

**WSR 07-16-086**  
**AGENDA**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed July 30, 2007, 11:49 a.m.]

in the state register under RCW 34.05.314 and distributed to interested parties, and is available online at <http://www1.dshs.wa.gov/msa/rpau/>.

This report represents DSHS rules under development at this time. There may be additional rule-making activity as DSHS responds to legislative actions, to comply with federal mandates, or to meet unforeseen circumstances.

Following is the department of social and health services' semi-annual rule-making agenda for July 1, 2007, through December 31, 2007. This agenda will be published

**Semi-Annual Rule-Making Agenda**  
**July 1, 2007, through December 31, 2007**

| WAC Chapter or WAC Number                                  | WAC Chapter or Section Caption  | Subject Matter   | Program Contact Person     | Current Activity<br>(the "WSR" number is the official filing number)          |                                   |                                     |                                      |
|--|---|--|----------------------------|---|-----------------------------------|-------------------------------------|--------------------------------------|
|  |   |  |                            | Emergency Rule  | Preproposal Notice                | Proposed Rule                       | Permanent (Final) Rule               |
| <b>Aging and Disability Services Administration (ADSA)</b> |   |  |                            |   |                                   |                                     |                                      |
| <b>ADSA-Division of Developmental Disabilities (DDD)</b>   |   |  |                            |   |                                   |                                     |                                      |
| Chapter 388-829A WAC                                       | Alternative living program.   | Moving standards for these services from current chapter 388-825 WAC.  | Debbie Roberts<br>ADSA-DDD |   | WSR 06-07-086<br>Filed<br>3/14/06 | WSR 07-11-133<br>Hearing<br>7/10/07 |                                      |
| Chapter 388-829C WAC                                       | Companion homes.  | Moving standards for these services from current chapter 388-825 WAC.  | Debbie Roberts<br>ADSA-DDD |   | WSR 06-07-086<br>Filed<br>3/14/06 | WSR 07-11-132<br>Hearing<br>7/10/07 |                                      |
| Chapters 388-823, 388-825, and 388-830 WAC                 | Intake and determinations<br>Disabilities services rules;<br>DD program option rules. | Amending rules to correct cross references and clarify incomplete information in rules.                                | Steve Brink<br>ADSA-DDD    |   | WSR 06-16-125<br>Filed<br>8/1/06  |                                     |                                      |
| Chapter 388-824 WAC  | DDD mini assessment.  | Repealing sections in this chapter that have been replaced by the DDD assessment in chapter 388-828 WAC.               | Mark Eliason<br>ADSA-DDD   |   | WSR 07-05-037<br>Filed<br>2/14/07 |                                     |                                      |
| Chapter 388-825 WAC, WAC 388-832-0001 through 388-832-0470 | Individual and family services.   | Combining three family support programs into one individual and family services program.                               | Steve Brink<br>ADSA-DDD    | WSR 07-14-071<br>Filed<br>6/29/07   | WSR 07-10-018<br>Filed<br>4/20/07 |                                     |                                      |
| Chapter 388-825 WAC  | Division of developmental disabilities service rules.                                 | Defining and reorganizing the rules governing the delivery of services to individuals with developmental disabilities. | Steve Brink<br>ADSA-DDD    |   | WSR 07-09-046<br>Filed<br>4/11/07 |                                     |                                      |
| Chapter 388-826 WAC  | DDD voluntary placement program rules.  | Amending rules to outline the foster care rate assessment.   | Rita Dickey<br>ADSA-DDD    |   | WSR 07-04-065<br>Filed<br>2/1/07  | WSR 07-11-140<br>Hearing<br>6/26/07 | WSR 07-15-003<br>Effective<br>8/6/07 |
| Chapter 388-827 WAC  | State supplementary payment (SSP) program.  | Amending rules to comply with the DDD assessment.  | Steve Brink<br>ADSA-DDD    |   | WSR 07-15-016<br>Filed<br>7/10/07 |                                     |                                      |
| Chapter 388-828 WAC  | DDD assessment.   | Incorporating the individual and family services assessment algorithm into the DDD assessment.                         | Mark Eliason<br>ADSA-DDD   | WSR 07-14-081<br>Filed<br>6/29/07<br>And<br>WSR 07-15-054<br>Filed<br>7/16/07 | WSR 07-15-081<br>Filed<br>7/18/07 |                                     |                                      |

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|   |   |   |                            | Emergency Rule  | Preproposal Notice                | Proposed Rule                       | Permanent (Final) Rule |
| Chapter 388-828 WAC                             | DDD assessment.                             | Creating WAC 388-828-9000, 388-828-9020, 388-828-9040, 388-828-9060, 388-828-9080, 388-828-9100, 388-828-9120, and 388-828-9140 to combine three family support programs into one individual and family services program as directed by the legislature.  | Mark Eliason<br>ADSA-DDD   |   | WSR 07-14-072<br>Filed<br>6/29/07 |                                     |                        |
| Chapter 388-831 WAC (new)                       | Community protection program.               | Establishing the community protection program as directed by recent state law.  | Steve Brink<br>ADSA-DDD    |   | WSR 06-08-034<br>Filed<br>3/28/06 |                                     |                        |
| Chapter 388-835 WAC                             | ICF/MR program and reimbursement system.    | Amending language to reflect new rates for intermediate care facilities for the mentally retarded.  | Steve Brink<br>ADSA-DDD    |   | Planned for future action         |                                     |                        |
| Chapter 388-845 WAC                             | Home and community based services waivers.  | Amending DDD waivers under Section 1915 of the Social Security Act.   | Steve Brink<br>ADSA-DDD    | WSR 07-12-022<br>Filed<br>5/29/07<br>WSR 07-12-050 (amending WAC 388-845-1605)<br>Filed<br>6/1/07 | WSR 06-09-013<br>Filed<br>4/10/06 | WSR 07-11-130<br>Hearing<br>7/25/07 |                        |
| Chapter 388-850 WAC                             | County plan for developmental disabilities. | Rewriting rules in "plain talk" format and clarifying language.   | Steve Brink<br>ADSA-DDD    |   | Planned for future action         |                                     |                        |
| <b>ADSA - Home and Community Services (HCS)</b> |   |   |                            |   |                                   |                                     |                        |
| Chapter 388-106 WAC                             | Long-term care services.                    | Amending sections within chapter 388-106 WAC to comply with a supreme court decision pertaining to shared living.   | Kristi Knudsen<br>ADSA-HCS | WSR 07-14-070<br>Filed<br>6/29/07   | WSR 07-14-033<br>Filed<br>6/26/07 |                                     |                        |
| Chapter 388-106 WAC                             | Long-term care services.                    | Clarifying requirements related to children's medicaid personal care (MPC) assessments and amending personal emergency response (PERS) language to clarify that two people who live together who are unable to secure help in an emergency may now be eligible for a PERS unit, and adding PERS medication management language. | Kristi Knudsen<br>ADSA-HCS |   | WSR 07-15-049<br>Filed<br>7/13/07 |                                     |                        |

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|                                   |   |   |                              | Emergency Rule   | Preproposal Notice                | Proposed Rule                       | Permanent (Final) Rule   |
| Chapter 388-106 WAC               | Long-term care services.  | Amending the in-home classifications to allow for the additional consideration of hours for clients with complex behavioral and cognitive issues and for clients with extremely high needs for assistance with activities of daily living.  | Kristi Knudsen<br>ADSA-HCS   |  | WSR 07-15-048<br>Filed<br>7/13/07 |                                     |  |
| WAC 388-106-0020                  | Under MPC, COPEs, MNRW, MNIW and chore programs, What services are not covered?     | Amends guidelines pertaining to the administration of sterile procedures to more clearly articulate who can and cannot perform certain services.  | Kristi Knudsen<br>ADSA-HCS   |  | WSR 07-13-059<br>Filed<br>6/16/07 |                                     |  |
| WAC 388-106-0225                  | How do I pay for MPC?   | Increasing the personal needs allowance (PNA) 3.3%; clarifying allowances for a GA-X client residing in an alternate living facility (ALF) that has earned income; clarifying a SSI-related client determined medicaid eligible under WAC 388-513-1305 pays available income to an alternate living facility after allowing a PNA of \$60.78; and clarifying language and updating rules. | Kristi Knudsen<br>ADSA-HCS   | WSR 07-14-075<br>Filed<br>6/29/07                                    | WSR 07-12-066<br>Filed<br>6/4/07  |                                     |  |
| Chapter 388-112 WAC               | Residential long-term care services.  | Amending and adopting new rules to: Clarify CPR requirements and the course content for HIV/AIDS training; and requiring adult family home administrators to complete training, to comply with a 2006 change in state law.  | Barbara Hanneman<br>ADSA-HCS |  | WSR 06-18-083<br>Filed<br>9/5/06  | WSR 06-22-079<br>Hearing<br>12/5/06 | WSR 07-01-045<br>Effective<br>1/14/07<br>(WAC 388-112-0270 only. Other proposed sections are being revised.) |
| WAC 388-513-1315 and 388-513-1395 | Eligibility for long-term care services.  | Amending rules to clarify hospice services.   | Lori Rolley<br>ADSA-HCS      |  | WSR 07-05-012<br>Filed<br>2/9/07  |                                     |  |
| WAC 388-513-1320                  | Determining institutional status for long-term care services.                       | Clarifying institutional status.  | Lori Rolley<br>ADSA-HCS      |  | WSR 07-12-068<br>Filed<br>6/4/07  |                                     |  |
| WAC 388-513-1325                  | Determining available income for a single client for long-term care (LTC) services. | Correcting WAC references to the appropriate SSI-related WACs, and defining LTC services in the title as institutional, waiver or hospice.  | Lori Rolley<br>ADSA-HCS      |  | WSR 07-07-096<br>Filed<br>3/19/07 | WSR 07-11-131<br>Hearing<br>6/26/07 | WSR 07-14-087<br>Effective<br>7/30/07  |

