

WSR 13-02-027
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)

[Filed December 20, 2012, 4:03 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 11-09-067.

Title of Rule and Other Identifying Information: The department proposes to adopt a new chapter 388-877 WAC to establish administrative standards, and support the specific requirements for the licensing and certification of behavioral health agencies that provide mental health, chemical dependency, and/or problem and pathological gambling treatment services. This rule supports the program-specific rules the department is proposing, at the same time, for a new chapter 388-877A WAC for mental health, chapter 388-877B WAC for chemical dependency, and chapter 388-877C WAC for problem and pathological gambling.

SECTIONS IN NEW CHAPTER 388-877 WAC:

Section One—Behavioral health services—Purpose and scope.

WAC 388-877-0100 Behavioral health services—Purpose and scope.

Section Two—Behavioral health services—Definitions.

WAC 388-877-0200 Behavioral health services—Definitions.

Section Three—Behavioral health services—Agency licensure and certification.

WAC 388-877-0300 Agency licensure—General information, 388-877-0305 Agency licensure—Application, 388-877-0310 Agency licensure—Deeming, 388-877-0315 Agency licensure—Renewals, 388-877-0320 Agency licensure—On-site reviews and plans of correction, 388-877-0325 Agency licensure and program-specific certification—Approvals and provisional approvals, 388-877-0330 Agency licensure—Effective dates, 388-877-0335 Agency licensure and program-specific certification—Denials, suspensions, restrictions, revocations, and penalties, 388-877-0340 Agency licensure—Adding a branch site, 388-877-0345 Agency licensure and program-specific certification—Adding a new service, 388-877-0350 Agency licensure—Change in ownership, 388-877-0355 Agency licensure—Change in location, 388-877-0360 Agency licensure and program-specific certification—Facility remodel, 388-877-0365 Agency licensure and program-specific certification—Fee requirements, and 388-877-0370 Agency licensure and program-specific certification—Appealing a department decision.

Section Four—Behavioral health services—Agency administration.

WAC 388-877-0400 Agency administration—Governance body requirements, 388-877-0410 Agency administration—Administrator key responsibilities, 388-877-0420 Agency administration—Policies and procedures, and 388-877-0430 Agency administration—Treatment facility requirements.

Section Five—Behavioral health services—Personnel.

WAC 388-877-0500 Personnel—Agency policies and procedures, 388-877-0510 Personnel—Agency record requirements, 388-877-0520 Personnel—Agency requirements for supervision of trainees and interns, and 388-877-0530 Personnel—Agency requirements for volunteers and student practicum.

Section Six—Behavioral health services—Clinical.

WAC 388-877-0600 Clinical—Individual rights, 388-877-0610 Clinical—Initial assessment, 388-877-0620 Clinical—Individual service plan, 388-877-0630 Clinical—Individual clinical record system, 388-877-0640 Clinical—Record content, and 388-877-0650 Clinical—Access to clinical records.

Hearing Location(s): Office Building 2, Lookout Room, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>), on February 26, 2013, at 10:00 a.m.

Date of Intended Adoption: Not earlier than February 27, 2013.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, e-mail DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m. on February 26, 2013.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by January 15, 2013, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at jennisha.johnson@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The new rules in chapter 388-877 WAC allow for a single set of agency administrative, personnel, and clinical policies and procedures that address specific treatment populations and levels of care. The rules will provide standardization to all behavioral health services programs, provide an agency with a streamlined certification and/or licensure process for mental health, chemical dependency, and/or problem and pathological gambling treatment programs, and eliminate the need for multiple audits when the agency provides more than one behavioral health service.

Reasons Supporting Proposal: The rules support the following: Clinical staff competency, individual rights, an initial assessment, a treatment service plan and treatment service plan review, clinical documentation, a discharge plan, a continuing care plan, patient records, a complaint procedure, and quality management. In addition, the rules merge and place into one section definitions that apply to the general behavioral health services administrative rules and the program-specific rules for mental health, chemical dependency, and problem and pathological gambling services.

Statutory Authority for Adoption: Chapters 70.02, 70.96A, 71.05, 71.24, 71.34, 74.50 RCW; RCW 74.08.090, 43.20A.890; 42 C.F.R. Part 8.

Statute Being Implemented: Chapters 70.02, 70.96A, 71.05, 71.24, 71.34, 74.50 RCW; RCW 74.08.090, 43.20A.-890; 42 C.F.R. Part 8.

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

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting: Kathy Sayre, P.O. Box 45330, Olympia, WA 98504-5330, (360) 725-1342; Implementation and Enforcement: Pete Marburger, P.O. Box 45330, Olympia, WA 98504-5330, (360) 725-1513.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

SUMMARY OF PROPOSED RULES: DSHS (the department's) division of behavioral health and recovery (DBHR) is proposing new chapter 388-877 WAC, Behavioral health services administrative requirements.

The purpose and scope of this chapter is to establish administrative standards, and support the specific requirements for the licensing and certification of behavioral health agencies that provide chemical dependency, mental health, and/or problem and pathological gambling treatment services.

Chapter 388-877 WAC:

(1) Allows for a single set of agency administrative, personnel, and clinical policies and procedures that address specific treatment populations and levels of care.

(2) Supports clinical staff competency, individual rights, an initial assessment, a treatment service plan and treatment service plan review, clinical documentation, a discharge plan, a continuing care plan, patient records, a complaint procedure, and quality management.

(3) Supports the program-specific rules in proposed chapter 388-877A WAC for mental health, chapter 388-877B WAC for chemical dependency, and chapter 388-877C WAC for problem and pathological gambling.

(4) Provides general and specific information for agency licensure and certification, including information on applications, deeming, renewals, on-site reviews and plans of correction, approvals and provisional approvals, effective dates of licensures and certification, denials, suspensions, restrictions, and revocations, adding branch sites, adding a new service, change in ownership, change in location, fee requirements, and appealing a department decision.

(5) Provides general and specific governing body requirements for agencies including administrator key responsibilities, policies and procedures, and treatment facility requirements.

(6) Provides general and specific personnel requirements including agency policies and procedures, agency record requirements, supervision of trainees and interns, and agency requirements for volunteers and student practicum.

(7) Provides general and specific requirements for clinical requirements, including individual rights, initial assessments, individual service plans, individual records, and record content.

(8) Provides a definitions section that applies to the general behavioral health services administrative rules and the program-specific rules for mental health, chemical dependency, and problem and pathological gambling services.

INVOLVEMENT OF STAKEHOLDERS AND SMALL BUSINESSES: In September 2010, DBHR's director sent a letter to stakeholders and included a copy of DBHR's "CHARTER FOR DBHR INTEGRATED WAC CHEMICAL DEPENDENCY TREATMENT

AGENCIES AND COMMUNITY MENTAL HEALTH AGENCIES." This letter and charter informed stakeholders of the department's intent to codify one set of rules rather than multiple sets of rules for DBHR-licensed and/or certified agencies that treat individuals with substance use, gambling, and/or mental health conditions. A copy of this letter and the charter were posted on the DBHR internet web site. The letter invited stakeholders to attend a meeting in [at the] Yakima Conference Center on October 4, 2010, to exchange thoughts and ideas about the principles the new WAC should address. At this meeting, input was solicited and considered and e-mails to the department were encouraged. Each e-mail was responded to individually.

On December 17, 2010, DBHR invited fifteen members from the Community Partner Advisory Group to Olympia to discuss stakeholder participation in the drafting of this rule. DBHR solicited and addressed stakeholder concerns at this meeting.

The department filed a CR-101 (preproposal statement of inquiry) under WSR 11-09-067 on April 19, 2011. On April 27, 2011, copies of the CR-101 were sent to tribal leaders and all stakeholders and providers listed in DBHR's list-serv data base.

DBHR contracted with Northwest Resource Associates (NWRA) of Seattle to facilitate stakeholder and DBHR meetings and the drafting/content of the new rules. NWRA interviewed potential stakeholders from a list provided by DBHR of possible work group members. Volunteer participants [participants] for three work groups representing agencies statewide that provide chemical dependency, mental health, and/or problem and pathological gambling treatment program services were assembled to draft the rules. Three independent facilitators were contracted by NWRA to represent each work group in the following areas: (1) Agency licensure/certification and personnel; (2) agency administration; and (3) clinical.

A second statewide stakeholder evening meeting was hosted on June 9, 2011, at the Yakima Convention Center. NWRA and DBHR staff provided a general overview of the project charter and the project's goals and timeline. Stakeholders were invited to ask questions and offer comments and suggestions.

On June 14, 2011, at the Criminal Justice Center in Burien, Washington, NWRA hosted the first of several all-day meetings attended by volunteer members of the three work groups and DBHR staff. The groups worked on drafting the rules and NWRA distributed the drafts for review and discussion at the next meeting.

Several all-day meetings hosted by NWRA were held at Renton Technical School, Renton, Washington. The work groups continued to draft language and NWRA distributed the drafts to all participants, soliciting review and input.

On October 3, 2011, a third statewide stakeholder meeting was held at the Yakima Convention Center to allow stakeholders attending the Co-Occurring Disorder Conference to review the draft rule and participate in discussion of the rule's content.

On April 23, 2012, work group participants were invited to Lacey, Washington, to discuss the final draft of the behavioral health services administrative proposed rules. Twelve

workgroup members attended this meeting and three appeared by conference call. The draft rules were distributed and discussed and several comments were offered and discussed.

In April 2012, the department sent an external review draft of the proposed language to all interested stakeholders who responded to the CR-101 (preproposal statement of inquiry) and other reviewers, including tribal leaders. The department responds to each comment received.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT (SBEIS) - DETERMINATION OF NEED: Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses and it outlines the information that must be included in an SBEIS. Preparation of an SBEIS is required when a proposed rule has the potential of placing a disproportionate economic impact on small businesses. The statute defines small businesses as those business entities that employ fifty or fewer people and are independently owned and operated.

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These proposed rules impact behavioral health agencies that provide chemical dependency treatment services, mental health treatment services, and/or problem and pathological gambling treatment services. These businesses fall under the North American Industry Classification System (NAICS) codes:

- 622210 - Psychiatric and substance abuse hospitals
- 623220 - Residential substance abuse facilities
- 621420 - Outpatient substance abuse and mental health centers
- 623220 - Residential mental health facilities
- 621330 - Problem and pathological gambling

The department previously determined that there were one hundred twenty-six existing for-profit chemical dependency treatment agencies that meet the criteria for small businesses under RCW 19.85.020. Subsequently, the department decided to consider economic impacts on all for-profit and publicly funded department-certified chemical dependency treatment agencies. Therefore, the industry analysis includes five hundred eighty certified chemical dependency treatment agencies. The department further determined there are about one hundred eighty business entities that provide mental health treatment services at four hundred twenty specific locations. Of the estimated one thousand services sites providing chemical dependency and mental health treatment services, about one hundred sixty business organizations maintain both a certificate for chemical dependency treatment services and a license for mental health treatment services. The department also determined there are twenty-six certified entities providing problem and pathological gambling treatment services. Of the twenty-six entities, four are private individual providers. The other twenty-two sites are located within certified chemical dependency treatment agencies.

EVALUATION OF PROBABLE COSTS AND PROBABLE BENEFITS: Since the proposed rules in the new chapter

"make significant amendments to a policy or regulatory program" under RCW 34.05.328 (5)(c)(iii), the department has determined the proposed rules to be "significant" as defined by the Washington state legislature.

As required by RCW 34.05.328 (1)(d), the department has analyzed the probable costs and probable benefits of the proposed amendments, taking into account both the qualitative and quantitative benefits and costs. The department's analysis shows the costs and benefits of the proposed rules to those impacted by the rules. Impacted groups include:

- DBHR-certified chemical dependency service programs owned by nonprofit businesses, for-profit businesses, public nonprofit providers, and tribal programs.
- DBHR-licensed and/or -certified mental health service programs owned by nonprofit businesses, public nonprofit providers, or tribal programs.
- Sole proprietors that choose to become a certified problem and pathological gambling treatment program.

COSTS: Under chapter 19.85 RCW, DBHR has considered annual costs to small businesses that are \$50 or more per client. The department's analysis revealed that there are costs for the proposed new rules in chapter 388-877 WAC that will affect treatment services provided at approximately one thousand sites that meet the definition of a small business.

Agencies that wish to become department-licensed or -certified to provide behavioral health services must submit either a new agency or added service application to the department's DBHR.

The proposed chapter 388-877 WAC includes the application requirements for agencies that are not currently certified or licensed by the department, and for those that are currently certified or licensed under chapter 388-816, 388-805, or 388-865 WAC. The department is concurrently proposing to repeal these chapters and adopt new program-specific rules that regulate outpatient mental health, chemical dependency, and problem and pathological gambling programs. These new rules are being proposed as chapters 388-877A, 388-877B, and 388-877C WAC.

Costs include:

- (1) A one-time cost for developing a policy and procedures manual that meets the requirements of the new rules.
- (2) Updating/creating required forms.
- (3) Assuring facility meets structural accessibility for current mental health programs.
- (4) Complying with application requirements for added services or branch sites.
- (5) Notification requirements of facility remodeling, approval for change of ownership, and voluntary program suspension or closure.
- (6) Updating electronic health records.

The estimated costs for the agency's policy and procedures manual would be \$0 to \$5,000, depending on the agency's current chemical dependency or mental health certification or licensure. The costs would vary depending on the number and complexity of the licensed and/or certified programs and if the agency contracts with other entities to implement the programs and/or hires its own staff.

The following table identifies the types of programs and corresponding changes and estimated costs an agency may incur to implement these rules:

Types of Programs	Probable Required Changes and/or Revisions	Estimated Costs
Certified chemical dependency program	<ul style="list-style-type: none"> • Policy and procedures manual • Form revision • Electronic health record revision 	\$0 - \$5,000
Licensed and/or certified mental health programs	<ul style="list-style-type: none"> • Policy and procedures manual • Form revision • Electronic health record revision 	\$0 - \$5,000
Certified problem and pathological gambling programs (applies only if the program is not part of a certified chemical dependency program or licensed mental health program)	<ul style="list-style-type: none"> • Policy and procedures manual • Form revision • Electronic health record revision 	\$0 - \$5,000

Mitigating Costs: Costs are determined to be minor under chapter 19.85 RCW. For the rules of DSHS, "minor cost" means cost per business that is less than fifty dollars of annual cost per client or other appropriate unit of service.

The department plans to revise forms, as necessary, and post on the DBHR web site for agencies to download and copy. The cost for manual changes/revisions will be a one-time cost to the agency. The department will have staff available to answer any questions an agency may have in order to implement these rules. Agencies that choose to serve more than one client population will no longer incur costs to maintain multiple sets of policies and procedures, clinical records, and separate forms. Clients served by these agencies will be able to receive more seamless care.

BENEFITS: The benefits to the implementation of these rules include individual care, programmatic, administrative, and improved cross-systems collaboration.

(1) The new rules in chapter 388-877 WAC will integrate similar functions, such as individual service plans and rules for agency administrative, personnel, and clinical requirements.

(2) The rules provide an agency with a streamlined certification and/or licensure process for chemical dependency, mental health, and/or problem and pathological gambling treatment programs.

(3) The rules allow an individual needing more than one behavioral health treatment service to have one client record.

(4) The rules allow a single audit for all behavioral health services programs provided by an agency, and eliminate the need for multiple audits for agencies providing more than one behavioral health service.

(5) The rules provide standardization to all behavioral health services programs.

(6) The rules merge and place into one section definitions that apply to the general behavioral health services administrative rules and the program-specific rules for men-

tal health, chemical dependency, and problem and pathological gambling services.

The department believes that new jobs will be created as a result of small businesses complying with these rules. This opinion is supported by department-hosted stakeholder/provider discussions held at statewide stakeholder meetings and by several all-day work group sessions attended by volunteer stakeholders and DBHR staff members.

The rules in chapter 388-877 WAC require that all persons providing or supervising clinical services in a licensed or certified agency have an active department of health (DOH) license, registration or certification. If an agency elects to serve individuals in need of chemical dependency, mental health and/or problem and pathological gambling services, it must have the appropriate DOH-credentialed staff to provide the specific service(s).

Agencies that elect to provide a combination of behavioral health services under chapter 388-877 WAC must employ or contract DOH-credentialed chemical dependency staff and mental health professionals to meet the program requirements they are licensed and/or certified to provide.

- "Agency" means an agency or facility operated, licensed, or certified by the state of Washington.
- "Mental health professional" includes:
 - (1) A psychiatrist, psychologist, psychiatric nurse or social worker as defined in chapters 71.05 and 71.34 RCW.
 - (2) A person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university who has at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, that was gained under the supervision of a mental health professional and is recognized by DBHR.

CONCLUSION: The department has given careful consideration to the impact of proposed rules in chapter 388-877 WAC on small businesses. To comply with the Regulatory Fairness Act (chapter 19.85 RCW), the department has analyzed impacts on small businesses and proposed ways to mitigate costs. The department has determined the costs to be minor and has determined the probable benefits outweigh the probable costs.

Please contact Kathy Sayre if you have any questions at (360) 725-1342, toll free at 1-877-301-4557, or by e-mail at kathy.sayre@dshs.wa.gov.

A copy of the statement may be obtained by contacting Kathy Sayre, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 725-2280, e-mail kathy.sayre@dshs.wa.gov.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Kathy Sayre, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 725-2280, e-mail kathy.sayre@dshs.wa.gov.

December 20, 2012
 Katherine I. Vasquez
 Rules Coordinator

Chapter 388-877 WAC

BEHAVIORAL HEALTH SERVICES ADMINISTRATIVE REQUIREMENTS

Section One—Behavioral Health Services—Purpose and Scope

NEW SECTION

WAC 388-877-0100 Behavioral health services—Purpose and scope. The rules in chapter 388-877 WAC:

(1) Establish the following for agencies that provide behavioral health services:

- (a) Licensure and certification requirements;
- (b) Agency administrative requirements;
- (c) Agency personnel requirements; and
- (d) Agency clinical policies and procedures.

(2) Support the specific program rules in chapter 388-877A WAC for mental health, chapter 388-877B WAC for chemical dependency, and chapter 388-877C WAC for problem and pathological gambling.

Section Two—Behavioral Health Services—Definitions.

NEW SECTION

WAC 388-877-0200 Behavioral health services—Definitions. The definitions in this section contain words and phrases used in chapter 388-877 WAC for behavioral health services programs. These definitions also apply to the program-specific rules for mental health services in chapter 388-877A WAC, chemical dependency rules in chapter 388-877B WAC, and problem and pathological gambling rules in chapter 388-877C WAC.

"Administrative (fair) hearing" means a proceeding before an administrative law judge that gives a party an opportunity to be heard in disputes about DSHS programs and services.

"Administrator" means the designated person responsible for the operation of the licensed treatment agency and/or certified treatment service.

"Adult" means an individual eighteen years of age or older. For an individual eligible for the medicaid program, adult means an individual twenty-one years of age or older.

"Agency" means an entity licensed by the department to provide behavioral health services.

"Assessment" means the process of obtaining all pertinent bio-psychosocial information, as identified by the individual, and family and collateral sources, for determining a diagnosis and to plan individualized services and supports.

"Behavioral health" means the prevention, treatment of, and recovery from chemical dependency, mental health and/or problem and pathological gambling disorders.

"Branch site" means a physically separate licensed site, governed by a parent organization, where qualified staff provides certified treatment services.

"Care coordination" means a process-oriented activity to facilitate ongoing communication and collaboration to meet multiple needs of an individual. Care coordination

includes facilitating communication between the family, natural supports, community resources, and involved providers and agencies, organizing, facilitating and participating in team meetings, and providing for continuity of care by creating linkages to and managing transitions between levels of care.

"Case management" means the services provided to assist individuals residing in a community setting or transitioning to a community setting to gain access to needed medical, social, educational, entitlements and other applicable services.

"Certified peer counselor" means a current or former recipient of behavioral health services, who has met the experience and training requirements of, satisfactorily passed the examination given by, and is recognized by the division of behavioral health and recovery as a certified peer counselor under WAC 388-865-0107.

"Certified" means the status given to chemical dependency, mental health, and problem and pathological gambling program-specific services.

"Certified problem and pathological gambling treatment provider" means a Washington state certified gambling counselor (WSCGC) or a nationally certified gambling counselor (NCGC), certified by the Washington State Gambling Counselor Certification Committee or the International Gambling Counselor Certification Board to provide problem and pathological gambling treatment services.

"Change in ownership" means one of the following:

(1) The ownership of a licensed behavioral health agency changes from one distinct legal owner to another distinct legal owner;

(2) The type of business changes from one type to another, such as, from a sole proprietorship to a corporation; or

(3) The current ownership takes on a new owner of five per cent or more of the organizational assets.

"Clinical record" means a paper and/or electronic file that is maintained by the behavioral health agency and contains pertinent psychological, medical, and clinical information for each individual served.

"Clinical supervision" means regular and periodic activities performed by an appropriate level of professional for clinical staff. Clinical supervision includes review of assessment, diagnostic formulation, treatment planning, progress toward completion of care, identification of barriers to care, continuation of services, authorization of care, and the direct observation of the delivery of clinical care.

"Community mental health agency (CMHA)" means a behavioral health agency certified by the department to provide a mental health service.

"Community relations plan" means a plan to minimize the impact of an opiate substitution treatment program as defined by the Center for Substance Abuse Guidelines for the Accreditation of Opioid Treatment Programs, section 2.C.(4).

"Complaint" means the expression of a dissatisfaction with a service or program which may be investigated by the department.

"Consent" means agreement given by an individual after the person is provided with a description of the nature,

character, anticipated results of proposed treatments and the recognized serious possible risks, complications, and anticipated benefits, including alternatives and nontreatment. Informed consent must be provided in a terminology that the person can reasonably be expected to understand.

"Criminal background check" means a search for any record of an individual's conviction or civil adjudication related to crimes against children or other persons, including developmentally disabled and vulnerable adults. A background check includes a search and review of current and past background check applicant self-disclosures, Washington state patrol criminal history data, Washington courts criminal history data, civil adjudication proceedings, department of health disciplinary board final decisions, out-of-state court or law enforcement records, and department of corrections information. A background check may include a national fingerprint-based background check, including a federal bureau of investigation criminal history search.

"Crisis" means an actual or perceived urgent or emergent situation that occurs when an individual's stability or functioning is disrupted and there is an immediate need to resolve the situation to prevent a serious deterioration in the individual's mental or physical health, or to prevent referral to a significantly higher level of care.

"Critical incident" means any one of the following events that must be reported to the division:

- (1) Any death, serious injury, or sexual assault that occurs at an agency that is licensed by the department;
- (2) Alleged abuse or neglect of an individual receiving services, that is of a serious or emergency nature, by an employee, volunteer, licensee, contractor, or another individual receiving services;
- (3) A natural disaster, such as an earthquake, volcanic eruption, tsunami, urban fire, flood, or outbreak of communicable disease that presents substantial threat to facility operation or client safety;
- (4) A bomb threat;
- (5) Theft or loss of data in any form regarding an individual receiving services, such as a missing or stolen computer, or a missing or stolen computer disc or flash drive;
- (6) Suicide attempt at the facility;
- (7) An error in program-administered medication at an outpatient facility that results in adverse effects for the individual and requires urgent medical intervention; and
- (8) Any media event regarding an individual receiving services, or regarding a staff member or owner(s) of the agency.

"Cultural competence" means the ability to recognize and respond to health-related beliefs and cultural values, disease incidence and prevalence, and treatment efficacy. Examples of cultural competent care include striving to overcome cultural, language, and communications barriers, providing an environment in which individuals from diverse cultural backgrounds feel comfortable discussing their cultural health beliefs and practices in the context of negotiating treatment options, encouraging individuals to express their spiritual beliefs and cultural practices, and being familiar with and respectful of various traditional healing systems and beliefs and, where appropriate, integrating these approaches into treatment plans.

"Deemed" means a status that may be given to a licensed behavioral health agency as a result of the agency receiving accreditation by a recognized behavioral health accrediting body which has a current agreement with DBHR.

"Department" means the Washington state department of social and health services.

"Designated Chemical Dependency Specialist" means a person designated by the county alcoholism and/or other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

"Designated Mental Health Professional (DMHP)" means a mental health professional designated by the county or other authority authorized in rule to perform duties under the involuntary treatment act as described in RCW 10.77.010, 71.05.020, 71.24.025 and 71.34.020.

"Disability" means a physical or mental impairment that substantially limits one or more major life activities of the individual and the individual:

- (1) Has a record of such an impairment; or
- (2) Is regarded as having such impairment.

"Division" means the division of behavioral health and recovery.

"Division of behavioral health and recovery" means the division within the department of social and health services (formerly the mental health division and the division of alcohol and substance abuse) that administers mental health, problem gambling and substance abuse programs authorized by chapters 43.20A, 71.05, 71.24, 71.34, and 70.96A RCW.

"Essential requirement" means a critical element of behavioral health treatment service delivery that must be present in order to provide effective treatment services. Critical elements include assessment, treatment planning and documentation of an individual's progress in treatment.

"Governing body" means the entity with legal authority and responsibility for the operation of the behavioral health agency, to include its officers, board of directors or the trustees of a corporation or limited liability company.

"Grievance" means an expression of dissatisfaction made by or on behalf of a publicly funded individual and referred to the agency or regional support network (RSN) for resolution.

"Individual" means a person receiving treatment services from a licensed behavioral health agency.

"Less restrictive alternative (LRA)" means court ordered outpatient treatment in a setting less restrictive than total confinement.

"Licensed" means the status given to behavioral health agencies by the department under its authority to license and certify mental health programs chapters 71.05, 71.34, 71.24 RCW and its authority to certify chemical dependency treatment programs chapter 70.96A RCW.

"Medical practitioner" means a physician, advance registered nurse practitioner (ARNP), or certified physician's assistant. An ARNP and a midwife with prescriptive authority may perform practitioner functions related only to specific specialty services.

"Medication administration" means the direct application of a medication or device by ingestion, inhalation, injection or any other means, whether self-administered by a

resident, or administered by a guardian (for a minor), or an authorized healthcare provider.

"Mental health professional (MHP)" means a designation given by the department to an agency staff member who is:

(1) A psychiatrist, psychologist, psychiatric advanced registered nurse practitioner (ARNP), or social worker as defined in chapters 71.05 and 71.34 RCW;

(2) A person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university who has at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, that was gained under the supervision of a mental health professional and is recognized by the department;

(3) A person who meets the waiver criteria of RCW 71.24.260, which was granted prior to 1986;

(4) A person who had an approved waiver to perform the duties of a mental health professional (MHP), that was requested by the regional support network (RSN) and granted by the mental health division prior to July 1, 2001; or

(5) A person who has been granted a time-limited exception of the minimum requirements of a mental health professional by the department consistent with WAC 388-865-0265.

"Minor" means an individual who is not yet eighteen years of age.

"Offsite" means the provision of services by a provider from a licensed behavioral health agency at a location where the assessment and/or treatment is not the primary purpose of the site, such as in schools, hospitals, long term care facilities, correctional facilities, an individual's residence, the community, or housing provided by or under an agreement with the agency.

"Outpatient services" means behavioral health treatment services provided to an individual in a nonresidential setting.

"Patient placement criteria (PPC)" means admission, continued service, and discharge criteria found in the patient placement criteria (PPC) for the treatment of substance-related disorders as published by the American Society of Addiction Medicine (ASAM).

"Probation" means a licensing or certification status resulting from a finding of deficiencies that requires immediate corrective action to maintain licensure or certification.

"Progress notes" means permanent written or electronic record of services and supports provided to an individual documenting the individual's participation in, and response to, treatment, progress in recovery, and progress toward intended outcomes.

"Recovery" means a process of change through which an individual improves their health and wellness, lives a self-directed life, and strives to reach their full potential.

"Relocation" means a physical change in location from one address to another.

"Remodeling" means expanding existing office space to additional office space at the same address, or remodeling interior walls and space within existing office space to a degree that accessibility to or within the facility is impacted.

