

WSR 11-09-011
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY
 [Order 11-02—Filed April 11, 2011, 9:12 a.m.]

Subject of Possible Rule Making: Rule amendment for chapter 173-224 WAC, Wastewater discharge permit fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 90.48.465 Water pollution control.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To increase fees for some wastewater permit fee categories and all stormwater permit fee categories for fiscal year (FY) 2012, by 4.17 percent (the fiscal growth factor projection) and for FY 2013, by 4.34 percent (the fiscal growth factor projection) in anticipation of receiving approval from the 2011 legislature. If approval is not received, FY 2011 fees remain in effect. Monies received fund the wastewater/stormwater discharge permit programs.

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

Process for Developing New Rule: Amend an existing rule. Hold public hearings around the state. Direct mailings to those impacted by the rule change and those who are on the interested parties mailing list. Information posted on the ecology listserv and on the permit fee web page http://www.ecy.wa.gov/programs/wq/permits/permit_fees/index.html.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bev Poston, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, Bpos461@ecy.wa.gov, (360) 407-6425 work phone or (360) 407-7151 fax.

April 7, 2011
 Kelly Susewind, P.E., P.G.
 Water Quality Program Manager

WSR 11-09-014
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION
 [Filed April 11, 2011, 2:22 p.m.]

Subject of Possible Rule Making: WAC 260-49-070 Distribution of source market fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With the passage of ESSB 5747 this section needs amended to reflect the one half of one percent that will be retained from source market fees by the commission.

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

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 pub-

lication by contacting Douglas L. Moore, Deputy Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

April 11, 2011
 Douglas L. Moore
 Deputy Executive Secretary

WSR 11-09-019
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY
 [Order 11-01—Filed April 12, 2011, 10:27 a.m.]

Subject of Possible Rule Making: This rule making will update chapter 173-423 WAC, Low emission vehicles, to incorporate by reference recent changes to California clean car regulations to maintain consistency with the California motor vehicle emission standards and compliance with federal law. Updates include:

- Option for manufacturers to use new federal motor vehicle greenhouse gas standards to show compliance with California's greenhouse gas limits ("harmonization provision"),
- Option for manufacturers to show how they meet greenhouse gas limits across multiple states in lieu of state-by-state compliance ("compliance pooling"),
- Updates on-board diagnostic system requirements for diesel engines,
- Repeal reporting requirements for emission-related equipment and required corrective action (Article 5) repealed by California in 2008, and
- Other changes as needed to maintain consistency with the California motor vehicle emission standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.120A.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington legislature requires automotive emissions standards to be consistent with California low emission vehicles standards in Title 13 of the California Code of Regulations. The federal Clean Air Act allows states to opt into the California clean car program and requires that states who opt in maintain consistency with the California vehicle emission standards. RCW 70.120A.010 directs ecology to "amend the rules from time to time, to maintain consistency with the California motor vehicle emission standards." This rule making will incorporate by reference recent Title 13 of the California Code of Regulations updates into chapter 173-423 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other ecology programs or federal agencies are involved. The department of licensing (DOL) has a role to ensure only new vehicles meeting California standards are registered in Washington. This rule making does not alter or

affect the DOL role but ecology will keep them informed of the process.

Process for Developing New Rule: The proposed rule will be drafted internally by staff using incorporation by reference of Title 13 of the California Code of Regulations. The public will have the opportunity to comment on the proposed rule. At least one public hearing will be held and the proposed amendments will be posted on the agency web site and provided to interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Neil Caudill, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6811, fax (360) 407-7534, neil.caudill@ecy.wa.gov, or accessing the ecology web site <http://www.ecy.wa.gov/laws-rules/wac173423/1101.html>.

April 11, 2011
Stuart Clark
Air Quality
Program Manager

WSR 11-09-028
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2011-06—Filed April 14, 2011,
7:08 a.m.]

Subject of Possible Rule Making: Standards for coordination of benefits (COB), definition of "allowable expense," WAC 284-51-195(1).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.21.200, 48.44.050, and 48.46.-200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Due to recent changes to electronic (HIPAA) claims standards adopted by the Department of Health and Human Services (HHS), effective January 1, 2012, the provision of the current COB rule that requires secondary payers to use the highest allowable expense in making their payments may create significant new administrative costs and complexity for health care providers and health carriers.

The department will explore whether it would be possible to amend the COB rule definition of allowable expense in a manner that would reduce administrative costs and complexity of complying with the new HIPAA transaction standards, without having a negative impact on consumers/patients.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate this subject. However, HHS adopts the standards that apply to electronic health care transactions (HIPAA standards), which impact what health carriers and providers can do to electronically process claims.

Process for Developing New Rule: Submit written comments by June 3, 2011.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Pete Cutler, P.O. Box 40258, Olympia, WA 98504-0258, petec@oic.wa.gov.

April 14, 2011
Mike Kreidler
Insurance Commissioner

WSR 11-09-030
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed April 14, 2011, 9:31 a.m.]

