

Title 67 WAC

BLIND, DEPARTMENT OF SERVICES FOR THE

Chapters

- 67-10** Public records—Disclosure.
- 67-16** Department—General administration.
- 67-25** Vocational rehabilitation and services for blind persons.
- 67-35** Vending facility program for the blind.
- 67-55** Child and family services.
- 67-75** Independent living services.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 67-14 PUBLIC RECORDS—DISCLOSURE

- 67-14-010 Purpose. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-010, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-010.
- 67-14-020 Description of organization of the commission. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-020, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-020.
- 67-14-030 Location of established places. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-030, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-030.
- 67-14-040 Operations and procedures. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-040, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-040.
- 67-14-050 Public records available. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-050, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-050.
- 67-14-060 Public records officer. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-060, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-060.
- 67-14-070 Records index. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-070, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-070.
- 67-14-080 Office hours. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-080, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-080.
- 67-14-090 Requests for public records. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-090, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-090.
- 67-14-110 Copying fees. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-110, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-110.
- 67-14-120 Exemptions. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-120, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-120.
- 67-14-130 Review of denials of public records requests. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-130, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-130.
- 67-14-140 Protection of public records. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-140, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-140.
- 67-14-150 Consumer complaints and inquiries. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-150, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-150.
- 67-14-160 Adoption of forms. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-160, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-160.
- 67-14-170 Form 1—Request for inspection of records. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-170, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-170.
- 67-14-180 Form 2—Request for photocopy of record(s). [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-180, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-180.

Chapter 67-15 COMMISSION—GENERAL ADMINISTRATION

- 67-15-010 Physical and informational accessibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-15-010, filed 8/4/82. Formerly WAC 67-30-210. 82-10-025 (Order 82-02), § 67-30-210, filed 4/30/82.] Repealed by 84-01-041 (Order 83-07), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-16-010.

Chapter 67-20 VOCATIONAL REHABILITATION AND SERVICES FOR BLIND PERSONS

- 67-20-005 Definitions. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-005, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-005, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-005.
- 67-20-010 Application for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-010, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-010.
- 67-20-015 Initial interview. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-015, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-015.
- 67-20-020 Preliminary diagnostic study. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-020, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-020.

- 67-20-025 Eligibility for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-025, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-025.
- 67-20-030 Eligibility for services—Criteria. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-030, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-030.
- 67-20-050 Certification for decision of eligibility or ineligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-050, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-050.
- 67-20-055 Notice to applicant. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-055, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-055.
- 67-20-060 Criteria for the severely handicapped. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-060, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-060.
- 67-20-070 Extended evaluation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-070, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-070.
- 67-20-075 Extended evaluation—Eligibility criteria. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-075, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-075.
- 67-20-077 Certification for extended evaluation to determine rehabilitation potential. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-077, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-077.
- 67-20-080 Extended evaluation—Program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-080, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-080.
- 67-20-085 Extended evaluation—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-085, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-085.
- 67-20-090 Extended evaluation—Services not provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-090, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-090.
- 67-20-095 Extended evaluation—Duration and scope of services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-095, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-095.
- 67-20-100 Extended evaluation—Assessment. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-100, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-100.
- 67-20-105 Extended evaluation—Revision of program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-105, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-105.
- 67-20-110 Extended evaluation—Termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-110, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-110.
- 67-20-120 Certification of termination of extended evaluation and notice. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-120, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-120.
- 67-20-180 Economic need. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-180, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-180.
- 67-20-185 Economic need—Financial statement required. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-185, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-185.
- 67-20-190 Economic need—Standards for determining. [Statutory Authority: RCW 74.16.450. 83-10-033 (Order 83-02), § 67-20-190, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-190, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-190.
- 67-20-200 Economic need—Notification of decision. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-200, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-200.
- 67-20-255 Thorough diagnostic study. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-255, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-255.
- 67-20-260 Vocational rehabilitation program—Individual written rehabilitation program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-260, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-260.
- 67-20-270 Vocational rehabilitation program—Participation of client. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-270, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-270.
- 67-20-275 Vocational rehabilitation program—Annual review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-275, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-275.
- 67-20-280 Vocational rehabilitation program—Termination. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-280, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-280, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-280.
- 67-20-281 Vocational rehabilitation program—Notification of rights. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-281, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-281.
- 67-20-300 Objective of vocational rehabilitation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-300, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-300.
- 67-20-325 Services available from other agencies. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-325, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-325.
- 67-20-326 Services to civil employees of the United States. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-326, filed 8/4/82. Formerly WAC 67-30-170. 82-10-025 (Order 82-02), § 67-30-170, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83.

- Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-326.
- 67-20-350 Vocational rehabilitation services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-350, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-350.
- 67-20-380 Vocational rehabilitation services—Counseling and guidance. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-380, filed 8/4/82. Formerly WAC 67-30-090. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-090, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-380.
- 67-20-384 Vocational rehabilitation services—Physical and mental restoration services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-384, filed 8/4/82. Formerly WAC 67-30-080. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-080, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-384.
- 67-20-385 Vocational rehabilitation services—Physical and mental restoration. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-385, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-385.
- 67-20-388 Vocational rehabilitation services—Vocational and other training. [Statutory Authority: RCW 74.16.450. 83-10-033 (Order 83-02), § 67-20-388, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-388, filed 8/4/82. Formerly WAC 67-30-100. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-100, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-388.
- 67-20-390 Vocational rehabilitation services—Training—College. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-390, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-390.
- 67-20-392 Vocational rehabilitation services provided—Training—Trade schools. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-392, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-392.
- 67-20-394 Vocational rehabilitation services provided—Training—Employment. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-394, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-394.
- 67-20-395 Vocational rehabilitation services—Training—College and trade school. [Statutory Authority: RCW 74.16.450. 83-10-033 (Order 83-02), § 67-20-395, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-395, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-395.
- 67-20-396 Vocational rehabilitation services—Training—Sheltered workshop. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-396, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-396, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-396.
- 67-20-400 Vocational rehabilitation services—Maintenance. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-400, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-400.
- 67-20-404 Vocational rehabilitation services—Transportation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-404, filed 8/4/82. Formerly WAC 67-30-185. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-185, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-404.
- 67-20-408 Vocational rehabilitation services—Services to family members. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-408, filed 8/4/82. Formerly WAC 67-30-150. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-150, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-408.
- 67-20-412 Vocational rehabilitation services—Interpreter services for deaf persons. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-412, filed 8/4/82. Formerly WAC 67-30-125. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-125, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-412.
- 67-20-416 Vocational rehabilitation services—Reader services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-416, filed 8/4/82. Formerly WAC 67-30-120. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-120, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-416.
- 67-20-420 Vocational rehabilitation services—Rehabilitation teaching services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-420, filed 8/4/82. Formerly WAC 67-30-070. 82-10-025 (Order 82-02), § 67-30-070, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-420.
- 67-20-428 Vocational rehabilitation services—Orientation and mobility services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-428, filed 8/4/82. Formerly WAC 67-30-130. 82-10-025 (Order 82-02), § 67-30-130, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-428.
- 67-20-432 Vocational rehabilitation services—Telecommunications. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-432, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-432.
- 67-20-440 Vocational rehabilitation services—Placement. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-440, filed 8/4/82. Formerly WAC 67-30-050; 82-10-025 (Order 82-02), § 67-30-050, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-440.
- 67-20-444 Vocational rehabilitation services—Post-employment services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-444, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-444.
- 67-20-446 Vocational rehabilitation services—Services to groups. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-446, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-446, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-446.
- 67-20-448 Vocational rehabilitation services—Occupational licenses, tools, equipment, initial stocks and supplies. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-448, filed 8/4/82. Formerly WAC 67-30-180. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-180, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-448.

- 67-20-452 Vocational rehabilitation services provided—Other goods and services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-452, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-452.
- 67-20-500 Purchase of services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-500, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-500.
- 67-20-505 Purchase of services—Selection criteria—Schools. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-505, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-505.
- 67-20-510 Purchase of services—Selection criteria—Employment training facilities. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-510, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-510.
- 67-20-525 Termination of services for reason of ineligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-525, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-525.
- 67-20-530 Termination of services for reasons other than ineligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-530, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-530.
- 67-20-540 Completion of vocational rehabilitation program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-540, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-540.
- 67-20-545 Notification of termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-545, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-545.
- 67-20-550 Confidential information—Disclosure. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-550, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-550, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-550.
- 67-20-560 Administrative review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-560, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-560.
- 67-20-570 Fair hearing. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-570, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-570.
- 67-20-590 Client records. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-590, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-590.
- Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-440.
- 67-30-070 Rehabilitation teaching services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-070, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-420.
- 67-30-080 Physical and mental restoration services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-080, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-384.
- 67-30-090 Counseling and guidance. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-090, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-380.
- 67-30-100 Vocational training and other training. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-100, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-388.
- 67-30-120 Reader services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-120, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-416.
- 67-30-125 Interpreter services for deaf persons. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-125, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-412.
- 67-30-130 Orientation and mobility services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-130, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-428.
- 67-30-150 Services to family members. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-150, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-408.
- 67-30-170 Services to civil employees of the United States. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-170, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-326.
- 67-30-180 Occupational licenses, tools, equipment, initial stocks and supplies. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-180, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-448.
- 67-30-185 Transportation. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-185, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-404.
- 67-30-210 Physical and informational accessibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-210, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-15-010.
- 67-30-310 Responsibilities of medical consultant. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-310, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.
- 67-30-320 Other goods and services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-320, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.

Chapter 67-30

SERVICES FOR THE BLIND—GENERAL

- 67-30-005 Population to be served. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-005, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.
- 67-30-050 Placement. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-050, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82.

Chapter 67-32
VENDING FACILITY PROGRAM
FOR THE BLIND

- 67-32-010 Description—Purpose. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-010, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-010.
- 67-32-020 Public information—How to apply. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-020, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-020.
- 67-32-030 Terms defined. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-030, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-030.
- 67-32-040 Eligibility. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-040, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-040.
- 67-32-045 Licensee an individual person—Not a corporate entity. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-045, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-045.
- 67-32-050 Licensee training. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-050, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-050.
- 67-32-055 Licensee—Former or current out-of-state. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-055, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-055.
- 67-32-060 Selecting a licensee or vendor to operate vending facility—Notice. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-060, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-060, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-060.
- 67-32-070 Selecting a licensee or vendor to operate vending facility—Procedure. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-070, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-070, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-070.
- 67-32-075 Selection of a licensee or vendor to operate a vending facility during a leave of absence of a vendor. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-075, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-075.
- 67-32-080 Licensee or vendor evaluation form—Explanation. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-080, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-080.
- 67-32-090 Assignment to a vending facility—Agreement. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-090, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-090.
- 67-32-100 Postemployment services. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-100, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-100.
- 67-32-110 Discrimination prohibited. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-110, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-110.
- 67-32-120 State committee of blind vendors—Election—Representation—Meetings. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-120, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-120.
- 67-32-130 Blind vendors committee—Purpose. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-130, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-130.
- 67-32-140 Vending machine income dispersed by commission. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-140, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-140.
- 67-32-150 Federal vending machine income—Use as determined. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-150, filed 3/5/81; 80-06-053 (Order 80-03), § 67-32-150, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-150, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-150.
- 67-32-160 Business enterprises revolving fund. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-160, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-160.
- 67-32-170 Business enterprises revolving fund—Uses. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-170, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-170.
- 67-32-180 Access to program and financial information. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-03-048 (Order 81-05), § 67-32-180, filed 1/19/81; 79-08-016 (Order 79-01), § 67-32-180, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-180.
- 67-32-190 Commission responsibility—Development of new vending facility locations. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-190, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-190.
- 67-32-200 Commission responsibility—Architecture and construction. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-200, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-200.
- 67-32-210 Commission responsibility—Initial equipment—Initial stock and supplies. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-210, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-210.
- 67-32-220 Title to initial equipment—Right to initial stock and cash. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-220, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-220.
- 67-32-230 Commission responsibility—Maintained facility. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-230, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-230.
- 67-32-240 Commission responsibility—Vendor-owned equipment. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-240, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83.

- Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-240.
- 67-32-250 Commission responsibility—Advance training. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-250, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-250.
- 67-32-260 Commission responsibility—Opening for business. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-260, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-260.
- 67-32-270 Commission responsibility—Consultation. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-270, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-270.
- 67-32-280 Commission responsibility—Inspection—Required contacts. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-280, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-280.
- 67-32-290 Commission responsibility—Contact with property management. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-290, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-290.
- 67-32-300 Commission responsibility—Negotiation with vending machine companies. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-300, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-300.
- 67-32-310 Public liability insurance. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-32-310, filed 12/17/82. Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-310, filed 3/5/81; 79-08-016 (Order 79-01), § 67-32-310, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-310.
- 67-32-320 Vendor responsibility—Independent—Not state employee. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-320, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-320.
- 67-32-330 Vendor responsibility—Applicable federal and state laws, rules and regulations. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-330, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-330.
- 67-32-340 Vendor responsibility—Vending facility management—Nondiscrimination. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-340, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-340.
- 67-32-350 Vendor responsibility—Maintaining equipment. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-350, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-350.
- 67-32-360 Vendor responsibility—Miscellaneous equipment—Initial stock and supplies—Minimum operating cash. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-360, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-360.
- 67-32-370 Vendor responsibility—Cooperate. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-370, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-370.
- 67-32-380 Vendor responsibility—Reports. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-380, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-380.
- 67-32-390 Vendor responsibility—Accounts payable. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-390, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-390.
- 67-32-400 Vendor responsibility—Employment of staff. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-400, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-400.
- 67-32-410 Vendor responsibility—Rebates. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-410, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-410.
- 67-32-415 Leave of absence for prolonged illness or physical incapacity. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-415, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-415.
- 67-32-420 Termination of license—Termination of agreement for cause only. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-420, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-420, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-420.
- 67-32-425 Termination of vendor's agreement—Not affecting licensure. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-425, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-425.
- 67-32-430 License suspension prior to evidentiary hearing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-430, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-430.
- 67-32-440 Suspension or termination of license—Other reasons. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-440, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-440.
- 67-32-450 Termination of license—Disuse. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-450, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-450, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-450.
- 67-32-460 Relicensing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-460, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-460.
- 67-32-470 Administrative review. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-470, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-470.
- 67-32-480 Administrative review—Who—When—Where. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-480, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-480, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-480.
- 67-32-490 Full evidentiary hearing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-490, filed 7/10/79.] Repealed by 84-01-043 (Order

- 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-490.
- 67-32-500 Full evidentiary hearing—Right to information. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-500, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-500.
- 67-32-510 Full evidentiary hearing—Transcript. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-510, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-510.
- 67-32-520 Full evidentiary hearing—Decision in writing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-520, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-520.
- 67-32-525 Hearing officer—Certain purposes. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-14-068 (Order 80-04), § 67-32-525, filed 10/1/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-525.
- 67-32-910 Agreement. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-910, filed 3/5/81; 79-08-016 (Order 79-01), § 67-32-910, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-910.
- 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].
- 67-40-060 Prevention—Services not provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-060, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 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].
- 67-40-070 Prevention—Authorizations and billing. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-070, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 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].
- 67-40-440 Prevention of blindness. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-440, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.

Chapter 67-40

PREVENTION OF BLINDNESS

- 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].
- 67-40-020 Prevention—Eligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-020, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 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].
- 67-40-025 Prevention—Medical eligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-025, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 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].
- 67-40-050 Prevention—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-050, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.

Chapter 67-45

PREVENTION OF BLINDNESS PROGRAM

- 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.

