

*Uniform Building Code Standards* as published by the International Conference of Building Officials is hereby adopted by reference with the following additions:

(1) The following definition shall be added to section 420, chapter 4 of the Uniform Building Code:

**SINGLE FAMILY RESIDENTIAL BUILDING** is a dwelling containing only one dwelling unit.

(2) The following definition shall be added to section 414, chapter 4 of the Uniform Building Code:

**MULTIFAMILY RESIDENTIAL BUILDING** is a common wall dwelling or apartment house that consists of four or fewer dwelling units that do not exceed two stories in height and that are less than five thousand square feet in total area.

(3) The following paragraph shall be added to section 1202(b) of the Uniform Building Code:

Residential structures containing four or fewer dwelling units shall be provided with one-hour fire resistive occupancy separations between units.

**EXCEPTION:** In the case of conflict between the ventilation requirements of sections 605, section 705, section 905 and section 1205 of this Code and the ventilation requirements of chapter 51-12 WAC, the Washington State Energy Code, or where applicable, a local jurisdiction's energy code, the provisions of such energy codes shall govern. [Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-030, filed 11/26/85, effective 6/11/86.]

**WAC 51-16-040 Uniform Mechanical Code.** The 1985 edition of the *Uniform Mechanical Code*, including chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials is hereby adopted by reference with the following exception:

In the case of conflict between the duct insulation requirements of section 1005 of this Code and the duct insulation requirements of chapter 51-12 WAC the Washington State Energy Code, or where applicable, a local jurisdiction's energy code, the provisions of such energy codes shall govern.

[Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-040, filed 11/26/85, effective 6/11/86.]

**WAC 51-16-050 Uniform Fire Code and Uniform Fire Code standards.** The 1985 edition of the *Uniform Fire Code* and the 1985 edition of the *Uniform Fire Code Standards* published by the International Conference of Building Officials, and the Western Fire Chiefs Association is hereby adopted by reference. [Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-050, filed 11/26/85, effective 6/11/86.]

**WAC 51-16-060 Uniform Plumbing Code and Uniform Plumbing Code standards.** The 1985 edition of the

*Uniform Plumbing Code* and the 1985 *Uniform Plumbing Code Standards*, published by the International Association of Plumbing and Mechanical Officials is hereby adopted by reference: *Provided* That chapters 11 and 12 of this code are not adopted. [Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-060, filed 11/26/85, effective 6/11/86.]

**WAC 51-16-070 Exceptions.** The exceptions to the uniform codes contained in the provisions of chapter 19.27 RCW as amended by chapter 360, Laws of 1985 shall apply in case of conflict with any of the provisions of these rules. [Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-070, filed 11/26/85, effective 6/11/86.]

**WAC 51-16-080 Implementation.** The uniform codes adopted by WAC 51-16-030 through 51-16-060 of this chapter shall become effective in all counties and cities of this state ninety days following the final day of the regular legislative session of 1986 unless local amendments have been approved by the State Building Code Council. [Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-080, filed 11/26/85, effective 6/11/86.]

**WAC 51-16-090 Timeframe for submittal of proposed city or county amendments.** All proposed city or county amendments to the State Building Code required to be submitted to the council under the provisions of section 2 (1)(b) of chapter 360, Laws of 1985 shall be submitted to the council for review not less than 90 days prior to the proposed effective date of such amendments. The council shall approve or deny all local amendments based on their consistency with the minimum performance standards and objectives of chapter 360, Laws of 1985. [Statutory Authority: 1985 c 360. 85-24-029 (Order 85-13), § 51-16-090, filed 11/26/85, effective 6/11/86.]

## Title 67 WAC

### BLIND, DEPARTMENT OF SERVICES FOR THE

#### Chapters

67-25	Vocational rehabilitation and services for blind persons.
67-35	Vending facility program for the blind.
67-40	Prevention of blindness.
67-45	Prevention of blindness program.

#### Chapter 67-25 WAC

### VOCATIONAL REHABILITATION AND SERVICES FOR BLIND PERSONS

#### WAC

67-25-005	Definitions.
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67-25-190	Repealed.
67-25-200	Repealed.
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67-25-360	Vocational rehabilitation services—Similar benefits.
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67-25-388	Vocational rehabilitation services—Vocational and other training.
67-25-390	Vocational rehabilitation services—Training—College.
67-25-420	Vocational rehabilitation services—Rehabilitation teaching services.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

67-25-180	Economic need. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-180, filed 12/15/83. Formerly WAC 67-20-180.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
67-25-185	Economic need—Financial statement required. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-185, filed 12/15/83. Formerly WAC 67-20-185.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
67-25-190	Economic need—Standards for determining. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-190, filed 12/15/83. Formerly WAC 67-20-190.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
67-25-200	Economic need—Notification of decision. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-200, filed 12/15/83. Formerly WAC 67-20-200.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.

**WAC 67-25-005 Definitions.** (1) "Accepted for services" shall mean that the department has determined that the applicant has been certified as eligible to receive vocational rehabilitation services.

(2) "Act" means the Rehabilitation Act of 1973 (29 U.S.C. chapter 16).

(3) "Applicant" shall mean an individual who has submitted to the department a letter or application requesting vocational rehabilitation services which:

(a) Has been signed by the individual, his/her parents or guardian or other representative; and

(b) Sets forth the name, address, age, sex, and nature of disability of the requesting individual and source of referral.

(4) "Blind or visually impaired" for purposes of this chapter is a physical disability defined as follows:

(a) Central visual acuity of 20/200 or less in the better eye with correcting lenses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance of no greater than 20°; or

(b) Vision so defective as to prevent the performance of ordinary activities for which eyesight is essential; or

(c) An eye condition of a progressive nature which may lead to blindness.

(5) "Client" shall mean any handicapped individual:

(a) Who has applied for services from the department; and

(b) For whom services have not been denied or terminated by the department.

(6) "Department of services for the blind" shall mean the legal authority in its entirety:

(a) "Advisory council" shall mean the members appointed by the governor as the advisory body.

