

WSR 09-15-096
AGENDA
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed July 14, 2009, 2:43 p.m.]

Following is the department of social and health services' semi-annual rule-making agenda for July 1 through December 31, 2009. This agenda will be published in the Washington 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.

Semi-Annual Rule-Making Agenda
July 1 through December 31, 2009

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
Aging and Disability Services Administration (ADSA)							
ADSA-Division of Developmental Disabilities (DDD)							
Chapter 388-825 WAC	Division of developmental disabilities service rules.	Repealing the rules relating to the family support program which have been replaced by chapter 388-832 WAC.	Meredith Kelly ADSA-DDD		WSR 09-04-092 Filed 2/4/09	WSR 09-15-020 Hearing 8/25/09	
WAC 388-825-068	Division of developmental disabilities services rules.	Amending requirements to respond to state budget appropriations (adult day health).	Meredith Kelly ADSA-DDD	WSR 09-14-084 Filed 6/30/09	WSR 09-07-039 Filed 3/10/09		
Chapter 388-826 WAC	Voluntary placement program.	Changing the chapter name to Children's residential services—Voluntary placement; updating the rules to provide more consistent administration, delivery, and monitoring across the state to all recipients of voluntary placement services.	Meredith Kelly ADSA-DDD		WSR 08-19-052 Filed 9/11/08		
WAC 388-827-0115	State supplemental income payment (SSP).	Amending the eligibility dates for converting state-only residential allowances to SSP when there is an ongoing need for a residential allowance.	Meredith Kelly ADSA-DDD	WSR 09-12-116 Filed 6/3/09	WSR 09-04-068 Filed 2/2/09	WSR 09-12-059 Hearing 7/7/09	
Chapter 388-828 WAC	DDD assessment.	Adding language to chapter 388-828 WAC to clarify the individual support plan process.	Meredith Kelly ADSA-DDD		WSR 08-16-138 Filed 8/6/08	WSR 09-12-060 Hearing 7/7/09	
Chapter 388-828 WAC	DDD assessment.	Adding the children's intensive in-home behavioral support program algorithm.	Meredith Kelly ADSA-DDD	388-828-1620 WSR 09-14-044 Filed 6/24/09	WSR 08-20-087 Filed 9/29/08		
Chapters 388-828 388-829C 388-826 WAC	DDD assessment, companion homes, and voluntary placement program.	Implementing a standardized respite assessment and calculating respite hours for companion home services and voluntary placement services.	Mark Eliason ADSA-DDD		WSR 09-13-029 Filed 6/9/09		

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WAC 388-828-9040 388-828-9060 388-828-9140	DDD assessment.	Clarifying rules that explain how DDD determines the individual and family services level.	Mark Eliason ADSA-DDD		WSR 09-13-091 Filed 6/16/09		
WAC 388-831-0010 388-831-0030	Who are individuals with community protection issues?	Including individuals who have a history of violent behavior which demonstrates the likelihood to commit a violent act.	Meredith Kelly ADSA-DDD	WSR 09-10-084 Filed 5/6/09	WSR 09-01-047 Filed 12/10/08		
WAC 388-831-0240	Can I be terminated from the community protection program?	Maintaining consistency with changes in WAC 388-845-0060.	Meredith Kelly ADSA-DDD		WSR 09-07-062 Filed 3/12/09		
WAC 388-832-0145	Who is eligible to receive respite care?	Revising eligibility, as directed by the legislature, for respite services for individuals participating in the individual and family services program.	Meredith Kelly ADSA-DDD	(The department will be filing an emergency rule effective 7/26/09)	WSR 09-14-016 Filed 6/22/09		
Chapter 388-835 WAC	ICF/MR program and reimbursement system.	Amending language to reflect new rates for intermediate care facilities for the mentally retarded.	Meredith Kelly ADSA-DDD		Planned for future action		
Chapter 388-845 WAC	Division of developmental disabilities home and community based services waivers.	Adding a fifth waiver, known as the children's intensive in-home behavioral supports (CIIBS).	Meredith Kelly ADSA-DDD	WSR 09-10-035 Filed 4/30/09	WSR 08-19-112 Filed 9/17/08		
Chapter 388-850 WAC	County plan for developmental disabilities.	Rewriting rules in "plain talk" format and clarifying language.	Meredith Kelly ADSA-DDD		Planned for future action		
WAC 388-850-045	County plan for developmental disabilities.	Amending the requirements to comply with state budget appropriations.	Meredith Kelly ADSA-DDD	WSR 09-14-089 Filed 6/30/09	WSR 09-01-132 Filed 12/22/08		
ADSA-Home and Community Services (HCS)							
Chapters 388-71 388-106 WAC	Adult day health.	Changing rules based on state budget and federal requirements regarding adult day health.	Tiffany Sevruk ADSA-HCS	WSR 09-14-045 Filed 6/24/09	WSR 09-12-042 Filed 5/27/09		
Chapters 388-71 388-106 388-112 388-825 388-829A 388-829C WAC	Home and community services. Long-term care services, and developmental disabilities services.	Implementing Initiative 1029 and federal background checks and training and certification requirements.	Barbara Hanneman ADSA-HCS		WSR 09-04-087 Filed 2/3/09		

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Chapter 388-106 WAC	Long-term care services.	Updating how the individual budget amount is calculated after the new freedom participant is assigned a classification as a result of an assessment performed in CARE.	Tiffany Sevruk ADSA-HCS		WSR 09-13-092 Filed 6/16/09		
WAC 388-106-0125	Long-term care services.	Reducing the number of in-home care hours authorized in the 17 level CARE assessment as directed by the legislature.	Tiffany Sevruk ADSA-HCS	WSR 09-14-046 Filed 6/24/09	WSR 09-14-042 Filed 6/24/09		
WAC 388-515-1507	What are the financial requirements for home and community based (HCB) services when you are eligible for a non-institutional categorically needy (CN) medicaid program?	Including healthcare for workers with disabilities (HWD) in financial eligibility for CN home and community program waiver.	Lori Rolley ADSA-HCS	WSR 09-08-082 Filed 3/30/09	WSR 09-08-052 Filed 3/25/09	WSR 09-11-105 Hearing 6/23/09	WSR 09-14-043 Effective 7/25/09
WAC 388-561-0300	Life estates.	Adding Deficit Reduction Act language and improving the clarity and readability of the rule.	Lori Rolley ADSA-HCS		WSR 08-21-151 Filed 10/21/08		
ADSA-Office of Rates Management							
WAC 388-105-0005 388-105-0045	Medicaid rates for contracted home and community residential care services.	Implementing the 2009 legislative required reduction of the 17 Care level payment system rates for home and community residential providers and implementing notification requirements for bed hold discharge.	Patricia Hague ADSA Office of rates management	WSR 09-14-094 Filed 6/30/09	WSR 09-11-100 Filed 5/19/09		
ADSA-Residential Care Services (RCS)							
WAC 388-76-10025 388-76-10070	Licensing and application fees for adult family homes and providers.	Implementing legislation that increased fees for adult family homes and providers.	Maureen Lally ADSA-RCS		WSR 09-14-071 Filed 6/29/09		
Chapter 388-78A WAC	Boarding home rules.	The department is considering making editorial and clarifying changes and making these rules consistent with current law and standards.	Judy Johnson ADSA-RCS		WSR 09-14-069 Filed 6/29/09		
Chapter 388-97 WAC	Nursing home rules.	The department is considering making editorial and clarifying changes and making the rules consistent with current laws and standards.	Lisa Yanagida ADSA-RCS		WSR 09-14-070 Filed 6/29/09		

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Chapter 388-101 WAC	Certified community residential services and supports.	The department is making editorial and clarifying changes and making the rules consistent with current law and standards.	John Gaskell ADSA-RCS		WSR 09-14-068 Filed 6/29/09		
WAC 388-110-140	Assisted living facility structural requirements.	Correcting an inadvertent omission of a structural requirement of a sink in the kitchen area of a resident unit, and clarifying rule language and deleting unnecessary or redundant language.	Judy Johnson ADSA-RCS		WSR 08-16-104 Filed 8/5/08	WSR 09-14-077 Hearing 8/4/09	
Children's Administration							
WAC chapter not determined yet	Domestic violence prevention.	Proposing new rules establishing standards for programs receiving domestic violence prevention funds.	Maureen Kelly Children's Administration		WSR 06-06-073 Filed 2/28/06		
WAC 388-15-013	Who may receive child protective services?	Matching requirements as to In Loco Parentis in RCW 74.13.031 and children's administration policy.	Tina Stern Children's Administration		WSR 09-10-076 Filed 5/5/09		
Chapter 388-25 WAC	Financial support of foster children.	Establishing, updating, aiding, explaining and strengthening services provided for protection and care of children needing out-of-home placement.	Carrie Kendig Children's Administration		WSR 08-05-044 Filed 2/13/08	WSR 09-10-024 Hearing 6/9/09	
Chapter 388-27 WAC	Guardianship subsidies.	Creating rules to provide clarity and guidance to persons receiving guardianship subsidy.	Lonnie Locke Children's Administration		WSR 08-05-045 Filed 2/13/08		
WAC 388-32-0020 388-32-0025 388-32-0030	Family reconciliation services.	Reflecting efforts to best serve the needs of families served by children's administration, supporting access to appropriate services for families with adolescents across programs.	Tim Kelly Children's Administration		WSR 08-05-043 Filed 2/13/08		
Chapter 388-39A WAC	Child welfare services—Complaint resolution.	Child welfare services—Complaint resolution.	Children's Administration		Planned for future action.		
Chapter 388-61A WAC	Shelters for victims of domestic violence.	Updating and deleting outdated sections, and developing new sections specifically covering nonresidential services provided by emergency shelter contractors.	Susan Hannibal Children's Administration		WSR 08-06-086		
Economic Services Administration (ESA)							
ESA Division of Child Support (DCS)							
Chapter 388-14A WAC	Division of child support rules.	Changing the Washington state support schedule.	Nancy Koptur ESA-DCS		WSR 09-10-046 Filed 5/1/09		

