

# 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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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 Repealed by 84-01-040 (Order 83-06), filed 12/15/83.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.	67-20-110	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.
67-20-030	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.	67-20-120	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.
67-20-050	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.	67-20-180	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.
67-20-055	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.	67-20-185	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.
67-20-060	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.	67-20-190	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.
67-20-070	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.	67-20-200	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.
67-20-075	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.	67-20-255	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.
67-20-077	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.	67-20-260	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.
67-20-080	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.	67-20-270	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.
67-20-085	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.	67-20-275	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.
67-20-090	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.	67-20-280	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.
67-20-095	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.	67-20-281	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.
67-20-100	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.	67-20-300	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.
67-20-105	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.		

- 67-20-325 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 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.

**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. 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 67-32**  
**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.

- 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.
- 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.
- 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 67-45

## 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

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12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-050.  
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.
- 67-10-090 Requests for public records.
- 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.

(1999 Ed.)

(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.

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(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.

Form with fields: 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)

Form with fields: 1. Name, 2. Address, 3. Zip code, 4. Phone number, 5. Representing (if applicable), 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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67-25-325 Services available from other agencies.
67-25-326 Services to special groups of individuals with disabilities.
67-25-350 Vocational rehabilitation—Services provided.
67-25-360 Vocational rehabilitation services—Comparable services and benefits.
67-25-380 Vocational rehabilitation services—Counseling and guidance.

67-25-384	Vocational rehabilitation services—Physical and mental restoration services.		042 (Order 83-08), § 67-25-281, filed 12/15/83. Formerly WAC 67-20-281.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-388	Vocational rehabilitation services—General training provisions.		
67-25-390	Vocational rehabilitation services—Training—Institutions of higher education.	67-25-385	Vocational rehabilitation services—Physical and mental restoration. [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.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-394	Vocational rehabilitation services—Training—On-the-job.		
67-25-395	Vocational rehabilitation services—Training—College and trade school.		
67-25-396	Vocational rehabilitation services—Training—Vocational adjustment.	67-25-392	Vocational rehabilitation services provided—Training—Trade schools. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-392, filed 12/15/83. Formerly WAC 67-20-392.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-398	Vocational rehabilitation services—Training—Adaptive skills of blindness.		
67-25-399	Vocational rehabilitation services—Transition services for students.		
67-25-400	Vocational rehabilitation services—Maintenance.		
67-25-404	Vocational rehabilitation services—Transportation.	67-25-420	Vocational rehabilitation services—Rehabilitation teaching services. [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.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-408	Vocational rehabilitation services—Services to family members.		
67-25-412	Vocational rehabilitation services—Interpreter services for individuals who are deaf.		
67-25-416	Vocational rehabilitation services—Reader services.		
67-25-418	Vocational rehabilitation services—Personal assistance services.	67-25-428	Vocational rehabilitation services—Orientation and mobility services. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-428, filed 12/15/83. Formerly WAC 67-20-428.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-432	Vocational rehabilitation services—Rehabilitation technology and telecommunications.		
67-25-436	Vocational rehabilitation services—Supported employment services and extended services.		
67-25-440	Vocational rehabilitation services—Placement.		
67-25-444	Vocational rehabilitation services—Post-employment services.	67-25-500	Purchase of 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.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-446	Vocational rehabilitation—Services to groups.		
67-25-448	Vocational rehabilitation services—Occupational licenses, tools, equipment, initial stocks and supplies.	67-25-505	Purchase of services—Selection criteria—Schools. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-505, filed 12/15/83. Formerly WAC 67-20-505.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-452	Vocational rehabilitation services provided—Other goods and services.		
67-25-540	Individualized written rehabilitation program—Successful rehabilitation.		
67-25-545	Notification of termination.		
67-25-550	Confidential information—Protection, use and release.		
67-25-560	Administrative review.	67-25-510	Purchase of services—Selection criteria—Employment training facilities. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-510, filed 12/15/83. Formerly WAC 67-20-510.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-570	Fair hearing.		
67-25-590	Client records.		

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

67-25-105	Extended evaluation—Revision of program. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-105, filed 12/15/83. Formerly WAC 67-20-105.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.	67-25-525	Termination of services for reason of ineligibility. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-525, filed 12/15/83. Formerly WAC 67-20-525.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-120	Certification of termination of extended evaluation and notice. [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.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.	67-25-530	Termination of services for reasons other than ineligibility. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-530, filed 12/15/83. Formerly WAC 67-20-530.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
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.		
67-25-281	Vocational rehabilitation program—Notification of rights. [Statutory Authority: 1983 c 194 § 18. 84-01-		

**WAC 67-25-005 Definitions.** (1) "Act" or "the law," except when context indicates otherwise, means the Rehabilitation Act of 1973 (29 U.S.C. Section 701 et seq.), as amended.

(2) "Applicant" means an individual who has submitted to the department an application or letter requesting vocational rehabilitation services in accordance with WAC 67-25-010.

(3) "Assessment" means one or more of the following as appropriate in each case:

(a) A preliminary assessment to determine eligibility of an individual with a disability for vocational rehabilitation services;

(b) A comprehensive vocational assessment of the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and needs, including the need for sup-

ported employment services, in the most integrated setting possible, consistent with the individual's informed choice. The assessment will be used to determine, with the individual, the employment objective to be achieved, and a detailed plan of services needed to attain an employment outcome;

(c) An extended evaluation, for a total period not exceeding eighteen months, if there is a question about the applicant's ability to benefit in terms of an employment outcome from vocational rehabilitation services due to severity of the disability.

(4) "Client assistance program (CAP)" means a program, authorized under Section 112 of the act, which assists individuals with disabilities to receive vocational rehabilitation services by providing information and advocacy.

(5) "Community rehabilitation program" means a program that provides directly or facilitates the provision of one or more vocational rehabilitation services which enable individuals with disabilities to maximize opportunities for employment, including career advancement. Services include:

(a) Medical, psychiatric, psychological, social, and vocational services provided under one management;

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

(c) Recreational therapy;

(d) Physical and occupational therapy;

(e) Speech, language and hearing therapy;

(f) Psychiatric, psychological and social services, including positive behavior management;

(g) Assessment for determining eligibility and vocational rehabilitation needs;

(h) Rehabilitation technology;

(i) Job development, placement, and retention services;

(j) Evaluation or control of specific disabilities;

(k) Assessment and training in adaptive skills of blindness;

(l) Extended employment;

(m) Psychosocial rehabilitation services;

(n) Supported employment services and extended services;

(o) Services to family members when necessary for the vocational rehabilitation of the participant;

(p) Personal assistance services; or

(q) Services similar to those described in (a) through (p) of this subsection.

(6) "Competitive employment" means work that:

(a) In the competitive labor market is performed on a full-time or part-time basis in an integrated setting; and

(b) For which an individual is compensated at or above the minimum wage, but not less than the customary or usual wage paid by the employer for the same or similar work performed by individuals who are not disabled.

(7) "Department of services for the blind" means the legal authority in its entirety:

(a) "Advisory council" means the members appointed by the governor as the vocational rehabilitation advisory council.

(b) "Department" means 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 certification," when used in relation to an individual's qualification for vocational rehabilitation services, means a certification that:

(a) The individual is legally blind or has a visual impairment which alone or combined with other disabilities results in a substantial impediment to employment; and

(b) Vocational rehabilitation services are required for the individual to prepare for, enter, engage in, or retain gainful employment.

(10) "Employment outcome" means entering or retaining:

(a) Full-time or, if appropriate, part-time competitive employment (including supported employment) in the integrated labor market;

(b) Self-employment;

(c) Business enterprises;

(d) Homemaking;

(e) Farm or family work (including work for which payment is in kind rather than in cash);

(f) Extended employment; or

(g) Other employment consistent with the participant's abilities, capabilities, interests, and informed choice, as supported by an assessment for determining vocational rehabilitation needs in accordance with WAC 67-25-255 and 67-25-257.

(11) "Individual with a disability" for purposes of this chapter means an individual who:

(a) Has a physical or mental impairment which results in a substantial impediment to employment; and

(b) Can benefit in terms of an employment outcome from vocational rehabilitation services.

(12) "Individual with a severe disability" means an individual:

(a) Who has a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

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

(c) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs.

(13) "Individual's representative" means a parent, guardian, family member, advocate, or other representative authorized by the participant.

(14) "Integrated setting" means a setting typically found in the community in which an individual with a disability, including those with the most severe disabilities, interacts with nondisabled individuals, other than service providers, to the same extent that nondisabled individuals in comparable settings interact with other persons.

(15) "Legal blindness" means a physical impairment defined as:

(a) Central visual acuity of 20/200 or less in the better eye with correcting lenses; or

(b) 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°.

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

(17) "Ophthalmic consultant" means 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 vocational rehabilitation counselors and rehabilitation teachers regarding procedures and prognosis relating to eye conditions.

(18) "Participant" means any individual with a disability:

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

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

(19) "Physical or mental impairment" means an injury, disease, or other disorder that materially reduces, or if not treated will probably result in materially reducing, mental or physical functioning. The term "physical impairment" includes legal blindness and/or visual impairment.

(20) "Rehabilitation teacher" (RT) means an employee of the department who has responsibility to:

(a) Provide or supervise the provision of all vocational rehabilitation services to participants with a vocational objective of homemaker; and

(b) Provide adaptive skills of blindness assessment and training to all vocational rehabilitation participants as needed.

(21) "Rehabilitation technology" means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

(22) "Residence" or "residency" means, for purposes of this chapter, voluntarily living in the state for other than temporary reasons at the time of application.

(23) "Special modes of communication" means specialized media systems for individuals with disabilities including:

(a) Interpreters, open and closed captioned videos, and use of specialized services such as telecommunication

devices and relay services for individuals who are deaf or hearing impaired;

(b) Materials in Braille, large print, or audio recordings for individuals who are blind; and

(c) Special materials for individuals who are deaf-blind.

(24) "Substantial impediment to employment" means a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, and other related factors) which impedes an individual's occupational performance, by hindering or by preventing him or her from obtaining, retaining, or preparing for employment consistent with his or her capacities and abilities.