(b) "Department" shall mean the agency which carries out the operations of the Washington department of services for the blind.

(7) "Director," except when the context indicates otherwise, means the director of the department of services for the blind.

(8) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, refers to a certification that:

(a) The individual has blindness and may also have a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability.

(9) "Employability" refers to a determination that the provision of vocational rehabilitation services is likely to enable an individual to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market; the practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; homebound employment; or other gainful work.

(10) "Evaluation of rehabilitation potential" means, as appropriate, in each case:

(a) A preliminary diagnostic study to determine:

(i) That an individual has blindness and may also have a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(ii) That vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, and that the individual is eligible therefore for vocational rehabilitation services;

(b) A thorough diagnostic study consisting of a comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential, and an appraisal of the individual's work behavior and ability to develop work patterns suitable for successful job performance in order to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability;

(c) Any other goods or services provided for the purposes of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability;

(d) The provision of vocational rehabilitation services to an individual for a total period of extended evaluation not in excess of eighteen months for the purpose of determining whether such individual is a handicapped individual for whom a vocational goal is feasible, including

the initiation and continuing development of an individual written rehabilitation program, and a periodic assessment of the results of the provision of such services to ascertain whether an individual is an eligible individual for whom a vocational goal is feasible.

(11) "Family member" or "member of the family" means:

(a) Any relative by blood or marriage of a handicapped individual; and

(b) Other individuals living in the same household with whom the handicapped individual has a close interpersonal relationship.

(12) "Handicapped individual" means an individual:

(a) Who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Who is expected to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary for the purpose of determining whether he might benefit in terms of employability from the provision of vocational rehabilitation services.

(13) "Medical consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

(14) "Ophthalmological consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW specializing in diseases of the eye employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers regarding procedures and prognosis relating to eye conditions.

(15) "Physical and mental restoration services" means those services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive.

(16) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term "physical disability" includes blindness and/or visual impairment.

(17) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in any activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(d) Firefighting, fire prevention, or emergency rescue missions.

(18) "Referral" is defined as any individual who applied or has been referred to a department office by letter, telephone, direct contact or by any other means for whom the minimum information has been furnished:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

(19) "Rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals and which provides one or more of the following services for handicapped individuals:

(a) Vocational rehabilitation services which shall include under one management, medical, psychological, social, and vocational services;

(b) Testing, fitting, or training in the use of prosthetic and orthoptic devices;

(c) Prevocational conditioning or recreational therapy;

(d) Physical and occupational therapy;

(e) Speech and hearing therapy;

(f) Psychological and social services;

(g) Evaluation of rehabilitation potential;

(h) Personal and work adjustment;

(i) Orientation and mobility training and other adjustment services;

(j) Braille instruction;

(k) Evaluation or control of specific disabilities;

(l) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market provided that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

(20) "Rehabilitation teacher" (RT) shall refer to an employee of the department who has responsibility to determine eligibility, and to develop and implement individual written rehabilitation programs leading to a vocational outcome of homemaker. The full range of vocational rehabilitation services may be provided or purchased as determined by the needs of the individual written rehabilitation program.

(21) "Similar benefits" is a financial resource for which a client is legally qualified, or entitled, or meets the criteria for obtaining without undue contingencies. The financial resource must be an organized, ongoing form of service or financial assistance, whether public or private. It must be free or may require a deductible, co-insurance feature, token payment or personal claim.

(22) "Prevocational services" includes assessment and training in the skills which are necessary for blind persons to function independently in all settings as distinguished from the vocational skills necessary to perform a

specific occupation. The prevocational services provided by the department include communications, personal management, orientation and mobility, personal adjustment, home management, activities of daily living, and client's use of residual vision.

(23) "Substantial handicap to employment" means that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, and other related factors) impedes an individual's occupational performance, by preventing his/her obtaining, retaining, or preparing for employment consistent with his/her capacities and abilities.

(24) "Vocational rehabilitation counselor" (VRC) shall refer to an employee of the department who has direct responsibility for providing, or supervising the provision of all vocational rehabilitation services to a client of the department.

(25) "Vocational rehabilitation services," shall mean any of the following:

(a) Any goods or services provided to a client that is likely to enable him/her to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market.

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine his/her rehabilitation potential.

(c) The establishment, construction, development, operation, and maintenance of workshops and rehabilitation facilities.

(d) The provision of any facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation program.

(26) "Workshop" means a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist. [Statutory Authority: Chapter 74.18 RCW. 85-06-030 (Order 85-02), § 67-25-005, filed 3/1/85. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-005, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-005, filed 12/15/83. Formerly WAC 67-20-005.]

**WAC 67-25-180 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 67-25-185 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 67-25-190 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 67-25-200 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 67-25-257 Prevocational skills assessment.**

(1) There will be an assessment of each individual's prevocational skills prior to the development of an individual written rehabilitation plan. The results of the prevocational assessment will be incorporated into a plan of training as part of the individual written rehabilitation plan.

(2) The prevocational assessment may include any combination of the following skill areas. Training in these skills will be provided according to the plan developed with each individual client:

- (a) Communications, including braille;
- (b) Personal management;
- (c) Orientation and mobility;
- (d) Home management;
- (e) Activities of daily living;
- (f) Personal adjustment;

(g) Degree and use of residual vision. [Statutory Authority: Chapter 74.18 RCW. 85-06-030 (Order 85-02), § 67-25-257, filed 3/1/85.]

**WAC 67-25-325 Services available from other agencies.** The department's funds shall not be expended to purchase services for which a client is eligible when another agency has primary responsibility for providing the needed service. [Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-325, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-325, filed 12/15/83. Formerly WAC 67-20-325.]

**WAC 67-25-360 Vocational rehabilitation services—Similar benefits.** (1) In as much as full consideration of similar benefits is required by federal regulations, this section prevails over all other sections describing the conditions under which rehabilitation services will be provided. Similar benefits include all sources of public funds and private insurance benefits for which the client may be eligible.