Chapter 67-50

CHILD AND FAMILY SERVICES

- 67-50-010 Purpose and description. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-010, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-010.

- 67-50-020 Referral for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-020, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-020.
- 67-50-030 Initial interview. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-030, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-030.
- 67-50-035 Eligibility for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-035, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-035.
- 67-50-040 Eligibility criteria. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-040, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-040.
- 67-50-050 Child and family services—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-050, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-050.
- 67-50-060 Termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-060, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-060.

Chapter 67-10 WAC

PUBLIC RECORDS—DISCLOSURE

WAC

- 67-10-010 Purpose.
- 67-10-020 Description of organization of the department.
- 67-10-030 Location of established places.
- 67-10-040 Operations and procedures.
- 67-10-050 Public records available.
- 67-10-060 Public records officer.
- 67-10-070 Records index.
- 67-10-080 Office hours.
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- 67-10-110 Copying fees.
- 67-10-120 Exemptions.
- 67-10-130 Review of denials of public records requests.
- 67-10-140 Protection of public records.
- 67-10-150 Consumer complaints and inquiries.
- 67-10-160 Adoption of forms.
- 67-10-170 Form 1—Request for inspection of records.
- 67-10-180 Form 2—Request for photocopy of record(s).

WAC 67-10-010 Purpose. The department of services for the blind is an agency of state government created by chapter 194, Laws of 1983. It shall hereafter in this chapter be referred to as the "department."

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-010, filed 12/15/83. Formally WAC 67-14-010.]

WAC 67-10-020 Description of organization of the department. (1) Central organization. The chief executive officer of the department is the director. The director shall be appointed by the governor, with the consent of the senate.

(2) Advisory council. The advisory council consists of at least six members of which a majority shall be blind. The members are appointed by the governor. Terms are for a period of three years. Advisory council members elect one of their members as chair for a term of one year.

(3) Organization. (a) The vocational rehabilitation program is operated statewide with one supervisor. (b) The business enterprise program is operated under one supervisor. (c) The agency operated Orientation and Training Center at 3411 S. Alaska St., Seattle is operated under one supervisor. (d) The state-wide child and family services program is operated under one supervisor. (e) The independent living program is operated under one supervisor.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-020, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-020, filed 12/15/83. Formally WAC 67-14-020.]

WAC 67-10-030 Location of established places.

Location of established places where information about the department may be obtained and department's public records inspected and copied.

(1) Olympia office. The office of the director and the administrative office of the department is located at 521 East Legion Way, Olympia, WA 98504.

(2) Seattle office. The main field office is located at 3411 South Alaska St., Seattle, WA 98118.

(3) Field offices. (a) General information about the department may also be obtained at its service locations or major field offices at the following places: 521 East Legion Way, Olympia, WA 98504; W. 55 Mission, Suite 3, Spokane, WA 99201; 500 West 8th, Suite 18, Vancouver, WA 98666; 1600 West Perry, Bldg. 1 Suite D, Yakima, WA 98901; 1201 South Proctor, Tacoma, WA 98405. (b) Information about the independent living program, and child and family services can be obtained at the Seattle office, 3411 South Alaska St., Seattle, WA 98118.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-030, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-030, filed 12/15/83. Formally WAC 67-14-030.]

WAC 67-10-040 Operations and procedures. The general course and method of channeling and determining the operations of the department and the nature of requirements of all formal and informal procedures connected therewith are summarized in the following subsections:

(1) Administrative services. This section manages all personnel, training, budget, data processing, and properties management for the department. It prepares budgets and reports, collects funds, certifies and pays invoices. It is responsible for state and federal reports. It provides staff to the advisory council members. Many of the functions of the administrative services section are subject to Washington Administrative Code provisions as authorized by law to be adopted by other departments and enforced by the department.

(2) Field services. This section provides services to all of the department's clients and keeps records of these services.

(a) Vocational rehabilitation. This unit provides a wide array of services to individuals whose disability causes a substantial handicap to employment where there is a reasonable expectation that services will provide a benefit in terms of employability. The primary source of funds for this program is federal, and it is subject to federal regulation.

(b) Business enterprise program. This program assists in the development and maintenance of vending operations

operated by blind individuals in public buildings. It is funded by a combination of state and federal funds and is subject to federal regulations. A restricted fund generated by vending machine revenue also funds business enterprise program activities.

(c) Independent living program. This program provides training, equipment, and goods and services needed by blind persons to achieve or maintain their independence. It is funded by a combination of grant funds from the federal government and from state funds.

(d) Child and family services. This program serves blind children and their families. Caseworkers work directly with children and parents. In addition, school personnel and other service providers are assisted in working with blind children by consultation and training. This program is state funded.

(e) Orientation and training center. This program is operated at 3411 South Alaska St., Seattle, WA 98118. It provides training in alternative skills, personal adjustment, and assessment for full-time blind students. Students live in a privately owned residential facility located nearby.

(f) Other programs. The department may establish such additional programs as the department deems necessary to carry out its legislative purpose.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-040, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-040, filed 12/15/83. Formally WAC 67-14-040.]

WAC 67-10-050 Public records available. Public records are available for public inspection and copying pursuant to these rules except as otherwise provided by RCW 42.17.310 and these rules.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-050, filed 12/15/83. Formally WAC 67-14-050.]

WAC 67-10-060 Public records officer. The public records officer for the department shall be the deputy director, as designated by the director, for all records maintained by the department whether located at the central office thereof at Olympia, Washington, or at such other offices throughout the state maintained by the department. The public records officer shall be located at such central office. The public records officer shall be responsible for implementation of this chapter regarding release of public records, coordinating the staff of the department in this regard, generally insuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.320, and maintaining the records index of the department as required.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-060, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-060, filed 12/15/83. Formally WAC 67-14-060.]

WAC 67-10-070 Records index. The department has available to all persons a current index which provides identifying information as to public records received, issued, adopted or promulgated since its inception. The current index adopted by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-070, filed 12/15/83. Formally WAC 67-14-070.]

WAC 67-10-080 Office hours. Public records shall be available for inspection and copying during the customary office hours of the department. For purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-080, filed 12/15/83. Formally WAC 67-14-080.]

WAC 67-10-090 Requests for public records. In accordance with requirements of RCW 42.17.250 through 42.17.320 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the department which shall be available at any office of the department during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the records;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-090, filed 12/15/83. Formally WAC 67-14-090.]

WAC 67-10-110 Copying fees. No fee shall be charged for the inspection of public records. The department will charge a per-page fee for providing copies of public records. If copies of photographs are requested, a fee will be charged for the duplication of such photographs. If copies of taped or brailled material are requested, fees will be charged for the duplication of such materials. Copying fees will be set at amounts equal to the actual costs to the department incident to such copying, including costs of materials, machinery, and personnel. The fees charged will be reviewed periodically to assure their accuracy, and shall be modified accordingly.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-110, filed 12/15/83. Formally WAC 67-14-110.]

WAC 67-10-120 Exemptions. (1) The department reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 67-10-

090 is exempt under the provisions of RCW 42.17.310 and/or such other laws as may be deemed applicable.

(2) In addition, pursuant to RCW 42.17.260 the department reserves the right to delete identifying details when it makes available or publishes any public record in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-120, filed 12/15/83. Formally WAC 67-14-120.]

WAC 67-10-130 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted, or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director. The director shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the members of the staff necessary to properly consider the matter and/or request a legal review thereof by the assistant attorney general representing the department. In any case, the request shall be returned with a final decision, within five business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the director has returned the petition with a decision or until the close of the fifth business day following denial of inspection, whichever occurs first.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-130, filed 12/15/83. Formally WAC 67-14-130.]

WAC 67-10-140 Protection of public records. The public records officer shall to the extent practicable insure that records requested are not removed from the premises nor portions thereof removed by members of the public.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-140, filed 12/15/83. Formally WAC 67-14-140.]

WAC 67-10-150 Consumer complaints and inquiries. Unless a consumer complainant or inquirer specifically provides to the contrary, the public records officer or other members of the staff are authorized when deemed appropriate to forward a copy of the letter or other writings pertinent to the complaint or inquiry to the firm or person which is the subject of the complaint or to any firm or person who may provide assistance relative to the complaint or inquiry.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-150, filed 12/15/83. Formally WAC 67-14-150.]

WAC 67-10-160 Adoption of forms. The department hereby adopts for use by all persons requesting inspection and/or copies of records the forms attached hereto entitled "request for inspection of records" and "request for photocopy of records."

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-160, filed 12/15/83. Formally WAC 67-14-160.]

WAC 67-10-170 Form 1—Request for inspection of records.

Request number
Date requested
Date provided
(For office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND

Request for Inspection of Records

The information requested in Blocks 1 through 6 is not mandatory, however, the completion of these blocks will enable this office to expedite your request and contact you should the record you seek not be immediately available.

- 1. Name -----
- 2. Address -----
- 3. Zip code -----
- 4. Phone number -----
- 5. Representing (if applicable) -----
- 6. If urgent - date needed -----

Below please state what record(s) you wish to inspect and be as specific as possible. If you are uncertain as to the type or identification of specific record or records we will assist you.

I certify that the information requested from the above record(s) will not be part of a list of individuals to be used for commercial purposes.

Signed
Date

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-170, filed 12/15/83. Formally WAC 67-14-170.]

WAC 67-10-180 Form 2—Request for photocopy of record(s).

.....
Request number
.....
Date requested
.....
Date provided
.....
(Office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND
Request for Photocopy of Record(s)

1. Name 4. Phone number
2. Address 5. Representing (if applicable)
3. Zip code 6. If urgent - date needed

Please state below the pages of the documents or records you wish to have photocopied. A reasonable standard fee for each page or record will be charged for this service.

I wish the following page(s) of documents or records to be photocopied and made available for my possession, I agree to pay a reasonable standard charge for this service.

I certify that the photocopies of records received as listed above will not be part of a list of individuals to be used for commercial purposes.

Signed
Date

Office use only

Number of pages copied @ per copy.
Total charge Amount paid

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-180, filed 12/15/83. Formally WAC 67-14-180.]

Chapter 67-16 WAC

DEPARTMENT—GENERAL ADMINISTRATION

WAC

67-16-010 Physical and informational accessibility.

WAC 67-16-010 Physical and informational accessibility. (1) No otherwise qualified handicapped individual shall, solely by reason of handicap, be excluded from participation, be denied benefits of, or be subjected to discrimination under any department-provided program or activity.

(2) No handicapped person will be subjected to discrimination because department-provided facilities are inaccessible to or unusable by handicapped persons. Any construction or alteration to any present or future locations or facility, on behalf of or for the use of the department, will be readily accessible to and useable by handicapped persons.

(3) No person shall be denied access to department information, records or materials solely on the basis of his/her inability to utilize such information, records or materials in a customary manner.

[Statutory Authority: 1983 c 194 § 18. 84-01-041 (Order 83-07), § 67-16-010, filed 12/15/83. Formally WAC 67-15-010.]

Chapter 67-25 WAC

VOCATIONAL REHABILITATION AND SERVICES FOR BLIND PERSONS

WAC

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**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) "Adaptive skills assessment and training" 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 adaptive skills assessment and training 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.

(4) "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.

(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) "Comparable services and 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, coinsurance feature, token payment or personal claim.

(7) "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.

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

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

(a) The individual is blind or visually impaired;

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

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

(10) "Employability" means a determination that with the provision of vocational rehabilitation services, the individual is likely to enter or retain as a primary objective, full time employment or, if appropriate, part time employment, consistent with the capacities or abilities of the individual 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; home based employment; supported employment; or other gainful work.

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

(a) A preliminary diagnostic study to determine:

(i) That an individual has blindness or visual impairment and 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.

(12) "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.

(13) "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.

(14) Legal blindness for purposes of this chapter is a physical disability defined as follows:

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°.

(15) "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.

(16) "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.

(17) "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.

(18) "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.

(19) "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.

(20) "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.

(21) "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.

(22) "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.

(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) Visual impairment for the purpose of this chapter is a physical disability defined as follows: Visual acuity in the best eye between 20/200 and 20/70 with correction; or angle of vision subtends between 20° and 30°, or severe

functional visual problem; or a progressive condition which ultimately will lead to a visual handicap or to blindness.

(25) "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.

(26) "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.

(27) "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. 91-20-010, § 67-25-005, filed 9/20/91, effective 10/21/91; 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 67-25-010 Application for services. (1) Any blind or visually impaired person may apply for vocational rehabilitation services, including persons who have previously applied for, have previously received, or have previously been denied such services.

(2) Any handicapped person seeking to obtain vocational rehabilitation services from the department shall submit a written application for services to the department.

(3) The written application for services shall be signed by the person requesting services or by his/her parent or guardian or other representative.

(4) The written application shall contain the following information:

(a) The applicant's name and address;

(b) The nature of the applicant's disability;

(c) The applicant's age and sex;

(d) The date of application;

(e) The name of the person or agency, if any, who has referred the applicant to the department.

(5) The department shall not provide vocational rehabilitation services to any person who has failed to submit a signed application in writing containing the above information.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-010, filed 12/15/83. Formerly WAC 67-20-010.]

WAC 67-25-015 Initial interview. (1) An applicant for vocational rehabilitation services shall be interviewed personally by a vocational rehabilitation counselor or by a vocational rehabilitation teacher as soon as possible after application.

(2) At this initial interview the interviewer shall:

(a) Explain to the applicant the nature and operation of the vocational rehabilitation program as it relates to the applicant;

(b) Specifically inform the applicant of the right to appeal any decision made by the department with regard to his/her case through administrative appeal and fair hearing procedures; judicial review; review by the secretary of the federal office of education;

(c) Inform the applicant of his/her right of confidentiality of information possessed by the department; and

(d) Obtain any general information from the applicant which might be useful in determining his/her eligibility for vocational rehabilitation services.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-015, filed 12/15/83. Formerly WAC 67-20-015.]

WAC 67-25-020 Preliminary diagnostic study. (1) A preliminary diagnostic study will be conducted to determine whether:

(a) The individual has 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, or whether an extended evaluation of rehabilitation potential is necessary to make such a determination.

(2) The preliminary diagnostic study will include such examinations and diagnostic studies as are necessary to determine eligibility:

(a) In all cases, will include an appraisal of the current general health status of the individual; and

(b) In all cases, will include an examination of the individual's eyes by an ophthalmologist, a physician skilled in the diseases of the eye or by a licensed optometrist.

(3) The department shall record in writing the results of each applicant's preliminary study.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-020, filed 12/15/83. Formerly WAC 67-20-020.]

WAC 67-25-025 Eligibility for services. (1) The department shall make an eligibility determination as to every applicant for vocational rehabilitation services. The determination of eligibility shall be made as soon as possible after application.

(2) The department shall base its eligibility determination on the results of the preliminary diagnostic study and extended evaluation, if any.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-025, filed 12/15/83. Formerly WAC 67-20-025.]

WAC 67-25-030 Eligibility for services—Criteria. (1) Eligibility shall be based only upon:

(a) The existence of a condition of legal blindness or visual impairment as defined in WAC 67-25-005;

(b) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

(c) A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability.

(2) Persons who are found to be blind or visually impaired and who also have a physical or mental disability which for that person constitutes or results in a substantial handicap to employability, but for whom the usual scope of services offered by the department are not expected to benefit the individual in terms of employability may be referred to other service providers or may be provided services through a cooperative plan with other service providers.

(3) Eligibility requirements will be provided by the department without regard to sex, race, age, creed, color, or national origin of the individual applying for service.

(4) No person or group of persons shall be found ineligible for services solely on the basis of type of disability.

(5) No person shall be found ineligible for services solely on the basis of age.