(25) "Visual impairment" for purposes of this chapter, means a physical condition defined as follows:

(a) Visual acuity in the best eye between 20/200 and 20/70 with correction; or

(b) Angle of vision subtends between 20° and 30°; or

(c) Severe functional visual problem; or

(d) A progressive condition which ultimately will lead to a visual impairment or to legal blindness.

(26) "Vocational rehabilitation counselor" (VRC) means an employee of the department who has direct responsibility for providing or supervising the provision of all vocational rehabilitation services to a participant.

(27) "Vocational rehabilitation services" means any goods or services necessary for a participant to achieve an employment outcome. (See WAC 67-25-350 for description and limitations.)

[Statutory Authority: Chapter 74.18 RCW, 98-23-078, § 67-25-005, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-005, filed 2/28/95, effective 3/31/95. 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 individual who is legally blind or who has a visual impairment may apply for vocational rehabilitation services, including any individual who has previously applied for, has previously received, or has previously been denied such services.

(2) Any individual who is legally blind or who has a visual impairment seeking to obtain vocational rehabilitation services from the department shall submit a written letter or application for services to the department.

(3) The written letter or application for services shall be signed and dated by the individual requesting services or, if appropriate, by the individual's representative, and shall include:

(a) The applicant's name and address;

(b) The applicant's disability; and

(c) The applicant's Social Security number.

(4) The department shall not provide vocational rehabilitation services to any individual who has failed to submit a signed, and dated letter or application containing the above information.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-010, filed 2/28/95, effective 3/31/95. 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 other appropriate staff member as soon as possible upon receipt of an application by the department.

(2) 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 on his or her behalf through: Administrative appeal in accordance with WAC 67-25-560; fair hearing in accordance with WAC 67-25-570; and judicial review;

(c) Inform the applicant of his or her right of confidentiality of information possessed by the department in accordance with WAC 67-25-550;

(d) Provide to the applicant a description of client assistance program services; and

(e) Obtain information from the applicant necessary to determine his or her eligibility for vocational rehabilitation services.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-015, filed 2/28/95, effective 3/31/95. 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 assessment.** (1) A preliminary assessment shall be conducted for each applicant to determine whether:

(a) The individual is legally blind or has a visual impairment which alone or combined with other disabilities results in a substantial impediment to employment; and

(b) Vocational rehabilitation services are required for the individual to prepare for, enter, engage in, or retain an employment outcome.

(2) The preliminary assessment shall, to the maximum extent possible, be based on a review of existing data in accordance with confidentiality requirements. The assessment shall, where appropriate, include information provided by the individual or the individual's family, education records, information used by the Social Security Administration, and determinations made by other agencies.

(3) To the extent existing data do not describe the current functioning of the individual or are unavailable, insufficient, or inappropriate to make an eligibility determination, the assessment may include provision of vocational rehabilitation services necessary to determine whether the individual is eligible.

(4) The preliminary assessment must include an appraisal of the current visual condition of the applicant based on ophthalmological or optometric findings.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-020, filed 2/28/95, effective 3/31/95. 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 determine whether an individual is eligible for vocational rehabilitation services within sixty days after receipt of an application for services unless:

(a) The department notifies the individual that exceptional and unforeseen circumstances beyond the control of

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the department preclude completion of the determination within sixty days, and the individual agrees that an extension of time is warranted; or

(b) An extended evaluation as described in WAC 67-25-070 is required to determine eligibility.

(2) The department shall utilize results of the preliminary assessment and extended evaluation (if required) to determine eligibility.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-025, filed 2/28/95, effective 3/31/95. 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 evidence that:

(a) The individual is legally blind or has a visual impairment, as defined in WAC 67-25-005, which alone or combined with other disabilities results in a substantial impediment to employment; and

(b) Vocational rehabilitation services are required for the individual to prepare for, enter, engage in, or retain an employment outcome.

(2) It shall be presumed that an individual with a disability can benefit in terms of an employment outcome from vocational rehabilitation services unless the department can demonstrate by clear and convincing evidence that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of his or her disability.

(3) Eligibility requirements are applied without regard to the race, color, sex, religion, national origin, creed, marital status, or age of the applicant.

(4) No individual or group of individuals shall be found ineligible solely on the basis of the type of disability.

(5) No individual shall be found ineligible based on requirements for duration of residence.

(6) No individual shall be found ineligible solely on the basis of lack of U.S. citizenship.

(7) Eligibility requirements are applied without regard to the particular service needs or anticipated cost of services required by an applicant or the income level of an applicant or applicant's family.

(8) An individual who has a visual problem which does not result in an impediment to employment, but who may have other disabilities which might result in impediments to employment, may be referred to other service providers or may be provided services through a cooperative plan with other service providers.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-030, filed 2/28/95, effective 3/31/95. 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 shall be a certification of eligibility if the individual meets the requirements specified in WAC 67-25-030. The certification shall be dated and signed by the vocational rehabilitation counselor or other appropriate staff member.

(2) If the individual is determined ineligible for vocational rehabilitation services, there shall be a certification of

ineligibility which shall be dated and signed by the vocational rehabilitation counselor or other appropriate staff member.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-050, filed 2/28/95, effective 3/31/95. 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 Eligibility determination—Notice to applicant.** (1) The applicant shall be notified in writing, using special modes of communication or the individual's native language if necessary, of the action taken on eligibility or ineligibility.

(2) The individual shall be advised of the right to appeal any decision made by the department on his or her behalf including: The procedure for administrative review in accordance with WAC 67-25-560; fair hearing in accordance with WAC 67-25-570; and judicial review. A description of client assistance program services shall also be provided.

(3) If the applicant is determined ineligible for vocational rehabilitation services, the notice shall clearly specify how he or she failed to meet the eligibility criteria.

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

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-055, filed 2/28/95, effective 3/31/95. 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 67-25-056 Ineligibility determination—Review.** (1) The department shall initiate a review of an ineligibility determination within twelve months unless:

- (a) The individual has refused the review;
- (b) The individual is no longer present in the state; or
- (c) His or her whereabouts are unknown.

(2) Ineligibility determinations not requiring a review shall include a clear statement as to why the case does not require a review.

(3) If services have been provided under an individualized written rehabilitation program, in accordance with WAC 67-25-260, a determination of ineligibility based on evidence that the individual is incapable of achieving an employment outcome, in accordance with WAC 67-25-280, shall be reviewed annually if requested by the individual, or if appropriate, the individual's representative.

(4) The individual, or if appropriate, the individual's representative, shall be given an opportunity to participate in any review and reconsideration of eligibility.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-056, filed 2/28/95, effective 3/31/95.]

**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

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(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 of providing assessment and related vocational rehabilitation services to an applicant for the limited purpose of eligibility determination, if there is concern that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of his or her disability. Extended evaluation is provided only when an eligibility determination can not be made within the usual procedure.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-070, filed 2/28/95, effective 3/31/95. 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.** Eligibility for extended evaluation to determine an individual's ability to benefit in terms of an employment outcome from vocational rehabilitation services shall be based only upon evidence that:

(1) The individual is legally blind or has a visual impairment, as defined in WAC 67-25-005, which alone or combined with other disabilities results in a substantial impediment to employment;

(2) Vocational rehabilitation services are required for the individual to prepare for, enter, engage in, or retain gainful employment; and

(3) There is concern that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to severity of his or her disability.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-075, filed 2/28/95, effective 3/31/95. 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 an individual's ability to benefit in terms of an employment outcome from vocational rehabilitation services.** (1) Prior to, and as a basis for providing an extended evaluation to determine an individual's ability to benefit in terms of an employment outcome from vocational rehabilitation services, there shall be a certification that the individual meets eligibility criteria specified in WAC 67-25-075. The certification shall be dated and signed by the vocational rehabilitation counselor or other appropriate staff member.



(2) The participant shall receive written notification of the eligibility determination for extended evaluation using special modes of communication or the individual's native language if necessary.

(3) The participant shall be advised of the right to appeal any decision made by the department on his or her behalf, including: The procedure for administrative review in accordance with WAC 67-25-560; fair hearing in accordance with WAC 67-25-570; and judicial review. A description of client assistance program services shall also be provided.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-077, filed 2/28/95, effective 3/31/95. 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—Individualized written rehabilitation program.** (1) After certification for extended evaluation to determine an individual's ability to benefit in terms of an employment outcome from vocational rehabilitation services, an individualized written rehabilitation program shall be jointly developed, agreed upon, and signed by the vocational rehabilitation counselor or other appropriate staff member and the participant or, if appropriate, the individual's representative.

(2) The individualized written rehabilitation program for extended evaluation shall be designed to assess the participant's ability to benefit in terms of an employment outcome from vocational rehabilitation services consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual.

(3) The program shall include:

(a) Justification that an extended evaluation of the individual's ability to benefit in terms of an employment outcome from vocational rehabilitation services is necessary to determine eligibility;

(b) Specific and measurable intermediate rehabilitation objectives related to determination of eligibility;

(c) Specific vocational rehabilitation services to be provided to achieve the intermediate rehabilitation objectives;

(d) Projected initiation dates and the anticipated duration of each service;

(e) Objective criteria, and an evaluation procedure and schedule to determine whether goals and objectives are being achieved;

(f) The views of the individual, in the words of the individual, or, as appropriate, in the words of the individual's representative, describing how he or she was informed about and involved in choosing among alternative goals, objectives, services, providers, and methods used to procure or provide services, including alternatives in integrated settings;

(g) How, to the maximum extent possible, information will be provided to the individual, or if appropriate, to the individual's representative, in his or her native language or using special modes of communication;

(h) Terms and conditions for provision of vocational rehabilitation services, including:

(i) Responsibilities of the individual in implementing the program;

(ii) The extent to which goods and services shall be provided in integrated settings, consistent with the informed choices of the individual;

(iii) The extent to which comparable services and benefits are available to the individual under any other program;

(iv) The entity or entities that will provide services and the process used to provide or procure services;

(i) Information regarding the right to appeal any decision made on behalf of the individual by the department including the procedure for administrative review, fair hearing, and judicial review; and

(j) A description of client assistance program services.