"Summary suspension" means the immediate suspension of a facility's license and/or program-specific certification by the department pending administrative proceedings for suspension, revocation, or other actions deemed necessary by the department.

"Supervision" means the regular monitoring of the administrative, clinical, or clerical work performance of a staff member, trainee, student, volunteer, or employee on contract by a person with the authority to give direction and require change.

"Suspend" means termination of a behavioral health agency's license or program specific certification to provide behavioral health treatment program service for a specified period or until specific conditions have been met and the department notifies the agency of the program's reinstatement.

"Vulnerable adult" means an individual who receives services from the department and has at least one of the following characteristics:

(1) A vulnerable adult as defined in chapter 74.34 RCW; and

(2) An individual admitted for detoxification or detained or committed to an involuntary treatment facility that is certified by the division.

"Youth" means an individual who is seventeen years of age or younger.

Section Three—Behavioral Health Services—Agency Licensure and Certification

NEW SECTION

WAC 388-877-0300 Agency licensure—General information. The department licenses agencies to provide behavioral health treatment services. To gain and maintain licensure, an agency must meet the requirements of chapter 388-877 WAC, applicable local and state rules, and state and federal statutes. In addition, the agency must meet the specific program requirements of chapter 388-877A WAC for mental health, chapter 388-877B WAC for chemical dependency, and chapter 388-877C WAC for problem and pathological gambling.

(1) An agency currently accredited by a national accreditation agency recognized by and having a current agreement with the department may be eligible for licensing through deeming. See WAC 388-877-0310.

(2) Initial applications and renewal forms for behavioral health agency licensure or certification may be downloaded at <http://www.dshs.wa.gov/dbhr/daforms.shtml>. Completed application packets, forms, and requests for deeming or other services should be mailed to: Division of Behavioral Health and Recovery, P.O. Box 45320, Olympia, WA 98504 5320.

(3) An agency must report to the department any changes that occur during the initial or renewal licensing or certification process. The department may request a copy of additional disclosure statements or background inquiries if there is reason to believe that offenses specified under RCW 43.43.830 have occurred since the original or renewal application was submitted.

(4) The department may grant an exemption or waiver from compliance with specific licensing or program certification requirements if the exemption does not violate an existing state, federal, or tribal law.

(a) To request an exemption to a rule in this chapter, the agency must:

- (i) Submit the request in writing to the department;
- (ii) Assure the exemption request does not jeopardize the safety, health, or treatment of an individual; and
- (iii) Assure the exemption request does not impede fair competition of another service agency.

(b) The department approves or denies an exemption request in writing and requires the agency to keep a copy of the decision.

(c) Appeal rights under WAC 388-877-0370 do not apply to exemption to rule decisions.

(5) In the event of an agency closure or the cancellation of a program-specific certification, the agency must provide each individual:

(a) Notice of the agency closure or program cancellation at least thirty days before the date of closure or program cancellation;

(b) Assistance with relocation; and

(c) Information on how to access records to which the individual is entitled.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 388-877-0305 Agency licensure—Application.

To apply for licensure to provide any behavioral health service, an agency must submit an initial application that is signed by the agency's designated official.

(1) The application must include the following:

(a) A copy of the agency's master business license that authorizes the organization to do business in Washington state;

(b) A list of the specific program services for which the agency is seeking certification;

(c) A copy of the report of findings from a criminal background check of the administrator and any owner of five percent or more of the organizational assets;

(d) The physical address of any agency operated facility where behavioral health services will be provided;

(e) A statement assuring the agency meets American Disability Act (ADA) standards and that the facility is appropriate for providing the proposed services;

(f) A copy of the policies and procedures specific to the agency;

(g) A staff roster, including each staff member's credentials under department of health (DOH) rules for professional standards and licensing if credentials are required for the position;

(h) A copy of a current DOH residential treatment facility certificate if the agency is providing chemical dependency residential treatment or mental health residential treatment; and

(i) Payment of associated fees.

(2) The department conducts an on-site review as part of the initial licensing or certification process (see WAC 388-877-0320).

NEW SECTION

WAC 388-877-0310 Agency licensure—Deeming. (1)

The department may deem an agency to be in compliance with state minimum standards for licensure and program-specific certification based on the agency being currently accredited by a national accreditation agency recognized by and having a current agreement with the department.

(2) To be considered for deeming, an agency must submit a request to the department signed by the agency's designated official.

(3) Deeming will be in accordance with the established written agreement between the accrediting agency and the department.

(4) Specific licensing and certification requirements of any:

(a) State rule may only be waived through a deeming process consistent with the established written agreement between the accrediting agency and the department.

(b) State or federal law will not be waived through a deeming process.

(5) An agency operating under a department-issued provisional license or program-specific certification is not eligible for deeming.

(6) Any service added to an agency's existing services is:

(a) Considered provisional until the requirements in WAC 388-877-0345 are met and the department approves the service; and

(b) Not eligible for deeming until the service has been reviewed by the accrediting agency.

(7) Any branch site added to an existing agency:

(a) Must meet the requirements in WAC 388-877-0340; and

(b) Is not eligible for deeming until the site has been reviewed by the accrediting agency.

NEW SECTION

WAC 388-877-0315 Agency licensure—Renewals. A department-issued license, including program-specific certification, expires twelve months from the effective date. To renew a license or certification, an agency must submit a renewal request signed by the agency's designated official.

(1) The original renewal request must:

(a) Be received by the department before the expiration date of the agency's current license; and

(b) Include payment of the specific renewal fee (see WAC 388-877-0365).

(2) The department may conduct an on-site review as part of the renewal process (see WAC 388-877-0320).

NEW SECTION

WAC 388-877-0320 Agency licensure—On-site reviews and plans of correction. To obtain and maintain licensure to provide behavioral health services, including program-specific certification, each agency is subject to an

on-site review to determine if the agency is in compliance with the minimum licensure and certification standards.

(1) A department review team representative(s) conducts an entrance conference with the agency and an on-site review that may include:

- (a) A review of:
 - (i) Agency policies and procedures;
 - (ii) Personnel records;
 - (iii) Clinical records;
 - (iv) Facility accessibility requirements;

(v) The agency's internal quality management process that demonstrates how the agency evaluates program effectiveness and individual participant satisfaction; and

(vi) Any other information, including the criteria in WAC 388-877-0335 (1)(b), that the department determines to be necessary to confirm compliance with the minimum standards of this chapter.

(b) Interviews with:

- (i) Individuals served by the agency; and
- (ii) Agency staff members.

(2) The department review team representative(s) concludes an on-site review with an exit conference that includes, if applicable:

- (a) A discussion of findings;
- (b) A statement of deficiencies requiring a plan of correction; and
- (c) A plan of correction signed by the agency's designated official and the department review team representative.

(3) The department requires the agency to correct the deficiencies listed on the plan of correction:

- (a) By the negotiated time frame agreed upon by the agency and the department review team representative; or
- (b) Immediately if the department determines consumer health and safety concerns require immediate corrective action.

NEW SECTION

WAC 388-877-0325 Agency licensure and program-specific certification—Approvals and provisional approvals. (1) The department grants an initial or provisional license or program-specific certification to an agency when:

- (a) The application and agency policy and procedures submitted meet the requirements of WAC 388-877-0305(1);
- (b) An on-site review is conducted under WAC 388-877-0320 and the agency corrects any noted deficiencies within the agreed upon time frame; and
- (c) The department determines the agency is in compliance with the licensure and program-specific certification standards.

(2) The agency must post the department-issued license or certification in a conspicuous place on the facility's premises, and, if applicable, on the agency's branch site premises.

(3) See WAC 388-877-0330 for license and program-specific certification effective dates.

(4) See WAC 388-877-0315 for agency requirements for renewing licensure.

NEW SECTION

WAC 388-877-0330 Agency licensure—Effective dates. An agency's license is effective for up to twelve months from the effective date, subject to the agency maintaining compliance with the minimum license and program-specific certification standards in this chapter, and chapters 388-877A, 388-877B, and 388-877C WAC.

NEW SECTION

WAC 388-877-0335 Agency licensure and program-specific certification—Denials, suspensions, restrictions, revocations, and penalties. (1) The department may deny issuing or renewing a license or a specific program certification, place an agency on probation, or suspend, restrict, or revoke an agency's license or specific program certification for any of the following reasons, as applicable:

(a) The agency fails to meet the requirements in this chapter or other applicable state minimum standards or state and federal laws.

(b) The agency owner or agency administrator:

(i) Had a license or specific program certification issued by the department subsequently denied, suspended, or revoked;

(ii) Was convicted of child abuse or adjudicated as a perpetrator of substantiated child abuse;

(iii) Was convicted of abuse of a vulnerable adult or adjudicated as a perpetrator of substantiated abuse of a vulnerable adult;

(iv) Obtained or attempted to obtain a health provider license, certification, or registration by fraudulent means or misrepresentation;

(v) Committed, permitted, aided or abetted the commission of an illegal act or unprofessional conduct as defined under RCW 18.130.180;

(vi) Demonstrated cruelty, abuse, negligence, misconduct, or indifference to the welfare of a patient or displayed acts of discrimination;

(vii) Misappropriated patient (individual) property or resources;

(viii) Failed to meet financial obligations or contracted service commitments that affect patient care;

(ix) Has a history of noncompliance with state or federal rules in an agency with which the applicant has been affiliated;

(x) Knowingly, or with reason to know, made a false statement of fact or failed to submit necessary information in:

- (A) The submitted application or materials attached; or
- (B) Any matter under department investigation.

(xi) Refused to allow the department access to view records, files, books, or portions of the premises relating to operation of the program;

(xii) Willfully interfered with the preservation of material information or attempted to impede the work of an authorized department representative;

(xiii) Is currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in transactions involving certain federal funds (this also applies to any person or business entity named in the agency's application for licensure or certification);

(xiv) Does not meet criminal background check requirements;

(xv) Fails to provide satisfactory application materials; or

(xvi) Advertises the agency as certified when licensing or certification has not been granted, or has been revoked or canceled.

(c) The department determines there is imminent risk to consumer health and safety.

(d) The agency's licensure or specific program certification is in probationary status and the agency fails to correct the noted health and safety deficiencies within the agreed-upon time frames.

(e) The agency voluntarily cancels licensure or certification.

(f) The agency fails to pay the required license or certification fees.

(g) The agency stops providing the services for which the agency is certified.

(h) The agency changes ownership without notifying the department.

(i) The agency relocates without notifying the department.

(2) The department sends a written notice to deny, suspend, revoke, or modify the licensure or certification status (see RCW 43.20A.205) that includes the reason(s) for the decision and the agency's right to appeal a department decision (refer to WAC 388-877-0370).

(3) If an agency fails to comply with the requirements of this chapter, the department may:

(a) Assess fees to cover costs of added licensing and program-specific certification activities, including when the department determines a corrective action is required due to a complaint or incident investigation;

(b) Stop referral(s) of an individual who is a program recipient of a state and/or federally-funded program; and

(c) Notify the county alcohol and drug coordinator, regional support network (RSN) and/or local media of stopped referrals, involuntary cancellation, suspensions, revocations, or nonrenewal of the agency's license or program-specific certification(s).

NEW SECTION

WAC 388-877-0340 Agency licensure—Adding a branch site. To add a branch site, an existing licensed behavioral health agency must notify the department and submit an application that is signed by the agency's designated official.

(1) The agency must also submit the following:

(a) A statement assuring the branch site meets American Disability Act (ADA) standards and that the facility is appropriate for providing the proposed services;

(b) A written declaration that a current copy of agency policies and procedures is accessible to the branch site and that the policies and procedures have been revised to accommodate the differences in business and clinical practices at that site; and

(c) Payment of fees (see WAC 388-877-0365).

(2) Each nonresident branch facility is subject to review by the department to determine if the facility is:

(a) Suitable for the purposes intended;

(b) Not a personal residence; and

(c) Approved as meeting all building and safety requirements.

NEW SECTION

WAC 388-877-0345 Agency licensure and program-specific certification—Adding a new service. To add a new service, a licensed behavioral health agency must request and submit an abbreviated application that is signed by the agency's designated official. The application must include the following:

(1) The name of the administrator providing management or supervision of services;

(2) The physical address of the agency-operated facility where the new service will be provided;

(3) A description of the agency's policies and procedures relating to the new service;

(4) The name and credentials of each staff member providing the new service; and

(5) Payment of fees (see WAC 388-877-0365).

NEW SECTION

WAC 388-877-0350 Agency licensure—Change in ownership. When a licensed behavioral health agency changes ownership, the department requires:

(1) A new license application (see WAC 388-877-0305);

(2) Payment of fees (see WAC 388-877-0365); and

(3) A statement regarding the disposition and management of clinical records in accordance with applicable state and federal laws.

NEW SECTION

WAC 388-877-0355 Agency licensure—Change in location. When a licensed behavioral health agency relocates to another address, the department requires:

(1) The agency to notify the department in writing of the new address at least thirty days before moving;

(2) A new license application (see WAC 388-877-0305); and

(3) Payment of fees (see WAC 388-877-0365).

NEW SECTION

WAC 388-877-0360 Agency licensure and program-specific certification—Facility remodel. When a licensed behavioral health agency changes the accessibility of the facility by remodeling, the department requires the agency to:

(1) Notify the department in writing of the facility remodel at least thirty days before the day the remodeling begins; and

(2) Ensure the facility's remodel meets all city and county codes, and state accessibility requirements.

NEW SECTION

WAC 388-877-0365 Agency licensure and program-specific certification—Fee requirements. (1) Payment of

licensing and specific program certification fees required under this chapter must be included with the initial application, renewal application, or with requests for other services.

(2) Payment of fees must be made by check, bank draft, electronic transfer, or money order made payable to the department.

(3) The department may refund one-half of the application fee if an application is withdrawn before certification or denial.

(4) Fees will not be refunded when licensure or certification is denied, revoked, or suspended.

(5) The department charges the following fees for approved chemical dependency treatment programs:

Application Fees for Agency Certification for Approved Chemical Dependency Treatment Programs	
New agency application	\$1,000
Branch agency application	\$500
Application to add one or more services	\$200
Application to change ownership	\$500
Initial and Annual Certification Fees for Detoxification, Residential, and Nonresidential Services	
Detoxification and residential services	\$100 per licensed bed, per year, for agencies not renewing certification through deeming
	\$50 per licensed bed, per year, for agencies renewing certification through deeming per WAC 388-877-0310
Nonresidential services	\$750 per year for agencies not renewing certification through deeming
	\$200 per year for agencies certified through deeming per WAC 388-877-0310
Complaint/Incident Investigation Fees	
All agencies	\$1,000 per substantiated complaint investigation and \$1000 per substantiated incident investigation

(6) Agency providers must annually complete a declaration form provided by the department to indicate information necessary for establishing fees and updating certification information. Required information includes, but is not limited to:

(a) The number of licensed detoxification and residential beds; and

(b) The agency provider's national accreditation status.

(7) The department charges the following fees for approved mental health treatment programs:

Initial Licensing Application Fee for Mental Health Treatment Programs	
Licensing application fee	\$1,000 initial licensing fee
Initial and Annual Certification Fees	
Evaluation and treatment (E&T) bed fees	\$90 initial certification fee, per bed
	\$90 annual certification fee, per bed
Initial and Annual Licensing Fees for Agencies not Deemed	
Annual service hours provided:	Initial and annual licensing fees:
0-3,999	\$728
4,000-14,999	\$1,055

Initial Licensing Application Fee for Mental Health Treatment Programs	
15,000-29,999	\$1,405
30,000-49,999	\$2,105
50,000 or more	\$2,575
Annual Licensing Fees for Deemed Agencies	
Deemed agencies licensed by DBHR	\$500 annual licensing fee
Complaint/Incident Investigation Fee	
All residential and nonresidential agencies	\$1,000 per substantiated complaint investigation and \$1,000 per substantiated incident investigation

(8) Agencies providing nonresidential mental health services must report the number of annual service hours provided based on the division of behavioral health and recovery's (DBHR's) current published "Service Encounter Reporting Instructions for RSN's" and the "Consumer Information System (CIS) Data Dictionary for RSN's". These publications are available at: <http://www.dshs.wa.gov/dbhr/mhpublications.shtml>.

(a) Existing licensed agencies must compute the annual services hours based on the most recent state fiscal year.

(b) Newly licensed agencies must compute the annual service hours by projecting the service hours for the first twelve months of operation.

NEW SECTION

WAC 388-877-0370 Agency licensure and program-specific certification—Appealing a department decision.

(1) To appeal a decision made by the department, an agency must file a written request for a hearing:

(a) Signed by the agency's administrator.

(b) Within twenty-eight days of the date of the department's written decision.

(c) To the Board of Appeals, P.O. Box 2465, Olympia, WA 98504, with a method that shows proof of receipt.

(d) That includes all of the following:

(i) A copy of the department's decision that is being contested.

(ii) The agency's reason for contesting the decision.

(iii) The specific rules, laws, and policy the agency believes are being violated.

(2) A decision will be made following the requirements of the Administrative Procedure Act, chapter 34.05 RCW, and chapter 388-02 WAC.

(3) The department may order a summary suspension of the agency's license or certification pending completion of the appeal process when the preservation of public health, safety, or welfare requires emergency action.

Section Four—Behavioral Health Services—Agency Administration

NEW SECTION

WAC 388-877-0400 Agency administration—Governing body requirements. An agency's governing body is responsible for the conduct and quality of the behavioral health services provided. The agency's governing body must:

(1) Assure there is an administrator responsible for the day-to-day operation of services.

(2) Maintain a current job description for the administrator, including the administrator's authority and duties.

(3) Approve the mission statement for the services provided.

(4) Notify the department within thirty days of changes of the administrator.

NEW SECTION

WAC 388-877-0410 Agency administration—Administrator key responsibilities. (1) The agency administrator is responsible for the day-to-day operation of the agency's licensed or certified behavioral health treatment services, including:

(a) All administrative matters;
 (b) Individual care services; and
 (c) Meeting all applicable rules, policies, and ethical standards.

(2) The administrator must:

(a) Delegate to a staff person the duty and responsibility to act in the administrator's behalf when the administrator is not on duty or on call.

(b) Ensure administrative, personnel, and clinical policies and procedures are adhered to and kept current to be in compliance with the rules in this chapter, as applicable.

(c) Employ sufficient qualified personnel to provide adequate treatment services, facility security, the safety of each individual, and other identified needs of individuals receiving services.

(d) Ensure all persons providing clinical services are credentialed for their scope of practice as required by the department of health.

(e) Identify at least one person to be responsible for clinical supervision duties.

(f) Ensure that there is an up-to-date personnel file for each employee, trainee, student, volunteer, and for each contracted staff person who provides or supervises an individual's care.

(g) Ensure that personnel records document that Washington state patrol background checks consistent with RCW 43.43.830 through 43.43.834 have been completed for each employee in contact with individuals receiving services.

(3) The administrator must ensure the agency develops and maintains a written internal quality management process that:

(a) Addresses the clinical supervision and training of clinical staff;

(b) Monitors compliance with the rules in this chapter, and other state and federal rules and laws that govern agency licensing and certification requirements; and

(c) Continuously improves the safety and quality of care in response to all of the following:

- (i) Critical incidents;
- (ii) Complaints; and
- (iii) Grievances.

NEW SECTION

WAC 388-877-0420 Agency administration—Policies and procedures. Each agency licensed by the department to provide any behavioral health service must develop, implement, and maintain administrative policies and procedures to meet the minimum requirements of this chapter. The policies and procedures must demonstrate the following, as applicable:

(1) **Ownership.** Documentation of the agency's governing body, including a description of membership and authorities, and documentation of the agency's:

(a) Articles and certificate of incorporation and bylaws if the owner is a corporation;

(b) Partnership agreement if the owner is a partnership; or

(c) Sole proprietorship if one person is the owner.

(2) **Licensure.** A copy of the agency's master business license that authorizes the organization to do business in Washington state that:

(a) Includes the entity's name, firm name, or registered trade name; and

(b) Lists all addresses where the entity performs services.

(3) **Organizational description.** An organizational description detailing all positions and associated licensure or certification, updated as needed.

(4) **Agency staffing and supervision.** Documentation that shows the agency has staff members:

(a) Adequate in number to provide program-specific certified services to serve the agency's caseload of individuals; and

(b) Who provide treatment in accordance to regulations relevant to their specialty or specialties and registration, certification, licensing, and trainee or volunteer status.

(5) **Interpreter services for individuals with Limited English Proficiency (LEP) and individuals who have sensory disabilities.** Documentation that demonstrates the agency's ability to provide or coordinate services for individuals with LEP and individuals who have sensory disabilities.

(a) Certified interpreters or other interpreter services must be available for individuals with limited English speaking proficiency and individuals who have sensory disabilities if required by agency certification or licensure or certification; or

(b) The agency must have the ability to effectively provide, coordinate or refer individuals in these populations for appropriate assessment or treatment.

(6) **Reasonable access for individuals with disabilities.** A description of how reasonable accommodations will be provided to individuals with disabilities.

(7) **Nondiscrimination.** A description of how the agency complies with all state and federal nondiscrimination laws, rules, and plans.

(8) **Fee schedules.** A copy of the agency's current fee schedules for all services must be available on request.

(9) **Funding options for treatment costs.** A description of how the agency works with individuals to address the funding of an individual's treatment costs, including a mechanism to address changes in the individual's ability to pay.

(10) **State and federal rules on confidentiality.** A description of how the agency implements state and federal rules on individuals' confidentiality consistent with the service or services being provided.

(11) **Reporting and documentation of suspected abuse, neglect, or exploitation.** A description how the agency directs staff to report and document suspected abuse, neglect, or exploitation of a child and vulnerable adult consistent with chapters 26.44 and 74.34 RCW.

(12) **Protection of youth.** Documentation of how the agency addresses the protection of youth participating in group or residential treatment with adults.

(13) **Reporting the death of an individual seeking or receiving services.** A description of how the agency directs staff to report to the department within one business day the death of any individual which occurs on the premises of a licensed agency.

(14) **Reporting critical incidents involving individuals.** A description of how the agency directs staff to report to the department within two business days any critical incident that occurs involving an individual, and actions taken as a result of the incident.

(15) **A smoking policy.** Documentation that a smoking policy consistent with the Washington Clean Indoor Air Act, Chapter 70.160 RCW, is in place.

(16) **Outpatient evacuation plan.** For a nonresidential agency, an evacuation plan for use in the event of a disaster or emergency that addresses:

- (a) Different types of disasters or emergencies;
- (b) Placement of posters showing routes of exit;
- (c) The need to mention evacuation routes at public meetings;
- (d) Communication methods for individuals, staff, and visitors, including persons with a visual or hearing impairment or limitation;
- (e) Evacuation of mobility impaired individuals; and
- (f) Evacuation of children if child care is offered.

(17) **Individual rights.** A description of how the agency has individual participation rights and policies consistent with WAC 388-877-0600.

(18) **Individual complaints and grievances.** A description of how the agency addresses an individual's complaint and/or grievance.

NEW SECTION

WAC 388-877-0430 Agency administration—Treatment facility requirements. Each agency licensed by the department to provide any behavioral health service must ensure that its treatment facility:

- (1) Is accessible to an individual with a disability.
- (2) Has a reception area separate from living and therapy areas.
- (3) Has adequate private space for personal consultation with an individual, staff charting, and therapeutic and social activities, as appropriate.
- (4) Has secure storage of an individual's active or closed confidential record.
- (5) Has secure, locked storage of poisonous external chemicals and caustic materials.

Section Five—Behavioral Health Services—Personnel

NEW SECTION

WAC 388-877-0500 Personnel—Agency policies and procedures. Each agency licensed by the department to provide any behavioral health service must develop, implement, and maintain personnel policies and procedures. The policies and procedures must meet the minimum requirements of this chapter and include the following, as applicable:

- (1) **Hiring practices.** Identification of how the agency:
 - (a) Ensures all persons providing or supervising clinical services have an active registration, certification, or license granted by the department of health consistent with the services provided; and
 - (b) Ensures the requirements of WAC 388-06-0170 are met if the agency provides services to youths.
- (2) **Background checks.** Identification of how the agency conducts Washington state background checks on each agency employee in contact with individuals receiving services, consistent with RCW 43.43.830 through 43.43.842.
- (3) **Excluded provider list.** A description of how the agency conducts a review of the list of excluded individuals/entities (LEIE) searchable database (found on the Office of Inspector General, U.S. Department of Health and Human Services website at <http://oig.hhs.gov>) for each employee in contact with individuals receiving services, to include a procedure on how the agency:
 - (a) Reviewed the LEIE database at the time of the employee's hire and annually thereafter; and
 - (b) Assured the employee is not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in transactions involving certain federal funds.
- (4) **Drug free workplace.** Identification of how the agency provides for a drug free work place that includes:
 - (a) A philosophy of no tolerance of illegal drug-related activity;
 - (b) Agency program standards of prohibited conduct; and
 - (c) Actions to be taken in the event a staff member misuses alcohol or other drugs.
- (5) **Supervision.** Identification of how supervision is provided to assist program staff and volunteers to increase their skills, and improve quality of services to individuals and families.
- (6) **Staff training.** A description of how the agency provides training within thirty days of an employee's hire date and annually thereafter:
 - (a) Consistent with the agency's certified or licensed services.
 - (b) On cultural competency that assists staff in recognizing when cultural barriers interfere with clinical care.
 - (c) That includes a review of:
 - (i) Procedures for how to respond to individuals in crisis;
 - (ii) Emergency procedures;
 - (iii) Program policies and procedures;
 - (iv) Rights for individuals receiving services and supports;
 - (v) Population-specific information; and

- (iv) An overview of applicable community resources.
- (d) To meet the requirements of this chapter.

NEW SECTION

WAC 388-877-0510 Personnel—Agency record requirements. Each agency licensed by the department to provide any behavioral health service must maintain a personnel record for each person employed by the agency.

- (1) The personnel record must contain the following:
 - (a) Documentation of annual training, including documentation that the employee successfully completed training on cultural competency (see WAC 388-877-0500 (6)(b)).
 - (b) A signed and dated commitment to maintain patient (individual) confidentiality in accordance with state and federal confidentiality requirements.
 - (c) A record of an orientation to the agency that includes:
 - (i) An overview of the administrative, personnel and clinical policies and procedures.
 - (ii) The duty to warn or to take reasonable precautions to provide protection from violent behavior when an individual has communicated an actual imminent threat of physical violence against a reasonably identifiable victim or victims. Taking reasonable precautions includes notifying law enforcement.
 - (iii) Staff ethical standards and conduct, including reporting of unprofessional conduct to appropriate authorities.
 - (iv) The process for resolving client complaints and/or grievances.
 - (v) The facility evacuation plan.
 - (d) A copy of the staff member's valid current credential issued by the department of health for their scope of practice.
 - (e) For noncontract staff, a copy of a current job description, signed and dated by the employee and supervisor which includes:
 - (i) A job title;
 - (ii) Minimum qualifications for the position; and
 - (iii) A summary of duties and responsibilities.
 - (f) For contract staff, formal agreements or personnel contracts that describe the nature and extent of patient care services, may be substituted for job descriptions.
 - (g) Performance evaluations conducted by the immediate supervisor or designee.
 - (2) Staff members who have received services from the agency must have personnel records that:
 - (a) Are separate from clinical records; and
 - (b) Have no indication of current or previous service recipient status.

NEW SECTION

WAC 388-877-0520 Personnel—Agency requirements for supervision of trainees and interns. Each agency licensed by the department to provide any behavioral health service must ensure the following supervision requirements are met for trainees and interns:

- (1) Each trainee and intern who receives training at an agency must be assigned a supervisor who has been approved by the agency administrator or designee.
- (2) The assigned supervisor:

- (a) Must be credentialed by the department of health for their scope of practice;
- (b) Is responsible for all individuals assigned to the trainee or intern they supervise; and
- (c) Must review clinical documentation with the trainee or intern as part of the supervision process.