(6) No person shall be found ineligible for services based on residence requirement, durational or other.

[Statutory Authority: Chapter 74.18 RCW. 91-20-010, § 67-25-030, filed 9/20/91, effective 10/21/91. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-030, filed 12/15/83. Formerly WAC 67-20-030.]

WAC 67-25-050 Certification for decision of eligibility or ineligibility. (1) There will be a certification that the individual has met the basic eligibility requirements specified in eligibility criteria. The statement of eligibility will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Whenever it has been determined on the basis of clear evidence that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-050, filed 12/15/83. Formerly WAC 67-20-050.]

WAC 67-25-055 Notice to applicant. (1) The individual shall be notified in writing of the action taken on eligibility or ineligibility.

(2) He/she shall be informed of the department's procedure for administrative review, fair hearings, and judicial review if he/she is dissatisfied with the department's decision.

(3) If the applicant was determined to be ineligible for vocational rehabilitation services, the certification shall clearly specify how he/she failed to meet the criteria of eligibility.

(4) If the applicant was determined to be eligible for vocational rehabilitation services, the notice shall clearly specify the date of certification of eligibility.

(5) Decisions of ineligibility will be reviewed at least annually. The individual will be given a full opportunity to participate in the review and reconsideration of eligibility.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-055, filed 12/15/83. Formerly WAC 67-20-055.]

WAC 67-25-060 Criteria for the severely handicapped. A severely handicapped individual is a handicapped individual:

(1) Who has a severe physical or mental disability which seriously limits his/her functional capacities (mobility, communication, self-care, self-direction, work tolerance or work skills) in terms of employability; and

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorder, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia and end-stage renal disease, or other disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-060, filed 12/15/83. Formerly WAC 67-20-060.]

WAC 67-25-070 Extended evaluation. Extended evaluation is the process by which diagnostic and other vocational rehabilitation services are provided to an applicant for the limited purpose of facilitating the determination of his/her rehabilitation potential and eligibility. Extended evaluation is provided only when a determination of eligibility has not and can not be made within the usual eligibility determination procedure.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-070, filed 12/15/83. Formerly WAC 67-20-070.]

WAC 67-25-075 Extended evaluation—Eligibility criteria. Furnishing of vocational rehabilitation services under an extended evaluation to determine rehabilitation potential shall be based only upon:

(1) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment (physical disability includes a primary disability of blindness or visual impairment); and

(2) An inability to make a determination that vocational rehabilitation services might benefit the individual in terms of employability unless there is an extended evaluation to determine rehabilitation potential.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-075, filed 12/15/83. Formerly WAC 67-20-075.]

WAC 67-25-077 Certification for extended evaluation to determine rehabilitation potential. Prior to, and as a basis for providing an extended evaluation to determine

rehabilitation potential, there will be a certification that the individual has met the eligibility requirements. The certified statement will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-077, filed 12/15/83. Formerly WAC 67-20-077.]

WAC 67-25-080 Extended evaluation—Program.

(1) After certification for extended evaluation to determine rehabilitation potential, an individualized written rehabilitation program shall be developed jointly by the vocational rehabilitation counselor or rehabilitation teacher and the handicapped individual or, as appropriate, parent, guardian or other representative.

(2) A copy of the written program and any amendments thereto shall be provided to the handicapped individual or, as appropriate, parent, guardian or other representative.

(3) The program shall include the basis on which a determination of eligibility has been made that an extended evaluation of rehabilitation potential is necessary.

(4) The program shall specify the nature of the vocational rehabilitation services necessary to determine the client rehabilitation potential and shall specify the arrangements which shall be made to provide for and/or otherwise secure such necessary services.

(5) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service, and the time within which the objectives and goals for each individual might be achieved.

(6) The terms and conditions for the provision of vocational rehabilitation services including:

(a) Responsibilities of the handicapped individual in implementing the individualized written rehabilitation program;

(b) The extent of client participation in the cost of services based on the financial need of the client; and

(c) The extent to which the individual is eligible for similar benefits under any other program.

(7) An assurance that the handicapped individual has been informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of the department's action and fair hearings; and the opportunity for judicial review.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-080, filed 12/15/83. Formerly WAC 67-20-080.]

WAC 67-25-085 Extended evaluation—Services provided. The following vocational rehabilitation services will be available to individuals:

- (1) Evaluation, including diagnostic and related services;
- (2) Counseling and guidance;
- (3) Physical and mental restoration services;
- (4) Training, including personal and vocational adjustment, books, tools, and other training materials;
- (5) Maintenance;
- (6) Transportation;
- (7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;
- (8) Reader services for the blind;

(9) Interpreter services for the deaf;

(10) Telecommunications, sensory and other technological aids and devices; and

(11) Other goods and services including rehabilitation teaching and orientation and mobility which are necessary to determine the client's rehabilitation potential.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-085, filed 12/15/83. Formerly WAC 67-20-085.]

WAC 67-25-090 Extended evaluation—Services not provided. The following goods and services cannot be provided until decisions have been reached as to a client's specific employment objectives and, therefore, shall not be provided under an extended evaluation plan:

- (1) Placement;
- (2) Occupational tools and equipment or initial stocks and supplies;
- (3) Business enterprises;
- (4) Occupational licenses.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-090, filed 12/15/83. Formerly WAC 67-20-090.]

WAC 67-25-095 Extended evaluation—Duration and scope of services. (1) Vocational rehabilitation services necessary for the determination of rehabilitation potential, including those provided within a thorough diagnostic study, may be provided to a handicapped individual for a total period not in excess of eighteen months.

(2) Other conditions:

(a) The extended evaluation period shall begin with the date of the certification for extended evaluation to determine rehabilitation potential. Only one period not in excess of eighteen months shall be permitted during the period that the case is open. If a case has been closed as a result of determination that the handicapped individual's needs have changed, such a case may be reopened and a subsequent evaluation of rehabilitation potential may be carried out, provided that the conditions in "basic conditions of extended evaluation to determine rehabilitation" are met.

(b) Vocational rehabilitation services authorized after the expiration of the extended evaluation period will be provided only if the certification of eligibility required has been executed by the vocational rehabilitation counselor or rehabilitation teacher.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-095, filed 12/15/83. Formerly WAC 67-20-095.]

WAC 67-25-100 Extended evaluation—Assessment. A thorough assessment of the individual's progress will be made as frequently as necessary, but at least once in every ninety-day period during the period in which services are being provided under an extended evaluation of rehabilitation potential, including periodic reports from the institution, facility, or person providing the services, to determine the results of the provision of such services and to determine whether such individual may be determined to be eligible or ineligible.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-100, filed 12/15/83. Formerly WAC 67-20-100.]

WAC 67-25-105 Extended evaluation—Revision of program. A program of extended evaluation may be revised at any time and shall be revised as necessary if the needs of the client have changed or problems have arisen which have interrupted the provision of extended evaluation services.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-105, filed 12/15/83. Formerly WAC 67-20-105.]

WAC 67-25-110 Extended evaluation—Termination. (1) At any time prior to the expiration of an eighteen-month extended evaluation period, the extended evaluation for the determination of rehabilitation potential shall be terminated when:

(a) The individual is found eligible for vocational rehabilitation services since there is a reasonable assurance that he/she can be expected to benefit in terms of employability from vocational rehabilitation services; or

(b) The individual is found ineligible for any additional vocational rehabilitation services since it has been determined on the basis of clear evidence that he/she cannot be expected to benefit in terms of employability from vocational rehabilitation services.

(2) In such cases the procedures outlined in WAC 67-25-280 must be followed.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-110, filed 12/15/83. Formerly WAC 67-20-110.]

WAC 67-25-120 Certification of termination of extended evaluation and notice. The certification of termination of extended evaluation and notice is applicable when the following is considered:

(1) Certification of eligibility for regular case services. Prior to, or simultaneously with acceptance of a handicapped individual for vocational rehabilitation services, there will be a certification that the individual has met the requirements specified. The certified statement will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Certification of ineligibility. When it has been determined by clear evidence that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher. Such certification of ineligibility will be made only after full participation with the individual or, as appropriate, his/her parent, guardian or other representative, or after affording a clear opportunity for such consultation.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-25-120, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-120, filed 12/15/83. Formerly WAC 67-20-120.]

WAC 67-25-255 Thorough diagnostic study. (1) There will be a thorough diagnostic study which will determine the nature and scope of services needed by the individual, and which will consist of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, and other related factors which bear on the individual's handicap to employment and rehabilitation needs.

(2) The thorough diagnostic study will be sufficient in each case to determine the vocational rehabilitation services which are needed to attain vocational goals of the handicapped individual, and that the findings of such study will be recorded in the individualized written rehabilitation program.

(3) The thorough evaluation shall include, to the extent necessary, an appraisal of the following factors:

- (a) Intelligence level;
- (b) Educational achievements;
- (c) Work experience;
- (d) Ability to function in the community;
- (e) Personal, vocational and social adjustment;
- (f) Employment opportunities;
- (g) Patterns of work behavior;
- (h) Ability to acquire occupational skills;

(i) Capacity for successful job performance which may include trial job situations (simulated or real) to assess capabilities to perform adequately in a work environment.

(4) The thorough evaluation shall include specialty medical examinations as required below whenever the individual is known to have the following conditions:

- (a) Blindness or visual impairment - ophthalmological or optometric evaluation;
- (b) Hearing impairment or deafness - otological and audiological evaluation;
- (c) Mental retardation - psychological evaluation;
- (d) Mental illness - psychological evaluation.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-255, filed 12/15/83. Formerly WAC 67-20-255.]

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 67-25-260 Vocational rehabilitation program—Individual written rehabilitation program. The individualized written rehabilitation program shall place primary emphasis on the determination and achievement of a vocational goal, and as appropriate, shall include, but shall not necessarily be limited to statements concerning the following:

(1) The basis on which the determination of eligibility has been made;

(2) The long-range employment goals established with the individual and the intermediate rehabilitation objectives related to the attainment of such goals;

(3) The determination of the specific vocational rehabilitation services to be provided in order to achieve established employment goals and the terms and conditions for the provision of such services;

(4) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service and the time within which the objectives and goals for each individual might be achieved;

(5) The terms and conditions for the provision of vocational rehabilitation services including responsibilities of the handicapped individual in implementing the individualized written rehabilitation program:

(a) Extent of client participation in the cost of services based on the financial need of the client; and

(b) Extent to which the individual is eligible for similar benefits under any other programs.

(6) An assurance that the handicapped individual has been informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of action or fair hearings; judicial review; and review of the director's decision by the secretary of the federal office of education;

(7) The basis on which the individual has been determined to be rehabilitated; and

(8) Any plans for the provision of post-employment services after a suitable employment objective has been achieved and the basis on which such plans are developed.

(9) A copy of the written program, and any amendments thereto shall be provided to the handicapped individual, or, as appropriate, his/her parents, guardian or other representative.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-260, filed 12/15/83. Formerly WAC 67-20-260.]

WAC 67-25-270 Vocational rehabilitation program—Participation of client. The individualized written rehabilitation program shall be developed jointly by the vocational rehabilitation counselor or rehabilitation teacher and the handicapped individual or, as appropriate, his/her parent, guardian or other representative, and a copy of the written program, and any amendments thereto, shall be provided to the handicapped individual or, as appropriate, his/her parent, guardian or other representative.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-270, filed 12/15/83. Formerly WAC 67-20-270.]

WAC 67-25-275 Vocational rehabilitation program—Annual review. The individualized written program shall be reviewed as often as necessary but at least on an annual basis at which time each handicapped individual, or, as appropriate, his/her parent, guardian or other representative will be afforded an opportunity to review such program and, if necessary, jointly redevelop its terms.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-275, filed 12/15/83. Formerly WAC 67-20-275.]

WAC 67-25-280 Vocational rehabilitation program—Termination. When the services are terminated under a written program on the basis of a determination that a vocational goal cannot be achieved and the client is then no longer eligible, the following conditions and procedures will be made and carried out:

(1) Such decision shall be made only with full participation of such individuals or as appropriate, his/her parent, guardian, or other representative.

(2) The views of the individual or his/her representative concerning the decision shall be recorded in the individualized written program.

(3) The rationale for such decision must be thoroughly documented and included as a part or amendment to the written rehabilitation program.

(4) The client will be informed that his/her case will be reviewed within twelve months, offering the individual clear opportunity for full consultation and reconsideration of such decision of ineligibility. Subsequent reviews may be made only upon his/her request.

(5) If through physical restoration an individual's vision is restored so as to allow that individual to perform ordinary activities, further services will be limited to those included at the time in the client's individual written rehabilitation program.

(6) Consultation or annual review would not be scheduled if:

(a) There is a recorded statement by the individual indicating that he/she does not want to have further consideration;

(b) Individual is uncooperative and shows lack of interest;

(c) Individual is no longer in the state;

(d) Individual's whereabouts are unknown;

(e) Individual's medical condition is rapidly progressive or terminal;

(f) There are other compelling reasons that would make an annual review impractical.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-280, filed 12/15/83. Formerly WAC 67-20-280.]

WAC 67-25-281 Vocational rehabilitation program—Notification of rights. Upon termination the individual will be informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of the department's action; fair hearings; and judicial review.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-281, filed 12/15/83. Formerly WAC 67-20-281.]

WAC 67-25-300 Objective of vocational rehabilitation. The objective of vocational rehabilitation services is 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. Vocational rehabilitation services will be limited to those necessary to fit the client for his/her vocational objective not

only for the moment, but have suitable continuing employment in varying economic conditions. However, if a handicapped individual wishes to change occupations or to progress beyond industry accepted norms for competent entry level employment, the department has no obligation to provide further assistance.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-300, filed 12/15/83. Formerly WAC 67-20-300.]

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 67-25-326 Services to civil employees of the United States. The department will make vocational rehabilitation services available to civil employees of the United States government who are disabled in the line of duty under the same conditions applied to other handicapped individuals.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-326, filed 12/15/83. Formerly WAC 67-20-326.]

WAC 67-25-350 Vocational rehabilitation services. Each client accepted for services may be provided such rehabilitation services found by the diagnostic study to be necessary for the realization of his/her rehabilitation objective including but not limited to:

- (1) Evaluation of rehabilitation potential;
- (2) Counseling and guidance;
- (3) Physical and mental restoration services;
- (4) Vocational and other training services, including personal and vocational adjustment, books, tools, and other training materials;
- (5) Maintenance;
- (6) Transportation;
- (7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;
- (8) Reader services, note taking, rehabilitation teaching services, and orientation and mobility services for the blind;
- (9) Interpreter services for the deaf and note-taking services for the blind;
- (10) Telecommunications, sensory, and other technological aids and devices;
- (11) Recruitment and training services to provide new employment opportunities and other appropriate public service employment;
- (12) Placement in suitable employment;
- (13) Post-employment services, necessary to assist handicapped individuals to maintain suitable employment;
- (14) Occupational licenses, tools, equipment, initial stocks (including livestock), and supplies; and
- (15) Other goods and services which can reasonably be expected to benefit a handicapped individual in terms of employability.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-350, filed 12/15/83. Formerly WAC 67-20-350.]

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 67-25-380 Vocational rehabilitation services— Counseling and guidance. Counseling and guidance is a necessary and key function of the vocational rehabilitation counselors and rehabilitation teachers in facilitating the development of the individual being served.

(1) Counseling and guidance services will be provided by the department as necessary to:

(a) Assist the individual to understand his/her capacities, aptitudes and interests.

(b) Assist the individual to understand his/her limitations and the health problems, personal problems and social problems which may be encountered during the course of and after completion of the rehabilitation process.

