

WSR 12-16-011
AGENDA
DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH
 [Filed July 23, 2012, 12:23 p.m.]

July 2012
Rules Agenda

This report details current and anticipated rule-making activities for the department of health (DOH) (department) and the state board of health (SBOH). If you have any questions about this report or DOH rule-making activities, please contact Tami Thompson, Regulatory Affairs Manager, at (360) 236-4044 or tami.thompson@doh.wa.gov. If you have any questions about SBOH rule-making activities please contact Michelle Davis, Executive Director for SBOH, at (360) 236-4106 or michelle.davis@doh.wa.gov.

This agenda is for information purposes, and the noted dates of anticipated rule-making actions are estimates. Governor Gregoire signed an Executive Order (EO) 11-03 on October 11, 2011, directing agencies under her jurisdiction to suspend non-critical rule development and adoption activities. DOH and SBOH has reviewed the rule development projects underway to determine if any rules meet the criteria.

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 rule-making activities that cannot be forecasted as DOH or SBOH may not initiate 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.

SBOH
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.210.140 | State Board of Health | Chapter 246-105 WAC, Immunizations of child care and school children against certain vaccine-preventable diseases. | Anticipate filing before 6/2012 Rule necessary to protect public health. | 4/19/2012 WSR 12-10-011 | | Anticipate filing by 7/31/2012 | Jeff Wise (360) 236-3483 |
| RCW 43.20.050(2) | State Board of Health | WAC 246-290-460 Fluoridation of drinking water—Revises the fluoride concentration in Group A public water systems that choose to fluoridate under RCW 57.08.012. | 11-11-046 5/13/2011 | Anticipate filing 12/2012 Requested by regulated community to protect public health. Filing date pending federal action. | | | Ned Therien (360) 236-4103 |
| 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 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Stuart Glasoe (360) 236-3246 |

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|------------------------------|-----------------------|--|--|---|------------------------------|------------------------------|------------------------------------|
| 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 4/2012 Rule necessary to assist department of health [to] manage a budget shortfall and protect public health. | | | Theresa Phillips (360) 236-3147 |
| RCW 43.20.050 | State Board of Health | Chapter 246-390 WAC, Drinking water laboratory certification. | 06-23-077 11/13/2006 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Theresa Phillips (360) 236-3147 |
| RCW 70.62.240 | State Board of Health | Chapter 246-360 WAC, Transient accommodations. | 07-14-148 7/5/2007 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | John Hilger (360) 236-2929 |
| RCW 43.20.050 and 43.20.145 | State Board of Health | Chapter 246-215 WAC, Food service. | 10-04-068 1/29/2010 | Anticipate filing 8/2012 Rule continuation requested by regulated community. Necessary to protect public health. | | | Joe Graham (360) 236-3305 |
| RCW 43.20.050 70.119A.080 | State Board of Health | WAC 246-203-103 Keeping of animals. | 09-17-132 8/19/2009 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Ned Therien (360) 236-4103 |
| RCW 70.24.380 | State Board of Health | WAC 246-100-207 Human immunodeficiency virus (HIV) testing—Ordering—Laboratory screening—Interpretation—Reporting, amending the rule to clarify that consent of an individual for an HIV test may be obtained either verbally or in writing. | Anticipate filing by 8/2012 Rule necessary to be consistent with state law. | | | | Maria Courogen (360) 236-3458 |

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|-----------------------------|-----------------------|--|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| RCW 70.83.030 and 43.20.050 | State Board of Health | Chapter 246-650 WAC proposal to amend chapter to consider adding severe combined immune deficiency (SCID) to the list of mandatory conditions for newborn screening conducted by the department of health. | Anticipate filing by 10/2012 | | | | Mike Glass (206) 418-5470 |

Department of Health

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|-------------------------------|--------------------------------------|--|------------------------------|--|------------------------------|------------------------------|----------------------------------|
| RCW 18.35.161 | Board of Hearing and Speech | WAC 246-828-XXX Prohibiting the use of the title "audioprosthologist." | 09-11-116 5/20/2009 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Janette Benham (360) 236-4857 |
| RCW 18.36A.060 | Board of Naturopathy | WAC 246-836-010 and 246-836-210, amending existing sections and adding a new section to naturopathic physician rules to identify nonsurgical cosmetic procedures within scope of practice. | 10-15-098 7/20/2010 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Susan Gragg (360) 236-4941 |
| RCW 18.36A.060 | Board of Naturopathy | WAC 246-836-080 Continuing competency program requirements for naturopathic physicians. | 08-17-041 8/14/2008 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Susan Gragg (360) 236-4941 |
| RCW 18.36A.060 and 18.36A.100 | Board of Naturopathy | Chapter 246-836 WAC amending accreditation requirements for naturopathic medical educational institutions. | 10-15-097 7/20/2010 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Susan Gragg (360) 236-4941 |
| 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 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Kendra Pitzler (360) 236-4723 |

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|--------------------------------------|--------------------|--|--|--|------------------------------|------------------------------|--------------------------------|
| RCW 18.54.070 | Board of Optometry | WAC 246-851-XXX Optometry multicultural education. | 10-05-060 2/11/2010 | 10-21-104 10/20/2010 Hearing was cancelled on 12/3/2010. Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Judy Haenke (360) 236-4947 |
| RCW 18.64.005 | Board of Pharmacy | Chapter 246-886 WAC, Animal control-legend drug sodium pentobarbital. | 09-11-049 5/13/2009 | 12-14-105 7/3/2012 | | | Doreen Beebe (360) 236-4834 |
| 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 | Withdrawn 12-14-104 7/3/2012 | | | Kitty Slater (360) 236-4861 |
| HB 1353 (chapter 71, Laws of 2011) | Board of Pharmacy | Chapter 246-901 WAC, Pharmacy ancillary personnel, amending to add continuing education requirements. | 11-17-10 [11-17-101] 8/22/2011 Rules are necessary to implement state law. | 12-10-082 5/2/2012 | | Anticipate 8/2012 | Kitty Slater (360) 236-4861 |
| SSB 6105 (chapter 192, Laws of 2012) | Board of Pharmacy | Chapter 246-470 WAC, Prescription monitoring program, updating the rules to reflect changes in the law, including: Adding language to establish alternative data reporting requirements for veterinarians reporting the dispensing of controlled substances to the prescription monitoring program (PMP); and clarifying that controlled substances dispensed for one day use do not have to be reported by any dispenser. | 12-14-034 6/26/2012 | Anticipate filing 12/2012 | | | Kitty Slater (360) 236-4861 |

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|--|---|---|---|--|------------------------------|------------------------------|-------------------------------------|
| RCW 18.25.0171 | Chiropractic Quality Assurance Commission | WAC 246-808-180 Expired licenses. | 12-01-129 12/21/11 Rule is necessary to protect public health, safety, and welfare. | Anticipate filing 9/2012 | | | Leann Yount (360) 236-4856 |
| RCW 18.25.0171 | Chiropractic Quality Assurance Commission | WAC 246-808-150 Continuing education. | 09-09-031 4/7/2009 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Leann Yount (360) 236-4856 |
| RCW 18.25.0171 18.130.050 (1) and (12) | Chiropractic Quality Assurance Commission | WAC 246-808-550 Future care contracts prohibited, revising the current rule to clarify the requirements for future care contracts. | 10-06-017 2/22/2010 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Leann Yount (360) 236-4856 |
| RCW 18-25-0171 [18.25.0171] 18.130.050 | Chiropractic Quality Assurance Commission | WAC 246-808-180 Reinstating an expired license. | 12-1-129 [12-01-129] 12/21/2011 | Anticipate filing 8/2012 | | | Leann Yount (360) 236-4856 |
| RCW 18.32.040 18.130.064 | Dental Quality Assurance Commission | WAC 246-817-310 and 246-817-XXX, maintenance and retention of dental records and dental treatment records. | 09-13-097 6/17/2009 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Jennifer Santiago (360) 236-4893 |
| E2SSB 5620 (chapter 23, Laws of 2012) | Dental Quality Assurance Commission | Chapter 246-817 WAC, Dental anesthesia assistants (new credentialed profession). | 12-14-068 7/2/2012 | Anticipate filing 2/2013 | | | Jennifer Santiago (360) 236-4893 |
| RCW 18.84.040 | Department of Health | WAC 246-926-180, amending the parenteral procedures for radiologic technologists. | 10-15-101 7/20/2010 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Susan Gragg (360) 236-4941 |
| RCW 43.70.040 70.38.135 | Department of Health | WAC 246-310-XXX Hospital acute care bed methodology. | 09-16-118 8/4/2009 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | John Hilger (360) 236-2929 |