NEW SECTION

WAC 388-877-0530 Personnel—Agency requirements for volunteers and student practicum. Each agency licensed by the department to provide any behavioral health service is responsible to provide orientation to any volunteer or student assisting the agency. In addition, the agency must ensure and document that:

- (1) Each volunteer meets the qualifications of the position they are assigned.
- (2) Each student who uses the agency as a setting for student practicum is supported by an educational institution.
 - (a) The agency and the educational institution must have a written agreement that describes:
 - (i) The nature and scope of student activity at the treatment setting; and
 - (ii) The plan for supervision of student activities.
 - (b) The agency must obtain and retain a confidentiality statement signed by the student and the student's academic supervisor.

Section six—Behavioral health services—ClinicalNEW SECTION

WAC 388-877-0600 Clinical—Individual rights. (1) Each agency licensed by the department to provide any behavioral health service must develop a statement of individual participant rights applicable to the service categories the agency is licensed for, to ensure an individual's rights are protected in compliance with chapters 71.12, 70.96A, 71.05, and 71.34 RCW. In addition, the agency must develop a general statement of individual participant rights that incorporates at a minimum the following statements. "You have the right to:

- (a) Receive services without regard to race, creed, national origin, religion, gender, sexual orientation, age or disability;
- (b) Practice the religion of choice as long as the practice does not infringe on the rights and treatment of others or the treatment service. Individual participants have the right to refuse participation in any religious practice;
- (c) Be reasonably accommodated in case of sensory or physical disability, limited ability to communicate, limited English proficiency, and cultural differences;
- (d) Be treated with respect, dignity and privacy, except that staff may conduct reasonable searches to detect and prevent possession or use of contraband on the premises;
- (e) Be free of any sexual harassment;
- (f) Be free of exploitation, including physical and financial exploitation;
- (g) Have all clinical and personal information treated in accord with state and federal confidentiality regulations;

(h) Review your clinical record in the presence of the administrator or designee and be given an opportunity to request amendments or corrections;

(i) Receive a copy of agency complaint and grievance procedures upon request and to lodge a complaint or grievance with the provider if you believe your rights have been violated; and

(j) File a complaint with the department when you feel the agency has violated a WAC requirement regulating behavior health agencies.

(2) Each agency must ensure the applicable individual participant rights described in subsection (1) of this section are:

(a) Provided in writing to each individual on or before admission;

(b) Available in alternative formats for individuals who are blind;

(c) Translated to the most commonly used languages in the agency's service area;

(d) Posted in public areas; and

(e) Available to any participant upon request.

(3) Each agency must ensure all research concerning an individual whose cost of care is publicly funded is done in accordance with chapter 388-04 WAC, protection of human research subjects, and other applicable state and federal rules and laws.

(4) In addition to the requirements in this section, each agency enrolled as a medicare and/or medicaid provider must ensure an individual seeking or participating in behavioral health treatment services, or the person legally responsible for the individual is informed of their medicaid rights at time of admission and in a manner that is understandable to the individual or legally responsible person.

NEW SECTION

WAC 388-877-0610 Clinical—Initial assessment.

Each agency licensed by the department to provide any behavioral health service is responsible for an individual's initial assessment.

(1) The initial assessment must be:

(a) Conducted in person; and

(b) Completed by a professional appropriately credentialed to provide chemical dependency, mental health, and/or problem and pathological gambling services as determined by state law.

(2) The initial assessment must include and document:

(a) Individual identifying information;

(b) Presenting issues;

(c) Name of the individual's medical provider(s);

(d) Medical concerns;

(e) Medications currently taken;

(f) Brief mental health, substance use, and problem and pathological gambling histories;

(g) Any identification of risk of harm to self and others, including suicide and/or homicide. A referral for provision of emergency/crisis services must be made if indicated in the risk assessment;

(h) Information that a person is court ordered to treatment or is under the supervision of the department of corrections; and

(i) Treatment recommendations.

NEW SECTION

WAC 388-877-0620 Clinical—Individual service plan. Each agency licensed by the department to provide any behavioral health service is responsible for an individual's service plan as follows:

(1) The individual service plan must:

(a) Be completed or approved by a professional appropriately credentialed to provide mental health, chemical dependency, and/or problem and pathological gambling services.

(b) Address age, gender, cultural, strengths and/or disability issues identified by the individual or, if applicable, the individual's parent(s) or legal representative.

(c) Be in a terminology that is understandable to the individual and the individual's family.

(d) Document that the plan was mutually agreed upon and a copy was provided to the individual.

(e) Demonstrate the individual's participation in the development of the plan.

(f) Document participation of family or significant others, if participation is requested by the individual and is clinically appropriate.

(g) Be strength-based.

(h) Contain measurable goals or objectives, or both.

(i) Be updated to address applicable changes in identified needs and achievement of goals and objectives.

(2) When required by law, the agency must notify the required authority of a violation of a court order or nonparticipation in treatment, or both.

NEW SECTION

WAC 388-877-0630 Clinical—Individual clinical record system. Each agency licensed by the department to provide any behavioral health service must:

(1) Maintain a comprehensive clinical record system that includes policies and procedures that protect an individual's personal health information; and

(2) Ensure that the individual's personal health information is shared or released only in compliance with applicable state and federal law.

NEW SECTION

WAC 388-877-0640 Clinical—Record content. Each agency licensed by the department to provide any behavioral health service is responsible for an individual's clinical record content. The clinical record must include:

(1) Documentation the individual received a copy of counselor disclosure requirements established under RCW 18.19.060.

(2) Demographic information.

(3) An initial assessment.

(4) Documentation of the individual's response when asked if:

(a) The individual is under department of corrections (DOC) supervision.

(b) The individual is under civil or criminal court ordered mental health or chemical dependency treatment.

(c) There is a court order exempting the individual participant from reporting requirements. A copy of the court order must be included in the record if the participant claims exemption from reporting requirements.

(5) Documentation that the agency met all the following requirements when an individual informs the agency that the individual is under supervision by DOC due to a less restrictive alternative or DOC order for treatment:

(a) The agency notified DOC orally or in writing. The agency must confirm an oral notification with a written notice by electronic mail or fax.

(b) The agency obtained a copy of the court order from the individual and placed it in the record when the individual has been given relief from disclosure by the committing court.

(c) When appropriate, the agency requested an evaluation by a designated mental health professional (DMHP) when the provider becomes aware of a violation of the court-ordered treatment and the violation concerns public safety.

(6) The initial and any subsequent individual service plan that include:

(a) All revisions to the plan, consistent with the service(s) the individual receives; and

(b) Documentation of objective progress towards established goals as outlined in the plan.

(7) Documentation the individual was informed of applicable federal and state confidentiality requirements.

(8) Documentation of confidential information that has been released without the consent of the individual under RCW 70.02.050, 71.05.390, and 71.05.630, and the Health Insurance Portability and Accountability Act (HIPAA).

(9) Documentation that any mandatory reporting of abuse, neglect, or exploitation consistent with chapters 26.44 and 74.34 RCW has occurred.

(10) If treatment is not court-ordered, documentation of informed consent to treatment by the individual or individual's parent, or other legal representative.

(11) If treatment is court-ordered, a copy of the detention or involuntary treatment order.

(12) Documentation of coordination of care, as needed.

(13) Documentation of all service encounters.

(14) Medication records, if applicable.

(15) Laboratory reports, if applicable.

(16) Properly completed authorizations for release of information, if applicable.

(17) Copies of applicable correspondence.

(18) Discharge information.

NEW SECTION

WAC 388-877-0650 Clinical—Access to clinical records. Each agency licensed by the department to provide any behavioral health service must:

(1) Provide access to an individual's clinical record at the request of the individual or, if applicable, the individual's

designated representative, and/or legal representative. The agency must:

(a) Review the clinical record before making the record available in order to identify and remove:

(i) Any material confidential to another person, agency, or provider; and

(ii) Reports not originated by the agency.

(b) Make the clinical record available to the requester within fifteen days of the request.

(c) Allow appropriate time and privacy for the review.

(d) Have a clinical staff member available to answer questions.

(e) Charge for copying at a rate not higher than defined in RCW 70.02.010(12).

(2) Make an individual's clinical record available to department staff as required for department program review.

WSR 13-02-028

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

(Division of Behavioral Health and Recovery)

[Filed December 20, 2012, 4:03 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 11-09-067.

Title of Rule and Other Identifying Information: The department proposes to adopt new chapters 388-877A, 388-877B, 388-877C WAC to establish the specific requirements for the licensing and certification of behavioral health agencies that provide mental health, chemical dependency, and/or problem and pathological gambling treatment services. These rules support the general requirements in proposed chapter 388-877 WAC which will establish general behavioral health services administrative standards for behavioral health agencies.

New sections WAC 388-877A-0100 Outpatient mental health services—General, 388-877A-0110 Outpatient mental health services—Agency staff requirements, 388-877A-0120 Outpatient mental health services—Clinical record content and documentation, 388-877A-0130 Outpatient mental health services—Additional assessment standards, 388-877A-0135 Outpatient mental health services—Individual service plan, 388-877A-0140 Outpatient mental health services—Brief intervention treatment, 388-877A-0150 Outpatient mental health services—Group therapy services, 388-877A-0155 Outpatient mental health services—Family therapy services, 388-877A-0170 Outpatient mental health services—Case management services, 388-877A-0175 Outpatient mental health services—Peer support services—Optional, 388-877A-0180 Outpatient mental health services—Psychiatric medication services—Optional, 388-877A-0185 Outpatient mental health services—Medication support services—Optional, 388-877A-0190 Outpatient mental health services—Day support services—Optional, 388-877A-0195 Outpatient mental health services—Less

restrictive alternative (LRA) support services—Optional, 388-877A-0197 Outpatient mental health services—Residential treatment facility (RTF)—Optional, 388-877A-0200 Crisis mental health services—General, 388-877A-0210 Crisis mental health services—Agency staff requirements, 388-877A-0220 Crisis mental health services—Record content and documentation requirements, 388-877A-0230 Crisis mental health services—Telephone support services, 388-877A-0240 Crisis mental health services—Outreach services, 388-877A-0260 Crisis mental health services—Stabilization services, 388-877A-0270 Crisis mental health services—Peer support services, 388-877A-0280 Crisis mental health services—Emergency involuntary detention services, 388-877A-0300 Limited scope services—General, 388-877A-0310 Limited scope services—Agency staff requirements, 388-877A-0320 Limited scope services—Clinical record content and documentation, 388-877A-0330 Limited scope services—Employment services, 388-877A-0340 Limited scope services—Peer support services, 388-877A-0350 Limited scope services—Wraparound facilitation services, 388-877A-0360 Limited scope services—Medication support services, 388-877B-0100 Detoxification services—General, 388-877B-0110 Detoxification services—Agency staff requirements, 388-877B-0120 Detoxification services—Clinical record content and documentation requirements, 388-877B-0130 Detoxification services—Additional standards for youth, 388-877B-0220 Residential treatment services—Clinical record content and documentation requirements, 388-877B-0210 Residential treatment services—Agency staff requirements, 388-877B-0230 Residential treatment services—Chemical dependency—Additional assessment standards, 388-877B-0240 Residential treatment services—Noncompliance reporting requirements, 388-877B-0250 Residential treatment services—Intensive inpatient services, 388-877B-0260 Residential treatment services—Recovery house, 388-877B-0270 Residential treatment services—Long-term treatment services, 388-877B-0280 Residential treatment services—Additional standards for youth residential services, 388-877B-0300 Outpatient treatment services—General, 388-877B-0310 Outpatient treatment services—Agency staff requirements, 388-877B-0320 Outpatient treatment services—Clinical record content and documentation, 388-877B-0330 Outpatient treatment services—Additional assessment standards, 388-877B-0340 Outpatient treatment services—Noncompliance reporting requirements, 388-877B-0350 Outpatient treatment services—Intensive outpatient services, 388-877B-0360 Outpatient treatment services—Outpatient treatment services, 388-877B-0370 Outpatient treatment services—Additional standards for chemical dependency counseling required under RCW 46.61.5056, 388-877B-0400 Opiate substitution treatment services—General, 388-877B-0405 Opiate substitution treatment services—Certification requirements, 388-877B-0410 Opiate substitution treatment services—Agency staff requirements, 388-877B-0420 Opiate substitution treatment services—Clinical record content and documentation requirements, 388-877B-0430 Opiate substitution treatment services—Additional assessment standards, 388-877B-0440 Opiate substitution treatment services—Program physician responsibility, 388-877B-0450 Opiate substitution treatment ser-

vices—Medication management, 388-877B-0500 Assessment only services—General, 388-877B-0510 Assessment only services—Agency staff requirements, 388-877B-0530 Assessment only services—Additional assessment standards, 388-877B-0540 Assessment only services—Noncompliance reporting requirements, 388-877B-0550 Assessment only services—Additional standards for DUI assessment services, 388-877B-0600 Information and assistance services—General, 388-877B-0610 Information and assistance services—Agency staff requirements, 388-877B-0630 Information and assistance services—Alcohol and drug information school, 388-877B-0640 Information and assistance services—Information and crisis services, 388-877B-0650 Information and assistance services—Emergency service patrol, 388-877B-0660 Information and assistance services—Screening and brief intervention, 388-877C-0100 Problem and pathological gambling services—General, 388-877C-0110 Problem and pathological gambling services—Agency staff requirements, 388-877C-0120 Problem and pathological gambling services—Clinical record content and documentation requirements and 388-877C-0130 Problem and pathological gambling services—Additional assessment standards; and repealing 388-805-001 What is the purpose of this chapter?, 388-805-005 What definitions are important throughout this chapter?, 388-805-010 What chemical dependency services are certified by the department?, 388-805-015 How do I apply for certification as a chemical dependency service provider?, 388-805-020 How do I apply for certification of a branch agency or added service?, 388-805-030 What are the requirements for opiate substitution treatment program certification?, 388-805-035 What are the responsibilities for the department when an applicant applies for approval of an opiate substitution treatment program?, 388-805-040 How does the department determine there is a need in the community for opiate substitution treatment?, 388-805-060 How does the department conduct an examination of nonresidential facilities?, 388-805-065 How does the department determine disqualification or denial of an application?, 388-805-070 What happens after I make application for certification?, 388-805-075 How do I apply for an exemption?, 388-805-085 What are the fee requirements for chemical dependency treatment programs?, 388-805-095 How long are certificates effective?, 388-805-100 What do I need to do to maintain agency certification?, 388-805-105 What do I need to do for a change in ownership?, 388-805-110 What do I do to relocate or remodel a facility?, 388-805-115 How does the department deem national accreditation?, 388-805-120 How does the department assess penalties?, 388-805-125 How does the department cancel certification?, 388-805-130 How does the department suspend or revoke certification?, 388-805-135 What is the prehearing, hearing and appeals process?, 388-805-140 What are the requirements for a provider's governing body?, 388-805-145 What are the key responsibilities required of an agency administrator?, 388-805-150 What must be included in an agency administrative manual?, 388-805-155 What are the requirements for provider facilities?, 388-805-200 What must be included in an agency personnel manual?, 388-805-205 What are agency personnel file requirements?, 388-805-210 What are the requirements for approved supervisors of persons who are in training to

become a chemical dependency professional?, 388-805-220 What are the requirements to be a probation assessment officer?, 388-805-225 What are the requirements to be a probation assessment officer trainee?, 388-805-230 What are the requirements for supervising probation assessment officer trainees?, 388-805-240 What are the requirements for student practice in treatment agencies?, 388-805-250 What are the requirements to be an information school instructor?, 388-805-260 What are the requirements for using volunteers in a treatment agency?, 388-805-300 What must be included in the agency clinical manual?, 388-805-305 What are patients' rights requirements in certified agencies?, 388-805-310 What are the requirements for chemical dependency assessments?, 388-805-315 What are the requirements for treatment, continuing care, transfer, and discharge plans?, 388-805-320 What are the requirements for a patient record system?, 388-805-325 What are the requirements for patient record content?, 388-805-330 What are the requirements for reporting patient noncompliance?, 388-805-350 What are the requirements for outcomes evaluation?, 388-805-400 What are the requirements for detoxification providers?, 388-805-410 What are the requirements for detox staffing and services?, 388-805-500 What are the requirements for residential providers?, 388-805-510 What are the requirements for residential providers admitting youth?, 388-805-520 What are the requirements for youth behavior management?, 388-805-530 What are the requirements for intensive inpatient services?, 388-805-540 What are the requirements for recovery house services?, 388-805-550 What are the requirements for long-term treatment services?, 388-805-600 What are the requirements for outpatient providers?, 388-805-610 What are the requirements for intensive outpatient treatment services?, 388-805-620 What are the requirements for outpatient services?, 388-805-625 What are the requirements for outpatient services for persons subject to RCW 46.61.5056?, 388-805-630 What are the requirements for outpatient services in a school setting?, 388-805-640 What are the requirements for providing offsite chemical dependency treatment services?, 388-805-700 What are the requirements for opiate substitution treatment program providers?, 388-805-710 What are the requirements for opiate substitution medical management?, 388-805-715 What are the requirements for opiate substitution medication management?, 388-805-720 What are the requirements for drug testing in opiate substitution treatment?, 388-805-730 What are the requirements for opiate substitution treatment dispensaries?, 388-805-740 What are the requirements for opiate substitution treatment counseling?, 388-805-750 What are the requirements for opiate substitution treatment take-home medications?, 388-805-800 What are the requirements for ADATSA assessment services?, 388-805-810 What are the requirements for DUI assessment providers?, 388-805-820 What are the requirements for alcohol and other drug information school?, 388-805-830 What are the requirements for information and crisis services?, 388-805-840 What are the requirements for emergency service patrol?, 388-805-855 What are the requirements for screening and brief intervention services?, 388-816-0001 What is the purpose of this chapter?, 388-816-0005 What definitions are important throughout this chapter?, 388-816-0010 What problem and pathological gambling treat-

ment programs are certified by the department?, 388-816-0015 How do I apply for certification as a new problem and pathological gambling treatment program?, 388-816-0020 How do currently certified or licensed agencies apply for added service?, 388-816-0025 What are the requirements for treatment program facilities?, 388-816-0030 How does the department conduct an examination of facilities?, 388-816-0035 How does the department determine disqualification or denial of an application?, 388-816-0040 What happens after I make application for certification?, 388-816-0045 How do I apply for an exemption?, 388-816-0070 What do I need to do to maintain program certification?, 388-816-0075 What do I need to do for a change in ownership?, 388-816-0080 What do I do to relocate or remodel a facility?, 388-816-0085 How does the department assess penalties?, 388-816-0090 How does the department cancel certification?, 388-816-0095 How does the department suspend or revoke certification?, 388-816-0100 What is the prehearing, hearing and appeal process?, 388-816-0105 What are the requirements for the governing body of the program?, 388-816-0110 What are the key responsibilities required of a program administrator?, 388-816-0115 What must be included in a program administrative manual?, 388-816-0120 What must be included in a treatment program personnel manual?, 388-816-0125 What are treatment program personnel file requirements?, 388-816-0130 What are the minimum qualifications for clinical staff members providing problem and pathological gambling treatment?, 388-816-0135 What must be included in the treatment program clinical manual?, 388-816-0140 What are clients' rights requirements in certified treatment programs?, 388-816-0145 What are the requirements for problem and pathological gambling assessments?, 388-816-0150 What are the requirements for treatment, continuing care, transfer, and discharge plans?, 388-816-0155 What are the requirements for a client record system?, 388-816-0160 What are the requirements for client record content?, 388-816-0165 What are the requirements for reporting client noncompliance?, 388-816-0170 What are the requirements for outcomes evaluation?, 388-816-0175 What are the requirements for outpatient services?, 388-816-0180 What are the requirements for providing off-site problem and pathological gambling treatment services?, 388-865-0103 Fee requirements for mental health treatment programs, 388-865-0410 Consumer rights, 388-865-0415 Access to services, 388-865-0430 Clinical record, 388-865-0435 Consumer access to their clinical record, 388-865-0436 Clinical record access procedures, 388-865-0440 Availability of consumer information, 388-865-0445 Establishment of procedures to bill for services, 388-865-0450 Quality management process, 388-865-0452 Emergency crisis intervention services—Additional standards, 388-865-0453 Peer support services, 388-865-0454 Provider of crisis telephone services only, 388-865-0456 Case management services—Additional standards, 388-865-0458 Psychiatric treatment, including medication supervision—Additional standards, 388-865-0462 Day treatment services—Additional standards, 388-865-0464 Consumer employment services—Additional standards, 388-865-0465 Adult residential treatment facility certification—Additional standards, 388-865-0466 Community support outpatient certification—Additional standards, 388-865-0468 Emergency

crisis intervention services certification—Additional standards, 388-865-0470 The process for initial licensing of service providers, 388-865-0472 Licensing categories, 388-865-0476 Licensure based on deemed status, 388-865-0478 Renewal of a community support service provider license, 388-865-0480 Procedures to suspend, or revoke a license, 388-865-0482 Procedures to contest a licensing decision, and 388-865-0484 Process to certify providers of involuntary services.

Hearing Location(s): Office Building 2, Lookout Room, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>), on February 26, 2013, at 10:00 a.m.

Date of Intended Adoption: Not earlier than February 27, 2013.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, e-mail DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on February 26, 2013.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by January 15, 2013, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at jennisha.johnson@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The new rules in chapters 388-877A, 388-877B, and 388-877C WAC will establish program-specific rules for mental health, chemical dependency, and problem and pathological gambling services and replace the current rules in chapters 388-865, 388-816, and 388-805 WAC. The new rules support the department's proposed chapter 388-877 WAC, which will establish general administrative standards for agencies that provide behavioral health services.

Reasons Supporting Proposal: The new rules provide agencies with program-specific rules for mental health, chemical dependency, and/or problem and pathological gambling treatment programs that support the department's proposed chapter 388-877 WAC, which will establish general administrative standards for agencies that provide behavioral health services. The rules cross reference to the definitions in proposed WAC 388-877-0200 that merges and places into one section definitions for terms and phrases that apply to both the general behavioral health services administrative rules and the behavioral health services program-specific rules.

Statutory Authority for Adoption: Chapters 70.02, 70.96A, 71.05, 71.24, 71.34, 74.50 RCW; RCW 74.08.090, 43.20A.890; 42 C.F.R. Part 8.

Statute Being Implemented: Chapters 70.02, 70.96A, 71.05, 71.24, 71.34, 74.50 RCW; RCW 74.08.090, 43.20A.890; 42 C.F.R. Part 8.

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

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

Name of Agency Personnel Responsible for Drafting: Kathy Sayre, P.O. Box 45330, Olympia, WA 98504-5330, (360) 725-1342; Implementation and Enforcement: Pete

Marburger, P.O. Box 45330, Olympia, WA 98504-5330, (360) 725-1513.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

SUMMARY OF PROPOSED RULES: DSHS (the department's) division of behavioral health and recovery (DBHR) is proposing new chapter 388-877A WAC, Mental health services, chapter 388-877B WAC, Chemical dependency services, and chapter 388-877C WAC, Problem and pathological gambling services.

The purpose and scope of these new chapters is to establish program-specific rules for mental health, chemical dependency and problem and pathological gambling services that replace the current rules in chapters 388-865, 388-816, and 388-805 WAC. The new rules support the department's proposed chapter 388-877 WAC, which establishes administrative standards for agencies that provide mental health, chemical dependency, and problem and pathological gambling services.

These rules:

(1) Repeal chapters 388-805, 388-816 WAC and sections in chapter 388-865 WAC and replace them with new chapters 388-877A, 388-877B, and 388-877C WAC.

(2) Support proposed chapter 388-877 WAC which allows for a single set of agency administrative, personnel, and clinical policies and procedures that address specific treatment populations and levels of care.

(3) Provide program-specific rules in proposed chapters 388-877A, 388-877B, and 388-877C WAC for agencies licensed under chapter 388-877 WAC that choose to provide mental health, chemical dependency, and/or problem and pathological gambling services.

INVOLVEMENT OF STAKEHOLDERS AND SMALL BUSINESSES: The department filed a CR-101 (preproposal statement of inquiry) under WSR 11-09-067 on April 19, 2011. On April 27, 2011, copies of the CR-101 were sent to tribal leaders and all stakeholders and providers listed in DBHR's listserv data base.

In July 2012, the department invited several stakeholder participants to assist in drafting the program-specific rules for mental health services. The group met on five separate occasions. During each work session, the draft rules were distributed and discussed. Revisions were made during each meeting to reflect the consensus of the group.

In October 2012, the department invited several stakeholder participants to assist in drafting the program-specific rules for chemical dependency services. The group met for two all day sessions on October 1 and October 22. During each work session, the draft rules were distributed and discussed. Revisions were made during each meeting to reflect the consensus of the group.

In October 2012, the department sent a draft of the program-specific rules for problem and pathological gambling to the Evergreen Counsel on Problem Gambling and the selected representative for the Problem Gambling Advisory Committee. The draft was discussed and revisions were made to the draft rules based on suggestions provided by stakeholders.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT (SBEIS) - DETERMINATION OF NEED: Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses and it outlines the information that must be included in an SBEIS. Preparation of an SBEIS is required when a proposed rule has the potential of placing a disproportionate economic impact on small businesses. The statute defines small businesses as those business entities that employ fifty or fewer people and are independently owned and operated.

Preparation of an SBEIS is required when a proposed rule has the potential of placing a disproportionate economic impact on small businesses. The statute outlines information that must be included in an SBEIS.

These proposed rules impact behavioral health agencies that provide chemical dependency treatment services, mental health treatment services, and/or problem and pathological gambling treatment services. These businesses fall under the North American Industry Classification System (NAICS) codes:

- 622210 - Psychiatric and substance abuse hospitals.
- 623220 - Residential substance abuse facilities.
- 621420 - Outpatient substance abuse and mental health centers.
- 623220 - Residential mental health facilities.
- 621330 - Problem and pathological gambling.

The department previously determined that there were one hundred twenty-six existing for-profit chemical dependency treatment agencies that meet the criteria for small businesses under RCW 19.85.020. Subsequently, the department decided to consider economic impacts on all for-profit and publicly funded department-certified chemical dependency treatment agencies. Therefore, the industry analysis includes five hundred eighty certified chemical dependency treatment agencies. The department further determined there are about one hundred eighty business entities that provide mental health treatment services at four hundred twenty specific locations. Of the estimated one thousand services sites providing chemical dependency and mental health treatment services, about one hundred sixty business organizations maintain both a certificate for chemical dependency treatment services and a license for mental health treatment services. The department also determined there are twenty-six certified entities providing problem and pathological gambling treatment services. Of the twenty-six entities, four are private individual providers. The other twenty-two sites are located within certified chemical dependency treatment agencies.

EVALUATION OF PROBABLE COSTS AND PROBABLE BENEFITS: Since the proposed rules in the new chapter "make significant amendments to a policy or regulatory program" under RCW 34.05.328 (5)(c)(iii), the department has determined the proposed rules to be "significant" as defined by the Washington state legislature.

As required by RCW 34.05.328 (1)(d), the department has analyzed the probable costs and probable benefits of the proposed amendments, taking into account both the qualitative and quantitative benefits and costs. The department's

analysis shows the costs and benefits of the proposed rules to those impacted by the rules. Impacted groups include:

- DBHR-certified chemical dependency service programs owned by nonprofit businesses, for-profit businesses, public nonprofit providers, and tribal programs.
- DBHR-licensed and/or -certified mental health service programs owned by nonprofit businesses, public nonprofit providers, or tribal programs.
- Sole proprietors that choose to become a certified problem and pathological gambling treatment program.

COSTS: Under chapter 19.85 RCW, DBHR has considered annual costs to small businesses that are \$50 or more per client. The department's analysis revealed that there are costs for the proposed new rules that will affect treatment services provided at approximately one thousand sites that meet the definition of a small business.

Agencies that wish to become department-licensed or -certified to provide behavioral health services must submit either a new agency or added service application to the department's DBHR.

The proposed implementation of chapters 388-877A, 388-877B, and 388-877C WAC includes the requirements for individual providers that are not already certified or licensed by the department, or for programs that are currently certified or licensed under chapter 388-816, 388-805, or 388-865 WAC. The department is proposing to repeal sections in these chapters and adopt new program-specific rules that regulate outpatient mental health, chemical dependency, and problem and pathological gambling programs.