(c) Assist the client to select a suitable and realistic vocational goal.

(d) Assist the individual to understand the services available to him/her from the department and other community resources and to understand how such resources can best be obtained and utilized in his/her rehabilitation process.

(e) Assist the individual to adjust to situations encountered during the rehabilitation process. This may include but not be limited to control of anxieties concerning physical restoration, development of appropriate study and work habits, improvements in physical appearance, management of finances, preparation for job interviews and tests, and the establishment and maintenance of effective interpersonal relationships.

(f) Family members, relatives and friends of the individual to aid and assist in the rehabilitation process.

(g) Prospective employers to determine whether the individual has chosen a feasible and appropriate vocational goal.

(2) Counseling and guidance is an ongoing process and will continue, as necessary, throughout all stages of the client's rehabilitation process regardless of the type of services needed, locations of service providers, and length of time needed to complete the rehabilitation.

(3) Counseling and guidance will continue even though the client may be a student in the department's rehabilitation center.

(4) Counseling and guidance will be provided without regard to economic need.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-380, filed 12/15/83. Formerly WAC 67-20-380.]

WAC 67-25-384 Vocational rehabilitation services— Physical and mental restoration services. (1) Physical and mental restoration services will be provided to or arranged for a client under an individualized written rehabilitation program when, in the judgment of the vocational rehabilitation counselor and/or rehabilitation teacher, in consultation with the medical consultant, it can be determined that:

(a) The clinical status of the client is stable or slowly progressive, as evidenced in the diagnostic study; and

(b) Such services may be expected to eliminate or substantially reduce the handicapping condition in terms of employability within a reasonable period of time; or

(c) When such services will maintain or improve functional capabilities consistent with a client's vocational rehabilitation.

(2) Diagnostic and treatment services for clients with any diseases of the eye will be provided by or under the direction of a qualified ophthalmologist to assure that there is no eye disease or other eye condition which needs consideration.

(3) Authorized physical and mental restoration services may be provided by physicians, dentists, and other health-related professionals who are licensed in the state.

(4) The client has the option, when receiving physical and mental restoration services, to choose the physician or other health-related professional and the appropriate facilities from among those licensed in the state. These service providers and the facilities must be willing to accept reimbursement in accordance with the Washington state department of social and health services schedule of maximum allowances and program descriptions.

(5) For clients in extended evaluation, restorative services may be provided to stabilize or halt progression of a chronic illness for purposes of determining eligibility.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-384, filed 12/15/83. Formerly WAC 67-20-384.]

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 psychological 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 67-25-392 Vocational rehabilitation services provided—Training—Trade schools. Training may be provided in business, trade and vocational schools. Business, trade and vocational training facilities shall include but not be limited to beauty schools, barber colleges, business schools where secretarial, accounting, and other office work skills are taught, schools for the training of licensed practical nurses, and trade schools teaching such skills as welding, draftsmanship, electrical engineering, radio repair, etc. Such facilities may be either publicly or privately owned and operated.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-392, filed 12/15/83. Formerly WAC 67-20-392.]

WAC 67-25-394 Vocational rehabilitation services provided—Training—Employment. (1) Employment training services may be provided to a client when necessary to attainment of the client's vocational goal. "Employment training services" shall mean a program of organized training by which a client is given the opportunity to learn an occupation under actual conditions of commercial, industrial, or other on-the-job employment.

(2) Employment training services shall be provided to an individual client only when the vocational rehabilitation counselor has established that the following conditions have been or will be met:

(a) The training program has been prepared and outlined in detail and in advance;

(b) The client's training will follow a definite schedule of specified operations, instructions, and practices which will insure well-rounded preparation for the client's selected occupation;

(c) A mutual understanding has been reached between the trainee—client, the trainer—employment training facility, and the vocational rehabilitation counselor as to the provisions of the client's employment training plan, including length of the training period, financial arrangements, and operations and skills to be learned;

(d) The employer will provide careful supervision of the client's work and will submit regular reports on the client's attendance and progress to the vocational rehabilitation counselor;

(e) The training program will meet any requirements for licensing in the trade or occupation which exists in the field or work in which the client is to be employed;

(f) It has been ascertained that the employment training program is acceptable to other employees of the training facility.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-394, filed 12/15/83. Formerly WAC 67-20-394.]

WAC 67-25-395 Vocational rehabilitation services—Training—College and trade school. (1) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) or trade or business schools shall be paid for with vocational rehabilitation funds unless the client has demonstrated application for, and denial of, other grants and scholarships.

(2) Tuition at institutions of higher education will be limited to the amount charged at the University of Washington or the actual cost, whichever is less.

(3) The amount of assistance for books and academic supplies 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 the amount authorized for books and supplies reduced proportionately.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-395, filed 12/15/83. Formerly WAC 67-20-395.]

WAC 67-25-396 Vocational rehabilitation services—Training—Sheltered workshop. (1) The department may provide work adjustment services (employability training) to clients in a sheltered workshop environment. Work adjustment is appropriate where the client's disability is such as to limit his/her ability to participate in and take advantage of employment training facilities in the competitive labor market, and shall follow a vocational evaluation which will at the least include a measurement of productivity, behavior in interpersonal situations, work characteristics, and manipulative skills.

(2) The purpose of work adjustment services in sheltered workshops shall be to:

(a) Assist clients in understanding the meaning, value, and demands of work;

(b) Modify or develop attitudes, personal characteristics, and work behaviors;

(c) To develop functional capacities as required in order to assist clients toward their optimum level of vocational adjustment.

(3) Vocational adjustment in a sheltered workshop shall meet the following criteria:

(a) There shall be an individualized written program establishing immediate and long-range goals and objectives developed and monitored by a qualified staff person.

(b) The program will be in direct response to those problems defined in the evaluation process.

(c) Methods used to correct client problems and to develop acceptable work behaviors will be defined in writing and monitored and reported on at least monthly.

(d) All programs will be developed with the full knowledge and agreement of the vocational rehabilitation counselor or rehabilitation teacher and the client.

(e) Work adjustment services will always aim toward the eventual placement of the client into competitive employment.

(f) After September 30, 1984, work adjustment services will be undertaken only in state certificated rehabilitation facilities.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-396, filed 12/15/83. Formerly WAC 67-20-396.]

WAC 67-25-400 Vocational rehabilitation services—Maintenance. (1) Maintenance services include the client's basic living expenses, such as food, housing, clothing and health care needs, and other subsistence expenses which are essential to enable him/her to receive full benefit from other vocational rehabilitation services.

(2) Maintenance services may be provided to the extent necessary to enable a client to derive the full benefit of other vocational rehabilitation services.

(3) Maintenance may be provided at any time during the rehabilitation process, or following placement, until such time as the client has actually received remuneration for his employment, for a period not to exceed sixty days.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-25-400, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-400, filed 12/15/83. Formerly WAC 67-20-400.]

WAC 67-25-404 Vocational rehabilitation services—Transportation. (1) The department will provide or cause

to be provided, within budget constraints, necessary travel and related expenses required to transport clients, thereby enabling them to receive services necessary for the achievement of vocational rehabilitation objectives.

(2) Transportation may include:

(a) Fares or travel costs associated with using public or private conveyances.

(b) Food and/or lodging while in travel status.

(c) Attendants or escorts for clients and the attendants' or escorts' travel costs.

(d) Reimbursement for relocation and moving expenses when a satisfactory adjustment to a job has been made and job security has been established.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-25-404, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-404, filed 12/15/83. Formerly WAC 67-20-404.]

WAC 67-25-408 Vocational rehabilitation services—Services to family members. (1) Services to family members may be provided to assist a client in successful completion of his/her extended evaluation program or vocational rehabilitation program and subsequent vocational adjustment.

(2) The services provided to family members may include any of the vocational rehabilitation services available to clients of the department. However, the services must be directly related to the vocational rehabilitation of the client. Family members of any age may be served. Services provided to family members must be documented and justified in ways consistent with department vocational rehabilitation case documentation procedures and vocational rehabilitation policies.

(3) Other resources and similar benefits available to the family member(s) who may be served under this section must be considered under the same rules and conditions as those of the client.

(4) When the service provided to a family member(s) no longer substantially contributes to a client's vocational rehabilitation program or extended evaluation program, it will be terminated.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-408, filed 12/15/83. Formerly WAC 67-20-408.]

WAC 67-25-412 Vocational rehabilitation services—Interpreter services for deaf persons. The department will provide interpreter services for deaf persons needing this service in all stages of involvement with the department while a client or applicant, or during appeal of a contested decision by an employee of the department which directly affects the client or applicant.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-412, filed 12/15/83. Formerly WAC 67-20-412.]

WAC 67-25-416 Vocational rehabilitation services—Reader services. (1) The department will provide or cause to be provided reader services to those clients under an individualized written rehabilitation program who are engaging in vocational training in institutions of higher learning, business schools, technical or trade schools, and other types of training where significant amounts of reading are essential to the completion of the course and/or the

advancement of the client's vocational objective. Reader services may also be provided for clients entering employment where substantial amounts of reading are necessary, but only as it relates to the initial stages of their employment.

(2) Reader services consist of oral reading to the blind individual of ink-print material which is not available through any of the usual, special, nonvisual methods of reading used by blind persons.

(3) Reader services may be provided, despite the availability of alternatives to ink-print, when the client's skills in using nonvisual methods are not sufficient to fulfill the blind client's immediate rehabilitation needs, progress, or initial adjustment in employment.

(4) The employment and rates of payment will be governed by the department's procedures for purchase of reader services. Ordinarily, readers will be paid no more than the national minimum wage; however, exceptions may be made under the department's procedures governing reader services.

(5) The department's vocational rehabilitation program will encourage clients to make the most efficient use of readers; both as a sound economic practice and for the purpose of having clients learn to make effective use of readers in future employment and/or training settings.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-416, filed 12/15/83. Formerly WAC 67-20-416.]

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.]

WAC 67-25-428 Vocational rehabilitation services—Orientation and mobility services. (1) The department will provide orientation and mobility services that are consistent with the client's individualized written rehabilitation pro-

gram, so that any mobility problems encountered during training, seeking employment and/or post-employment are resolved.

(2) Orientation and mobility services shall include systematic and individualized assessment, instruction, and the dissemination of resources information which can enable blind persons to travel independently with optimum efficiency, safety, grace, and self-confidence.

(3) The department may provide or cause to be provided orientation and mobility services to individual clients through:

(a) Orientation and mobility specialists in the employ of the department;

(b) Independent orientation and mobility specialists whose qualifications are consistent with department standards;

(c) Orientation and mobility specialists in the employ of agencies for the blind whose qualifications are consistent with department standards;

(d) The department's field services offices by rehabilitation teachers in the client's home environment.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-428, filed 12/15/83. Formerly WAC 67-20-428.]

WAC 67-25-432 Vocational rehabilitation services—Telecommunication. (1) The provision of telecommunications, sensory or other technological aids and devices, individualized prescriptions and fittings must be performed by individuals licensed to fill such prescriptions and licensed to perform such fittings in accordance with state licensure laws, or be appropriately certified professionals. Aids and devices not requiring individual fittings must meet engineering and safety standards recognized by experts in the field.

(2) Telecommunications may be utilized when service delivery methods can be improved by the use of these devices. Cost benefit will be considered in the development of telecommunication services.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-432, filed 12/15/83. Formerly WAC 67-20-432.]

WAC 67-25-440 Vocational rehabilitation services—Placement. (1) The department may provide or cause to be provided placement services to clients under an individualized written rehabilitation program. The department and clients will be mutually responsible in the endeavor to find and secure suitable employment. While the department will meet its responsibilities stated in this section, clients will be held responsible under their individualized written rehabilitation programs for actively and independently applying themselves in job-seeking efforts and self-placement.

(2) Placement services prepare a client for work and assist him/her in obtaining appropriate employment and may include the following range of activities:

(a) Organized and identifiable attempts to establish or improve the linkage of a client and a work situation.

(b) Sustained collaboration with the client in a variety of work-oriented activities culminating in the client's engagement in a job, including self-employment.

(c) Communicating and negotiating with a variety of employment resources in the community and other communi-

ty resources regarding the employment of blind persons. This may or may not be on behalf of specific clients.

(d) Assisting the client in stabilizing himself/herself in a work setting to the point that the placement goal has been satisfactorily achieved.

(3) Placement services may be provided as follows:

(a) Vocational rehabilitation counselors will deliver placement services to clients as a primary function and the principal focus of their professional responsibilities and activities.

(b) A job training and placement counselor whose principle function will be to communicate and negotiate with a variety of community resources, especially employers, regarding the employment of blind persons will provide placement services. This function may or may not be on behalf of specific clients.

(c) Existing, noncost placement resources in the community such as the state department of employment security, projects with industry, and other entities shall be utilized whenever possible.

(d) In certain situations, placement services may be purchased when it is in the client's vocational interests, when the department's services are not otherwise available, or are offered by a vendor as part of a "package" involving placement as a service. The specific conditions under which placement services may be purchased are addressed in the department's procedures governing such purchase.

(4) Placement services will be terminated when the client has been provided vocational rehabilitation services in accordance with an individualized written rehabilitation program, and been determined to have maintained a suitable employment goal for at least sixty days.

(5) Suitable placement refers to a determination that the provision of vocational rehabilitation services has enabled a client to enter or retain employment consistent with client's capacities and abilities.

(6) Clients placed by the department in extended employment in rehabilitation facilities will have their statuses reviewed and reevaluated by the department at least annually. The department will make maximum efforts to place these individuals in competitive employment or training for competitive employment whenever feasible.

(7) Placement services will be provided without consideration of similar benefits except when the purchase of placement services is contemplated.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-440, filed 12/15/83. Formerly WAC 67-20-440.]

WAC 67-25-444 Vocational rehabilitation services—Post-employment services. (1) The department may provide such follow-up services to clients after placement as are necessary to insure that the placement is suitable and that the vocational rehabilitation of the individual has been achieved.

(2) The department may provide post-employment services to a client whose case has previously been terminated as "rehabilitated" when such services are necessary to overcome emergent or latent problems related to the original disability or handicap for which he/she was receiving services prior to termination.

(3) All follow-up and post-employment services provided will have the same requirements to meet the economic needs test as those services that require the needs test for a regular program of services.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-444, filed 12/15/83. Formerly WAC 67-20-444.]

WAC 67-25-446 Vocational rehabilitation—Services to groups. The department may provide for facilities and services that may be expected to contribute substantially to the rehabilitation of a group of individuals with handicaps but that are not related to the individualized written rehabilitation program of any one individual with handicaps.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-25-446, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-446, filed 12/15/83. Formerly WAC 67-20-446.]

WAC 67-25-448 Vocational rehabilitation services—Occupational licenses, tools, equipment, initial stocks and supplies. (1) The department may provide or cause to be provided, within budget constraints, initial stocks and supplies as required in the client's individualized written rehabilitation program.

(a) Occupational licenses will include any license, permit or other written authority required by a state, city, or other government unit to be obtained in order to enter an occupation or enter a small business.

(b) Occupational tools will include those customarily required for a worker to perform efficiently on the job and normally provided by workers in the same or similar trade or profession, and may also include specialized tools adapted to use for blind persons or any accompanying disabling condition the client may have. Any tools provided must be directly applicable and significantly useful in the employment or training of the client.

(c) Occupational equipment will include occupational fixtures normally found in places of business. These may consist of apparatuses, machinery, and appliances that are usually of a stationary nature during the time of utilization in a particular business trade or profession. However, self-powered vehicles may be provided under this section.