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| Chapter 70.185 RCW | Department of Health | Chapter 246-562 WAC, J-1 Physician visa waiver regulations. | 08-14-077 6/26/2008 (withdrawn). | | Anticipate filing 8/2012 Rule required by federal law; benefits regulated entities. | | Natalie Gonzalez (360) 236-2815 |
| RCW 43.70.040 70.38.135 | Department of Health | WAC 246-310-XXX, revising and updating the certificate of need adjudicative proceeding rules. | Anticipate filing 2012. Continuing suspension until 2013 due to EO 11-03. | | | | John Hilger (360) 236-2929 |
| RCW 70.119.050 | Department of Health | Chapter 246-292 WAC, Waterworks operator certification. | 09-21-043 10/13/2009 | Anticipate filing 1/2013 Rule necessary to implement legislation, and is a benefit to regulated community. | | | Theresa Phillips (360) 236-3147 |
| RCW 70.98.050 | Department of Health | Chapter 246-247 WAC, Radiation protection—Air emission. | 05-12-140 6/1/2005 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Michelle K. Austin (360) 236-3250 |
| RCW 70.98.085 (HB 2304, chapter 19, Laws of 2012) | Department of Health | Chapter 246-249 WAC, Radioactive waste—Use of the commercial disposal site. WAC 246-254-180 Low-level radioactive waste site use permit fees for generator or broker. Transfer of the site use permit program from department of ecology to the department of health (HB 2304, chapter 19, Laws of 2012). | | Anticipate filing 8/2012 | | | Michelle K. Austin (360) 236-3250 |
| RCW 70.90.120 | Department of Health | Chapter 246-260 WAC, Water recreation facilities and chapter 246-262 WAC, Recreational water contact facilities. Updating the name and reference for the suction fittings standard without material change. | | 12-11-113 5/22/2012 | | Anticipate filing by 8/2012 | Gary Fraser (360) 236-2261 |
| RCW 71.12.670 | Department of Health | Chapter 246-337 WAC, Residential treatment facilities. | 10-17-119 8/18/2010 | | | | Barb Runyon (360) 236-2937 |

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| ESHB 2366 (chapter 181, Laws of 2012) | Department of Health | Chapters 246-809, 246-810, 246-811 WAC, mental health counselors, marriage and family therapists, and social workers; chemical dependency professionals; certified counselors and certified advisors—Continuing education for suicide assessment. | Anticipate filing 7/2012 | | | | Betty Moe (360) 236-4912 |
| SHB 2056 (chapter 10, Laws of 2012) | Department of Health | Title 246 WAC, Department of health, replacing the term "boarding home" with "assisted living facility." | | | Anticipate filing 10/2012 | | John Hilger (360) 236-2929 |
| ESHB 2314 (chapter 164, Laws of 2012) | Department of Health | Chapter 246-980 WAC, Home care aides, amending rules to reflect changes in the law and adding new sections to establish a scope of practice, nurse delegation, exemptions from certification, and requirements for certification for home care aides, and amending WAC 246-10-501 to allow use of the brief adjudicative proceeding (BAP) for home care aide applicants disqualified under chapter 74.39A RCW. | 12-15-024 7/11/2012 | Anticipate filing 10/2012 | | | Kendra Pitzler (360) 236-4723 |
| ESSB 6237 (chapter 153, Laws of 2012) | Department of Health | New chapter of Title 246 WAC, Medical assistants—New credentialed profession. | 12-14-098 7/3/2012 | Anticipate filing 2/2013 | | | Brett Cain (360) 236-4766 |
| ESSB 6103 (chapter 137, Laws of 2012) | Department of Health | New chapter 246-831 WAC, Reflexology—New credentialed profession. | 12-14-069 7/2/2012 | Anticipate filing 12/2012 | | | Kris Waidely (360) 236-4847 |
| ESSB 5969 (chapter 5, Laws of 2011 2nd sess.) | Department of Health | Chapter 246-12 WAC, Temporary practice permits for spouses of military personnel transferred to Washington state. | N/A | Anticipate filing 7/2012 | | | Andy Fernando (360) 236-4692 |
| SB 6290 (chapter 45, Laws of 2012) | Department of Health | Chapter 246-12 WAC, Inactive license status for military personnel transferred from Washington state. | 12-14-033 6/26/2012 | Anticipate filing 1/2013 | | | Billie Jo Dale (360) 236-4841 |

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|--|---|--|------------------------------|--|------------------------------|--------------------------------------|---------------------------------|
| SSB 6238 (chapter 5, Laws of 2012); and 3ESHB 2127 (chapter 7, Laws of 2012 2nd sp. sess.) | Department of Health | WAC 246-809-990, 246-824-990, and 246-840-990, retired active license fees for mental health counselors, marriage and family therapists, and social workers; chemical dependency professionals; dispensing opticians; practical and registered nurses. | N/A | Anticipate filing 12/2012 | | | Betty Moe (360) 4901 [236-4912] |
| RCW 43.70.110 | Department of Health | WAC 246-808-990, 246-809-990, 246-830-990, 246-834-990, 246-836-990, 246-840-990, 246-851-990, 246-853-990, 246-918-990, 246-919-990, 246-922-990, 246-924-990, health evidence resource for Washington (HEAL-WA) surcharge reduction. | N/A | 12-15-056 7/17/2012 | | Anticipate filing 9/2012 | Andy Fernando (360) 236-4692 |
| 3ESHB 2127 (chapter 7, Laws of 2012 2nd sp. sess.) | Department of Health | WAC 246-358-990 Temporary worker housing. | N/A | Anticipate filing 8/2012 | | | Deb Fisher (360) 236-2942 |
| Chapter 70.56 RCW | Department of Health | New chapter 246-302 WAC; chapters 246-320, 246-322, 246-329, and 246-330 WAC, adverse health event reporting. | N/A | 12-11-079 5/17/2012 | | Anticipate filing 7/2012 | Kathy Schmitt (360) 236-2969 |
| ESSB 6239 (chapter 3, Laws of 2012) RCW 43.70.150 | Department of Health | WAC 246-491-149 Marriage and divorce certificates, considering amending to gender-neutralize terms for spouses, and to consider clarifying names and adding gender as an item on the marriage certificate. | 12-11-116 5/22/2012 | | | | Christie Spice (360) 236-4307 |
| ESHB 2366 (chapter 181, Laws of 2012) | Examining Board of Psychology | Chapter 246-924 WAC, Psychology—Continuing education for suicide assessment. | Anticipate filing 7/2012 | | | | Betty Moe (360) 236-4912 |
| RCW 18.71.017 18.130.050 and 18.71.430 | Medical Quality Assurance Commission | WAC 246-919-430 Physicians, and WAC 246-918-XXX Physician assistants, requiring additional practice information at renewal. | 09-14-114 6/30/2009 | 10-21-098 6/30/2009 Anticipate filing new CR-102 4/2012 as a result of SB 5480 passed in 2011. | | Suspended until 2012 due to EO 10-06 | Julie Kitten (360) 236-2757 |
| RCW 18-79-110 [18.79.110] and 18.79.160 | Nursing Care Quality Assurance Commission | Chapter 246-940 WAC through WAC 246-840-455, advanced registered nurse practitioners, recognizing clinical nurse specialists. | Anticipate 8/2012 | | | | Terry West (360) 236-4712 |
| RCW 18-79-110 [18.79.110] | Nursing Care Quality Assurance Commission | WAC 246-840-500 through 246-840-575, nursing education. | Anticipate filing 8/2012 | | | | Terry West (360) 236-4712 |

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|---|---|---|------------------------------|--|------------------------------|---|-------------------------------|
| RCW 18-79-110 [18.79.110] and 18.79.050 | Nursing Care Quality Assurance Commission | WAC 246-840-740 Sexual misconduct prohibited, updating and providing clarity. | Anticipate filing 7/2012 | | | | Terry West (360) 236-4712 |
| ESHB 2314 (chapter 164, Laws of 2012) | Nursing Care Quality Assurance Commission | WAC 246-840-910 through 246-840-970, nurse delegation rules. | | Anticipate filing 8/2012 | | | Terry West (360) 236-4712 |
| ESSB 6237 (chapter 153, Laws of 2012) | Nursing Care Quality Assurance Commission | WAC 246-840-010 and 246-840-840, nursing technicians, adding clinics to facilities that may employ employee nursing technicians. | | Anticipate filing 9/2012 | | | Terry West (360) 236-4712 |
| RCW 18.79.110 | Nursing Care Quality Assurance Commission | WAC 246-840-045 Initial licensure for nurses who graduate from international schools of nursing. | Anticipate filing 8/2012 | | | | Terry West (360) 236-4712 |
| ESHB 2473 (chapter 208, Laws of 2012) | Nursing Care Quality Assurance Commission | Chapter 246-841 WAC, Nursing assistant certified—Medication assistant endorsement. | Anticipate filing 8/2012 | | | | Terry West (360) 236-4712 |
| RCW 18.130.250 | Nursing Care Quality Assurance Commission | Chapter 246-840 WAC establishing a nursing retired active license. | Anticipate filing 9/2012 | | | | Terry West (360) 236-4712 |
| ESHB 2366 (chapter 181, Laws of 2012) | Occupational Therapy Practice Board | Chapter 246-847 WAC, Occupational therapists, continuing education for suicide assessment. | Anticipate filing 7/2012 | | | | Janette Benham (360) 236-4857 |
| 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 | Suspended until 2012 due to EO 10-06. Continuing suspension until 2013 due to EO 11-03. | | | Janette Benham (360) 236-4857 |
| RCW 18.92.030 | Veterinary Board of Governors | WAC 246-933-460 Courses approved by the veterinary board, amending the list of approved organizations. | 10-13-095 6/16/2010 | 10-21-081 10/19/2010 | | Suspended until 2012 due to EO 10-06 Continuing suspension until 2013 due to EO 11-03. | Judy Haenke (360) 236-4947 |
| RCW 18.92.030 18.130.050 | Veterinary Board of Governors | Chapter 246-933 WAC, Reinstating an expired veterinary license. | 12-14-048 6/28/2012 | | | | Judy Haenke (360) 236-4947 |

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.

Department means the department of health.

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.

EO is the Executive Order 10-06 of 2010.

EO is the Executive Order 11-03 of 2011.

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.

SBOH means the state board of health.

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.

sections, and reorganize the publication for greater ease and understanding by users.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-17-002**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed August 1, 2012, 12:07 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 health care authority (HCA).