(2) The following services are provided without full consideration of similar benefits:

- (a) Evaluation of rehabilitation potential;
- (b) Counseling;
- (c) Guidance;
- (d) Referral;
- (e) Placement;
- (f) Vocational and other training services not provided in an institution of higher education.

(3) Training in institutions of higher education may be provided only after the client produces proof of application for and denial of eligibility for federal grant programs. Institutions of higher education include universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing.

(4) The following services may be provided only after giving full consideration to similar benefits:

- (a) Physical and mental restoration services;
- (b) Maintenance;
- (c) Interpreter services for the deaf;
- (d) Reader services for the blind;

(e) Recruitment and training services in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other public services employment;

(f) Rehabilitation teaching services;

(g) Orientation and mobility services for the blind;

(h) Occupational licenses, tools, equipment, initial stocks and supplies;

(i) Transportation;

(j) Telecommunications, sensory, and other technological aids and devices.

(5) Clients are required to apply for and accept similar benefits to which they are entitled before rehabilitation funds may be expended for services.

(6) The vocational rehabilitation counselors and rehabilitation teachers have an obligation to inform clients of known sources of similar benefits and to assist in application for such services when necessary.

(7) Exception to policy in two areas of service:

(a) Physical and mental restoration; and

(b) Maintenance may be made with supervisory approval when it has been determined that the lack of such services will delay completion of the client's rehabilitation program.

(8) The consideration of similar benefits will be documented in the client's case record. The documentation will include sources of assistance considered, whether the client applied, acceptable reasons for failure to apply, outcome of application, and basis for the decision to expend vocational rehabilitation funding for services in subsections (3) and (4) of this section. [Statutory Authority: Chapter 74.18 RCW. 85-18-046 (Order 85-10), § 67-25-360, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-360, filed 9/6/84.]

**WAC 67-25-385 Vocational rehabilitation services—Physical and mental restoration.** (1) Physical and mental restoration shall include all medical and related services including the following:

(a) Medical treatment including but not limited to therapeutic programs under medical supervision, necessary laboratory work, and necessary medication;

(b) Surgical treatment; surgery for cardiac or gynecological conditions shall be provided only if approved by the medical consultant;

(c) Psychiatric treatment only when the diagnostic study clearly indicates a favorable prognosis for relatively short-term therapy. A program of psychiatric treatment which will extend beyond twelve months must have the prior approval of the medical consultant;

(d) Dental treatment only when it will significantly increase employability or remove an established vocational handicap, or in emergency situations involving pain, acute infections, or injury. Examples of disabling dental conditions for which restorative services may be authorized include widespread ulceration of teeth, destruction of tooth structures, decay which seriously affects the individual's ability to eat, badly malformed or positioned teeth, or rejection of the individual from employment on the basis of his appearance. Restorative

dental services will not be provided when the restoration will not directly affect employability;

(e) Nursing services;

(f) Hospital (either inpatient or outpatient care) and clinic services;

(g) Convalescent, nursing, or rest home care only when there is an expectation of a normal period of convalescence after which other appropriate services leading to the rehabilitation of the client may be initiated or resumed. Such care shall not be provided by the department as a long-term process for conditions not expected to improve;

(h) Drugs and supplies;

(i) Prosthetic, orthoptic or other assistive devices essential to obtaining or retaining employment;

(j) Eyeglasses;

(k) Podiatry;

(l) Physical therapy; physical therapy shall consist of the employment of the physically beneficial properties of light, heat, cold, water, electricity, massage, manipulation, exercise, and mechanical devices as treatment of disease or injury;

(m) Occupational therapy; occupational therapy shall include all manual skills and recreational activities which provide specific active exercise for physical disabilities and shall include psychologic rehabilitation techniques;

(n) Medical or medically-related social work services;

(o) Medically directed speech or hearing therapy.

(2) Physical and mental restoration will be provided after consideration of similar benefits which may be available to the client.

Medical emergencies to prevent eminent loss of sight or prevent severe service interruption will be provided with the approval of the supervisor. [Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-385, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-385, filed 12/15/83. Formerly WAC 67-20-385.]

**WAC 67-25-388 Vocational rehabilitation services—Vocational and other training.** (1) The department may provide, within budget constraints, any organized form of instruction which provides the knowledges and skills that are essential for performing the tasks involved in an occupation. Such knowledges and skills may be acquired through training in an institution, on the job, by correspondence, by tutors or through a combination of these methods. Training may be given for any occupation, except as provided in subsection (5) of this section.

(2) The department will operate and maintain an orientation and training center for prevocational training for those clients for whom such training in the training center is determined to be appropriate.

(3) Training or training services in institutions of higher education (universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing) shall not be paid for with rehabilitation funds unless a client can demonstrate application for, and denial of, federal or state grant assistance.

(4) The department may provide, assist in providing, or cause to be provided books, tools and other training materials agreed upon in joint planning of the individualized written rehabilitation program between the counselor and the client. The amount of assistance provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the department, provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have amount reduced proportionately.

(5) The Washington state constitution forbids the use of public funds to assist an individual in the pursuit of a career or degree in theology or related areas.

(6) Clients may attend private institutions or out-of-state institutions of higher learning in pursuit of a vocational goal; however, the financial assistance available to any such individual is limited by that amount charged at the University of Washington or the actual cost, whichever is less.

(7) The department may provide, assist in providing, or cause to be provided financial assistance to clients in pursuit of post-graduate degrees when such degree is clearly necessary to achieve employment in a given field. However, financial assistance will not be provided to clients pursuing graduate programs only to enhance their employability or to achieve upward mobility.

(8) Training will be provided to the extent that it meets the criteria established by the client and the department in the client's individualized written rehabilitation program and meets the standards of the occupation the client intends to enter. [Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-388, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-388, filed 12/15/83. Formerly WAC 67-20-388.]