(4) An individualized written rehabilitation program for extended evaluation shall be implemented in accordance with provisions for participation of the individual in WAC 67-25-270 and procedures for annual review in WAC 67-25-275.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-080, filed 2/28/95, effective 3/31/95. 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 may be provided as necessary during extended evaluation:

(1) Assessment to determine eligibility and vocational rehabilitation needs in accordance with WAC 67-25-020, 67-25-255, and 67-25-257;

(2) Counseling and guidance in accordance with WAC 67-25-412;

(3) Vocational and other training in accordance with WAC 67-25-388, 67-25-390, 67-25-394, 67-25-396, and 67-25-398, subject to limitations in WAC 67-25-360;

(4) Services to family members in accordance with WAC 67-25-408;

(5) Physical and mental restoration services in accordance with WAC 67-25-384;

(6) Maintenance in accordance with WAC 67-25-400;

(7) Interpreting and note-taking services for individuals who are deaf and tactile interpreting services for individuals who are deaf-blind in accordance with WAC 67-25-412;

(8) Reader services in accordance with WAC 67-25-416;

(9) Assessment and training in adaptive skills of blindness in accordance with WAC 67-25-257 and 67-25-398;

(10) Transportation in connection with provision of vocational rehabilitation services in accordance with WAC 67-25-404;

(11) Rehabilitation technology, including telecommunications in accordance with WAC 67-25-432;

(12) Referral and related services to help participants secure needed services from other agencies, including referral to the client assistance program;

(13) Transition services for students in accordance with WAC 67-25-399;

(14) Personal assistance services, including training in managing, supervising, and directing these services in accordance with WAC 67-25-418;

(15) Other goods and services in accordance with WAC 67-25-452, except as prohibited in WAC 67-25-090, necessary to determine the individual's eligibility for vocational rehabilitation services.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-085, filed 2/28/95, effective 3/31/95. 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 the participant's specific employment objective is determined and, therefore, shall not be provided under an extended evaluation plan:

- (1) Placement services including job search assistance, placement assistance, job retention services, and post-employment services in accordance with WAC 67-25-440;
- (2) Occupational licenses, tools, equipment, or initial stocks and supplies in accordance with WAC 67-25-448;
- (3) Business enterprises in accordance with WAC 67-25-448;
- (4) Supported employment services in accordance with WAC 67-25-436.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-090, filed 2/28/95, effective 3/31/95. 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 of services.** (1) The extended evaluation period shall not exceed eighteen months and shall begin on the date of certification for extended evaluation.

(2) Services shall be discontinued after the extended evaluation period unless the individual is determined eligible for vocational rehabilitation services in accordance with WAC 67-25-030.

(3) Only one extended evaluation shall be permitted while the case is open. If a case has been closed, it may be reopened and a subsequent extended evaluation may be conducted if eligibility criteria for extended evaluation specified in WAC 67-25-075 are met.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-095, filed 2/28/95, effective 3/31/95. 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.** (1) The individual's progress shall be assessed as necessary, but at least once every ninety days during an extended evaluation period.

(2) Assessments shall include reports from the service provider which shall be used to evaluate the results of service provision and whether the individual may be determined eligible or ineligible for vocational rehabilitation services.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-100, filed 2/28/95, effective 3/31/95. 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 67-25-110 Extended evaluation—Termination.** (1) An eighteen-month extended evaluation to determine an individual's ability to benefit in terms of an employment outcome from vocational rehabilitation services shall be terminated at any time prior to expiration when:

(a) There is clear and convincing evidence that the individual is incapable of benefitting in terms of an employment outcome from vocational rehabilitation services; or

(b) There is not clear and convincing evidence to overcome the presumption that the individual can benefit in terms of an employment outcome from vocational rehabilitation services in accordance with WAC 67-25-030.

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(2) Certification of eligibility or ineligibility for vocational rehabilitation services shall be completed in accordance with WAC 67-25-050.

(3) The participant shall be notified of the action taken on eligibility or ineligibility, including appeal procedures, in accordance with WAC 67-25-055.

(4) If the individual is determined ineligible for vocational rehabilitation services, the individualized written rehabilitation program for extended evaluation shall be terminated in accordance with WAC 67-25-280.

(5) If the individual is determined ineligible for vocational rehabilitation services, he or she shall be notified of the opportunity for review and reconsideration of the decision within twelve months in accordance with WAC 67-25-056.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-110, filed 2/28/95, effective 3/31/95. 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 67-25-255 Comprehensive assessment.** (1) To the extent necessary, there shall be a comprehensive assessment of the unique strengths, resources, priorities, interests, and needs of the participant conducted in the most integrated setting possible, consistent with the informed choice of the individual.

(2) The comprehensive assessment must be limited to information necessary to identify the rehabilitation needs and develop the rehabilitation program with the individual, and may, if necessary, include:

(a) A comprehensive analysis of pertinent medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors affecting the employment and rehabilitation needs of the individual;

(b) An analysis of the individual's personality, interests, interpersonal skills, intelligence and related functions, educational achievements, work experience, vocational aptitudes, personal and social adjustments, and employment opportunities;

(c) An appraisal of the individual's patterns of work behavior and services needed to acquire occupational skills and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance;

(d) Assessment of the need for the provision of rehabilitation technology services to an individual with a disability to develop the capacities of the individual to perform in a work environment, including in an integrated setting, to the maximum extent feasible; consistent with the individual's informed choice.

(3) The comprehensive assessment shall, to the maximum extent possible and appropriate, be based on existing information provided by the individual and by the individual's family in accordance with confidentiality requirements.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-255, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-255, filed 2/28/95, effective 3/31/95. 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 Assessment—Adaptive skills of blindness.** (1) There shall be an assessment of each individ-

ual's use of and ability to benefit from adaptive skills of blindness. Rehabilitation objectives and service needs identified with the individual during this assessment shall be incorporated into the individualized written rehabilitation program.

(2) Adaptive skills of blindness assessment include, as appropriate in each case:

- (a) Communications, including braille and keyboarding;
- (b) Personal management;
- (c) Orientation and mobility;
- (d) Home management;
- (e) Activities of daily living;
- (f) Personal adjustment to blindness and/or other disabilities;
- (g) Ability to benefit from rehabilitation technology; and
- (h) Use of residual vision.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-257, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 85-06-030 (Order 85-02), § 67-25-257, filed 3/1/85.]

**WAC 67-25-260 Individualized written rehabilitation program.** (1) The individualized written rehabilitation program shall be designed to achieve the employment objective of the participant consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual. To the extent possible, consistent with the informed choice of the individual, the program shall include placement in an integrated setting.

(2) The program shall include:

(a) The individual's long-term vocational goal based on the assessment for determining vocational rehabilitation needs and the career interests of the individual;

(b) Specific and measurable intermediate rehabilitation objectives to achieve the vocational goal, based on the assessment for determining vocational rehabilitation needs;

(c) Specific vocational rehabilitation services to be provided to achieve the intermediate rehabilitation objectives;

(d) Projected initiation dates and the anticipated duration of each service;

(e) Objective criteria, and an evaluation procedure and schedule to determine whether goals and objectives are being achieved;

(f) The views of the individual, in the words of the individual, or, as appropriate, in the words of the individual's representative, describing how he or she was informed about and involved in choosing among alternative goals, objectives, services, providers, and methods used to procure or provide services, including alternatives in integrated settings;

(g) How, to the maximum extent possible, information will be provided to the individual, or if appropriate, to the individual's representative, in his or her native language or using special modes of communication;

(h) Terms and conditions for provision of vocational rehabilitation services, including:

(i) Responsibilities of the individual in implementing the program;

(ii) The extent to which goods and services shall be provided in integrated settings, consistent with the informed choices of the individual;

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(iii) The extent to which comparable services and benefits are available to the individual under any other program;

(iv) The entity or entities that will provide services and the process used to provide or procure services;

(i) Assessment of the expected need for post-employment services and, if appropriate, extended services, including provision for reassessment of these needs prior to the individual's successful rehabilitation;

(j) Information regarding the right to appeal any decision made on behalf of the individual by the department including the procedure for administrative review, fair hearing, and judicial review;

(k) A description of client assistance program services; and

(l) The basis on which the individual is determined to have achieved an employment outcome.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-260, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-260, filed 2/28/95, effective 3/31/95. 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 Individualized written rehabilitation program—Participation of the individual.** (1) The individualized written rehabilitation program (IWRP) shall be jointly developed, agreed upon, and signed by:

(a) The participant, or as appropriate, the participant's representative; and

(b) The vocational rehabilitation counselor or other appropriate staff members.

(2) Participants must take an active role in their own rehabilitation programs, including making meaningful and informed choices about the selection of vocational goals, intermediate objectives, the vocational rehabilitation services they receive, service providers, and methods of procuring services.

(3) Substantive changes to the IWRP must also be jointly made and agreed upon by the participant and staff members.

(4) A copy of the individualized written rehabilitation program and copies of any revisions and addendums shall be provided in appropriate alternative format, in the individual's native language, to the participant or, as appropriate, to the individual's representative.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-270, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-270, filed 2/28/95, effective 3/31/95. 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 Individualized written rehabilitation program—Annual review.** (1) The individualized written rehabilitation program shall be reviewed as necessary but at least annually. The participant, or if appropriate, the individual's representative, shall be given an opportunity to review the program and jointly redevelop and agree to its terms.

(2) The services shall be modified as needed and incorporated into the program.

(3) If the vocational objective of the participant changes, the new program shall not take effect until agreed upon and

signed by the participant, or if appropriate, the individual's representative.

(4) If a participant's vision is restored so that he or she is not legally blind or has no visual impairment, and if he or she has no other disability which results in an impediment to employment, further services shall be limited to those already identified in the individualized written rehabilitation program.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-275, filed 2/28/95, effective 3/31/95. 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 Individualized written rehabilitation program—Termination due to ineligibility.** (1) The services under an individualized written rehabilitation program shall be terminated if it is determined that the individual is incapable of achieving a vocational goal and is therefore not eligible for vocational rehabilitation services.