HCA**Legal and Administrative Services**

Document Title: Provider Notice #12-63.

Subject: Dental-Related Service Medicaid Provider Guide.

Effective Date: June 1, 2012.

Retroactive to dates of service on and after June 1, 2012, the medicaid program of the HCA is publishing a revised *Dental-Related Service Medicaid Provider Guide*. The guide's revisions reflect recent changes made to chapter 182-535 WAC.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-17-001**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed August 1, 2012, 12:05 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 health care authority (HCA).

HCA**Legal and Administrative Services**

Document Title: Provider Notice #12-59.

Subject: Respiratory Care Medicaid Provider Guide (MPG).

Effective Date: August 1, 2012.

Effective for dates of service on and after August 1, 2012, the medicaid program of the HCA is publishing a revised MPG. The guide's revisions are reflections of changes in chapter 182-552 WAC, Respiratory Care, also effective August 1, 2012. The MPG has been totally revised to incorporate WAC amendments, update and clarify various

WSR 12-17-003**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed August 1, 2012, 12:07 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 health care authority (HCA).

HCA**Legal and Administrative Services**

Document Title: Provider Notice #12-60.

Subject: Hospice Medicaid Provider Guide.

Effective Date: August 1, 2012.

Effective for dates of service on and after August 1, 2012, the medicaid program of the HCA published a revised Hospice Services Medicaid Provider Guide.

Specific changes to the guide included: Adding payment information about swing beds. Updating information on client participation. Adding that private duty nursing is not covered except under exception to rule. Adding a reminder that

all claims must have an attending provider included on the UB-04 claim.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-17-004
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE
 [Filed August 1, 2012, 12:10 p.m.]

The board of trustees of Walla Walla Community College, District Twenty, has cancelled its meeting scheduled for August 15, 2012.

For additional information, please contact Jerri Ramsey, executive assistant to the president, at (509) 527-4274, fax (509) 527-4249, e-mail jerri.ramsey@wwcc.edu, web www.wwcc.edu.

WSR 12-17-005

NOTICE OF PUBLIC MEETINGS

WALLA WALLA
COMMUNITY COLLEGE

[Filed August 1, 2012, 12:26 p.m.]

The board of trustees of Walla Walla Community College, District No. 20, has changed the date of the following meeting:

From: September 19, 2012
 To: September 26, 2012
 Start time: 9:30 a.m.
 Location: Walla Walla Community College Board Room

If you need further information, please contact Jerri Ramsey, 500 Tausick Way, Walla Walla, WA 99362, phone (509) 527-4274, fax (509) 527-4249, e-mail jerri.ramsey@wwcc.edu, web www.wwcc.edu.

WSR 12-17-015
AGENDA
DEPARTMENT OF LICENSING
 [Filed August 2, 2012, 10:50 a.m.]

Following is the rule-making agenda for the department of licensing. This agenda is sent to you as a requirement of RCW 34.05.314).

If I can provide any additional information regarding rule making at the department of licensing please don't hesitate to contact Damon Monroe via e-mail at dmonroe@dol.wa.gov, or by phone at (360) 902-3843.

RULE MAKING AGENDA FOR RULES UNDER DEVELOPMENT JULY 2012

| CR-101 | CR-102 | PROGRAM | SUBJECT |
|-----------|-----------|------------------------------------|--|
| 12-03-062 | | Licenses audits and investigations | Director's authority for investigations, inspections and audits. |
| 12-13-079 | | Professional athletics | Adding and amending amateur martial arts, chapter 36-14 WAC. |
| 12-16-029 | | Dealers and manufacturers | Independent vehicle dealer education. |
| 12-09-031 | 12-12-073 | Training and technical services | Driver training schools and school districts to administer the knowledge and drive test. |
| 12-10-086 | | System and licensing support | Veteran license plate emblems. |
| 12-11-060 | | System and licensing support | Vehicle license/brands. |
| 12-10-087 | 12-13-054 | Driver records | Ignition interlock device revolving account. |
| 12-11-018 | | System and licensing support | Destroyed or wrecked vehicle-reporting-rebuilt. |
| 12-11-013 | | Contracts and programs | ADR monitoring services. |
| 12-14-072 | | Contracts and programs | Minimum training requirements. |
| 11-20-095 | 12-13-055 | System and licensing support | Notice and order defined in relation to license suspension. |
| 10-23-097 | | Real estate | Examination of managing brokers. |
| 09-14-135 | | Engineers | Chapter 196-12 WAC, amending to reflect current DB practices. |
| 10-23-088 | | PSD/hearings | Chapter 308-103 WAC, Rules of procedure for hearings under RCW 46.20.308. |

| CR-101 | CR-102 | PROGRAM | SUBJECT |
|-----------|-----------|---------------------------------|--|
| 10-23-086 | | Driver records | Chapter 308-102 WAC, Administration of Financial Responsibility Act—Procedures. |
| 10-23-085 | | Driver records | Mailing original driver's licenses and identicards out-of-state. |
| 10-19-061 | | Training and technical services | WAC 308-104-014 Application for driver license or ID-updating application requirements. |
| 10-14-037 | | Real estate | Director authority on conducting audits and investigations. |
| 10-12-073 | | Cosmetology | Chapter 308-20 WAC. |
| 10-08-095 | | Title and registration | WAC 308-56A-206. |
| 10-01-136 | | Engineers | Chapter 196-25 WAC. |
| 10-01-035 | | Tattoo | New rules. |
| 09-08-077 | | Land surveyor | Chapter 196-21 WAC, part of an effort to better organize existing and future rules under the existing chapter that pertain to surveyors-in-training. |
| 09-08-075 | | Engineering | Chapter 196-20 WAC, part of an effort to better organize existing and future rules under the existing chapter that pertain to engineers-in-training. |
| 08-18-068 | | Driver records | WAC 308-104-018. |
| 08-18-066 | | Driver records | WAC 308-104-160 Nonmoving violation defined. |
| 08-14-032 | | Real estate | Implement section 10, chapter 110, Laws of 2008. |
| 08-07-004 | | Engineers | Chapter 196-26A WAC, Engineer and land surveyor fees. |
| 06-22-105 | 10-23-023 | PSD/motorcycle | Establish basic requirements governing the operation and scope of motorcycle education courses offered by commercial businesses. |

Damon Monroe
Rules Coordinator

WSR 12-17-016

AGENDA

DEPARTMENT OF NATURAL RESOURCES

[Filed August 2, 2012, 11:16 a.m.]

Following is the department of natural resources' semi-annual rules development agenda for publication in the Washington State Register, pursuant to RCW 34.05.314. The rule development actions shown below are to achieve consistency with RCW changes approved by the legislature.

There may be additional rule-making activity not on the agenda as conditions warrant.

Please call (360) 902-1393 or e-mail peggy.murphy@dnr.wa.gov if you have questions.

RULES DEVELOPMENT AGENDA

July to December 2012

The department will adopt WAC 332-18-05001 rule change to achieve consistency with RCW 34.05.110(1), the Administrative Procedure Act related to small businesses notice requirements, as amended by 2011 legislative action. The intent is to make department of natural resources' rules consistent with Washington state statutes.

The department will adopt WAC 332-18-01005 rule change to achieve consistency with RCW 78.44.085 (4)(a), the Surface Mine Reclamation Act, related to the annual fee for county governments, as amended by 2006 legislative action. The rule change will state that the fee is based on tonnage mined annually.

The department will adopt WAC 332-18-01005 rule change to achieve consistency with RCW 78.44.085 (4)(b), the Surface Mine Reclamation Act, related to the annual permit fee for county governments, as amended by 2006 legislative action. The rule change will state that the annual fee will not exceed one thousand dollars.

Peggy Murphy
Rules Coordinator

WSR 12-17-019
NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE

[Filed August 3, 2012, 10:56 a.m.]

In compliance with the Open Public Meetings Act, the Shoreline Community College board of trustees will hold two special meetings in relation to the board's annual retreat.

Thursday, August 9, 2012, from 8:30 a.m. - 4:00 p.m.

Friday, August 10, 2012 [2012], from 8:30 a.m. - 4:00 p.m.

Both special meetings will take place in the North 301 Room, Shoreline City Hall, 17500 Midvale Avenue North, Shoreline, WA 98133-4905.

Please call (206) 546-4552 or e-mail Lori Y. Yonemitsu at lyonemitsu@shoreline.edu if you need further information.

WSR 12-17-021
AGENDA
FOREST PRACTICES BOARD

[Filed August 6, 2012, 9:03 a.m.]

**Semi-Annual Rule-Making Agenda for
 Publication in the Washington State Register
 pursuant to RCW 34.05.314
 July - December 2012**

The forest practices board's (FPB) mandate is to adopt rules to protect the state's public resources while maintaining a viable forest products industry. The following rule proposals are under development or are anticipated during this time period. There may be additional rule-making activity not on the agenda as conditions warrant.

1. Hydraulic project approval/forest practices applications. The board will consider rule making to integrate the hydraulic project approvals into the forest practices rules. The 2012 legislature passed 2ESSB 6406 which integrates hydraulic project approvals associated with forestry activities into the forest practices application and review process.

2. Lands platted. The board will consider initiating rule making at its August meeting to implement HB 1582 (2011 legislation) that removes references to lands that were platted after January 1, 1960. These lands are no longer defaulted into a Class IV forest practices and are no longer automatically assumed to be lands that will be converted to a nonforestry land use.

3. Notice of conversion activities. The board will consider initiating rule making at its August meeting to amend rules that implement SB 5883 (2007 legislation) to provide a process to apply for a forest conversion application for another use.