**WAC 67-25-390 Vocational rehabilitation services--Training--College.** (1) College training may be provided when

(a) The nature of the client's disability is such as to require college training to place him/her on a reasonably competitive basis in a suitable occupation.

(b) The client's previous school record or other indications of achievement demonstrate an ability to successfully carry on and benefit from college training.

(c) Evaluation of the client's motivation, study habits, personality and character traits, or other relevant factors, indicates that it would be appropriate to provide him/her with college training even though he/she has otherwise failed to meet minimal intellectual or academic achievement standards.

(2) A client provided with college training services shall be required to meet established scholastic standards. If his/her grades fall below the standards required in the field of his/her choice, it may be necessary to select a new objective for college training through joint planning between the client and the vocational rehabilitation counselor or to modify or cancel that portion of the rehabilitation plan which involves college training. If college training is cancelled, the vocational rehabilitation

counselor shall then counsel with the client about a vocational objective which does not require college training. [Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-390, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-390, filed 12/15/83. Formerly WAC 67-20-390.]

**WAC 67-25-420 Vocational rehabilitation services--Rehabilitation teaching services.** (1) The department will provide or cause to be provided rehabilitation teaching services to clients by rehabilitation teachers in the employ of the department. Such services may be purchased by the department from vendors who meet standards for these services when they are not otherwise available to a client. Rehabilitation teaching services include training in prevocational skills and home management.

(2) Rehabilitation teaching services are provided to persons whose vocational goal is "homemaker." Such persons meet vocational rehabilitation eligibility requirements and are subject to all other provisions of this chapter. Clients with a vocational goal of "homemaker" receive home management as their preliminary vocational training. They also receive prevocational services, equipment, and aids as necessary to participate in a full range of activities.

(3) Rehabilitation teaching services are provided to persons whose vocational goal is other than "homemaker." Such persons may receive home management as a prevocational skill.

(4) Rehabilitation teaching services may be provided during all phases of the vocational rehabilitation process wherever there is a documented need for them for diagnostic purposes and under a client's individualized written rehabilitation program. [Statutory Authority: Chapter 74.18 RCW. 85-06-030 (Order 85-02), § 67-25-420, filed 3/1/85. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-420, filed 12/15/83. Formerly WAC 67-20-420.]

## Chapter 67-35 WAC

### VENDING FACILITY PROGRAM FOR THE BLIND

#### WAC

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**WAC 67-35-020 Application—How to apply.** The public may obtain additional information about the program, including how to apply for services by contacting the vending facility program staff (the vending facility program administrator and vending facility program assistant) at the Department of Services for the Blind, 921 Lakeridge Drive, #202, Olympia, WA 98504-0088, phone (206) 754-1224, toll-free 1-800-552-7103; or by contacting department of services for the blind offices located in several large cities of the state. An application for service under the vending facility program may be made to a vocational rehabilitation counselor located in any office of the department of services for the blind. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-020, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-020, filed 12/15/83. Formerly WAC 67-32-020.]

**WAC 67-35-030 Terms defined.** The terms defined in this section shall have the indicated meaning when used in this chapter.

(1) "Agreement" means that document issued by the department to a blind licensee assigning responsibility for the management of a designated vending facility in accordance with these rules and the terms and conditions of the permit or contract.

(2) "Blind" means visual acuity of no more than 20/200 in the better eye with correcting lenses; or if visual acuity is greater than 20/200, a limitation in the field of vision of the better eye so that its widest diameter subtends an angle of no greater than 20 degrees, as determined by an examination by a physician skilled in diseases of the eye, or an optometrist, whichever the person chooses.

(3) "Blind licensee" or "licensee" means a person licensed by the department to operate a vending facility in the vending facility program, but who is not assigned a vending facility.

(4) "Blind vendor" or "vendor" means a person licensed by the department to operate a vending facility in the vending facility program and who is assigned a vending facility.

(5) "Challenge test licensee" means a person who has prior work experience and/or training in food service and food service management and who takes the challenge test and is licensed by the department to operate a vending facility in the vending facility program.

(6) "Contract" means the negotiated terms and conditions between the manager controlling federal or other property and the department covering the operation of a vending facility on federal or other property.

(7) "Cost of goods purchased and other operating expenses" this item of the income statement includes the cost of goods purchased and the operating expenses such as maintenance of equipment, rent, utilities, insurance, Social Security, workmen's compensation, pest control, delivery services, licenses, state and local taxes.

(8) "Department" means the Washington department of services for the blind.

(9) "Equipment" means all appliances, utensils, counters, cupboards, storage devices, furniture and other furnishings used in the operation of the vending facility, to which the department retains title.

(10) "Federal property" means any building, land or other real property owned, leased or occupied by any department, agency or instrumentality of the United States including the Department of Defense and the United States Postal Service, or any other instrumentality wholly owned by the United States.

(11) "Gross income" is the aggregate of gross sales, all machine income received by vendors, rebates and any other income received by the vending operations.

(12) "License" means a written instrument issued by the department to a blind person authorizing that person to operate a vending facility on federal or other property.

(13) "Management services" means supervision, inspection, quality control, consultation, accounting, regulating, in-service training, and other related services provided on a systematic basis to support and improve vending facilities operated by blind vendors. "Management services" does not include those services or costs which pertain to the ongoing operation of an individual facility after the initial establishment period.

(14) "Net proceeds" – (net profit) means the amount remaining from the sale of articles or services of vending facilities, and any vending machine or other income accruing to blind vendors after deducting the cost of such sale and other expenses (excluding set-aside charges required to be paid by blind vendors).

(15) "Other property" means property which is not federal property.

(16) "Permit" means the official approval given the department by another department, agency or instrumentality in control of the maintenance, operation and protection of federal property, or a person in control of other property, whereby the department is authorized to establish a vending facility.

(17) "Public building" means any building which is owned by the state of Washington or any political subdivision thereof, and any space leased by the state of Washington or any political subdivision thereof in any privately-owned building; *Provided*, That any vending facility or vending machine under the jurisdiction and control of a local board of education shall not be included without the consent and approval of that local board.