Costs include:

- (1) A one-time cost for developing a policy and procedures manual that meets the requirements of the new rules.
- (2) Updating/creating required forms.
- (3) Assuring facility meets structural accessibility for current mental health programs.
- (4) Complying with application requirements for added services or branch sites.
- (5) Notification requirements of facility remodeling, approval for change of ownership, and voluntary program suspension or closure.
- (6) Updating electronic health records.

The estimated costs for the agency's policy and procedures manual would be \$0 to \$5,000, depending on the agency's current chemical dependency or mental health certification or licensure. The costs would vary depending on the number and complexity of the licensed and/or certified programs and if the agency contracts with other entities to implement the programs and/or hires its own staff.

The following table identifies the types of programs and corresponding changes and estimated costs an agency may incur to implement these rules:

Types of Programs	Probable Required Changes and/or Revisions	Estimated Costs
Certified chemical dependency program	<ul style="list-style-type: none"> • Policy and procedures manual • Form revision • Electronic health record revision 	\$0 - \$5,000
Licensed and/or certified mental health programs	<ul style="list-style-type: none"> • Policy and procedures manual • Form revision • Electronic health record revision 	\$0 - \$5,000
Certified problem and pathological gambling programs (applies only if the program is not part of a certified chemical dependency program or licensed mental health program)	<ul style="list-style-type: none"> • Policy and procedures manual • Form revision • Electronic health record revision 	\$0 - \$5,000

Mitigating Costs: Costs are determined to be minor under chapter 19.85 RCW. For the rules of DSHS, "minor cost" means cost per business that is less than fifty dollars of annual cost per client or other appropriate unit of service.

The department plans to revise forms, as necessary, and post on the DBHR web site for agencies to download and copy. The cost for manual changes/revisions will be a one-time cost to the agency. The department will have staff available to answer any questions an agency may have in order to implement these rules. Agencies that choose to serve more than one client population will no longer incur costs to maintain multiple sets of policies and procedures, clinical records, and separate forms. Clients served by these agencies will be able to receive more seamless care.

BENEFITS: The benefits to the implementation of these rules include individual care, programmatic, administrative, and improved cross-systems collaboration.

(1) The new rules support proposed chapter 388-877 WAC that will integrate similar functions, such as individual service plans and rules for agency administrative, personnel, and clinical requirements.

(2) The rules provide an agency with program-specific rules for chemical dependency, mental health, and/or problem and pathological gambling treatment programs.

(3) The rules allow an individual needing more than one behavioral health treatment service to have one client record.

(4) The rules allow a single audit for all behavioral health services programs provided by an agency, and eliminate the need for multiple audits for agencies providing more than one behavioral health service.

(5) The rules provide standardization to all behavioral health services programs.

(6) The rules cross-reference to the proposed definitions in WAC 388-877-0200 that merge and place into one section definitions that apply to the general behavioral health services administrative rules and the program-specific rules for mental health, chemical dependency, and problem and pathological gambling services.

The department believes that new jobs will be created as a result of small businesses complying with these rules. This opinion is supported by department-hosted stakeholder/pro-

vider discussions held at statewide stakeholder meetings and by several all-day work group sessions attended by volunteer stakeholders and DBHR staff members.

Agencies that elect to provide a combination of behavioral health services under proposed chapter 388-877 WAC must employ or contract credentialed staff to meet the rules for the program services they are licensed and/or certified to provide. The new rules contain these requirements.

CONCLUSION: The department has given careful consideration to the impact of proposed rules in chapters 388-877A, 388-877B, 388-877C WAC on small businesses. To comply with the Regulatory Fairness Act (chapter 19.85 RCW), the department has analyzed impacts on small businesses and proposed ways to mitigate costs. The department has determined the costs to be minor and has determined the probable benefits outweigh the probable costs.

Please contact Kathy Sayre if you have any questions at (360) 725-1342, toll free at 1-877-301-4557, or by e-mail at kathy.sayre@dshs.wa.gov.

A copy of the statement may be obtained by contacting Kathy Sayre, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 725-2280, e-mail kathy.sayre@dshs.wa.gov.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Kathy Sayre, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 725-2280, e-mail kathy.sayre@dshs.wa.gov.

December 20, 2012
 Katherine I. Vasquez
 Rules Coordinator

Chapter 388-877A WAC

OUTPATIENT MENTAL HEALTH SERVICES

Outpatient Mental Health Services

NEW SECTION

WAC 388-877A-0100 Outpatient mental health services—General. The rules in WAC 388-877A-0100 through 388-877A-0197 apply to behavioral health agencies that provide outpatient mental health services. The definitions in WAC 388-877-0200 also apply to outpatient mental health services.

(1) Outpatient mental health services are intended to improve and/or reduce symptoms, and resolve situational disturbances for individuals in the areas of relational, occupational and/or vocational concerns.

(2) Outpatient mental health services include:

(a) Brief intervention treatment services (see WAC 388-877A-0140);

(b) Group therapy services (see WAC 388-877A-0150);

(c) Family therapy services (see WAC 388-877A-0155);

and

(d) Case management services (see WAC 388-877A-0170).

(3) The following are optional services which a behavioral health agency certified for outpatient mental health services may choose to provide:

- (a) Peer support services (see WAC 388-877A-0175);
- (b) Psychiatric medication services (see WAC 388-877A-0180);
- (c) Medication support services (see WAC 388-877A-0185);
- (d) Day support services (see WAC 388-877A-0190);
- (e) Less restrictive alternative (LRA) support services (see WAC 388-877A-0195); and
- (f) Residential treatment facility (see WAC 388-877A-0197).

(4) An agency providing outpatient mental health services to individuals must:

(a) Be licensed by the department as a behavioral health agency.

(b) Meet the applicable behavioral health agency licensure, certification, administration, personnel, and clinical requirements in chapter 388-877 WAC.

(c) Have policies and procedures to support and implement the:

- (i) General requirements in chapter 877 WAC; and
- (ii) Program-specific requirements in WAC 388-877A-0140 through 388-877A-0197 for each outpatient mental health service provided.
- (iii) Department of Corrections Access to Confidential Mental Health Information requirements in WAC 388-865-600 through 388-865-0640.

(5) At the verbal or written request of the individual, the agency must:

(a) Include the individual's family members, significant others, and other relevant treatment providers in the services provided by the agency; and

(b) Document the request in the individual's clinical record.

(6) If an individual has a crisis plan, the crisis plan must be:

(a) Placed in the individual's clinical record; and

(b) Made available to the following, subject to state and federal confidentiality rules and laws:

- (i) Designated mental health professionals;
- (ii) Crisis team members; and
- (iii) Voluntary and involuntary inpatient evaluation and treatment facilities.

(7) An agency that provides services at an established off-site location(s) must:

(a) Maintain a list of each established off-site location where services are provided.

(b) Include, for each established off-site location:

- (i) The name and address of the location the services are provided;
- (ii) The primary purpose of the off-site location;
- (iii) The service(s) provided; and
- (iv) The date off-site services began at that location.

(8) An agency providing in-home services or services in a public setting must:

(a) Implement and maintain a written protocol of how services will be offered in a manner that promotes individual and staff member safety; and

(b) For the purpose of emergency communication, and as required by RCW 71.05.710, provide a wireless telephone, or comparable device, to any mental health professional who makes home visits to individuals.

(9) An agency must:

(a) Maintain an individual's confidentiality at the off-site location;

(b) Transport confidential information and individual records between the licensed agency and the off-site location, if applicable;

(c) Be certified to provide the type of mental health service offered at each off-site location; and

(d) Ensure the mental health services provided at off-site locations meet the requirements of all applicable local, state, and federal rules and laws.

NEW SECTION

WAC 388-877A-0110 Outpatient mental health services—Agency staff requirements. In addition to meeting the agency administration and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing outpatient mental health services must ensure:

(1) All outpatient mental health services are provided by, or under the supervision of, a mental health professional;

(2) Each staff member working directly with an individual receiving mental health services receives:

(a) Clinical supervision from a mental health professional who is licensed by department of health as an independent practitioner under chapter 18.19 RCW; and

(b) Annual violence prevention training on the safety and violence prevention topics described in RCW 49.19.030.

(3) Staff access to consultation with a psychiatrist or a physician who has at least one year's experience in the direct treatment of individuals who have a mental or emotional disorder.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 388-877A-0120 Outpatient mental health services—Clinical record content and documentation. In addition to meeting the general clinical record content requirements in WAC 388-877-0640, an agency providing any outpatient mental health service is responsible for an individual's clinical record. The clinical record must document:

(1) That the agency requested a copy of and placed in the record, if provided, the following:

(a) Discharge summaries and/or evaluations resulting from outpatient or inpatient mental health services received within the last five years, if available; and

(b) Any crisis plan that has been developed.

(2) Any previously accessed inpatient or outpatient services and/or medications to treat a mental health condition.

(3) That services were provided by, or under the clinical supervision of, a mental health professional.

(4) Any clinical consultation and/or evaluation provided.

(5) Progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(6) That the individual was provided with information and education about the individual's mental illness.

(7) Any referrals to other services and supports, including referrals to treatment for co-occurring disorders and health care.

(8) That with the individual's consent, the individual's self-identified family members and significant others were provided with information and education about the individual's mental illness.

(9) That the additional requirements for any optional outpatient services the agency providers are met.

(10) That staff members met with each individual at the time of discharge, unless the individual left without notice, to:

(a) Determine the appropriate recommendation for care and finalize a continuing care plan;

(b) Assist the individual in making contact with necessary agencies or services; and

(c) Provide and document the individual as provided with a copy of the plan.

(11) That a discharge summary was completed within seven working days of the individual's discharge. The discharge plan must include the date of discharge, plan goals, legal status, and if applicable, current prescribed medication.

NEW SECTION

WAC 388-877A-0130 Outpatient mental health services—Additional assessment standards. In addition to the assessment requirements in WAC 388-877-0610, an agency providing any outpatient mental health service must ensure the clinical mental health components of the assessment:

(1) Are provided by a mental health professional.

(2) Are initiated within ten working days from the date on which the individual or the individual's parent or legal representative requests services, and completed within thirty working days of the initial assessment.

(3) Gather sufficient information to determine if a mental illness exists, and if there are services available within the agency to address the individual's needs.

(4) Document presenting problem(s) as described by the individual. The agency may contact the person(s) who provide active support to the individual in order to validate and/or obtain further information regarding the individual's presenting problem:

(a) Only at the request of the individual, if the individual is thirteen years of age or older; or

(b) At the agency's discretion, if the individual is twelve years of age or younger.

(5) Contain sufficient clinical information, including a review of any documentation of a mental health condition provided by the individual, to justify the diagnosis using criteria in the:

(a) Diagnostic and Statistical Manual (DSM IV TR, 2000) as it existed on the effective date of this section; then

(b) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.

(6) Contain a developmental history if the individual is a child.

(7) Are culturally and age relevant.

NEW SECTION

WAC 388-877A-0135 Outpatient mental health services—Individual service plan. In addition to the individual service plan requirements in WAC 388-877-0620, an agency providing any outpatient mental health service must ensure the following for an individual service plan. The individual service plan must:

(1) Be completed within thirty days from the date of the first session following the initial assessment.

(2) Be consumer-driven, strength-based, and meet the individual's unique mental health needs.

(3) Be initiated with at least one goal identified by the individual or if applicable, the individual's parent or legal representative, during the initial assessment or the first service session following the assessment.

(4) Document that the plan was updated to reflect any changes in the individual's treatment needs, or as requested by the individual or, if applicable, the individual's parent or legal representative.

(5) Document coordination with any systems or organizations the individual identities as being relevant to treatment, with the individual's consent or if applicable, the consent of the individual's parent or legal representation. This includes coordination with any individualized family service plan (IFSP) when serving an individual three years of age or younger.

(6) Identify service modalities, mutually agreed upon by the individual and provider, for this treatment episode.

NEW SECTION

WAC 388-877A-0140 Outpatient mental health services—Brief intervention treatment. Brief intervention treatment services are solution-focused and outcome-oriented cognitive and behavioral interventions, intended to resolve situational disturbances. These services do not require long term treatment, and do not include ongoing care, maintenance, or monitoring of the individual's current level of function or assistance with self-care or life skills training.

(1) An agency providing brief intervention treatment services to individuals must meet the individual service plan requirements in WAC 388-877-0620 and ensure the individual service plan identifies a course of treatment to be completed in six months or less.

(2) The additional assessment and individual service plan requirements in WAC 388-877A-0130 and 388-877A-0135 do not apply to brief intervention treatment.

(3) An individual may move from brief intervention treatment to longer term outpatient mental health services at any time.

NEW SECTION

WAC 388-877A-0150 Outpatient mental health services—Group therapy services. Group therapy services are provided to an individual in a group setting to assist the individual in attaining the goals described in the individual service plan. An agency providing group therapy services must:

- (1) Have a written description of each group's purpose.
- (2) Ensure group services are provided with a staff ratio of one staff member for every twelve individuals.
- (3) Ensure a group does not contain more than twenty-four individuals.
- (4) Ensure all nonmental health professionals facilitating a group receive supervision by a mental health professional. The mental health professional must document the supervision. Any group containing more than twelve individuals must have at least one facilitator or co-facilitator that is a mental health professional.
- (5) Ensure group notes are recorded in each individual's clinical record before the next group meeting. Group notes must include the attendance of the individual, the participation of the individual, progress towards goals stated in the individual's service plan, and any significant events shared by the individual.

NEW SECTION

WAC 388-877A-0155 Outpatient mental health services—Family therapy services. Family therapy services are services provided for the direct benefit of an individual, with family members and/or other relevant persons in attendance. Interventions must identify and build competencies to strengthen family functioning in relationship to the individual's identified goals. The individual may or may not be present. An agency providing family therapy services must:

- (1) Ensure the services are provided by:
 - (a) A mental health professional who has documented training in family therapy; or
 - (b) A staff member under the supervision of a mental health professional. The staff member must have documented training in family therapy.
- (2) With the individual's written consent, provide information and education about the individual's illness to family members of other relevant persons in order to assist the individual in managing the mental illness.

NEW SECTION

WAC 388-877A-0170 Outpatient mental health services—Case management services. Case management services are services that meet the ongoing assessment, facilitation, care coordination and advocacy for options and services to meet an individual's needs through communication and available resources, to promote quality and effective outcomes. Case management services assist an individual to achieve the goals stated in the plan. These services support consumer employment, education and/or participation in

other daily activities appropriate to the individual's age, gender and culture. Case management services assist an individual to resolve crises in the least restrictive setting.

Rehabilitative case management services include specific rehabilitative services provided to assist in an individual's discharge from an inpatient facility and minimize the risk of readmission to an inpatient setting.

NEW SECTION

WAC 388-877A-0175 Outpatient mental health services—Peer support services—Optional. Peer support services are a wide range of optional activities provided to assist an individual in exercising control over their own lives and recovery process. Examples of peer support services are developing self-advocacy and natural supports, maintaining living skills, and promoting socialization. Services include the practice of peer counselors who share their own life experiences related to mental illness to build alliances that enhance the individual's ability to function. Peer support services are intended to augment and not supplant other necessary mental health services. An agency providing peer support services must:

- (1) Ensure services are provided by a peer counselor credentialed under WAC 388-865-0107, under the consultation, facilitation, or supervision of a mental health professional.
- (2) Ensure that services are provided by peer counselors who are practicing within the scope of the peer counselor's training and credential.
- (3) Provide peer counselors with annual training that is relevant to their unique working environment.
- (4) Ensure the individual service plan defines the frequency, duration, and expected outcome of all peer support services provided by a peer counselor.
- (5) Ensure the peer counselor documents objective progress toward the goals established in the individual service plan for each service encounter with an individual.

NEW SECTION

WAC 388-877A-0180 Outpatient mental health services—Psychiatric medication services—Optional. Psychiatric medication services are a variety of activities related to prescribing and/or administering medication, including monitoring an individual for side effects and changes as needed. Medication services are optional services but must be provided with one of the outpatient mental health services in WAC 388-877A-0100(2). An agency providing psychiatric medication services:

- (1) Must ensure medical direction and responsibility are assigned to a physician who is licensed to practice under chapter 18.57 or 18.71 RCW, and is board-certified or board-eligible in psychiatry.
- (2) Must ensure that the services are provided by a prescriber licensed by department of health who is practicing within the scope of that practice.
- (3) Must ensure that all medications administered by staff are administered by staff practicing within the scope of their practice.
- (4) Must have a process by which the medication prescriber informs the individual, and/or the legally responsible

party, and, as appropriate, family members, of the potential effects and side effects of the prescribed medication(s).

(5) Must review prescribed medications at least every three months.

(6) Must complete an inventory every three months of all medication stored.

(7) Must ensure that all medications maintained by the agency are safely and securely stored, including assurance that:

(a) Medications are kept in locked cabinets within a well-illuminated, locked and properly ventilated room;

(b) Medications kept for individuals on medication administration or self-administration programs are clearly labeled and stored separately from medication samples kept on site;

(c) Medications marked "for external use only" are stored separately from oral or injectable medications;

(d) Refrigerated food or beverages used in the administration of medications are kept separate from the refrigerated medications by the use of trays or other designated containers;

(e) Syringes and sharp objects are properly stored and disposed of;

(f) Refrigerated medications are maintained at the required temperature; and

(g) Outdated medications are disposed of in accordance with the regulations of the state board of pharmacy and no outdated medications are retained.

(8) Must ensure that the individual clinical record contains the following documentation:

(a) The individual was informed of the benefits and possible side effects of each prescribed medication.

(b) The effects, interactions, and side effects the staff observe or the individual reports spontaneously or as the result of questions from staff members.

(c) Clinical notes that include:

(i) The name and signature of the prescribing psychiatric advanced registered nurse practitioner (ARNP), board eligible psychiatrist, or physician;

(ii) The name and purpose of each medication prescribed;

(iii) The dosage, frequency, and method of giving each medication;

(iv) Identification of medications requiring laboratory monitoring and a frequency schedule for monitoring;

(v) The reasons for changing or stopping any medication; and

(vi) The dates the medication was prescribed, reviewed and renewed, as applicable.

(d) That any written orders to administer/discontinue a medication are generated by a licensed health care provider, within the scope of the provider's practice, and that:

(i) Written, dated orders are signed by the licensed prescriber within twenty-four hours; and

(ii) Telephone orders are reviewed and signed off on by the ordering licensed health care provider, within the scope of the provider's practice, within twenty-four hours and include:

(A) Documentation that clearly demonstrates emergency circumstances that required a phone order;

(B) The name and signature of the individual authorized by department of health whose scope of practice includes taking physician's orders over the telephone; and

(C) The time, date and exact details of the telephone order.

(9) May utilize a physician without board eligibility in psychiatry if unable to employ or contract with a psychiatrist. In this case, the agency must ensure that:

(a) Psychiatrist consultation is provided to the physician at least monthly; and

(b) A psychiatrist is accessible to the physician for emergency consultation.

NEW SECTION

WAC 388-877A-0185 Outpatient mental health services—Medication support services—Optional. Medication support services are optional services performed for the purpose of facilitating medication adherence and occur face-to-face with an individual. These services include one-on-one cueing, observing, and encouraging an individual to take medication as prescribed. Medication support services also include reporting any pertinent information related to individual's adherence to the medication back to the agency that is providing psychiatric medication services. The services may take place at any location, for as long as it is clinically necessary, and are provided to an individual with a history of low medication adherence, an individual newly on medication, and to an individual new to the specific medication prescribed. An agency providing medication support services must:

(1) Ensure the services are provided by, or under the supervision of, a mental health professional.

(2) Ensure that the staff positions responsible for providing medication monitoring and/or delivery services are clearly identified in the agency's medication support services policy.

(3) Have appropriate written policies and procedures in place when the agency providing medication support services maintains and/or delivers medication to the individual. These policies and procedures must address:

(a) The maintenance of a medication log documenting medications that are received, prescribed, and dispensed.

(b) Reasonable precautions when transporting medications to the intended individual and assurance of staff safety.

(c) The prevention of contamination of medication during delivery, if delivery is provided.

(d) Ensuring that all medications maintained by staff in the agency are safely and securely stored, as follows:

(i) Medications must be kept in locked cabinets within a well-illuminated, locked and properly ventilated room;

(ii) Medications kept for individuals on medication administration or self-administration programs must be clearly labeled and stored separately from medication samples kept on site;

(iii) Medications marked "for external use only" must be stored separately from oral or injectable medications;

(iv) Refrigerated food or beverages used in the administration of medications must be kept separate from the refrig-

erated medications by the use of trays or other designated containers;

(v) Syringes and sharp objects must be properly stored and disposed of;

(vi) Refrigerated medications must be maintained at the required temperatures; and

(vii) Outdated medications are disposed of in accordance with the regulations of the state board of pharmacy, and no outdated medications are retained.

(4) Ensure that the clinical record contains:

(a) The individual's service plan that includes medication monitoring services.

(b) Documentation of observations on the individual's behavior indicating the effects, interactions, and side effects of prescribed medication, as necessary.

(c) Documentation of regular reviews of the individual's adherence to the medication monitoring plan as reflected in the individual service plan.

(d) Documentation of reports to the prescriber about medication adherence and/or side effects.

NEW SECTION

WAC 388-877A-0190 Outpatient mental health services—Day support services—Optional. Day support services are optional services in an intensive rehabilitative program that provide a range of integrated and varied life skills training. Day support services are designed to assist an individual in the acquisition of skills, retention of current functioning, or improvement in the current level of functioning, appropriate socialization, and adaptive coping skills. Services include training in basic living and social skills, and educational, vocational, pre-vocational, and day activities. Day support services may include therapeutic treatment. An agency providing day support services must ensure:

(1) There is at least one staff member providing services for every twenty individuals;

(2) Staff is available five hours per day, five days per week to provide support services to individuals; and

(3) The services occur in an environment easily accessible to the individual.

NEW SECTION

WAC 388-877A-0195 Outpatient mental health services—Less restrictive alternative (LRA) support services—Optional. Less restrictive alternative (LRA) support services are optional outpatient services provided to individuals on a less restrictive alternative court order. The court system assigns an individual to an agency and the agency agrees to provide or monitor the provision of court-ordered services, including psychiatric and medical components of community support services. An agency providing LRA support services must:

(1) Ensure and document that the agency:

(a) Maintains written procedures for managing assaultive and/or self-destructive individual behavior; and

(b) Provides training to staff members on intervention.

(2) Have a written policy and procedure that allows for the referral of an individual to an involuntary treatment facility twenty-four-hours-a-day, seven-days-a-week.

(3) Have a written policy and procedure for an individual who requires involuntary detention that includes procedures for:

(a) Contacting the designated mental health professional (DMHP) regarding revocations or extension of an LRA; and

(b) The transportation of an individual, in a safe and timely manner, for the purpose of:

(i) Evaluation; or

(ii) Evaluation and detention.

(4) Ensure a detained and committed individual is advised of their rights under chapter 71.05 or 71.34 RCW, as applicable, and that the individual has the right:

(a) To receive adequate care and individualized treatment;

(b) To make an informed decision regarding the use of antipsychotic medication and to refuse medication beginning twenty-four hours before any court proceeding that the individual has the right to attend;

(c) To maintain the right to be presumed competent and not lose any civil rights as a consequence of receiving evaluation and treatment for a mental disorder;

(d) Of access to attorneys, courts, and other legal redress;

(e) To have the right to be told statements the consumer makes may be used in the involuntary proceedings; and

(f) To have all information and records compiled, obtained, or maintained in the course of treatment kept confidential as described in chapters 70.02, 71.05, and 71.34 RCW.

(5) Include in the clinical record a copy of the less restrictive alternative court order and a copy of any subsequent modification.

(6) Ensure the development and implementation of an individual service plan which addresses the conditions of the less restrictive alternative court order and a plan for transition to voluntary treatment.

(7) Ensure that the individual receives psychiatric medication services for the assessment and prescription of psychotropic medications appropriate to the needs of the individual. These services must be provided:

(a) At least one time every seven days for an individual on a fourteen-day less restrictive alternative court order, unless the individual's attending physician determines another schedule is more appropriate and documents the new schedule and the reason(s) in the individual's clinical record.

(b) At least one time every thirty days for an individual on a ninety-day or one hundred eighty-day less restrictive alternative court order, unless the individual's attending physician determines another schedule is more appropriate and documents the new schedule and the reason(s) in the individual's clinical record.

(8) Keep a record of the periodic evaluation of each committed individual for release from, or continuation of, an involuntary treatment order. Evaluations must occur at least every thirty days for both ninety-day and one hundred eighty-day commitments.

NEW SECTION

WAC 388-877A-0197 Outpatient mental health services—Residential treatment facility (RTF)—Optional. A

residential treatment facility (RTF) provides mental health treatment services to an individual with a mental disorder. An agency that operates a mental health RTF must:

- (1) Be a facility licensed by the department of health under chapter 246-337 WAC;
- (2) Be certified for and provide the following outpatient services:
 - (a) Case management services (see WAC 388-877A-0170);
 - (b) Less restrictive alternative support services (see WAC 388-877A-0195); and
 - (c) Medication support services (see WAC 388-877A-0185).

Crisis Mental Health Services

NEW SECTION

WAC 388-877A-0200 Crisis mental health services—

General. The rules in WAC 388-877A-0200 through 377A-0280 apply to behavioral health agencies that provide crisis mental health services. The definitions in WAC 388-877-0200 also apply to crisis mental health services.

- (1) Crisis mental health services are intended to stabilize an individual in crisis to:
 - (a) Prevent further deterioration;
 - (b) Provide immediate treatment and intervention in a location best suited to meet the needs of the individual; and
 - (c) Provide treatment services in the least restrictive environment available.
- (2) Crisis mental health services include:
 - (a) Crisis telephone support (see WAC 388-877A-0230);
 - (b) Crisis outreach services (see WAC 388-877A-0240);
 - (c) Crisis stabilization services (see WAC 388-877A-0260);
 - (d) Crisis peer support services (see WAC 388-877A-0270); and
 - (e) Emergency involuntary detention services (see WAC 388-877A-0280).
- (3) An agency providing any crisis mental health service to an individual must:
 - (a) Be licensed by the department as a behavioral health agency;
 - (b) Be certified by the department to provide crisis mental health services;
 - (c) Meet the applicable behavioral health agency licensure, administration, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and
 - (d) Have policies and procedures to support and implement the:
 - (i) General requirements in chapter 388-877 WAC;
 - (ii) Program-specific requirements in WAC 388-877A-0230 through WAC 388-877A-0280 for each crisis mental health service provided; and
 - (iii) Department of Corrections Access to Confidential Mental Health Information requirements in WAC 388-865-600 through 388-865-0640.
- (4) An agency providing crisis mental health services only is not required to meet the initial assessment, individual

service plan, and clinical record requirements in WAC 388-877-0610, 388-877-0620, and 388-877-0640.

- (5) An agency must ensure crisis mental health services:
 - (a) Are, with the exception of stabilization services, available twenty-four hours a day, seven days a week;
 - (b) Include family members, significant others, and other relevant treatment providers, as necessary, to provide support to the individual in crisis; and
 - (c) Are provided in a setting that provides for the safety of the individual and agency staff members.
- (6) An agency providing involuntary crisis mental health services must hold a contract with the county in which it is located, or the appropriate regional support network (RSN).

NEW SECTION

WAC 388-877A-0210 Crisis mental health services— Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing any crisis mental health service must ensure:

- (1) All crisis mental health services are provided by, or under the supervision of, a mental health professional;
- (2) Each staff member working directly with an individual receiving any crisis mental health service in WAC 388-877A-0230 through 388-877A-0270 receives:
 - (a) Clinical supervision from a mental health professional and/or an independent practitioner licensed by department of health; and
 - (b) Annual violence prevention training on the safety and violence prevention topics described in RCW 49.19.030. The staff member's personnel record must document the training.
- (3) With the exception to providing crisis telephone services, staff access to consultation with one of the following professionals who has at least one year's experience in the direct treatment of individuals who have a mental or emotional disorder:
 - (a) A psychiatrist;
 - (b) A physician; or
 - (c) An advanced registered nurse practitioner (ARNP) who has prescriptive authority.