(d) Initial stocks will include the initial inventory of merchandise or goods necessary for a client entering self-employment. It may also include the initial purchase of livestock as a base stock and stocks of seed, fertilizer, fuel, etc., for farming or agricultural self-employment.

(e) Initial supplies will include expendable items necessary to enable the client to carry out the day-to-day operations and which are consumed on the premises in the course of the client's self-employment business.

(2) Occupational tools and equipment will be provided only when provision of such items becomes central to the effective training of a client for a specific occupation or trade and/or effective placement in and employment, self-employment, or post-employment setting where the items will be used.

(3) Initial stocks and supplies will be provided only when a client enters a self-employment business.

(4) The specific kinds of items and the particular methods by which they may be provided under this section

are addressed in detail in the department's procedures governing their provision.

(5) The matters of accountability, legal title, insurance, maintenance and similar considerations with regard to occupational tools, equipment, initial stocks and supplies are addressed in detail in the department's procedures governing their provision.

(6) In the provision of items under this section, thorough consideration will be given to similar benefits and resources available to the client.

(7) Occupational licenses, tools, equipment, initial stocks, and supplies will be provided based on the clients' economic need.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-448, filed 12/15/83. Formerly WAC 67-20-448.]

WAC 67-25-452 Vocational rehabilitation services provided—Other goods and services. (1) Such other goods and services may be provided to the client as are essential to a determination of his/her rehabilitation potential, to his/her rehabilitation plan, or to render him/her fit to engage in a gainful occupation.

(2) The provision of other goods and services shall be conditioned upon the economic need of the client except when provided in connection with diagnostic services.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-452, filed 12/15/83. Formerly WAC 67-20-452.]

WAC 67-25-500 Purchase of services. The department may purchase training from schools or sheltered workshops, or from business establishments which offer on-the-job training services.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-500, filed 12/15/83. Formerly WAC 67-20-500.]

WAC 67-25-505 Purchase of services—Selection criteria—Schools. (1) In determining whether a particular school is appropriate and acceptable as a training facility, the vocational rehabilitation counselor shall evaluate the curriculum, quality of training, and adequacy of total resources in relation to the client's needs. The vocational rehabilitation counselor may also consider such factors as the placement services, if any, offered by the facility, the convenience of the physical arrangements of the plant and their adaptability to the needs of the client, and the willingness of school authorities to adopt and make available such equipment as is necessary to aid the client in the most efficient pursuit of his training.

(2) The use of schools for training purposes shall generally be limited to those which are accredited, licensed, or approved either by a legal authority, or are recognized as adequate by the professional or trade group with which they are associated. The department shall attempt to utilize for training purposes those schools and other training facilities which provide the client with the credits, credentials, diplomas, or other certifications required by the profession or trade which is the goal of the client's rehabilitation program.

(3) Tax supported schools shall be used in preference to nontax supported schools whenever possible and appropriate in light of the vocational objective of the client in question.

(4) Prior to the use of a school as a training facility the vocational rehabilitation counselor shall advise the client involved about the status of the school in which the training program will be carried out. The client shall be made particularly aware of any limitation of job opportunities which might result from the use of a school or facility of limited or no accreditation.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-505, filed 12/15/83. Formerly WAC 67-20-505.]

WAC 67-25-510 Purchase of services—Selection criteria—Employment training facilities. A business or industrial establishment which is to be utilized by the department for the provision of employment training services shall meet the following criteria:

- (1) The facility has personnel qualified for instructional purposes by knowledge, skills, and personality;
- (2) The facility has sufficiently diversified operations and adequate and suitable materials and equipment to insure a trainee thorough preparations and training within the scope and limits of his occupational objective;
- (3) The training of clients is only incidental to the business activity of the facility, and in no case shall the major activity of the facility be the training of clients.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-510, filed 12/15/83. Formerly WAC 67-20-510.]

WAC 67-25-525 Termination of services for reason of ineligibility. (1) Services under a written program are to be terminated on the basis that a vocational goal cannot be achieved and the client is then no longer eligible.

(2) Whenever it has been determined based on clear evidence that an individual is ineligible for vocational rehabilitation services there shall be a certification, dated and signed by an appropriate staff member and placed in the individual's file.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-525, filed 12/15/83. Formerly WAC 67-20-525.]

WAC 67-25-530 Termination of services for reasons other than ineligibility. Vocational rehabilitation services shall be terminated when a client:

- (1) Has died;
- (2) Cannot be located by the department after reasonable efforts to do so;
- (3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time;
- (4) Has moved to another jurisdiction and the department has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction;
- (5) Removes himself/herself for consideration by declining to accept or utilize vocational rehabilitation services after all reasonable efforts have been expended to encourage participation.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-530, filed 12/15/83. Formerly WAC 67-20-530.]

WAC 67-25-540 Completion of vocational rehabilitation program. Services shall be terminated on the basis of the completion of the client's vocational rehabilitation if:

(1) The program of rehabilitation services as set forth in the client's rehabilitation plan has, insofar as possible, been completed. Services may be terminated in spite of the failure to comply with this requirement only if the vocational rehabilitation counselor and the client have mutually decided that it is necessary and/or appropriate for the client to accept employment before completing the total plan of services set forth in his rehabilitation program; and

(2) Substantial rehabilitation services have been rendered to the client by the department. No client shall be terminated as rehabilitated unless the department has provided him/her with the following substantial services:

(a) Adequate and necessary guidance in developing an understanding of his/her capacities and limitations, his/her vocational potentialities, and the health, personal, and social problems related to his/her vocational adjustment;

(b) Assistance in understanding the services available from the department and other community resources and in obtaining and utilizing these services to achieve the best possible vocational adjustment;

(c) Counseling and assistance in adjusting to situations encountered during the rehabilitation process, such as control of anxieties concerning physical restoration, development of appropriate study and work habits, improving personal appearance, managing finances, and devising effective interpersonal relationships;

(d) Completion of alternative skills training.

(3) The client must have been, as a minimum, determined to have achieved a suitable employment objective which has been maintained for a period of time not less than sixty days. An occupation shall be considered suitable when, after a reasonable period of time has passed since placement, it has been confirmed that the following conditions have, insofar as possible, been met:

(a) The client and employer are mutually satisfied;

(b) The client is maintaining adequate interpersonal relationships and acceptable behavior in the employment environment;

(c) The occupation is consistent with the client's capacities, skills, and abilities;

(d) The employment and working conditions will not aggravate the client's disability, and his disability in the employment situation will not jeopardize the health or safety of himself/herself or others;

(e) The wage and working conditions conform to state and federal legal requirements;

(f) The employment is regular, reasonably permanent, and the client receives a wage commensurate with that paid other workers for similar work.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-540, filed 12/15/83. Formerly WAC 67-20-540.]

WAC 67-25-545 Notification of termination. The department shall provide written notification to every individual who has applied for services whenever any determination is made to terminate services to them. Such written notice shall specify in detail the reasons for the department's decision to terminate services and shall clearly

inform the client of his/her right to an administrative review, a fair hearing on the decision, and judicial review.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-545, filed 12/15/83. Formerly WAC 67-20-545.]

WAC 67-25-550 Confidential information—Disclosure. (1) The term "confidential information" shall mean all information and records as to personal facts regarding any past or present clients of the department, given or made available to the department, its representatives, or its agents in the course of the administration of the vocational rehabilitation program, including, but not limited to, lists of clients' names and addresses, information with respect to clients' financial resources, records of the department's evaluations of factual information regarding a client, and all other information about a client, whether recorded or not recorded.

(2) The department shall disclose confidential information, whether directly or indirectly, only under the following circumstances:

- (a) Where necessary to and directly connected with the administration of the vocational rehabilitation program; or
- (b) Where required by order of a court of competent jurisdiction; or
- (c) Where the client has given his/her informed consent in writing to such disclosure; or
- (d) Where necessary for purposes of audit to determine compliance with standards and regulations.

(3) The department shall refuse to disclose confidential information even when disclosure has been expressly or impliedly requested by the client if the information in question has been provided to the department on the basis that it will not be disclosed to the client. Information so withheld shall be briefly identified and listed, and said list shall be provided to the client or his/her authorized representative. Such confidential information shall be provided to the client only under the following circumstances:

- (a) Where the person or agency which provided the information has given the department express written authorization to release the information to the client; or
- (b) Where, during the course of a fair hearing, the hearing officer has made a determination that the information in question is relevant and material to the issue under appeal and has ordered that said information be made available to the client.

(4) Confidential information may be disclosed or released to an employer in connection with the placement of a client. The department shall release to an employer only such confidential information regarding a client as is essential to his/her successful placement.

(5) Confidential information may be disclosed or released to welfare agencies or programs from which the client has requested services if:

- (a) The client has requested services under circumstances from which his/her consent may be presumed;
- (b) The welfare agencies or programs involved have adopted regulations which will assure that the confidential information disclosed will continue to be held confidential; and
- (c) The welfare agency or program involved can assure that the confidential information disclosed shall be used only

in connection with application for and receipt of services from such agency or program.

(6) Confidential information may be disclosed or released to organizations or individuals engaged in research if:

- (a) The research is directly connected with the administration of the vocational rehabilitation program;
- (b) The organization or individual has furnished satisfactory assurance that the confidential information will be used only in connection with the research purposes for which it is provided;
- (c) The organization or individual furnishes satisfactory assurance that the final product of the research shall not reveal any information that might serve to identify any person about whom information has been obtained from the department without the written consent of the person involved and of the department.

(7) Upon written request, information shall be released to the client, or, as appropriate, his parent, guardian, or other representative in connection with any proceeding or action for benefits or damages, including any proceeding or action against any public agency: Provided,

- (a) That only such information as is relevant to the needs of the client shall be released; and
- (b) In the case of medical or psychological information, the knowledge of which may be harmful to the client, such information will be released to the parent, guardian, or other representative of the client by the department, or to the client by a physician or by a licensed or certified psychologist.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-550, filed 12/15/83. Formerly WAC 67-20-550.]

WAC 67-25-560 Administrative review. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the department or its agents with regard to his/her vocational rehabilitation case may file a request with the department for, and shall thereupon receive, an administrative review by the director or his/her designee, or a fair hearing by an administrative law judge.

(2) A client who requests an administrative review shall indicate by signature that he/she has been informed of administrative review and fair hearing rights and procedures, and that, if he/she elects an administrative review, the forty-five day time period for scheduling a fair hearing is waived until conclusion of the administrative review process.

(3) A request for administrative review may be made by the client, a parent or guardian, or by an advocate working in the client's interest and with the client's permission. The request may be made to any agency representative either verbally or in writing. A verbal request shall promptly be reduced to writing by the agency representative receiving the request.

- (4) All requests for administrative review shall:
 - (a) Specify the date of the decision or action being appealed;
 - (b) Specify as precisely as possible the issue to be resolved by the administrative review;
 - (c) Set forth the address of the client or of his/her representative; and
 - (d) Be signed by the client or by his/her representative.

(5) A request for an administrative review must be made within sixty days after receiving notice from the department of the decision or action by the department which is the basis for the request for review.

(6) An administrative review and redetermination shall be provided by the director's designee, and shall be provided within thirty days after the submission of the request for review.

(7) Within twenty-one days after the conclusion of the administrative review the designee shall certify his/her findings to the client in writing specifying in reasonable detail the reasons for his/her findings and informing the client of his/her right to request and receive a fair hearing if dissatisfied with those findings.

[Statutory Authority: Chapter 74.18 RCW. 90-11-047 § 67-25-560, filed 5/11/90, effective 6/11/90. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-560, filed 12/15/83. Formerly WAC 67-20-560.]

WAC 67-25-570 Fair hearing. (1) Any client who feels aggrieved by or is otherwise dissatisfied with any decision or action by the department or its agents with regard to his/her vocational rehabilitation plan or is dissatisfied with the results of an administrative review may request from the department, and shall thereupon be granted, a fair hearing. A client who desires a fair hearing shall request such hearing within sixty days after the date of the decision or action by the department which is the basis for the request for fair hearing.

(2) A request for fair hearing shall be sent to the Director, Department of Services for the Blind at 521 East Legion Way, Olympia, WA 98504, who will forward it to the office of administrative hearings.

(3) The office of administrative hearings will schedule a fair hearing within forty-five days of the receipt of the request for fair hearing.

(4) The administrative law judge will make an initial decision and forward this initial decision to the client and/or their designated representative and to the director of the department of services for the blind, who will make a final determination.

(5) The director will notify the client within fifteen days of receipt of the administrative law judge's initial decision that the initial decision is accepted as the final determination, or; the director will notify the client within fifteen days of receipt of the administrative law judge's initial decision that the director will review the initial decision of the administrative law judge.

(6) If the director fails to notify the client of his/her intent to review the administrative law judge's decision within fifteen days, the administrative law judge's decision becomes the final determination.

(7) If the director decides to review the decision of the administrative law judge, the client, or, if appropriate, the client's parent, legal guardian, or other representative shall be provided the opportunity for submission of additional evidence and information relative to the final determination.

(8) The director will make a final determination within thirty days after the date of the decision of written notice of intent to review the administrative law judge's initial decision.

(9) The director will base the decision to review the decision of the administrative law judge on one or more of the following criteria:

(a) The initial decision appears arbitrary, capricious, or otherwise unreasonable;

(b) The initial decision does not appear to be supported by substantial evidence;

(c) The impartial hearing officer has not given adequate and appropriate consideration to federal statute and regulations, the department state plan, the department procedures manual, state agency options in service delivery authorized by federal statute, restrictions on service provision specified by federal statute, or approved state or federal policies.

(10) A client who is dissatisfied with the final result of the fair hearing process may file a petition for review in superior court.

[Statutory Authority: Chapter 74.18 RCW. 90-11-047 § 67-25-570, filed 5/11/90, effective 6/11/90; 88-09-006 (Order 88-1), § 67-25-570, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-570, filed 12/15/83. Formerly WAC 67-20-570.]

WAC 67-25-590 Client records. The department will maintain for each applicant for vocational rehabilitation services a case record which will include to the extent pertinent, the following information:

(1) Documentation as to the preliminary diagnostic study, supporting the determination of eligibility, or the determination that an extended evaluation of rehabilitation potential is necessary to make such determination;

(2) In the case of individuals who have applied for vocational rehabilitation services and have been determined to be ineligible, documentation as to the preliminary diagnostic study specifying the reasons for such determination;

(3) Data supporting any determination that the handicapped individual is a severely handicapped individual;

(4) Documentation as to periodic assessment of the individual during an extended evaluation of rehabilitation potential;

(5) An individualized written rehabilitation program as developed and any amendments to such program;

(6) In the event the physical and mental restoration services are provided documentation supporting the determination that the clinical status of the handicapped individual is stable or slowly progressive;

(7) Documentation supporting any decision to provide services to family members;

(8) Data relating to the participation by the handicapped individual in the cost of vocational rehabilitation services;

(9) Data relating to the eligibility of the individual for similar benefits under any other program;

(10) Documentation that the individual has been advised of the confidentiality of all information pertaining to his case and documentation and other material pertinent to the release of any information concerning the handicapped individual on the basis of the written consent of the handicapped individual;

(11) Documentation as to the reason and justification for closing the case, including the employment status of the client, and if the individual is determined to be rehabilitated, the basis on which the employment was determined to be suitable;

(12) Documentation of any plans for the provision of post-employment objective has been achieved, the basis on which such plans were developed, and a description of the services provided and the outcomes achieved;

(13) Documentation as to any action and decision involving the handicapped individual's request for an administrative review of agency action; fair hearings; and judicial review; and

(14) In the case of an individual who has been provided vocational rehabilitation services under an individualized written program but who has been determined after the initiation of such services to be no longer capable of achieving a vocational goal, documentation of any reviews of such determination.

[Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-590, filed 12/15/83. Formerly WAC 67-20-590.]

Chapter 67-35 WAC

VENDING FACILITY PROGRAM FOR THE BLIND

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 67-35-055 Licensee—Former or current out-of-state. [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.] Repealed by 93-09-013, filed 4/12/93, effective 5/13/93. Statutory Authority: Chapter 74.18 RCW.
- 67-35-056 Challenge test licensee. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-056, filed 4/16/84.] Repealed by 93-09-013, filed 4/12/93, effective 5/13/93. Statutory Authority: Chapter 74.18 RCW.
- 67-35-080 Vendor scoring—Explanation. [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.] Repealed by 92-10-024, filed 4/29/92, effective 5/30/92. Statutory Authority: Chapter 74.18 RCW.

WAC 67-35-010 Description—Purpose. The vending facility program for the blind is a part of the vocational rehabilitation program for the blind. The purpose of the vending facility program is to provide increased employment opportunities for blind citizens of the state, and at the same time, provide a visible demonstration of the normal skills of blind persons. The Washington state department of services for the blind, vending facility program, provides training and placement of blind persons in vending facilities. The primary function of this program is to provide the opportunity for the blind person to become a successful, independent business person. This is accomplished through varied informative training programs, establishment and maintenance of vending facilities, continuous professional guidance and administrative support. By legislation, blind persons participating in the vending facility program are given preference in the operation of vending facilities on federal, state, county, municipal, and other local governmental property.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-010, filed 12/15/83. Formerly WAC 67-32-010.]

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 business enterprise program staff at the Department of Services for the Blind, 521 East Legion Way, Mailstop FD-11, Olympia, WA 98504-1422, phone (206) 586-0277, toll-free 1-800-552-7103. An application for service under the business enterprise program must be made to a vocational rehabilitation counselor located in any office of the department of services for the blind.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-020, filed 10/13/89, effective 11/13/89. 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) "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.

(6) "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.

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

(8) "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.

(9) "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.

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

(11) "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.

(12) "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.

(13) "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).

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

(15) "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.

(16) "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.

(17) "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.

(18) "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).

(19) "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) "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.

(i) "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.

(ii) "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.

(iii) "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.

(c) "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.

(20) "Vending machine" means any coin-operated machine offering food, refreshments, tobacco or sundries for sale.

(21) "Primary location" means any location that is acquired through the bid process pursuant to the provisions of WAC 67-35-070.

(22) "Nonprimary location" means any location that is bid per WAC 67-35-070 and is awarded for a temporary period of time not to exceed one year from the date of award.

[Statutory Authority: Chapter 74.18 RCW. 94-11-054, § 67-35-030, filed 5/10/94, effective 6/10/94; 93-10-067, § 67-35-030, filed 5/3/93, effective 6/3/93; 92-10-024, § 67-35-030, filed 4/29/92, effective 5/30/92. 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 Licensing applicants. 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 test;

(7) Successfully complete a vendor training program including on-the-job training arranged by the business enterprise staff.

[Statutory Authority: Chapter 74.18 RCW. 93-09-013, § 67-35-040, filed 4/12/93, effective 5/13/93. 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 67-35-045 Licensee an individual person—Not a corporate entity. The status of a licensee is a relationship between the department and an individual who is blind. A corporation cannot receive a license nor otherwise receive services and considerations under this chapter or other department programs. This rule will not affect the individual's right to establish a corporation for purposes other than services and considerations under this chapter or other department programs.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-045, filed 12/15/83. Formerly WAC 67-32-045.]

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 67-35-051 Licensees—Geographic availability—Certification. Licensees are required to indicate geographic availability at time of certification. 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. Their reinstatement will be determined by the business enterprise director in conjunction with the vendors' committee.

[Statutory Authority: 74-18 [chapter 74.18 RCW]. 95-01-066, § 67-35-051, filed 12/15/94, effective 1/15/95.]

WAC 67-35-060 Selecting a licensee or vendor to operate vending facility—Notice. When a vending facility becomes available a "notice of available facility" is prepared by the vending facility program staff and sent to all licensees and vendors. The "notice of available facility" will contain sufficient information to enable licensees and vendors to determine if they are interested in applying to become the vendor in the available facility. A closing time and date for accepting applications is specified in the "notice," but in no event shall the closing time be less than ten business days from the date of mailing, unless the department declares an

emergency requiring less than ten business days notice. Only written applications will be accepted. Lack of response from a licensee or vendor within the allotted time period will be considered to be a negative response. Applications are date stamped when they are received.

[Statutory Authority: Chapter 74.18 RCW. 92-10-024, § 67-35-060, filed 4/29/92, effective 5/30/92. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-060, filed 12/15/83. Formerly WAC 67-32-060.]

WAC 67-35-070 Selecting a vendor or licensee to operate a primary location vending facility. When a primary location vending facility becomes available, the business enterprise staff will send a written "notice of availability" to all vendors and all licensees as indicated by WAC 67-35-060.

A licensee or vendor bidding on the available primary location must submit their interest in writing to the department by 5:00 p.m. on the closing date of the bid. Bids received after the closing time and date will not be considered and the bids will be returned to the bidder.

ELIGIBILITY REQUIREMENTS TO BID ON A PRIMARY LOCATION

(1) If only one otherwise eligible (see subsections (2) through (8) of this section) vendor or licensee bids on an available vending location, that individual will receive that available location.

(2) A vendor must have been assigned to and have actively operated their present location for a minimum of twelve months. If there are no eligible bidders on a primary location, bids will be accepted from vendors who are eligible and have less than twelve months at their present location.

(3) Vendors must have provided the department with current monthly financial statements and have shown a cumulative total net profit on their last twelve months financial statements. Vendors who have not operated a vending facility for twelve consecutive months must use their certification test score for bidding purposes.

(4) Former vendors, who operated a vending facility within the last twelve months, and have provided the department with their most current monthly financial statements, must show a cumulative total net profit on their last twelve months financial statement. If they have not been a business enterprise vendor within the last twenty-four months, they will be required to take the certification test and they will use this score for bidding purposes.

(5) Licensees must have completed the agency sponsored training program and have taken the certification test and received a passing score of seventy percent or better.

(6) Vendors, former vendors, and licensees must include a completed job application with their bid indication. Additional information is encouraged but is not a replacement for the application.

(7) Be current in the payment of all federal and state taxes, Social Security taxes, unemployment taxes, and worker's compensation.

(8) Not owe the department of services for the blind for any back rents, missing equipment, or back inventories.

INTERVIEW PANEL COMPOSITION

The panel will include one representative of the business enterprise program, one representative of the vendors

committee, and one representative of the building management of the available location.

APPLICATION SCREENING PROCESS

The interview panel will receive and review all of the applications of the vendors who responded to the notice of availability plus applications of the licensees with the top two scores on the certification test.

Applicants will be selected based on their education and prior work experience in: Operating a similar food service facility to the one on the notice of availability, operating a different type of food service facility, participation in the business enterprise program all state meetings, and vendor committee meetings, or other program support and career enhancement training programs at colleges or universities.

Each panel member will select five applicants. Those applicants as well as the two licensees will be scheduled for an interview. The total number of applicants to be interviewed will not exceed seventeen.

THE INTERVIEW PROCESS

During the interview the panel will complete an applicant rating form for each applicant. The panel will rate each applicant on the interview questions and will use those ratings as guidelines for final selection. The panel selects the applicant who will operate the location.

All interviewed applicants will be notified of the results of the interview.

[Statutory Authority: 74-18 [chapter 74.18 RCW]. 95-01-066, § 67-35-070, filed 12/15/94, effective 1/15/95. Statutory Authority: Chapter 74.18 RCW. 92-10-024, § 67-35-070, filed 4/29/92, effective 5/30/92; 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 67-35-071 Operation of a vending facility in the absence of an assigned vendor. When a vendor resigns, leaves, or is removed from a facility, the department may appoint an operator for that facility on an emergency basis until the department is able to select a permanent vendor for that facility as outlined in WAC 67-35-060.

[Statutory Authority: Chapter 74.18 RCW. 93-01-026, § 67-35-071, filed 12/7/92, effective 1/7/93.]

WAC 67-35-072 Vendor status—Loss of any vending facility to the VF program. 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. 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 submit an application for facilities as they become available.

[Statutory Authority: 74-18 [chapter 74.18 RCW]. 95-01-066, § 67-35-072, filed 12/15/94, effective 1/15/95. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-072, filed 4/16/84.]

WAC 67-35-075 Selection of a licensee or vendor to operate a vending facility during a leave of absence of a

vendor. When a vendor is granted a leave of absence in accordance with WAC 67-35-415, all licensees and vendors will be informed of the available location. The terms and conditions of the leave of absence and selection of the licensee or vendor will be in accordance with the selection processes utilized for the selection for any available location. A licensee or vendor assuming the responsibility for a location and entering into an agreement in accordance with WAC 67-35-090 of this chapter will, during a leave of absence of the assigned vendor, be entitled to the profits, or salary or profits, generated by the location in accordance with all contracts and agreements, and will be given thirty days notice prior to the termination of the leave of absence.

A licensee assuming responsibility for a location, who wishes to be considered for selection into an available location as a vendor, will retain his/her certification score until a score can be given based upon his/her performance in the location in the same way that all vendors achieve scores.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-075, filed 12/15/83. Formerly WAC 67-32-075.]

WAC 67-35-078 Nonprimary location vending facility—How awarded or assigned. When a notice of availability of a primary vending facility is bid per WAC 67-35-060 and 67-35-070, and there are no primary bids received, the department will accept bids for the same facility as a nonprimary vending facility. If there are no primary or nonprimary bids the department, in consultation with the blind vendors committee, will decide if the facility should remain in the business enterprise program.

[Statutory Authority: Chapter 74.18 RCW. 93-01-026, § 67-35-078, filed 12/7/92, effective 1/7/93.]

WAC 67-35-082 Vendor selection 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: Chapter 74.18 RCW. 93-01-026, § 67-35-082, filed 12/7/92, effective 1/7/93. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-082, filed 4/16/84.]

WAC 67-35-090 Assignment to a vending facility—Agreement. To execute the assignment of a licensee or vendor to a vending facility, the licensee or vendor shall enter into an agreement with the department which states the terms and conditions of the assignment to the specific vending facility. The department will provide each vendor with a copy of these rules which include the description of the arrangements for providing services. The department will take adequate steps to assure that each vendor understands the provisions of any permit, contract or agreement under which he/she operates as evidenced by the vendor's signed statement. No vendor will operate a vending facility unless he/she signs a vendor agreement. An existing agreement between the department and a vendor is automatically terminated when the vendor signs a new agreement with the department.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-090, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-090, filed 12/15/83. Formerly WAC 67-32-090.]

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 67-35-110 Discrimination prohibited. The department, through its staff or any other agency, through any contract, permit or agreement is prohibited from discriminating against any licensee or vendor on the basis of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-110, filed 12/15/83. Formerly WAC 67-32-110.]

WAC 67-35-120 State committee of blind vendors—Election—Representation—Meetings. The committee of blind vendors consists of seven vendors elected by vendors representing three geographical areas of the state, Eastern Washington, Northwest Washington, and Southwest Washington. A minimum of one vendor will be elected from each geographical area and one committee vendor is elected at large by all vendors on a state-wide basis.

(1) Members of the committee are elected for a two-year term and are elected during the month of January. Four of the committee members are elected during odd-numbered years and three committee members are elected during even-numbered years. Any vendor serving as a representative who chooses to transfer, ceases to be a vendor, or who promotes to a vending facility outside the area that he/she represents, thereby relinquishes membership in the vendors committee. The vendors in an area having lost such vendor committee representation shall elect a replacement vendor committee person for the remainder of that term. All vendors are entitled to vote in the election. The committee elects its own chair and vice-chair.

(2) There will be a minimum of four blind vendor committee meetings per year. Additional meetings can be called by the manager of the business enterprise program or by the chair of the vendors committee.

(3) The department will conduct all elections and pay for all expenses in connection therewith and publish the results.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-120, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-120, filed 12/15/83. Formerly WAC 67-32-120.]

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 develop-

ment 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 disbursed 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 disburse 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 67-35-150 Federal vending machine income—Use as determined. (1) Vending machine income received by the department as described in WAC 67-35-140(4) shall be known as federal vending machine income.

(2) Each year the blind vendors will vote to utilize the federal vending machine income for retirement or pension, health insurance, paid sick leave, or paid vacation.

(3) Any federal vending machine income not necessary for proposal described in subsection (2) of this section shall become set aside funds and will be used for the repair of vending facility equipment, the replacement of obsolete or worn-out vending facility equipment, the purchase of new or additional vending facility equipment in existing facilities, management services, and the costs necessary to the conduct of the state blind vendor's committee.

Statutory Authority: RCW 74.28.200 - 74.28.230 [74.18.200 - 74.18.230], 86-08-010 (Order 86-2), § 67-35-150, filed 3/21/86. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-150, filed 12/15/83. Formerly WAC 67-32-150.]

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 67-35-170 Business enterprises revolving fund—Uses. All moneys in the business enterprises revolving fund shall be expended only for equipment, services and payment to vendors in the vending facility program.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-170, filed 12/15/83. Formerly WAC 67-32-170.]

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 67-35-200 Department responsibility—Architecture and construction. The department will select and provide architectural services and follow through on construction of the facility, within the guidelines prescribed by the state department of general administration, division of engineering and architecture, the state division of health and the local health department having jurisdiction.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-200, filed 12/15/83. Formerly WAC 67-32-200.]

WAC 67-35-210 Department responsibility—Initial equipment—Initial stock and supplies. The department will provide suitable initial equipment necessary for the efficient operation of the vending facility. The department

will provide funds for the initial stock and supplies, necessary business licenses, fees and deposits, and minimum operating cash required to commence operation of the facility, as determined by the vending facility program.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-210, filed 12/15/83. Formerly WAC 67-32-210.]

WAC 67-35-220 Title to initial equipment—Right to initial stock and cash. The right, title to and interest in initial equipment as provided for in WAC 67-35-210 will be vested in the department. The right to and interest in the initial stock, and minimum operating cash provided under WAC 67-35-210 shall continue with the department to the extent that should the vendor discontinue to operate the vending facility, the vendor or vendor's heirs will furnish to the department an equal monetary amount of saleable stock and cash which may be transferred to the next vendor.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-220, filed 12/15/83. Formerly WAC 67-32-220.]

WAC 67-35-230 Department and vendor responsibility—Maintained facility and equipment. (1) The department will, within program resources, maintain or cause to be maintained each facility in good repair and attractive condition. The department will, within program resources, or in accordance with terms and conditions of the permit or contract, replace, or cause to be replaced obsolete or worn-out equipment.

(2) Vendors shall pay repair charges for each separate repair job on vending facility equipment of two hundred dollars or ten percent of the cost of repair, whichever is greater. For purposes of this subsection, repair or a repair job shall mean the cost associated with a single visit of a repair technician to a vending facility without respect to the amount of equipment being repaired, or multiple visits, and/or contact relative to the repair of a single item.

(3) When a vendor takes over the operation of a vending facility, the department will within program resources, pay for all repair charges during the first six months and the two hundred dollars or ten percent deduction will not apply.

(4) The remainder of the charges for repair or maintenance of vending facility equipment described in subsections (2) and (3) of this section shall be paid for from set aside funds. If set aside funds are entirely depleted, the vendor shall pay the costs of repair of vending facility equipment at his/her facility.