(18) "Program" means the vending facility program, (also known as the business enterprises program) including all of the activities, obligations and relationships described in this chapter.

(19) "Set aside funds" means any income from vending machines on federal property received by the department and not paid to vendors as income under provision of 34 CFR, section 395.8 (a), (b), and (c).

(20) "Vending facility" means cafeterias, snack bars, vending counters, vending carts, vending machines or any combination of the above, at which food, tobacco,

refreshments or sundries are offered for sale, and which operate under the vending facility program. Vending facilities will be identified by the following classifications:

(a) "Cafeteria" means a food dispensing vending facility capable of merchandising a broad variety of prepared foods and beverages. Characteristically, the cafeteria has specialized equipment, a food preparation area, and booths and tables for seating. Vending machines may be part of a cafeteria.

(b) "Dry stand" means a vending facility which merchandises, among other things, tobacco, sundries and prepackaged food and refreshment items. Characteristically, the dry stand has no specialized equipment for refrigerating or heating foods or beverages, nor any food preparation area. Merchandise is consumed away from the dry stand. Vending machines may be a part of the dry stand.

(c) "Lunch counter" means a vending facility which merchandises, among other things, lines of refreshment and food items suitable for a light meal. Characteristically, the lunch counter has specialized equipment for the refrigerating, cooking or heating of foods and beverages, and has a limited food preparation area. Merchandise may be consumed at or away from the lunch counter. Vending machines may be part of the facility.

(d) "Other types of facilities" means those facilities not included under the cafeteria or vending machine, such as snack bars, lunch counters and dry stands which provide a variety of articles dispensed manually by the vendor.

(e) "Snack bar" means a vending facility which merchandises, among other things, limited lines of refreshment and prepared food items. Characteristically, a snack bar has specialized equipment for refrigerating or heating foods and beverages but has no food preparation area. Merchandise may be consumed at or away from the snack bar. Vending machines may be a part of the facility.

(f) "Vending machine facility" means a vending facility comprised of coin or currency operated machines merchandising, among other things, a variety of food and refreshment items. The vendor is responsible for the management of the machines and usually performs such functions as loading and servicing the machines and other customer-related services. Characteristically, there is no provision for booth or table seating at such a facility.

(21) "Vending machine" means any coin-operated machine offering food, refreshments, tobacco or sundries for sale. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-030, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-030, filed 12/15/83. Formerly WAC 67-32-030.]

**WAC 67-35-040 Eligibility.** To be eligible to enter the program to become a blind licensee, the applicant must meet the following requirements:

- (1) Blind as defined in WAC 67-35-030(2);
- (2) A citizen of the United States;
- (3) Determined eligible for vocational rehabilitation services under 34 CFR, section 361.33;

(4) Found by a vocational rehabilitation counselor's thorough diagnostic study to possess adequate alternative skills to the use of vision in reading, writing and independent travel;

(5) Be referred to the business enterprise program by a vocational rehabilitation counselor;

(6) Receive a passing grade on the business enterprise screening test;

(7) Successfully complete two on-the-job evaluations at two different vending facilities operated by licensed vendors. Facilities used as on-the-job training sites will be chosen by the vendors committee in conjunction with the business enterprise director. Each on-the-job evaluation will be of two weeks duration;

(8) Successfully complete a vendor training program arranged by the business enterprise director or meet the requirements set forth in WAC 67-35-055, or meet the requirements set forth in WAC 67-35-056. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-040, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-040, filed 12/15/83. Formerly WAC 67-32-040.]

**WAC 67-35-050 Licensee training.** The department operates a training program for those who have met the requirements in WAC 67-35-040. In accepting applicants into the training program, preference is given to those who are in need of work, otherwise applicants are entered into the program according to the earliest date of application. The department provides or causes to be provided a program which includes training and experience with written criteria which the trainee must achieve. The training program is of undetermined length, and the time of completion depends upon the trainee's ability to meet the criteria set forth in the program. Upon successful completion of the program, the trainee receives a license and is eligible for benefits granted a licensee in this chapter. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-050, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-050, filed 12/15/83. Formerly WAC 67-32-050.]

**WAC 67-35-055 Licensee--Former or current out-of-state.** Any applicant who meets the requirements of WAC 67-35-040 (1) through (6) and is currently licensed in another state in good standing or who formerly held a license which was terminated without cause in the state of Washington may attempt to be recertified. To be recertified an individual must do the following:

(1) Indicate in writing to the department of services for the blind a request to become a licensed vendor.

(2) Successfully complete an on-the-job evaluation with a licensed vendor for a minimum period of three weeks at a vending facility to demonstrate his/her knowledge and ability to manage a vending facility. The facility to be used will be designated by the vendors committee in conjunction with the business enterprise program director.

(3) Successfully complete a written examination with a score of seventy or better. If he/she is successful in this attempt, this applicant will be granted a license and



will receive the basic evaluation score he/she receives in the written examination and will be eligible for benefits granted a licensee in this chapter. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-055, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-055, filed 12/15/83. Formerly WAC 67-32-055.]

**WAC 67-35-056 Challenge test licensee.** An applicant who meets requirements of WAC 67-35-040 (1) through (6) and who wants to become a blind licensee and who has prior experience or training in food service management may request to be certified as a blind licensee.

The director of the business enterprise program in conjunction with the blind vendors committee will make a determination as to the individual's eligibility. If the individual is found to be eligible he/she will:

(1) Successfully complete an on-the-job evaluation with a licensed vendor for a minimum period of three weeks at a vending facility to demonstrate his/her knowledge and ability to manage a vending facility. The facility to be used will be designated by the vendors committee in conjunction with the business enterprise program director.

(2) Successfully complete a written examination with a score of seventy or better. If he/she is successful in this attempt, this applicant will be granted a license and will receive the basic evaluation score he/she receives in the written examination and will be eligible for benefits granted a licensee in this chapter. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-056, filed 4/16/84.]