(2) A decision to terminate the program shall only be made with participation of the individual, or as appropriate, the individual's representative.

(3) The views of the individual, or the individual's representative, concerning the decision shall be documented in the program.

(4) Rationale for the decision must be documented as part of the program.

(5) When an individual is determined ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or other appropriate staff member, placed in the individual's file.

(6) The participant shall be notified of the opportunity for review and reconsideration of the decision within twelve months in accordance with WAC 67-25-056.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-280, filed 2/28/95, effective 3/31/95. 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 67-25-284 Individualized written rehabilitation program—Termination for reasons other than ineligibility.** (1) Vocational rehabilitation services provided under an individualized written rehabilitation program shall be terminated prior to completion if a participant:

(a) Has died;

(b) Cannot be located by the department after reasonable efforts to do so;

(c) Has been institutionalized under circumstances which preclude provision of services for a substantial or indefinite period of time;

(d) Has moved to another jurisdiction and the department is unable to continue provision of services;

(e) Declines to accept or utilize vocational rehabilitation services after reasonable efforts have been made to encourage participation.

(2) A decision to terminate services for any reason described in subsection (1) of this section does not require a review and reconsideration within twelve months pursuant to WAC 67-25-056.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-284, filed 2/28/95, effective 3/31/95.]

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**WAC 67-25-288 Individualized written rehabilitation program—Termination—Notification of rights.** Upon termination, the individual will be informed in writing and in the appropriate alternative format and/or other appropriate mode of communication of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including recourse to the client assistance program, the opportunity for an administrative review in accordance with WAC 67-25-560 and a fair hearing in accordance with WAC 67-25-570.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-288, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-288, filed 2/28/95, effective 3/31/95.]

**WAC 67-25-300 Purpose of vocational rehabilitation.** The purpose of vocational rehabilitation is to enable an eligible individual to enter or retain full-time or, if appropriate, part-time competitive employment in the integrated labor market, supported employment, or other employment consistent with the individual's abilities, capabilities, and interests.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-300, filed 2/28/95, effective 3/31/95. 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.** Vocational rehabilitation funds shall not be expended to purchase services for a participant when another agency has primary responsibility for providing the needed service.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-325, filed 2/28/95, effective 3/31/95. 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 special groups of individuals with disabilities.** (1) In accordance with Section 101 (a)(13)(A) of the act, the department shall provide vocational rehabilitation services to civil employees of the United States government who become disabled in the line of duty under the same terms and conditions applied to other individuals who are blind or visually impaired.

(2) In accordance with Section 101 (a)(13)(B) of the act, the department shall give priority to individuals who are blind or visually impaired whose disability resulted from an impairment sustained in the line of duty as a public safety officer, and the immediate cause of that impairment was a criminal act, apparent criminal act, or a hazardous condition directly related to the officer's performance of duties in direct connection with the enforcement, execution, and administration of law or fire prevention, firefighting, or related public safety activities.

(3) The department shall actively recruit applicants from under-served populations to reflect the cultural and ethnic diversity of people in the state.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-326, filed 2/28/95, effective 3/31/95. 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 provided.** Each eligible participant shall be provided vocational rehabilitation services, identified during the preliminary and comprehensive vocational assessments, consistent

with the individual's informed choice, necessary for the individual to achieve an appropriate employment outcome. Services may include:

(1) Assessment to determine the individual's skills, abilities, interests, priorities, needs, and how these relate to selection of meaningful employment in accordance with WAC 67-25-255 and 67-25-257;

(2) Vocational rehabilitation counseling and guidance in accordance with WAC 67-25-380;

(3) Referral and related services to help participants secure needed services from other agencies, including referral to the client assistance program;

(4) Physical and mental restoration services in accordance with WAC 67-25-384;

(5) Vocational and other training in accordance with WAC 67-25-388, 67-25-390, 67-25-394, 67-25-396, and 67-25-398, subject to limitations in WAC 67-25-360;

(6) Maintenance in accordance with WAC 67-25-400;

(7) Transportation in connection with the provision of vocational rehabilitation services in accordance with WAC 67-25-404;

(8) Services to family members in accordance with WAC 67-25-408;

(9) Interpreter and note-taking services for individuals who are deaf and tactile interpreting services for individuals who are deaf-blind in accordance with WAC 67-25-412;

(10) Reader/driver services in accordance with WAC 67-25-408;

(11) Assessment and training in adaptive skills of blindness in accordance with WAC 67-25-257 and 67-25-398;

(12) Recruitment and training services to develop new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other public service employment in accordance with WAC 67-25-440;

(13) Job search and placement assistance, and job retention services in accordance with WAC 67-25-440;

(14) Supported employment services in accordance with WAC 67-25-436;

(15) Personal assistance services, including training in managing, supervising, and directing these services in accordance with WAC 67-25-418;

(16) Post-employment services in accordance with WAC 67-25-444;

(17) Occupational licenses, tools, equipment, initial stocks, and supplies in accordance with WAC 67-25-448;

(18) Rehabilitation technology and telecommunications services in accordance with WAC 67-25-448;

(19) Transition services for students in accordance with WAC 67-25-399;

(20) Other goods and services necessary for the participant to achieve an employment outcome in accordance with WAC 67-25-452.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-350, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-350, filed 2/28/95, effective 3/31/95. 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—Comparable services and benefits.** (1) Consideration of

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comparable services and benefits is required by Section 101 (a)(8) of the act. Therefore, this section prevails over all other sections describing conditions under which vocational rehabilitation services shall be provided.

(2) Comparable services and benefits includes any financial or other resource for which a participant is legally qualified, or entitled, or meets the criteria for obtaining without undue contingencies. The resource must be an organized, ongoing form of service provision or financial assistance, whether public or private. It must be free or may require a deductible, co-insurance feature, token payment or personal claim.

(3) Participants are required to apply for and accept comparable services and benefits which they are entitled to receive before vocational rehabilitation funds can be expended, except as provided in subsections (5) and (6) of this section.

(4) Vocational rehabilitation counselors and rehabilitation teachers have an obligation to inform participants of known sources for comparable services and benefits and shall assist with application for these services when necessary.

(5) The following services are provided without consideration of comparable services and benefits:

(a) Assessment;

(b) Counseling and guidance;

(c) Referral;

(d) Vocational and other training services including personal and vocational adjustment, books, and other training materials, except that no training in institutions of higher education (universities, colleges, community colleges, vocational schools, technical institutes, or hospital schools of nursing) shall be paid for with vocational rehabilitation funds unless maximum efforts have been made to secure grant assistance, in whole or in part, from other sources to pay for training;

(e) Placement services;

(f) Rehabilitation technology services;

(g) Services listed in (a) through (f) of this subsection as post-employment services.

(6) Determination of comparable services and benefits shall not be required if:

(a) Utilization of such a service would delay provision of vocational rehabilitation services to an individual determined to be at extreme medical risk, based on medical evidence provided by an appropriate, qualified medical professional; or

(b) An immediate job placement would be lost due to a delay resulting from utilization of comparable services and benefits.

(7) The following services may be provided only after consideration of comparable services and benefits:

(a) Physical and mental restoration services;

(b) Maintenance;

(c) Transportation;

(d) Services to family members;

(e) Interpreter and note-taking services for individuals who are deaf and tactile interpreting services for individuals who are deaf-blind;

(f) Reader services;

(g) Training at institutions of higher education;

(h) Supported employment services;

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- (i) Personal assistance services;
  - (j) Post-employment services, except as specified in subsection (5) of this section;
  - (k) Occupational licenses, tools, equipment, initial stocks and supplies;
  - (l) Transition services;
  - (m) Other goods and services not specified in this section.
- (8) Consideration of comparable services and benefits shall be documented in the participant's record of services. Documentation shall include sources of assistance considered, whether the participant applied, acceptable reasons for failure to apply, outcome of application, and basis for the decision to expend vocational rehabilitation funds for services described in subsection (7) of this section.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-360, filed 2/28/95, effective 3/31/95. 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.** (1) Counseling and guidance is a necessary component of vocational rehabilitation to help each participant develop work skills, a strong self-image, and the adaptive skills of blindness needed to achieve an employment outcome.

(2) Counseling and guidance services, based on needs of the participant, shall be available throughout all phases of the rehabilitation process to assist the participant with:

- (a) Adjustment to blindness and other disabilities; understanding the importance of developing and using adaptive skills of blindness; and, identifying strategies to overcome negative social attitudes regarding disability;
- (b) Identifying his or her unique strengths, resources, priorities, concerns, abilities, and capabilities related to planning for and achieving an employment outcome;
- (c) Identifying and overcoming potential barriers to achieving an employment outcome including impairment-related, personal, and social factors;
- (d) Selecting a vocational goal consistent with his or her abilities, capabilities, and interests;
- (e) Obtaining and utilizing resource information to make meaningful and informed choices regarding selection of vocational rehabilitation goals, objectives, services, and providers;
- (f) Overcoming potential barriers and achieving an employment outcome through development of skills such as: Study and work habits; grooming; management of finances; preparation for job interviews and tests; self-advocacy; and effective interpersonal relationships.

(3) Counseling and guidance services may also be provided to:

- (a) Assist family members to effectively participate in the rehabilitation process;
- (b) Assist prospective employers to develop positive attitudes regarding hiring and accommodating individuals who are blind or visually impaired.

(4) Counseling and guidance shall be provided without consideration of comparable services and benefits pursuant to WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-380, filed 2/28/95, effective 3/31/95. 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 shall be provided to a participant under an individualized written rehabilitation program when the vocational rehabilitation counselor or rehabilitation teacher, in consultation with the medical or ophthalmic consultant as appropriate, determines that such services are likely, within a reasonable period of time, to substantially correct or modify a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment for the participant.

(2) All authorized physical and mental restoration services shall be provided by qualified physicians, dentists, or other health professionals licensed in the state.