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Chapter 388-14A WAC	Division of child support rules.	Considering improvements to the conference board process in order to streamline agency procedures, increase efficiency, and increase the level of customer service.	Nancy Koptur ESA-DCS		WSR 08-08-113 Filed 4/2/08		
WAC 388-14A-3900 to 388-14A-3925	Division of child support rules.	Revising rules on modification of support orders.	Nancy Koptur ESA-DCS		WSR 03-22-054 Filed 10/31/03		
Chapter 388-14A WAC	Division of child support rules.	Implementing statutory changes contained in SSB 5166 (chapter 408, Laws of 2009) regarding the division of child support license suspension program.	Nancy Koptur ESA-DCS		WSR 09-14-073 Filed 6/29/09		
Chapter 388-14A WAC	Division of child support rules.	Implementing statutory changes contained in E2SSB 5688 (chapter 521, Laws of 2009) regarding the rights and responsibilities of registered domestic partners.	Nancy Koptur ESA-DCS		WSR 09-14-074 Filed 6/29/09		
Chapter 388-14A WAC	Division of child support rules.	Implementing statutory changes contained in SHB 1845 (chapter 476, Laws of 2009) regarding medical support obligations in child support orders.	Nancy Koptur ESA-DCS		WSR 09-14-075 Filed 6/29/09		
ESA - Community Services Division (CSD)							
WAC 388-310-0200	WorkFirst.	Eliminating WorkFirst participation requirements for dependant minors.	Allen Shanafelt ESA-CSD		WSR 09-07-095 Filed 3/18/09	WSR 09-10-044 Hearing 6/9/09	
WAC 388-310-0350	WorkFirst.	Allowing for streamlining of the WorkFirst exemption process.	Sandy Jsames ESA-CSD		WSR 09-09-099 Filed 4/20/09	WSR 09-13-093 Hearing 7/21/09	
WAC 388-310-0500 388-310-0900 388-310-1000 388-310-1050	WorkFirst.	Invoking new options under the final Deficit Reduction Act, and maximizing the state's ability to meet the federal work participation rate.	Stephanie Nielsen ESA-CSD	WSR 09-12-017 Filed 5/22/09	WSR 08-20-050 Filed 9/24/08	WSR 09-09-104 Hearing 5/26/09	WSR 09-14-019 Effective 7/23/09
WAC 388-310-0700	Comprehensive evaluation.	Modifying the comprehensive evaluation process for WorkFirst participants.	Stacey Bushaw ESA-CSD		WSR 09-09-015 Filed 4/3/09	WSR 09-13-090 Hearing 7/21/09	
WAC 388-406-0005 388-406-0035 388-406-0045	Applying for assistance.	Complying with changes made to RCW 74.08.060 by SSB 6024 effective November 1, 2009.	Melissa Mathson ESA-CSD		WSR 09-10-055 Filed 5/4/09		
WAC 388-406-0055	When do my benefits start?	Complying with statutory changes made to RCW 74.08.060 by SSB 6024 (chapter 198, Laws of 2009).	Melissa Mathson ESA-CSD		WSR 09-14-072 Filed 6/29/09		

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Chapter 388-412 WAC	Benefits issuances.	Adding rules to this chapter to provide rules for making Basic Food and cash benefits electronic benefit transfer transaction adjustments consistent with federal regulations.	Holly St. John ESA-CSD		WSR 09-13-096 Filed 6/17/09		
WAC 388-412-0015 388-444-0030 388-478-0060	Basic Food and WASH-CAP.	Implementing federal requirements for SNAP related to eligibility and benefit level for the Basic Food and WASH-CAP programs.	John Camp ESA-CSD	WSR 09-08-084 Filed 3/30/09	WSR 09-06-084 Filed 3/3/09	WSR 09-10-064 Hearing 6/9/09	WSR 09-14-018 Effective 7/23/09
WAC 388-412-0040	Can I get my benefits replaced?	Streamlining and expediting the benefits replacement process for clients, minimizing the amount of time they will be left without any food that is damaged by a disaster event.	Don Winslow ESA-CSD		WSR 09-01-059 Filed 12/11/08		
WAC 388-418-0005 388-418-0007 388-418-0011 388-416-0005	Simplified reporting.	Amending sections to expand simplified reporting to households as allowed under the 2008 Farm Bill.	Don Winslow ESA-CSD		WSR 08-15-133 Filed 7/22/08		
WAC 388-418-0020	How does the department determine the date a change affects my benefits?	Revising the rules to make them easier to understand and clarifying the effective date when a change causes and [an] increase in benefits.	Bill Callahan ESA-CSD		WSR 08-04-075 Filed 2/4/08		
WAC 388-424-0020	How does my alien status impact my eligibility for the federally funded Washington Basic Food program benefits?	Extending the duration of eligibility of Afghan special immigrants for federally funded Basic Food benefits from six to eight months from the date of entry into the United States or date of adjustment to special immigrant status, as required by the federal government.	Olga Walker ESA-CSD	WSR 09-15-029 Filed 7/7/09			
WAC 388-436-0015	Determining financial need and benefit amount for CEAP.	Adding child transportation to the payment chart for CEAP.	Ian Horlor ESA-CSD		WSR 09-05-058	WSR 09-10-039 Hearing 6/9/09	WSR 09-14-040 Effective 7/25/09
WAC 388-448-0030 388-448-0040	Providing medical evidence.	Amending the description of medical evidence requirements needed to determine incapacity to align the rules with the intent of RCW 74.04.005.	Melissa Mathson ESA-CSD		WSR 08-13-048 Filed 6/12/08	WSR 08-19-044 Hearing 10/21/08	

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WAC 388-450-0005 388-450-0100 388-450-0106 388-450-0140 388-450-0155 388-450-0156 388-450-0157 388-450-0160 388-470-0060	Sponsor deem- ing.	Clarifying how sponsor's income and resources are deemed available to the sponsored immigrants.	Tom Berry ESA-CSD		WSR 08-17-114 Filed 8/20/08		
WAC 388-450-0015 388-450-0185	Counting income when figuring bene- fits.	Assisting low-income families in meeting their child support debts while enhancing their supplies of food.	Don Winslow ESA-CSD		WSR 08-14-119 Filed 7/1/08	WSR 09-12-117 Hearing 7/7/09	
WAC 388-450-0040	Native Ameri- can benefits and payments.	Correctly reflecting how the various Native American payments are to be treated when the depart- ment determines eligibil- ity for DSHS programs.	Don Winslow ESA-CSD		WSR 08-15-130 Filed 7/22/08		
WAC 388-450-0175 388-450-0110 388-450-0135	General assis- tance.	Aligning the general assistance earned income deduction with RCW 74.04.266 and earned income incentives offered under the TANF program.	Melissa Mathson ESA-CSD		WSR 09-11-104 Filed 5/19/09		
WAC 388-450-0185 388-450-0190 388-450-0195 388-478-0060 388-492-0040	WASHCAP and Basic Food.	Updating standards for federal fiscal year 2009.	John Camp ESA-CSD		WSR 09-10-056 Filed 5/4/09		
WAC 388-452-0005	Do I have to be interviewed in order to get benefits?	Amending rules for Basic Food consistent with approved waivers to interview requirements under 7 C.F.R. § 273.2(e) related to required inter- views for the supplemen- tal nutrition assistance program (SNAP).	John Camp ESA-CSD		WSR 08-22-085 Filed 11/4/08		
WAC 388-454-0015	Temporary absence from the home.	Clarifying the policy regarding situations that do not meet the criteria of a temporary absence as described in subsec- tion (4) of the WAC.	Tom Berry ESA-CSD		WSR 09-02-058 Filed 1/5/09		
WAC 388-466-0120 388-466-0130	Refugee cash assistance.	Revising rules regarding eligibility for assistance for special immigrants from Afghanistan.	Olga Walker ESA-CSD		WSR 09-11-103 Filed 5/19/09		
WAC 388-478-0015	Need stan- dards for cash assistance.	Revising the basic need standards for cash assis- tance.	Aurea Figueroa- Rogers ESA-CSD		WSR 09-14-017 Filed 6/22/09		

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Health and Recovery Services Administration (HRSA)							
HRSA-Division of Alcohol and Substance Abuse (DASA)							
Chapters 388-800 388-805 388-810 WAC		(No current rule-making activity.)					
HRSA-Mental Health Division (MHD)							
WAC 388-865-0255	Consumer grievance process.	Updating and clarifying policy and making the rules easier to read.	Kevin Sullivan HRSA-MHD		WSR 09-05-061 Filed 2/12/09		
WAC 388-865-0350 388-865-0420 388-865-0425	Mental health screening and intake evaluation.	Clarifying policy and making the rules easier to read.	Kevin Sullivan HRSA-MHD		WSR 09-05-060 Filed 2/12/09		
WAC 388-865-0405 388-865-0452 388-865-0456 388-865-0466 388-865-0468	Community mental health and involuntary treatment programs.	Codifying safety requirements for mental health professionals who conduct home visits to stabilize persons in crisis.	Kevin Sullivan HRSA-MHD		WSR 09-03-098 Filed 1/21/09		
HRSA-Medical Assistance (MA)							
WAC 388-424-0006 388-424-0010 388-424-0016	State children's health insurance program.	Covering legal immigrant children and pregnant women without the five year delay from the time of United States entry.	Kevin Sullivan HRSA-MA	WSR 09-08-083 Filed 3/30/09	WSR 09-07-061 Filed 3/12/09	WSR 09-11-107 Hearing 6/23/09	
WAC 388-475-1000 388-475-1150 388-475-1200 388-475-1250	Healthcare for workers with disabilities (HWD).	Complying with federal requirements regarding [regarding] HWD.	Kevin Sullivan HRSA-MA		WSR 09-12-089 Filed 6/1/09		
WAC 388-500-0005	Medical definitions.	Updating medical definitions to make them consistent with how the terms are used throughout HRSA rules.	Jonell O. Blatt HRSA-MA		WSR 07-20-052 Filed 9/27/07		
WAC 388-501-0050 388-501-0070 388-501-0163 388-501-0169	Healthcare coverage.	Updating the department's policy regarding payment for healthcare services.	Wendy Boedigheimer HRSA-MA		WSR 09-05-055 Filed 2/12/09	WSR 09-14-076 Hearing 8/4/09	
WAC 388-501-0055	Health technology clinical committee assessments.	Creating a new WAC to support the health technology assessment program established by the 2006 legislature.	Kevin Sullivan HRSA-MA		WSR 07-12-061 Filed 6/4/07	WSR 09-09-080 Hearing 5/26/09	
WAC 388-501-0060 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 HRSA-MA		WSR 07-12-062 Filed 6/4/07		
WAC 388-501-0165	Medical and dental coverage.	Clarifying what is meant by "fifteen days" and "business days."	Wendy Boedigheimer HRSA-MA		WSR 09-05-059 Filed 2/12/09		

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WAC 388-502-0010 388-502-0030	Payment for providers.	Updating and clarifying rules regarding providers of services.	Wendy Boedigheimer HRSA-MA		WSR 09-05-056 Filed 2/12/09		
WAC 388-502-0160	Billing a client.	Revising the rule to clarify when a provider can and cannot bill a client for medical services.	Wendy Boedigheimer HRSA-MA		WSR 08-01-021 Filed 12/7/07		
WAC 388-517-0310	Eligibility for federal medicare savings and state-funded medicare buy-in program.	Matching the resource standards for the medicare Part D low-income subsidy.	Kevin Sullivan HRSA-MA		WSR 09-12-090 Filed 6/1/09		
WAC 388-517-0400	Medicare coinsurance payment.	Repealing this section because medicare coinsurance, deductibles, and copayments are addressed in WAC 388-517-0320.	Kevin Sullivan HRSA-MA		WSR 09-09-060 Filed 4/13/09	WSR 09-13-094 Hearing 7/21/09	
WAC 388-526-2610	Prehearing reviews for clients who request a fair hearing.	Adding new sections to the chapter that are specific to the HRSA medical care programs in order to expand on and better define administrative hearing rules.	Kathy Sayre HRSA-MA		WSR 08-10-064 Filed 5/5/08		
WAC 388-530-2000 388-530-2100	Outpatient drugs.	Amending sections due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA		WSR 09-09-059 Filed 4/13/09		
WAC 388-533-0315 388-533-0320 388-533-0345	Maternity support services.	Amending and possibly repealing sections due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA	WSR 09-14-091 Filed 6/30/09	WSR 09-04-069 Filed 2/2/09		
WAC 388-533-0365 388-533-0370 388-533-0386	Infant case management.	Amending sections to meet targeted budget expenditure levels.	Kathy Sayre HRSA-MA	WSR 09-14-092 Filed 6/30/09	WSR 09-04-069 Filed 2/2/09		
WAC 388-533-0300 388-533-0310 through 388-533-0345 388-533-0360 through 388-533-0386	Infant case management and maternity support services.	Clarifying provider qualifications, client eligibility and services reimbursed for infant case management and maternity support services.	Wendy Boedigheimer HRSA-MA		WSR 07-21-106 Filed 10/19/07		
WAC 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 HRSA-MA		WSR 07-03-055 Filed 1/12/07		
WAC 388-533-1000	First Steps child care program.	Eliminating the First Steps child care program.	Kevin Sullivan HSRA-MA	WSR 09-12-051 Filed 5/28/09	WSR 09-01-143 Filed 12/22/08		

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WAC 388-535-1084 388-535-1090 388-535-1100 388-535-1261 388-535-1266 388-535-1267 388-535-1269 388-535-1271	Dental-related services.	Amending sections due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA	WSR 09-14-093 Filed 6/30/09	WSR 09-04-070 Filed 2/2/09		
Chapter 388-543 WAC	Durable medical equipment.	Amending this chapter to improve clarity and update policy regarding durable medical equipment, and related supplies, prosthetics, orthotics, medical supplies and related services.	Wendy Boedigheimer HRSA-MA		WSR 09-12-043 Filed 5/27/09		
WAC 388-543-1150 388-543-1300 388-543-1600 388-543-2300	Durable medical equipment.	Amending rules due to shortfalls in anticipated budget revenues.	Wendy Boedigheimer HRSA-MA		WSR 09-05-057 Filed 2/12/057 [2/12/09]		
WAC 388-543-2900	Medical supplies and non-durable medical equipment (MSE) - reimbursement methodology.	Describing the payment methodology the department will use to meet the legislature's intent.	Wendy Boedigheimer HRSA-MA	WSR 09-14-083 Filed 6/30/09	WSR 09-14-041 Filed 6/24/09		
WAC 388-546-0001 through 388-546-4000	Emergency transportation services.	Informing providers regarding ambulance program policies not currently addressed or sufficiently explained in chapter 388-546 WAC and billing instructions.	Wendy Boedigheimer HRSA-MA		WSR 09-10-015 Filed 4/24/09		
WAC 388-546-5000 through 388-546-5400	Non-emergency transportation services.	Updating, rearranging, and clarifying rules related to non-emergency transportation for clients to and from medically necessary covered medical services.	Kevin Sullivan HRSA-MA		WSR 09-04-073 Filed 2/2/09		
WAC 388-546-5500	Modifications of privately owned vehicles.	Amending this rule due to budget constraints.	Wendy Boedigheimer HRSA-MA	WSR 09-14-087 Filed 6/30/09	WSR 09-03-099 Filed 1/21/09		
WAC 388-546-5500	Modifications of privately owned vehicles.	Due to shortfalls in anticipated budget revenues, the department is amending this section by moving modifications of privately owned vehicles to noncovered.	Wendy Boedigheimer HRSA-MA		WSR 09-09-100 Filed 4/20/09		
Chapter 388-548 WAC	Federally qualified health centers.	Implementing the federal payment methodology for federally qualified health centers. The Federal Benefit Improvement and Protection Act of 2000 replaced cost-based reimbursement	Wendy Boedigheimer HRSA-MA	WSR 09-14-086 Filed 6/30/09	WSR 08-14-125 Filed 7/1/08		

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				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
		methodology with medicaid FQHC prospective payment system.					
WAC 388-549-1100 388-549-1400 388-549-1500	Rural health clinics.	Describing the reimbursement methodology the department will use for rural health clinics as authorized by federal law and the state plan.	Wendy Boedigheimer HRSA-MA	WSR 09-14-085 Filed 6/30/09			
Chapter 388-550 WAC	Hospital services—Disproportionate share hospitals.	Update and clarify sections in chapter 388-550 WAC that pertain to the disproportionate share hospital program.	Kathy Sayre HRSA-MA		WSR 08-22-023 Filed 10/28/08		
Chapter 388-550 WAC	Hospital services.	Incorporating into rule "never events" "present on admission" and "hospital-acquired conditions."	Kathy Sayre HRSA-MA		WSR 09-04-071 Filed 2/2/09		
WAC 388-550-4670 388-550-4900 388-550-5150 388-550-5200 388-550-5210 388-550-5220	Hospital related rules.	Amending hospital-related and provider-related rules due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA	WSR 09-14-088 Filed 6/30/09	WSR 09-04-072 Filed 2/2/09		
Chapter 388-552 WAC	Oxygen and respiratory therapy services.	Improving clarity, updating policy regarding oxygen and respiratory therapy, and reorganizing the section to be consistent with other chapters.	Wendy Boedigheimer HRSA-MA		WSR 09-13-099		
WAC 388-554-100 388-554-200 388-554-300 388-554-400 388-554-500 388-554-600 388-554-700 388-554-800 388-554-900	Enteral nutrition program.	Amending rules due to shortfalls in anticipated budget revenues.	Wendy Boedigheimer HRSA-MA	WSR 09-14-090 Filed 6/30/09	WSR 09-06-080 Filed 3/3/09		
Juvenile Rehabilitation Administration (JRA)							
Chapter 388-700 WAC	Juvenile rehabilitation administration—Practices and procedures.	Potential revisions due to changes in background check procedures.	David Griffith JRA		Planned for future action.		
Chapter 388-710 WAC	Consolidated juvenile services program.	Implement changes associated with the development of a new funding formula for the state funded juvenile court consolidated juvenile services programs as well as the development of a "block grant" funding mechanism.	Jeff Patnode JRA		Planned for future action.		

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
Chapter 388-720 WAC	Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220.	More accurately reflecting gross personal income levels used to calculate obligation to reimburse the department and current costs of institutional care for juveniles in legal custody of the department.	Lee Mosley JRA		WSR 09-01-073 Filed 12/15/08		
Chapter 388-745 WAC	Transfer of juvenile offenders to the department of corrections (DOC).	Potential revisions due to changes in transfer procedures.	David Griffith JRA		Planned for future action.		
Chapter 388-750 WAC	Impact account—Criminal justice cost.	Review for potential updates.	Ken Moses, Trent Phillips JRA		Planned for future action.		
Executive Programs (Exec)							
Exec-Division of Vocational Rehabilitation (DVR)							
Chapter 388-891 388-892 WAC		(No current rule-making activity.)					
Exec-Management Services							
Chapter 388-02 WAC	Hearing rules.	Making rules consistent with case law, facilitating timely processing of administrative hearings, promoting consistency in administrative hearing decisions, and clarifying rules.	Brian Lindgren MS-Board of appeals		WSR 08-22-051 Filed 11/3/08		
Chapter 388-03 WAC	Rules and regulations for the certification of DSHS spoken language interpreters and translators.	Updating references to units of DSHS (such as language interpreter services and translations, or LIST) that have been reorganized and renamed to change timeframes for DSHS mailing of letters notifying applications [applicants] of their test dates, reviewing the chapter for other necessary changes.	Don Goldsby MSA-Language testing and certification		WSR 08-12-067 Filed 6/3/08		
Chapter 388-06 WAC	Background checks.	Amending the rules to implement Initiative 1029.	Cindy LaRose MSA-Background check central unit		WSR 09-08-051 Filed 3/25/09		
Exec-Office of Deaf and Hard of Hearing Services							
Chapter 388-818 WAC	Deaf and hard of hearing services.		No current rule-making activity.				

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Notice	Proposed Rule	Permanent (Final) Rule
Exec-Office of Risk Management (ORM)							
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 Privacy officer		Planned for future action.		
Exec-Planning, Performance and Accountability (PPA)							
Chapter 388-04 WAC	Protection of human research subjects.		No current rule-making activity.				
Exec-Special Commitment Center (SCC)							
Chapter 388-880 WAC	Civil commitment process of sexually violent predators [predators].	Updating to better reflect practices and changes in chapter 71.09 RCW.	Mark Davis Special commitment center		WSR 09-11-102 Filed 5/19/09		

Notes and Definitions

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 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-103P Rule-making order**, filed under RCW 34.05.360 and 34.05.380. The CR-103P gives notice that the department is adopting final new, amended or repealed rules, completing the rule-making process. A CR-103P 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.

An **"emergency rule"** is also a **CR-103E 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 2008," or by a legislative bill number,

such as "ESSB 6387." United States government statutes may be noted by their United States 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.

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, at 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 notices by postal mail, please contact Jennisha Johnson, RPAU rules consultant, at (360) 664-6094, or by e-mail at johnsj14@dshs.wa.gov.

Stephanie Schiller
Rules Coordinator

WSR 09-16-052

AGENDA

**DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH**

[Filed July 28, 2009, 4:00 p.m.]

July 2009

Rules Agenda

This report details current and anticipated rule-making activities for the department of health (DOH) and the state board of health (SBOH). If you have any questions regarding this report or department of health rule-making activities, please contact Tami Thompson at (360) 236-4044. If you have any questions regarding state board of health rule-making activities please contact Craig McLaughlin at (360) 236-4106.

This agenda is for information purposes, and the noted dates of anticipated rule-making actions are estimates. Any errors in this agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register. There may be additional DOH rule-making activities that cannot be forecasted as the department initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. See the "Key" at the end of the tables for explanations of terms and acronyms.

**State Board of Health
Rule Making**

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR# and Date	CR-105 Filing WSR# and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 28A.165.025	State board of health	Chapter 246-760 WAC, Vision screening in schools.	Anticipate filing 12/2009				CFH - Teresa Cooper (360) 236-3530
RCW 28A.210.140	State board of health	WAC 246-105-040 Requirements based on national immunization guidelines.			Anticipate filing 12/2009		CFH - Jeff Wise (360) 236-3483
RCW 43.20.050	State board of health	WAC 246-100-011 HIV-AIDS partner notification.	08-21-034 10/8/2008	Anticipate filing 12/2009			CFH - John Peppert (360) 236-3427
RCW 43.20.050	State board of health	WAC 246-100-191 Animals, birds, pets, measures to prevent human disease. WAC 246-100-201 Birds, measures to prevent psittacosis.	07-10-117 5/2/2007	Anticipate filing 1/2010			EH - Liz Dykstra (360) 236-3223
RCW 43.20.050	State board of health	Chapter 246-101 WAC, Notifiable conditions.	Anticipate filing 12/2009				EHSPHL - Pamela Lovinger (360) 236-4225

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR# and Date	CR-105 Filing WSR# and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 43.20.050	State board of health	Chapter 246-260 WAC, Water recreation facilities, and chapter 246-262 WAC, Recreational water contact facilities.	Proposal is exempt under RCW 34.05.310(4)	Anticipate filing by 10/2009			EH - Mark Soltman (360) 236-3366
RCW 43.20.050	State board of health	Chapter 246-272A WAC, On-site sewage systems. This rule making will explore creation of a process for the approval and state registration of drain field remediation technologies. The state board of health does not currently regulate remediation technologies.	06-12-108 6/7/2006	Anticipate filing 12/2009			EH - Melissa McEachron (360) 236-3265
RCW 43.20.050	State board of health	Chapter 246-272C WAC, a new chapter establishing standards for sewage (septic) tanks. WSR 04-03-010 listed standards for large on-site sewage systems (LOSS) and sewage tanks.	06-06-051 2/28/2006	Anticipate filing 8/2009			EH - Melissa McEachron (360) 236-3265
RCW 43.20.050	State board of health (delegated to department of health)	Chapter 246-290 WAC, Group A public water supplies—Stage 2.	08-17-074 8/19/2008	09-10-091 5/6/2009		Anticipate filing by 10/2009 with effective date of 1/4/2010	EH - Michelle Austin (360) 236-3156
RCW 43.20.050	State board of health	Chapter 246-290 WAC, Group A public water supplies—Lead and copper.	09-15-040 1/8/2009	Anticipate filing by 7/20/2010			EH - Theresa Phillips (360) 236-3147
RCW 43.20.050, 70.119A.080	State board of health (delegated to department of health)	Chapter 246-290 WAC, Group A public water supplies—Groundwater.	07-24-072 12/4/2007	Anticipate filing 7/2010			EH - Theresa Phillips (360) 236-3147
RCW 43.20.050	State board of health	Chapter 246-291 WAC, Group B public water supplies.	07-14-147 7/5/2007	Anticipate filing by 8/2010			EH - Theresa Phillips (360) 236-3147
RCW 43.20.050	State board of health	Chapter 246-366 WAC, Primary and secondary schools.	04-20-050 10/1/2004	08-15-174 7/23/2008 supplemental filing 09-14-136 7/1/2009		Anticipate filing 12/2009	SBOH - Ned Therien (360) 236-4103
RCW 43.20.050	State board of health	Chapter 246-390 WAC, Drinking water laboratory certification.	06-23-077 11/13/2006	On hold			EH - Theresa Phillips (360) 236-3147
RCW 70.24.130	State board of health	WAC 246-100-202 Special diseases—Sexual transmitted duties and authorities.	08-24-036 11/25/2008	09-11-110 5/19/2009		Anticipate filing 12/2009	CFH - Bat-Sheva Stein (360) 236-3582
RCW 70.58.055	State board of health	WAC 246-491-039 Confidential information on Washington birth/fetal certificates.	Anticipate filing by 9/2009				EHSPHL - Pamela Lovinger (360) 236-4225

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR# and Date	CR-105 Filing WSR# and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 70.62.240	State board of health	Chapter 246-360 WAC, Transient accommodations.	07-14-148 7/5/2007				HSQA - John Hilger (360) 236-2929
Chapter 41, Laws of 2009	State board of health	Chapter 246-762 WAC, Scoliosis screening in school districts.			Anticipate filing CR-105 by 8/2009		SBOH - Tara Wolff (360) 236-4101

Department of Health

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR# and Date	CR-105 Filing WSR# and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.35.161	Board of hearing and speech	WAC 246-828-XXX Prohibiting the use of the title "Audiopros-thologist."	09-11-116 5/20/2009				Jenette Benham (360) 236-4857
RCW 18.35.161, chapter 301, Laws of 2009	Board of hearing and speech	Chapter 246-828 WAC, Hearing and speech, amending the chapter to add the require-ments, including the fees, for the new speech and language pathology assistant profession and for gen-eral housekeeping changes.	09-15-114 7/17/2009				Jenette Benham (360) 236-4857
RCW 18.52.071	Board of nursing home administrators	WAC 246-843-010, 246-843-070, 246-843-071, 246-843-073, 246-843-090, 246-843-093, 246-843-095, 246-843-230 and 246-843-231, application for initial license and endorsement.	06-12-109 6/7/2006				HSQA - Kendra Pitzler (360) 236-4723
RCW 18.130.050, 18.57.005, 18.57A.020	Board of osteopathic medicine and surgery	Chapter 246-853 WAC, Osteopathic physi-cians; chapter 246-854 WAC, Osteopathic physician assistants— Sedation and anesthe-sia.	07-16-141 8/1/2007				HSQA - Erin Obenland (360) 236-4945
RCW 18.130.050, 18.57.005, 18.57A.020	Board of osteopathic medicine and surgery	Chapter 246-853 WAC, Osteopathic physician; chapter 246-854 WAC, Osteopathic physician assistant. Delegation and supervision of non-surgical cosmetic pro-cedure.	07-16-143 8/1/2007				HSQA - Erin Obenland (360) 236-4945
Chapter 18.64 RCW	Board of pharmacy	WAC 246-870-060.					HSQA - Doreen Beebe (360) 236-4834
RCW 18.64.005	Board of pharmacy	WAC 246-869-090 Prescription transfers.	Expedited rule-making notice filed under RCW 34.05.353		09-06-018 2/20/2009	Anticipate filing 8/2009	HSQA - Doreen Beebe (360) 236-4834

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.64.005	Board of pharmacy	Chapter 246-886 WAC, Animal control—Legend drug sodium pentobarbital.	09-11-049 5/13/2009	Anticipate filing by 12/2009			HSQA - Doreen Beebe (306) 236-4834
RCW 18.64.005	Board of pharmacy	New chapter 246-852 WAC, Genetic counselors.	Anticipate filing 8/2009				HSQA - Doreen Beebe (360) 236-4834
RCW 18.64.005(7)	Board of pharmacy	WAC 246-865-060 Extended care facility—Pharmaceutical services, allowing pharmacies to register as a controlled substance registrant to receive outdated, discontinued, or unwanted controlled substance prescription from extended care facilities.	04-21-078 10/20/2004				HSQA - Lisa Hodgson (360) 236-2927
RCW 18.64.005(7), 69.50.201	Board of pharmacy	WAC 246-887-170 Regulations implementing the Uniform Controlled Substances Act. Placement of the substance, carisoprodol, in Schedule IV of the Uniform Controlled Substances Act.	03-09-124 4/23/2003	Anticipate filing by 8/2009 [2009]			HSQA - Lisa Hodgson (360) 236-2927
RCW 18.64.005, 18.64.165	Board of pharmacy	New chapter 246-874 WAC, Pharmaceutical services—Correctional facilities, the board of pharmacy is considering developing rules that will establish minimum enforceable requirements specifically for Washington correctional facilities in safe handling, storage, recordkeeping and administration of pharmaceuticals.	07-14-145 7/5/2007				HSQA - Doreen Beebe (360) 236-4834
RCW 18.64.005, 69.41.075	Board of pharmacy	WAC 246-883-020 Identification of legend drugs.	09-15-061 7/10/2009				HSQA - Doreen Beebe (360) 236-4834
RCW 18.25.0171, 18.130.050 (1), (12)	Chiropractic quality assurance commission	Chapter 246-808 WAC, Chiropractic quality assurance commission (CQAC) is considering amending the documentation of care rule. In addition, CQAC may amend the continuing education rule as well.	07-20-038 9/25/2007	Anticipate filing 12/2009			HSQA - Leann Yount (360) 236-4856
RCW 18.32.040	Dental quality assurance commission	Issuance of dental limited licenses—Residency programs.					HSQA - Jennifer Santiago (360) 236-4893

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.36A.060	Department of health	WAC 246-836-080 Continuing competency program requirements for naturopathic physicians.	08-17-041 8/14/2008				HSQA - Susan Gragg (360) 236-4941
Chapter 18.84 RCW	Department of health	Chapter 246-926 WAC, Radiologist assistants and advanced level radiological technologist.	08-17-040 8/14/2008	Anticipated filing date 10/2009			HSQA - Susan Gragg (360) 236-4941
Chapters 18.88A, 74.39 RCW, new chapter within Title 18 RCW	Department of health	Chapter 246-XXX WAC, creating a new chapter to establish certification requirements for home care aides.	09-07-053 3/11/2009				HSQA - Kendra Pitzler (360) 236-4723
Chapter 18.135 RCW, chapter 43, Laws of 2009	Department of health	Chapter 246-826 WAC, amending the chapter to expand the scope of practice for health care assistants to administer certain medications.	09-15-189 7/22/2009				HSQA - Erin Obenland (360) 236-4945
RCW 43.70.040, 70.38.135	Department of health	WAC 246-310-XXX Hospital acute care bed methodology.	Anticipate filing 9/2009				HSQA - John Hilger (360) 236-2929
RCW 43.70.110, 43.70.040	Department of health	Chapter 246-314 WAC, Revising the construction review services standards.	Anticipate filing 9/2009				HSQA - John Hilger (360) 236-2929
RCW 43.70.120 and chapter 215, Laws of 2008	Department of health	WAC 246-780-001 through 246-780-060, Farmers market nutrition program (FMNP).	08-19-012 9/4/2008				CFH - Janice Boden (360) 236-3610
RCW 43.70.120 and 7 C.F.R. 246	Department of health	WAC 246-790-060 Women, infant, and children's nutrition program authorized foods.	08-16-036 7/29/2008	Anticipate filing 12/2009			CFH - Janice Boden (360) 236-3610
RCW 43.70.150, chapter 70.58 RCW	Department of health	Chapter 246-XXX WAC, Electronic death registration system (EDRS).	07-08-051 3/29/2007				EHSPHL - Philip Freeman (360) 236-4330
RCW 43.70.250	Department of health	WAC 246-282-990 Sanitary control of shellfish—Fees.	09-15-187 7/22/2009	Anticipate filing by 9/2009			EH - Brandy Brush (360) 236-3342
RCW 43.70.259, 43.70.280	Department of health	WAC 246-919-990, 246-918-990, physician and surgeon and physician assistant fees.	Proposal is exempt under RCW 34.05.310(4)	09-13-088 6/16/2009		Anticipate filing 8/2009	HSQA - Dianna Staley (360) 236-4997
RCW 43.70.340	Department of health	WAC 246-358-990 Temporary worker housing fee, 246-359-990 Temporary worker housing construction standard fees, 246-361-990 Cherry harvest camp fees.	07-17-171 8/22/2007				HSQA - John Hilger (360) 236-2929
RCW 64.44.070	Department of health	Chapter 246-205 WAC, Decontamination of illegal drug manufacturing storage sites.	Proposal is exempt under RCW 34.05.310(4)	Anticipate filing by 9/2009			EH - Mark Soltman (360) 236-3366

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
Chapter 70, Laws of 2007	Department of health	New chapter 246-XXX WAC relating to certification of animal massage practitioners.	07-18-016 8/24/2007				HSQA - Judy Haenke (360) 236-4828
RCW 70.54.340	Department of health	Chapter 246-145 WAC amending the chapter to adopt sterilization and infection control requirements which will be enforced by the department of licensing.					OS - Patti Rathbun (360) 236-4067
RCW 70.98.050	Department of health	Chapter 246-231 WAC, Packaging and transportation of radioactive material and chapter 246-240 WAC, Radiation protection—Medical use of radioactive material.	Proposal is exempt under RCW 34.05.310(4)	Anticipate filing by 9/2009			EH - Traci Black (360) 236-3259
RCW 70.98.050	Department of health	Chapter 246-247 WAC, Radiation protection—Air emission.	05-12-140 6/1/2005				EH - Traci Black (360) 236-3259
RCW 70.98.050	Department of health	Chapter 246-255A WAC, Dental X-ray radiation safety and diagnostic imaging quality standards.	Anticipate filing 8/2009				EH- Traci Black (360) 236-3259
Chapter 70.185 RCW	Department of health	Chapter 246-562 WAC, J-1 physician visa waiver regulations.	08-14-077 6/26/2008	Anticipate filing by 12/2009			HSQA - Jennell Prentice (360) 236-2814
Chapter 70.225 RCW	Department of health	Title 246 WAC, adding new chapter for prescription monitoring program (PMP).	08-15-085 7/16/2008	Note: Rule making is suspended at this time			HSQA - Doreen Beebe (360) 236-4834
Chapter 70.54 RCW	Department of health	Chapter 246-102 WAC, Cancer registry.	09-15-186 7/22/2009				CFH - Katie Golub (360) 236-3624
RCW 70.118B.040	Department of health	Chapter 246-272B WAC, Large on-site sewage system (LOSS) regulations.	08-03-065 1/14/2008	Anticipate filing 12/2009			EH - Kelly Cooper (360) 236-3012
RCW 70.168.050, 70.168.060	Department of health	WAC 246-976-485 through 246-976-887, EMS and trauma system's trauma service designation rules for adult and pediatric trauma care.	08-18-039 8/28/2008	Anticipate filing by 8/2009			HSQA - Maura Craig (360) 236-4987
RCW 70.168.060, 70.168.090	Department of health	Trauma registry standards: WAC 246-976-420 Trauma registry—Department responsibilities and 246-976-430 Trauma registry—Provider responsibilities .	06-02-086 1/4/2006	Anticipate filing 9/2009			HSQA - Kathy Schmitt (360) 236-2869
RCW 90.46.015	Department of health	Chapter 246-XXX WAC, Greywater.	09-15-188 7/22/2009	Anticipate filing by 7/2010			EH - Maryanne Guichard (360) 236-3391

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.130.050, 18.71.017, 18.71A.020	Medical quality assurance commission	Chapter 246-919 WAC, Physicians and chapter 246-918 WAC, Physician assistants. Delegation and supervision of nonsurgical cosmetic procedures.	07-08-103 4/4/2007	Anticipate filing by 12/2009			HSQA - Beverly Thomas (360) 236-4788
RCW 18.130.050, 18.71A.020	Medical quality assurance commission	New sections in chapter 246-918 WAC, Safe and effective analgesia and anesthesia administration in office-based surgery settings as it applies to physician assistants.	07-23-125 11/21/2007				HSQA - Beverly Thomas (360) 236-4788
RCW 18.71.017	Medical quality assurance commission	WAC 246-919-601 Safe and effective analgesia and anesthetic administration in office-based surgical settings. The commission is considering proposed rules for physicians who perform surgery within their offices.	07-03-178 1/24/2007	Anticipated filing by 12/2009			HSQA - Beverly Thomas (360) 236-4788
RCW 18.79.010, 18.79.110	Nursing care quality assurance commission	WAC 246-840-XXX. New rule for the nursing care quality assurance commission mandatory continuing competency for licensed nurses.	08-13-092 6/18/2008				HSQA - Terry West (360) 236-4712
RCW 18.59.090, 18.130.050	Occupational therapy practice board	WAC 246-847-030 Occupational therapists acting in a consulting capacity, 246-847-055 Initial application for individuals who have not practiced within the past four years, 246-847-068 Expired license, 246-847-070 Inactive credential, 246-847-125 Applicants currently licensed in other states or territories, and 246-847-XXX Renewal for those that have not practiced in four years.	08-15-088 7/17/2008	Anticipated filing by 12/2009			HSQA - Janette Benham (360) 236-4857
RCW 18.22.015, 18.130.050	Podiatric medical board	Chapter 246-922 WAC, creating rules on the administration of sedation and anesthesia in the offices of podiatric physicians. The rule making may include necessary training and equipment requirements for podiatric physicians to perform office-based surgery.	07-16-139 8/1/2007	Anticipated filing by 12/2009			HSQA - Erin Obenland (360) 236-4945

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.22.015, 18.130.050	Podiatric medical board	WAC 246-922-010 Definitions, adding new sections to chapter 246-922 WAC to establish standards for prescribing orthotic devices by podiatrists.	07-16-140 8/1/2007	Anticipated filing by 12/2009			HSQA - Erin Obenland (360) 236-4945
RCW 18.92.030	Veterinary board of governors	New section WAC 246-935-XXX Identification of veterinary technician standard tasks and procedures that must be included in the experience of a person who qualifies to take the veterinary technician examination through a period of practical experience.	07-16-142 8/1/2007	Anticipated filing 12/2009			HSQA - Judy Haenke (360) 236-4828

KEY

CR means "code reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

CR-101 is a preproposal statement of inquiry filed under RCW 34.05.310.

CR-102 is a proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

Proposal is exempt under RCW 34.05.310(4) means a rule that does not require the filing of a CR-101 notice under RCW 34.05.310(4).

CR-105 is an expedited rule-making notice filed under RCW 34.05.353. This is an accelerated rule adoption process with no public hearing required.

CR-103 is rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

Emergency rules are temporary rules filed under RCW 34.05.350 and 34.05.380 by using a CR-103 rule-making order. Emergency rules may be used to meet certain urgent circumstances. These rules are effective for one hundred twenty days after the filing date, and may be extended in certain circumstances.

Dashed cells in tables mean the anticipated filing date is not known at the time this rules agenda is filed.

Blank cells in tables mean the anticipated filing date is not known at the time this rules agenda is filed.

TBD - To be determined is when a date is still being discussed.

RCW is the Revised Code of Washington.

WAC is the Washington Administrative Code.

WSR number is the Washington state register official filing reference number given by the office of the code reviser when a notice is filed.

DOH is the department of health.

HSQA is the health systems quality assurance division.

EH is the environmental health division.

EHPHL is the epidemiology health statistics and public health labs division.

CFH is the community family health division.

SBOH is the state board of health.

WSR 09-17-005
NOTICE OF PUBLIC MEETINGS
NOXIOUS WEED
CONTROL BOARD
 [Filed August 6, 2009, 9:00 a.m.]

The meeting schedule of the Washington state noxious weed control board for July [September] 2009 is on September 9, 2009, at 8:30 a.m., at the Norm Dicks Government Center, 345 6th Street, Suite 600, Bremerton, WA 98337.

WSR 09-17-006
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE
 (Invasive Species Council)
 [Filed August 6, 2009, 9:14 a.m.]

The next public meeting of the Washington invasive species council will be **Thursday, September 10, 2009, from 9:00 a.m. to 3:00 p.m.** in room 172, at the Natural Resources Building, 1111 Washington Street, Olympia, WA 98501.

For further information, please contact Rachel LeBaron Anderson, Washington invasive species council (WISC), (360) 902-3012.

WISC schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Rachel LeBaron Anderson at the number listed above or by e-mail at Rachel.LeBaronAnderson@rc.wa.gov.

WSR 09-17-007
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE

[Filed August 6, 2009, 9:14 a.m.]

Pursuant to RCW 42.30.075, the following is the 2009-10 schedule for District 22 Tacoma Community College board of trustees meetings.

Month	Day	Time
September 9, 2009	Wednesday	4:00
October 15, 2009	Thursday	4:00
November 12, 2009	Thursday	4:00
December 9, 2009	Wednesday	4:00
January 14, 2010	Thursday	4:00
January 22, 2010	Friday	8:00 - 5:00
February 18, 2010	Thursday	4:00
March 10, 2010	Wednesday	2:30 - 5:30
March 11, 2010	Thursday	4:00
April 8, 2010	Thursday	4:00
April 28, 2010	Wednesday	3:30 - 5:00
May 13, 2010	Thursday	3:30
June 3, 2010	Thursday	4:00
June 25 - 26, 2010	Friday - Saturday	1 1/2 days
July	No meeting	
August	No meeting	

All meetings of the board of trustees will be held at Tacoma Community College, 6501 South 19th Street, Tacoma, WA 98466. The meetings begin at 4:00 p.m. unless otherwise noted.

If you need any other information, you may call Cathie Bitz at (253) 566-5101 or send an e-mail at cbitz@tacomacc.edu.

WSR 09-17-008
RULES COORDINATOR
DEPARTMENT OF
INFORMATION SERVICES

[Filed August 6, 2009, 9:15 a.m.]

Mr. Douglas Haffie is an attorney in our legal services division and is our rules coordinator. His contact information is Douglas Haffie, Contracts Attorney, Office of Legal Services, Department of Information Services, P.O. Box 42445, 1110 Jefferson Street S.E., Olympia, WA 98501-2445.

If you have any questions regarding this appointment, please contact Connie L. Robins at (360) 902-2987.

WSR 09-17-009
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 9:22 a.m.]

Notice of Interpretive or Policy Statement

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 (DSHS).

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-52.
Subject: Inpatient hospital services: Policy updates.
Effective Date: July 1, 2009.

Document Description: Effective for dates of service on and after July 1, 2009, DSHS will implement inpatient hospital and other policy changes consistent with legislative mandates and budgetary assumptions.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoa@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-010
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 9:24 a.m.]

Notice of Interpretive or Policy Statement

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.

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-53.
Subject: Prescription drug program: Maximum allowable cost update.
Effective Date: July 1, 2009.

Document Description: Effective for dates of service noted below, HRSA will implement the following changes to the prescription drug program:

1. New additions to the maximum allowable cost (MAC) list; and
2. Adjustments to existing MACs; and
3. MAC deletions.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504,

Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-011
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 9:52 a.m.]

Notice of Interpretive or Policy Statement

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 (DSHS).

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-54.

Subject: Prescription drug program: Limitations on blood glucose test strips and lancets.

Effective Date: August 1, 2009.

Document Description: Effective for dates of service on and after August 1, 2009, DSHS will:

- Implement maximum allowable quantities for blood glucose test strips and lancets; and
- Make additions to the expedited authorization (EA) list.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-012
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 10:27 a.m.]

Notice of Interpretive or Policy Statement

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.

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-55.

Subject: Maternity support services/infant case management: Updating and clarifying policy and billing instructions.

Effective Date: July 1, 2009.

Document Description: Retroactive for dates of service on and after July 1, 2009, DSHS made the following changes to maternity support services (MSS):

- Updated program definitions;
- Updated eligibility criteria;
- Changed policies regarding numbers of units;
- Changed policies regarding reimbursement for performance measures; and
- Implemented a transition plan.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-014
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 11:43 a.m.]

Notice of Interpretive or Policy Statement

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 (DSHS).

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-57.

Subject: Nondurable MSE: Limitations on diabetic supplies, incontinent supplies, and gloves; discontinued coverage of bathroom equipment, compression garments, and blood pressure monitoring devices.

Effective Date: August 1, 2009.

Document Description: Effective for dates of service on and after August 1, 2009, DSHS will:

- Implement new maximum allowable quantities for blood glucose test strips and lancets and add expedited prior authorization (EPA) for pregnant women with gestational diabetes;
- Implement new limitations on incontinent supplies (briefs/pull-ups/liners);
- Implement new limitations on sterile and nonsterile gloves and add EPA for nonsterile gloves for clients residing in an assisted living facility; etc.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-016
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 1:22 p.m.]

Notice of Interpretive or Policy Statement

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.

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-56.

Subject: Tribal health program: Increase in IHS/OMB encounter rate and changes to the state match for nonnative chemical dependency services.

Effective Date: August 1, 2009.

Document Description: This memo informs Indian health services (IHS) and tribal 638 health clinic providers of:

- An increase in the IHS/OMB encounter rate retroactive to dates of service on and after January 1, 2009; and
- Changes to the federal medical assistance percentages (FMAP) rate effective August 1, 2009.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-017
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 1:22 p.m.]

Notice of Interpretive or Policy Statement

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 (DSHS).

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-58.

Subject: Nondurable MSE: Prescription drug program: Restriction on coverage of OTC drugs and drugs that treat cough and colds and revision to the current narcotic review program.

Effective Date: September 1, 2009.

Document Description: Effective for dates of service on and after September 1, 2009, DSHS will:

- Restrict coverage of over-the-counter drugs;
- Restrict coverage of drugs to treat cough and colds; and
- Revise the current narcotic review program.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-018
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 6, 2009, 1:22 p.m.]

Notice of Interpretive or Policy Statement

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 (DSHS).

Health and Recovery Services Administration (HRSA)
Division of Legal Services

Document Title: # Memo 09-59.

Subject: Drug program: Maximum allowable cost update.

Effective Date: September 1, 2009.

Document Description: Effective for dates of service on and after September 1, 2009, DSHS will:

- Restrict coverage of over-the-counter drugs;
- Restrict coverage of drugs to treat cough and colds; and
- Revise the current narcotic review program.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 09-17-019
NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE

[Filed August 6, 2009, 1:41 p.m.]

Following is a list of the board meeting dates for Cascadia Community College for publication through June 2010.

Approved by the board of trustees at their June 17, 2009, meeting.

2009-2010 Board of Trustees - Meeting Dates
Third Wednesday of Each Month

All meetings will begin at 4:00 p.m. and will take place in the board room (Room 260) at Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011.

Wednesday, September 16, 2009, approved June 21, 2008

Wednesday, October 21, 2009

Wednesday, November 18, 2009

Wednesday, December 16, 2009

Wednesday, January 20, 2010
 Wednesday, February 17, 2010
 Wednesday, March 17, 2010
 Wednesday, April 21, 2010
 Wednesday, May 19, 2010
 Wednesday, June 16, 2010
 No meeting scheduled for July 2010
 No meeting scheduled for August 2010
 Wednesday, September 15, 2010

2009-2011 Biennium Meeting Schedule

Meetings usually begin at 9:00 a.m.

<u>2009 Meetings</u>	<u>Application Deadline</u>	<u>Location</u>
July 16, 2009 - Cancelled	June 1, 2009	SeaTac, Red Lion Hotel
July 30, 2009	Special Meeting - June 15, 2009	SeaTac, Red Lion Hotel
September 17, 2009	August 3, 2009	SeaTac, Red Lion Hotel
November 19, 2009	October 5, 2009	To be determined

<u>2010 Meetings</u>	<u>Application Deadline</u>	<u>Location</u>
January 21, 2010	December 7, 2009	Olympia, Governor Hotel
March 18, 2010	February 1, 2010	SeaTac, Red Lion Hotel
May 20, 2010	April 5, 2010	SeaTac, Red Lion Hotel
July 15, 2010	May 31, 2010	SeaTac, Red Lion Hotel
September 16, 2010	August 2, 2010	SeaTac, Red Lion Hotel
November 18, 2010	October 4, 2010	SeaTac, Red Lion Hotel

<u>2011 Meetings</u>	<u>Application Deadline</u>	<u>Location</u>
January 20, 2011	December 6, 2010	SeaTac, Red Lion Hotel
March 17, 2011	January 31, 2011	SeaTac, Red Lion Hotel
May 19, 2011	April 4, 2011	SeaTac, Red Lion Hotel

June 30, 2011 is the end of the 2009-2011 biennium

July 21, 2011	June 6, 2011	SeaTac, Red Lion Hotel
September 15, 2011	August 1, 2011	SeaTac, Red Lion Hotel
November 17, 2011	October 3, 2011	SeaTac, Red Lion Hotel

Directions: Seattle Airport Red Lion Hotel, 18220 International Boulevard, Seattle, WA 98188.

SEATAC INTERNATIONAL AIRPORT: From the airport head east to International Boulevard. Turn right onto International Boulevard. At the next light, make a u-turn. The hotel is located on the right side. The Red Lion offers a complimentary shuttle service between the airport and the hotel which runs every ten minutes, twenty-four hours a day.

INTERSTATE 5 NORTH: Take exit 152 and turn left at the light at the end of the off ramp. This puts you on 188th. Stay on 188th to International Boulevard. Take a right onto Inter-

WSR 09-17-021
RULES COORDINATOR
COLUMBIA BASIN COLLEGE

[Filed August 7, 2009, 8:37 a.m.]

Camilla Glatt, vice-president for human resources and legal affairs, has been appointed the rules coordinator for Columbia Basin College. Ms. Glatt can be reached at (509) 542-5548 or e-mail cglatt@columbiabasin.edu.

Should you have any questions, please feel free to contact Richard Cummins at (509) 542-4801.

Richard Cummins
 President

WSR 09-17-022
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC REVITALIZATION BOARD

[Filed August 7, 2009, 8:38 a.m.]

Following is a revised 2009-2011 biennium meeting schedule for the community economic revitalization board (CERB) submitted for publication in the Washington state register.

All regularly scheduled CERB meetings will be held on the third Thursday of every other month. Please note that the special meeting scheduled for September 16, 2009, has been cancelled.

In accordance with Executive Order 79-03, the meeting site has been selected to be barrier free to the greatest extent feasible. Braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments will be provided if requested at least ten working days in advance.

Any questions regarding the CERB meetings should be sent to Matthew Ojennus, Community Economic Revitalization Board, Department of Commerce, 128 10th Avenue S.W., P.O. Box 42525, Olympia, WA 98504-2525, (360) 725-4047, e-mail Matthew.Ojennus@commerce.wa.gov.

national Boulevard. The hotel will be on the right two blocks down.

INTERSTATE 5 SOUTH: Take exit 152 and stay in the right lane. This puts you [on] 188th. Stay on 188th to International Boulevard. Take a right onto International Boulevard and the hotel will be two blocks down on the right-hand side.

June 29, 2010
 August 10, 2010
 September 7, 2010
 October 19, 2010
 November 30, 2010

WSR 09-17-025**NOTICE OF PUBLIC MEETINGS
 BELLEVUE COLLEGE**

[Filed August 7, 2009, 9:53 a.m.]

The board of trustees of Community College District VIII, state of Washington, 3000 Landerholm Circle S.E., Bellevue, WA, will meet on September 23, 2009, instead of the previously published date of September 9, 2009.

Please contact Lucinda Taylor, (425) 564-2302, if you have any questions.

WSR 09-17-029**NOTICE OF PUBLIC MEETINGS
 BIG BEND
 COMMUNITY COLLEGE**

[Filed August 10, 2009, 10:22 a.m.]

In accordance with RCW 42.30.075 please be advised that the board of trustees for Big Bend Community College, District No. 18, has revised its regular meeting schedule as follows:

A study session will be held August 26, 2009, at Wild Horse Wind and Solar Facility, 25901 Vantage Highway, Ellensburg, WA.

A study session will be held September 8, 2009, from 10:30 a.m. to 12:00 p.m. in the Hardin Community Room in the ATEC Building on the campus of Big Bend Community College, 7662 Chanute Street, Moses Lake, WA.

WSR 09-17-030**NOTICE OF PUBLIC MEETINGS
 BIG BEND
 COMMUNITY COLLEGE**

[Filed August 10, 2009, 10:22 a.m.]

This notice is in accordance with RCW 42.30.075 that the board of trustees for Big Bend Community College, District No. 18, meet Tuesdays at 1:30 p.m., as per the schedule posted below, in Grant County ATEC Building 1800, Room 1837, Hardin Community Room, on the campus of Big Bend Community College.

January 12, 2010
 March 2, 2010
 April 13, 2010
 May 25, 2010

WSR 09-17-031**NOTICE OF PUBLIC MEETINGS
 EVERETT COMMUNITY COLLEGE**

[Filed August 10, 2009, 10:22 a.m.]

NOTIFICATION OF MEETING CANCELLATION

The board of trustees of Everett Community College has cancelled their regularly scheduled meeting of August 19, 2009. Please call (425) 388-9572 for information.

WSR 09-17-032**NOTICE OF PUBLIC MEETINGS
 OFFICE OF
 CIVIL LEGAL AID**

(Civil Legal Aid Oversight Committee)

[Filed August 10, 2009, 9:54 a.m.]

The civil legal aid oversight committee established by section 4, chapter 105, Laws of 2005, will meet and conduct business on Friday, September 18, 2009.

What: Quarterly Meeting of the Civil Legal Aid Oversight Committee
 When: Friday, September 18, 2009
 Time: 10:00 a.m. - 3:00 p.m.
 Where: K&L Gates PLLC
 Conference Room #8
 925 Fourth Avenue
 Suite 2900
 Seattle, WA

The agenda will include action on oversight committee business matters, receipt of the quarterly report from the director of the office of civil legal aid and other matters within the charge of the oversight committee. A detailed agenda will be available at the meeting.

Accommodations: The civil legal aid oversight committee fully complies with applicable laws ensuring access for persons with disabilities. Upon request, the civil legal aid oversight committee will make reasonable accommodation to ensure full accessibility and meaningful opportunity for interested individuals to participate in the meeting, regardless of physical, mental, cognitive or other disabilities. Requests for translation services or assistive technology should be submitted at least forty-eight hours prior to the meeting in order to allow the oversight committee to accommodate.

For further information about this meeting and/or to request reasonable accommodation, please contact James A. Bamberger, Director, Office of Civil Legal Aid, 1112 Quince

Street S.E., Mailstop 41183, Olympia, WA 98504, (360) 704-4135, jim.bamberger@ocla.wa.gov.

WSR 09-17-034

**NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD**

(Small Forest Landowner Advisory Committee)

[Filed August 10, 2009, 11:22 a.m.]

Per RCW 42.30.075, the small forest landowner advisory committee will hold meetings on:

October 7 9 a.m. - 3 p.m. Regular Meeting (rescheduled from October 14, 2009)	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia
November 4	Cancelled

Mailing agendas to all individuals and groups on the advisory committee's mailing list also provides notice of these meetings. To be added to this distribution list, please contact Dan Pomerenk, Small Forest Landowner Office, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1427, fax (360) 902-1428, e-mail sfloac@dnr.wa.gov.

To view meeting schedule and other advisory committee related information online, log on to the small forest landowner office's web site at www.dnr.wa.gov.

WSR 09-17-041

OFFICE OF THE GOVERNOR

[Filed August 10, 2009, 2:45 p.m.]

I hereby direct that Washington state and United States flags at all state agency facilities be lowered to half-staff on **Monday, August 10, 2009**, in memory of U.S. Army Chief Warrant Officer Douglas M. Vose III, 38, of Concrete, who died July 29, in Kabul Province, Afghanistan, of wounds suffered when insurgents attacked his unit.

Please notify your staff and all of your field offices and facilities around the state.

Flags should remain at half-staff until close of business on Monday, or first thing Tuesday morning.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
Governor

WSR 09-17-045

**NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION**

[Filed August 11, 2009, 11:30 a.m.]

**NOTICE OF PUBLIC MEETINGS
FOR 2009**

Following is a schedule of meetings of the Washington state human rights commission for 2009. Because of current budget conditions, the commissioners will set meetings month-to-month.

With the exception of conference calls, the usual format for the meetings is a public forum on Thursday evenings from 7:00 p.m. to 9:00 p.m. (for meetings that have Thursdays noted) and a regular business meeting beginning at 10:00 a.m. on Friday. All meetings are held in accessible locations. The physical addresses of the meetings will be determined closer to the meeting dates. Please contact Tanya Calahan for the exact time and address (if not listed) or visit our web site at www.hum.wa.gov under [The Commission](#) tab.

Conference calls start at 10 a.m. originating out of Olympia. Individuals can participate in commission meetings held by conference call by coming to the Commission's Headquarters Office, 711 South Capitol Way, Suite 402, Olympia, WA.

If you have questions or need an accommodation because of a disability, please contact Tanya Calahan at (360) 753-4876 or tcalahan@hum.wa.gov.

DATE	LOCATION
Friday, August 28 8 a.m.	Evergreen Plaza Building Second Floor Conference Room 711 South Capitol Way Olympia

WSR 09-17-046

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

[Filed August 11, 2009, 2:58 p.m.]

Notice of Interpretive or Policy Statement

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: Administrative Policy 9.60: Detecting and Reporting Counterfeit Notes.

Subject: Detecting and reporting counterfeit notes.

Effective Date: August 11, 2009.

Document Description: This policy explains the division of child support's procedures for detecting and reporting counterfeit paper currency.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, 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, web site <http://www.dshs.wa.gov/dcs/>.

WSR 09-17-047

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF HEALTH**

[Filed August 12, 2009, 11:55 a.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT OR INTERPRETIVE STATEMENT

Title of Policy/Interpretive Statement: Examining Board of Psychology - Extra Practicum Hours May Qualify as Pre-internship Hours.

Issuing Entity: Examining board of psychology (board).