Subject of Possible Rule Making: New sections and/or amendments in chapter 388-14A WAC, to implement changes in the federal regulations concerning establishing and enforcing intergovernmental child support obligations. The federal rules being implemented in this rule-making order are 45 C.F.R. Parts 301.1, 302.36, 303.7, 303.11, 305.63, and 308.2.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.120, 34.05.350 (1)(b), 43.20A.550, 74.04.055, 74.08.090, 74.20.040(9), 74.20A.310.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of child support (DCS) must adopt rules to implement the federal regulations as part of its state plan under Title IV-D of the federal Social Security Act. Failure to adopt the rules could lead to a violation of the state plan requirements, which would jeopardize funding for the child support program and the TANF block grant.

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 25, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-09-032
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed April 14, 2011, 9:56 a.m.]

Subject of Possible Rule Making: Manufacturers, distributors, pull-tab operators, and manufacturer and distributor representatives.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Richard Norris, Bonanza Press, a licensed manufacturer. The petitioner is requesting that manufacturers be allowed to sell and distribute punch boards, pull-tabs, pull-tab dispensers, or related equipment to other manufacturers. Currently, manufacturers can sell or distribute such items to only distributors, distributor representatives, and punch board and pull-tab licensees.

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 13, 2011, at the Tumwater Comfort Inn, 1620 74th Avenue S.W., Tumwater, WA 98501, visit www.wsgc.wa.gov on May 1 to confirm meeting location and start time; on July 14 and/or 15, 2011, at the Seattle Convention Center or Seattle Red Lion on 5th Avenue, visit www.wsgc.wa.gov on July 1 to confirm meeting location and start time; and on August 11 and/or 12, 2011, (tentative location) Vancouver Heathman Lodge, 7801 Greenwood Drive, Vancouver, WA 98662, visit www.wsgc.wa.gov on August 1 to confirm meeting location and start time.

April 14, 2011
 Susan Arland
 Rules Coordinator

WSR 11-09-049
PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION

[Filed April 18, 2011, 9:26 a.m.]

Subject of Possible Rule Making: The Washington state parks is considering to amend chapter 352-32 WAC, Public use of state park areas, relating to adjusting the limited income senior citizen, disability and disable[d] veteran passes residency requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79A.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State parks conducts an annual review of WACs relating to public use of state park areas. After gathering suggestions from park visitors, user

groups, and filed staff, staff will report to the commission, WAC 352-32-251 and 352-32-252, public use, relating to adjusting the minimum requirement for pass program eligibility regarding state residency and expanding methods for proof of residency.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Pamela McConkey, Washington State Parks, P.O. Box 42650, Olympia, WA 98502-2650, phone (360) 902-8595, e-mail Pamela.mcconkey@parks.wa.gov.

April 14, 2011
 Valeria Evans
 Management Analyst

WSR 11-09-056
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medicaid Purchasing Administration)

[Filed April 18, 2011, 2:20 p.m.]

Subject of Possible Rule Making: WAC 388-517-0320 Medicare savings and state-funded medicare buy-in programs cover some client costs.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is a cost-saving measure. Amending this rule brings department payment methodology for medicare/medicaid eligible clients (sometimes referred to as "dual eligible") into alignment with the payment formula established in WAC 388-502-0110 regarding medicare deductible and coinsurance.

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 Kevin Sullivan, MPA Rules Coordinator, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429.

April 15, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-09-057
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medicaid Purchasing Administration)
 [Filed April 18, 2011, 2:26 p.m.]

Subject of Possible Rule Making: WAC 388-505-0210 Apple health for kids and other children's medical assistance programs, 388-542-0011 Order of payments under the premium-based apple health for kids program as funded by Title XXI of the Social Security Act (this is a new WAC section that will be proposed), and other possible WAC sections related to legislative changes that may occur during the course of this rule-making process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.-500; Patient Protection and Affordable Care Act (PPACA); §2102 (b)(1)(A) of the Social Security Act; and Public Law 111-3 (Children's Health Insurance Program Reauthorization Act of 2009).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Eliminating the Social Security number requirement for premium-based apple health for kids medical coverage is necessary to comply with federal "maintenance of effort" requirements under PPACA; adding description of lawfully present aliens to comply with CHIPRA; and creating new WAC section identifying the order of Title XXI payments under the premium-based apple health for kids program.

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 Kevin Sullivan, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail kevin.sullivan@dshs.wa.gov.

April 15, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-09-059
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed April 18, 2011, 2:34 p.m.]

Subject of Possible Rule Making: The department may propose amendments to WAC 388-406-0060 What happens when my application is denied? and other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend subsection (1)(b) of this rule which describes when an application is denied for lack of information. Subsection (1)(b) incorrectly references WAC 388-414-0001 Do I have to meet all eligibility requirements for Basic Food? This reference should be changed to WAC 388-490-0005 The department requires proof before authorizing benefits for cash, medical, and Basic Food. Application processing rules are based [on] federal regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) publish federal regulations for the supplemental nutrition assistance program in the Federal Register. Rules published in the Federal Register are incorporated into the United States Code of Federal Regulations. FNS also issues administrative notices and interim guidance to inform states of new program requirements that are not yet in the United States Code of Federal Regulations.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administration rules for food assistance programs administered under the Washington state combined application program (WASHCAP) and the Washington Basic Food program.