NEW SECTION

WAC 388-877A-0220 Crisis mental health services— Record content and documentation requirements. An agency providing any crisis mental health service in WAC 388-877A-0230 through 388-877A-0280 must maintain a record that contains timely documentation. Documentation must include the following, as applicable to the crisis service provided:

- (1) Each crisis service encounter, including the date, time, and duration of the encounter;
- (2) The names of the participants;
- (3) A brief summary of the service encounter; and
- (4) A follow-up plan, including any referrals for services, including emergency medical services.

NEW SECTION

WAC 388-877A-0230 Crisis mental health services—Telephone support services. Telephone support services are services provided as a means of first contact to an individual in crisis. These services may include de-escalation and referral.

(1) An agency providing telephone support services must:

(a) Respond to crisis calls twenty-four-hours-a-day, seven-days-a week.

(b) Have a written protocol for the referral of an individual to voluntary or involuntary treatment facility for admission on a seven-day-a-week, twenty-four-hour-a-day basis, including arrangements for contacting the designated mental health professional.

(c) Assure communication and coordination with the individual's mental health care provider, if indicated and appropriate.

(d) Post a copy of the statement of individual rights in a location visible to staff and agency volunteers.

(2) An agency must document each telephone crisis response contact made, including:

- (a) The date, time, and duration of the telephone call;
- (b) The relationship of the caller to the person in crisis, for example self, family member, or friend;
- (c) Whether the individual in crisis has a crisis plan; and
- (d) The outcome of the call, including:
 - (i) Follow-up contacts made;
 - (ii) Referrals made, including referrals to emergency or other medical services; and
 - (iii) The name of the staff person who took the crisis call.

NEW SECTION

WAC 388-877A-0240 Crisis mental health services—Outreach services. Crisis outreach services are face-to-face intervention services provided to assist individuals in a community setting. A community setting can be an individual's home, an emergency room, a nursing facility, or other private or public location. An agency providing crisis outreach services must:

- (1) Provide crisis telephone screening.
- (2) Have staff available twenty-four-hours-a-day, seven-days-a-week to respond to a crisis.
- (3) Ensure face-to-face outreach services are provided by a mental health professional.
- (4) Ensure services are provided in a setting that provides for the safety of the individual and agency staff members.
- (5) Have a protocol for requesting a copy of an individual's crisis plan twenty-four-hours-a-day, seven-days-a-week.
- (6) Require that staff member(s) remain with the individual in crisis in order to provide stabilization and support until the crisis is resolved or a referral to another service is accomplished.
- (7) Resolve the crisis in the least restrictive manner possible.
- (8) Have a written plan for training, staff back-up, information sharing, and communication for staff members who

respond to a crisis in an individual's private home or in a non-public setting.

(9) Ensure that a staff member responding to a crisis is able to be accompanied by a second trained individual when services are provided in the individual's home or other non-public location.

(10) Ensure that any mental health professional who engages in home visits is provided by their employer with a wireless telephone, or comparable device for the purpose of emergency communication as described in RCW 71.05.710.

(11) Provide staff members who are sent to a private home or other private location to evaluate an individual in crisis, prompt access to information about any history of dangerousness or potential dangerousness on the individual they are being sent to evaluate that is documented in a crisis plan(s) or commitment record(s). The information must be made available without unduly delaying the crisis response.

(12) Have a written protocol that allows for the referral of an individual to a voluntary or involuntary treatment facility twenty-four-hours-a-day, seven-days-a-week.

(13) Have a written protocol for the transportation of an individual in a safe and timely manner, when necessary.

- (14) Document all crisis response contacts, including:
 - (a) The date, time, and location of the initial contact.
 - (b) The source of referral or identity of caller.
 - (c) The nature of the crisis.
 - (d) Whether the individual has a crisis plan and any attempts to obtain a copy.
 - (e) The time elapsed from the initial contact to the face-to-face response.
 - (f) The outcome, including:
 - (i) The basis for a decision not to respond in person;
 - (ii) Any follow-up contacts made; and
 - (iii) Any referrals made, including referrals to emergency medical services.
 - (g) The name of the staff person(s) who responded to the crisis.

NEW SECTION

WAC 388-877A-0260 Crisis mental health services—Stabilization services. Crisis stabilization services include short-term (less than two weeks per episode) face-to-face assistance with life skills training and understanding of medication effects on an individual. Stabilization services may be provided to an individual as a follow-up to crisis services provided or to any individual determined by a mental health professional to need additional stabilization services. An agency providing crisis stabilization services must:

- (1) Ensure the services are provided by a mental health professional, or under the supervision of a mental health professional.
- (2) Ensure the services are provided in a setting that provides for the safety of the individual and agency staff.
- (3) Have a written plan for training for staff back-up, information sharing, and communication for staff members who respond to a crisis in an individual's private home or in a nonpublic setting.

(4) Have a protocol for requesting a copy of an individual's crisis plan twenty-four-hours-a-day, seven-days-a-week.

(5) Ensure that a staff member responding to a crisis is able to be accompanied by a second trained individual when services are provided in the individual's home or other non-public location.

(6) Ensure that any mental health professional who engages in home visits is provided by their employer with a wireless telephone, or comparable device, for the purpose of emergency communication as described in RCW 71.05.710.

(7) Have a written protocol that allows for the referral of an individual to a voluntary or involuntary treatment facility twenty-four-hours-a-day, seven-days-a-week.

(8) Have a written protocol for the transportation of an individual in a safe and timely manner, when necessary.

(9) Document all crisis stabilization response contacts, including identification of the staff person(s) who responded.

NEW SECTION

WAC 388-877A-0270 Crisis mental health services—Peer support services. Crisis peer support services provide a wide range of activities to assist an individual in exercising control over their own life and recovery process.

(1) Peer support services:

(a) Include:

(i) Developing self-advocacy and natural supports;

(ii) Maintenance of community living skills;

(iii) Promoting socialization skills;

(iv) The practice of peer counselors sharing their own life experiences related to mental illness to build alliances that enhance the individual's ability to function.

(b) Are intended to augment and not supplant other necessary mental health services.

(2) An agency providing crisis peer support services must:

(a) Ensure services are provided by a peer counselor, properly credentialed under WAC 388-865-0107, under the supervision of a mental health professional.

(b) Ensure services provided by a peer counselor are within the scope of the peer counselor's training and credential.

(c) Ensure that a peer counselor responding to a crisis is accompanied by a mental health professional.

(d) Ensure that any staff member who engages in home visits is provided by their employer with a wireless telephone, or comparable device, for the purpose of emergency communication as described in RCW 71.05.710.

(e) Ensure peer counselors receive annual training that is relevant to their unique working environment.

NEW SECTION

WAC 388-877A-0280 Crisis mental health services—Emergency involuntary detention services. Emergency involuntary detention services are services provided by a designated mental health professional (DMHP) to evaluate an individual in crisis and determine if involuntary services are required.

An agency providing emergency involuntary detention services must:

(1) Ensure that services are provided by a DMHP.

(2) Ensure staff members are available twenty-four-hours-a-day, seven-days-a-week.

(3) Ensure staff members utilize the protocols for DMHPs required by RCW 71.05.214.

(4) Have a written agreement with a certified inpatient evaluation and treatment facility to allow admission of an individual twenty-four-hours-a-day, seven-days-a-week.

(5) Have a plan for training, staff back-up, information sharing, and communication for a staff member who responds to a crisis in a private home or a nonpublic setting.

(6) Ensure that a DMHP is able to be accompanied by a second trained individual.

(7) Ensure that a DMHP who engages in home visits is provided by their employer with a wireless telephone, or comparable device, for the purpose of emergency communication as described in RCW 71.05.710.

(8) Provide staff members, who are sent to a private home or other private location to evaluate an individual in crisis, prompt access to information about any history of dangerousness or potential dangerousness on the individual they are being sent to evaluate that is documented in a crisis plan(s) or commitment record(s). This information must be made available without unduly delaying the crisis response.

(9) Require that a mental health professional remain with the individual in crisis in order to provide stabilization and support until the crisis is resolved or referral to another service is accomplished.

(10) Have a written protocol for the transportation of an individual, in a safe and timely manner, for the purpose of medical evaluation or detention.

(11) Ensure that when a peace officer or DMHP escorts an individual to a facility, the DMHP takes reasonable precautions to safeguard the individual's property including:

(a) Safeguarding the individual's property in the immediate vicinity of the point of apprehension;

(b) Safeguarding belongings not in the immediate vicinity if there may be possible danger to those belongings; and

(c) Taking reasonable precautions to lock and otherwise secure the individual's home or other property as soon as possible after the individual's initial detention.

(12) Document services provided to the individual, and other applicable information. At a minimum this must include:

(a) That the evaluation was conducted in accordance with the timelines required by RCW 71.05.050, 71.05.153 and 71.34.710.

(b) That the individual was advised of their rights in accordance with RCW 71.05.360.

(c) If the individual was not detained, a description of the disposition and follow-up plan.

(d) If the individual is a minor thirteen years of age or older and not detained, documentation that the minor's parent was informed of their right to request a court review of the DMHP's decision not to detain the minor under RCW 71.34.-710.

(e) If the individual was detained, a petition for initial detention must include the following:

(i) The circumstances under which the person's condition was made known.

(ii) Evidence, as a result of the DMHP's personal observation or investigation, that the actions of the person for which application is made constitute a likelihood of serious harm, or that the individual is gravely disabled.

(iii) Evidence that the individual will not voluntarily seek appropriate treatment.

(iv) Consideration of all reasonably available information from credible witnesses, to include family members, landlords, neighbors, or others with significant contact and history of involvement with the individual, and records, as required by RCW 71.05.212.

(v) Consideration of an offender's history of judicially required, or administratively ordered, anti-psychotic medications while in confinement when conducting an evaluation of an offender under RCW 72.09.370.

(f) Documentation that the individual received a copy of the following:

(i) Return of service order.

(ii) Notice of rights.

(iii) Initial petition provided to the individual, or the individual's guardian or conservator.

Mental Health—Limited Scope Services

NEW SECTION

WAC 388-877A-0300 Limited scope services—General. The rules in WAC 388-877A-0300 through 388-877A-0360 apply to behavioral health agencies that provide limited scope services. The definitions in WAC 388-877-0200 also apply to limited scope services.

(1) Limited scope services are intended to promote an individual's socialization, recovery, self-advocacy, development of natural support, and maintenance of community living skills.

(2) Limited scope services include:

(a) Employment services (see WAC 388-877A-0330);

(b) Peer support services (see WAC 388-877A-0340);

(c) Wraparound facilitation services (see WAC 388-877A-0350); and

(d) Medication support services (see WAC 388-877A-0360).

(3) An agency providing any limited scope service to an individual must:

(a) Be licensed by the department as a behavioral health agency.

(b) Meet the applicable behavioral health agency licensure, certification, administration, personnel, and clinical requirements in chapter 388-877 WAC.

(c) Have policies and procedures to support and implement the:

(i) General requirements in chapter 388-877 WAC; and

(ii) Program-specific requirements in WAC 388-877A-0330 through 388-877A-0360.

(4) A limited scope service agency may operate through an agreement with a behavioral health agency certified for outpatient mental health services. The agreement must specify the responsibility for initial assessments, the determina-

tion of appropriate services, individual service planning, and the documentation of these requirements.

(5) For all limited scope services provided, an agency must:

(a) Have an assessment process to determine the appropriateness of the agency's services, based on the individual's needs and goals.

(b) Refer an individual to a more intensive level of care when appropriate.

(c) With the consent of the individual, include the individual's family members, significant others, and other relevant treatment providers, as necessary to provide support to the individual.

NEW SECTION

WAC 388-877A-0310 Limited scope services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing any limited scope service must ensure:

(1) Each staff member working directly with an individual receiving any limited scope service in WAC 388-877A-0330 through 388-877A-0360 has annual violence prevention training on the safety and violence prevention topics described in RCW 49.19.939; and

(2) The staff member's personnel record documents the training.

NEW SECTION

WAC 388-877A-0320 Limited scope services—Clinical record content and documentation. In addition to meeting the general clinical record content requirements in WAC 388-877-0640, an agency providing any limited scope service in WAC 388-877A-0330 through 388-877A-0360 must maintain an individual's clinical record that contains:

(1) Documentation of the following in a timely manner and before any subsequent scheduled appointments of the same type of service encounter occur:

(a) The name of the agency or other sources through which the individual was referred;

(b) Each service encounter, including the date, time, and duration of the encounter;

(c) Names of participant(s), including the name of the individual who provided the service; and

(d) A brief summary of the service encounter.

(2) Any information or copies of documents shared by, or with, a behavioral health agency certified for outpatient mental health services.

NEW SECTION

WAC 388-877A-0330 Limited scope services—Employment services. Employment services are limited scope services that assist in training, job search, and placement services in order to help individuals find competitive jobs in their local communities.

(1) An agency providing employment services must have knowledge of and provide individuals access to employment and education opportunities by coordinating efforts

with one or more entities that provide other rehabilitation and employment services, such as:

- (a) The department's division of vocational rehabilitation;
 - (b) Community, trade, and technical colleges;
 - (c) The business community;
 - (d) WorkSource, Washington state's official site for online employment services;
 - (e) Washington state department of employment security; and
 - (f) Organizations providing job placement within the community.
- (2) An agency providing employment services must:
- (a) Ensure all staff members providing direct services for employment are knowledgeable and familiar with services provided by the department's division of vocational rehabilitation.
 - (b) Conduct and document a vocational assessment in partnership with the individual that includes work history, skills, training, education, and personal career goals.
 - (c) Assist the individual to create an individualized job and/or career development plan that focuses on the individual's strengths and skills.
 - (d) Assist the individual to locate employment opportunities that are consistent with the individual's skills, goals, and interests.
 - (e) Document any outreach, job coaching, and support at the individual's worksite, when requested by the individual and/or the individual's employer.
 - (f) If the employer makes a request, provide information regarding the requirements of reasonable accommodations, consistent with the Americans with Disabilities Act (ADA) of 1990, and the Washington state anti-discrimination law.

NEW SECTION

WAC 388-877A-0340 Limited scope services—Peer support services. Peer support services are limited scope services that provide a wide range of activities to assist an individual in exercising control over their own life and recovery process.

- (1) Peer support services include:
 - (a) Developing self-advocacy and natural supports;
 - (b) Maintenance of community living skills;
 - (c) Promoting socialization; and
 - (d) The practice of peer counselors who share their own life experiences related to mental illness to build alliances that enhance the individual's ability to function.
- (2) An agency providing peer support services must ensure peer support counselors;
 - (a) Are credentialed under WAC 388-865-0107.
 - (b) Provide peer support services:
 - (i) Under the supervision of a mental health professional; and
 - (ii) Within the scope of their training and credential.
 - (c) Receive annual training relevant to their unique working environment.
 - (d) Document the following in a timely manner in an individual service plan:

- (i) The frequency, duration, and expected outcome of all peer support services provided to the individual; and
- (ii) For each service encounter, objective progress toward the goals established in the individual service plan.

NEW SECTION

WAC 388-877A-0350 Limited scope services—Wraparound facilitation services. Wraparound facilitation services address the complex emotional, behavior, and social issues of an identified child twenty years of age or younger, and the child's family.

- (1) Wraparound facilitation services are:
 - (a) Provided to a child who requires the services of two or more systems;
 - (b) Focused and driven by the needs of the identified family and the family's support community; and
 - (c) Provided in partnership with the child and the child's family.
- (2) An agency providing wraparound facilitation services must have at least one of each of the following staff members:
 - (a) A mental health professional (MHP) who is responsible for oversight of the facilitation of a child and family team (CFT).
 - (b) A facilitator who has completed department-approved wraparound facilitation training and:
 - (i) Has a master's degree with at least one year of experience working in social services;
 - (ii) Has a bachelor's degree with at least two years of experience working in social services; or
 - (iii) Is an individual with lived experience. The experience must be documented in the personnel file.
 - (c) An employee or volunteer youth partner, actively involved in defining the agency's services.
 - (d) An employee or volunteer family partner, actively involved in defining the agency's services.
 - (e) A staff member certified to provide a child and adolescent needs and strengths (CANS) assessment.
- (3) An agency providing wraparound facilitation services must ensure each individual has completed a CANS assessment that supports the need for wraparound facilitation services, before the services are received.
- (4) An agency must coordinate and maintain a CFT that meets the identified needs of the child and the child's family.
- (5) All team meetings:
 - (a) Must include the identified child and the child's family; and
 - (b) May include additional support partners as team members, including but not limited to the following:
 - (i) **Natural supports.** Natural supports include community members, friends, and extended family members identified by the child and/or the child's family to be active participants in the support network of the identified child
 - (ii) **System supports.** System supports are representatives from systems that currently offer support to the identified child or that offer support services to the child's adult care giver, which directly affects the child.
 - (iii) **Peer supports.** Peer supports are individuals who have personally and actively participated in wraparound

facilitation services and who offer support to families currently working with the wraparound teams.

(6) An agency must document the following:

(a) The development of a wraparound plan that:

(i) Includes:

(A) A complete list of participants and their contact information;

(B) A list of next steps or follow-up information from the initial meeting; and

(C) The schedule of team meetings.

(ii) Describes the child's and the child's family's vision for the future stated in their own language.

(iii) Reflects the family's prioritization of needs and goals and addresses the needs as identified in the CANS screen.

(iv) Identifies the functional strengths of the child and the child's family that can be used to help meet the identified needs.

(v) Assigns responsibility to CFT members for each strategy/intervention or task, and establishes timelines for implementation.

(vi) Identifies immediate safety needs and a safety/crisis plan.

(vii) Assists the child and the child's family in using their support network.

(viii) Is signed by all team members, including the child and the child's parent or if applicable, legal guardian.

(b) Coordination with any other involved systems and services and/or supports, including sharing the wraparound plan and any revisions with all members of the team.

(c) The result of the initial and subsequent CANS screenings and assessments.

(d) The review of the wraparound plan during each team meeting and any revisions made to the plan to address the changing needs and progress of the identified child and the child's family.

NEW SECTION

WAC 388-877A-0360 Limited scope services—Medication support services. Medication support services are limited scope services performed for the purpose of facilitating individuals' medication adherence.

(1) Medication support services:

(a) Occur face-to-face and include one-on-one cueing, observing, and encouraging an individual to take medication as prescribed.

(b) Include reporting back to the agency that is providing psychiatric medication services any pertinent information related to the individual's adherence to the medication.

(c) May take place at any location and for as long as it is clinically necessary.

(2) An agency providing medication support services must:

(a) Ensure services are provided by or under the supervision of a mental health professional.

(b) Ensure that the staff positions responsible for providing medication support and/or delivery services are clearly identified in the agency's medication support services policy.

(c) Have appropriate policies and processes in place when the agency providing medication support services maintains and/or delivers medication to the individual. The policies and processes must address:

(i) The maintenance of a medication log.

(ii) Precautions that need to be taken when transporting medications, to maintain staff safety.

(iii) The prevention of contamination of medication during delivery, if delivery is provided.

(d) Ensure that all medications kept by staff in the agency are safely and securely stored as follows:

(i) Medication must be kept in locked cabinets within a well-illuminated, locked, and properly ventilated room.

(ii) Medication kept for individuals on medication administration or self-administration programs must be clearly labeled and stored separately from samples kept on site.

(iii) Medication marked "for external use only" must be stored separately from oral or injectable medications.

(iv) Refrigerated food or beverages used in the administration of medications must be kept separate from the refrigerated medications by the use of trays or other designated containers.

(v) Syringes and sharp objects must be stored separately and disposed of safely.

(vi) Refrigerated medications must be maintained at the required temperature.

(e) Ensure that no outdated medications are retained, and outdated medications are disposed of in accordance with the rules of the state board of pharmacy.

(f) Ensure that the individual's clinical record contains:

(i) The individual service plan, including documentation of medication support services.

(ii) Documentation of observations on the individual's behavior indicating the effects, interactions, and side effects of the prescribed medication as necessary.

(iii) Documentation of regular reviews of the individual's adherence to the medication support plan as reflected in the service plan.

(iv) Documentation of reports to the prescriber about medication adherence and side effects.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-805-001	What is the purpose of this chapter?
WAC 388-805-005	What definitions are important throughout this chapter?
WAC 388-805-010	What chemical dependency services are certified by the department?
WAC 388-805-015	How do I apply for certification as a chemical dependency service provider?

WAC 388-805-020	How do I apply for certification of a branch agency or added service?	WAC 388-805-145	What are the key responsibilities required of an agency administrator?
WAC 388-805-030	What are the requirements for opiate substitution treatment program certification?	WAC 388-805-150	What must be included in an agency administrative manual?
WAC 388-805-035	What are the responsibilities for the department when an applicant applies for approval of an opiate substitution treatment program?	WAC 388-805-155	What are the requirements for provider facilities?
		WAC 388-805-200	What must be included in an agency personnel manual?
WAC 388-805-040	How does the department determine there is a need in the community for opiate substitution treatment?	WAC 388-805-205	What are agency personnel file requirements?
		WAC 388-805-210	What are the requirements for approved supervisors of persons who are in training to become a chemical dependency professional?
WAC 388-805-060	How does the department conduct an examination of nonresidential facilities?		
WAC 388-805-065	How does the department determine disqualification or denial of an application?	WAC 388-805-220	What are the requirements to be a probation assessment officer?
WAC 388-805-070	What happens after I make application for certification?	WAC 388-805-225	What are the requirements to be a probation assessment officer trainee?
WAC 388-805-075	How do I apply for an exemption?	WAC 388-805-230	What are the requirements for supervising probation assessment officer trainees?
WAC 388-805-085	What are the fee requirements for chemical dependency treatment programs?	WAC 388-805-240	What are the requirements for student practice in treatment agencies?
WAC 388-805-095	How long are certificates effective?	WAC 388-805-250	What are the requirements to be an information school instructor?
WAC 388-805-100	What do I need to do to maintain agency certification?		
WAC 388-805-105	What do I need to do for a change in ownership?	WAC 388-805-260	What are the requirements for using volunteers in a treatment agency?
WAC 388-805-110	What do I do to relocate or remodel a facility?	WAC 388-805-300	What must be included in the agency clinical manual?
WAC 388-805-115	How does the department deem national accreditation?	WAC 388-805-305	What are patients' rights requirements in certified agencies?
WAC 388-805-120	How does the department assess penalties?		
WAC 388-805-125	How does the department cancel certification?	WAC 388-805-310	What are the requirements for chemical dependency assessments?
WAC 388-805-130	How does the department suspend or revoke certification?	WAC 388-805-315	What are the requirements for treatment, continuing care, transfer, and discharge plans?
WAC 388-805-135	What is the prehearing, hearing and appeals process?	WAC 388-805-320	What are the requirements for a patient record system?
WAC 388-805-140	What are the requirements for a provider's governing body?	WAC 388-805-325	What are the requirements for patient record content?

WAC 388-805-330	What are the requirements for reporting patient noncompliance?	WAC 388-805-715	What are the requirements for opiate substitution medication management?
WAC 388-805-350	What are the requirements for outcomes evaluation?	WAC 388-805-720	What are the requirements for drug testing in opiate substitution treatment?
WAC 388-805-400	What are the requirements for detoxification providers?	WAC 388-805-730	What are the requirements for opiate substitution treatment dispensaries?
WAC 388-805-410	What are the requirements for detox staffing and services?	WAC 388-805-740	What are the requirements for opiate substitution treatment counseling?
WAC 388-805-500	What are the requirements for residential providers?	WAC 388-805-750	What are the requirements for opiate substitution treatment take-home medications?
WAC 388-805-510	What are the requirements for residential providers admitting youth?	WAC 388-805-800	What are the requirements for ADATSA assessment services?
WAC 388-805-520	What are the requirements for youth behavior management?	WAC 388-805-810	What are the requirements for DUI assessment providers?
WAC 388-805-530	What are the requirements for intensive inpatient services?	WAC 388-805-820	What are the requirements for alcohol and other drug information school?
WAC 388-805-540	What are the requirements for recovery house services?	WAC 388-805-830	What are the requirements for information and crisis services?
WAC 388-805-550	What are the requirements for long-term treatment services?	WAC 388-805-840	What are the requirements for emergency service patrol?
WAC 388-805-600	What are the requirements for outpatient providers?	WAC 388-805-855	What are the requirements for screening and brief intervention services?
WAC 388-805-610	What are the requirements for intensive outpatient treatment services?		
WAC 388-805-620	What are the requirements for outpatient services?		
WAC 388-805-625	What are the requirements for outpatient services for persons subject to RCW 46.61.5056?		
WAC 388-805-630	What are the requirements for outpatient services in a school setting?		
WAC 388-805-640	What are the requirements for providing offsite chemical dependency treatment services?		
WAC 388-805-700	What are the requirements for opiate substitution treatment program providers?		
WAC 388-805-710	What are the requirements for opiate substitution medical management?		

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-816-0001	What is the purpose of this chapter?
WAC 388-816-0005	What definitions are important throughout this chapter?
WAC 388-816-0010	What problem and pathological gambling treatment programs are certified by the department?
WAC 388-816-0015	How do I apply for certification as a new problem and pathological gambling treatment program?

WAC 388-816-0020	How do currently certified or licensed agencies apply for added service?	WAC 388-816-0135	What must be included in the treatment program clinical manual?
WAC 388-816-0025	What are the requirements for treatment program facilities?	WAC 388-816-0140	What are clients' rights requirements in certified treatment programs?
WAC 388-816-0030	How does the department conduct an examination of facilities?	WAC 388-816-0145	What are the requirements for problem and pathological gambling assessments?
WAC 388-816-0035	How does the department determine disqualification or denial of an application?	WAC 388-816-0150	What are the requirements for treatment, continuing care, transfer, and discharge plans?
WAC 388-816-0040	What happens after I make application for certification?	WAC 388-816-0155	What are the requirements for a client record system?
WAC 388-816-0045	How do I apply for an exemption?	WAC 388-816-0160	What are the requirements for client record content?
WAC 388-816-0070	What do I need to do to maintain program certification?	WAC 388-816-0165	What are the requirements for reporting client noncompliance?
WAC 388-816-0075	What do I need to do for a change in ownership?	WAC 388-816-0170	What are the requirements for outcomes evaluation?
WAC 388-816-0080	What do I do to relocate or remodel a facility?	WAC 388-816-0175	What are the requirements for outpatient services?
WAC 388-816-0085	How does the department assess penalties?	WAC 388-816-0180	What are the requirements for providing off-site problem and pathological gambling treatment services?
WAC 388-816-0090	How does the department cancel certification?		
WAC 388-816-0095	How does the department suspend or revoke certification?		
WAC 388-816-0100	What is the prehearing, hearing and appeal process?	<u>REPEALER</u>	
WAC 388-816-0105	What are the requirements for the governing body of the program?	The following sections of the Washington Administrative Code are repealed:	
WAC 388-816-0110	What are the key responsibilities required of a program administrator?	WAC 388-865-0103	Fee requirements for mental health treatment programs.
WAC 388-816-0115	What must be included in a program administrative manual?	WAC 388-865-0410	Consumer rights.
WAC 388-816-0120	What must be included in a treatment program personnel manual?	WAC 388-865-0415	Access to services.
WAC 388-816-0125	What are treatment program personnel file requirements?	WAC 388-865-0430	Clinical record.
WAC 388-816-0130	What are the minimum qualifications for clinical staff members providing problem and pathological gambling treatment?	WAC 388-865-0435	Consumer access to their clinical record.
		WAC 388-865-0436	Clinical record access procedures.
		WAC 388-865-0440	Availability of consumer information.
		WAC 388-865-0445	Establishment of procedures to bill for services.
		WAC 388-865-0450	Quality management process.