4. WAC 222-16-080 Critical habitats (state) of threatened and endangered species. The board may consider rule making to amend WAC 222-16-080 to clarify which wildlife plans are required to be reviewed under the State Environmental Policy Act and modify the critical habitat definition for gray wolf based on the recommendation in the Washington department of fish and wildlife's wolf conservation and management plan.

Contact Person: Patricia Anderson, FPB Rules Coordinator, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1413, fax (360) 902-1428, e-mail patricia.anderson@dnr.wa.gov.

WSR 12-17-026
INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY

[Filed August 6, 2012, 3:22 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 health care authority (HCA).

HCA
Legal and Administrative Services

Document Title: Provider Notice #12-61.

Subject: Inpatient Hospital Services Medicaid Provider Guide.

Effective Date: July 19, 2012.

Effective for dates of service on and after July 19, 2012, the medicaid program of the HCA will make the following changes: Clarify information regarding the inpatient hospital psychiatric criteria. Add information related to medicaid emergency psychiatric demonstration project. Add table to clarify clinical data requirements for emergency admission.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-17-027
INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY

[Filed August 6, 2012, 3:23 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 health care authority (HCA).

HCA
Legal and Administrative Services

Document Title: Provider Notice #12-62.

Subject: Durable medical equipment providers required to be enrolled with medicare.

Effective Date: September 1, 2012.

Effective for dates of service on and after September 1, 2012, the medicaid program of the HCA will begin requiring the following providers to first be enrolled with medicare prior to enrolling with medicaid: Newly enrolling providers of durable medical equipment (DME), medical supplies, and related services; and current providers of DME, medical sup-

plies, and related services upon revalidation of their enrollment with medicaid.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-17-028
INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY

[Filed August 6, 2012, 3:23 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 health care authority (HCA).

HCA
Legal and Administrative Services

Document Title: Provider Notice #12-64.

Subject: Prescription drug program.

Effective Date: September 1, 2012.

Effective for dates of service on and after September 1, 2012 (unless otherwise noted), the medicaid program of the HCA will implement the following changes to maximum allowable costs (MAC) in the prescription drug program.

| MAC Additions | | | |
|------------------------|-----------------|-------------|-----------------------------|
| Generic Name | Strength | Form | MAC Effective 9/1/12 |
| POTASSIUM CHLORIDE | 10MEQ | CAPSULE CR | \$0.66570 |
| MAC Adjustments | | | |
| Generic Name | Strength | Form | MAC Effective 8/1/12 |
| LATANOPROST | 0.005% | OPHTH SOLN | \$7.64800 |
| Generic Name | Strength | Form | MAC Effective 9/1/12 |
| ATORVASTATIN | 10MG | TABLET | \$0.18838 |
| ATORVASTATIN | 20MG | TABLET | \$0.27120 |
| ATORVASTATIN | 40MG | TABLET | \$0.27120 |
| ATORVASTATIN | 80MG | TABLET | \$0.27120 |
| ENOXAPARIN SODIUM | 30MG/0.3 ML | SOLUTION | \$27.56250 |
| ENOXAPARIN SODIUM | 40MG/0.4 ML | SOLUTION | \$27.56250 |
| ENOXAPARIN SODIUM | 60MG/0.6 ML | SOLUTION | \$27.56250 |
| ENOXAPARIN SODIUM | 80MG/0.8 ML | SOLUTION | \$27.56250 |

| | | | |
|------------------------|-------------|------------|------------|
| ENOXAPARIN SODIUM | 100MG/ML | SOLUTION | \$27.56250 |
| ENOXAPARIN SODIUM | 120MG/0.8ML | SOLUTION | \$41.34380 |
| ENOXAPARIN SODIUM | 150MG/ML | SOLUTION | \$80.77550 |
| FLUTICASONE PROPIONATE | 50MCG/ACT | NASAL SUSP | \$1.22438 |
| HALOPERIDOL | 10MG | TABLET | \$0.77290 |
| HYOSCYAMINE SULFATE | 0.125MG | TAB SUBL | \$0.47220 |
| SIMVASTATIN | 5MG | TABLET | \$0.05444 |
| SIMVASTATIN | 10MG | TABLET | \$0.04068 |
| SIMVASTATIN | 20MG | TABLET | \$0.04425 |
| SIMVASTATIN | 40MG | TABLET | \$0.06358 |
| SIMVASTATIN | 80MG | TABLET | \$0.08466 |
| VALACYCLOVIR HCL | 500MG | TABLET | \$1.40000 |
| VALACYCLOVIR HCL | 1GM | TABLET | \$2.33620 |
| VENLAFAXINE HCL | 25MG | TABLET | \$0.52450 |
| VENLAFAXINE HCL | 37.5MG | TABLET | \$0.37760 |

MAC Deletions

| Generic Name | Strength | Form | MAC Effective 8/1/12 |
|---------------------|-----------------|-------------|-----------------------------|
| PERPHENAZINE | 2MG | TABLET | \$0.00000 |
| PERPHENAZINE | 8MG | TABLET | \$0.00000 |
| PERPHENAZINE | 16MG | TABLET | \$0.00000 |

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-17-029
INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY

[Filed August 6, 2012, 3:24 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 health care authority (HCA).

HCA
Legal and Administrative Services

Document Title: Provider Notice #12-65.

Subject: Prescribing providers to be enrolled as participating providers with medicaid.

Effective Date: September 1, 2012.

Effective for dates of service on and after August 1, 2012, the medicaid program of the HCA will require any ordering, referring, or prescribing providers to be enrolled as participating providers with medicaid. The agency is implementing these requirements in accordance with 42 C.F.R. 455.410. Enrollment and screening of providers and 42 C.F.R. 455.440 National provider identifier.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site http://www.hca.wa.gov/.

| | | |
|-----------------------------|------------------|-------------------|
| January 19, 2012 | December 5, 2011 | Olympia, Commerce |
| March 15, 2012 | January 30, 2012 | Olympia, Commerce |
| May 17, 2012 | April 2, 2012 | Olympia, Commerce |
| July 19, 2012 | June 4, 2012 | Olympia, Commerce |
| September 20, 2012 | August 6, 2012 | Olympia, Commerce |
| November 15, 2012 | October 1, 2012 | Olympia, Commerce |
| December 4, 2012 | August 16, 2012* | Olympia, Commerce |

| | | |
|----------------------|-----------------------------|-------------------|
| <u>2013 Meetings</u> | <u>Application Deadline</u> | <u>Location</u> |
| January 17, 2013 | December 3, 2012 | Olympia, Commerce |
| March 21, 2013 | February 4, 2013 | Olympia, Commerce |
| May 16, 2013 | April 1, 2013 | Olympia, Commerce |

*This meeting is to approve applications from the community economic revitalization board competitive grant program only.

Directions: Department of Commerce, 1011 Plum Street S.E., Olympia, WA 98504-8319.

FROM SEATTLE: From I-5 Southbound, take Exit 105B toward City Center/Port of Olympia. Turn slightly right onto East Bay Drive. At the second light, turn left onto Union Avenue. Commerce is the first driveway on the right.

FROM PORTLAND: From I-5 Northbound, take Exit 105 toward the Port of Olympia. Turn slightly right onto 14th Avenue S.E. Turn slightly right onto Henderson Boulevard S.E. Henderson Boulevard becomes East Bay Drive. Turn left at the first light to stay on East Bay Drive, which becomes Plum Street S.E. At the second light, turn left onto Union Avenue. Commerce is the first driveway on the right.

WSR 12-17-032
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
 [Filed August 7, 2012, 10:00 a.m.]

The public works board will be holding regularly scheduled meetings on the following dates at 8:30 a.m.:

- ~~January 11, 2012~~
- ~~February 6, 2012~~
- ~~March 5, 2012~~
- April 6, 2012 Cancelled
- May 3, 2012 Policy retreat
- May 4, 2012
- June 1, 2012
- July 6, 2012
- August 3, 2012
- August 17, 2012
- September 7, 2012
- October 5, 2012
- November 2, 2012
- December 7, 2012

Please contact the public works board at (360) 725-3150 for any further information.

WSR 12-17-033
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD
 [Filed August 7, 2012, 10:04 a.m.]

2011-2013 Biennium Meeting Schedule
 Meetings usually begin at 9:00 a.m.

| | | |
|-------------------------------|-----------------------------|-------------------|
| <u>2011 Meetings</u> | <u>Application Deadline</u> | <u>Location</u> |
| July 20, 2011 | Board Retreat | Olympia, WPUDA |
| July 21, 2011 | June 6, 2011 | Olympia, WPUDA |
| September 15, 2011 | August 1, 2011 | Olympia, Commerce |
| November 17, 2011 | October 3, 2011 | Olympia, Commerce |
| <u>2012 Meetings</u> | <u>Application Deadline</u> | <u>Location</u> |

WSR 12-17-035
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Denturists)
 [Filed August 7, 2012, 11:32 a.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, board of denturists, for the year 2012. The board of denturists meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the department of health web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board of denturists reserves the right to change or amend agendas at the meeting.

| Date | Time | Location |
|--------------------|-----------|-----------------|
| September 27, 2012 | 4:00 p.m. | Tukwila |
| November 9, 2012 | 9:00 a.m. | Conference call |

If you need further information, please contact Vicki Brown, Program Manager, Board of Denturists, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4865, fax (360) 236-2901, vicki.brown@doh.wa.gov, www.doh.wa.gov.

Please be advised the board of denturists is required to comply with the Public Disclosure Act, chapter 42.56 RCW.