(5) For purposes of this section, vending facility equipment shall include equipment provided by the department and equipment furnished as a part of the contract or permit for which the department and operator assumes the responsibility of maintenance.

[Statutory Authority: Chapter 74.18 RCW. 94-15-052, § 67-35-230, filed 7/15/94, effective 8/15/94. Statutory Authority: RCW 74.28.200 - 74.28.230 [74.18.200 - 74.18.230]. 86-08-010 (Order 86-2), § 67-35-230, filed 3/21/86. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-230, filed 12/15/83. Formerly WAC 67-32-230.]

WAC 67-35-240 Department responsibility—Vendor-owned equipment. The vendor may purchase with the knowledge of the department vending facility equipment. The department shall retain a first option to repurchase such

equipment if vendor places the equipment up for sale. In the event the vendor dies, or for any reason ceases to be a vendor, ownership of such equipment that is necessary for the operation of the facility shall become vested in the department for transfer to a successor vendor subject to an obligation on the part of the department to pay to the vendor, or the vendor's estate the fair value of the equipment. The vendor, the vendor's personal representative or next of kin shall be entitled to an opportunity for a full evidentiary hearing with respect to the determination of the necessity of the equipment or the amount to be paid by the department for the vendor's ownership in the equipment. When dissatisfied with any decision rendered as the result of such hearing, the vendor, the vendor's personal representative or next of kin, may file a complaint with the secretary under 45 CFR, section 1369.13 to request the convening of an ad hoc arbitration panel.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-240, filed 12/15/83. Formerly WAC 67-32-240.]

WAC 67-35-250 Department responsibility—Advance training. The department will provide vendors with an opportunity to obtain training and information so as to increase their skills and assist them in upward mobility. This training and information shall include training provided by the vending facility program; opportunity to engage in home study through the use of tape recorded instructions provided by the department; and at least one instructional meeting per year conducted by the blind vendors committee with the assistance of the department.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-250, filed 12/15/83. Formerly WAC 67-32-250.]

WAC 67-35-260 Department responsibility—Opening for business. The department will assist the vendor upon request in procuring the necessary business licenses and permits; in selecting the necessary employees; and otherwise assist a vendor in opening a new facility for business.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-260, filed 12/15/83. Formerly WAC 67-32-260.]

WAC 67-35-270 Department responsibility—Consultation. The staff of the vending facility program is available to the vendor during regular office hours either in person or by telephone, to work with the vendor in resolving problems; and to develop procedures to secure a maximum net profit for the vendor; the maximum service to the patrons; and a feeling of cooperation between building management, the blind vendor and the department.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-270, filed 12/15/83. Formerly WAC 67-32-270.]

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 67-35-290 Department responsibility—Contact with property management. The staff of the vending facility program will make regularly scheduled contacts with the property management person controlling the property where the vending facility is located to determine if terms of the permit or contract are being met and to process any other problems or requests which may exist.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-290, filed 12/15/83. Formerly WAC 67-32-290.]

WAC 67-35-300 Department responsibility—Negotiation with vending machine companies. The staff of the vending facility program may negotiate agreements with vending machine companies for the installation of vending machines in public buildings and determine where the net proceeds from each machine shall go.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-300, filed 12/15/83. Formerly WAC 67-32-300.]

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

\$1,000,000.00 each person personal injury,
\$1,000,000.00 each occurrence personal injury, and
\$1,000,000.00 each occurrence property damage; or
insurance coverage specified in the permit or contract, whichever is greater. A vendor operating a vending facility is required by the department to have this insurance and is required to provide proof of insurance to the department on an annual basis. Failure to have this insurance will result in suspension.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-310, filed 10/13/89, effective 11/13/89; 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 67-35-320 Vendor responsibility—Independent—Not state employee. The vendor is an independent vendor in the vending facility program and in no way can be considered to be an employee of the department. The blind vendor receives all profits from the vending facility except as provided for in WAC 67-35-140(4).

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-320, filed 12/15/83. Formerly WAC 67-32-320.]

WAC 67-35-330 Vendor responsibility—Applicable federal and state laws, rules and regulations. The vendor will assume responsibility for securing and renewing all necessary business licenses and paying all fees required by and for the operation of the facility. It is the responsibility of the vendor to operate the facility in accordance with all federal and state laws, rules and regulations; including applicable health laws, rules and regulations.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-330, filed 12/15/83. Formerly WAC 67-32-330.]

WAC 67-35-340 Vendor responsibility—Vending facility management—Nondiscrimination. The vendor is responsible for maintaining a high level of customer service to assure the maintenance of the vending location and accommodate within reasonable limits other persons who may come to the facility. Determination of appropriate vending facility management activities will be in accordance with generally accepted practices in the food service industry and satisfaction of the building population and the building management. No customer or employee can be discriminated against by reason of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-340, filed 12/15/83. Formerly WAC 67-32-340.]

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 67-35-360 Vendor responsibility—Miscellaneous equipment—Initial stock and supplies—Minimum operating cash. It is the vendor's responsibility to maintain miscellaneous equipment, initial stock and supplies, and minimum operating cash originally furnished by the department, unless otherwise specified by the terms and conditions of a permit or contract. Any vendor whose agreement with the department has been terminated for any reason is responsible to return to the department miscellaneous equipment, initial stock and supplies, and minimum operating cash equal in monetary value to those originally furnished by the vending facility program. Any vendor refusing to comply with the responsibilities in this section shall have their license terminated.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-360, filed 12/15/83. Formerly WAC 67-32-360.]

WAC 67-35-370 Vendor responsibility—Cooperate. It is the responsibility of the vendor to cooperate with the duly authorized representative of the department in connection with their official responsibilities; to take no action derogatory to, or inconsistent with the paramount right, title and interest of the department of services for the blind to the vending facility, its equipment, or the contract or permit with the management of the property where the facility is located.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-370, filed 12/15/83. Formerly WAC 67-32-370.]

WAC 67-35-380 Vendor responsibility—Reports. It is the vendor's responsibility to submit such reports of the operation of the vending facility at such times, and in such formats, as the department may from time to time require. The reports may include, but not necessarily be limited to, the following items for the reporting period: Gross sales, beginning inventory, purchases, ending inventory, gross profit, personnel costs, other expenses, total expenses, net profit, percentage of profit, other income and total profit.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-380, filed 12/15/83. Formerly WAC 67-32-380.]

WAC 67-35-390 Vendor responsibility—Accounts payable. The vendor will be responsible for the payment of all goods and services, materials and merchandise, received from suppliers subsequent to the initial stock and supplies provided by the department. The vendor must assure each supplier that accounts are based on the vendor's credit record or reference.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-390, filed 12/15/83. Formerly WAC 67-32-390.]

WAC 67-35-400 Vendor responsibility—Employment of staff. The vendor is responsible for sufficient staff to assure the efficient operation of the facility and to provide adequate service to the customers. The vendor's relationship to his/her employed staff shall be the normal employer-employee relationship existing in private business enterprises.

(1) In the employment of a temporary relief vendor the vendor shall give preference to a licensee of the vending facility program.

(2) The vendor will maintain all records, make all payments, and make all reports required of an employer by federal, state and local statutes.

(3) The vendor will pay employees an agreed upon wage in accordance with applicable state and federal laws and/or contract provisions.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-400, filed 12/15/83. Formerly WAC 67-32-400.]

WAC 67-35-410 Vendor responsibility—Rebates. Rebates, commissions or bonuses received by the vendor from suppliers must be accounted for as income of the vending facility. Under no circumstances can such funds be treated as separate personal funds of the vendor.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-410, filed 12/15/83. Formerly WAC 67-32-410.]

WAC 67-35-415 Leave of absence for prolonged illness or physical incapacity. A vendor in the business enterprises program may request and may be granted a leave of absence for a period of up to twelve months.

A vendor may request a leave of absence when the vendor is unable to maintain his/her responsibilities in a location by reason of a physical or mental condition. A leave of absence will be granted to a vendor:

(1) Only when such request is initiated by that vendor; and

(2) When the mental or physical condition is verified by a medical doctor licensed to practice in the state of Washington; and

(3) Such condition is so prolonged and/or so serious as to cause strong doubt on the part of the vendor and the agency as to the vendor's capacity to maintain full management of his/her location; and

(4) For a total maximum period not to exceed twelve months.

The vendor who has been granted a leave of absence will retain his/her license. His/her agreement to manage a location will be held in abeyance during the leave of absence.

A leave of absence will be terminated by the department at the end of twelve months of [or] sooner, and the vendor will resume the responsibility for his/her location and the agreement reinstated when the mental or physical condition no longer prohibits the vendor from maintaining responsibilities for his/her location.

(5) When verified by a medical doctor licensed to practice in the state of Washington; and/or

(6) When verified by a statement of completion of a program of training or retraining designed to overcome the effects of the mental or physical condition necessitating a leave of absence.

A leave of absence will be terminated by the department at the end of twelve months or sooner, and the vendor's license and/or agreement will be terminated:

(a) When the mental or physical condition is of such duration or severity, as verified by a medical doctor licensed to practice in the state of Washington, that it renders the vendor unable to resume responsibility for the management of that location; and/or

(b) When the vendor fails to complete a program of training or retraining designed to overcome the effects of the mental or physical condition and is unable to resume responsibility for the management of that location.

Upon granting a vendor a leave of absence, the department will assume responsibility for that vendor's location. The department will select a licensee or vendor to manage the location. In the event a licensee or vendor is not available to assume the responsibility of a location while the vendor is on a leave of absence, the department may make such arrangements as necessary to assure the ongoing management of such location. Any profits available in excess to those necessary to secure the management of the location shall accrue to the business enterprises revolving fund.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-415, filed 12/15/83. Formerly WAC 67-32-415.]

WAC 67-35-420 Termination of license—Termination of agreement for cause only. The license to participate in the program is issued for an indefinite period of time. However, the vendor's license and vendor's agreement with the department may be terminated after a thirty-day notice and/or after affording the vendor or licensee an opportunity for a full evidentiary hearing if the department finds that the vending facility is not being operated in accordance with its rules, the terms and conditions of the permit or contract, or the terms and conditions of the agreement between the

vendor and the department. Following the completion of the thirty-day notice the vendor's license will be terminated and the vendor's agreement shall be terminated pending completion of the full evidentiary hearing process, the convening of any ad hoc arbitration panel and court review. Following termination of the vendor's agreement the department will operate the vending facility until any grievance procedure is completed. The net profit from the operation of the vending facility during this time will be placed in trust in the business enterprises revolving fund for disbursement in accordance with any final decision of the grievance process.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-420, filed 12/15/83. Formerly WAC 67-32-420.]

WAC 67-35-425 Termination of vendor's agreement—Not affecting licensure. A vendor's agreement will be terminated without affecting licensure under any of the following three conditions:

(1) When a vendor ceases to be a vendor of an existing vending facility by voluntary withdrawal in writing;

(2) When the vending facility ceases to be a vending facility by revocation of the permit or contract by either the department or by building management;

(3) When the vendor signs a new vendor agreement.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-425, filed 12/15/83. Formerly WAC 67-32-425.]

WAC 67-35-430 Reasons for suspension of license prior to evidentiary hearing. If the department determines that its right, title to and interest in a vending facility is in eminent jeopardy due to the action, or lack of action of the vendor or licensee, the department may suspend the license of the vendor or licensee and remove the vendor or licensee from the vending facility, pending an informal resolution of the problem, a full evidentiary hearing, or the decision of an ad hoc arbitration panel. The department may suspend a vendor or licensee for the following reasons:

(1) Failure to provide the department with vendor financial reports, and to provide them within the established time frame.

(2) Failure to purchase vendor liability insurance for his/her vending facility as required in WAC 67-35-310 and/or failure to provide the department with proof of said insurance.

(3) The vendor ceases to meet any of the requirements to qualify as a licensee or vendor as required in chapter 67-35 WAC.

(4) The vendor or licensee abandons the vending facility. The vending facility shall be considered abandoned when no services are provided for three or more consecutive working days and/or when there is no designated employee in charge of the operation.

(5) When the department decides that the vending facility is not being operated in accordance with the law, applicable regulations, terms and conditions of the permit, and/or contract or the vendor agreement governing such vending facilities.

(6) Any willful or malicious destruction of, theft of, or any failure to exercise necessary care for the equipment furnished by the department or agency named in the permit and/or contract.

(7) When the conduct of the vendor seriously interferes with any aspect of the operation of the vending facility. Such conduct includes, but is not limited to, the following:

- (a) Fraud.
- (b) Consumption of controlled substances and/or alcohol on the job.
- (c) Inexcusable neglect of duties as a vendor.
- (d) Embezzlement.
- (e) Falsifying reports.
- (f) Failure to submit to a medical eye examination when requested by the department.
- (g) Any other actions or behavior which would seriously jeopardize the vending facility.
- (h) Failure to pay taxes, fees, and/or debts arising from the operation of the vending facility.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-430, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-430, filed 12/15/83. Formerly WAC 67-32-430.]

WAC 67-35-440 Suspension or termination of license—Other reasons. The license of a licensee or vendor may be suspended or terminated automatically for any of the following reasons:

- (1) Improvement of vision so that the licensee or vendor no longer meets the definition of blindness in WAC 67-35-030(2);
- (2) Withdrawal of the licensee or vendor from the program upon written notification to the department.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-440, filed 12/15/83. Formerly WAC 67-32-440.]

WAC 67-35-450 Termination of license—Disuse. If after two years the licensee has not participated in any of the vending facility programs as identified in this chapter, the department will terminate the license after a thirty-day notice and/or after affording the licensee an opportunity for a full evidentiary hearing.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-450, filed 12/15/83. Formerly WAC 67-32-450.]

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 67-35-470 Administrative review. All licensees and vendors will be advised of their right to an administrative review on any decision or action, or inaction, taken by the department regarding service provided the licensee or vendor under this chapter, or request for such service. The request for an administrative review must be filed within thirty days of the date of the decision, action or inaction, or lack of service being appealed.

The request for an administrative review may be made verbally or in writing and may be filed in any office of the department. A verbal request will promptly be reduced to writing by the department staff member receiving the request, and shall include the name and address of the licensee or vendor requesting the administrative review, the name and address of the representative (if any) of the licensee or vendor; the date of the request for administrative review; the date of the decision or action, or inaction, being appealed; as precisely as possible the issue to be resolved by the administrative review; and the signature of the licensee or vendor, or his/her representative.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-470, filed 12/15/83. Formerly WAC 67-32-470.]

WAC 67-35-480 Administrative review—Who—When—Where. The administrative review will be conducted by the supervisor of the vending facility program unless the supervisor is a party to the decision, action or inaction being reviewed, in which case the supervisor's supervisor shall conduct the administrative review. The administrative review will be held and a decision rendered within fifteen days of receipt of a request for administrative review. The review will be held at a department office or in a location selected by the department in the county in which the licensee or vendor resides. Upon request of the vendor or licensee, the department may arrange and pay for transportation from the vendor's or licensee's home to the place of the hearing and return. The rate of payment will be at the current state allowance for state employees. Upon request of the vendor or licensee, the department may arrange for and pay a reader or other communication service to be available to the vendor or licensee for the purpose of reviewing materials directly pertinent to the administrative review. The reader or other communication service will be paid the current federal minimum wage. Upon request of the vendor, the department may arrange for and pay a relief operator during the vendor's absence from the vending facility for the purpose of administrative review. Within funds available the costs (1) for transportation, (2) for a reader or other communication service, and (3) for a relief operator shall be paid as management services as set forth in WAC 67-35-150. After the conclusion of the administrative review the person conducting the administrative review will certify his/her findings to the licensee or vendor in writing, specifying in detail the findings and decision of the administrative review, and informing the licensee or vendor of his/her right to request a full evidentiary hearing if dissatisfied with the decision.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-480, filed 12/15/83. Formerly WAC 67-32-480.]