WAC 388-865-0452	Emergency crisis intervention services—Additional standards.	(1) Detoxification services are provided to an individual to assist in the process of withdrawal from psychoactive substances in a safe and effective manner, in accordance with patient placement criteria (PPC).
WAC 388-865-0453	Peer support services.	(2) An agency providing detoxification services to an individual must:
WAC 388-865-0454	Provider of crisis telephone services only.	(a) Be a facility licensed by department of health under one of the following department of health chapters:
WAC 388-865-0456	Case management services—Additional standards.	(i) Hospital licensing regulations (chapter 246-320 WAC);
WAC 388-865-0458	Psychiatric treatment, including medication supervision—Additional standards.	(ii) Private psychiatric and alcoholism hospitals (chapter 246-322 WAC);
WAC 388-865-0462	Day treatment services—Additional standards.	(iii) Private alcohol and chemical dependency hospitals (chapter 246-324 WAC); or
WAC 388-865-0464	Consumer employment services—Additional standards.	(iv) Residential treatment facility (chapter 246-337 WAC);
WAC 388-865-0465	Adult residential treatment facility certification—Additional standards.	(b) Be licensed by the department as a behavioral health agency;
WAC 388-865-0466	Community support outpatient certification—Additional standards.	(c) Meet the applicable behavioral health agency licensure, certification, administration, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and
WAC 388-865-0468	Emergency crisis intervention services certification—Additional standards.	(d) Have policies and procedures to support and implement the:
WAC 388-865-0470	The process for initial licensing of service providers.	(i) General requirements in chapter 388-877 WAC; and
WAC 388-865-0472	Licensing categories.	(ii) Specific requirements in WAC 388-877B-0100 through 388-877B-0130.
WAC 388-865-0476	Licensure based on deemed status.	(3) An agency must:
WAC 388-865-0478	Renewal of a community support service provider license.	(a) Use patient placement criteria (PPC) for admission, continued services, and discharge planning and decisions.
WAC 388-865-0480	Procedures to suspend, or revoke a license.	(b) Provide counseling to each individual that addresses the individual's:
WAC 388-865-0482	Procedures to contest a licensing decision.	(i) Chemical dependency and motivation;
WAC 388-865-0484	Process to certify providers of involuntary services.	(ii) Continuing care needs and need for referral to other services.
		(c) Maintain a list of resources and referral options that can be used by staff members to refer an individual to appropriate services.
		(d) Post any rules and responsibilities for individuals receiving treatment, including information on potential use of increased motivation interventions or sanctions, in a public place in the facility.
		(e) Provide tuberculosis screenings to individuals for the prevention and control of tuberculosis.
		(f) Provide HIV/AIDS information and include a brief risk intervention and referral as indicated.

Chapter 388-877B WAC

CHEMICAL DEPENDENCY SERVICES

Chemical Dependency—Detoxification Services

NEW SECTION

WAC 388-877B-0100 Detoxification services—General. The rules in WAC 388-877B-0130 through 388-877B-0140 apply to behavioral health agencies that provide detoxification services. The definitions in WAC 388-877-0200 also apply to chemical dependency detoxification services.

NEW SECTION

WAC 388-877B-0110 Detoxification services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing detoxification services must ensure:

(1) All chemical dependency assessment and counseling services are provided by a chemical dependency professional (CDP), or a CDP trainee (CDPT) under the supervision of an approved supervisor.

(2) There is a designated clinical supervisor who:

(a) Is a CDP;

(b) Has documented competency in clinical supervision;
 (c) Is responsible for monitoring the continued competency of each CDP in assessment, treatment, continuing care, transfer, and discharge. The monitoring must include a semi-annual review of a sample of the clinical records kept by the CDP.

(3) Each staff member providing detoxification services to an individual, with the exception of licensed staff members and CDPs, completes a minimum of forty hours of documented training before being assigned individual care duties. This personnel training must include the following topics:

- (i) Chemical dependency;
- (ii) Infectious diseases, to include hepatitis and tuberculosis (TB); and
- (iii) Detoxification screening, admission, and signs of trauma.

(4) Each CDPT has at least one approved supervisor who meets the qualifications in WAC 246-811-049. The approved supervisor's individual contact hours must be decreased for each full-time CDPT under their supervision.

(5) Each staff member that provides individual care has a copy of an initial TB screen or test and any subsequent screenings or testing in their personnel file.

(6) All staff members are provided annual training on the prevention and control of communicable disease, blood borne pathogens, and TB. The training must be documented in the personnel file.

NEW SECTION

WAC 388-877B-0120 Detoxification services—Clinical record content and documentation requirements. In addition to the general clinical record content requirements in WAC 388-877-0640, an agency providing detoxification services must maintain an individual's clinical record that contains:

(1) Documentation of a chemical dependency screening before admission.

(2) A voluntary consent to treatment form, or any release forms, signed and dated by the individual, or the individual's parent or legal guardian, except as authorized by law for protective custody and involuntary treatment.

(3) Documentation that the individual was informed of federal confidentiality requirements and received a copy of the individual notice required under 42 CFR, Part 2.

(4) Documentation that the individual received the HIV/AIDS brief risk intervention.

(5) Documentation of progress notes in a timely manner from each shift and as events occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the shift.

(6) Documentation that a discharge summary, including a continuing care recommendation and a description of the individual's physical condition, was completed within seven working days of discharge.

NEW SECTION

WAC 388-877B-0130 Detoxification services—Additional standards for youth. Youth detoxification services are treatment services provided to an individual seventeen

years of age or younger. An agency providing youth detoxification services must meet the additional requirements in this section. The agency must:

(1) Admit youth only with the written permission the youth's parent or, if applicable, the youth's legal guardian. If a youth meets the requirements of a child in need of services (CHINS), the youth may sign themselves into treatment.

(2) Assess the individual's need for referral to the department's child welfare services.

(3) Ensure the following for individuals who share a room:

(a) An individual fifteen years of age or younger must not room with an individual eighteen years of age or older.

(b) An individual sixteen or seventeen years of age must be evaluated for clinical appropriateness before being placed in a room with an individual eighteen years of age or older.

(4) Allow communication between the youth and the youth's parent or if applicable, a legal guardian, and facilitate the communication when clinically appropriate.

(5) Attempt to notify the parent or legal guardian within two hours of any change in the status of the youth and document all attempts in the clinical record.

(6) Discharge the youth to the care of the parent or legal guardian. For emergency discharge and when the parent or legal guardian is not available, the agency must contact the appropriate authority.

(7) Ensure at least one adult staff member of each gender is present or available by phone at all times if co-educational treatment services are provided.

(8) Ensure a staff member who demonstrates knowledge of adolescent development and addiction is available at the facility or available by phone.

NEW SECTION

WAC 388-877B-0200 Residential treatment services—General. The rules in WAC 388-877B-0200 through 388-877B-0280 apply to behavioral health agencies that provide residential treatment services. The definitions in WAC 388-877-0200 also apply to residential treatment services.

(1) Residential treatment services provide chemical dependency treatment for an individual and include room and board in a facility with twenty-four-hours-a-day supervision.

(2) Residential treatment services certified by the department include:

- (a) Intensive inpatient services;
- (b) Recovery house treatment services; and
- (c) Long-term residential treatment services.

(3) An agency providing residential treatment services must:

(a) Be a facility licensed by department of health (DOH) and meet the criteria under one of the following DOH chapters:

(i) Hospital licensing regulations (chapter 246-320 WAC);

(ii) Private psychiatric and alcoholism hospitals (chapter 246-322 WAC);

(iii) Private alcohol and chemical dependency hospitals (chapter 246-324 WAC); or

(iv) Residential treatment facility (chapter 246-337 WAC);

(b) Be licensed by the department as a behavioral health agency;

(c) Meet the applicable behavioral health agency licensure, certification, administration, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and

(d) Have policies and procedures to support and implement the:

(i) General requirements in chapter 388-877 WAC; and

(ii) Specific requirements in WAC 388-877B-0200 through 388-877B-0280.

(4) An agency must:

(a) Use patient placement criteria (PPC) for admission, continued services, and discharge planning and decisions.

(b) Provide education to each individual admitted to the treatment facility on:

(i) Alcohol, other drugs, and/or chemical dependency;

(ii) Relapse prevention;

(iii) Blood borne pathogens; and

(iv) Tuberculosis (TB).

(c) Provide education or information to each individual admitted on:

(i) Emotional, physical, and sexual abuse;

(ii) Nicotine addiction; and

(iii) The impact of chemical use during pregnancy, risks to the fetus, and the importance of informing medical practitioners of chemical use during pregnancy.

(d) Maintain a list or source of resources, including self-help groups, and referral options that can be used by staff to refer an individual to appropriate services.

(e) Screen for the prevention and control of tuberculosis.

(f) Limit the size of group counseling sessions to no more than twelve individuals.

(g) Have written procedures for:

(i) Urine analysis (UA) and drug testing, including laboratory testing; and

(ii) How agency staff members respond to medical and psychiatric emergencies.

(5) An agency that provides services to a pregnant woman must:

(a) Have a written procedure to address specific issues regarding the woman's pregnancy and prenatal care needs; and

(b) Provide referral information to applicable resources.

(6) An agency that provides an assessment to an individual under RCW 46.61.5056 must also meet the requirements for DUI assessment providers in WAC 388-877B-0550.

NEW SECTION

WAC 388-877B-0210 Residential treatment services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing residential treatment services must ensure all chemical dependency assessment and counseling services are provided by a chemical dependency professional (CDP), or a depart-

ment of health-credentialed CDP trainee (CDPT) under the supervision of an approved supervisor.

The agency must ensure:

(1) There is a designated clinical supervisor who:

(a) Is a CDP;

(b) Has documented competency in clinical supervision;

(c) Is responsible for monitoring the continued competency of each CDP in assessment, treatment, continuing care, transfer, and discharge. The monitoring must include a semi-annual review of a sample of the clinical records maintained by the CDP.

(2) Each CDPT has at least one approved supervisor who meets the qualifications in WAC 246-811-049. An approved supervisor must decrease the hours of individual contact by twenty percent for each full-time CDPT or other licensed or registered counselor supervised.

(3) All staff members are provided annual training on the prevention and control of communicable disease, blood borne pathogens and tuberculosis (TB) and the training is documented in each personnel file.

(4) Each staff member that provides individual care has a copy of an initial TB screen or test and any subsequent screening or testing in their personnel file.

NEW SECTION

WAC 388-877B-0220 Residential treatment services—Clinical record content and documentation requirements. In addition to the general clinical record content requirements in WAC 388-877-0640, an agency providing residential treatment services must maintain an individual's clinical record.

(1) The clinical record must contain:

(a) Documentation the individual was informed of the federal confidentiality requirements and received a copy of the individual notice required under 42 CFR Part 2.

(b) Documentation that the individual received a copy of the rules and responsibilities for treatment participants, including the potential use of interventions or sanction.

(c) Justification for the change in the level of care when transferring an individual from one certified treatment service to another within the same agency, at the same location.

(d) Documentation of progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(e) When an individual is transferring to another service provider, documentation that copies of documents pertinent to the individual's course of treatment were forwarded to the new service provider to include:

(i) The individual's demographic information; and

(ii) The diagnostic assessment statement and other assessment information to include:

(A) Documentation of the HIV/AIDS intervention.

(B) Tuberculosis (TB) screen or test result.

(C) A record of the individual's detoxification and treatment history.

(D) The reason for the individual's transfer.

(E) Court mandated, department of correction supervision status or the agency's recommended follow-up treatment.

(F) A discharge summary and continuing care plan.

(f) Documentation that a staff member(s) met with each individual at the time of discharge, unless the individual left without notice, to:

(i) Determine the appropriate recommendation for care and finalize a continuing care plan.

(ii) Assist the individual in making contact with necessary agencies or services.

(iii) Provide and document the individual was provided with a copy of the plan.

(g) Documentation that the discharge summary was completed within seven working days of the individual's discharge from the agency, which includes the date of discharge and a summary of the individual's progress toward each individual service plan goal.

(2) In addition to the requirements in (1) of this section, an agency must ensure the following for each individual service plan. The individual service plan must:

(a) Be personalized to the individual's unique treatment needs.

(b) Be initiated with at least one goal identified by the individual during the initial assessment or at the first service session following the assessment.

(c) Include individual needs identified in the diagnostic and periodic reviews, addressing:

(i) All substance use needing treatment, including tobacco, if necessary;

(ii) Patient bio-psychosocial problems;

(iii) Treatment goals;

(iv) Estimated dates or conditions for completion of each treatment goal; and

(v) Approaches to resolve the problem.

(d) Document approval by a chemical dependency professional (CDP) if the staff member developing the plan is not a CDP.

(e) Document that the plan was updated to reflect any changes in the individual's treatment needs, or as requested by the individual, at least once per month for the first three months, and at least quarterly thereafter.

(f) Document that the plan has been reviewed with the individual.

NEW SECTION

WAC 388-877B-0230 Residential treatment services—Chemical dependency—Additional assessment standards. An individual must have a chemical dependency assessment before receiving residential treatment services. The purpose of the assessment is to gather information to determine if a substance use disorder exists and if there are services available to address the individual's needs. In addition to the assessment requirements in WAC 388-877-0610, the assessment must include:

(1) A face-to-face diagnostic interview with the individual in order to obtain, review, evaluate, and document the following:

(a) A history of the individual's involvement with alcohol and other drugs, including:

(i) The type of substances used, including tobacco;

(ii) The route of administration; and

(iii) The amount, frequency, and duration of use.

(b) A history of alcohol or other drug treatment or education;

(c) The individual's self-assessment of use of alcohol and other drugs;

(d) A history of relapse;

(e) A history of self-harm;

(f) A history of legal involvement; and

(g) A statement regarding the provision of an HIV/AIDS brief risk screen, and any referral made.

(2) A diagnostic assessment statement, including sufficient information to determine the individual's diagnosis using:

(a) Diagnostic and Statistical Manual (DSM IV TR, 2000) as it existed on the effective date of this section; then

(b) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.

(3) A placement decision, using patient placement criteria (PPC) dimensions when the assessment indicates the individual is in need of services.

(4) Evidence the individual was notified of the assessment results and documentation of the treatment options provided and the individual's choice. If the individual was not notified of the results and advised of referral options, the reason must be documented.

(5) The additional requirements for DUI assessment providers in WAC 388-877B-0550 if the agency is providing services to an individual under RCW 46.61.5056.

(6) Documented attempts to obtain the following information when assessing youth:

(a) Parental and sibling use of alcohol and other drugs.

(b) A history of school assessments for learning disabilities or other problems which may affect ability to understand written materials.

(c) Past and present parent/guardian custodial status, including running away and out-of-home placements.

(d) A history of emotional or psychological problems.

(e) A history of child or adolescent developmental problems.

(f) Ability of the youth's parent(s) or if applicable, legal guardian, to participate in treatment.

NEW SECTION

WAC 388-877B-0240 Residential treatment services—Noncompliance reporting requirements. An agency providing residential treatment services must report noncompliance in all levels of care, for an individual order into chemical dependency treatment by a court of law or other appropriate jurisdictions. An agency that fails to report noncompliance for an individual under chapter 46.61 RCW is subject to penalties as stated in RCW 46.61.5056(4).

An agency providing treatment to a court-mandated individual, including deferred prosecution, must develop procedures addressing individual noncompliance and reporting requirements, including:

(1) Completing an authorization to release confidential information form that meets the requirements of 42 CFR Part 2 and 45 CFR Parts 160 and 164 or through a court order authorizing the disclosure under the requirements of 42 CFR Part 2, Section 2.63 through 2.67.

(2) Notifying the designated chemical dependency specialist within three working days from obtaining information of any violation of the terms of the court order for purposes of revoking the individual's conditional release, if the individual is under department of correction supervision.

(3) Reporting and recommending action for emergency noncompliance to the court or other appropriate jurisdiction(s) within three working days from obtaining information on:

(a) An individual's failure to maintain abstinence from alcohol and other nonprescribed drugs as verified by individual's self-report, identified third party report confirmed by the agency, or blood alcohol content or other laboratory test.

(b) An individual's departure report of subsequent alcohol and/or drug related request.

(c) An individual leaving the program against program advice.

(d) An individual discharged for rule violation.

(4) Reporting and recommending action for non-emergent, noncompliance to the court or other appropriate jurisdiction(s) within ten working days from the end of each reporting period, upon obtaining information on:

(a) An individual's unexcused absences or failure to report, including failure to attend mandatory self-help groups.

(b) An individual's failure to make acceptable progress in any part of the treatment plan.

(5) Transmitting noncompliance or other significant changes as soon as possible, but no longer than ten working days from the date of the noncompliance, when the court does not wish to receive monthly reports.

(6) Reporting compliance status of persons convicted under RCW 46.61 to the department of licensing.

NEW SECTION

WAC 388-877B-0250 Residential treatment services—Intensive inpatient services. Intensive inpatient services provide a concentrated program of individual and group counseling, education, and activities for a detoxified individual and the individual's family to address overall functioning and to demonstrate aspects of recovery lifestyle. An agency providing intensive inpatient services must:

(1) Complete the individual service plan within five days of admission.

(2) Conduct and document at least weekly, one face-to-face individual chemical dependency counseling session with the individual.

(3) Document progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes

must include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(4) Document at least weekly, an individual service plan review which determines continued stay needs and progress towards goals.

(5) Provide a minimum of twenty hours of treatment services each week to each individual. At least ten hours of these services must be chemical dependency counseling. The agency may provide an individual up to ten hours of education each week to meet the minimum requirements.

NEW SECTION

WAC 388-877B-0260 Residential treatment services—Recovery house. Recovery house services provide a program of care and treatment with social, vocational, and recreational activities to aid in individual adjustment to abstinence and to aid in job training, employment, or participating in other types of community services.

An agency providing recovery house services must:

(1) Provide an individual a minimum of five hours of treatment each week consisting of individual or group counseling and education regarding drug-free and sober living, and general re-entry living skills.

(2) Document progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes should include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(3) Conduct and document an individual service plan review at least monthly.

NEW SECTION

WAC 388-877B-0270 Residential treatment services—Long-term treatment services. Long-term treatment services provide a program for an individual needing consistent structure over a longer period of time to develop and maintain abstinence, develop recovery skills, and to improve overall health. An agency providing long-term treatment services must:

(1) Provide an individual a minimum of two hours each week of individual or group counseling.

(2) Provide an individual a minimum of two hours each week of education regarding alcohol, other drugs, and other addictions.

(3) Document progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes should include the date, time, duration, participant names, and a brief summary of the session and the names of the staff member who provided it.

(4) Provide an individual, during the course of services, with:

(a) Education on social and coping skills;

(b) Social and recreational activities;

(c) Assistance in seeking employment, when appropriate; and

(d) Assistance with re-entry living skills to include seeking and obtaining safe house.

(5) Conduct and document an individual service plan review at least monthly.

NEW SECTION

WAC 388-877B-0280 Residential treatment services—Additional standards for youth residential services. Youth residential services are treatment services provided to an individual seventeen year of age or younger. An agency providing youth residential services must meet the additional requirements in this section. The agency must:

(1) Ensure at least one adult staff member of each gender is present or on call at all times if co-educational treatment services are provided.

(2) Ensure group counseling sessions with nine to twelve youths include a second adult staff member.

(3) Ensure staff members are trained in safe and therapeutic techniques for dealing with a youth's behavior and emotional crisis, including:

- (a) Verbal de-escalation;
- (b) Crisis intervention;
- (c) Anger management;
- (d) Suicide assessment and intervention;
- (e) Conflict management and problem solving skills;
- (f) Management of assaultive behavior;
- (g) Proper use of therapeutic physical intervention techniques; and

(h) Emergency procedures.

(4) Provide group meetings to promote personal growth.

(5) Provide leisure, and other therapy or related activities.

(6) Provide seven or more hours of structured recreation each week, that is led or supervised by staff members.

(7) Provide each youth one or more hours per day, five days each week, of supervised academic tutoring or instruction by a certified teacher when the youth is unable to attend school for an estimated period of four weeks or more. The agency must:

(a) Document the individual's most recent academic placement and achievement level; and

(b) Obtain school work from the individual's school, or when applicable, provide school work and assignments consistent with the individual's academic level and functioning.

(8) Conduct random and regular room checks when an individual is in their room, and more often when clinically indicated.

(9) Only admit youth with the written permission of the youth's parent or if applicable, legal guardian. In cases where the youth meets the requirements of a child in need of services (CHINS), the youth may sign themselves into treatment.

(10) Assess the individual's need for referral to the department's child welfare services.

(11) Ensure the following for individuals who share a room:

(a) An individual fifteen years of age or younger must not room with an individual eighteen years of age or older.

(b) An individual sixteen or seventeen years of age must be evaluated for clinically appropriateness before being placed in a room with an individual eighteen years of age or older.

(12) Allow communication between the youth and the youth's parent or if applicable, a legal guardian, and facilitate the communication when clinically appropriate.

(13) Attempt to notify the parent or legal guardian within two hours of any change in the status of the youth and document all notifications and attempts of notifications in the clinical record.

(14) Discharge the youth to the care of the youth's parent or if applicable, legal guardian. For emergency discharge and when the parent or legal guardian is not available, the agency must contact the appropriate authority.

(15) Ensure each individual's clinical record:

(a) Contains any consent or release forms signed by the youth and their parent or legal guardian.

(b) Contains the parent's or other referring person's agreement to participate in the treatment process, as appropriate and if possible.

(c) Documents any problems identified in specific youth assessment, including any referrals to school and community support services, on the individual service plan.

NEW SECTION

WAC 388-877B-0300 Outpatient treatment services—General. The rules in WAC 388-877B-0300 through 388-877B-0370 apply to behavioral health agencies that provide chemical dependency outpatient treatment services. The definitions in WAC 388-877-0200 also apply to chemical dependency outpatient treatment services.

(1) Outpatient treatment services provide chemical dependency treatment to an individual and include essential education and counseling services in accordance with patient placement criteria (PPC).

(2) Outpatient treatment services certified by the department include:

(a) Intensive outpatient treatment services; and

(b) Outpatient treatment services.

(3) An agency providing outpatient treatment services to an individual must:

(a) Be licensed by the department as a behavioral health agency;

(b) Meet the applicable behavioral health agency licensure, certification, administration, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and

(c) Have policies and procedures to support and implement the:

(i) General requirements in chapter 388-877 WAC; and

(ii) Specific requirements in WAC 388-877B-0300 through 388-877B-0370.

(4) An agency must:

(a) Use the PPC for admission, continued services, and discharge planning and decisions.

(b) Have an outline of each lecture and education session included in the service, sufficient in detail for another trained

staff member to deliver the session in the absence of the regular instructor.

(c) Maintain a list of resources, including self-help groups, and referral options that can be used by staff members to refer an individual to appropriate services.

(d) Provide tuberculosis screenings to individuals for the prevention and control of tuberculosis.

(5) An agency must:

(a) Provide education to each individual admitted to the treatment facility on:

(i) Alcohol, other drugs, and/or chemical dependency;

(ii) Relapse prevention;

(iii) Blood borne pathogens; and

(iv) Tuberculosis (TB).

(b) Provide education or information to each individual admitted on:

(i) Emotional, physical, and sexual abuse;

(ii) Nicotine addiction; and

(iii) The impact of chemical use during pregnancy, risks to the fetus, and the importance of informing medical practitioners of chemical use during pregnancy.

(c) Limit the size of group counseling sessions to no more than twelve individuals.

(d) Have written procedures for:

(i) Urine analysis and drug testing, including laboratory testing; and

(ii) How agency staff members respond to medical and psychiatric emergencies.

(6) An agency that provides services to a pregnant woman must:

(a) Have a written procedure to address specific issues regarding a woman's pregnancy and prenatal care needs; and

(b) Provide referral information to applicable resources.

(7) An agency that provides youth outpatient treatment services must:

(a) Have a written procedure to assess and refer an individual to the department's child welfare services when applicable; and

(b) Ensure that counseling sessions with nine to twelve youths include a second adult staff member.

(8) An agency that provides a DUI assessment to an individual under RCW 46.61.5056 must also be certified by the department under WAC 388-877B-0550.

(9) An agency must ensure that when offering off-site treatment:

(a) The agency maintains a current list of all locations where off-site services are provided, including:

(i) The name and address (except for an individual receiving in-home services);

(ii) Primary purpose of the offsite location;

(iii) Level of services provided; and

(iv) The date the off-site services began at that location.

(b) The agency maintains a written procedure of:

(i) How confidentiality will be maintained at each off-site location, including how confidential information and individual records will be transported between the certified facility and the off-site location; and

(ii) How services will be offered in a manner that promotes individual and agency staff safety.

(c) The agency is certified to provide the type of service offered at its main location.

(d) Chemical dependency assessment or treatment is not the primary purpose of the location where the individual is served (such as in a school, hospital, or correctional facility).

(e) Services are provided in a private, confidential setting within the off-site location.

(10) Minimum treatment requirements for deferred prosecution are established in chapter 10.05 RCW.

NEW SECTION

WAC 388-877B-0310 Outpatient treatment services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing outpatient treatment services must ensure:

(1) All chemical dependency assessment and counseling services are provided by a chemical dependency professional (CDP), or a department of health-credential CDP trainee (CDPT) under the supervision of an approved supervisor.

(2) There is a designated clinical supervisor who:

(a) Is a CDP;

(b) Has documented competency in clinical supervision; and

(c) Is responsible for monitoring the continued competency of each CDP in assessment, treatment, continuing care, transfer, and discharge. The monitoring must include a semi-annual review of a sample of the clinical records kept by the CDP.

(4) Each chemical dependency professional trainee has at least one approved supervisor who meets the qualifications in WAC 246-811-049. An approved supervisor must decrease the hours of individual contact by twenty percent for each full-time CDPT or other licensed or registered counselor supervised.

(5) Each staff member that provides individual care has a copy of an initial TB screen or test and any subsequent screenings or testing in their personnel file.

(6) All staff members are provided annual training on the prevention and control of communicable disease, blood borne pathogens and TB, and document the training in the personnel file.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 388-877B-0320 Outpatient treatment services—Clinical record content and documentation. In addition to the general clinical record content requirements in WAC 388-877-0640, an agency providing outpatient treatment services must maintain an individual's clinical record.

(1) The clinical record must contain:

(a) Documentation the individual was informed of federal confidentiality requirements and received a copy of the individual notice required under 42 CFR Part 2.

(b) Documentation that the initial individual service plan was completed before treatment services are received.

(c) Documentation of progress in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(d) Justification for the change in the level of care when transferring an individual from one certified treatment service to another within the same agency, at the same location.

(e) Documentation that staff members met with each individual at the time of discharge, unless the individual left without notice, to:

(i) Determine the appropriate recommendation for care and finalize a continuing care plan.

(ii) Assist the individual in making contact with necessary agencies or services.

(iii) Provide and document the individual was provided with a copy of the plan.

(f) Documentation that a discharge summary was completed within seven days of the individual's discharge, including the date of discharge, a summary of the individual's progress towards each individual service plan goal, legal status, and if applicable, current prescribed medication.

(2) In addition to the requirements in (1) of this section, an agency must ensure the following for each individual service plan. The individual service plan must:

(a) Be personalized to the individual's unique treatment needs;

(b) Include individual needs identified in the diagnostic and periodic reviews, addressing:

(i) All substance use needing treatment, including tobacco, if necessary;

(ii) Patient bio-psycho-social problems;

(iii) Treatment goals;

(iv) Estimated dates or conditions for completion of each treatment goal; and

(v) Approaches to resolve the problem.

(c) Document approval by a chemical dependency professional (CDP) if the staff member developing the plan is not a CDP.

(d) Document that the plan was updated to reflect any changes in the individual's treatment needs, or as requested by the individual, at least once per month for the first three months, and at least quarterly thereafter.

(e) Document that the plan has been reviewed with the individual.