**WAC 67-35-070 Selecting a licensee or vendor to operate vending facility--Procedure.** (1) To select a licensee or vendor to operate an available vending facility, a score is computed for each licensee or vendor. The two vendors and two licensees having the two highest scores in each respective category as defined in WAC 67-35-030 will be interviewed by a panel representative of the vendors committee, the BEP director, and the building manager. The vendor or licensee who will operate the available vending facility will be chosen in this interview.

(2) Vendor score determination:

(a) A basic evaluation score will reflect a vendor's level of competency, as measured by the financial activities of the vending facility compared with vending facilities whose operations are similar.

(b) A vendor will receive one additional point for each year of experience in the vending facility program up to five points.

(c) The basic evaluation score for a vendor is determined by using three items reported on the vendor's monthly report: Gross income, cost of goods purchased and other operating expenses, and net proceeds. The cost of goods purchased and other operating expenses, gross income and net proceeds is determined and converted into a percentage of gross income. The percentages in each category are converted to points, as shown in WAC 67-35-080, and the sum of the two separate scores become the basic evaluation score. The basic evaluation

score for each of the most current four quarters will be averaged, and this average plus points earned by seniority becomes the evaluation score.

(d) To achieve relative ranking of vendor and licensee effectiveness, vending facilities have been grouped into three classifications: Cafeterias, vending machine facilities, and other facilities. Other facilities consist of dry stands, snack bars and lunch counters. Any vending facility which as a result of modification, belongs in a different facility classification will be assigned to that classification and will use the average percentages applicable to that classification. The vendors committee in conjunction with the director of the business enterprise program will group similar vending facilities.

(e) For each group of vending facilities, the national average percentage is used to calculate each item used in the evaluation. These average percentages will be taken from the previous year's Randolph-Sheppard Vending Facility Program Annual Report, which is provided by the United States Department of Education, Office of Rehabilitation Services Administration. The percentages used in the evaluation are the net proceeds to gross income and the cost of goods purchased and other operating expenses. Each federal fiscal year, the vendors shall be informed in writing of the average percentages and to which classification their vending location is assigned.

(f) Any vendor who has not provided the department with current monthly financial statements will not be eligible to bid on available locations.

(3) Licensee score determination:

(a) Individuals completing department sponsored training. The licensee's score will be the total points correct on the preliminary tests, the final examination, and the Randolph-Sheppard test. The BEP director will assure that the potential number of points remain consistent from quarter to quarter.

(b) Challenge test licensee's basic evaluation score will be the score he/she receives on the challenge test. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-070, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-070, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-070, filed 12/15/83. Formerly WAC 67-32-070.]

**WAC 67-35-072 Available vending locations.** (1) If only one vendor or licensee bids on an available vending location, that individual will receive that available location.

(2) No vendor or licensee who has been designated to operate an available vending facility will within the next six months thereafter be designated to operate a subsequently available vending facility, unless such vendor(s) or licensee(s) is (are) the only applicant.

(3) The loss of any vending facility to the vending facility program for reasons beyond the control of the vendor assigned that facility, as determined by the staff of the vending facility program, shall permit assignment of the next available vending facility to that vendor without respect to other provisions of this section. Any

vendor so assigned may make application for a subsequently available facility without respect to subsection (2) of this section. This section prevails over WAC 67-35-070 with regard to selection of vendors. When a vendor loses the vending facility he/she will be required to indicate geographic availability and will be assigned the next available vending facility within the indicated geographic location. Any vendor who refuses the next available vending location will be required to make application for a subsequently available facility.

(4) Licensees will be required to indicate geographic availability at time of application. Any licensee who fails to bid on an available vending facility within the geographic area of availability will be removed from the bidding process and will be required to request reinstatement to the bidding process. His/her reinstatement will be determined by the business enterprise director in conjunction with the vendors committee. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-072, filed 4/16/84.]

**WAC 67-35-080 Vendor scoring--Explanation.** (1) The vendor may accumulate a maximum of twenty-five evaluation points for the item of "net proceeds" and a maximum of thirty points for the item of "cost of goods purchased and other operating expenses" for a maximum performance score of fifty-five points. The basic evaluation points for cafeterias, vending machine facilities and others will be scored as follows:

(2) For the item of "net proceeds" the average percentage shall receive twenty points. For each one percent greater than the average, one point shall be added, to a maximum of ten additional points. For each one percent less than the average, one point shall be deducted from twenty points, to a minimum score of zero.

(3) For the item of "cost of goods purchased and other operating expenses" the average percentage shall receive fifteen points. For each one percent less than the average, one point shall be added, to a maximum of five additional points. For each one percent greater than the average, one point shall be deducted from fifteen points, to a minimum of zero.

(4) The vendor's seniority points are added to the vendor's evaluation points to arrive at the total evaluation score. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-080, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-080, filed 12/15/83. Formerly WAC 67-32-080.]

**WAC 67-35-082 Administrative review.** A licensee or vendor who has applied for a vending facility under WAC 67-35-060 may upon request receive a review of the correctness of the selection process from the director of the department or his/her designee. The review must be requested within ten calendar days of the completion of the selection process for which the licensee or vendor has applied. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-082, filed 4/16/84.]

**WAC 67-35-100 Postemployment services.** A vendor shall be provided with such postemployment services

as are necessary to assure that the maximum vocational potential of each blind vendor is achieved. The postemployment services will be provided by the vocational rehabilitation counselor. Postemployment services will be provided in accordance with 34 CFR, section 361.42 (a)(13). [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-100, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-100, filed 12/15/83. Formerly WAC 67-32-100.]