WAC 67-35-490 Full evidentiary hearing. A licensee or vendor who desires a full evidentiary hearing will request such hearing within thirty days after receiving notice from the department of the findings and decision of the administrative review, or within thirty days of the department's failure to hold a fair hearing, or to render a decision in a fair hearing. The request for a full evidentiary hearing may be made verbally or in writing, and may be filed in any office of the department. If made verbally such request will

promptly be reduced to writing as specified in WAC 67-35-470. A full evidentiary hearing shall be provided by the director of the Washington department of services for the blind, or his/her designee; and will be held within thirty days after the submission of the request. The full evidentiary hearing will be held in a location as specified in WAC 67-35-480.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-490, filed 12/15/83. Formerly WAC 67-32-490.]

WAC 67-35-500 Full evidentiary hearing—Right to information. Upon the filing of a request for a full evidentiary hearing the licensee or vendor shall be informed of all information in the case file and shall have the right of access to, and may examine any file or record owned by the department regarding his/her case which may contain information relevant and material to his/her grievance; except for documents and information disclosure of which is prohibited by federal or state law, and/or rules and regulations. This right of access to and examination of information shall be extended to the licensee's or vendor's representative, attorney and/or the blind vendors committee when functioning as an advocate for the licensee or vendor if so authorized in writing by the licensee or vendor or his/her legal guardian.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-500, filed 12/15/83. Formerly WAC 67-32-500.]

WAC 67-35-510 Full evidentiary hearing—Transcript. A transcript of the testimony of the full evidentiary hearing will be made by the department, and a copy of this transcript shall be made available to the aggrieved party upon request.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-510, filed 12/15/83. Formerly WAC 67-32-510.]

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.]

WAC 67-35-525 Hearing officer—Certain purposes. For the purpose of the provisions of WAC 67-35-490, 67-35-520 and 67-35-070(7), the director will contract with a hearing officer who will be an attorney licensed to practice in the state of Washington or will contract with another state agency for the services of a hearing officer(s) who will be equally qualified. Within funds available, the hearing officer may be paid as a management service as set forth in WAC 67-35-150 when hearing the appeals of vendors and licensees.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-525, filed 12/15/83. Formerly WAC 67-32-525.]

WAC 67-35-910 Vendor agreement.

This VENDOR AGREEMENT entered in this day of , 19. . . by and between the Department of Services for the Blind, hereinafter referred to as the department, and , hereinafter referred to as the vendor.

Name and Address of Facility
City: , Washington

IT IS HEREBY AGREED:

1. The provisions of the permit and/or contract between the department and the property management as now exists and chapter 67-35 WAC (the business enterprise program rules), which described the rights and responsibilities of the department and the rights and responsibilities of the vendor, as presently exist are both by reference incorporated into and made part of this agreement.
2. The vendor is entitled to all profits of the vending facility, and vending machine revenue from site, except as provided for in WAC 67-35-140.
3. The vendor is responsible to submit reports to the department as required.
4. The vendor must maintain the business hours agreed upon or as stated in the permit and/or contract.
5. The vendor shall receive a copy of the permit and/or contract and all applicable department rules.
6. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:
\$1,000,000.00 each person personal injury,
\$1,000,000.00 each occurrence personal injury, and
\$1,000,000.00 each occurrence property damage or insurance coverage specified in the permit and/or contract, whichever is greater.
7. Vendors are accountable to the department for equipment assigned to their location. The vendor is responsible for maintaining the equipment in a clean and sanitary condition.
8. The vendor shall not discriminate in the employment of persons on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
9. The vendor or the vendor's employees shall not subject customers to discrimination or deny them participation in, or the benefits of the vending facility on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
10. The department staff shall provide management services as defined in WAC 67-35-030 on a sys-

tematic basis. Consultation shall occur at least on a semiannual basis.

- 11. The department may upon forty-five days notice terminate the license and/or terminate the agreement with the vendor for failure to operate the facility in accordance with the permit and/or contract or the vending facility rules and shall provide an opportunity for a full evidentiary hearing as provided for in WAC 67-35-420, except in those instances where aggravated emergency conditions require immediate termination of license and/or termination of agreement and removal of the vendor due to gross neglect or misconduct, as provided for in WAC 67-35-430.
12. The vendor may terminate this agreement upon giving forty-five days written notice to the department.
13. This agreement is automatically terminated when the permit or contract with the contracting agency is terminated.
14. The vendor will sign a facility equipment and stock agreement.

I HEREBY CERTIFY THAT I FULLY UNDERSTAND THE ARTICLES AND TERMS SET FORTH IN THE ABOVE AGREEMENT AND HAVE RECEIVED COPIES OF THE FACILITIES OPERATING PERMIT AND/OR CONTRACT AND THE BUSINESS ENTERPRISE PROGRAM RULES.

Signed: Date:, 19. (Vendor)

Name of vendor: (please type)

Signed: Date:, 19. (Department of Services for the Blind)

Name of staff: Title:

[Statutory Authority: 74-18 [chapter 74.18 RCW]. 95-01-066, § 67-35-910, filed 12/15/94, effective 1/15/95. Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-910, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-910, filed 12/15/83. Formerly WAC 67-32-910.]

Chapter 67-55 WAC CHILD AND FAMILY SERVICES

WAC

- 67-55-010 Purpose and description.
67-55-020 Referral for services.
67-55-030 Initial interview.
67-55-035 Eligibility for services.
67-55-040 Eligibility criteria.
67-55-050 Child and family services—Services provided.
67-55-060 Termination.

WAC 67-55-010 Purpose and description. The authority for child and family services are established in RCW 74.16.300, 74.16.400 and 74.16.490. The purpose of this program is to provide services to blind children and their families in order to facilitate the child's optimum participation in school and society.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-010, filed 12/15/83. Formerly WAC 67-50-010.]

WAC 67-55-020 Referral for services. Referrals of children for child and family services shall be accepted from any and all sources.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-020, filed 12/15/83. Formerly WAC 67-50-020.]

WAC 67-55-030 Initial interview. (1) The department shall interview all referrals to child and family services and/or their families as soon as possible following referral.

- (2) At the initial interview the interviewer shall:
(a) Explain to the child and/or his family the nature and scope of available services as they relate to the child.
(b) Inform the child and/or his family of the right to confidentiality of information possessed by the department.
(c) Obtain any information necessary in determining eligibility for child and family services.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-030, filed 12/15/83. Formerly WAC 67-50-030.]

WAC 67-55-035 Eligibility for services. The department shall make eligibility determination as to every referral for child and family services. The determination of eligibility shall be made as soon as possible after referral.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-035, filed 12/15/83. Formerly WAC 67-50-035.]

WAC 67-55-040 Eligibility criteria. (1) To be eligible for child and family services an individual must be between the ages of birth and twenty-one years.

(2) Any child below the age of twenty-one years who has completed high school or has discontinued his/her formal education shall not be eligible for child and family services. Such children shall be referred for vocational rehabilitation or other appropriate resources.

(3) Eligibility for child and family services shall be dependent on documentation of a visual impairment including one or more of the following conditions:

- (a) Legal blindness or visual handicap as they are customarily defined, either in terms of qualifying reduction in visual acuity and/or a qualifying reduction in visual fields.
(b) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.
(c) Reductions in both visual acuity and visual fields such that the effect is substantially that of legal blindness, or visual efficiency is so reduced as to have substantially the same effect as legal blindness.

(d) A visual impairment which makes it impossible for a child to compete successfully in school and other childhood endeavors.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-040, filed 12/15/83. Formerly WAC 67-50-040.]

WAC 67-55-050 Child and family services—Services provided. Services provided by child and family services include:

- (1) Direct consultation with children and their families to provide developmental training, general counseling, needs

assessment, and information regarding other available resources.

(2) Direct consultation and technical assistance to teachers, administrators and other educational personnel in order to facilitate adequate programs for blind and visually handicapped children.

(3) Direct consultation and technical assistance to other professionals who work with blind and visually handicapped children.

(4) Periodic follow-up throughout the child's term of eligibility to assure continuation of appropriate services.

(5) Continuity of case management and facilitation of transition to vocational rehabilitation at the appropriate time.

(6) Advocacy in all sectors of society for blind and visually handicapped children and/or their families to assure their rights to participate fully in the educational, vocational and social endeavors of society in general.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-050, filed 12/15/83. Formerly WAC 67-50-050.]

WAC 67-55-060 Termination. A child shall be terminated from child and family services for the following reasons:

- (1) The child has completed high school;
- (2) The child has withdrawn from school prior to his/her senior year and does not intend to return;
- (3) The child has reached the age of twenty-one years;
- (4) The child's vision improves to a degree which no longer meets the criteria for eligibility;
- (5) The child moves from the state of Washington; or
- (6) The child and/or his/her family requests termination.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-060, filed 12/15/83. Formerly WAC 67-50-060.]

Chapter 67-75 WAC

INDEPENDENT LIVING SERVICES

WAC

67-75-010	Purpose and definition.
67-75-020	Referral for services.
67-75-030	Initial interview.
67-75-040	Eligibility for services—Criteria.
67-75-042	Certification for decision of eligibility or ineligibility.
67-75-044	Notice to applicant.
67-75-050	Independent living services—Services provided.
67-75-060	Termination of services.
67-75-070	Administrative review.
67-75-075	Fair hearing.

WAC 67-75-010 Purpose and definition. The authority for independent living services is established in section 18, chapter 194, Laws of 1983. The purpose of this program is to provide independent living services designed to meet the current and future needs of blind individuals who currently are not feasible for vocational rehabilitation and who need services in order to function more independently in their living environment.

[Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-010, filed 12/15/83.]

WAC 67-75-020 Referral for services. (1) Referrals of elderly blind individuals, blind individuals with significant

other medical problems, and blind multiply handicapped individuals shall be accepted from all sources.

(2) All referrals to the independent living program shall be made through the department of services for the blind.

(3) Department personnel may refer individuals to the independent living program as a result of reviewing current and past cases which have been found to be ineligible for vocational rehabilitation services.

[Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-020, filed 12/15/83.]

WAC 67-75-030 Initial interview. (1) The department shall interview all new referrals to the independent living program as soon as possible following referrals.

(2) At the initial interview the interviewer shall:

(a) Explain to the individual the nature and scope of available services as they relate to the individual's need;

(b) Inform the individual of the right to confidentiality of information possessed by the department;

(c) Obtain any information necessary in determining eligibility for independent living services.

[Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-030, filed 12/15/83.]

WAC 67-75-040 Eligibility for services—Criteria.

(1) Eligibility requirements are applied without regard to sex, race, creed, color, marital status, sexual orientation, religion, or natural origin of the individual applying for service. No group of individuals is excluded from service solely on the basis of the type of disability or on the basis of age.

(2) No residence requirement is imposed which excludes from services any individual who is present in the state.

(3) Eligibility is based only upon:

(a) The presence of a severe physical or mental disability, which shall include a visual disability defined as follows:

(i) Legal blindness or visually handicapped as they are customarily defined either in terms of a qualifying reduction in visual acuity and/or a qualifying reduction in visual field.

(ii) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.

(iii) Reduction in both visual acuity and visual fields is such that the effect is substantially that of legal blindness, or visual efficiency is reduced so as to have substantially the same effect as legal blindness.

(iv) A visual impairment which makes it impossible for the individual to perform successfully in one or more of life's functions;

(b) The presence of a severe limitation in ability to function independently in family or community or to engage or continue in employment; and

(c) A reasonable expectation that independent living rehabilitation services will significantly assist the individual to improve his or her ability to function independently in family or community or to engage or continue employment.

For purposes of determining an individual's eligibility for independent living services, improvement in ability to function independently in family or community refers to a demonstration in functional and behavioral terms of an individual's greater independence or maintenance of independence in such areas as self-care, activities of daily living,

driving, using public transportation, shopping, housekeeping, communicating, or living more independently.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-040, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-040, filed 12/15/83.]

WAC 67-75-042 Certification for decision of eligibility or ineligibility. (1) There will be a certification that the individual has met the basic eligibility criteria. The statement of eligibility will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Whenever it has been determined on the basis of clear evidence that an individual is ineligible for independent living services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher. Certifications of ineligibility shall indicate the reasons for the ineligibility determination and shall be made only after full consultation with the individual or, as appropriate, his or her parent, guardian, or other representative, or after giving a clear opportunity for this consultation.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-042, filed 4/17/92, effective 5/18/92.]

WAC 67-75-044 Notice to applicant. (1) The individual shall be notified in writing of the action taken on eligibility or ineligibility.

(2) The individual shall be informed of the department's procedure for administrative review and fair hearings and the services available through the client assistance program if he or she is dissatisfied with the department's decision.

(3) If the applicant was determined to be ineligible for independent living services, the certification shall clearly specify how he or she failed to meet the criteria of eligibility. The individual shall be notified in writing of the determination of ineligibility and of his or her rights and the means by which he or she may express and seek remedy for any dissatisfactions, including the department's procedures for administrative review and fair hearings and the services available through the client assistance program.

(4) If the applicant was determined to be eligible for independent living services, the notice shall clearly specify the date of certification of eligibility.

(5) If an applicant was determined ineligible, he or she shall be given a full opportunity to participate in the review and reconsideration of eligibility no later than twelve months after the determination was made. The review need not be conducted in situations where the individual refuses the review, the individual is no longer present in the state, or the individual's whereabouts is unknown.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-044, filed 4/17/92, effective 5/18/92.]

WAC 67-75-050 Independent living services—Services provided. Services provided by the independent living program shall include:

(1) Internal services provided through the rehabilitation teaching staff such as:

- (a) Intake interview and counseling;
- (b) Needs assessment;
- (c) Specific skills teaching;
- (d) Referral to other resources;

(2) External services purchased by the department from community based service delivery systems such as:

- (a) Intake interview and counseling;
- (b) Needs assessment;
- (c) Specific skills teaching;
- (d) Medical consultation;
- (e) Occupational therapy/physical therapy;
- (f) Information and referral;
- (g) Advocacy in all sectors of society to maximize opportunities for access in social, recreational, medical/health care facilities.

[Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-050, filed 12/15/83.]

WAC 67-75-060 Termination of services. Independent living services shall be terminated when a client:

- (1) Has died.
- (2) Cannot be located by the department after reasonable efforts to do so.
- (3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time.
- (4) Has moved to another jurisdiction and the department has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction.

(5) Removes himself for consideration by declining to accept or utilize independent living services after all reasonable efforts have been expended to encourage participation.

- (6) Completes a program of services as planned.

[Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-060, filed 12/15/83.]

WAC 67-75-070 Administrative review. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the department or its agents with regard to his or her independent living case may file a request with the department for, and shall thereupon receive, an administrative review by the director or his/her designee, or a fair hearing by an administrative law judge.

(2) Clients of the department's independent living program will utilize the administrative review policies and time frames of the department's vocational rehabilitation program, covered in VR WAC 67-25-560.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-070, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-070, filed 12/15/83.]

WAC 67-75-075 Fair hearing. (1) Any client who feels aggrieved by or is otherwise dissatisfied with any decision or action by the department or its agents with regard to his or her independent living plan or is dissatisfied with the results of an administrative review may request from the department, and shall thereupon be granted, a fair hearing.

(2) Clients of the department's independent living program will utilize the administrative review policies and time frames of the department's vocational rehabilitation program, covered in VR WAC 67-25-560.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-075, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-075, filed 12/15/83.]