NEW SECTION

WAC 388-877B-0330 Outpatient treatment services—Additional assessment standards. An individual must have a chemical dependency assessment before receiving outpatient treatment services. The purpose of the assessment is to gather information to determine if a substance use disorder exists and if there are services available to address the individual's needs. In addition to the assessment requirements in WAC 388-877-0610, the assessment must include:

(1) A face-to-face diagnostic interview with the individual in order to obtain, review, evaluate, and document a his-

tory of the individual's involvement with alcohol and other drugs, including:

(a) The type of substances used, including tobacco;

(b) The route of administration; and

(c) The amount, frequency, and duration of use.

(2) A history of alcohol or other drug treatment or education.

(3) The individual's self-assessment of use of alcohol and other drugs.

(4) A history of relapse.

(5) A history of self-harm.

(6) A history legal involvement.

(7) A statement regarding the provision of an HIV/AIDS brief risk screen, and any referral made.

(8) A diagnostic assessment statement, including sufficient information to determine the individual's diagnosis using:

(a) Diagnostic and Statistical Manual (DSM IV TR, 2000) as it existed on the effective date of this section; then

(b) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.

(c) A placement decision, using PPC dimensions when the assessment indicates the individual is in need of services.

(d) Evidence the individual was notified of the assessment results and documentation of the treatment options provided and the individual's choice. If the individual was not notified of the results and advised of referral options, the reason must be documented.

(e) The additional requirements outlined under WAC 388-877B-0550 for DUI assessments, for an agency providing services to an individual under RCW 46.61.5056.

(f) Documented attempts to obtain the following information when assessing youth:

(i) Parental and sibling use of alcohol and other drugs.

(ii) A history of school assessments for learning disabilities or other problems, which may affect ability to understand written materials.

(iii) Past and present parent/guardian custodial status, including running away and out-of-home placements.

(iv) A history of emotional or psychological problems.

(v) A history of child or adolescent developmental problems.

(vi) The ability of parents, or if applicable, a legal guardian to participate in treatment.

NEW SECTION

WAC 388-877B-0340 Outpatient treatment services—Noncompliance reporting requirements. An agency providing outpatient treatment services must report noncompliance, in all levels of care, for an individual ordered into chemical dependency treatment by a court of law or other appropriate jurisdictions. An agency that fails to report noncompliance for an individual under chapter 46.61 RCW is subject to penalties as stated in RCW 46.61.5056(4). An agency providing treatment to a court-mandated individual, including deferred prosecution, must develop procedures

addressing individual noncompliance and reporting requirements, including:

(1) Completing an authorization to release confidential information form that meets the requirements of 42 CFR Part 2 and 45 CFR Parts 160 and 164 or through a court order authorizing the disclosure pursuant to 42 CFR Part 2, Section 2.63 through 2.67.

(2) Notifying the designated chemical dependency specialist within three working days from obtaining information of any violation of the terms of the court order for purposes of revocation of the individual's conditional release, if the individual is under department of correction's supervision.

(3) Reporting and recommending action for emergency noncompliance to the court or other appropriate jurisdiction(s) within three working days from obtaining information on:

(a) An individual's failure to maintain abstinence from alcohol and other nonprescribed drugs as verified by individual's self-report, identified third party report confirmed by the agency, or blood alcohol content or other laboratory test.

(b) An individual's report of subsequent alcohol and/or drug related arrests.

(c) An individual leaving the program against program advice or an individual discharged for rule violation.

(4) Reporting and recommending action for nonemergent, noncompliance to the court or other appropriate jurisdiction(s) within ten working days from the end of each reporting period, upon obtaining information on:

(a) An individual's unexcused absences or failure to report, including failure to attend mandatory self-help groups.

(b) An individual's failure to make acceptable progress in any part of the treatment plan.

(5) Transmitting noncompliance or other significant changes as soon as possible, but no longer than ten working days from the date of the noncompliance, when the court does not wish to receive monthly reports.

(6) Reporting compliance status of persons convicted under chapter 46.61 RCW to the department of licensing.

NEW SECTION

WAC 388-877B-0350 Outpatient treatment services—Intensive outpatient services. Intensive outpatient services provide a concentrated program of individual and group counseling, education, and activated, in accordance with patient placement criteria (PPC). An agency providing intensive outpatient treatment services must:

(1) Develop an initial individualized service plan prior to the individual's participation in treatment.

(2) Provide individual chemical dependency counseling sessions with each individual at least once a month or more if clinically indicated.

(3) Document progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(4) Conduct and document a review of each individual's service plan in individual counseling sessions, at least once a month, to assess adequacy and attainment of goals.

(5) Refer for ongoing treatment or support upon completion of intensive outpatient treatment, as necessary.

(6) Ensure that individuals admitted under a deferred prosecution order, under chapter 10.05 RCW:

(a) Receive a minimum of seventy-two hours of treatment services within a maximum of twelve weeks, which consist of the following during the first four weeks of treatment:

(i) At least three sessions each week, with each session occurring on different days of the week.

(ii) Group sessions must last at least one hour.

(b) Attend self-help groups in addition to the seventy-two hours of treatment services.

(c) Have approval, in writing, by the court having jurisdiction in the case, when there is any exception to the requirements in this subsection.

NEW SECTION

WAC 388-877B-0360 Outpatient treatment services—Outpatient treatment services. Outpatient treatment services provide chemical dependency treatment to an individual less than twenty-four-hours-a-day, including individual and group treatment services of varying duration and intensity according to a prescribed plan.

An agency providing outpatient treatment services must:

(1) Develop an initial individualized service plan before the individual's participation in treatment.

(2) Conduct group or individual chemical dependency counseling sessions for each individual, each month, according to an individual service plan.

(3) Conduct and document an individual service plan review for each individual once a month for the first three months and quarterly thereafter or sooner if required by other laws.

(4) Document progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the session and the name of the member who provided it.

NEW SECTION

WAC 388-877B-0370 Outpatient treatment services—Additional standards for chemical dependency counseling required under RCW 46.61.5056. Outpatient treatment services provided to an individual convicted of driving under the influence or physical control under RCW 46.61.5056 are subject to the requirements in this section. An agency providing outpatient treatment services subject to RCW 46.61.5056 must ensure treatment is completed as follows:

(1) Treatment during the first sixty days must include:

(a) Weekly group or individual chemical dependency counseling sessions according to the individual service plan.

(b) One individual chemical dependency counseling session of not less than thirty minutes duration, excluding the

time taken for a chemical dependency assessment, for each individual, according to the individual service plan.

(c) Alcohol and drug basic education for each individual.

(d) Participation in self-help groups for an individual with a diagnosis of substance dependence documented in the individual's clinical record.

(2) The balance of the sixty-day time period for individuals who complete intensive inpatient chemical dependency treatment services must include, at a minimum, weekly outpatient counseling sessions according to the individual service plan.

(3) The next one hundred twenty days of treatment includes:

(a) Group or individual chemical dependency counseling sessions every two weeks according to the individual service plan.

(b) One individual chemical dependency counseling session of not less than thirty minutes duration, every sixty days according to the individual service plan.

(c) Referral of each individual for ongoing treatment or support, as necessary, using PPC, upon completion of one hundred eighty days of treatment.

(4) For an individual who is assessed with insufficient evidence of substance dependence or substance abuse, a chemical dependency professional (CDP) must refer the individual to alcohol/drug information school.

NEW SECTION

WAC 388-877B-0400 Opiate substitution treatment services—General. The rules in WAC 388-877B-0400 through WAC 388-877B-0450 apply to behavioral health agencies that provide opiate substitution services. The definitions in WAC 388-877-0200 also apply to opiate substitution services.

(1) Opiate substitution treatment services include the dispensing of an opioid agonist treatment medication, along with a comprehensive range of medical and rehabilitative services, when clinically necessary, to an individual to alleviate the adverse medical, psychological, or physical effects incident to opiate addiction. These services provide detoxification treatment and maintenance treatment.

(2) An agency must meet all the certification requirements in WAC 388-877B-0450 in order to provide opiate substitution treatment services and:

(a) Be licensed by the department as a behavioral health agency;

(b) Meet the applicable behavioral health agency licensure, certification, administrative, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and

(c) Have policies and procedures to support and implement the:

(i) General requirements in chapter 388-877 WAC; and

(ii) Program-specific requirements in WAC 388-877B-0400 through 388-877B-0450.

(3) An agency providing opiate substitution treatment services must ensure that the agency's individual record system complies with all federal and state reporting require-

ments relevant to opioid drugs approved for use in treatment of opioid addiction.

(4) An agency must:

(a) Use patient placement criteria (PPC) for admission, continued services, and discharge planning and decisions.

(b) Provide education to each individual admitted, totaling no more than fifty percent of treatment services, on:

(i) Alcohol, other drugs, and chemical dependency;

(ii) Relapse prevention;

(iii) Blood borne pathogens; and

(iv) Tuberculosis (TB).

(c) Provide education or information to each individual on:

(i) Emotional, physical, and sexual abuse;

(ii) Nicotine addiction;

(iii) The impact of chemical use during pregnancy, risks to the fetus, and the importance of informing medical practitioners of chemical use during pregnancy; and

(iv) Family planning.

(d) Have written procedures for:

(i) Diversion control that contains specific measures to reduce the possibility of the diversion of controlled substances from legitimate treatment use, and assign specific responsibility to the medical and administrative staff members for carrying out the described diversion control measures and functions.

(ii) Urine analysis (UA) and drug testing, to include obtaining:

(A) Specimen samples from each individual, at least eight times within twelve consecutive months.

(B) Random samples, without notice to the individual.

(C) Samples in a therapeutic manner that minimizes falsification.

(D) Observed samples, when clinically appropriate.

(E) Samples handled through proper chain of custody techniques.

(iii) Laboratory testing.

(iv) The response to medical and psychiatric emergencies.

(v) Verifying the identity of an individual receiving treatment services, including maintaining a file in the dispensary with a photograph of the individual and updating the photographs when the individual's physical appearance changes significantly.

(5) An agency must ensure that an individual is not admitted to detoxification services more than two times in a twelve-month period.

(6) An agency providing services to a pregnant woman must have a written procedure to address specific issues regarding their pregnancy and prenatal care needs, and to provide referral information to applicable resources.

(7) An agency providing youth opiate substitution treatment services must:

(a) Have a written procedure to assess and refer the youth to the department's child welfare services, when applicable.

(b) Ensure that a group counseling session with nine to twelve youths include a second staff member.

(8) An agency providing opiate substitution treatment services must ensure:

(a) That notification to federal SAMHSA and the department is made within three weeks of any replacement or other change in the status of the program, program sponsor, or medical director.

(b) Treatment is provided to an individual in compliance with 42 CFR Part 8.

(c) The number of individuals receiving treatment services does not exceed three hundred fifty unless authorized by the county in which the program is located.

(d) The individual record system complies with all federal and state reporting requirements relevant to opioid drugs approved for use in treatment of opioid addiction.

(e) The death of an individual enrolled in opiate substitution treatment is reported to the department within one business day.

NEW SECTION

WAC 388-877B-0405 Opiate substitution treatment services—Certification requirements. An agency providing opiate substitution treatment services must be certified by the department. An agency applying to provide opiate substitution treatment service must:

(1) Submit to the department documentation that the agency has communicated with the county legislative authority and if applicable, the city legislative authority or tribal legislative authority, in order to secure a location for the new opiate substitution treatment program that meets county, tribal or city land use ordinances.

(2) Ensure that a community relations plan developed and completed in consultation with the county, city, or tribal legislative authority or their designee, in order to minimize the impact of the opiate substitution treatment programs upon the business and residential neighborhoods in which the program is located. The plan must include:

(a) Documentation of the strategies used to:

(i) Obtain stakeholder input regarding the proposed location;

(ii) Address any concerns identified by stakeholders; and

(iii) Develop an ongoing community relations plan to address new concerns expressed by stakeholders.

(b) Documentation that transportation systems will provide reasonable opportunities to persons in need of treatment to access the services of the program.

(c) A copy of the application for:

(i) A registration certificate from the Washington state board of pharmacy.

(ii) Licensure to the Federal Drug Enforcement Administration.

(iii) Certification to the Federal CSAT SAMHSA.

(iv) Accreditation by an accreditation body, approved as an opioid treatment program accreditation body by the Federal CSAT SAMHSA.

(d) A declaration to limit the number of individual program participants to three hundred fifty as specified in RCW 70.96A.410 (1)(e).

(e) For new applicants who operate opiate substitution treatment programs, copies of all survey reports written by national and/or state certification or substitution programs within the past six years.

(3) Have concurrent approval to provide opiate substitution treatment by:

(a) The Washington State department of health board of pharmacy;

(b) The Federal CSAT SAMHSA, as required by 42 CFR Part 8 for certification as an opioid treatment program; and

(c) The Federal Drug Enforcement Administration.

(4) An agency must ensure that opiate substitution treatment is provided to an individual in compliance with the applicable requirements in 42 CFR Part 8 and 21 CFR Part 1301.

(5) The department may deny an application for certification when:

(a) There is not a demonstrated need in the community where the applicant proposes to locate the program.

(b) There is sufficient availability, access, and capacity of other certified programs near the area where the applicant is proposing to locate the program.

(c) The applicant has not demonstrated in the past, the capability to provide the appropriate services to assist individuals using the program to meet goals established by the legislature.

NEW SECTION

WAC 388-877B-0410 Opiate substitution treatment services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing opiate substitution treatment services must:

(1) Appoint a program sponsor who is responsible for notifying the Federal CSAT, SAMHSA, the Federal Drug Enforcement Administration, the department, and the Washington State board of pharmacy of any theft or significant loss of a controlled substance.

(2) Ensure there is an appointed medical director who:

(a) Is licensed by department of health to practice medicine and practices within their scope of practice.

(b) Is responsible for all medical services performed. See the program physician responsibilities in WAC 388-877B-0440.

(c) Ensures all medical services provided are in compliance with applicable federal, state, and local rules and laws.

(3) Ensure all medical services provided are provided by an appropriate DOH-credentialed medical provider practicing within their scope of practice.

(4) Ensure all chemical dependency assessment and counseling services are provided by a chemical dependency professional (CDP), or a DOH-credentialed CDP trainee (CDPT) under the supervision of an approved supervisor.

(5) Ensure there is a designated and identified clinical supervisor who:

(a) Is a CDP.

(b) Has documented competency in clinical supervision.

(c) Is responsible for monitoring the continued competency of each CDP in assessment, treatment, continuing care, transfer, and discharge. This monitoring must include a semi-annual review of a sample of each CDP's clinical records.

(6) Ensure an agency using CDPTs has at least one approved supervisor that meets the qualification in WAC 246-811-049. The approved supervisor must decrease the number of individual contact hours for each full-time CDPT under their supervision.

(7) Ensure at least one staff member has documented training in:

- (a) Family planning;
- (b) Prenatal health care; and
- (c) Parenting skills.

(8) Ensure that at least one staff member is on duty at all times who has documented training in:

- (a) Cardiopulmonary resuscitation (CPR); and
- (b) Management of opiate overdose.

(9) Ensure that a personnel file for a staff member providing individual care includes a copy of an initial tuberculosis (TB) screen and subsequent screening as appropriate.

(10) Provide and ensure all staff members receive annual training on:

- (a) The prevention and control of communicable disease, blood borne pathogens, and TB; and
- (b) Opiate dependency clinical and medical best practice, specific to the staff member's scope of practice and job function.

NEW SECTION

WAC 388-877B-0420 Opiate substitution treatment services—Clinical record content and documentation requirements. In addition to the general clinical record content requirements in WAC 388-877-0640, an agency providing opiate substitution treatment services must maintain an individual's clinical record.

(1) The clinical record must contain:

(a) Documentation the individual was informed of the federal confidentiality requirements and received a copy of the individual notice required under 42 CFR Part 2.

(b) Documentation that the agency made a good faith effort to review if the individual is enrolled in any other opiate substitution treatment and take appropriate action.

(c) Documentation that the agency:

- (i) Referred the individual to self-help group(s).
- (ii) Addressed the individual's vocational, educational, and employment needs; and
- (iii) Encouraged family participation.

(d) Documentation that the individual received a copy of the rules and responsibilities for treatment participants, including the potential use of interventions or sanction.

(e) Documentation that the individual service plan was completed before the individual received treatment services.

(f) Documentation that the individual service plan was reviewed:

(i) Once every month, for the first ninety days in treatment;

(ii) Once every three months, for every two years of continued enrollment in treatment; and

(iii) Once every six months, after the second year of continued enrollment in treatment.

(g) Documentation that individual or group counseling sessions were provided:

(i) Once every week, for the first ninety days:

(A) For a new individual in treatment;

(B) For an individual readmitted with more than ninety days since the most recent discharge from opiate substitution treatment.

(ii) Once every week, for the first month, for an individual readmitted within ninety days since the most recent discharge from opiate substitution treatment; and

(iii) Once every month, for an individual transferring from another opiate substitution treatment program, when the individual had received treatment for at least ninety days.

(h) Documentation of progress notes in a timely manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, and a brief summary of the session and the name of the staff member who provided it.

(i) Documentation when an individual refuses to provide a drug testing specimen sample or initial the log containing the sample number. The refusal is considered a positive drug screen specimen.

(j) Documentation of the results and the discussion held with the individual regarding any positive drug screen specimens in the counseling session immediately following the notification of positive results.

(k) Justification for the change in the level of care when transferring an individual from one certified treatment service to another within the same agency, at the same location.

(l) Documentation that a staff member(s) met with the individual at the time of discharge from the agency, unless the individual left without notice, to:

(i) Determine the appropriate recommendation for care and finalize a continuing care plan.

(ii) Assist the individual in making contact with necessary agencies or services.

(iii) Provide and document the individual was provided a copy of the plan.

(m) Documentation that the discharge summary was completed within seven working days of the individual's discharge from the agency, which includes the date of discharge and a summary of the individual's progress towards each individual service plan goal.

(n) When the agency is serving youth:

(i) Two documented attempts were made at short-term detoxification or drug-free treatment within a twelve-month period, with a waiting period no less than seven days between the first and second short-term detoxification treatment.

(ii) When a youth is admitted for maintenance treatment, written consent by a parent or if applicable, legal guardian or responsible adult designated by the relevant state authority.

(o) Documentation of all medical services. See WAC 388-877B-0440 and 388-877B-0450, regarding program physician responsibility and medication management.

(2) In addition to the requirements in (1) of this section, an agency must ensure the following for each individual service plan. The individual service plan must:

(a) Be personalized to the individual's unique treatment needs;

(b) Include individual needs identified in the diagnostic and periodic reviews, addressing:

- (i) All substance use needing treatment, including tobacco, if necessary;
 - (ii) Patient bio-psychosocial problems;
 - (iii) Treatment goals;
 - (iv) Estimated dates or conditions for completion of each treatment goal; and
 - (v) Approaches to resolve the problem.
- (c) Document approval by a chemical dependency professional (CDP) if the staff member developing the plan is not a CDP.
- (d) Document that the plan has been reviewed with the individual.

NEW SECTION

WAC 388-877B-0430 Opiate substitution treatment services—Additional assessment standards. An individual must have a chemical dependency assessment before receiving opiate substitution treatment services. The purpose of the assessment is to gather information to determine if a substance disorder exists and if there are services available to address individual's needs. In addition to the assessment requirements of WAC 388-877-0610, the assessment must include:

- (1) A face-to-face diagnostic interview with the individual in order to obtain, review, evaluate, and document the following:
 - (a) A history of the individual's involvement with alcohol and other drugs, to include:
 - (i) The type of substances used;
 - (ii) The route of administration; and
 - (iii) The amount, frequency, and duration of use.
 - (b) A history of alcohol or other drug treatment or education.
 - (c) The individual's self-assessment of use of alcohol and other drugs.
 - (d) A history of relapse.
 - (e) A history of self-harm.
 - (f) A history of legal involvement.
 - (g) A statement regarding the provision of an HIV/AIDS brief risk screen, and any referral made.
- (2) A diagnostic assessment statement, including sufficient information to determine the individual's diagnosis using the:
 - (a) Diagnostic and Statistical Manual (DMS IV TR, 2000) as it existed on the effective date of this section; then
 - (b) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.
- (3) A placement decision, using patient placement criteria (PPC) dimensions when the assessment indicates the individual is in need of services.
- (4) Evidence the individual was notified of the assessment results and documentation of the treatment options provided and the individual's choice. If the individual was not notified of the results and advised of referral options, the reason must be documented.

(5) The additional requirements for DUI assessment providers in WAC 388-805-810 if the agency is providing services to an individual under RCW 46.61.5056.

(6) When assessing youth, documented attempts to obtain the following information:

- (a) Parental and sibling use of alcohol and other drugs.
- (b) A history of school assessments for learning disabilities or other problems which may affect ability to understand written materials.
- (c) Past and present parent/guardian custodial status, including running away and out-of-home placements.
- (d) A history of emotional or psychological problems.
- (e) A history of child or adolescent developmental problems.
- (f) Ability of the youth's parent(s) or if applicable, legal guardian, to participate in treatment.

NEW SECTION

WAC 388-877B-0440 Opiate substitution treatment services—Program physician responsibility. An agency providing opiate substitution treatment services must ensure the program physician, or the medical practitioner under supervision of the program physician, performs and meets the following:

- (1) The program physician or medical practitioner under supervision of the program physician:
 - (a) Is responsible to ensure an individual is currently addicted to an opioid drug and that the person became addicted at least twelve months before admission to treatment.
 - (b) May waive the twelve month requirement in (a) of this subsection upon receiving documentation that the individual:
 - (i) Was released from a penal institution, if the release was within the previous six months;
 - (ii) Is pregnant; or
 - (iii) Was previously treated within the previous twenty-four months.
 - (2) A physical evaluation must be completed on the individual before admission that includes the determination of opiate physical addiction, and an assessment for appropriateness for Sunday and holiday take-home medication.
 - (3) A review must be completed by the department of health prescription drug monitoring program data on the individual:
 - (a) At admission;
 - (b) Annually after the date of admission; and
 - (c) Subsequent to any incidents of concern.
 - (4) All relevant facts concerning the use of the opioid drug must be clearly and adequately explained to each individual.
 - (5) Current written and verbal information must be provided to pregnant individuals, before the initial prescribed dosage regarding:
 - (a) The concerns of possible addiction, health risks, and benefits the opiate substitution medication may have on the individual and the fetus.
 - (b) The risk of not initiating opiate substitution medication on the individual and the fetus.

(c) Referral options to address neonatal abstinence syndrome for the baby.

(6) Each individual voluntarily choosing to receive maintenance treatment must sign an informed consent to treatment.

(7) Within fourteen days of admission, a medical examination must be completed that includes:

(a) Documentation of the results of serology and other tests; and

(b) An assessment for the appropriateness of take-home medications.

(8) When exceptional circumstances exist for an individual to be enrolled with more than one opiate substitution treatment agency, justification granting permission must be documented in the individual's clinical record at each agency.

(9) Each individual admitted to detoxification services must have an approved detoxification schedule that is medically appropriate.

(10) Each individual administratively discharged from services must have an approved detoxification schedule that is medically appropriate.

(11) An assessment for other forms of treatment must be completed for each individual who has two or more unsuccessful detoxification episodes within twelve consecutive months.

(12) An annual medical examination must be completed on each individual that includes the individual's overall physical condition and response to medication.

NEW SECTION

WAC 388-877B-0450 Opiate substitution treatment services—Medication management. An agency providing opiate substitution treatment services must ensure the medication management requirements in this section are met.

(1) An agency:

(a) Must use only those opioid agonist treatment medications that are approved the Food and Drug Administration under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) for use in the treatment of opioid addiction.

(b) Providing opiate substitution treatment that is fully compliant with the procedures of an investigational use of a drug and other conditions set forth in the application may administer a drug that has been authorized by the Food and Drug Administration under an investigational new drug application under section 505(i) of the Federal Food, Drug, and Cosmetic Act for investigational use in the treatment of opioid addiction. The following opioid agonist treatment medications are approved by the Food and Drug Administration for use in the treatment of opioid addiction:

(i) Methadone; and

(ii) Buprenorphine.

(2) An agency providing opiate substitution treatment must ensure that initial dosing requirements are met as follows:

(a) Methadone must be administered or dispensed only in oral form and is formulated in such a way as to reduce its potential for parenteral abuse.

(b) The initial dose of methadone must not exceed thirty milligrams and the total dose for the first day must not exceed forty milligrams, unless the program physician documents in the individual's record that forty milligrams did not suppress opiate abstinence symptoms.

(c) The establishment of the initial dose must consider:

(i) Signs and symptoms of withdrawal;

(ii) Individual comfort; and

(iii) Side effects from over medication.

(3) An agency providing opiate substitution treatment must ensure that:

(a) Each opioid agonist treatment medication used by the program is administered and dispensed in accordance with its approved product labeling.

(b) All dosing and administration decisions are made by a:

(i) Program physician;

(ii) Medical practitioner under supervision of a program physician; or

(iii) Medical practitioner under supervision of a program physician familiar with the most up-to-date product labeling.

(c) Any significant deviations from the approved labeling, including deviations with regard to dose, frequency, or the conditions of use described in the approved labeling, are specifically documented in the individual's record.

(4) An agency providing opiate substitution treatment must ensure that all take-home medications are:

(a) Consistent with 42 CFR Part 8.12 (i)(1-5) and are authorized only to stable individuals who:

(i) Have received opiate substitution treatment medication for a minimum of ninety days; and

(ii) Have not had any positive drug screens in the last sixty days.

(b) Assessed and authorized, as appropriate, for a Sunday or legal holiday as identified in RCW 1.16.050.

(c) Assessed and authorized, as appropriate, when travel to the facility presents a safety risk for an individual or staff member due to inclement weather.

(d) Not allowed in short-term detoxification or interim maintenance treatment.

(5) All exceptions to take-home requirements must be submitted and approved by the state opioid treatment authority and SAMHSA.

NEW SECTION

WAC 388-877B-0500 Assessment only services—General. The rules in WAC 388-877B-0500 through 388-877B-0550 apply to behavioral health agencies that provide assessment only services. The definitions in WAC 388-877-0200 also apply to chemical dependency assessment only services.

(1) Chemical dependency assessment services are provided to an individual to determine the individual's involvement with alcohol and other drugs and determine the appropriate course of care or referral.

(2) An agency providing assessment services to an individual must:

(a) Be licensed by the department as a behavioral health agency;

(b) Meet the applicable behavioral health agency licensure, certification, administrative, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and

(c) Have policies and procedures to support and implement the:

- (i) General requirements in chapter 388-877 WAC; and
- (ii) Program-specific requirements in WAC 388-877B-0500 through 388-877B-0550.

(3) An agency providing assessment services:

(a) Must review, evaluate, and document information provided by the individual;

(b) May include information from external sources such as family, support individuals, legal entities, courts, and employers; and

(c) Is not required to meet the individual service plan requirements in WAC 388-877-0620.

(4) An agency must maintain and provide a list of resources, including self-help groups, and referral options that can be used by staff members to refer an individual to appropriate services.

(5) An agency providing ADATSA and DUI assessment services must meet the additional standards in WAC 388-877B-0550.

NEW SECTION

WAC 388-877B-0510 Assessment only services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing assessment services must ensure:

(1) All chemical dependency assessment services are provided by a chemical dependency professional (CDP).

(2) There is a designated clinical supervisor who:

(a) Is a CDP;

(b) Has documented competency in clinical supervision; and

(c) Is responsible for monitoring the continued competency of each CDP. The monitoring must include a semi-annual review of a sample of the clinical records kept by the CDP.

(3) Each staff member that provides individual care has a copy of an initial tuberculosis (TB) screen or test and any subsequent screening or testing in their personnel file.

(4) All staff members are provided annual training on the prevention and control of communicable disease, blood borne pathogens, and TB. The training must be documented in the personnel file.

NEW SECTION

WAC 38-877B-0530 Assessment only services—Additional assessment standards. An individual must have an assessment before receiving chemical dependency treatment services. The purpose of the assessment is to gather information to determine if a substances use disorder exists and if there are services available to address the individual's needs. In addition to the assessment requirements in WAC 388-877-0610, the assessment must include:

(1) A face-to-face diagnostic interview with the individual in order to obtain, review, evaluate, and document the following:

(a) A history of the individual's involvement with alcohol and other drugs, including:

- (i) The type of substances used, including tobacco;
- (ii) The route of administration;
- (iii) The amount, frequency, and duration of use.