(3) When receiving physical and mental restoration services, the participant may choose the physician or other health professional and appropriate facilities from those licensed in the state. Service providers and facilities may, but are not required to, accept reimbursement in accordance with the *Washington State Department of Social and Health Services Schedule of Maximum Allowances and Program Descriptions*.

(4) Physical and mental restoration services may be provided to a participant during extended evaluation if it is necessary to stabilize or halt progression of a chronic illness for purposes of determining eligibility.

(5) Physical and mental restoration services include but are not limited to:

- (a) Surgical and therapeutic treatment;
- (b) Diagnosis and treatment for mental or emotional disorders;
- (c) Dental treatment;
- (d) Nursing services;
- (e) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;
- (f) Convalescent or nursing home care;
- (g) Drugs and supplies;
- (h) Prosthetic, orthoptic or other assistive devices;
- (i) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids prescribed by qualified medical practitioners;
- (j) Podiatry;
- (k) Physical therapy;
- (l) Occupational therapy;
- (m) Medical or medically-related social work services;
- (n) Speech or hearing therapy;
- (o) Special services for the treatment of individuals with end-stage renal disease, including transplantation and dialysis, artificial kidneys, and supplies;
- (p) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services, or that are inherent in the condition under treatment.

(6) Physical and mental restoration services shall be provided only after consideration of comparable services and benefits except as specified in WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-384, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-384, filed 2/28/95, effective 3/31/95. 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 67-25-388 Vocational rehabilitation services—General training provisions.** (1) The individualized written rehabilitation program may include any organized form of instruction providing the knowledge and skills necessary for a participant to perform competitively in an occupation and achieve an employment outcome. Knowledge 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 prohibited in subsection (2) of this section.

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

(3) Programs or schools used to provide training 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.

(4) The department may provide books, tools and other training materials.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-388, filed 2/28/95, effective 3/31/95. 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—Institutions of higher education.** (1) Training at a university, college, community college, vocational school, technical institute, or hospital school of nursing may be provided if necessary to achieve the employment objective agreed upon by the participant and vocational rehabilitation counselor.

(2) Training or training services in institutions of higher education shall be funded in accordance with WAC 67-25-360.

(3) Participants may attend private or out-of-state institutions of higher education in preparation for an employment outcome; however, financial assistance shall be limited to the tuition amount at the University of Washington or the actual cost, whichever is less. Exceptions may be made when required training is not available, or if other significant factors preclude the participant from attending an available training program at a public institution of higher education in the state.

(4) The department may provide financial assistance to a participant wishing to obtain a post-graduate degree when the training is necessary to achieve the individual's employment objective. However, financial assistance shall not be provided to a participant pursuing a graduate program for the sole purpose of achieving upward mobility.

(5) A participant receiving training at an institution of higher education must meet established scholastic standards

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required by the program of his or her choice. If the participant's grades fall below minimum standards, it shall be necessary, through assessment, counseling, and planning with the participant, to revise the individualized written rehabilitation program including the possible selection of a new employment objective.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-390, filed 2/28/95, effective 3/31/95. 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 67-25-394 Vocational rehabilitation services—Training—On-the-job.** (1) On-the-job training (OJT) services may be provided when necessary to achieve the participant's employment objective.

(2) OJT services shall be provided as a program of organized training, giving a participant the opportunity to learn an occupation under actual conditions of commercial, industrial, or other on-the-job employment.

(3) OJT services shall be provided to a participant only when the vocational rehabilitation counselor establishes that the following conditions have been or shall be met:

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

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

(c) A mutual understanding has been reached between the trainee—participant, the trainer—employment training provider, and the vocational rehabilitation counselor regarding the participant's employment training plan including: Length of the training period; financial arrangements; and operations and skills to be learned;

(d) The employer agrees to closely supervise the participant's work and shall submit regular reports on the participant's progress and performance to the vocational rehabilitation counselor;

(e) The training program meets any requirements for licensing in the trade or occupation in which the participant is to be employed;

(f) The employment training program for the participant is acceptable to other employees of the training provider.

(4) A business or industrial establishment utilized by the department to provide OJT services shall:

(a) Have personnel qualified with appropriate knowledge, skills, and personality to provide instruction;

(b) Have sufficiently diversified operations and adequate, suitable materials and equipment to insure a trainee thorough preparations and training within the scope and limits of his or her occupational objective;

(c) Ensure that training VR participants is only incidental to the business activity of the facility.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-394, filed 2/28/95, effective 3/31/95. 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 busi-

ness 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—Vocational adjustment.** (1) Vocational adjustment and related employment training services may be provided to a participant through a community rehabilitation program. This option may be appropriate if a participant is not ready for, or does not wish to receive training in an integrated setting.

(2) Vocational adjustment training may be provided to assist the participant with:

(a) Understanding the meaning, value, and demands of work;

(b) Developing appropriate attitudes, habits, and work behaviors; and/or

(c) Developing functional capacities necessary to achieve an optimum employment outcome.

(3) Prior to provision of vocational adjustment training, there shall be an assessment of the individual's patterns of work behavior, and the services needed for him or her to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, social skills, and behavior patterns suitable for successful job performance.

(4) Vocational adjustment training shall meet the following criteria:

(a) The training program shall be outlined in detail and agreed upon by the participant, or if appropriate, his or her representative, the vocational rehabilitation counselor, and the community rehabilitation program, and shall include: Anticipated length of training; methods to be used; and objectives to be achieved.

(b) The training program shall, consistent with the informed choice of the participant, be designed to assist him or her to achieve an employment outcome in an integrated setting.

(c) The community rehabilitation program agrees to assess the participant's progress and shall submit reports to the vocational rehabilitation counselor.

(d) The community rehabilitation program is certified by the department of social and health services division of vocational rehabilitation to provide vocational adjustment training.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-396, filed 2/28/95, effective 3/31/95. 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 67-25-398 Vocational rehabilitation services—Training—Adaptive skills of blindness.** (1) Adaptive skills of blindness are those skills necessary for individuals who are blind or visually impaired to function independently in as distinguished from the vocational skills necessary to perform a specific occupation. Adaptive skills include:

(a) Communications, including Braille and keyboarding;

(b) Personal management;

(c) Orientation and mobility;

(d) Personal adjustment to blindness;

(e) Home management;

(f) Activities of daily living;

(g) Use of rehabilitation technology; and

(h) Use of residual vision.

(2) Training in adaptive skills of blindness shall be provided to a participant in accordance with standards established by the department for instruction of the specific adaptive skill.

(3) Training in adaptive skills of blindness may be provided to a participant under an individualized written rehabilitation program in accordance with WAC 67-25-080 and 67-25-260, or during the assessment to determine rehabilitation needs in accordance with WAC 67-25-257.

(4) The department shall operate and maintain an orientation and training center as a structured setting to provide assessment and training in adaptive skills of blindness for participants.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-398, filed 2/28/95, effective 3/31/95.]

**WAC 67-25-399 Vocational rehabilitation services—Transition services for students.** (1) Transition services are activities which directly facilitate the smooth and efficient movement of a student who is blind or visually impaired from the K through 12 public or private education system to the vocational rehabilitation program. This includes any activity or program designed to introduce the student to a wide variety of available occupational choices, or to provide the student with work experience opportunities.

(2) Transition services shall be provided, when appropriate, to any student who is blind or visually impaired, age fourteen or older, who is enrolled in a public or private school.

(3) Transitioning students shall, to the extent necessary and appropriate, receive a thorough assessment of their abilities, interests and rehabilitation needs in the following areas:

(a) Adaptive skills of blindness;

(b) Social and interpersonal skills;

(c) Vocational exploration and work experience.

(4) A transition plan or the prevocational component of a student's individualized education plan (IEP), with specific goals and objectives based on the assessment, shall be developed for each student. Services shall be planned jointly by the student, the family, and department staff. Maximum efforts shall be made to coordinate all services with the local school district.

(5) Transition services may include, but are not limited to:

(a) Counseling and guidance for participants and their parents/representatives;



(b) Training in specific areas identified through the needs assessment after all other resources and approaches to remediation have been explored and found to be unobtainable;

(c) Conferences and workshops for participants, parents/representatives, education personnel and vocational rehabilitation counselors;

(d) Information and referral;

(e) Advocacy for the rights of all students who are blind or visually impaired to assure equal and appropriate access to the same educational, recreational, cultural and social opportunities as their sighted peers.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-399, filed 2/28/95, effective 3/31/95.]

**WAC 67-25-400 Vocational rehabilitation services—Maintenance.** (1) Maintenance for living expenses may be provided only when these expenses are in excess of the normal subsistence expenses of a participant, and only when necessary for the individual to participate in services under an individualized written rehabilitation program. Maintenance includes monetary support for food, shelter, clothing and other subsistence items.

(2) Maintenance shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-400, filed 2/28/95, effective 3/31/95. 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) Transportation services may be authorized for travel and related expenses necessary for a participant to receive any vocational rehabilitation service.

(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) Wages, travel, and related expenses for an attendant or aide if the services of that person are necessary for the participant to travel;

(d) Relocation and moving expenses, if necessary for the vocational rehabilitation of the individual.

(3) Transportation services shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-404, filed 2/28/95, effective 3/31/95. 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) A family member is an individual:

(a) Who is a relative or guardian of a participant, or who lives in the same household as a participant;

(b) Who is integrally involved in the vocational adjustment or rehabilitation of the participant; and

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(c) Whose receipt of vocational rehabilitation services would further the vocational adjustment or rehabilitation of the participant.

(2) Services provided to family members may include any vocational rehabilitation services available to participants in accordance with WAC 67-25-085 and 67-25-350. However, the services must be directly related to the vocational rehabilitation of the participant. Family members of any age may be served.

(3) A vocational rehabilitation service provided to family members shall be terminated when it no longer substantially contributes to the vocational rehabilitation of the participant.

(4) Services to family members shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-408, filed 2/28/95, effective 3/31/95. 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 individuals who are deaf.** (1) Interpreter services shall be provided for a participant who is deaf, or for the individual's representative if appropriate, during all phases of the rehabilitation process including during any administrative appeal, fair hearing, and judicial review.