This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

WSR 12-17-038
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
ENTERPRISE SERVICES
(State Capitol Committee)
[Filed August 7, 2012, 2:47 p.m.]

The state capitol committee special meeting is scheduled on August 22, 2012, 10:00 a.m. to 12:00 p.m.

Location: Legislative Building, Senate Rules Room 220, 416 Sid Snyder Avenue S.W., Olympia, WA 98501.

If you have any questions, please contact Martin D. Casey at (360) 407-9207 or Kim Buccarelli at (360) 407-9312.

WSR 12-17-042
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
[Filed August 8, 2012, 10:48 a.m.]

The board of trustees met on June 28 for their annual retreat. However, the president was unable to attend. Since her participation on part of the agenda was critical, the board voted to reschedule those agenda specific to her to be rescheduled for another date. They selected August 23 from 8:30-11:00 at Tacoma Community College, Room 120, Building 12.

If you need any other information, Cathie Bitz can be reached at (253) 566-5101.

WSR 12-17-048
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE
[Filed August 9, 2012, 11:30 a.m.]

Pursuant to RCW 42.30.080, Olympic College hereby gives notice of a special meeting of the board of trustees of Olympic College, District Three, to be held August 16, 2012, at the Bloedel Reserve, Bainbridge Island, Washington.

WSR 12-17-049
NOTICE OF PUBLIC MEETINGS
CONVENTION CENTER
[Filed August 9, 2012, 11:30 a.m.]

The Washington state convention center (WSCC) public facilities district (PFD) board of directors will hold a working retreat to establish the WSCC PFD corporate goals and

objectives and budget for fiscal year 2013. The board will meet 2:00 p.m. to 5:00 p.m. on October 29, 2012, plus one full day on October 30, 2012, tentatively beginning at 8:30 a.m. The retreat will be held at the Woodmark Hotel in Kirkland, Washington.

The board meeting scheduled for October 23, 2012, will move to October 30, 2012, immediately following the retreat, and is expected to conclude by or before 5:00 p.m. It is anticipated that action will be taken at the board meeting to approve WSCC PFD corporate goals for fiscal year 2013.

WSR 12-17-055
RULES OF COURT
STATE SUPREME COURT
[August 9, 2012]

IN THE MATTER OF THE SUSPEN-) ORDER
SION OF THE EFFECTIVE DATE OF) NO. 25700-A-1007
THE STANDARDS FOR INDIGENT)
DEFENSE AND CERTIFICATION OF)
COMPLIANCE)

By ORDER NO. 25700-A-1004, dated June 15, 2012, the Court adopted Standards for Indigent Defense and Certification of Compliance. The Office of Public Defense (OPD) requested that the Court delay the effective date of September 1, 2012. The Court considered the request to delay the effective date until October 1, 2012.

Now, therefore, it is hereby

ORDERED:

That the previously ordered effective date for the Standards for Indigent Defense and Certification of Compliance of September 1, 2012, is suspended until October 1, 2012, except Standard 3.4 which will become effective September 1, 2013.

DATED at Olympia, Washington this 9th day of August, 2012.

For the Court

Madsen, C. J.
CHIEF JUSTICE

WSR 12-17-056
NOTICE OF PUBLIC MEETINGS
COLUMBIA BASIN COLLEGE
[Filed August 10, 2012, 11:22 a.m.]

The Columbia Basin board of trustees' annual retreat will be held on August 10, 2012, 7:30 a.m. to 1:30 p.m. in the CBC Beers Board Room. The next regularly scheduled meeting will be on September 10, 2012, at 4:00 p.m. and will be held in the CBC Beers Board Room.

If you have any questions, please contact Lupe Perez at (509) 542-4802.

James T. Odiorne, Deputy Commissioner, Company Supervision Div.
 Ronald J. Pastuch, Holding Company Manager, Company Supervision Div.
 Carol Sureau, Deputy Commissioner, Legal Affairs Division
 Robin Aronson, Staff Attorney, Legal Affairs Division
 Office of the Insurance Commissioner
 P.O. Box 40255
 Olympia, WA 98504-0255

NATURE OF PROCEEDING

On February 22, 2012, Sagicor Life Insurance Company ("Sagicor Life" or "Applicant"), a Texas domestic life insurance company, entered into a Stock Purchase Agreement with PEMCO Mutual Insurance Company, a Washington domestic property and casualty insurance company, whereby Sagicor Life agrees to acquire PEMCO Life Insurance Company ("PEMCO Life"), a Washington domestic life and disability insurance company, upon terms specified therein and conditioned upon approval of the proposed acquisition by the Washington State Insurance Commissioner ("OIC"). Accordingly, on March 13, 2012, Sagicor Life filed a Form A Statement Regarding the Acquisition of Control of a Domestic Insurer with the OIC, requesting approval of its proposed acquisition. On April 6, the OIC advised Sagicor Life that its filing failed to include a substantial amount of information, required exhibits and attachments. On April 19, Sagicor Life provided supplemental information, exhibits and attachments, and on June 28, the OIC determined that the Form A Statement contained all of the documents and information required to be included therein, and transmitted the Form A Statement to the undersigned with the request that the undersigned conduct an adjudicative proceeding and make the final decision either approving or denying this proposed acquisition. Subsequently, on July 13, Sagicor Life filed an application for approval of its proposed merger with PEMCO Life, with Sagicor Life being the surviving corporation. Pursuant to Sagicor Life's request, if during the proceeding it is possible, both 1) Sagicor Life's application for approval of its proposed acquisition and 2) Sagicor Life's application for approval of its proposed merger (should the acquisition be approved) will be considered during the same adjudicative proceeding on September 13, 2012. However the proceeding will be strictly separated into two parts: the first part will include separate testimony, exhibits, and all other evidence and consideration strictly relative to the proposed acquisition, and the second part (if appropriate) will include separate testimony, exhibits, and all other evidence and consideration strictly relative to the proposed merger.

Copies of all informational filings about these companies, all Agreements, the relevant current and proposed organizational structures, and all other documents identified below can be found at http://www.insurance.wa.gov/orders/hearings_proceedings6.shtml, are included in the hearing file and are by this reference incorporated herein. If approved by the undersigned, following consideration of evidence pre-

sented during the adjudicative proceeding, the parties propose to consummate this acquisition by September 30, 2012 if possible and the merger either on the same date or at some time before January 1, 2013.

IDENTITIES OF SAGICOR LIFE INSURANCE COMPANY AND PEMCO LIFE INSURANCE COMPANY; DETAILS OF PROPOSED ACQUISITION AND MERGER; CONSIDERATION TO BE PAID; AND RESULT OF ACQUISITION AND MERGER

I. Identity of Sagicor Life Insurance Company and PEMCO Life Insurance Company.

Sagicor Life Insurance Company is a Texas life insurance corporation organized and licensed in Texas in 1954. However, in its Form A, 1) the Applicant fails to state whether it is also authorized to provide insurance other than life insurance; 2) the Applicant fails to provide its Texas Certificate of Authority number; and 3) although the Applicant states that it is a Texas domestic insurer, it states its official address as being in Scottsdale, Arizona and states that its actual headquarters have for thirty years been in Scottsdale, Arizona, without explanation. The ultimate controlling person of Sagicor Life is Sagicor Financial Corporation, a Barbados publicly traded insurance holding corporation, organized under the laws of Barbados, which has its primary listing on the Barbados Stock Exchange and secondary listings in Trinidad and on the London Stock Exchange. Sagicor Financial Corporation's principal place of business is in St. Michael, Barbados.

PEMCO Life Insurance Company is a Washington-domiciled stock life and disability insurance corporation which was first organized and licensed as a life and disability insurer in Washington in 1963 (Certificate of Authority No. 923). PEMCO Life is wholly owned by PEMCO Mutual Insurance Company, which is a Washington-domiciled mutual property and casualty insurance corporation. PEMCO Life's registered address and headquarters are in Seattle, Washington.

II. Proposed Acquisition and Consideration to be Paid.

Sagicor Life proposes to acquire PEMCO Life by purchasing all outstanding capital stock of PEMCO Life from PEMCO Mutual Insurance Company. The capital stock consists of 12,500 shares of common stock, all issued and outstanding to PEMCO Mutual Insurance Company. There are also 100,000 shares of Class A common non-voting shares with none issued and outstanding. Should this proposed acquisition be approved, as set forth in the Stock Purchase Agreement dated February 22, 2012, Sagicor Life has agreed to pay a purchase price stated in the amount of \$1,700,000 plus an amount equal to the capital and surplus of PEMCO Life as determined by the formula specified in the Stock Purchase Agreement found in the link above. Sagicor Life proposes to pay the purchase price in cash although in its Form A it fails to specify the source of said cash.

III. Result of Proposed Acquisition and Merger. Should this proposed acquisition be approved, the result would be that, upon closing, Sagicor Life would own all of the issued and outstanding stock of PEMCO Life, and PEMCO Mutual

Insurance Company would no longer have any ownership of PEMCO Life. Thereafter, PEMCO Life would be merged into Sagicor Life, with Sagicor Life becoming the surviving corporation governed by the laws of the state of Texas. The corporate identity, existence, purposes, powers, objects, franchises, rights and immunities of PEMCO Life shall be wholly merged in to Sagicor Life and the separate existence of PEMCO Life shall cease; PEMCO Life would no longer be a domestic life and disability insurer in Washington. If this acquisition is approved, as of the date the acquisition is consummated, Sagicor Life, as the surviving corporation, must assume all of PEMCO Life's outstanding life, health and accident insurance policies, annuity policies, and other contracts and obligations which are in force on the effective date of the acquisition and all rights of policyholders and other contract holders must remain unchanged. Sagicor Life's assumption of all of PEMCO Life's policy and other contract rights and obligations shall be documented in live testimony from both Sagicor Life's and PEMCO Life's authorized representatives during the adjudicative proceeding, and written testimony from these individuals shall be filed as exhibits in the hearing file and shall form part of the basis of the final decisions concerning 1) approval of the proposed acquisition and 2) approval of the proposed merger.