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| WAC 388-513-1330 and 388-513-1363        | Eligibility for long-term care services.   | Revising rules regarding the transfer of assets for clients found eligible for long-term care services due to the federal Deficit Reduction Act, PL 109-171.  | Lori Rolley<br>ADSA-HCS                              | WSR 07-09-062<br>Filed<br>4/16/07                                    | WSR 06-10-020<br>Filed<br>4/24/06 | WSR 07-14-019<br>Hearing<br>8/7/07  |                        |
| WAC 388-513-1350                         | Defining the resource standard and determining resource eligibility for long-term care services. | Increasing spousal resource maximum, etc.   | Lori Rolley<br>ADSA-HCS                              | WSR 07-14-076<br>Filed<br>6/29/07                                    | WSR 07-12-063<br>Filed<br>6/4/07  |                                     |                        |
| WAC 388-513-1367 (new)                   | Hardship waivers for long-term care services.  | Adopting a new rule to explain the hardship waiver process, including notice, time frames and appeal processes.   | Lori Rolley<br>ADSA-HCS                              |  | WSR 06-17-140<br>Filed<br>8/22/06 | WSR 07-13-099<br>Hearing<br>7/25/07 |                        |
| WAC 388-513-1380                         | Determining a client's financial participation in the cost of care for long-term care services.  | Changing community spouse information.  | Lori Rolley<br>ADSA-HCS                              | WSR 07-14-079<br>Filed<br>6/29/07                                    | WSR 07-12-064<br>Filed<br>6/4/07  |                                     |                        |
| WAC 388-515-1505                         | Financial eligibility for long-term care.  | Increasing the personal needs allowance and community spouse information.   | Lori Rolley<br>ADSA-HCS                              | WSR 07-14-077<br>Filed<br>6/29/07                                    | WSR 07-12-067<br>Filed<br>6/4/07  |                                     |                        |
| WAC 388-515-1510                         | DDD waivers and outward bound residential alternatives (OBRA).                                   | Increasing the personal needs allowance and amending waiver language.   | Tiffany Sevruck<br>ADSA-HCS                          | WSR 07-14-074<br>Filed<br>6/29/07                                    | WSR 07-12-065<br>Filed<br>6/4/07  |                                     |                        |
| <b>ADSA - Office of Rates Management</b> |  |   |  |  |                                   |                                     |                        |
| Chapter 388-96 WAC                       | Nursing facility medicaid payment system.  | Adopting rules defining "home office" to help determine whether a nursing home is a "vital local provider" under state law.   | Ed Southen<br>ADSA<br>Nursing Home Rates Section     |  | WSR 06-16-124<br>Filed<br>8/1/06  |                                     |                        |
| Chapter 388-96 WAC                       | Nursing facility medicaid payment system.  | Amending rules on: Accounts receivable audits; residents' funds that a home must deposit; the definition of "direct care supplies"; the direct care rate for unbanked beds; minimum occupancy when setting rates; and other purposes. | Patricia Hague<br>ASDA<br>Office of Rates Management |  | WSR 06-24-112<br>Filed<br>12/6/06 |                                     |                        |
| Chapter 388-96 WAC                       | Nursing facility medicaid payment system.  | Amending rules to clarify the treatment of quality maintenance fee costs in rebases of the medicaid nursing home payment rate that are based on cost reports from 2005 forward.   | Patricia Hague<br>ADSA<br>Office of Rates Management |  | WSR 07-05-024<br>Filed<br>2/13/07 |                                     |                        |

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| <b>ADSA - Residential Care Services (RCS)</b> |  |   |  |  |  |  |                                       |
| Chapter 388-76 WAC                            | Adult family homes.  | Updating the rules to comply with statutes, simplifying language, clarifying issues, and reorganizing the chapter.  | Roger Woodside<br>ADSA-RCS                 |  | WSR 06-09-084<br>Filed<br>4/18/06  | WSR 07-14-082<br>Hearings:<br>Olympia<br>9/4/07<br>Spokane<br>9/6/07 |                                       |
| Chapter 388-76 WAC                            | Adult family homes minimum licensing requirements.   | Clarifying due process rights of persons investigated for alleged abuse, neglect, exploitation and financial exploitation of an adult family home resident and amending other related sections.   | Roger Woodside<br>ADSA-RCS                 |  | WSR 07-15-026<br>Filed<br>7/12/07  |  |                                       |
| Chapter 388-78A WAC                           | Boarding home licensing rules.   | Clarifying due process rights of persons investigated for alleged abuse, neglect, exploitation and financial exploitation of a boarding home resident and amending other related sections.  | Todd Henry<br>ADSA-RCS                     |  | WSR 07-15-025  |  |                                       |
| WAC 388-97-077                                | Nursing home resident protection program and other related sections.   | Simplifying and clarifying existing due process for rights of individuals accused of abusing, neglecting, exploiting or financially exploiting vulnerable adults in nursing homes.  | Lisa Yanagida<br>ADSA-RCS                  |  | WSR 07-15-024<br>Filed<br>7/12/07  |  |                                       |
| Chapter 388-101 WAC                           | Certified community residential services and supports.   | Revising rules regarding the community protection program, assessments, restrictive procedures, inspections, enforcement remedies, appeals, agency finances, and client's rights; addressing abuse and neglect reporting, and sections that involve the individual financial plans; and to meet federal requirements. | John Gaskell<br>ADSA-RCS                   |  | WSR 05-07-132<br>Filed<br>3/22/05  |  |                                       |
| <b>Children's Administration</b>              |  |   |  |  |  |  |                                       |
| WAC chapter not determined yet                | Domestic violence prevention.  | Proposing new rules establishing standards for programs receiving domestic violence prevention funds.   | Maureen Kelly<br>Children's Administration |  | WSR 06-06-073<br>Filed<br>2/28/06  |  |                                       |
| WAC 388-15-009<br>388-15-049                  | What is child abuse or neglect?<br><br>When must the department notify the alleged perpetrator of allegations of child abuse or neglect? | Amending the definition of child abuse to be consistent with a 2006 change in state law.<br><br>Amending the definition of notice to an alleged perpetrator of child abuse or neglect, to be consistent with a 2006 change in state law.  | Tina Stern<br>Children's Administration    | WSR 07-10-057<br>Filed<br>4/27/07                                    | WSR 06-21-080<br>Filed<br>10/17/06<br>WSR 06-21-081<br>Filed<br>10/17/06 | WSR 07-08-095<br>Hearing<br>5/8/07                                   | WSR 07-14-111<br>Effective<br>7/23/07 |

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| WAC 388-25-1000<br>388-25-1010<br>388-25-1020<br>388-25-1030<br>388-25-1040<br>388-25-1050   | Child welfare services—Foster care.                          | Amending eligibility criteria for the state supplementary payment program through the children's administration.  | Cindy Beckman<br>Children's Administration   |  | WSR 07-05-026<br>Filed<br>2/13/07  |               |                        |
| Chapter 388-39A WAC  | Child welfare services—Complaint resolution.                 | Same.   | Children's Administration                    |  | Planned for future action          |               |                        |
| <b>Economic Services Administration (ESA)</b>  |  |   |  |  |                                    |               |                        |
| <b>ESA - Community Services Division (CSD)</b><br>No current rule-making activity  |  |   |  |  |                                    |               |                        |
| <b>ESA - (Former) Division of Child Care and Early Learning (DCCEL)</b>  |  |   |  |  |                                    |               |                        |
| <p><b>Note:</b> When chapter 265, Laws of 2006, became effective on July 1, 2006, DCCEL became part of the new department of early learning and is no longer a unit of DSHS. Contact Carla Gira, acting DEL rules coordinator, at (360) 725-4682 regarding child care licensing rules that are now managed by the department of early learning.</p> <p>The department of early learning will recodify certain working connections child care rules in chapter 388-290 WAC in the future (see WAC 388-290-0273, below). Please contact the department of early learning with questions about these rules.</p> |  |   |  |  |                                    |               |                        |
| <b>ESA Division of Child Support (DCS)</b>   |  |   |  |  |                                    |               |                        |
| Chapter 388-14A WAC  | Division of child support rules.                             | Adopting new and amended sections to implement state legislation which implements the federal Deficit Reduction Act of 2005.  | Nancy Koptur<br>ESA-DCS                      | WSR 07-16-023<br>Filed<br>7/20/07                                    | WSR 07-10-116<br>Filed<br>5/2/07   |               |                        |
| WAC 388-14A-3900 to 388-14A-3925   | Division of child support rules.                             | Revising rules on modification of support orders.   | Nancy Koptur<br>ESA-DCS                      |  | WSR 03-22-054<br>Filed<br>10/31/03 |               |                        |
| <b>ESA - Division of Employment and Assistance Programs (DEAP)</b>   |  |   |  |  |                                    |               |                        |
| WAC 388-290-0273   | Working connections child care.                              | Amending the rule to allow WCCC payment if the child care provider has documentation of attendance records.<br>(Note: This rule will be recodified into a new chapter by the department of early learning in 2007.) | Sally Reigel<br>Department of Early Learning |  | WSR 06-08-033                      |               |                        |
| WAC 388-310-0300<br>388-310-1450   | WorkFirst.   | Changing the one-time exemption for a parent with a child under twelve months.  | Ian Horlor<br>ESA-DEAP                       | WSR 07-16-021<br>Filed<br>7/20/07                                    | WSR 07-11-116<br>Filed<br>5/18/07  |               |                        |
| WAC 388-310-2100<br>388-418-0005   | WorkFirst career services program.                           | WorkFirst career services program.  | Jenny Egan Grayum<br>ESA-DEAP                | WSR 07-14-080<br>Filed<br>6/29/07                                    | WSR 07-05-059<br>Filed<br>2/20/07  |               |                        |
| WAC 388-406-0025   | Can I apply for cash, medical, or Basic Food?                | Allowing applications for youth prior to release from confinement.  | John Camp<br>ESA-DEAP                        |  | WSR 07-14-098<br>Filed<br>6/30/07  |               |                        |
| WAC 388-406-0035   | How long does the department have to process my application? | Clarifying the section and update the WACs that should be referenced in regards to applications that are delayed.   | Jenny Egan Grayum<br>ESA-DEAP                |  | WSR 07-12-030<br>Filed<br>5/30/07  |               |                        |

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|  |  |  |                            | Emergency Rule   | Preproposal Notice                 | Proposed Rule                        | Permanent (Final) Rule   |
| WAC 388-406-0040   | Applications.  | Clarifying delayed processing and actions on applications for food assistance that are thirty days old to be consistent with federal rules.  | Rebecca Henrie<br>ESA-DEAP |  | WSR 06-14-037<br>Filed<br>6/28/06  | WSR 07-05-053<br>Hearing<br>3/27/07  | WSR 07-13-019<br>Effective<br>7/12/07                              |
| Chapter 388-412 WAC  | Benefit issuances.   | Providing rules on how the department: Delivers benefits, replaces benefits that were issued, and expunges benefits that have been unused in a electronic benefits transfer (EBT) account. | John Camp<br>ESA-DEAP      |  | WSR 07-06-052<br>Filed<br>3/2/07   |                                      |  |
| WAC 399-418-0011   | Mid-certification reviews.   | Updating the rule to comply with federal law and rules regarding what is considered a complete mid-certification review.   | John Camp<br>ESA-DEAP      |  | WSR 06-17-130<br>Filed<br>8/21/06  | WSR 06-21-056<br>Hearing<br>11/21/06 | WSR 07-01-023<br>Effective<br>10/1/07<br>See also<br>WSR 06-24-025 |
| WAC 388-428-0010 and 388-454-0025  | Notifying parents of whereabouts of their children.  | Revising rules governing notifying parents of the whereabouts of their children to comply with state law, and recognize the rights of parents and protect the safety of children.          | Tom Berry<br>ESA-DEAP      |  | WSR 06-20-073<br>Filed<br>9/29/06  |                                      |  |
| WAC 388-440-0005   | Exception to rule— Notification requirement.   | Simplifying the process for the department to respond to individual requests for an exception to policy.   | Ian Horlor<br>ESA-DEAP     |  | WSR 07-10-019<br>Filed<br>4/20/07  | WSR 07-14-017<br>Hearing<br>8/7/07   |  |
| WAC 388-444-0005   | WorkFirst.   | Amending WorkFirst rules to comply with the federal Deficit Reduction Act of 2005.   | Ian Horlor<br>ESA-DEAP     |  | WSR 06-21-055<br>Filed<br>10/13/06 | WSR 07-11-134<br>Hearing<br>6/26/07  | WSR 07-14-125<br>Effective<br>8/3/07                               |
| WAC 388-444-0025   | Payments for food stamp employment and training related expenses.                                | Amending the rule to allow participants in food stamp employment and training programs to be eligible for dependent care payments for dependent children age zero to six years of age.     | John Camp<br>ESA-DEAP      | WSR 07-08-096<br>Filed<br>4/3/07                                     | WSR 07-12-059<br>Filed<br>6/4/07   |                                      |  |
| WAC 388-450-0015<br>388-450-0035<br>388-470-0045<br>388-470-0055<br>and related sections | Income and resources counted for food assistance.  | Amending rules consistent with federal law regarding exclusion for certain types of educational income, interest or dividend income, and retirement savings.                               | John Camp<br>ESA-DEAP      |  | WSR 06-07-147<br>Filed<br>3/21/06  |                                      |  |
| WAC 388-450-0162   | Using countable income to determine eligibility and amount of cash and food assistance benefits. | Including references to WAC 388-478-0040 and 388-478-0045.   | Logan McGregor<br>ESA-DEAP |  | WSR 07-14-099<br>Filed<br>6/30/07  |                                      |  |

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| WAC<br>388-450-0185<br>388-450-0190<br>388-450-0195<br>388-478-0060<br>388-492-0040<br>388-492-0070 | WASHCAP and Basic Food.  | Implementing annual adjustments to standards for WASHCAP and the Washington Basic Food program. Changes include updates to the following standards for federal fiscal year 2008: Income standard, maximum allotment, maximum shelter deduction standard, standard deduction, standard utility allowances, WASHCAP shelter cost standard, and WASHCAP opt-out standard. | John Camp<br>ESA-DEAP       |  | WSR<br>07-11-117<br>Filed<br>5/18/07     |  |                        |
| WAC<br>388-450-0215   | How does the department estimate my assistance unit's income to determine my eligibility and benefits? | Giving provisions for budgeting income that is received less frequently than monthly on an averaging basis even in the month of application.   | Bill Callahan<br>ESA-DEAP   |  | WSR<br>07-06-051<br>Filed<br>3/2/07      | WSR<br>07-11-091<br>Hearing<br>6/26/07 |                        |
| WAC<br>388-454-0006   | Background checks for persons acting in place of a parent without court-ordered custody.               | Amending the rule to be consistent with working connections child care rules regarding background checks for adult child-caregivers applying for assistance for unrelated children in their care.  | Tom Berry<br>ESA-DEAP       |  | WSR<br>06-09-037<br>Filed<br>4/13/06     |  |                        |
| WAC<br>388-478-0055   | How much do I get from my state supplemental payments (SSP)?   | Increasing the state supplemental payment by \$1.77 per month beginning July 1, 2007, for SSI clients who reside in nursing facilities, residential habilitation centers, or state hospitals and who receive a personal needs allowance.   | Logan MacGregor<br>ESA-DEAP | WSR<br>07-14-073<br>Filed<br>6/29/07                                 | WSR<br>07-12-060<br>Filed<br>6/4/07      |  |                        |
| WAC<br>388-492-0070   | How are my WASHCAP food benefits calculated?   | Amending the utility standard included in the WASHCAP standards, and adjusting the threshold by which an individual receives either the high or the low WASHCAP shelter standard.  | Rebecca Henrie<br>ESA-DEAP  |  | WSR<br>07-10-114<br>Filed<br>5/2/07      |  |                        |
| <b>Health and Recovery Services Administration (HRSA)</b>   |  |  |                             |  |  |  |                        |
| <b>HRSA - Division of Alcohol and Substance Abuse (DASA)</b>  |  |  |                             |  |  |  |                        |
| Chapter<br>388-800 WAC  | Chemical dependency assistance programs.   | Clarifying rules; updating references to patient eligibility standards; clarifying the process for secondary ADATSA clients.   | Virginia Ochoa<br>HRSA-DASA |  | WSR<br>05-02-065<br>Filed<br>1/4/05      |  |                        |
| Chapter<br>388-805 WAC  | Certification requirements for chemical dependency service providers.                                  | Clarifying rules; updating definition and requirements for chemical dependency service providers.  | Deb Cummins<br>HRSA-DASA    |  | Planned for future action (October 2007) |  |                        |



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|  |   |  |                               | Emergency Rule   | Preproposal Notice              | Proposed Rule                    | Permanent (Final) Rule |
| <b>HRSA-Mental Health (MH)</b>   |   |  |                               |  |                                 |                                  |                        |
| WAC 388-865-0100 through 388-865-0484  | Community mental health and involuntary treatment programs. | Revising rules consistent with the federal balanced budget act, and for quality improvement.   | Contact Kevin Sullivan, HRSA  |  | WSR 03-08-077<br>Filed 4/1/03   |                                  |                        |
| <b>HRSA-Medical Assistance (MA)</b>  |   |  |                               |  |                                 |                                  |                        |
| Unknown sections in Title 388 WAC  | Health technology clinical committee assessments.           | Creating a new WAC to support the health technology assessment program established by the 2006 legislature.                                    | Kevin Sullivan<br>HRSA-MA     |  | WSR 07-12-061<br>Filed 6/4/07   |                                  |                        |
| WAC 388-406-0010   | How do I apply for benefits?                                | Amending the rule to clarify the signature requirements on applications for medical assistance for children and pregnant women.                | Mary Beth Ingram<br>HRSA-MA   |  | WSR 07-08-094<br>Filed 4/3/07   |                                  |                        |
| WAC 388-408-0055<br>388-416-0015<br>388-418-0005<br>388-418-0025<br>388-450-0210<br>388-476-0005<br>388-478-0075<br>388-505-0210<br>388-505-0211<br>388-542-0010<br>388-542-0020<br>388-542-0050<br>388-542-0300 | Medical assistance eligibility for children.                | Authorizing medical assistance coverage for all children living in households with income at or below 250% of the federal poverty level (FPL). | Kevin Cornell<br>HRSA-MA      | WSR 07-16-022<br>Filed 7/20/07                                       | WSR 07-11-098<br>Filed 5/16/07  |                                  |                        |
| WAC 388-478-0070<br>388-478-0080   | Standards for payments.                                     | Amending rules to comply with federal medicaid standard changes that became effective January 1, 2007.   | Mary Beth Ingram<br>HRSA-MA   | WSR 07-15-002<br>Filed 7/6/07  | WSR 07-07-003<br>Filed 3/8/07   |                                  |                        |
| WAC 388-501-0060<br>388-501-0065   | Healthcare coverage.  | Correcting errors made in developing the scope of covered services chart in new WAC 388-501-0060 and 388-501-0065.                             | Kevin Sullivan<br>HRSA-MA     |  | WSR 07-12-062<br>Filed 6/4/07   |                                  |                        |
| WAC 388-501-0100<br>388-505-0540   | Subrogation; Assignment or rights and cooperation.          | Filed and withdrawn in the past period.  | Wendy Boedigheimer<br>HRSA-MA |  | WSR 07-04-020<br>Filed 1/23/07  | WSR 07-13-087<br>Hearing 7/25/07 |                        |
| WAC 388-501-0180 and related rules   | Out-of-state medical care.                                  | Updating and clarifying rules on out-of-state medical care and requirements for providers; and out-of-country medical care.                    | Kevin Sullivan<br>HRSA-MA     |  | WSR 06-24-113<br>Filed 12/6/06  |                                  |                        |
| WAC 388-502-0150   | Administration of medical programs.                         | Extending the time limit to submit a claim after medicare has processed the claim.   | Diane McMasters<br>HRSA-MA    |  | WSR 04-23-100<br>Filed 11/17/04 |                                  |                        |
| WAC 388-502-0160   | Administration of medical programs.                         | Updating and clarifying the scope of the rule.   | Wendy Boedigheimer<br>HRSA-MA |  | WSR 04-16-087<br>Filed 8/2/04   |                                  |                        |

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|---|--|--|-------------------------------|--|--------------------------------------|---|--|
|   |  |  |                               | Emergency<br>Rule  | Preproposal<br>Notice                | Proposed<br>Rule  | Permanent<br>(Final) Rule                |
| WAC<br>388-503-0505   | General eligibility requirements for medical programs.                                   | Requiring clients who are entitled to medicare benefits and applying for medicaid to enroll in medicare Parts A, B, and D.   | Carole McRae<br>HRSA-MA       |  | WSR<br>06-11-085<br>Filed<br>5/16/06 |   |  |
| Chapter<br>388-505 WAC  | Family medical.  | Creating a new WAC to address family-related institutional medical benefits.   | Carole McRae<br>HRSA-MA       |  | WSR<br>07-12-031<br>Filed<br>5/30/07 |   |  |
| WAC<br>388-517-0310<br>388-517-0320   | Medicare savings programs.   | Revising rules to reflect federal requirements on copayments, policies and program eligibility.  | Carole McRae<br>HRSA-MA       |  | WSR<br>05-17-137<br>Filed<br>8/19/05 | WSR<br>07-11-135<br>Hearing<br>6/26/07  | WSR<br>07-15-032<br>Effective<br>8/12/07 |
| Chapter<br>388-530 WAC  | Pharmacy services.   | Reorganizing, updating, and clarifying pharmacy rules.   | Wendy Boedigheimer<br>HRSA-MA |  | WSR<br>07-04-017                     | WSR<br>07-11-141<br>07-11-142<br>07-11-143<br>07-11-144<br>Hearing<br>6/26/07 |  |
| Chapter<br>388-532 WAC  | Family planning/TAKE-CHARGE program.   | Revising rules to bring the program into compliance with state's federal waiver, and to help the state prevent the loss of federal funds.  | Wendy Boedigheimer<br>HRSA-MA | WSR<br>07-14-030<br>Filed<br>6/26/07                                 | WSR<br>06-22-093<br>Filed<br>11/1/06 | WSR<br>07-07-102<br>Hearing<br>3/19/07  |  |
| WAC<br>388-533-0390   | Childbirth education.  | Amending rules to break the information into smaller sections, clarify and update rules, and clarify policy on payment of childbirth education when delivered as a refresher course. | Wendy Boedigheimer<br>HRSA-MA | WSR<br>07-03-055<br>Filed<br>1/12/07                                 |                                      |   |  |
| WAC<br>388-535-1065   | Coverage limits for dental-related services provided under the GA-U and ADATSA programs. | Striking "for clients through age twenty" that was inadvertently added in WAC 388-535-1065(4).   | Kathy Sayre<br>HRSA-MA        |  | WSR<br>07-09-057<br>Filed<br>7/12/07 | WSR<br>07-14-089<br>Hearing<br>8/7/07   |  |
| WAC<br>388-535-1265   | Covered dental-related services—Adults.  | Repealing this rule because the replacement rule WAC 388-535-1271, is effective on April 1, 2007.  | Kathy Sayre<br>HRSA-MA        | WSR<br>07-08-067<br>Filed<br>3/29/07                                 |                                      | Expedited<br>Rule-Making<br>WSR<br>07-08-066<br>Comments<br>due:<br>6/4/07    | WSR<br>07-14-031<br>Effective<br>7/27/07 |
| WAC<br>388-543-1100<br>388-543-1150<br>388-543-1600<br>388-543-1700<br>388-543-2000<br>388-543-2800 | Durable medical equipment.   | Amending rules to update and clarify covered durable medical equipment and related supplies, prosthetics, orthotics, medical supplies and related services.                          | Wendy Boedigheimer<br>HRSA-MA |  | WSR<br>07-04-018<br>Filed<br>1/25/07 | WSR<br>07-11-042<br>Hearing<br>6/26/07  |  |
| WAC<br>388-544-0475   | Noncovered services, eyeglasses, and contact lenses.                                     | Removing the language in this section and readopting the rule through the permanent rule-making process.   | Wendy Boedigheimer<br>HRSA-MA | WSR<br>07-11-023<br>Filed<br>5/4/07                                  | WSR<br>07-10-125<br>Filed<br>5/2/07  |   |  |

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|   |   |   |                               | Emergency Rule   | Preproposal Notice                    | Proposed Rule   | Permanent (Final) Rule                  |
| WAC<br>388-544-1010<br>388-544-1100<br>388-544-1200<br>388-544-1300<br>388-544-1400   | Hearing aid services.                               | Revising rules to move the hearing aid rules into their own chapter 388-547 WAC; creating clear section titles and clarifying text; and including digital hearing aids under covered services to align with industry standards.   | Wendy Boedigheimer<br>HRSA-MA |  | WSR<br>07-05-011<br>Filed<br>2/9/07   |   |   |
| Chapter<br>388-549 WAC  | Rural health clinics.                               | Replacing the cost-based reimbursement methodology with the prospective payment system per the federal Benefit Improvement and Protection Act.  | Wendy Boedigheimer<br>HRSA-MA |  | WSR<br>05-16-083<br>Filed<br>8/1/05   |   |   |
| WAC<br>388-550-1000<br>388-550-2565<br>388-550-2570<br>388-550-2575<br>388-550-2580<br>388-550-2585<br>388-550-2590<br>388-550-2595<br>388-550-2596   | Hospital services long-term acute care.             | Amending the rule so that special client service contracts that complement a core provider agreement for an out-of-state LTAC hospital take precedence over any conflicting payment program policies set in WAC by the department, and to clarify and update existing language for the LTAC program WAC sections. | Kathy Sayre<br>HRSA-MA        |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-08-107<br>Hearing<br>5/8/07                           | WSR<br>07-11-129<br>Effective<br>8/1/07 |
| WAC<br>388-550-1050   | Hospital definitions.                               | Clarifying and updating existing definitions and adding new definitions relating to inpatient and outpatient hospital services.   | Kathy Sayre<br>HRSA-MA        |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-08-108<br>Hearing<br>5/23/07                          | WSR<br>07-14-052<br>Effective<br>8/1/07 |
| WAC<br>388-550-1100<br>388-550-2600<br>388-550-2650   | Hospital services: Psychiatric inpatient hospitals. | Updating and clarifying inpatient psychiatric services coverage (including adding applicable definitions), payment policy, and general policy for hospital care.  | Kathy Sayre<br>HRSA-MA        |  | WSR<br>05-17-136<br>Filed<br>8/19/05  | WSR<br>07-10-093<br>Hearing<br>6/5/07                           | WSR<br>07-14-053<br>Effective<br>8/1/07 |
| WAC<br>Part 1 of 3:<br>388-550-1200<br>388-550-1300<br>388-550-1350<br>388-550-1400<br>Part 2 of 3:<br>388-550-1500<br>388-550-1600<br>388-550-1700<br>388-550-1800<br>388-550-1900<br>Part 3 of 3:<br>388-550-2100<br>388-550-2200<br>388-550-2301<br>388-550-2400<br>388-550-2500<br>388-550-2800 | Hospital services.                                  | Amending sections in chapter 388-550 WAC relating to hospital requirements for transplants and bariatric surgery, inpatient chronic pain management and hospice services, and payment methods for Medicaid and SCHIP clients.   | Kathy Sayre<br>HRSA-MA        |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-10-104<br>07-10-105<br>07-10-106<br>Hearing<br>6/5/07 | WSR<br>07-14-018<br>Effective<br>8/1/07 |

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|   |  |   |                        | Emergency Rule   | Preproposal Notice                    | Proposed Rule  | Permanent (Final) Rule                  |
| WAC<br>388-550-2501<br>388-550-2511<br>388-550-2521<br>388-550-2531<br>388-550-2541<br>388-550-2561   | Hospital services acute physical medicine and rehabilitation services. | Updating and clarifying existing language; adding the language for dates of admission before July 1, 2007, a department-approved acute PM&R facility must provide documentation that confirms the facility is contracted under the department's selective contracting program, if in a selective contracting area, unless exempted from the requirement, etc. | Kathy Sayre<br>HRSA-MA |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-08-106<br>Hearing<br>5/8/07  | WSR<br>07-12-039<br>Effective<br>8/1/07 |
| WAC<br>388-550-2598   | Hospital services: Critical access hospital (CAH) program.             | Updating and clarifying the department's critical access hospital (CAH) policy and processes for rate-setting, claim payment, etc.  | Kathy Sayre<br>HRSA-MA |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-10-094<br>Hearing<br>6/5/07  | WSR<br>07-14-054<br>Effective<br>8/1/07 |
| WAC<br>388-550-2900<br>388-550-3000<br>388-550-3200<br>388-550-3300<br>388-550-3350<br>388-550-3381<br>388-550-3400<br>388-550-3500<br>Repeal WAC<br>388-550-2000   | Hospital services— Hospital payment methodologies and limits.          | Changing "medical assistance administration (MAA)" to "the department" and "facility" to "hospital." In addition, the proposed changes reflect updates for dates of admission before August 1, 2007, and on and after August 1, 2007.   | Kathy Sayre<br>HRSA-MA |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-10-107<br>Hearing<br>6/5/07  | WSR<br>07-14-055<br>Effective<br>8/1/07 |
| WAC<br>Part 1 of 6:<br>388-550-3010<br>388-550-3020<br>388-550-3100<br>388-550-3150<br>388-550-3250<br>Part 2 of 6:<br>388-550-3450<br>388-550-3460<br>388-550-3470<br>Part 3 of 6:<br>388-550-3600<br>388-550-3800<br>388-550-3900<br>388-550-4000<br>388-550-4100<br>388-550-4200<br>388-550-4300<br>Part 4 of 6:<br>388-550-3700<br>Part 5 of 6:<br>388-550-4400<br>388-550-4500<br>388-550-6700<br>Part 6 of 6:<br>388-550-4800 | Hospital services— Navigant study.                                     | Describing policy regarding the department's hospital services coverage, rate-setting methods, and payment methods, based on recommendations made in the Navigant study and supported by the state legislature.   | Kathy Sayre<br>HRSA-MA |  | WSR<br>06-22-054<br>Filed<br>10/27/06 | WSR<br>07-10-095<br>07-10-096<br>07-10-097<br>07-10-098<br>07-10-099<br>07-10-100<br>Hearing<br>6/5/07 | WSR<br>07-14-051<br>Effective<br>8/1/07 |

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|   |   |   |  | Emergency Rule   | Preproposal Notice                 | Proposed Rule  | Permanent (Final) Rule               |
| WAC 388-550-4600<br>388-550-4700  | Hospital selective contracting program.   | Amending rules to reflect that the department is ending the hospital selective contracting program on June 30, 2007.  | Kathy Sayre<br>HRSA-MA                 |  | WSR 05-17-136<br>Filed<br>8/19/05  | WSR 07-09-080<br>Hearing<br>5/22/07                          | WSR 07-12-040<br>Effective<br>7/1/07 |
| WAC Part 1 of 3:<br>388-550-5400<br>388-550-5410<br>388-550-5425<br>388-550-5450<br>Part 2 of 3<br>388-550-4670<br>388-550-4900<br>Part 3 of 3:<br>388-550-4925<br>388-550-4935<br>388-550-5000<br>388-550-5125<br>388-550-5130<br>388-550-5150<br>388-550-5200<br>388-550-5210<br>388-550-5220 | Hospital services: Disproportionate share hospitals (DSH).                                  | Add new sections to ensure all DSH programs are identified in rule and ensure that sufficient program detail is provided.   | Kathy Sayre<br>HRSA-MA                 |  | WSR 06-22-054<br>Filed<br>10/27/06 | WSR 07-10-101<br>07-10-102<br>07-10-103<br>Hearing<br>6/5/07 | WSR 07-14-090<br>Effective<br>8/1/07 |
| WAC 388-550-6000<br>388-550-6350<br>388-550-6500<br>388-550-7000<br>388-550-7050<br>388-550-7100<br>388-550-7200<br>388-550-7300<br>388-550-7400<br>388-550-7500<br>388-550-7600  | Hospital services: Outpatient prospective payment system (OPPS).                            | Updating and clarifying existing language related to OPPS, outpatient sleep apnea/sleep study programs, blood and blood components, and conditions of payment and payment methods for outpatient hospital services. | Kathy Sayre<br>HRSA-MA                 |  | WSR 05-13-076<br>Filed<br>6/13/05  | WSR 07-10-092<br>Hearing<br>6/5/07                           | WSR 07-13-100<br>Effective<br>8/1/07 |
| Chapter 388-557 WAC   | Chronic care management program.  | Incorporate into rule the new chronic care management program.  | Kathy Sayre<br>HRSA-MA                 |  | WSR 07-02-021<br>Filed<br>12/21/06 | WSR 07-15-089<br>Hearing<br>8/21/07                          |                                      |
| <b>Juvenile Rehabilitation Administration (JRA)</b>   |   |   |  |  |                                    |  |                                      |
| Chapter 388-700 WAC   | Juvenile rehabilitation administration—Practices and procedures.                            | Potential revisions due to changes in background check procedures.  | David Griffith<br>JRA                  |  |                                    | Planned for future action                                    |                                      |
| Chapter 388-720 WAC   | Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220. | Potential changes to clarifying sentencing in relation to "victim in the home" status and to update the reimbursement schedule.   | Cheryl Sullivan-Colglazier<br>JRA      |  |                                    | Planned for future action                                    |                                      |
| Chapter 388-740 WAC   | Juvenile parole revocation.   | Potential revision to update revocation process for certain offenders and update confidentiality requirements.  | David Griffith<br>Bob Salisbury<br>JRA |  |                                    | Planned for future action                                    |                                      |

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|  |  |   |   | Emergency Rule   | Preproposal Notice             | Proposed Rule | Permanent (Final) Rule |
| WAC 388-740-0070   | Confinement.   | To implement section 1(4) (b), chapter 203, Laws of 2007 of SSB 5243 by defining behavior which may be cause for the secretary to modify parole and return a juvenile sex offender to confinement for up to twenty-four weeks. Also to incorporate guidelines and certain existing JRA parole standards to return certain juvenile sex offenders committed to JRA or basic training camp graduates to confinement for the remainder of his or her sentence. | Kecia Rongen<br>JRA                       |  | Planned for future action      |               |                        |
| Chapter 388-745 WAC  | Transfer of juvenile offenders to the department of corrections (DOC). | Potential revisions due to changes in transfer procedures.  | David Griffith<br>JRA                     |  | Planned for future action      |               |                        |
| Chapter 388-750 WAC  | Impact account—Criminal justice cost.                                  | Review for potential updates.   | Ken Brown<br>Trent Phillips<br>JRA        |  | Planned for future action      |               |                        |
| <b>Office of Planning, Performance and Accountability (OPPA)</b> |  |   |   |  |                                |               |                        |
| <b>OPPA - Research and Data Analysis</b>                         |  |   |   |  |                                |               |                        |
| Chapter 388-04 WAC   | Protection of human research subjects.                                 |   | No current rule-making activity.          |  |                                |               |                        |
| <b>Office of Risk Management (ORM)</b>                           |  |   |   |  |                                |               |                        |
| <b>ORM - Public Disclosure</b>                                   |  |   |   |  |                                |               |                        |
| Chapter 388-01 WAC   | DSHS organization/Disclosure of public records.                        | Updating procedures for responding to public requests for disclosure of records.  | Kristal K. Wiitala<br>Privacy Officer     |  | WSR 02-01-007<br>Filed 12/7/01 |               |                        |
| Chapter 388-01 WAC   | DSHS organization and disclosure of public records.                    | Amending rules to reflect changes in DSHS organization structure, and to implement chapter 483, Laws of 2005.   | Kristal K. Wiitala<br>Privacy Officer     |  | Planned for future action      |               |                        |
| <b>Public Affairs (PA)</b>                                       |  |   |   |  |                                |               |                        |
| <b>PA - Division of Vocational Rehabilitation (DVR)</b>          |  |   |   |  |                                |               |                        |
| Chapters 388-891<br>388-892 WAC                                  |  |   | No current rule-making activity.          |  |                                |               |                        |
| <b>PA - Management Services Administration</b>                   |  |   |   |  |                                |               |                        |
| Chapter 388-02 WAC   | DSHS hearing rules.  | Modifying deadlines and time frames in administrative hearings, making changes to the authority of administrative law judges and review judges, and making other changes in order to comply with federal rules.   | Brian Lindgren<br>MSA<br>Board of Appeals |  | WSR 07-10-112<br>Filed 5/2/07  |               |                        |

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|   |                                    |   |   | Emergency Rule   | Preproposal Notice          | Proposed Rule | Permanent (Final) Rule |
| Chapter 388-06 WAC                                      | Background checks.                 | Amending, consolidating and colocating existing background check rules in other WAC chapters into this chapter. | Jackie Beery<br>MSA<br>Background Check<br>Central Unit | WSR 07-16-019 and 07-16-020 Filed 7/20/07                            | WSR 07-11-097 Filed 5/16/07 |               |                        |
| <b>PA - Office of Deaf and Hard of Hearing Services</b> |                                    |   |   |  |                             |               |                        |
| Chapter 388-818 WAC                                     | Deaf and hard of hearing services. |   | No current rule-making activity.                        |  |                             |               |                        |
| <b>PA - Special Commitment Center</b>                   |                                    |   |   |  |                             |               |                        |
| Chapter 388-885 WAC                                     | Civil commitment cost.             | Updating reimbursement fee schedules for allowable activities under chapter 71.09 RCW.                          | Mark Davis<br>Special Commitment Center                 |  | WSR 04-10-092 Filed 5/4/04  |               |                        |

Explanation of selected terms used in these tables:

"CR" stands for code reviser, or code reviser's office. The code reviser's office creates the "CR" forms used by DSHS and all state agencies to notify the public about rule-making actions.

A "preproposal notice" is a CR-101 preproposal statement of inquiry filed under RCW 34.05.310. This is a preliminary notice to the public that DSHS is in the planning stages to adopt, amend or repeal rules on a particular subject, and notes the laws authorizing the agency's action. The notice also lets the public know how to participate in the development of the rule, and identifies the department's contact person.

A "proposed rule" is a CR-102 proposed rule-making notice filed under RCW 34.05.320. The notice includes:

- (1) A description of the rules that the DSHS proposes to adopt, amend or repeal, and the reasons supporting the proposal;
- (2) The date and location of a public hearing or hearings to take formal comments about the proposed rule; the deadline for sending written comments about the rule; and how written comments may be sent;
- (3) The laws authorizing the agency action;
- (4) The complete text of the proposed new or amended rules, or a list of rule sections being repealed;
- (5) The text of a small business economic impact statement, if applicable;
- (6) Information on how to obtain a copy of the preliminary cost benefit analysis, if applicable; and
- (7) Agency staff that the public may contact about the proposed rules.

An "expedited rule" is a CR-105 expedited rule-making notice, filed under RCW 34.05.353. DSHS may use this process to notify the public that it intends to adopt, amend or repeal very limited types of rules without accepting public comments or holding a public hearing. After a minimum waiting period, DSHS may adopt the rule as permanent, if no one has objected in writing. If someone does object, the department must file a CR-102 notice, hold a public hearing and accept written comments before adopting the permanent rule.

A "permanent rule" is a CR-103 rule-making order, filed under RCW 34.05.360 and 34.05.380. The CR-103 gives notice that the department is adopting final new, amended or repealed rules, completing the rule-making process. A CR-103 rule-making order includes the complete text of the new or amended rules, or a list of the WAC numbers and caption of rules being repealed, and an explanation of any changes to the rule made after the CR-102 notice. Agencies also may use a CR-103 notice form to adopt temporary emergency rules (see below).

An "emergency rule" is also a CR-103 rule-making order, filed under RCW 34.05.350 and 34.05.380. This is a temporary rule used to meet an urgent public health, safety or welfare need, or to meet a deadline set in a law or federal requirement. Emergency rules are effective for one hundred twenty days after the filing date. Emergency rules may be extended in certain circumstances, but they may not become permanent rules unless the agency files a preproposal notice and/or a proposed rule notice as applicable, and complies with other applicable rule-making statutes. NOTE: Emergency rules listed in these tables are only those in effect at the time this agenda was filed for publication in the Washington state register.

"Rules" as used generally in this document are the Washington Administrative Code, also known as WAC or state regulations, which are adopted by state agencies according to the Administrative Procedure Act, chapter 34.05 RCW. References to "federal rules" or "federal regulations" are United States government regulations, also known as the Code of Federal Regulations or C.F.R.

State "statutes" are laws adopted by the Washington state legislature and signed by the governor, or may be initiatives adopted by the state's voters, and are codified as the Revised Code of Washington (RCW), except that laws adopting annual state budgets are not codified. Recent state statutes may also be listed by their session law numbers, such as "chapter 140, Laws of 2003," or by a legislative bill number, such as "ESSB 6387." United States government statutes may be noted by their U.S. Code number, Public Law number, Act title, or congressional bill number.

"WSR" is the Washington state register, the legal publication of state agency rules and other notices, published twice

each month by the office of the code reviser. Throughout this agenda, the seven-digit number following each WSR is the code reviser's official filing number assigned at the time DSHS files a rule-making notice with the code reviser. The WSR number, plus the date and time of filing, appears on the first page of each "CR" notice as filed. To view facsimiles of DSHS rule-making notices as filed with the code reviser, visit the DSHS public rule-making web site at <http://www1.dshs.wa.gov/msa/rpau/>. All DSHS rule-making notices are available to the public.

"CR" means code reviser when referring to rule-making notice forms, such as the CR-101, CR-102, CR-103 and CR-105. The office of the code reviser creates the standard rule-making forms used by all state agencies.

This agenda is for information purposes only. Errors in this rule-making agenda do not alter the content or effect of the DSHS rules and rule-making notices filed with the office of the code reviser and published in the Washington state register.

If you have questions about this rule-making agenda or the DSHS rule-making process, please contact the DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, by phone at (360) 664-6097. If you would like to receive DSHS rule-making notices by e-mail, please visit the DSHS rules and policies assistance unit (RPAU) web site for available electronic lists, at <http://www1.dshs.wa.gov/msa/rpau/RPAU-Listserv.htm>. If you would like to receive paper-copy notices by postal mail, please contact Jennisha Johnson, RPAU Rules Consultant, at (360) 664-6094, or by e-mail at [johnsj14@dshs.wa.gov](mailto:johnsj14@dshs.wa.gov).

Stephanie E. Schiller  
Rules Coordinator

### WSR 07-18-001

#### NOTICE OF PUBLIC MEETINGS RECREATION AND CONSERVATION OFFICE

(Forum on Monitoring)

[Filed August 22, 2007, 1:46 p.m.]

The next public meeting of the forum on monitoring (Executive Order 04-03) has been rescheduled for Tuesday, September 11, 2007, from 9:00 a.m. to 2:30 p.m. in Room #175A/B of the Natural Resources Building in Olympia.

For further information, please contact Tammy Owings, Recreation and Conservation Office (RCO), (360) 902-2637.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Tammy Owings at the number listed above or by e-mail at [tammyo@rco.wa.gov](mailto:tammyo@rco.wa.gov).

### WSR 07-18-008

#### NOTICE OF PUBLIC MEETINGS WESTERN WASHINGTON UNIVERSITY

[Filed August 23, 2007, 11:03 a.m.]

Pursuant to RCW 42.30.075, please publish the following revised 2007 schedule of regular meetings of Western Washington University's board of trustees:

The following is a revised 2007 meeting schedule of Western Washington University's board of trustees. Western Washington University has added the dates of October 11 and December 13 to its schedule of regular board of trustees meetings. All meetings will be held at Western Washington University, 516 High Street, Board Room, Old Main 340, Bellingham, WA, unless otherwise publicly noted.

|                       |                           |           |
|-----------------------|---------------------------|-----------|
| February 8, 2007      | Board of Trustees Retreat | Cancelled |
| February 9, 2007      |                           |           |
| April 20, 2007        |                           |           |
| June 15, 2007         |                           |           |
| August 3, 2007        |                           |           |
| October 11, 12, 2007  |                           |           |
| December 13, 14, 2007 |                           |           |

Any questions regarding the meeting schedule can be directed to Barbara Stoneberg, Assistant Secretary to the Board, at (360) 650-7614.

### WSR 07-18-017

#### NOTICE OF PUBLIC MEETINGS CLARK COLLEGE

[Filed August 24, 2007, 1:55 p.m.]

In accordance with the Open Public Meetings Act, Clark College announces that its board of trustees will hold a general board meeting on Monday, August 27, 2007, in the Penguin Union Building, Conference Rooms 258 B & C in Gasier Hall. A board work session will be held from 4:00 - 5:00 p.m. in Room 258 A and the board meeting will be convened at 5:00 p.m.

### WSR 07-18-018

#### NOTICE OF PUBLIC MEETINGS EASTERN WASHINGTON UNIVERSITY

[Filed August 24, 2007, 1:56 p.m.]

The board of trustees of Eastern Washington University will hold its regular meeting at the Cheney campus on Thursday, August 23, 2007, according to the following schedule. At 12:30 p.m. the board will convene an executive session according to RCW 42.30.110 and/or 42.30.140. At 2:00 p.m. the board will convene in open session to discuss and take action on agenda items as outlined in the agenda.



**Thursday, August 23, 2007**

12:30 - 2:00 p.m. Board Executive TAW 215 A  
 Committee Meeting  
 2:00 - 2:30 p.m. Board of Trustees TAW 215  
 Open Meeting B&C

at Bates Technical College, 1101 South Yakima Avenue,  
 Tacoma, WA 98405. The meeting will begin at 3:00 p.m.

Note: Board committees will not convene in August.  
 Eastern Washington University strives to satisfy all  
 requests for special access needs for persons with disabilities.  
 Requests for such accommodation are welcome and may be  
 made by calling the president's office, (509) 359-4648.

**WSR 07-18-023**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
 (Capital Projects Advisory Review Board)  
 [Filed August 27, 2007, 9:27 a.m.]

Please record the following Project Review Committee  
 (PRC) meeting dates, time and location in the Washington  
 state register:

**WSR 07-18-022**  
**NOTICE OF PUBLIC MEETINGS**  
**BATES TECHNICAL COLLEGE**  
 [Filed August 27, 2007, 8:49 a.m.]

The board of trustees of Bates Technical College has  
 rescheduled its regularly scheduled meeting of December 25,  
 2007, to December 18, 2007, in the Clyde Hupp Board Room

Date: Column five "Public PRC Meeting" below  
 Time: 9:00 a.m. - 5:00 p.m. (some meetings in the future  
 may be half days)  
 Location: Northwest Carpenters Facility  
 Second Floor Conference Room  
 25120 Pacific Highway South  
 Kent, WA 98032-5436

PROJECT REVIEW COMMITTEE  
 Meeting Dates  
 (and Submittal, Public Notice, Determination Dates)

|      | Month | Submittals due<br>(1st business day<br>of month) | Public notice<br>(NLT - 20<br>calendar days<br>before meeting) | Public PRC meeting | Determination to public<br>body and posted on web site<br>(NLT - w/in 10 business days<br>of public meeting) |
|------|-------|--|--|--------------------|--|
| 2007 | Aug.  | 1  | 3  | 23                 | Sept. 7  |
|      | Sept. | 4  | 7  | 27                 | Oct. 10  |
|      | Oct.  | 1  | 5  | 25                 | Nov. 8   |
|      | Nov.  | 1  | 9  | 29                 | Dec. 13  |
|      | Dec.  | 3  | 14   | Jan. 3             | Jan. 17  |
| 2008 | Jan.  | 2  | 4  | 24                 | Feb. 7   |
|      | Feb.  | 1  | 8  | 28                 | Mar. 13  |
|      | Mar.  | 3  | 7  | 27                 | Apr. 10  |
|      | Apr.  | 1  | 4  | 24                 | May 8  |
|      | May   | 1  | 9  | 29                 | Jun. 12  |
|      | June  | 2  | 6  | 26                 | July 11  |
|      | July  | 1  | 3  | 24                 | Aug. 7   |
|      | Aug.  | 1  | 8  | 28                 | Sept. 12   |
|      | Sept. | 1  | 5  | 25                 | Oct. 9   |
|      | Oct.  | 1  | 3  | 23                 | Nov. 6   |

If you have any questions, please contact Searetha Kelly at (360) 902-7941.

**WSR 07-18-029****NOTICE OF PUBLIC MEETINGS  
COUNTY ROAD  
ADMINISTRATION BOARD**

[Filed August 28, 2007, 9:35 a.m.]

Meeting Notice: October 25, 2007  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 240  
Olympia, WA 98504  
1:00 p.m. to 5:00 p.m.

Meeting Notice: October 26, 2007  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 240  
Olympia, WA 98504  
8:30 a.m. - noon

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Karen Pendleton at (360) 753-5989, hearing and speech impaired persons can call 1-800-833-6384.

**WSR 07-18-031****INTERPRETIVE OR POLICY STATEMENT  
UTILITIES AND TRANSPORTATION  
COMMISSION**

[Filed August 28, 2007, 11:59 a.m.]

**NOTICE OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Docket UE-060649.

Subject: In the matter of the commission's investigation of public utility regulatory policies standards pertaining to smart metering and time of use rates.

Effective Date: August 23, 2007.

Document Description: The Washington utilities and transportation commission (commission) addresses four of the five aspects of investor-owned electric utility operators for which new standards are included in the federal Energy Policy Act of 2005. The new standards addressed are: (1) Net-metering, (2) fuel sources, (3) fossil fuel generation efficiency, and (4) time-based metering and communications. The commission entered an interpretive and policy statement on August 23, 2007.

To receive a copy of the interpretive and policy statement, contact the Commission Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, phone (360) 664-1160, fax (360) 586-1150, e-mail records@utc.wa.gov, or go to the commission's web site <http://utc.wa.gov> (click on documents, click on Docket Number, enter docket "060649," click on "No company name," click on "Documents," and click on "8/23/07").

Carole J. Washburn  
Executive Secretary

**WSR 07-18-032****NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF LICENSING  
(Title and Registration Advisory Committee)**

[Filed August 28, 2007, 2:01 p.m.]

Following is a public meeting notice for the next title and registration advisory committee (TRAC) meeting in the next publication of the state register.

DATE: September 18, 2007  
TIME: 1:00 p.m. - 3:00 p.m.  
PLACE: Department of Licensing  
Highways-Licensing Building  
Conference Room 413  
Olympia, Washington

**WSR 07-18-033****NOTICE OF PUBLIC MEETINGS  
HEALTH CARE AUTHORITY  
(Health Insurance Partnership Board)**

[Filed August 28, 2007, 2:26 p.m.]

The Washington health insurance partnership board will meet on Tuesday, October 2, 2007, 9:00 a.m. to 4:00 p.m., at the SeaTac Marriott Hotel, 3201 South 176th Street, Seattle, WA 98188.

If you are a person with a disability and need a special accommodation, please contact Lynn Kennedy, (360) 923-2829.

**WSR 07-18-038****NOTICE OF PUBLIC MEETINGS  
RECREATION AND CONSERVATION  
OFFICE**

(Recreation and Conservation Funding Board)

[Filed August 29, 2007, 9:01 a.m.]

The recreation and conservation funding board (RCFB) (formerly known as the interagency committee for outdoor recreation (IAC)) will meet Thursday, September 13, and Friday, September 14, at the Seattle Airport Marriott, 3201 South 176th, Seattle, WA.

The first day of this two day meeting will be an executive session dedicated to executive director candidate interviews. Friday the 14th will be the regular business meeting. On Friday, the board will make decisions on the next two fiscal year's funding for the National Recreational Trails Program (NRTP) grants. The board will also be reviewing proposed changes to the Washington wildlife recreation program (WWRP) and providing staff direction. Other agenda items include management updates and approval of the 2008 meeting schedule.

If you plan to participate or have materials for board review, please submit information to the recreation and conservation office (RCO) no later than September 6, 2007. This

will allow for distribution to board members in a timely fashion.

RCFB public meetings are held in locations accessible to people with disabilities. Arrangements for individuals with hearing or visual impairments can be provided by contacting RCO by September 6, 2007, at (360) 902-2637 or TDD (360) 902-1996.

**WSR 07-18-043**  
**INTERPRETIVE OR POLICY STATEMENT**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**  
 [Filed August 29, 2007, 10:52 a.m.]

WITHDRAWAL OF TECHNICAL ASSISTANCE ADVISORY

As a result of a court ruling issued by the Spokane Superior Court on August 27, 2007, the office of insurance commissioner is permanently withdrawing T06-07 entitled Non-discrimination Requirements for Health Benefit Plans.

**WSR 07-18-054**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Boarding Home Advisory Board)  
 [Filed August 31, 2007, 8:45 p.m.]

2008 Meeting Schedule

In 2008, the boarding home advisory board will meet on the following dates: April 24, June 26, September 25 and December 5. All meetings are from 9:00 a.m. to noon.

All meetings will be held in Lacey, Washington, at the residential care services (RCS) headquarters. The RCS headquarters is located at 4500 10th Avenue S.E., in Blake Office Building East.

Meetings will be held in the Rose Conference Room (first floor).

A map with driving directions to the RCS headquarters may be found at: <http://www.aasa.dshs.wa.gov/Resources/rshelp.htm>.

The boarding home advisory board is established under RCW 18.20.260.

If you have questions, you may address them to Todd Erik Henry, Boarding Home Advisory Board/Residential Care Services, at (360) 725-2580 or [henryte@dshs.wa.gov](mailto:henryte@dshs.wa.gov).

**WSR 07-18-055**  
**NOTICE OF PUBLIC MEETINGS**  
**GUARANTEED EDUCATION**  
**TUITION PROGRAM**  
 [Filed August 31, 2007, 8:51 a.m.]

In accordance with RCW 28B.95.020 and WAC 14-276-030, the advanced college tuition program, known as guaran-

teed education tuition program has adopted the following regular committee meeting schedule:

| Date                         | Time             | Place  |
|------------------------------|------------------|--|
| Wednesday, February 13, 2008 | 2:00 - 4:00 p.m. | Olympia, State Investment Board (Board Room) |
| Wednesday, April 23, 2008    | 2:00 - 4:00 p.m. | Olympia, State Investment Board (Board Room) |
| Wednesday, August 13, 2008   | 2:00 - 4:00 p.m. | Olympia, State Investment Board (Board Room) |

If anyone wishes to request disability accommodations, notice should be given to the guaranteed education tuition program at least ten days in advance of the meeting in question. Notice may be given by any of the following methods: (360) 753-7860 (voice), (360) 753-7809 (TDD), or (360) 704-6260 (fax).

**WSR 07-18-056**  
**NOTICE OF PUBLIC MEETINGS**  
**WESTERN WASHINGTON UNIVERSITY**  
 [Filed August 31, 2007, 10:35 a.m.]

**Notice of Revised 2007 WWU Board Meeting Schedule**

Pursuant to RCW 42.30.075, following is a revised 2007 schedule of regular meetings of Western Washington University's board of trustees:

Western Washington University has added the dates of October 11 and December 13 to its schedule of regular board of trustees meetings. All meetings will be held at Western Washington University, 516 High Street, Board Room, Old Main 340, Bellingham, WA, unless otherwise publicly noted.

|                       |                           |           |
|-----------------------|---------------------------|-----------|
| February 8, 2007      | Board of Trustees Retreat | Cancelled |
| February 9, 2007      |                           |           |
| April 20, 2007        |                           |           |
| June 15, 2007         |                           |           |
| August 3, 2007        |                           |           |
| October 11, 12, 2007  |                           |           |
| December 13, 14, 2007 |                           |           |

Any questions regarding the meeting schedule can be directed to Barbara Stoneberg, assistant secretary to the board, at (360) 650-7614.

**WSR 07-18-059**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE UNIVERSITY**  
 [Filed August 31, 2007, 12:03 p.m.]

The Washington State University board of regents will hold its next official meetings on Thursday and Friday, September 6-7, 2007, at Hotel 1000, 1000 First Avenue, Seattle, WA.

The board will begin on Thursday with committee meetings at 11:30 a.m. and ending with an executive session. Meetings will run consecutively throughout the afternoon; starting times following the first session are estimates only. If a session ends earlier than expected, the next scheduled session may convene immediately. Board committee meetings may be attended by all members of the board of regents.

| <b>Thursday, September 6, 2007</b> |  | <b>Location</b> |
|------------------------------------|--|-----------------|
| 11:30 a.m.                         | Executive Committee                    | Front Room I    |
| 12:30 p.m.*                        | Finance and Audit Committee            | Front Room I    |
| 2:00 p.m.*                         | Academic and Student Affairs Committee | Front Room I    |

| <b>Thursday, September 6, 2007</b> |  | <b>Location</b> |
|------------------------------------|--|-----------------|
| 3:00 p.m.*                         | External Affairs and Athletics Committee | Front Room I    |
| 4:00 p.m.                          | Board of Regents, Executive Session      | Front Room I    |

| <b>Friday, September 7, 2007</b> |                            | <b>Location</b> |
|----------------------------------|----------------------------|-----------------|
| 8:00 a.m.                        | Board of Regents Breakfast | Parlor Room     |
| 9:30 a.m.                        | Board of Regents Meeting   | Great Room I    |

*\*or upon conclusion of previous session.*

In addition to the above-scheduled meetings, the regents have been invited to attend various activities taking place in Seattle, September 5-8. A list of scheduled activities can be found at <http://www.wsu.inseattle.wsu.edu/>.

Questions about the board of regents meeting and schedule may be directed to Christine R. Hoyt, executive assistant to the board of regents, (509) 335-6666.

#### **WSR 07-18-064**

##### **NOTICE OF PUBLIC MEETINGS BARLEY COMMISSION**

[Filed September 4, 2007, 8:59 a.m.]

The Washington barley commission's October 3, 2007, regular meeting has been rescheduled. The meeting will now be held on October 4, 2007.

The meeting will begin at 9 a.m. and will be held at the Washington Wheat Commission's conference room located at 907 West Riverside Avenue, Spokane, WA.

#### **WSR 07-18-065**

##### **NOTICE OF PUBLIC MEETINGS COLUMBIA BASIN COLLEGE**

[Filed September 4, 2007, 8:59 a.m.]

##### **BOARD OF TRUSTEES' MEETING AT COLUMBIA BASIN COLLEGE**

The Columbia Basin board of trustees' November meeting will be moved from November 12, 2007, to November

19, 2007. The meeting will start at 4:00 p.m. and be held in the CBC board room.

If you have any questions, please contact Barbara Grant at (509) 547-0511 ext. 2449.

#### **WSR 07-18-079**

##### **INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

[Filed September 4, 2007, 3:09 p.m.]

##### **Notice of Interpretive or Policy Statements September 4, 2007**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

##### **Economic Services Administration Division of Child Support**

Document Title: CN-261.

Subject: Deficit Reduction Act of 2005 (DRA) implementation - medical provisions.

Effective Date: August 14, 2007.

Document Description: This canary notice provides division of child support staff with guidance concerning how to collect unreimbursed medical expenses, establish administrative orders that include an obligation for either or both parents to provide health insurance and pay for a proportionate share of medical expenses, and enforce medical support against the custodial parent when appropriate.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, Technical Writer, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360) 753-9122, fax (360) 586-3274, e-mail [jkildahl@dshs.wa.gov](mailto:jkildahl@dshs.wa.gov), web site <http://www1.dshs.wa.gov/dcs/>.

#### **WSR 07-18-080**

##### **DEPARTMENT OF ECOLOGY**

[Filed September 4, 2007, 3:55 p.m.]

##### **PUBLIC NOTICE**

##### **Public Workshops and Hearing to Accept Comments on the Draft Modified Boatyard General Permit**

**Modifying the Boatyard General Permit:** Ecology reissued the boatyard general permit in November 2005. The Northwest Marine Trade Association (NMTA) and the Puget Soundkeeper Alliance (PSA) appealed the permit. While under appeal the permit was modified (May 2006) to correct a mistake in the lake discharge benchmark. The pollution control hearings board (PCHB) heard the appeal in July 2006 and issued a decision on January 26, 2007. You can view the PCHB decision online at <http://www.eho.wa.gov/searchdoc>

uments/2007%20Archive/pchb%2005-150,151,06-034,040%20final.pdf.

The NMTA and the PSA appealed the decision of the PCHB to superior court in February 2007. The NMTA, the PSA and ecology reached a settlement in the appeal in July 2007. The settlement funds a pilot study to determine the efficiency of treatment for boatyard stormwater runoff. The settlement also requires a modification of the permit to incorporate some of the orders from the PCHB decision. The settlement agreement has been posted on the ecology boatyard general permit web site <http://www.ecy.wa.gov/programs/wq/permits/boatyard/index.html>.

**Requesting Copies of the Draft Permit Modification:**

Beginning September 19, 2007, you can request copies of the draft modified permit and Appendix H (amendment to the fact sheet) or you can download copies from the web site <http://www.ecy.wa.gov/programs/wq/permits/boatyard/index.html>; or contact Gary Bailey, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6433, fax (360) 407-6426, e-mail [gbai461@ecy.wa.gov](mailto:gbai461@ecy.wa.gov).

**Submitting Written and Oral Comments:** Ecology will accept written and oral comments on the draft boatyard general permit and fact sheet. Comments by e-mail will be accepted. Comments should reference specific text when possible. Comments may address only: Modifications appropriate for the settlement agreement and the PCHB decision.

Submit written comments to: Gary Bailey, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, [gbai461@ecy.wa.gov](mailto:gbai461@ecy.wa.gov).

Written comments must be postmarked no later than **5 p.m., Friday, October 26, 2007**. Oral comments may be presented by attending and testifying at the public hearing.

**Public Workshops/Hearing:** The public workshop and hearing on the draft modified general permit are scheduled to be held in Lacey, Washington on October 22, 2007, beginning at 2:00 p.m. The purpose of the workshop is to explain the modification of the general permit, and answer questions in order to facilitate meaningful testimony during the hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed permit.

The October 22, 2007, workshop and hearing will be held at the Department of Ecology Headquarters, Southwest Regional Office, 300 Desmond Drive, Lacey, WA 98503, (360) 407-6000.

Directions: Southbound on I-5: Take Martin Way exit 109, turn left onto Martin Way, at the third traffic light turn right onto Desmond Drive.

Directions: Northbound on I-5: Take Martin Way exit 109, turn right onto Martin Way, at the second traffic light turn right onto Desmond Drive.

Once on Desmond Drive, head uphill and at the intersection turn left and proceed along the front of the headquarters building. Proceed past a stop sign at the main entrance and find the visitors parking lot on the left.

**Issuing the Modified Boatyard General Permit:** The modified permit will be issued after ecology receives and considers all public comments. If public comments cause a substantial change in the permit conditions from the original

draft permit, another public notice of draft and comment period may ensue.

Ecology expects to issue the general permit on or about November 28, 2007, if there is no substantial change to the draft. It will be effective thirty days later. When issued, a copy of the notice of issuance and ecology's responses to the comments will be sent to all persons who submitted written comment or gave public testimony.

**WSR 07-18-081**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF REVENUE**

(Electronically-delivered Products Study Committee)

[Filed September 4, 2007, 4:11 p.m.]

The first meeting of the electronically-delivered products study committee is scheduled for October 2, 2007, at the John A. Cherberg Senate Office Building, Conference Rooms A-B-C on the Capitol Campus in Olympia.

The meeting is scheduled to begin at 1:30 p.m. and conclude at 3:30 p.m.

If you have any questions, please contact Gil Brewer at (360) 570-6135 or Drew Shirk at (360) 570-3225.

**WSR 07-18-083**

**NOTICE OF PUBLIC MEETINGS  
EDMONDS COMMUNITY COLLEGE**

[Filed September 4, 2007, 4:27 p.m.]

The October 11, 2007, board of trustees meeting for Edmonds Community College has been rescheduled to October 17, 2007, 4:30 p.m.

**WSR 07-18-085**

**INTERPRETIVE AND POLICY STATEMENT  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed September 5, 2007, 8:43 a.m.]

In accordance with RCW 34.05.230(12), enclosed are the policy and interpretive statements issued by the department regarding the insurance services division policies in August 2007.

If you have any questions or need additional information, please call Josh Swanson at (360) 902-6805.

**Insurance Services, State Fund Claims Administration, Self Insurance, and Crime Victims**

Interim Policy 5.12 Paying Time-Loss Compensation When Employer Also Pays Worker.

This policy applies to state fund, self-insured and crime victims workers' compensation claims. This policy was updated to be consistent with recently passed legislation (SSB 5676). Holiday pay, vacation pay, sick leave, paid-time-off or other similar benefits are not considered payment

of full wages by the employer. These benefits do not meet the definition of kept on salary.

Contact Suzy Campbell or Valerie Grimm, P.O. Box 44208, Olympia, WA 98504, phone (360) 902-4583 or (360) 902-5005.

**Insurance Services, Office of the Medical Director, Crime Victims, State Fund Claims Administration and Self Insurance**

Repeal Provider Bulletin 01-14 Recent Formulary Coverage Decisions and Drug Updates.

This provider bulletin has been deleted because the information is available at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/Presc/Policy/default.asp>.

Contact Cecelia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

**Insurance Services, Office of the Medical Director, Crime Victims, State Fund and Claims Administration**

Repeal Provider Bulletin 03-07 Implementation of the Prospective Drug Utilization Review Program.

This provider bulletin has been deleted because the information is available at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/Presc/Billing/default.asp>.

Contact Cecelia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

**Insurance Services, Office of the Medical Director, Crime Victims, State Fund and Claims Administration**

Repeal Provider Bulletin 04-02 Implementation of Senate Bill 6088 and the Preferred Drug List.

This provider bulletin has been deleted because the information is available at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/Presc/PDL.asp>.

Contact Cecelia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

**Insurance Services, Office of the Medical Director, Crime Victims, State Fund and Claims Administration**

Repeal Provider Bulletin 04-05 Implementation of the Preferred Drug List.

This provider bulletin has been deleted because the information is available at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/Presc/PDL.asp>.

Contact Cecelia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

**Insurance Services, Office of the Medical Director, Crime Victims, State Fund Claims Administration and Self Insurance**

Repeal Provider Bulletin 06-05 Coverage Decision: Standing, Weight-bearing, Positional, or Upright Magnetic Resonance Imaging (MRI).

This provider bulletin has been deleted because the information is available at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/CovMedDev/SpecCovDec/StandMRI.asp>.

Contact Cecelia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

**Insurance Services, Office of the Medical Director, Crime Victims, State Fund Claims Administration and Self Insurance**

Provider Bulletin 07-06 Brevio® Nerve Conduction Testing System.

This provider bulletin became effective August 1, 2007. This bulletin applies to state fund, self-insurance and crime victims compensation.

Brevio® nerve conduction testing system is not covered due to the lack of published literature showing the diagnostic accuracy for the intended use. It is considered investigational and experimental. L&I determined there is not scientific evidence directly addressing the safety, technical capacity, diagnostic accuracy or utility of the Brevio[®] nerve conduction testing system.

Contact Josh Morse, P.O. Box 44321, Olympia, WA 98504, phone (360) 902-5026.

**WSR 07-18-095**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF REVENUE**

(Electronically-delivered Products Study Committee)

[Filed September 5, 2007, 11:55 a.m.]

A meeting of the electronically-delivered products study committee is scheduled for October 22, 2007, at the John A. Cherberg Senate Office Building, Conference Rooms A-B-C on the Capitol Campus in Olympia.

The meeting is scheduled to begin at 1:30 p.m. and conclude at 3:30 p.m.

If you have any questions, please contact Gil Brewer at (360) 570-6135 or Drew Shirk at (360) 570-3225.