

WSR 08-03-032
EXPEDITED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)
[Filed January 8, 2008, 2:33 p.m.]

Title of Rule and Other Identifying Information: WAC 388-76-10810 Fire extinguishers.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rules Coordinator, Department of Social and Health Services, P.O. Box 45850, Olympia, WA 98504-5850, or deliver to Blake Office Park East, 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHSRULESCOORDINATOR@dshs.wa.gov, fax (360) 664-6185, AND RECEIVED BY 5:00 p.m. on March 24, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposal is to correct a typographical error in the existing rule.

Reasons Supporting Proposal: To eliminate duplicative subsection numbers within the section.

Statutory Authority for Adoption: RCW 70.128.040.

Statute Being Implemented: Chapter 70.128 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting: Roger A. Woodside, Blake Office Park East, Olympia, Washington, (360) 725-3204; Implementation and Enforcement: Lori Melchiori, Blake Office Park East, Olympia, Washington, (360) 725-2404.

January 7, 2008

Stephanie E. Schiller
Rules Coordinator

AMENDATORY SECTION (Amending WSR 07-21-080, filed 10/16/07, effective 1/1/08)

WAC 388-76-10810 Fire extinguishers. (1) The adult family home must have an approved five pound 2A:10B-C rated fire extinguisher on each floor of the home.

(2) The home must ensure the fire extinguishers are:

(a) Installed according to manufacturer recommendations;

(b) Inspected and serviced annually;

(c) In proper working order; and

(d) Readily available for use at all times.

~~((2))~~ (3) If required by the local fire authority, the home must provide different fire extinguishers in place of the fire extinguishers required in subsection (1) of this section.

WSR 08-03-124
EXPEDITED RULES
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2008-02—Filed January 23, 2008, 7:34 a.m.]

Title of Rule and Other Identifying Information: WAC 284-43-810 Coverage for mental health services.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kacy Scott, Insurance Commissioner, P.O. Box 40258, Olympia, WA 98504-0258, e-mail Kacys@oic.wa.gov, AND RECEIVED BY March 25, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To repeal WAC 284-43-810. WAC 284-43-810 sets forth required mental health disclosure information that must be included in all health care contracts. New laws governing required mental health coverage were enacted effective January 1, 2008, making this disclosure obsolete.

Reasons Supporting Proposal: RCW 48.20.580, 48.21.-241, 48.44.341, 48.46.291, effective January 1, 2008, define coverage required for mental health services. The disclosures required under WAC 284-43-810 will be confusing to consumers as they are now obsolete because of the new laws.

Statutory Authority for Adoption: RCW 48.02.060, 48.20.450, 48.20.460, 48.44.020, 48.44.050, 48.46.200.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Donna Dorris, P.O. Box 40258, Olympia, WA 98504-0258, (360) 725-7040; Implementation: Beth Berendt, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

January 23, 2008

Mike Kreidler
Insurance Commissioner

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 284-43-810 Coverage for mental health services.

Name of Agency Personnel Responsible for Drafting: Donna Dorris, P.O. Box 40258, Olympia, WA 98504-0258, (360) 725-7040; Implementation: Beth Berendt, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

January 23, 2008
Mike Kreidler
Insurance Commissioner

**WSR 08-03-125
EXPEDITED RULES
OFFICE OF
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2008-01—Filed January 23, 2008, 7:36 a.m.]

Title of Rule and Other Identifying Information: Chapter 284-43 WAC, Subchapter G issuance, renewal, and portability of health plans (WAC 284-43-700 through 284-43-730).

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kacy Scott, Insurance Commissioner, P.O. Box 40258, Olympia, WA 98504-0258, e-mail Kacys@oic.wa.gov, AND RECEIVED BY March 25, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To repeal chapter 284-43 WAC, Subchapter G. WAC 284-43-700, 284-43-710, 284-43-720, and 284-43-730 were adopted in 1998 to effectuate the 1993 Health Reform Act and to identify federal laws that intersect with state law pursuant to Health Insurance Portability and Accountability Act of 1996 (HIPAA). These rules are no longer needed and are confusing to carriers and consumers.

Reasons Supporting Proposal: WAC 284-43-700, 284-43-710, 284-43-720, and 284-43-730 have not been amended or repealed as new state laws relating to portability of health insurance benefits, guaranteed issue and restrictions on limiting preexisting conditions, and guaranteed renewability have been enacted. During the 2004 legislative sessions state laws were enacted that include references to these federal laws and as a result these rules are out of compliance with current statutes and are no longer needed.

Statutory Authority for Adoption: RCW 48.02.060, 48.20.450, 48.20.460, 48.44.050, 48.46.030, 48.46.200.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 284-43-700 Purpose.
- WAC 284-43-710 Portability of health insurance benefits.
- WAC 284-43-720 Guaranteed issue and restrictions on the denial, exclusion, or limitation of health benefits for preexisting conditions.
- WAC 284-43-730 Guaranteed renewability—Health insurance.