DES within five working days of the two week period. [Statutory Authority: RCW 38.52.310. 84-11-022 (Order 118-04), § 118-04-290, filed 5/11/84.]

Title 120 WAC
COMMUNITY DEVELOPMENT, OFFICE OF

Chapters
120-04 General procedures.
120-06 Public records.
120-08 Uniform procedural rules.
120-52 Funding of legal services programs.

Reviser's note: The department of community development reaffirmed and assumed all rules made by the former office of community development by the filing of WSR 84-14-064, on June 30, 1984. The reaffirmed chapters within Title 120 are as follows: Chapters 120-04, 120-06, 120-08, and 120-52 WAC.

Chapter 120-04 WAC
GENERAL PROCEDURES

WAC 120-04-010 through 120-04-050 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

Chapter 120-06 WAC
PUBLIC RECORDS

WAC 120-06-010 through 120-06-120 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER