

WSR 11-07-012
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed March 7, 2011, 3:51 p.m.]

Subject of Possible Rule Making: House-banked card rooms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Rob Saucier, representing Galaxy Gaming, a licensed manufacturer. The petitioner is seeking rule making to create a pilot study to allow house-banked card room operators to offer linked progressive jackpot prizes aggregated and administered by approved gaming manufacturers.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Arland@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] April 14, 2011, at the Olympia Attorney General's Office, 7141 Cleanwater Lane S.W., Olympia, WA 98504; and tentative date and location, on May 12 or 13, 2011, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503.

March 7, 2011
 Susan Arland
 Rules Coordinator

WSR 11-07-033
PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE

(Elections Division)

[Filed March 11, 2011, 10:50 a.m.]

Subject of Possible Rule Making: 2011 legislation, definition of minor political party for purposes of campaign finance laws, ballot materials, PCO elections, certifying elections, and recounts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes in state and federal law, litigation, improved clarity in procedures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Public disclosure commission, federal voting assistance program.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Katie Blinn, Assistant Director of Elec-

tions, P.O. Box 40220, Olympia, WA 98504-0220, (360) 902-4168, katie.blinn@sos.wa.gov.

March 11, 2011
 Steve Excell
 Assistant Secretary of State

WSR 11-07-066
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed March 21, 2011, 1:36 p.m.]

Subject of Possible Rule Making: Chapter 415-02 WAC, General provisions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5) and chapter 43.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature has enacted legislation providing for the payment of medical benefits for retirees of the law enforcement officers and firefighters' (LEOFF) plan 2 who are totally disabled in the line of duty and survivors of LEOFF plan 2 and the Washington state patrol retirement system plans 1 and 2 who are killed in the line of duty. The department will create a rule to implement retiree medical accounts established under Internal Revenue Code Section 401(h).

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Ken Goolsby, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-5397, e-mail Rules@drs.wa.gov.

March 21, 2011
 Ken Goolsby
 Rules Coordinator

WSR 11-07-074
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 (Division of Child Support)
 [Filed March 22, 2011, 10:12 a.m.]

Subject of Possible Rule Making: The division of child support (DCS) proposes to amend WAC 388-14A-4200 to strike subsection (4) because we believe that subsection (4) goes beyond the intent of RCW 26.18.190, the statute which the rule is meant to implement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.18.190, 26.23.035, 74.08.090, and 74.20A.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DCS has determined that subsection (4) of the current rule does not allow DCS to give credit to a noncustodial parent for dependent disability payments paid on the NCP's behalf for his or her children unless the payments are made to the custodial parent or the state. RCW 26.18.190 does not contain this limitation.

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS/DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its web site, which can be found at <http://www.dshs.wa.gov/dcs/>, or on the DSHS economic services administration's policy review web site, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. After the rules are drafted, DSHS will file a copy with the office of the code reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, e-mail nkoptur@dshs.wa.gov or nancy.koptur@dshs.wa.gov, phone (360) 664-5065, toll-free 1-800-457-6202, fax (360) 664-5342, TTY/TDD (360) 664-5011.

March 17, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-07-079
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)
 [Filed March 22, 2011, 10:32 a.m.]

Subject of Possible Rule Making: Amending chapter 388-106 WAC, Long-term care services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-106-1455, 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 the comprehensive assessment reporting and evaluation (CARE) assessment.

Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

March 1, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-07-081
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed March 22, 2011, 10:37 a.m.]

Subject of Possible Rule Making: Amendments in chapter 388-14A WAC, to implement SSB 6893 (61st legislature 2010, 2nd sp. sess.) suspending the child support pass-through as of May 1, 2011.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.035 (as modified by SSB 6893, 61st legislature 2010, 2nd sp. sess.).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: For budgetary reasons, the legislature adopted SSB 6893 (61st legislature 2010, 2nd sp. sess.) suspending the child support pass-through as of May 1, 2011.

Process for Developing New Rule: The division of child support (DCS) engages in modified collaborative rule making. Those persons wishing to participate in developing the

new rules are encouraged to contact Nancy Koptur at the DSHS/DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its web site, which can be found at <http://www.dshs.wa.gov/dcs/>, or on the DSHS economic services administration's policy review web site, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. After the rules are drafted, dshs will file a copy with the office of the code reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, e-mail nkoptur@dshs.wa.gov or nancy.koptur@dshs.wa.gov, phone (360) 664-5065, toll-free 1-800-457-6202, fax (360) 664-5342, TTY/TDD (360) 664-5011.

March 9, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-07-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services)
[Filed March 22, 2011, 10:50 a.m.]

Subject of Possible Rule Making: The department is proposing to amend chapter 388-845 WAC. These amendments will include eliminating the "person to person" program which is no longer a program that exists for DDD clients and will add the current program that clients of division of developmental disabilities are no longer eligible for and include a new program "individual technical assistance" which is not currently identified in WAC.

Proposed changes will also clarify the algorithms used to provide services to clients that receive services through county employment services. Other changes will make the WAC more understandable to clients of the division.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: By not making these changes, there is a risk that the department can no longer collect federal funds on individual technical assistance services as the WAC will not specify that these services are covered under the home and community based waiver services and therefore not a federally reimbursable expense.

Other changes will clarify how the division determines what services clients are currently eligible for.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Meredith Kelly, phone (360) 725-3524, fax (260) [(360)] 407-0955, TTY 1-800-833-6388, e-mail kellymj@dshs.wa.gov.

March 21, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-07-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medicaid Purchasing Administration)
[Filed March 22, 2011, 2:06 p.m.]

Subject of Possible Rule Making: Chapter 388-551 WAC, Subchapter I - Hospice services, and possibly other related WAC sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520, Section 2302 of the Patient Protection and Affordable Care Act of 2010 (P.L. 111-148), and Section 1814 (a)(7) of the Social Security Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In accordance with the Patient Protection and Affordable Care Act of 2010 (P.L. 111-148), these rule changes are necessary to: (1) Establish that a family electing to receive hospice care for an individual under twenty-one years of age is no longer required to waive treatment for the terminal illness; and (2) require that a hospice physician or nurse practitioner must have a face-to-face encounter with every hospice patient to determine the continued eligibility of that patient prior to the one hundred eighty day recertification, and prior to each subsequent recertification and also attest that the visit took place.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is coordinating the rule development with the Centers for Medicare and Medicaid Services (CMS) and aging and adult services administration.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504,

phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

March 22, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-07-103

PREPROPOSAL STATEMENT OF INQUIRY BELLEVUE COLLEGE

[Filed March 23, 2011, 9:33 a.m.]

Subject of Possible Rule Making: Chapter 132H-116 WAC, Parking and traffic rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140. 04-01-046, § 132H-116-300, filed 12/11/03, effective 1/11/04. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. 92-13-097 (Order 115, Resolution No. 206), § 132H-116-300, filed 6/17/92, effective 7/18/92; Order 43, § 132H-116-300, filed 8/10/76.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Bellevue College is planning to implement parking fees to help cover the cost of maintaining transportation and parking options.

Process for Developing New Rule: Negotiated rule making; and proposed changes are being presented to the campus community for feedback. Bargaining units are being contacted and impact will be negotiated.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Bellevue College will hold information/feedback sessions on the proposed changes. Comments and suggestions may be submitted to Deric Gruen, Sustainability Coordinator, Resource Conservation Manager, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007-6484, phone (425) 564-02720 [564-2720], fax (425) 564-2710, e-mail Deric.Gruen@BellevueCollege.edu.

March 23, 2011
Lucinda A. Taylor
Executive Assistant
to the President

WSR 11-07-109

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed March 23, 2011, 11:29 a.m.]

Subject of Possible Rule Making: House-banked card rooms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Victor Mena, representing Washington Gold Casinos. The petitioner is requesting a rule change regarding minimum bankroll requirements for house-banked card rooms.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Arland@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] May 12 and/or 13, 2011, location to be determined, visit our web site at www.wsgc.wa.gov on May 1 for meeting location; and on July 14 and/or 15, 2011, at the Seattle Convention Center, 800 Convention Place, Seattle, WA 98101, (206) 694-5030.

March 23, 2011
Susan Arland
Rules Coordinator