IV. Re request for approval of proposed acquisition: documents to be filed and procedure during the adjudicative proceeding.

All documents filed with Sagicor Life's Form A, and all supplemental documents and information referenced herein, can be found at http://www.insurance.wa.gov/orders/hearings_proceedings6.shtml. These documents include, among other documents, 1) the parties' Stock Purchase Agreement dated February 22, 2012 with attached Exhibits A through E; 2) Sagicor's Form B Insurance Holding Company System Registration Statement; 3) Pre- and Post-Closing Organizational Charts of Sagicor Financial Corporation; 4) Biographical affidavits of the directors and executive officers of Sagicor Life; 5) Financial statements of Sagicor Financial Corporation for calendar years 2006 through 2011; 6) Annual statements and audited financial statements of Sagicor Life for calendar years 2006 through 2011. Included also are 7) the OIC's April 6, 2012 letter requesting further information from the Applicant; and 8) the Applicant's letter dated April 19, 2012 which provides information in response to the OIC's April 6 request for additional information. The documents specified above, and others also included in the Form A, and all other communications between the Applicant and the OIC, and between the Applicant, PEMCO Life, the OIC and the undersigned, are published at the referenced website and shall be entered as evidence in this proceeding.

In addition to compliance with the various requirements set forth in RCW 48.31B.015, pursuant to RCW 48.31B.015(4), the OIC shall approve an acquisition of a domestic insurer unless, after a public hearing thereon, it is found: 1) that after the change of control, the domestic carrier would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed; 2) the effect of the acquisition or merger may substantially lessen competition or tend to create a monopoly in

insurance in this state; 3) the financial condition of an acquiring party is such as might jeopardize the financial stability of the insurer, or prejudice the interest of its policyholders; 4) the plans or proposals that the acquiring party has to liquidate the insurer, sell its assets, consolidate or merge it with any person, or to make any other material change in its business or corporate structure or management, are unfair and unreasonable to the policyholders of the insurer and not in the public interest; 5) the competence, experience, and integrity of those persons who would control the operation of the insurer are such that it would not be in the interest of policyholders of the insurer and of the public to permit the merger or other acquisition of control; 6) or the acquisition is likely to be hazardous or prejudicial to the insurance-buying public.

Toward this end, the parties are advised that the Washington State Insurance Commissioner or his duly authorized representative is expected to testify as to whether he has given reasonable advance notice to the public of the hearing scheduled herein and whether he or any members of his staff has received any objections or concerns relative to this proposed acquisition and provide details of these objections or concerns. The Commissioner or his duly authorized representative is also expected to testify as to the conclusions he has reached during his examination of the subject Form A and all related documents and communications insofar as they relate to the above stated issues 1) through 6). Further, a duly authorized representative of Sagicor Life is expected to testify as to the above stated issues 1) through 6) and as to whether Sagicor Life or any of its affiliates has received any objections or concerns regarding this proposed acquisition and provide details of these objections or concerns. Additionally, a duly authorized representative of PEMCO Life is expected to testify as to the above stated issues and as to whether PEMCO Life or any of its affiliates has received any objections or concerns relative to this proposed acquisition. Finally, while live testimony from the Commissioner, Sagicor Life, and PEMCO Life will be taken during the hearing as to the above identified issues, written Affidavits from the parties and the Commissioner must be filed at least ten days prior to the date of the hearing. Further, oral opening statements from Sagicor Life and PEMCO Life are expected along with written closing arguments to be filed at least ten days prior to the date of the hearing. Duly authorized representatives of Sagicor Life and PEMCO Life can include officers and/or directors of the companies or in house counsel employed by the companies; while testimony of outside counsel may be presented, it will be in addition to the testimony of those duly authorized representatives specified above.

V. Re request for approval of proposed merger: documents to be filed and procedure during the adjudicative proceeding.

On July 11, 2012, the Applicant emailed certain documents which it believes constitute a request for approval of its proposed merger detailed above. However, all of these documents are incomplete and unsigned and one is duplicative but with different wording. The Applicant is advised that in order to have its proposed merger considered on the hearing date currently scheduled, 1) it must promptly submit a letter

detailing its proposed merger, and how and when it will be accomplished including explanation of the undated, unsigned documents; 2) it must comply with RCW 48.31B.015 in its entirety, separately from its compliance with this statute in its request for acquisition; 3) it must submit all those documents (which can be fully executed prior to consummation of the acquisition if approval) at least ten days prior to the hearing date. Failure to comply with RCW 48.31B.015 will result in inability to consider this proposed merger on the scheduled hearing date. The Applicant is reminded that its filing requesting approval of its proposed merger must be entirely separate from its filing regarding its proposed acquisition.

Pursuant to RCW 48.31B.015(4), the Washington State Insurance Commissioner shall approve a merger involving a domestic insurer unless, after a public hearing thereon, it is found: 1) that after the change of control, the domestic carrier would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed; 2) the effect of the merger may substantially lessen competition or tend to create a monopoly in insurance in this state; 3) the financial condition of an acquiring party is such as might jeopardize the financial stability of the insurer, or prejudice the interest of its policyholders; 4) the plans or proposals that the acquiring party has to liquidate the insurer, sell its assets, consolidate or merge it with any person, or to make any other material change in its business or corporate structure or management, are unfair and unreasonable to the policyholders of the insurer and not in the public interest; 5) the competence, experience, and integrity of those persons who would control the operation of the insurer are such that it would not be in the interest of policyholders of the insurer and of the public to permit the merger or other acquisition of control; 6) or the acquisition is likely to be hazardous or prejudicial to the insurance-buying public.

Toward this end, the parties are advised that the Commissioner or his duly authorized representative is expected to testify as to whether he has given reasonable advance notice to the public of the hearing scheduled herein and whether he or any members of his staff has received any objections or concerns relative to this proposed merger and provide details of these objections or concerns. The Commissioner or his duly authorized representative is also expected to testify as to the conclusions he has reached during his examination of the subject Form A and all related documents and communications insofar as they relate to the above stated issues 1) through 6). Further, a duly authorized representative of Sagicor Life is expected to testify as to the above stated issues 1) through 6) and as to whether Sagicor Life or any of its affiliates has received any objections or concerns regarding this proposed merger and provide details of these objections or concerns. Additionally, a duly authorized representative of PEMCO Life is expected to testify as to the above stated issues and as to whether PEMCO Life or any of its affiliates has received any objections or concerns relative to this proposed merger. Finally, while live testimony from the Commissioner, Sagicor Life, and PEMCO Life will be taken during the hearing as to the above identified issues, written Affidavits from the parties and the Commissioner must be filed at least ten days prior to the date of the hearing. Further, oral

opening statements from Sagicor Life and PEMCO Life are expected along with written closing arguments to be filed at least ten days prior to the date of the hearing. Duly authorized representatives of Sagicor Life and PEMCO Life can include officers and/or directors of the companies or in house counsel employed by the companies; while testimony of outside counsel may be presented, it will be in addition to the testimony of those duly authorized representatives specified above.

YOU ARE HERBY [HEREBY] NOTIFIED that the adjudicative proceeding in this matter will be held commencing at 10:00 a.m. Pacific Standard Time on Thursday, September 13, 2012, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501, to consider, first, Sagicor Life Insurance Company's request for approval of its proposed acquisition of PEMCO Life Insurance Company as described above, and, immediately following that first proceeding if appropriate, Sagicor Life Insurance Company's proposed merger with PEMCO Life Insurance Company, which are both described above. All documents and all other information from the Applicant, Sagicor Life, all communications between the Commissioner, Sagicor Life, PEMCO Life, their affiliates, and the undersigned, which have been filed to date are published on the Commissioner's website for the public's review at http://www.insurance.wa.gov/orders/hearings_proceedings6.shtml or by request to the undersigned to review the hearing file or any portions thereof.

The hearing will be held under the authority granted the Insurance Commissioner by Chapter 48.04 RCW and RCW 48.31B.015, and shall have as its purpose consideration of the Applicant's request for approval of the proposed acquisition of PEMCO Life by Sagicor Life and the proposed merger of PEMCO Life into Sagicor Life. The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. A party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

The Insurance Commissioner has not taken, and will not take, any position on this matter prior to entry of the Findings of Facts, Conclusions of Law and Final Order to be entered by the undersigned after hearing.

YOU ARE FURTHER NOTIFIED that all interested individuals may attend the hearing in this matter without prior approval as this is a public proceeding. Further, interested parties may also listen to or otherwise participate in the hearing by telephone by dialing (877) 668-4493, followed by access code number 231 993 38. YOU ARE FURTHER NOTIFIED that all interested individuals and entities may submit comments on, or objections to, this proposed acquisition and merger to the undersigned. Said comments or objections, which will be included in the hearing record and will be considered by the undersigned prior to her making her final decision in this matter, must be submitted by 9:00 a.m. Pacific Standard Time on Tuesday, September 13, 2012, by fax, U.S. Mail, personal delivery,

or email to Judge Petersen. Her fax number is (360) 664-2782; her U.S. Mail address is PO Box 40255, Olympia, WA 98504-0255; her personal delivery address is 5000 Capitol Boulevard, Tumwater, Washington 98501; and her email address is that of her Paralegal, Kelly A. Cairns, which is KellyC@oic.wa.gov. YOU ARE FURTHER NOTIFIED that, pursuant to RCW 48.31B.015 (4)(b), any person whose interest is determined by the undersigned to be affected, may present evidence and argument on all issues involved, examine and cross-examine witnesses, and offer oral and written statements, and in connection therewith may conduct discovery proceedings.