**WAC 67-35-130 Blind vendors committee--Purpose.** (1) The blind vendors committee shall:

(a) Actively participate with the department in major administrative decisions and policy and program development decisions affecting the overall administration of the vending facility program;

(b) Receive and transmit to the department grievances at the request of vendors, and serve as the advocates for such vendors in connection with such grievances;

(c) Actively participate with the department in the development and administration of the department's system for the transfer and promotion of vendors;

(d) Actively participate with the department in the development of training and retraining programs for vendors;

(e) Sponsor, with the assistance of the department, meetings and instructional conferences for vendors.

(2) The department is ultimately responsible for administration of the vending facility program. The department will consider any blind vendor committee written recommendation. If the department does not adopt recommendations proposed by the blind vendor's committee, the department shall notify the committee in writing within thirty days. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-130, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-130, filed 12/15/83. Formerly WAC 67-32-130.]

**WAC 67-35-140 Vending machine income dispersed by department.** Vending machine income from vending machines on federal property which has been received by the department pursuant to 34 CFR, section 395.32 (b), (c) and (d) shall be paid to each blind vendor (if any) operating a vending facility on such federal property in an amount not to exceed the average income of all blind vendors in the state of Washington as determined each fiscal year on the basis of each prior year's operation, or the average net income of all blind vendors in the United States, whichever is less.

(1) No vendor shall receive less vending machine income than he/she was receiving during the calendar year 1973 as a direct result of any limitation imposed on such income by this section.

(2) No limitation shall be imposed on income from vending machines combined to create a vending facility, when such facility is maintained, serviced or operated by a blind vendor.

(3) The department shall disperse vending machine income to vendors on at least a quarterly basis.

(4) Vending machine income from vending machines on federal property received by the department and not eligible for distribution to blind vendors under the provisions of this section shall be retained by the department.

(5) Vending machine income which is retained under subsection (4) of this section shall be used by the department for the establishment and maintenance of retirement or pension funds, for health insurance contributions, and for the provision of paid sick leave and vacation time, for vendors, if it is so determined by a majority vote of all vendors after the department has provided to each vendor information on all matters relevant to such purposes. Any vending machine income not necessary for such purposes shall be used by the department for the maintenance and replacement of equipment, the purchase of new equipment, management services, and assuring a fair minimum return to vendors. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-140, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-140, filed 12/15/83. Formerly WAC 67-32-140.]

**WAC 67-35-160 Business enterprises revolving fund.** (1) There is established in the general fund of the state of Washington an account known as the business enterprises revolving fund (BERF).

(2) The net proceeds from any vending facility or any vending machines in public buildings dedicated to administrative functions, other than such an operation managed by or assigned to a vendor, shall be made payable to the business enterprises revolving fund.

(3) "Administrative functions" for purposes of this section shall mean the administrative offices of all state and local entities but does not mean any separately identified service operations performed by the public entity. For example:

(a) Net proceeds from machines located in administrative offices of the state, county and local governments are to be paid; but such income from machines located in places attended by the public for recreational purposes maintained by a municipality or governmental agency, a domed stadium, within jails, etc., is exempt.

(b) Net proceeds from machines located in administrative buildings located in colleges and universities are to be paid; but such income from machines located in dormitories, student activity centers, places where sporting events occur, etc., is exempt.

(c) Net proceeds from machines located in administrative offices of public utilities and port districts are to be paid; but such income from machines located in areas of airports, hospitals, etc., which the public regularly attends, is exempt.

(4) Net proceeds from machines located in state and federal safety roadside rest areas are to be paid.

(5) Net proceeds for purposes of this section shall mean the gross amount received less the cost of the operation including a fair minimum return to the vending

machine company. As a minimum, the net proceeds received by the department shall not be less than ten percent of the gross sales of the vending machine. [Statutory Authority: Chapter 74.18 RCW. 85-19-048 (Order 85-13), § 67-35-160, filed 9/13/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-160, filed 12/15/83. Formerly WAC 67-32-160.]

**WAC 67-35-180 Access to program and financial information.** The department shall provide to any interested person program and financial information and interpretation concerning the operation of the program, except that confidential information concerning any applicant, trainee, licensee or vendor shall not be released directly or indirectly without written permission of such applicant, trainee, licensee, or vendor as specified in 34 CFR, 361.49; chapter 42.17 RCW and attendant regulations; and department policy B-21. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-180, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-180, filed 12/15/83. Formerly WAC 67-32-180.]

**WAC 67-35-190 Department responsibility--Development of new vending facility locations.** (1) The staff of the vending facility program will select suitable locations for vending facilities and negotiate with the property management a permit or contract specifying the space to be occupied, hours of operation, services and articles to be vended, equipment to be installed and other items as required. The permit or contract will be executed between the department and the management of the property where the vending facility is located.

(2) A suitable location or site shall mean an area fully accessible to vending facility patrons and having:

(a) A minimum of two hundred fifty square feet available for the vending and storage of articles necessary for the operation of a vending facility; and

(b) Sufficient electrical, plumbing, heating, and ventilation outlets for the location and operation of a vending facility in accordance with applicable health laws and building codes; and

(c) A building population that is determined by the business enterprise program staff to be sufficient to provide the blind vendor with reasonable income. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-190, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-190, filed 12/15/83. Formerly WAC 67-32-190.]

**WAC 67-35-280 Department responsibility--Inspection--Required contacts.** The vending facility program staff will make annual inspections of the vending facility. The results will be reviewed with the vendor to determine if improvements can be made, and if so, what actions should be taken. The vending facility program staff upon adequate notice to the vendor shall inspect records and reports kept by the vendor. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-280, filed 8/30/85. Statutory Authority:

1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-280, filed 12/15/83. Formerly WAC 67-32-280.]

**WAC 67-35-310 Public liability insurance.** The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:

\$500,000.00 each person personal injury,  
\$500,000.00 each occurrence personal injury, and  
\$500,000.00 each occurrence property damage; or  
insurance coverage specified in the permit or contract, whichever is greater.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-310, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-310, filed 12/15/83. Formerly WAC 67-32-310.]

