

twenty working days before the first election in which the program participant wishes to vote.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-310, filed 9/26/91, effective 10/27/91.]

**WAC 434-840-320 Maintaining protected records voter information.** All records pertaining to a protected records voter shall be confidentially maintained in a manner ensuring that these records are accessible only to authorized personnel, except as provided by WAC 434-840-060. A protected records voter shall not be included in any registered voter list, absentee ballot list, tape, label, or poll book. Information pertaining to a protected records voter shall not be publicly accessible regardless of the type of records management system.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-320, filed 9/26/91, effective 10/27/91.]

**WAC 434-840-330 Mailing protected records voter ballots.** At least twenty days before every special, primary, or general election, authorized personnel shall review all protected records voter files and forward the appropriate ongoing absentee ballot for each protected records voter via the designated substitute mailing address for voting purposes.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-330, filed 9/26/91, effective 10/27/91.]

**WAC 434-840-340 Processing protected records voter ballot.** (1) The ongoing absentee ballot for a protected records voter shall be processed by authorized personnel in the following manner:

(a) The ballot, corresponding reader guide, or paper ballot shall be grouped and placed with ballot security envelope, return envelope with oath, mailing envelope, and protected records voter envelope;

(b) The voter's name, authorization code, and substitute mailing address for voting purposes shall be entered onto the mailing envelope;

(c) The information shall be completed on the protected records voter envelope to ensure that the returned ballot will be segregated and routed to authorized personnel for processing;

(d) The signature on the returned ballot envelope shall be compared with the signature on the service voter ongoing absentee ballot application;

(e) If the signature does not correspond to the signature on file, indication of this discrepancy shall be entered onto the return envelope; and

(f) Whenever the signature on a protected records voter ongoing absentee ballot return envelope does not match the signature on the application on file the address confidentiality program manager shall (i) be notified of the discrepancy, (ii) locate the program participant and determine the cause of the discrepancy, and (iii) notify the county auditor or county recording officer of the cause of the discrepancy.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-340, filed 9/26/91, effective 10/27/91.]

**WAC 434-840-350 Canvassing procedure for a questioned ballot of a protected records voter.** A questioned ballot, as defined in WAC 434-40-010, of a protected records voter shall be presented to the canvassing board, meeting in executive session. The canvassing board shall designate authorized personnel to verify the contents of the ballot. Authorized personnel shall remove the protected records voter envelope, prepare the ballot in the ballot security envelope, and verify the contents of the ballot for tabulation. The return envelope and the protected records voter envelope shall be placed in security with all other voting records for the program participant. The discardable envelopes may be destroyed under statutory provisions applicable to election materials.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-350, filed 9/26/91, effective 10/27/91.]

**WAC 434-840-360 Undeliverable ballot.** If any protected records voter's ongoing absentee ballot is declared undeliverable by the post office and returned, the county auditor or county recording officer shall notify the address confidentiality program manager. The address confidentiality program manager shall determine the cause of this occurrence and inform the county auditor or county recording officer of the reason for the ballot's return.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-360, filed 9/26/91, effective 10/27/91.]

**WAC 434-840-370 Election challenges.** If any postelection challenges are brought pertaining to the outcome of any election and it becomes necessary to check the validity of all absentee ballots cast in the election by verifying the names and addresses of all voters casting absentee ballots, a protected records voter's ballot shall not be included in the review unless the county canvassing board determines that this ballot would be determinative of the election outcome. When the county canvassing board has determined that review of a protected records voter's ballot is necessary, authorized personnel shall verify the protected records voter's ballot using extreme caution to ensure continued confidentiality.

[Statutory Authority: 1991 c 23. 91-20-074, § 434-840-370, filed 9/26/91, effective 10/27/91.]

## Title 440 WAC

### SOCIAL AND HEALTH SERVICES, DEPARTMENT OF (GENERAL PROVISIONS)

#### Chapter

440-44

Fees.

**Chapter 440-44 WAC  
FEES**

## WAC

- 440-44-085 Repealed.  
440-44-090 Mental health service provider license and certification fees.