The Insurance Commissioner will appear by and through Robin Aronson, Staff Attorney in his Legal Affairs Division. She can be reached at (360) 725-7181 or RobinA@oic.wa.gov. Sagicor Life Insurance Company will be represented by Timothy J. Parker, Esq. of Carney Badley Spellman, P.S., 701 Fifth Avenue, Suite 3600, Seattle, WA 98104-7010. He can be reached at (206) 622-8020 or Parker@carneylaw.com. PEMCO Life Insurance Company will be represented by William Clumpner, Vice President and General Counsel, or an alternate executive of PEMCO Life, 325 Eastlake Avenue East, Seattle, WA 98111-0778. Mr. Clumpner can be reached at (206) 628-6331 or Bill.Clumpner@pemco.com.

Based upon a delegation of authority from the Insurance Commissioner, the undersigned will conduct the hearing and will make the final decision and enter the final order relative to this matter without input from the Insurance Commissioner or his staff or any other individual who has knowledge of the issues herein, except as will be presented as evidence in the hearing. Her address is Office of the Insurance Commissioner, Hearings Unit, P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7105. All questions or concerns should be directed to Kelly A. Cairns, Paralegal to the undersigned, who may be reached at the telephone and fax numbers, e-mail or U.S. Mail addresses set forth above.

On July 19, 2012, the undersigned held a first prehearing conference in this matter. The parties were represented by the above stated attorneys, except that a representative of PEMCO Life was not in attendance. Also in attendance were James Golembiewski, Associate General Counsel for Sagicor Life; Kasandra Moeskau of Sneed, Vine & Perry, Sagicor Life's Texas counsel; and Ronald J. Pastuch, OIC Holding Company Manager. During said first prehearing conference, the undersigned identified the parties and statutes involved, reviewed procedure to be expected at hearing, and responded to all questions and concerns of the parties. As stated above, **should any party or any interested individual have any further questions or concerns prior to the hearing date, they are advised to telephone or e-mail Kelly A. Cairns, Paralegal to the undersigned, for assistance** or to schedule a second prehearing conference if necessary.

Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided

by ch. 2.42 RCW. Following this Notice is a form you may use to advise the Chief Hearing Officer of your need for an interpreter.

ENTERED at Tumwater, Washington, this 13th day of August, 2012, pursuant to Title 48 RCW and specifically RCW 48.31B.015, Title 34 RCW, and regulations applicable thereto.

—signed Patricia D. Petersen—

PATRICIA D. PETERSEN
Presiding Officer
Chief Hearing Officer

FILED ON AUGUST 13, 2012

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Bart F. Catmull, Timothy J. Parker, Esq., James Golembiewski, Esq., Kasandra Moeskau, Esq., William Clumpner, Esq., Mike Kreidler, Michael G. Watson, Carol Sureau, Esq., Robin Aronson, Esq., James T. Odiorne and Ronald J. Pastuch.

DATED this 13th day of August, 2012.

—kac—

KELLY A. CAIRNS

Mike Kreidler

WSR 12-17-077
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD
[Filed August 14, 2012, 1:49 p.m.]

2011-2013 Biennium Meeting Schedule
Meetings usually begin at 9:00 a.m.

| <u>2011 Meetings</u> | <u>Application Deadline</u> | <u>Location</u> |
|----------------------|-----------------------------|--------------------|
| July 20, 2011 | Board Retreat | Olympia, WPUDA |
| July 21, 2011 | June 6, 2011 | Olympia, WPUDA |
| September 15, 2011 | August 1, 2011 | Olympia, Commerece |
| November 17, 2011 | October 3, 2011 | Olympia, Commerece |
| <u>2012 Meetings</u> | <u>Application Deadline</u> | <u>Location</u> |

| | | |
|--------------------|-----------------------------|------------------------------|
| January 19, 2012 | December 5, 2011 | Olympia, Commerce |
| March 15, 2012 | January 30, 2012 | Olympia, Commerce |
| May 17, 2012 | April 2, 2012 | Olympia, Commerce |
| July 19, 2012 | June 4, 2012 | Olympia, Commerce |
| August 15, 2012 | Special Meeting | Conference Call |
| September 20, 2012 | August 6, 2012 | Olympia, Commerce |
| November 15, 2012 | October 1, 2012 | Olympia, Commerce |
| December 4, 2012 | August 16, 2012* | Olympia, Commerce |

| <u>2013 Meetings</u> | <u>Application Deadline</u> | <u>Location</u> |
|----------------------|-----------------------------|-------------------|
| January 17, 2013 | December 3, 2012 | Olympia, Commerce |
| March 21, 2013 | February 4, 2013 | Olympia, Commerce |
| May 16, 2013 | April 1, 2013 | Olympia, Commerce |

This meeting is to approve applications from the CERB competitive grant program only.

Directions: Department of Commerce, 1011 Plum Street S.E., Olympia, WA 98504-8319.

FROM SEATTLE: From I-5 Southbound, take Exit 105B toward City Center/Port of Olympia. Turn slightly right onto East Bay Drive. At the second light, turn left onto Union Avenue. Commerce is the first driveway on the right.

FROM PORTLAND: From I-5 Northbound, take Exit 105 toward the Port of Olympia. Turn slightly right onto 14th Avenue S.E. Turn slightly right onto Henderson Boulevard S.E. Henderson Boulevard becomes East Bay Drive. Turn left at the first light to stay on East Bay Drive, which becomes Plum Street S.E. At the second light, turn left onto Union Avenue. Commerce is the first driveway on the right.

WSR 12-17-078

**NOTICE OF PUBLIC MEETINGS
BOARD OF ACCOUNTANCY**

[Filed August 14, 2012, 2:10 p.m.]

CHANGE TO 2012 BOARD MEETING SCHEDULE

As required by RCW 42.30.075, the following change to the board's 2012 meeting schedule. This amends WSR 11-23-025 filed on November 8, 2011:

| <u>Date</u> | <u>Day</u> | <u>Meeting</u> | <u>Location</u> | |
|------------------|------------|----------------|-----------------|-----------------|
| October 23, 2012 | Tuesday | Annual | SeaTac | NEW DATE |

The board will meet at the DoubleTree Hotel Seattle Airport, Cascade 12 Meeting Room, 18740 International Boulevard, SeaTac, WA.

The meeting is scheduled to begin at 9:00 a.m. Please visit the board's web site at www.cpaboard.wa.gov to view the meeting agenda available approximately five days prior to the meeting.

The board of accountancy schedules all public meetings at barrier free sites. Persons who need special assistance, such as enlarged type materials, please contact Cheryl Sexton, board clerk, at the board office (TRS 7-1-1(in-state), TTY 800-833-6388, voice (360) 664-9194, fax (360) 664-9190, or e-mail cheryls@cpaboard.wa.gov).

WSR 12-17-089

**NOTICE OF PUBLIC MEETINGS
BENTON CLEAN AIR AGENCY**

[Filed August 15, 2012, 4:50 p.m.]

**Board of Directors
Meeting Schedule for Fiscal Year 2013**

2012

July 26

August 23

September 27

October 25

November 22

Thanksgiving - meeting will be rescheduled or cancelled

December 27

2013

January 24

February 28

March 28

April 25

May 23

June 27

WSR 12-17-097

**NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION**

[Filed August 16, 2012, 2:26 p.m.]

Revision to the 2012 Schedule of Regular Public Meetings

As required by RCW 42.30.075, Open Public Meetings Act, the following change to the regular meeting schedule of the Washington state parks and recreation commission is submitted for publishing in the Washington State Register.

The date of the September 6, 2012, commission meeting will not occur. The Washington state parks and recreation commission reviewed and approved the budget item prior to its normal budget submittal date.

The commission will still have its meetings in October and December - beginning at 9 a.m. at the following locations.

- October 24 City of Vancouver (City Hall)
Council Chambers
415 West 6th Street
Vancouver, WA 98668-1995
- December 5 Willis Tucker Park
6705 Puget Park Drive
Snohomish, WA 98296

The public is welcome to attend all state park and recreation commission meetings. Meeting sites will be barrier free to the greatest extent feasible. The commission will provide braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments if a request is received at P.O. Box 42650, Olympia, WA 98504-2640 or call (360) 902-8505 at least ten working days in advance of the scheduled meeting date.

WSR 12-17-106
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
[Filed August 20, 2012, 9:24 a.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health (DOH), podiatric medical board (PMB), for the year 2013. The PMB meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the following meetings are made available in advance via listserv and the DOH web site below. Every attempt is made to ensure that the agenda is up-to-date. However, the PMB reserves the right to change or amend agendas at the meeting.

| Date | Time | Location |
|------------------|-----------|---|
| January 10, 2013 | 9:00 a.m. | Blackriver Training and Conference Center Snoqualmie Room 800 Oakesdale Avenue S.W. Renton, WA 98057 |
| April 11, 2013 | 9:00 a.m. | Blackriver Training and Conference Center Snoqualmie Room 800 Oakesdale Avenue S.W. Renton, WA 98057 |
| July 11, 2013 | 9:00 a.m. | Teleconference |

| Date | Time | Location |
|------------------|-----------|---|
| October 10, 2013 | 9:00 a.m. | Blackriver Training and Conference Center Snoqualmie Room 800 Oakesdale Avenue S.W. Renton, WA 98057 |

If you need further information, please contact Vicki Brown, Health Service Consultant 3, DOH, PMB, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4865, fax (360) 236-2901, e-mail vicki.brown@doh.wa.gov, web www.doh.wa.gov.