(2) Interpreter services shall be authorized in accordance with the department of social and health services schedule of maximum allowances and program descriptions.

(3) Interpreter services shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-412, filed 2/28/95, effective 3/31/95. 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) Reader services may be provided when necessary to complete an intermediate objective under an individualized written rehabilitation program or, during assessment if necessary to the provision of other rehabilitation services.

(2) Reader services consist of orally reading ink-print material to the blind participant which is not available in an appropriate, alternative format.

(3) If reader services are necessary beyond the initial stages of employment, the department shall, if desired by the individual, assist him or her to negotiate with the employer for reader services as a reasonable accommodation.

(4) Reader services shall be purchased in accordance with the department's procedures for purchase of reader services and shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

(5) Participants shall be encouraged through counseling and guidance to use reader services efficiently and effectively.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-416, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-416, filed 12/15/83. Formerly WAC 67-20-416.]

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**WAC 67-25-418 Vocational rehabilitation services—**

**Personal assistance services.** (1) Personal assistance services may be provided to assist a participant with on-the-job or related daily living activities that the individual typically would perform if he or she did not have a disability, and will not be able to perform even after receiving adaptive skills training. These services shall, to the extent appropriate and desired by the participant, include training in managing, supervising, and directing personal assistance services.

(2) Personal assistance services may be provided if necessary for the participant to achieve an employment outcome, and shall be provided only while the participant is receiving other vocational rehabilitation services.

(3) Provision of personal assistance services under an individualized written rehabilitation program is contingent on an assurance that ongoing services will be available for the individual at completion of the rehabilitation program.

(4) Personal assistance services are provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-418, filed 2/28/95, effective 3/31/95.]

**WAC 67-25-432 Vocational rehabilitation services—**

**Rehabilitation technology and telecommunications.** (1) Rehabilitation technology is the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address barriers confronted by participants in education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

(2) The department maintains an assistive technology program to coordinate provision of rehabilitation technology services throughout all phases of the vocational rehabilitation process for participants. Services include:

- (a) Assessment to determine rehabilitation technology needs;
- (b) Job site and training site analysis;
- (c) Rehabilitation engineering services;
- (d) Comprehensive training in the use of assistive technology devices;
- (e) Procurement, installation and follow-up related to assistive technology devices.

(3) Any assistive technology device requiring an individualized prescription or fitting must be provided by a professional who meets any state licensing or certification requirements to fill the prescription or to perform the fitting. Aids and devices not requiring individual fittings must meet engineering and safety standards recognized by experts in the field.

(4) Telecommunications services include telecommunication devices and relay services for individuals who are deaf or hearing-impaired. Telecommunications shall be utilized as necessary for service delivery.

(5) Rehabilitation technology services shall be provided without consideration of comparable services and benefits pursuant to WAC 67-25-360.

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[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-432, filed 2/28/95, effective 3/31/95. 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 67-25-436 Vocational rehabilitation services— Supported employment services and extended services.**

(1) Supported employment is competitive employment in an integrated setting for a participant with a severe disability who needs intensive, ongoing support to perform in a work setting. Typically, competitive employment has not traditionally occurred for these individuals or, has been interrupted or intermittent due to a severe disability.

(2) An individual shall be eligible to receive supported employment services if:

(a) The individual is eligible for vocational rehabilitation services in accordance with WAC 67-25-030;

(b) The individual needs intensive supported employment services from the department and ongoing services from other resources to perform competitive work due to the nature and severity of his or her disabilities; and

(c) Supported employment is an appropriate rehabilitation objective for the individual based on a comprehensive assessment of his or her rehabilitation needs.

(3) A participant with a vocational objective of supported employment may receive any vocational rehabilitation service described in WAC 67-25-350. Supported employment services typically include as appropriate:

- (a) Individualized assessment in addition to the comprehensive assessment of rehabilitation needs;
- (b) Intensive job skill training at the work site provided by skilled job trainers;
- (c) Job development and placement;
- (d) Interpersonal skills training;
- (e) Regular observation or supervision of the individual;
- (f) Follow-up services including regular contact with the employer, the individual, the individual's representative, and other appropriate professionals to reinforce and stabilize the job placement;
- (g) Facilitation of natural supports at the worksite; and
- (h) Other services similar to those in (a) through (g) of this subsection.

(4) Supported employment must occur in an integrated work setting for the maximum number of hours possible, based on the unique strengths, resources, interests, concerns, abilities, and capabilities of the participant with severe disabilities. An integrated setting is one where:

(a) Most co-workers are not disabled and the participant is not part of a work group of individuals with disabilities; or

(b) Most co-workers are not disabled, and if a job site as described in (a) of this subsection is not possible, the participant is part of a small work group of not more than eight individuals with disabilities; or

(c) If there are no co-workers, or the only co-workers are members of a small work group of not more than eight individuals all of whom have disabilities, the participant has regular contact with nondisabled individuals (other than personnel providing support services) in the immediate work setting.

(5) The participant must be paid wages consistent with the Fair Labor Standards Act. Subminimum wages may be paid in accordance with the act, depending on the severity of

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the individual's disability and the nature of training and support services available to the individual.

(6) The department shall provide intensive training and support during the first eighteen months of supported employment to facilitate the participant's adjustment at the worksite and determine the need for extended services from other resources. Additional services may be authorized as an exception to policy based on strong evidence that additional support is needed to stabilize the individual in employment. Support must include:

(a) Worksite visits and observation provided at least twice per month; and

(b) If appropriate and desired by the participant, off-site monitoring which must include two face-to-face meetings with the participant and one contact with the employer each month.

(7) The participant shall transition to extended services after receiving supported employment services from the vocational rehabilitation program. Extended services are ongoing support services and other appropriate services needed to support and maintain the participant in supported employment. Long-term funding for extended services may be provided through cooperative agreements with public agencies, nonprofit agencies or organizations; employers; natural supports; and any resource other than federal vocational rehabilitation funds.

(8) An individualized written rehabilitation program for supported employment must specify the expected extended services needed and, must identify the source, including natural supports, of extended services. If the source of extended services cannot be identified when the individualized written rehabilitation program is developed, supported employment services shall be initiated if documentation supports a reasonable expectation that such sources will become available within six months.

(9) A participant with a vocational objective of supported employment may receive post-employment services in accordance with WAC 67-25-444 when the services to be provided are not the responsibility of the extended services provider.

(10) The department shall provide transitional employment services as supported employment services for a participant with a severe disability due to mental illness. Transitional employment is a series of temporary competitive job placements in integrated work settings with ongoing support services. In transitional employment, ongoing support services must include continuing sequential job placements until job permanency is achieved.

(11) Supported employment services are provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-436, filed 2/28/95, effective 3/31/95.]

**WAC 67-25-440 Vocational rehabilitation services—Placement.** (1) Placement services shall be provided to a participant under an individualized written rehabilitation program to assist the individual with obtaining and retaining appropriate employment consistent with his or her vocational objective.

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(2) The department and participant shall be mutually responsible to find and secure suitable employment for the individual. The individualized written rehabilitation program shall describe the nature and scope of placement services to be provided by the department, and the participant's responsibility to actively and independently conduct job-seeking efforts.

(3) Placement services include the following range of activities:

(a) Job development and employer relations which may or may not be on behalf of a specific participant;

(b) Job task analysis to determine how a person who is blind or visually impaired can be accommodated in a position;

(c) Job-seeking skills training to prepare a participant for employment;

(d) Communication and negotiation with a variety of employment resources and other community resources regarding employment of people who are blind or visually impaired;

(e) Work skill building, counseling, and other follow-up services to stabilize the participant in employment until the placement goal has been satisfactorily achieved.

(4) Placement services may be provided using the following methods:

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

(b) An employee specializing in business relations may provide placement services through communication and negotiation with a variety of employers and community resources, regarding employment of people who are blind or visually impaired.

(c) No-cost placement resources in the community such as the state department of employment security, projects with industry, private industry council, and other entities shall be utilized whenever possible.

(d) Placement services may be purchased when it is in the participant's vocational interests, when the department's services are not otherwise available, or when placement is offered by a vendor as part of a service package.

(5) Placement services shall be terminated when the participant has been provided vocational rehabilitation services, in accordance with an individualized written rehabilitation program, which have enabled the individual to obtain and retain employment consistent with his or her capacities and abilities for at least sixty days.

(6) If a participant is placed in extended employment (formerly extended sheltered employment) in a community rehabilitation program, his or her status shall be reviewed and reevaluated by the department at least annually. The department shall make maximum efforts to place these individuals in competitive employment, including supported employment, or in training for competitive employment consistent with the informed choice of the individual or the individual's representative if appropriate.

(7) Placement services shall be provided without consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-440, filed 2/28/95, effective 3/31/95. 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) Post-employment services may be provided to a participant, subsequent to achieving an employment outcome, if necessary for the participant to maintain, regain, or advance in employment consistent with the individual's abilities, capabilities, and interests.

(2) Post-employment services are intended to provide short-term intervention related to the established rehabilitation objective. Accordingly, post-employment services do not require a new determination of eligibility, and may be provided as long as the established individualized written rehabilitation program and necessary documentation are available and pertinent.

(3) Post-employment services include all vocational rehabilitation services identified in WAC 67-25-350 and are subject to any conditions affecting provision of that vocational rehabilitation service.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-444, filed 2/28/95, effective 3/31/95. 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.** (1) The department may provide the following vocational rehabilitation services to groups of individuals:

(a) Establishment, development, or improvement of a public or other nonprofit community rehabilitation program providing services that promote integration and competitive employment.

(b) Development and implementation of services that enhance the use of special modes of communication and/or telecommunications for individuals with disabilities.

(c) Technical assistance and support services, such as job site modification and other reasonable accommodations, for businesses not subject to Title I of the Americans with Disabilities Act of 1990 that are seeking to employ individuals with disabilities.