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 Kim Chea, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4653, fax (360) 725-4905, e-mail kimberly.chea@dshs.wa.gov.

April 15, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-09-065
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)
 [Filed April 19, 2011, 10:38 a.m.]

Subject of Possible Rule Making: The division of developmental disabilities is proposing to amend WAC 388-827-0115 to expand the number of clients eligible for state supplementary payment (SSP).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: By amending this rule, state money will be preserved that is currently used to fund the individual and family services program. SSP is a federally mandated program which requires the division to spend monies to meet a maintenance of effort in order to continue to receive SSP. Currently the division has a surplus in SSP dollars and by converting clients from the individual and family services program to the SSP program, more clients can be served that previously received services from the individual and family services program. The changes to this rule will manage budget shortfalls, and maintain fund solvency.

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, Program Manager, Division of Developmental Disabilities, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3524, fax (360) 407-0955, TTY 1-800-833-6388, e-mail kellymj@dshs.wa.gov.

April 15, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-09-066
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services)
 [Filed April 19, 2011, 10:40 a.m.]

Subject of Possible Rule Making: The department is amending WAC 388-832-0025.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing

to amend rules for clients that are on the individual and family services program and receive funding through the state supplementary program (SSP). The proposed amendments also do not allow clients to receive state funded emergency or one time awards. This amendment is necessary to match the SSP WAC that we have filed in emergency status.

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, Division of Developmental Disabilities, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3524, fax (360) 407-0955, TTY 1-800-833-6388, e-mail kellymj@dshs.wa.gov.

April 15, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-09-067
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Adult Services Administration)
 (Division of Behavioral Health and Recovery)
 [Filed April 19, 2011, 10:41 a.m.]

Subject of Possible Rule Making: The department is developing a new chapter 388-877 WAC for the purposes of implementing an integrated behavioral health rule.

The department may adopt other new rules or amend other rules as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 70.02, 70.96A, 71.05, 71.24, 71.34, 74.50 RCW, RCW 43.20A.890, 74.08.090, 42 C.F.R. Part 8.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The new rules will allow DBHR-licensed and/or DBHR-certified agencies that treat patients with substance abuse, gambling, and/or mental health conditions to meet one set of rules rather than multiple sets of rules. Other policy changes on these subjects may be incorporated into this rule making; other WAC chapters may need to be updated as a result of this rule making.

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 Kathy Sayre, DBHR Rules Manager, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 586-0341, TTY 1-800-848-5429, e-mail kathy.sayre@dshs.wa.gov.

April 15, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-09-068
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medicaid Purchasing Administration)

[Filed April 19, 2011, 10:43 a.m.]

Subject of Possible Rule Making: WAC 388-406-0005
Can I apply for cash, medical, or Basic Food?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.-500; 42 C.F.R. 435.908.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending language pertaining to authorized representatives of applicants to comply with federal regulation, which allows any applicant to have an authorized representative.

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 Kevin Sullivan, MPA Rules Coordinator, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail kevin.sullivan@dshs.wa.gov.

April 15, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-09-084
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2011-07—Filed April 20, 2011, 9:41 a.m.]

Subject of Possible Rule Making: Postponing the transition date for title insurers to file their rates with the commissioner.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.29.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The title insurers have indicated that a one year snapshot of data would not be sufficient for determining their rates. A postponement of the transition date of filing the rates with the commissioner would permit the insurers to obtain at least two years of data from their agents and from their own businesses.

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

Process for Developing New Rule: Submit written comments by June 3, 2011, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

April 20, 2011
Mike Kreidler
Insurance Commissioner

WSR 11-09-086
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed April 20, 2011, 10:36 a.m.]

Subject of Possible Rule Making: WAC 260-36-220 Industrial insurance premiums—Additional premiums for exercise riders and 260-36-230 Short duration industrial insurance coverage.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington horse racing commission received a request from the stakeholders to amend short duration industrial insurance coverage to attempt to attract more trainers and horses to Washington racing.

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

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 pub-

lication by contacting Douglas L. Moore, Deputy Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

April 20, 2011
Douglas L. Moore
Deputy Executive Secretary

WSR 11-09-087
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed April 20, 2011, 10:55 a.m.]

Subject of Possible Rule Making: The department plans to amend WAC 388-432-0005 and other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to change the maximum annual limit for diversion cash assistance (DCA).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agencies regulate this subject.

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 Kerry Judge-Kemp, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4630, fax (360) 725-4905, e-mail judgeka@dshs.wa.gov.

April 19, 2011
Katherine I. Vasquez
Rules Coordinator