Subject Matter: This interpretive statement describes how the board interprets and grants credit for supervised experience hours earned by an applicant prior to commencing the required internship.

Interpretation: The board will grant "preinternship hours" for any hours earned in a practicum if those hours:

- Exceed the required three hundred practicum hours, and
- Meet the preinternship supervised experience requirements in WAC 246-924-053.

An applicant submits proof of four hundred hours of practicum supervised experience. These hours are titled "practicum" on the applicant's transcripts. The applicant submits proof that one hundred of the hours meet the requirements of WAC 246-924-053.

The board will grant three hundred of the hours towards the practicum requirement and will count one hundred hours as preinternship hours.

Effective Date: August 1, 2009.

Contact Person: Betty Moe, Program Manager, Health Professions Quality Assurance, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4912.

WSR 09-17-048

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF HEALTH**

[Filed August 12, 2009, 11:57 a.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT OR INTERPRETIVE STATEMENT

Title of Policy/Interpretive Statement: Examining Board of Psychology - Doctoral internship supervised experience hours above 1,500 hours may be counted toward the required two years of supervised experience totaling 3,000 hours.

Issuing Entity: Examining board of psychology (board).

Subject Matter: This interpretive statement clarifies the board's interpretation of WAC 246-924-043 that allows an application to apply hours of qualifying supervised doctoral program internship experience above fifteen hundred hours

to the total three thousand hours of required supervised experience.

Rule: WAC 246-924-043 is effective September 1, 2009. An applicant must have at least two years of supervised experience for a total of three thousand hours. The three thousand hours of supervised experience includes:

- At least fifteen hundred hours of supervised experience that must be completed as internship experience under WAC 246-924-056.
- The remaining fifteen hundred supervised hours (WAC 246-924-043 [(1)](c)(ii)) may be obtained through:
 - A. A preinternship experience as described in WAC 246-924-053;
 - B. A postdoctoral experience described in WAC 246-924-059; or
 - C. A combination of preinternship and postdoctoral experience.

Interpretation: The board finds the term "remaining" may be confusing and that internship hours above the minimum do not count toward the total supervised hours the rule requires.

The board interprets the rule to mean that:

- An applicant may count qualifying supervised experience hours that exceed the minimum fifteen hundred hours toward the total three thousand required hours.
- The applicant must provide documentation that these hours were obtained under the conditions required for supervised internship experience under WAC 246-924-056.
- Additional internship experience hours may equal the hours an applicant acquires in qualifying preinternship or postdoctoral experience under WAC 246-924-043.

Effective Date: September 1, 2009.

Contact Person: Betty Moe, Program Manager, Health Professions Quality Assurance, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4912.

WSR 09-17-049

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF HEALTH**

[Filed August 12, 2009, 11:57 a.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT OR INTERPRETIVE STATEMENT

Title of Policy/Interpretive Statement: Chiropractic Scope of Practice Pertaining to Cold Laser Usage.

Issuing Entity: Chiropractic quality assurance commission (commission).

In order to provide clarity to the public and licensees regarding the use of cold lasers in chiropractic practice, the commission issues this interpretive statement pursuant to RCW 34.05.010(8) and 34.05.230.

Background: Chiropractic has been defined by the legislature in RCW 18.25.005. In part, chiropractic is the practice of health care that deals with the diagnosis or analysis and care or treatment of the vertebral subluxation complex and its effects, articular dysfunction, and musculoskeletal disorders,

all for the restoration and maintenance of health and recognizing the recuperative powers of the body.

Chiropractic treatment includes the use of heat/cold and such physiological therapeutic procedures as traction and light, among other modalities. But, chiropractic care specifically does not include the practice of surgery.

The commission has been vested with the authority to adopt rules to establish, monitor, and enforce consistent standards of practice to promote the delivery of quality health care in the state of Washington. The commission has also been vested with the sole authority to discipline Washington state licensed chiropractors for unprofessional conduct regarding failure to maintain an appropriate standard of care or unlawful practice beyond the chiropractic scope.

Pursuant to WAC 246-808-505, the commission has created a classified list of chiropractic procedures and instrumentation. That list presently includes the use of devices termed "cold lasers."

Position: The commission interprets cold lasers as low level therapy lasers that topically penetrate the skin. These devices also include cold laser or low light devices termed "prescriptive devices" by the FDA, pursuant to 21 C.F.R. 801.109.

A chiropractor licensed in the state of Washington may use a cold laser to the extent of the licensee's education and training and for purposes limited to the chiropractic scope of practice as defined in chapter 18.25 RCW and the commission's rules.

Effective Date: April 9, 2009.

Contact Person: Leann Yount, Program Manager, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4856.

WSR 09-17-066

NOTICE OF PUBLIC MEETINGS GROWTH MANAGEMENT HEARINGS BOARDS

[Filed August 13, 2009, 10:27 a.m.]

Pursuant to RCW 36.70A.270(9) and WAC 242-02-076(2), the growth management hearings boards will conduct their joint board annual meeting on **Wednesday, September 30, 2009, and Thursday, October 1, 2009**. The meeting will take place in the Plaza Room of the Edmonds Public Library, 650 Main Street, Edmonds, WA 98020.

The agenda for this annual meeting shall be posted on the boards' web site, <http://www.gmhb.wa.gov>, no later than one week prior to the meeting date. The boards will be discussing general administrative business, including the administrative consolidation of the three boards as well as discussions related to amendments for the boards' rules of practice and procedures.

If you have any questions please contact Paulette Yorke, office of the growth management hearings boards, at (360) 586-0260 or pauletty@wmgmhb.wa.gov.

WSR 09-17-087

DEPARTMENT OF AGRICULTURE

[Filed August 17, 2009, 10:31 a.m.]

PUBLIC NOTICE FOR SPARTINA TREATMENT IN WESTERN WASHINGTON

LEGAL NOTICE: The Washington state department of agriculture (WSDA) plant protection division is hereby notifying the affected public that the herbicides glyphosate (e.g. Aquamaster®, Aquaneat®, or Rodeo®) and imazapyr (e.g. Habitat® or Polaris AQ®), surfactants (e.g. Agri-Dex™, Class Act Next Generation™, Competitor™, Dyne-Amic™, Kinetic™, or LI-700™) and marker dyes may be used to control invasive *Spartina* grass species between June 1, 2009, and October 31, 2009. Properly licensed pesticide applicators who have obtained coverage under the WSDA national pollutant discharge elimination system waste discharge general permit may apply glyphosate or imazapyr to control the noxious weed *Spartina* on the saltwater tideflats of Grays Harbor, Hood Canal, Willapa Bay, Puget Sound, and the north and west sides of the Olympic Peninsula.

Use of herbicides is one of the options used to control *Spartina*. These infestations may also be treated, but not eradicated, by mowing, digging, crushing, or covering.

For more information, including locations of possible application sites or information on *Spartina*, contact the WSDA *Spartina* Control Program at (360) 902-1923. Or write: WSDA *Spartina* Program, P.O. Box 42560, Olympia, WA 98504-2560. To contact the WSDA NPDES permit coordinator, call Brad White at (360) 902-2071. The Washington state department of ecology 24-hour emergency number for reporting concerns about *Spartina* treatments is (360) 407-6938.

WSR 09-17-095

NOTICE OF PUBLIC MEETINGS COUNTY ROAD ADMINISTRATION BOARD

[Filed August 18, 2009, 8:48 a.m.]



MEETING NOTICE: October 29, 2009
County Road Administration Board
2404 Chandler Court S.W.
Suite 240
Olympia, WA 98504
1:00 p.m. to 5:00 p.m.

PUBLIC HEARING: August 29, 2009
County Road Administration Board
2404 Chandler Court S.W.
Suite 240
Olympia, WA 98504
2:00 p.m.

MEETING NOTICE: August 30, 2009
 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 09-17-096
NOTICE OF PUBLIC MEETINGS
GUARANTEED EDUCATION
TUITION PROGRAM

[Filed August 18, 2009, 8:48 a.m.]

In accordance with RCW 28B.95.020 and WAC 14-276-030, the advanced college tuition program, known as guaranteed education tuition program has adopted the following regular committee meeting schedule:

DATE	TIME	PLACE
Monday November 9, 2009	2:00 - 4:00 p.m.	Insurance Building 4th Floor Conference Room
Monday February 8, 2010	2:00 - 4:00 p.m.	Insurance Building 4th Floor Conference Room
Monday April 26, 2010	2:00 - 4:00 p.m.	Insurance Building 4th Floor Conference Room
Monday August 9, 2010	2:00 - 4:00 p.m.	Insurance Building 4th Floor Conference 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 09-17-117
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD

(Small Forest Landowner Advisory Committee)

[Filed August 18, 2009, 3:30 p.m.]

Revisions to Notice of 2009 Regular Meetings of the Small Forest Landowner Advisory Committee - Correction

Per RCW 42.30.075, the small forest landowner advisory committee will hold meetings on:

September 9 9 a.m. - 3 p.m. Regular Meeting (rescheduled from September 2, 2009)	Natural Resources Building 1111 Washington Street S.E. Olympia Room 372
October 7 9 a.m. - 3 p.m. Regular Meeting (rescheduled from October 14, 2009)	Natural Resources Building 1111 Washington Street S.E. Olympia Room 172
November 4	Cancelled

Mailing agendas to all individuals and groups on the advisory committee's mailing list also provides notice of these meetings. To be added to this distribution list, please contact Dan Pomerenk, Small Forest Landowner Office, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1427, fax (360) 902-1428, e-mail sfloac@dnr.wa.gov.

To view meeting schedule and other advisory committee related information online, log on to the small forest landowner office's web site at www.dnr.wa.gov.

WSR 09-17-133
PUBLIC RECORDS OFFICER
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 19, 2009, 10:47 a.m.]

Per RCW 42.56.580, James Nylander, e-mail NYLA235@Lni.wa.gov, phone (360) 902-5118, fax (360) 902-4202, is the designated public records officer for the department of labor and industries.