(d) Establishment of small business enterprises, operated by individuals with the most severe disabilities under supervision of the department, including, management services and supervision, and the acquisition of vending facilities, equipment, initial stocks, and supplies.

(e) Other services that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized written rehabilitation program of any one individual.

(2) Services to groups are provided in accordance with department procedures for the provision of these services.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-446, filed 2/28/95, effective 3/31/95. 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) Goods and services described in this section may be provided only under an individualized written reha-

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bilitation program when necessary for the participant to achieve an appropriate employment outcome. Initial stocks and supplies may be provided only when a participant enters a self-employment business.

(2) Occupational licenses include any license, permit, or other written authority required by a state, city, or other government unit for the individual to enter an occupation or business.

(3) Occupational tools include those customarily required for a worker to perform efficiently on the job, and which are normally provided by workers in the same or similar trade or profession. These may include specialized tools adapted to accommodate the individual's disability.

(4) Occupational equipment includes occupational fixtures normally found in places of business. These include machinery, and appliances that are usually stationary during utilization. However, self-powered vehicles may also be provided.

(5) Initial stocks include the initial inventory of merchandise or goods necessary for a participant to enter self-employment. It may also include the initial purchase of live-stock as a base stock, and stocks of seed, fertilizer, fuel, etc., for farming or agricultural self-employment.

(6) Initial supplies include expendable items necessary for the participant to carry out day-to-day business operations, and which are consumed on the premises in the course of the participant's self-employment business.

(7) Purchase, accountability, legal title, insurance, maintenance, and other considerations regarding provision of goods and services described in this section are addressed in the department's procedures governing their provision.

(8) Goods and services described in this section shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-448, filed 2/28/95, effective 3/31/95. 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) Other goods and services not described in this chapter may be provided to a participant when necessary to determine the individual's eligibility for services and rehabilitation needs, or when necessary for the individual to achieve an appropriate employment outcome.

(2) Other goods and services, except those required for assessment of the individual, shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-452, filed 2/28/95, effective 3/31/95. 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 67-25-540 Individualized written rehabilitation program—Successful rehabilitation.** (1) An individual shall be considered successfully rehabilitated when he or she has maintained an employment outcome for at least ninety days that is:

(a) The result of services provided under an individualized written rehabilitation program;

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(b) Commensurate with the individual's abilities, capabilities, interests, and informed choice; and

(c) As often as possible, employment achieved is competitive as defined by being compensated at or above the minimum wage and that the individual's wage and level of benefits are not less than that paid by the employer for the same or similar work performed by nondisabled individuals;

(d) In the most integrated setting possible, consistent with the individual's informed choice; and

(e) Considered to be a satisfactory employment outcome by both the participant and counselor, who also agree that the participant is performing satisfactorily on the job.

(2) The individual shall be notified of the termination decision and appeal procedures in accordance with WAC 67-25-288.

[Statutory Authority: Chapter 74.18 RCW, 98-23-078, § 67-25-540, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-540, filed 2/28/95, effective 3/31/95. 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, using special modes of communication if appropriate, to every individual who has applied for services when a determination is made to terminate services to the individual. The written notice shall specify in detail the reasons for the department's decision to terminate services and shall clearly inform the participant of his or her right to an administrative review, a fair hearing, and judicial review of the decision. A description of client assistance program services shall also be provided.

[Statutory Authority: Chapter 74.15 RCW, 95-06-057, § 67-25-545, filed 2/28/95, effective 3/31/95. 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—Protection, use and release.** (1) Confidential information refers to all documented and undocumented personal information, including lists of names and photographs, about any past or present participant in the vocational rehabilitation program, given or made available to the department, its representatives, or its agents in the course of the administration of the program.

(2) Participants, their representatives as appropriate, service providers, cooperating agencies, and interested persons shall be informed of the confidentiality of personal information and policies governing its use. This information shall be provided to the participant or to the individual's representative in the individual's native language, in the appropriate alternative format, or using special modes of communication if appropriate and shall include:

(a) Identification of the authority under which information is collected;

(b) Explanation of the principal purposes for which the department intends to use or release information;

(c) Explanation of whether providing requested information is mandatory or voluntary and the effects of not providing requested information;

(d) Identification of those situations where the department requires or does not require informed written consent of the individual before information may be released; and

(e) Identification of other agencies to which information is routinely released.

(3) All personal information must be used only for purposes directly connected with the administration of the vocational rehabilitation program. Personal information shall not be shared with an organization, agency or individual not having official responsibility for administration of the program, except as provided for in subsection (6) of this section.

(4) Except as provided in (a) and (b) of this subsection, the department shall, upon receipt of a written request by a participant, release all information in that individual's record, to the individual or the individual's representative within fifteen working days.

(a) Medical, psychological, or other information that the department determines may be harmful to the individual may not be released directly to the individual, but must be provided to the individual's representative or to a qualified medical or psychological professional or to a person appointed by the court to act as that individual's representative.

(b) Personal information obtained from service providers and cooperating agencies under assurances that the information shall not be further divulged may be released only under conditions established by the other agency or organization except as provided in subsections (5) and (6) of this section.

(5) The participant may request that misleading or inaccurate information in the individual's record of services be amended and to have the request documented in the individual's file.

(6) Personal information may be released to an organization, agency, or individual for purposes of audit, evaluation, or research directly connected with administration of the vocational rehabilitation program, such as the department's advisory council or for purposes that would significantly improve the quality of life for participants, and only if the organization, agency, or individual assures that:

(a) Information shall be used only for the purposes for which it is being provided;

(b) Information shall be released only to persons officially connected with the audit, evaluation, or research;

(c) Information shall not be released to the participant;

(d) Information shall be managed in a manner to safeguard confidentiality; and

(e) The final product shall not reveal any personal identifying information without the informed written consent of the participant or the individual's representative.

(7) The department may release personal information to other agencies and programs under the following conditions:

(a) Upon receiving the informed written consent of the participant, or, the individual's representative if appropriate, the department may release personal information to another agency or organization only to the extent that the information may be released to the participant, and only to the extent that the agency or organization demonstrates that the information requested is necessary for its program.

However, medical or psychological information that the department determines may be harmful to the individual may be released if the agency or organization assures the department that information shall be used only for the purpose for which it is being provided and shall not be released to the participant.

(b) The department shall release personal information if required by federal law or regulation.

(c) The department shall release personal information in response to investigations in connection with law enforcement, fraud, or abuse, unless expressly prohibited by federal or state laws or regulations, or in response to judicial order.

(d) The department may release personal information to protect the participant or others if the individual poses a threat to his or her safety or to the safety of others.

[Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-550, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-550, filed 2/28/95, effective 3/31/95. 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 participant who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the department or its agents concerning the provision or denial of vocational rehabilitation services may request a fair hearing in accordance with WAC 67-25-570, or an administrative review as described in this section. Administrative review is an informal process conducted by the director or the director's designee to resolve a request for review without conducting a formal hearing.

(2) A request for administrative review must be made by the participant, the individual's representative, or an advocate working with permission of the participant, and must be submitted within sixty days after the date of the decision or action by the department which is the basis for the request.

(3) The request for review 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 and 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) Include the address of the participant or individual's representative;
- (d) Include information concerning administrative review and fair hearing rights and procedures, and a description of client assistance program services; and
- (e) Indicate by signature of the participant, or the individual's representative, that the individual agrees to waive the forty-five-day time period for scheduling a fair hearing, in accordance with WAC 67-25-570, until conclusion of the administrative review process.

(4) An administrative review shall be conducted within thirty days after submission of the request for review.

(5) Within twenty days after the conclusion of the administrative review the reviewer shall make a determination and shall provide to the participant, or to the individual's representative, a written report of the findings and grounds for the decision. The individual shall also be advised of the right to request and receive a fair hearing by an administrative law judge, in accordance with WAC 67-25-570, if dissatisfied with the administrative review decision.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-560, filed 2/28/95, effective 3/31/95. 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 participant who feels aggrieved by or is otherwise dissatisfied with any decision or action by the department or its agents concerning the provision or denial of vocational rehabilitation services or is dissatisfied with the results of an administrative review, may request from the department, and shall thereupon be granted, a fair hearing. A participant who desires a fair hearing shall request the 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, 521 East Legion Way, Olympia, WA 98504-4093, who shall forward it to the office of administrative hearings within five working days.

(3) The office of administrative hearings shall appoint an administrative law judge and shall schedule a fair hearing within forty-five days after receiving the request.

(4) The individual, or the individual's representative shall be given an opportunity to:

- (a) Present additional evidence, information, and witnesses to the administrative law judge;
- (b) Be represented by counsel or other appropriate advocate;
- (c) Examine all witnesses and other relevant sources of information and evidence.

(5) Within thirty days after completion of the hearing, the administrative law judge shall make an initial decision based on provisions of the approved state plan, the act, and federal and state vocational rehabilitation regulations and policies, and shall provide to the individual, or the individual's representative, and to the director of the department a full written report of the findings and grounds for the decision.

(6) The director shall notify the participant or the individual's representative in writing within twenty days after receiving the administrative law judge's decision that:

- (a) The decision is accepted as the final determination; or
- (b) The director has decided to review the initial decision of the administrative law judge.

(7) If the director fails to provide notice in accordance with subsection (6) of this section, the administrative law judge's decision becomes a final decision.

(8) The director shall not overturn or modify a decision, or part of a decision, of an administrative law judge that supports the position of the individual unless the director concludes, based on clear and convincing evidence that one or more of the following criteria apply:

- (a) The initial decision appears arbitrary or capricious;
- (b) The initial decision does not appear to be supported by substantial evidence;

(c) The administrative law judge has not given adequate consideration to: Federal statute and regulations; the department state plan; the department policies and procedures; options in service delivery authorized by federal statute; restrictions on service provision specified by federal statute; or, other state or federal policies.

(9) If the director decides to review the decision of the administrative law judge, the participant, or the individual's representative, shall be given opportunity to submit additional evidence and information relevant to the final decision.

(10) Within thirty days after providing notice of intent to review the administrative law judge's decision, the director shall make a final decision, and shall provide to the individual, or the individual's representative, a full written report of the findings and grounds for the decision.