**WAC 67-35-350 Vendor responsibility--Maintaining equipment.** The vendor will be responsible to exercise proper care of and maintain all equipment and furnishings assigned to the facility including proper cleanliness and mechanical repair of equipment, unless otherwise specified by the terms and conditions of a permit or contract. If the vendor fails to maintain equipment which results in necessary repair, the department may require necessary repair of such equipment and the cost of such required repair will be paid as outlined in WAC 67-35-230. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-350, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-350, filed 12/15/83. Formerly WAC 67-32-350.]

**WAC 67-35-460 Relicensing.** When a licensee's or vendor's license has been suspended by the department, he/she must meet the requirements in WAC 67-35-040, and must demonstrate competency in meeting the criteria of the training course through a period of evaluation or retraining as outlined in WAC 67-35-055. Upon completion of the training/evaluation the individual will take the challenge test as indicated in WAC 67-35-056. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-460, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-460, filed 12/15/83. Formerly WAC 67-32-460.]

**WAC 67-35-520 Full evidentiary hearing--Decision in writing.** Within ten working days after the conclusion of the full evidentiary hearing the director of the department or his/her designee will certify findings to the licensee or vendor in writing specifying in detail the findings and the decision reached, and informing the licensee or vendor of his/her right to request from the secretary of the United States Department of Education the convening of an ad hoc arbitration panel as provided for in 34 CFR, section 395.13 and section 395.6(e). [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-520, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09),

§ 67-35-520, filed 12/15/83. Formerly WAC 67-32-520.]

## Chapter 67-40 WAC PREVENTION OF BLINDNESS

WAC  
67-40-010 through 67-40-090 Repealed.

### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 67-40-010 Purpose—Description. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-010, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-010, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. Later promulgation, see chapter 67-45 WAC.
- 67-40-015 Prevention—Staff ophthalmologist. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-015, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-015, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-016 Prevention—Eye physicians advisory committee. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-016, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-016, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-021 Cooperative agreement with department of social and health services. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-021, filed 12/15/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-022 Prevention—Financial eligibility. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-022, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-026 Prevention—Medical eligibility. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-026, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-051 Prevention—Services provided. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-051, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-061 Services not provided. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-061, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-090 Prevention—Appeal and fair hearing. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-090, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-090, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].

**WAC 67-40-010 through 67-40-090 Repealed.** See Disposition Table at beginning of this chapter.

## Chapter 67-45 WAC

## PREVENTION OF BLINDNESS PROGRAM

## WAC

67-45-010 through 67-45-075 Repealed.

## DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 67-45-010 Purpose and definition. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-010, filed 6/28/84. Formerly chapter 67-40 WAC.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-020 Services to be provided. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-020, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-030 Referral for services. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-030, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-040 Eligibility. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-040, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-045 Order of selection. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-045, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-050 Provision of services. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-050, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-060 Termination of services. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-060, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-070 Administrative review. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-070, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-075 Fair hearing. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-075, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.

WAC 67-45-010 through 67-45-075 Repealed. See Disposition Table at beginning of this chapter.

## Title 82 WAC

FINANCIAL MANAGEMENT, OFFICE OF  
(Formerly: Office of Program Planning and Fiscal Management)

## Chapter

82-50 Pay dates for state employees.

[1985 WAC Supp—page 168]

## Chapter 82-50 WAC

## PAY DATES FOR STATE EMPLOYEES

## WAC

82-50-021 Official lagged, semimonthly pay dates established.

WAC 82-50-021 Official lagged, semimonthly pay dates established. Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees are paid on a lagged, semimonthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1) that began on January 1, 1984. The following are the official lagged, semimonthly pay dates for calendar years 1985 and 1986:

## CALENDAR YEAR 1985

## CALENDAR YEAR 1986

Thursday, January 10, 1985	Friday, January 10, 1986
Friday, January 25, 1985	Friday, January 24, 1986
Monday, February 11, 1985	Monday, February 10, 1986
Monday, February 25, 1985	Tuesday, February 25, 1986
Monday, March 11, 1985	Monday, March 10, 1986
Monday, March 25, 1985	Tuesday, March 25, 1986
Wednesday, April 10, 1985	Thursday, April 10, 1986
Thursday, April 25, 1985	Friday, April 25, 1986
Friday, May 10, 1985	Friday, May 9, 1986
Friday, May 24, 1985	Friday, May 23, 1986
Monday, June 10, 1985	Tuesday, June 10, 1986
Tuesday, June 25, 1985	Wednesday, June 25, 1986
Wednesday, July 10, 1985	Thursday, July 10, 1986
Thursday, July 25, 1985	Friday, July 25, 1986
Friday, August 9, 1985	Monday, August 11, 1986
Monday, August 26, 1985	Monday, August 25, 1986
Tuesday, September 10, 1985	Wednesday, September 10, 1986
Wednesday, September 25, 1985	Thursday, September 25, 1986
Thursday, October 10, 1985	Friday, October 10, 1986
Friday, October 25, 1985	Friday, October 24, 1986
Friday, November 8, 1985	Monday, November 10, 1986
Monday, November 25, 1985	Tuesday, November 25, 1986
Tuesday, December 10, 1985	Wednesday, December 10, 1986
Tuesday, December 24, 1985	Wednesday, December 24, 1986

[Statutory Authority: RCW 42.16.010(1) and 42.16.017. 85-16-014 (Order 85-62), § 82-50-021, filed 7/26/85; 84-14-046 (Order 84-61), § 82-50-021, filed 6/29/84; 83-17-118 (Order 83-59), § 82-50-021, filed 8/24/83.]

## Title 98 WAC

## CEMETERY BOARD

## Chapters

- 98-40 Procedures for handling dead human bodies by authorized crematory authorities.
- 98-70 Fees.

## Chapter 98-40 WAC

## PROCEDURES FOR HANDLING DEAD HUMAN BODIES BY AUTHORIZED CREMATORY AUTHORITIES

## WAC

- 98-40-010 Purpose for procedures.
- 98-40-020 Terminology.
- 98-40-030 Removal and identification of human remains.