Please be advised the PMB is required to comply with the Public Disclosure Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

WSR 12-17-108
NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD
[Filed August 20, 2012, 11:21 a.m.]

COUNTY ROAD ADMINISTRATION BOARD

- MEETING NOTICE: November 1, 2012
County Road Administration Board
2404 Chandler Court S.W.
Suite 240
Olympia, WA 98504
1:00 p.m. to 5:00 p.m.
- MEETING NOTICE: November 2, 2012
County Road Administration Board
2404 Chandler Court S.W.
Suite 240
Olympia, WA 98504
8:30 a.m. to 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.

If you have questions, please contact Karen Pendleton at (360) 753-5989.

WSR 12-17-109
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY
 [Filed August 20, 2012, 11:38 a.m.]

This is to notify you of a change in board meeting location for September 27, 2012. The board meeting will be held at the Tacoma Municipal Building in Room 16. The street address is 728 St. Helens, Tacoma, WA. The meeting time is 8:45 a.m. This notice is for publication in the Washington State Register. If you have any questions, please call Carol Pogers at (206) 689-4080.

WSR 12-17-112
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE
 [Filed August 21, 2012, 8:29 a.m.]

The board of trustees of Walla Walla Community College, District No. 20, has changed the date of the following meeting:

From: October 17, 2012
 To: October 24, 2012
 Start time: 9:30 a.m.
 Location: Walla Walla Community College
 Board Room

If you need further information, please contact Jerri Ramsey, 500 Tausick Way, Walla Walla, WA 99362, phone (509) 527-4274, fax (509) 527-4249, e-mail jerri.ramsey@wwcc.edu, web www.wwcc.edu.

WSR 12-17-125
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
 [Filed August 21, 2012, 10:18 a.m.]

Following are revisions to the 2012 regular meeting schedule of the Edmonds Community College board of trustees.

The October 11 and November 8 meetings have been cancelled, and a meeting has been scheduled for November 1, 2012.

If you have any questions, please feel free to contact Patty Michajla at (425) 640-1516.

WSR 12-17-126
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed August 21, 2012, 12:55 p.m.]

Prevailing Rate of Wage Emergency Correction for the Trade Plumbers and Pipefitters

Pursuant to RCW 39.12.015, 39.12.020 and WAC 296-127-011, on August 21, 2012, the industrial statistician and director of labor and industries made an emergency correction to the prevailing rates of wage. Pursuant to WAC 296-127-011, the corrected rates will become effective on August 22, 2012.

The prevailing wage program has made an emergency correction to the trade plumbers and pipefitters. This correction is necessary to correct errors that were identified in a survey response submitted during the wage and hour survey process, and will affect Adams and Grant counties.

For more information on prevailing wage or a copy of the rates, please visit our web site at www.lni.wa.gov/TradesLicensing/PrevailingWage/ or call (360) 902-5335. Please see details of this correction below:

State of Washington
 Department of Labor and Industries
 Prevailing Wage Section
 Phone (360) 902-5335
 P.O. Box 44540
 Olympia, WA 98504-4540

Washington State Prevailing Wage

The PREVAILING WAGES listed here include both the hourly wage rate and the hourly rate of fringe benefits. On public works projects, worker's wage and benefit rates must add to not less than this total. A brief description of overtime calculation requirements are provided on the benefit code key.

Wage rates for the trade plumbers and pipefitters to be corrected in the following counties:

ADAMS AND GRANT

Changes to the journey level wages also impact apprentice wages. Use the apprentice wage rates lookup page.

Publish Date: August 21, 2012.

Effective Date: August 22, 2012.

| County | Job Classification | Corrected Wage | Incorrect Wage |
|--------|--------------------|----------------|----------------|
| Adams | Journey Level | \$68.54 | \$27.67 |
| Grant | Journey Level | \$68.54 | \$27.67 |

L. Ann Selover
 Prevailing Wage Manager
 Industrial Statistician

WSR 12-17-130
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed August 21, 2012, 2:24 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).

Economic Services Administration
Division of Child Support (DCS)

Document Title: Canary Notice 281: Temporary Order Information Letter.

Subject: Temporary order information letter.

Effective Date: August 20, 2012.

Document Description: This canary notice (CN) explains the DCS process to send a copy of the revised Temporary Order Information Letter, DSHS 27-042, to each party to a court case when DCS receives a temporary order for enforcement.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360) 753-9122, fax (360) 586-3274, e-mail Kildaja@dshs.wa.gov, web site <http://www.dshs.wa.gov/dcs/>.

WSR 12-17-139
DEPARTMENT OF
FISH AND WILDLIFE

[Filed August 21, 2012, 4:45 p.m.]

PUBLIC NOTICE

NOTICE OF AVAILABILITY FOR PUBLIC REVIEW AND COMMENT OF WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE (WDFW) REVISED HATCHERY GENETIC MANAGEMENT PLAN FOR SEVENTEEN LOWER COLUMBIA HATCHERY PROGRAMS

Revised hatchery genetic management plans (HGMPs) for seventeen of the WDFW lower Columbia artificial production programs are available for a thirty-day public review and comment period. The comments, WDFW's response, and any resultant modifications to HGMPs will subsequently be posted on the WDFW web site and provided to NOAA fisheries for its consideration.

The HGMPs describe, in a format prescribed by NOAA fisheries, the operation of the artificial production program for chinook salmon and steelhead and the potential effects of each program on listed species. The HGMPs will be provided to NOAA fisheries for consideration as a significant conservation measure under Section 4(d) of the Endangered Species Act.

The HGMPs may be accessed for review through one of the following means: (1) Electronically via the internet on WDFW's web site at <http://wdfw.wa.gov/>; or (2) in person through a scheduled appointment at WDFW's headquarters in

Olympia, Washington. To schedule an appointment or to obtain more information please call (360) 902-2782.

WDFW will be accepting public comments on the HGMPs for the lower Columbia artificial production programs until October 5, 2012. Comments must be submitted in writing to Phil Anderson, Director, WDFW, (Attention: Hatcheries, NRB 6th Floor), 600 Capitol Way North, Olympia, WA 98501-1091, or electronically through e-mail addressed to HGMP_LCRcomments@dfw.wa.gov. All comments must be received by WDFW at the appropriate address or via e-mail by 5 p.m. Pacific Daylight Time on October 5, 2012.

This notice can also be found on the Washington State Register web site at http://www.leg.wa.gov/CODE_REVISER/Pages/Washington_State_Register.aspx.

WSR 12-17-149

CLEMENCY AND PARDONS BOARD

[Filed August 22, 2012, 9:00 a.m.]

Notice of Special Hearing

The Washington state clemency and pardons board hereby gives notice of a special hearing scheduled for March 14, 2013,¹ at 10:00 a.m., in Senate Hearing Room 3, of the John A. Cherberg Building, Olympia, Washington. The following petitions will be considered by the board²:

| Petitioner: | Relief Requested: |
|--------------------|--------------------------|
| Guloy, Pompeyo | Commutation |
| Harkey, Nicholas | Commutation |
| Wharton, Joseph | Commutation |
| Rideout, James | Pardon |
| Rider, Kirk | Pardon |
| Sanghera, Navtej | Pardon |
| Teshome, Mebrat | Pardon |
| Xczar, Antony | Pardon |

¹The location of these meetings are subject to change depending on the availability of the legislative building during the 2013 legislative session.

²At the board's discretion, the order of the petitions to be called for hearing is subject to change.

WSR 12-17-150

CLEMENCY AND PARDONS BOARD

[Filed August 22, 2012, 9:01 a.m.]

Notice of December 2012 Quarterly Hearing

The Washington state clemency and pardons board hereby gives notice of its quarterly hearing scheduled for December 7, 2012, at 10:00 a.m., in Senate Hearing Room 3, of the John A. Cherberg Building, Olympia, Washington. The following petitions will be considered by the board¹:

| Petitioner: | Relief Requested: |
|-------------------------|--------------------------|
| Aloisio, Jillian | Commutation |
| Baldassari, Louis | Commutation |
| Francis, Shawn | Commutation |
| Grisby, Henry | Commutation |
| Abdur Raheem, Mubarak | Pardon |
| Bush, Brian | Pardon |
| Camarena-Rocha, Mirella | Pardon |
| Nenema, James | Pardon |
| Spong, Scott A. | Pardon |

¹At the board's discretion, the order of the petitions to be called for hearing is subject to change.

**WSR 12-17-151
CLEMENCY AND PARDONS BOARD**

[Filed August 22, 2012, 9:02 a.m.]

Quarterly Hearings for the Year 2013

The Washington state clemency and pardons board hereby gives notice of the quarterly hearing dates and times scheduled for the year 2013, to be held in the John A. Cherberg Building¹:

| Date | Time |
|--------------------|-------------|
| March 14, 2013 | 10:00 a.m. |
| March 15, 2013 | 10:00 a.m. |
| June 14, 2013 | 10:00 a.m. |
| September 13, 2013 | 10:00 a.m. |
| December 13, 2013 | 10:00 a.m. |

¹The location of these meetings are subject to change depending on the availability of the legislative building during the 2011 [2013] legislative session.