(11) A participant who is dissatisfied with the final result of the fair hearing may file a petition for reconsideration with the office of administrative hearings in accordance with RCW 34.05.470, or the individual may file a petition for review in superior court.

(12) The department shall not suspend, reduce, or terminate any services being provided under an individualized written rehabilitation program pending a final determination of any administrative review or fair hearing, unless the individual, or the individual's representative so requests, or the department has evidence that the services were obtained through misrepresentation, fraud, collusion, or criminal conduct on the part of the individual.

(13) Communication with the participant or the individual's representative during any administrative review, fair hearing or judicial review shall be conducted in a language reasonably expected to be understood by the individual including use of special modes of communication as appropriate.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-570, filed 2/28/95, effective 3/31/95. 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 shall maintain for each participant a record of services that includes, to the extent pertinent, the following documentation:

(1) If an applicant has been determined ineligible:

(a) A written and dated statement of ineligibility signed by the appropriate staff member;

(b) Documentation specifying reasons for the ineligibility determination; and

(c) Documentation of a review of the determination not later than twelve months after the determination was made, except as provided in WAC 67-25-056.

(2) When an individual is determined eligible:

(a) A written and dated statement of eligibility signed by the appropriate staff member; and

(b) Supporting rationale for the determination, including documentation from the assessment for determining eligibility, in accordance with WAC 67-25-020.

(3) If it is determined that an extended evaluation for an individual with a severe disability is necessary to make an eligibility determination:

(a) A written and dated statement of this determination signed by the appropriate staff member;

(b) Supporting documentation, including the determination that the individual is an individual with a severe disability; and

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(c) Documentation of periodic assessments in accordance with WAC 67-25-100.

(4) The individualized written rehabilitation program for the individual in accordance with WAC 67-25-260, 67-25-270, and 67-25-275.

(5) Documentation from the assessment for determining vocational rehabilitation needs in accordance with WAC 67-25-255 and 67-25-257 to support:

(a) The determination of the long-term vocational goal and intermediate rehabilitation objectives for the individual; and

(b) The nature and scope of services needed to achieve the intermediate objectives and long-term goal.

(6) Documentation of how the individual was provided information necessary to make informed choices in selecting the long-term vocational goal, intermediate rehabilitation objectives, rehabilitation services, and providers of services identified in the individualized written rehabilitation program.

(7) Documentation of how the individual was provided information regarding the level of integration of service provision and job placement options. If the individualized written rehabilitation program provides for services or a job placement in a nonintegrated setting, a justification for that nonintegrated setting.

(8) If physical and mental restoration services are provided, documentation supporting the determination that the clinical status of the individual is stable or slowly progressive.

(9) Documentation supporting any decision to provide services to family members.

(10) Documentation of the individual's participation in the cost of any vocational rehabilitation services.

(11) Documentation of the individual's eligibility for and use of any comparable services and benefits.

(12) Documentation that the individual has been advised of the confidentiality of all personal information, and that any information about the individual has been released with the individual's informed written consent, in accordance with WAC 67-25-550.

(13) Documentation of the reason for terminating services to an individual, and, if the individual was determined rehabilitated, the basis for that determination in accordance with WAC 67-25-540.

(14) Documentation of any plans to provide post-employment services after the employment outcome has been achieved, the basis on which these plans were developed, and a description of services provided and outcomes achieved.

(15) Documentation concerning any action and decision resulting from a request for administrative review or fair hearing in accordance with WAC 67-25-560 or 67-25-570.

(16) If an individual has been provided vocational rehabilitation services under an individualized written rehabilitation program, but after the initiation of these services he or she has been determined no longer capable of achieving an employment outcome, documentation of any reviews of this determination in accordance with WAC 67-25-056.

[Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-590, filed 2/28/95, effective 3/31/95. 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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67-35-290	Department responsibility—Contact with property management.
67-35-300	Department responsibility—Negotiation with vending machine companies.
67-35-310	Public liability insurance.
67-35-320	Vendor responsibility—Independent—Not state employee.
67-35-330	Vendor responsibility—Applicable federal and state laws, rules and regulations.
67-35-340	Vendor responsibility—Vending facility management—Nondiscrimination.
67-35-360	Vendor responsibility—Termination of agreement.
67-35-370	Vendor responsibility—Cooperate.
67-35-380	Vendor responsibility—Reports.
67-35-390	Vendor responsibility—Accounts payable.
67-35-400	Vendor responsibility—Employment of staff.
67-35-410	Vendor responsibility—Rebates.
67-35-415	Leave of absence for prolonged illness or physical incapacity.
67-35-420	Termination of license—Termination of agreement for cause only.
67-35-425	Termination of vendor's agreement—Not affecting licensure.
67-35-430	Reasons for suspension of operating agreement prior to evidentiary hearing.
67-35-440	Suspension or termination of license—Other reasons.
67-35-450	Termination of license—Disuse.
67-35-460	Relicensing.
67-35-470	Administrative review.
67-35-480	Administrative review—Who—When—Where.
67-35-490	Full evidentiary hearing.

67-35-500	Full evidentiary hearing—Right to information.
67-35-510	Full evidentiary hearing—Transcript.
67-35-520	Full evidentiary hearing—Decision in writing.
67-35-525	Hearing officer—Certain purposes.
67-35-910	Facility operation agreement.

## 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.
67-35-350	Vendor responsibility—Maintaining equipment. [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.] Repealed by 95-12-007, filed 5/25/95, effective 6/25/95. 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, P.O. Box 40933, Olympia, WA 98504-0933, phone (360) 586-1224, 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. 96-20-076, § 67-35-020, filed 9/30/96, effective 10/31/96; 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.

(23) "Essential equipment" means those individual pieces of equipment, furnishings, and machinery which the department deems as basic and crucial to the operation of each particular vending facility.

(24) "Smallwares" means all other equipment, furnishings, and machinery not specifically listed by the department as "essential equipment" for each particular vending facility.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-030, filed 5/25/95, effective 6/25/95; 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.

(1999 Ed.)

#### 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

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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.

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[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 development decisions affecting the overall administration of the vending facility program;

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

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

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

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

(2) The department is ultimately responsible for administration of the vending facility program. The department will consider any blind vendor committee written recommendation. If the department does not adopt recommendations proposed by the blind vendor's committee, the department shall notify the committee in writing within thirty days.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-130, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-130, filed 12/15/83. Formerly WAC 67-32-130.]

**WAC 67-35-140 Vending machine income 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.]

(1999 Ed.)

**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.]

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**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—Essential equipment and smallwares.** The department will provide essential equipment and initial smallwares the depart-

ment deems appropriate for the efficient operation of the vending facility. The right, title to, and interest in all initial equipment and smallwares will be vested in the department.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-210, filed 5/25/95, effective 6/25/95. 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 67-35-215 Vendor responsibility—Smallwares.** The vendor is required to maintain all smallwares in good condition as established by the department at the time the vendor assumes operation of the facility. In the event that any smallwares must be replaced, the vendor will pay the cost of replacement.

In the event that a vendor should discontinue to operate the vending facility, the vendor or the vendor's heirs will furnish to the department an amount of smallwares equal to those initially provided for the vending facility, in suitable condition as determined by departmental policy.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-215, filed 5/25/95, effective 6/25/95.]

**WAC 67-35-220 Department and vendor responsibility—Initial consumable stocks and cash.** The department will provide funds for the initial consumable stocks and supplies, and minimum operating cash required to commence operation of the facility, as determined by departmental policy.

The vendor will be required to repay the department for the initial consumable stocks and supplies and operating cash according to a set repayment plan as outlined in departmental policy.

The right to and interest in the initial consumable stock and operating cash will remain with the department until the vendor has repaid the department in full. In the event that a vendor should discontinue to operate the vending facility, the vendor or the vendor's heirs will furnish to the department an amount of saleable stock as determined by departmental policy, and/or cash equal in monetary value to the amount currently owed to the department under the conditions of the repayment plan.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-220, filed 5/25/95, effective 6/25/95. 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 which has been deemed essential for the operation of the vending facility.

(2) 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 of operation. After the first six months of operation, the vendor will be required to pay the cost of all repairs and maintenance on all facility equipment. Failure to promptly repair essential equipment will be grounds for immediate suspension of a vendor's

operating agreement prior to an evidentiary hearing (WAC 67-35-430).

(3) The vendor will be responsible to exercise proper care of and maintain all equipment and furnishings assigned to the vending facility. This includes, but is not limited to, proper and regular cleaning and sanitation practices. A regular maintenance schedule will be provided by the vendor to the department for approval.

(4) 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. 95-12-007, § 67-35-230, filed 5/25/95, effective 6/25/95; 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.

(1999 Ed.)

[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 67-35-360 Vendor responsibility—Termination of agreement.** Any vendor whose agreement with the department has been terminated for any reason is responsible to return to the department miscellaneous equipment, smallwares, initial stock and supplies, and minimum operating cash equal in monetary value as determined by departmental policy 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 subject to the opportunity for a full evidentiary hearing.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-360, filed 5/25/95, effective 6/25/95. 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 operating agreement 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 operating agreement 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, inclusive of all repairs and maintenance as outlined in WAC 67-35-215 and 67-35-230.

(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. 95-12-007, § 67-35-430, filed 5/25/95, effective 6/25/95; 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

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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

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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

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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 Facility operation agreement.** Upon selection of a vendor to operate a business enterprise program facility, the department of services for the blind and the chosen vendor shall enter into a facility operation agreement. The text of this agreement is located in departmental policy and addresses the mutually agreed responsibilities of the vendor/operator and of the department. This agreement includes, but is not limited to, terms and conditions of facility operation such as vendor rent and insurance responsibilities, hours of operation, and conditions of termination of the agreement. Other terms or conditions of operation which are particular to a given facility shall be included as an addendum and shall be incorporated into the facility operation agreement.

[Statutory Authority: Chapter 74.18 RCW. 96-11-096, § 67-35-910, filed 5/16/96, effective 6/16/96; 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

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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

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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.]