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

- 440-44-085 Nursing home fees. [Statutory Authority: 1982 c 201, 82-13-010 (Order 1824), § 440-44-085, filed 6/4/82.] Repealed by 91-19-025 (Order 3243), filed 9/10/91, effective 10/11/91. Statutory Authority: 1991 c 8.

**WAC 440-44-085 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 440-44-090 Mental health service provider license and certification fees.** (1) An annual fee, based on a range of client service hours provided per year, shall be assessed as follows:

Range	Client Service Hours	Annual Fee
1	0- 3,999	\$ 281.00
2	4,000-14,999	422.00
3	15,000-29,999	562.00
4	30,000-49,999	842.00
5	50,000 and over	1,030.00

(2) Fee ranges shall be determined from provider information reported to the department's community mental health information system.

(3) Providers applying for a license or certification and not reporting to the department's community mental health information system shall submit the number of annual client service hours as part of their application.

(4) Fee for an applicant not licensed or certified shall be equal to the fees for licensure or certification of licensed and certified providers with similar annual client service hours.

(5) Certified short-term inpatient component, or new applicants seeking certification for a short-term inpatient component, shall be assessed an annual fee of thirty-two dollars per bed. This annual fee shall not be assessed for inpatient hospitals licensed under chapter 70.41 RCW.

[Statutory Authority: RCW 43.20B.110. 91-23-089 (Order 3291), § 440-44-090, filed 11/19/91, effective 12/20/91. Statutory Authority: RCW 43.20A.055. 85-20-031 (Order 2287), § 440-44-090, filed 9/24/85.]

**Title 446 WAC  
STATE PATROL**

## Chapters

- 446-16 Washington state identification section.  
446-20 Employment--Conviction records.  
446-65 Private carrier regulations.  
446-75 DNA identification.

**Chapter 446-16 WAC  
WASHINGTON STATE IDENTIFICATION  
SECTION**

## WAC

- 446-16-080 Report time limitations.

**WAC 446-16-080 Report time limitations.** All of the information requested on the disposition report shall be completed and the report mailed to the Washington State Identification Section, Mailstop: QE-02, Olympia, Washington 98504, within 10 days of the date that a disposition becomes effective.

[Statutory Authority: RCW 10.97.090. 91-22-055 (Order 91-007), § 446-16-080, filed 11/1/91, effective 12/2/91; Order 1, § 446-16-080, filed 2/11/74.]

**Chapter 446-20 WAC  
EMPLOYMENT--CONVICTION RECORDS**

## WAC

- 446-20-020 Definitions.  
446-20-280 Employment--Conviction records.  
446-20-285 Employment--Conviction records--Child and adult abuse information.  
446-20-290 Fees.  
446-20-310 Audits.  
446-20-500 Sex offender registration.  
446-20-510 History retention.  
446-20-515 Photograph/fingerprint requirement.  
446-20-530 Refundable fee.

**WAC 446-20-020 Definitions.** (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

(4) The definitions as enumerated in RCW 43.43.830 through 43.43.845, and as amended by chapter 9A.44 RCW, "An act relating to child and adult abuse information," shall apply whenever applicable in these regulations.

[Statutory Authority: RCW 10.97.090. 91-24-099 (Order 91-004), § 446-20-020, filed 12/4/91, effective 1/4/92. Statutory Authority: 1990 c 3. 90-20-003 (Order 90-003), § 446-20-020, filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 43.43.838 and 1987 c 486 § 5. 88-07-066 (Order 88-03-A), § 446-20-020, filed 3/17/88. Statutory Authority: RCW 10.97.080 and 10.97.090. 80-08-057 (Order 80-2), § 446-20-020, filed 7/1/80.]

**WAC 446-20-280 Employment--Conviction records.** (1) A transcript of a conviction record will be furnished consistent with the provisions of RCW 43.43.815, upon the submission of a written request of any employer, accompanied by fingerprints and other identifying data of the employee or prospective employee.