(b) A history of alcohol or other drug treatment or education.

(c) The individual self-assessment of use of alcohol and other drugs.

(d) A history of relapse.

(e) A history of self-harm.

(f) A history of legal involvement.

(g) A statement regarding the provision of an HIV/AIDS brief risk screen, and any referral made.

(2) A diagnostic assessment statement, including sufficient information to determine the individual's diagnosis using the:

(a) Diagnostic and Statistical Manual (DSM IV TR, 2000), as it existed on the effective date of this section; then

(b) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.

(3) A placement decision, using patient placement criteria (PPC) dimensions when the assessment indicates the individual is in need of services.

(4) Evidence the individual was notified of the assessment results and documentation of the treatment options provided and the individual's choice. If the individual was not notified of the results and advised of referral options, the reason must be documented.

(5) Documented attempts to obtain the following information when assessing youth:

(a) Parental and sibling use of alcohol and other drugs.

(b) A history of school assessments for learning disabilities or other problems which may affect ability to understand written materials.

(c) Past and present parent/guardian custodial status, including running away and out-of-home placements.

(d) A history of emotional or psychological problems.

(e) A history of child or adolescent developmental problems.

(f) Ability of the youth's parent(s) or if applicable, legal guardian, to participate in treatment.

Reviser's note: The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 38-877B-0530 is probably intended to be WAC 388-877B-0530.

NEW SECTION

WAC 388-877B-0540 Assessment only services—Noncompliance reporting requirements. An agency providing chemical dependency assessment services must report noncompliance in all levels of care for an individual ordered into chemical dependency treatment by a court or other appropriate jurisdiction(s). An agency that fails to report noncompliance for an individual under RCW 46.61 is subject

to penalties at stated in RCW 46.61.5056(4). An agency providing treatment to an individual mandated by a court to treatment, including deferred prosecution, must develop procedures addressing individual noncompliance and reporting requirements, including:

(1) Completing an authorization to release confidential information form that meets the requirements of 42 CFR Part 2 and 45 CFR Parts 160 and 164 or through a court order authorizing the disclosure under the requirements of 42 CFR Part 2, Section 2.63 through 2.67.

(2) Notifying the designated chemical dependency specialist within three working days from obtaining information of any violation of the terms of the court order for purposes of revoking the individual's conditional release, if the individual is under department of correction supervision.

(3) Reporting and recommending action for emergency noncompliance to the court or other appropriate jurisdiction(s) within three working days from obtaining information on:

(a) An individual's failure to maintain abstinence from alcohol and other nonprescribed drugs as verified by individual's self-report, identified third party report confirmed by the agency, or blood alcohol content or other laboratory test.

(b) An individual's departure report of subsequent alcohol and/or drug related request. An individual leaving the program against program advice.

(c) An individual discharged for rule violation.

(4) Reporting and recommending action for non-emergent, noncompliance to the court or other appropriate jurisdiction(s) within ten working days from the end of each reporting period, upon obtaining information on:

(a) An individual's unexcused absences or failure to report, including failure to attend mandatory self-help groups.

(b) An individual's failure to make acceptable progress in any part of the treatment plan.

(5) Transmitting noncompliance or other significant changes as soon as possible, but no longer than ten working days from the date of the noncompliance, when the court does not wish to receive monthly reports.

(6) Reporting compliance status of persons convicted under RCW 46.61 to the department of licensing.

NEW SECTION

WAC 388-877B-0550 Assessment only services—Additional standards for DUI assessment services. Driving under the influence (DUI) assessments are diagnostic services requested by a court to determine an individual's involvement with alcohol and other drugs and to recommend a course of action. An agency providing DUI assessment services, as defined in chapter 46.61 RCW, must ensure:

(1) The assessment is conducted in person.

(2) The individual has a summary included in the assessment that evaluates the individual's:

(a) Blood or breath alcohol level and other drug levels, or documentation of the individual's refusal at the time of the arrest, if available; and

(b) Self-reported driving record and the abstract of the individual's legal driving record.

(3) That when the assessment findings do not result in a substance use disorder diagnosis, the assessment also includes:

(a) A copy of the police report;

(b) A copy of the court originated criminal case history; and

(c) The results of a urine analysis (UA) or drug testing obtained at the time of the assessment.

(4) That the assessment contains documentation of the attempts to obtain the information in (3) of this section if it is not readily available.

(5) The assessment includes a referral to alcohol and drug information school.

NEW SECTION

WAC 388-877B-0600 Information and assistance services—General. The rules in WAC 388-877B-0600 through 388-877B-0660 apply to behavioral health agencies that provide chemical dependency information and assistance services. The definitions in WAC 388-877-0200 also apply to chemical dependency information and assistance services.

(1) Information and assistance services are considered nontreatment services provided to support an individual who has a need for interventions related to the use of alcohol and/or other drugs.

(2) Information and assistance services certified by the department include:

(a) Alcohol and drug information school (see WAC 388-877B-0630);

(b) Information and crisis services (see WAC 388-877B-0640);

(c) Emergency service patrol (see WAC 388-877B-0650); and

(d) Screening and brief intervention (see WAC 388-877B-0660).

(3) An agency providing information and assistance services to an individual must:

(a) Be licensed by the department as a behavioral health agency;

(b) Meet the applicable behavioral health agency licensure, certification, administrative, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and

(c) Have policies and procedures to support and implement the:

(i) General requirements in chapter 388-877 WAC; and

(ii) Program-specific requirements in WAC 388-877B-0600 through 388-877B-0660.

(d) Chemical dependency information and assistance services are available without an initial assessment or individual service plan and are not required to meet the requirements under WAC 388-877-0640.

(4) An agency providing information and assistance services must maintain and provide a list of resources, including self-help groups and referral options, that can be used by staff members to refer an individual to appropriate services.

NEW SECTION

WAC 388-877B-0610 Information and assistance services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing information and assistance services must ensure each staff member:

(1) Is provided annual training on the prevention and control of communicable disease, blood borne pathogens and tuberculosis (TB). The training must be documented in the personnel file.

(2) Who provides individual care has a copy of an initial TB screen or test and any subsequent screening or testing in their personnel file.

NEW SECTION

WAC 388-877B-0630 Information and assistance services—Alcohol and drug information school. Alcohol and drug information school is an educational program about the use and abuse of alcohol and other drugs. This service is for an individual referred by a court or other jurisdiction(s) who may have been assessed and determined not to require treatment. An agency providing alcohol and drug information school services must:

(1) Ensure courses are taught by a certified information school instructor or a chemical dependency professional (CDP) who:

(a) At the time of enrollment, informs each student of the course fees.

(b) Advises each student there is no assumption the student has a substance use disorder, and that the course is not a therapy session.

(c) Discusses the class rules.

(d) Reviews the course objectives.

(e) Follows a department-approved curriculum.

(f) Ensures each course has no fewer than eight and no more than fifteen hours of classroom instruction.

(g) Ensures adequate and comfortable seating in a well-lit and ventilated room.

(h) Administers each enrolled student the post-test for each course after the course is completed.

(2) Ensure a school instructor who is not a CDP:

(a) Has a certificate of completion of an alcohol and other drug information school instructor's training course approved by the department, and the personnel file contains documentation of the training.

(b) Maintains school instructor status by completing fifteen clock hours of continuing education. The fifteen hours of continuing education must:

(i) Occur during each two-year period beginning January of the year following the instructor's initial qualification; and

(ii) Be in subject areas that increase knowledge and skills in training, teaching techniques, curriculum planning and development, presentation of educational material, laws and rules, and developments in the chemical dependency field.

(3) Ensure each individual student record contains:

(a) An intake form, including demographics;

(b) The hours of attendance, including dates;

(c) The source of the student's referral;

(d) A copy of all reports, assessments, letters, certificates, and other correspondence to the courts and the department of licensing, including noncompliance reporting under chapter 46.61 RCW;

(e) A record of any referrals made; and

(f) A copy of the scored post-test.

NEW SECTION

WAC 388-877B-0640 Information and assistance services—Information and crisis services. Information and crisis services provide an individual assistance or guidance related to the abuse of addictive substances, twenty-four-hours-a-day by telephone or in-person. An agency providing information and crisis services must:

(1) Have services available twenty-four-hours-a-day, seven-days-a-week.

(2) Ensure each staff member completes forty hours of training that covers the following areas before assigning the staff member unsupervised duties:

(a) Chemical dependency crisis intervention techniques; and

(b) Alcoholism and drug abuse.

(3) Ensure a chemical dependency professional (CDP), or a CDP trainee (CDPT) under supervision of a CDP, is available or on staff twenty-four-hours-a-day.

(4) Have a least one approved supervisor that meets the qualifications in WAC 246-811-049, if services are provided by a CDPT or other certified or licensed counselor in training to become a CDP. The supervisor must decrease the number of individual contact hours for each full-time CDPT under their supervision.

(5) Maintain a current directory of all certified chemical dependency service providers in the state.

(6) Maintain a current list of local resources for legal, employment, education, interpreter, and social and health services.

(7) Maintain records of each individual contact, including:

(a) The name, age, sex, and ethnic background of the individual.

(b) The presenting problem.

(c) The outcome.

(d) A record of any referral made.

(e) The signature of the person handling the case.

NEW SECTION

WAC 388-877B-0650 Information and assistance services—Emergency service patrol. Emergency service patrol provides transport assistance to an intoxicated individual in a public place when a request has been received from police, merchants, or other persons. An agency providing emergency service patrol must:

(1) Ensure the staff member providing the service:

(a) Has proof of a valid Washington state driver's license.

(b) Possesses annually updated verification of first-aid and cardiopulmonary resuscitation training.

(c) Has completed forty hours of training in chemical dependency crisis intervention techniques and alcoholism and drug abuse, to improve skills in handling crisis situations.

(2) Respond to calls from police, merchants, and other persons for assistance with an intoxicated individual in a public place.

(3) Patrol assigned areas and give assistance to an individual intoxicated in a public place.

(4) Conduct a preliminary screening of an individual's condition related to the state of their impairment and presence of a physical condition needing medical attention.

(5) Transport the individual to their home or shelter, to a certified treatment provider, or a health care facility if the individual is intoxicated, but subdued and willing to be transported.

(6) Make reasonable efforts to take the individual into protective custody and transport the individual to an appropriate treatment or health care facility, when the individual is incapacitated, unconscious, or has threatened or inflicted harm on another person.

(7) Call law enforcement for medical assistance if the individual is unwilling to be taken into protective custody.

(8) Maintain a log, including:

(a) The date, time and origin of each call received for assistance.

(b) The time of arrival at the scene.

(c) The location of the individual at the time of the assist.

(d) The name and sex of the individual transported.

(e) The results of the preliminary screening.

(f) The destination and address of the transport and time of arrival.

(g) In case of nonpickup of a person, documentation of why the pickup did not occur.

NEW SECTION

WAC 388-877B-0660 Information and assistance services—Screening and brief intervention. Screening and brief intervention is a combination of services designed to screen an individual for risk factors that appear to be related to alcohol and other drug use disorders, provide interventions, and make appropriate referral as needed. These services may be provided in a wide variety of settings. An agency providing screening and brief intervention services must:

(1) Ensure services are provided by a chemical dependency professional (CDP), or another appropriately credentialed staff member.

(2) Ensure each staff member completes forty hours of training that covers the following areas before assigning the staff member unsupervised duties:

(a) Chemical dependency screening and brief intervention techniques;

(b) Motivational interviewing; and

(c) Referral.

(3) Maintain a current list of local resources for legal, employment, education, interpreter, and social and health services.

(4) Ensure each individual's record contains:

(a) A copy of a referral.

(b) Demographic information.

(c) Documentation the individual was informed and received a copy of the requirements under 42 CFR Part 2.

(d) Documentation the individual received a copy of the counselor disclosure information.

(e) Documentation the individual received a copy of the individual rights.

(f) Authorization for the release of information.

(g) A copy of screening documents, including outcome and referrals.

(h) Documentation of progress notes in a timely manner summarizing any contact with the individual. Progress notes must include the date, time, duration, participant names, a brief summary of the screening and brief intervention, and the name of the staff member who provided it.

Chapter 388-877C WAC

PROBLEM AND PATHOLOGICAL GAMBLING SERVICES

NEW SECTION

WAC 388-877C-0100 Problem and pathological gambling services—General. The rules in WAC 388-877C-0100 through 388-877C-0130 apply to behavioral health agencies that provide problem and pathological gambling services. The definitions in WAC 388-877-0200 also apply to problem and pathological gambling services.

(1) Problem and pathological gambling treatment services provide treatment to an individual that includes diagnostic screening and assessment, and individual, group, couples, and family counseling and case management.

(2) An agency providing problem and pathological gambling treatment services must:

(a) Be licensed by the department as a behavioral health agency;

(b) Meet the applicable behavioral health agency licensure, certification, administration, personnel, and clinical requirements in chapter 388-877 WAC, Behavioral health services administrative requirements; and

(c) Have policies and procedures to support and implement the

(i) General requirements in chapter 388-877 WAC; and

(ii) Program-specific requirements in WAC 388-877C-0100 through 388-877C-0130.

(3) An agency must use the following to make diagnosis, admission, and discharge planning decisions:

(a) Diagnostic and Statistical Manual (DMS IV TR, 2000) as it existed on the effective date of this section; then

(b) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.

(4) An agency must have an outline of each education session included in the service that is sufficient in detail for another trained staff person to deliver the session in the absence of the regular instructor.

(5) The agency must:

(a) Maintain a list or source of resources, including self-help groups, and referral options that can be used by staff to refer an individual to appropriate services.

(b) Screen for the prevention and control of tuberculosis (TB).

(c) Limit the size of group counseling sessions to no more than twelve individuals.

(d) Maintain a written procedure for the response to medical and psychiatric emergencies.

(6) An agency must ensure that when offering off-site treatment:

(a) The agency maintains a current list of all locations where off-site services are provided including the name, address (except individual in-home services), primary purpose of the off-site location, level of services provided, and date the off-site services began at the off-site location.

(b) The agency maintains a written procedure of:

(i) How confidentiality will be maintained at each off-site location, including how confidential information and individual records will be transported between the certified facility and the off-site location.

(ii) How services will be offered in a manner that promotes individual and staff member safety.

(c) The agency is certified to provide the type of services offered at its main location.

(d) The problem and pathological gambling assessment and treatment services are not the primary purpose of the location where the individual is served, such as in a school, a hospital, or a correctional facility.

(e) Services are provided in a private, confidential setting within the off-site location.

NEW SECTION

WAC 388-877C-0110 Problem and pathological gambling services—Agency staff requirements. In addition to meeting the agency administrative and personnel requirements in WAC 388-877-0400 through 388-877-0530, an agency providing problem and pathological gambling services must ensure:

(1) All problem and pathological gambling treatment services are provided by:

(a) A certified Washington state, national, or international gambling counselor who is credentialed by the department of health (DOH) under chapter 18.19, 18.225, or 18.83 RCW; or

(b) An individual credentialed by DOH under chapter 18.19, 18.225, or 18.83 RCW, under the supervision of a certified problem gambling counselor, in training to become a certified problem gambling counselor.

(2) Before providing problem and pathological treatment services, an individual in training to become a certified problem gambling counselor must have minimum of:

(a) At least one thousand five hundred hours of professionally supervised post-certification or post-registration experience providing mental health or chemical dependency treatment services; and

(b) Thirty hours of unduplicated gambling specific training, including the basic training. One of the following state,

national, or international organizations must approve the training:

(i) Washington state gambling counselor certification committee;

(ii) National or international gambling counselor certification board; or

(iii) The department's division of behavioral health and recovery.

(3) An individual who meets (2)(b) of this section must complete training to become a certified problem and pathological gambling counselor within two years of beginning problem and pathological gambling clinical practice.

(4) All staff members in training to become a certified problem gambling counselor must receive clinical supervision. The clinical supervisor must:

(a) Hold a valid international gambling counselor certification board-approved clinical consultant credential, a valid Washington state certified gambling counselor II certification credential, or a valid national certified gambling counselor II certification credential; and

(b) Complete training on gambling specific clinical supervision approved by a state, national, or international organization including, but not limited to, the:

(i) Washington state gambling counselor certification committee;

(ii) National or international gambling counselor certification board; or

(iii) The department's division of behavioral health and recovery.

NEW SECTION

WAC 388-877C-0120 Problem and pathological gambling services—Clinical record content and documentation requirements. In addition to the general clinical record content requirements in WAC 388-877-0640, an agency providing problem and pathological gambling treatment services must maintain an individual's clinical record that contains:

(1) Evidence the individual was notified of the assessment results and documentation of the treatment options provided and the individual's choice. If the individual was not notified of the results and advised of referral options, the reason must be documented.

(2) Documentation that each individual received a copy of the rules and responsibilities for treatment participants, including the potential use of interventions or sanctions.

(3) Documentation that the individual service plan was completed before the individual received treatment services.

(4) Documentation that the individual service plan was reviewed monthly.

(5) Documentation of progress notes that occurs in time manner and before any subsequent scheduled appointments of the same type of service session or group type occur. Progress notes must include the date, time, duration, participant names, a brief summary of the session, including the individual's response to treatment, and the name of the staff member who provided the treatment.

(6) Documentation of referrals made for specialized care or services.

(7) Documentation that staff members met with each individual at the time of discharge, unless the individual left without notice, to:

(a) Determine the appropriate recommendation for care and finalize a continuing care plan.

(b) Assist the individual in making contact with necessary agencies or services.

(c) Provide and document the individual was provided with a copy of the plan.

(8) Documentation that a discharge summary, including the date of discharge and a summary of the individual's progress towards each individual service plan goal, was completed within seven days of the individual's discharge.

NEW SECTION

WAC 388-877C-0130 Problem and pathological gambling services—Additional assessment standards. An individual must have an assessment before receiving problem and pathological gambling services. The purpose of the assessment is to gather information to determine if a gambling disorder exists and if there are services available to address the individual's needs.

(1) In addition to the assessment requirements in WAC 388-877-0610, the assessment must include:

(a) A face-to-face diagnostic interview with the individual in order to obtain, review, evaluate, and document the following:

(i) Legal history, including arrests and convictions.

(ii) Medical and health history.

(iii) Family history describing family composition and dynamics.

(iv) Relationships and interaction with persons and groups outside the home.

(v) Suicidal or homicidal assessment, including current and past history.

(iv) Substance abuse history including:

(A) The type of substances used;

(B) The route of administration;

(C) The amount, frequency, and duration of use; and

(D) History of alcohol or other drug treatment or education.

(b) Vocational or employment status and history describing skills or trades learned, jobs held, duration of employment, and reasons for leaving.

(c) A financial evaluation and information, including current financial status, gambling debts, any previous bankruptcy or repayment plans, and insurance coverage.

(d) Problem gambling screens.

(e) A diagnostic assessment, including sufficient data to determine a client diagnosis supported by the:

(i) Diagnostic and Statistical Manual (DSM IV TR, 2000) as it existed on the effective date of this section; then

(ii) DSM-5 as it exists when published and released in 2013, consistent with the purposes of this section. Information regarding the publication date and release of the DSM-5 is posted on the American Psychiatric Association's public website at www.DSM5.org.

(f) The assessment must also include a family assessment when the individual is someone other than the problem or pathological gambler.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 13-03-021

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

[Filed January 7, 2013, 11:41 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-22-004.

Title of Rule and Other Identifying Information: Extended foster care services, amending WAC 388-25-0110 and 388-148-0010 and new sections WAC 388-25-0500 through 388-25-0548. Legislation passed in 2012 (ESHB 2592) authorizes children's administration to provide extended foster care services to youth age eighteen up to twenty-one years who are eligible to receive foster care services authorized under RCW 74.13.031 to complete secondary education, a secondary education equivalency program, a post-secondary education program, or a post-secondary vocational program.

Hearing Location(s): Office Building 2, Lookout Room, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>), on February 26, 2013, at 10:00 a.m.

Date of Intended Adoption: Not earlier than February 27, 2013.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, e-mail DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on February 26, 2013.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by February 5, 2013, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at jennisha.johnson@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To clarify eligibility for extended foster care, participation and documentation requirements and expectations for youth participating in the program.

Reasons Supporting Proposal: ESHB 2592 enables Washington state to access a federal match of funds under 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." The act provides an option permitting states to use Title IV-E foster care funds for youth who wish to pursue secondary or post-secondary education programs from age eighteen up to twenty-one years old. ESHB 2592 authorizes continued extended foster care services for youth ages eighteen to twenty-one years to complete a postsecondary academic or postsecondary vocational education program. Because of the range and complexity of delivering foster care and legal services relating to this pro-

gram, children's administration has collaborated with advocates, judicial officers, legal counsel for children and the department, service providers, youth, foster parents, JRA, DDD, others in developing the proposed WACs to govern the program.

Statutory Authority for Adoption: RCW 74.13.031 and 13.34.267.

Statute Being Implemented: RCW 74.13.031, 13.34.-267.

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

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jim Pritchard, Children's Administration, P.O. Box 45710, Olympia, WA, (360) 902-8487.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. These rules are dictated by Washington state statute.

A cost-benefit analysis is not required under RCW 34.05.328. Not required. These rules are dictated by Washington state statute.

January 2, 2013
Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 01-08-047, filed 3/30/01, effective 4/30/01)

WAC 388-25-0110 What is the effective date for termination of foster care payments? (1) The department ends payment on the day before the child actually leaves the foster home or facility. The department does not pay for the last day that a child is in a foster care home or facility.

(2) The department terminates family foster care payments for children in family foster care effective the date:

- (a) The child no longer needs foster care; or
- (b) The child no longer resides in foster care except as provided in WAC 388-25-0180; or
- (c) The child reaches the age of eighteen.

(i) If the child continues to attend, but has not finished, high school or an equivalent educational program at the age of eighteen and has a need for continued family foster care services, the department may continue payments until the date the child completes the high school program or equivalent educational or vocational program. The department must not extend payments for a youth in care beyond age twenty.

(ii) If the child has applied and demonstrates he or she intends to timely enroll, or is enrolled and participating in a post-secondary education program, or a post-secondary vocational program at the age of eighteen and has a need for continued family foster care services, the department may continue payments until the date the child reaches his or her twenty-first birthday or is no longer enrolled in and participating in a post secondary program, whichever is earlier.

(3) The department must terminate foster care payments for children in the behavior rehabilitative services program effective the date:

- (a) The child no longer needs rehabilitative services; or

(b) The child is no longer served through contracted rehabilitative services program except as provided in WAC 388-25-0030; or

(c) The child reaches the age of eighteen and continues to attend, but has not finished, high school or an equivalent educational program and has a need for continued rehabilitative treatment services, the department may continue payments until the date the youth completes the high school program or equivalent educational or vocational program. The department must not extend payments for a youth in care beyond age twenty.

NEW SECTION

WAC 388-25-0500 What is the legal basis of the extended foster care program? The legal authorities for the program are:

- (1) Revised Code of Washington: RCW 74.13.031 and RCW 13.34.267;
- (2) United States Code: 42 USC sec. 671-675; and
- (3) The U.S. Department of Health and Human Services (DHHS) policy guidelines for states to use in determining a child's eligibility for participation in extended foster care programs.

NEW SECTION

WAC 388-25-0502 What is the purpose of the extended foster care program? The extended foster care program provides an opportunity for young adults in foster care at age eighteen to voluntarily agree to continue receiving foster care services, including placement services, while the youth completes a secondary or post-secondary academic or vocational program.

NEW SECTION

WAC 388-25-0504 What is extended foster care? Extended foster care is a program offered to young adults, age eighteen up to twenty-one, who turn eighteen while in foster care, to enable them to complete:

- (1) A high school diploma or general equivalency diploma;
- (2) Post secondary or vocational education.

NEW SECTION

WAC 388-25-0506 Who is eligible for extended foster care? To be eligible for the extended foster care program a youth, on his or her eighteenth birthday, must:

- (1) Be dependent under chapter 13.34 RCW;
- (2) Be placed in foster care (as defined in WAC 388-25-0508) by children's administration, and:
 - (a) Be enrolled (as described in WAC 388-25-0512) in a high school or secondary education equivalency program; or
 - (b) Be enrolled (as described in WAC 388-25-0512) in a post secondary academic or vocational education program; or
 - (c) Have applied for and can demonstrate intent to timely enroll in a post secondary academic or vocational education program (as described in WAC 388-25-0514).

NEW SECTION

WAC 388-25-0508 When is a youth considered to be "in foster care"? For the purpose of determining initial eligibility for the extended foster care program, a youth is in foster care if the youth is under children's administration (CA) placement and care authority, is placed by CA in out of home care, in relative care, licensed foster home, licensed group care, or other suitable person placement. Provided:

(1) A youth who is temporarily away from a foster care placement in:

- (a) A hospital;
- (b) A drug/alcohol treatment facility;
- (c) A mental health treatment facility; or
- (d) For less than thirty days in a county detention center is considered to be in foster care.

(2) A youth who is temporarily away from his or her foster care placement without permission of the case worker or care giver, but who is expected to return to foster care within twenty days, is considered to be in foster care for purposes of determining initial eligibility.

(3) A youth who is committed to juvenile rehabilitation administration custody and who resides in a foster home, group home, or community facility, as defined in RCW 74.15.020 (1)(a).

NEW SECTION

WAC 388-25-0510 When is a youth not "in foster care"? For the purposes of determining initial eligibility for the extended foster care program, a youth is not in foster care if the youth is:

- (1) Placed with a parent;
- (2) In a dependency guardianship or chapter 13.36 RCW;
- (3) Committed to and residing in a juvenile rehabilitation administration (JRA) institution (as defined in RCW 13.30.-020(12)) or to the department of corrections; or
- (4) Absent from his/her foster care placement without permission of the case worker or care giver for more than twenty consecutive days.

NEW SECTION

WAC 388-25-0512 How does a youth demonstrate enrollment in school? Enrollment in school is shown by documented registration or acceptance in:

- (1) **Secondary** - a high school, secondary education equivalency program, or a state accredited on-line or other approved secondary education program.
- (2) **Post secondary** - post secondary academic or vocational program.

NEW SECTION

WAC 388-25-0514 How does a youth demonstrate he/she has applied for and intends to timely enroll in a post-secondary program? (1) Applied for intends to timely enroll in a post-secondary program is demonstrated by the youth:

(a) Completing and submitting an application to a post secondary academic or vocational program; or

(b) Providing proof of Free Application for Federal Student Aid (FAFSA) submission.

(2) **Timely enroll** means participation in a post secondary program in the next reasonably available school term.

NEW SECTION

WAC 388-25-0516 What if an eligible youth does not want to participate in the extended foster care program at age eighteen? Youth may elect to participate in the extended foster care program beginning on their eighteenth birthday. The law recognizes an eligible youth may need time beyond the eighteenth birthday to consider if they want continued foster care services. It provides a six-month grace period or a time for "trial independence", from date of youth's eighteenth birthday, to give the youth an opportunity to change their mind.

NEW SECTION

WAC 388-25-0518 What is the trial independence or grace period? Trial independence is a period of time, up to six months, during which an eligible youth who did not elect to participate in extended foster care on their eighteenth birthday, may change their mind and participate in the program. During this period, the youth is not in extended foster care, but dismissal of the dependency action is postponed and children's administration is relieved of all supervisory and placement responsibility for the youth. If the youth does not request to participate in the extended foster care program within the six-month trial independence period, the dependency is dismissed and extended foster care is no longer available to the youth.

NEW SECTION

WAC 388-25-0520 Does an eligible youth who elects to participate in extended foster care on his or her eighteenth birthday receive a trial independence period? No, the trial independency period is only available to eligible youth who have not yet elected to participate in extended foster on their eighteenth birthday.

NEW SECTION

WAC 388-25-0522 When does the six-month trial independence period end? The trial independence period ends six month after the eligible youth's eighteenth birthday, or when the youth elects to participate in the extended foster care program.

NEW SECTION

WAC 388-25-0524 If a youth does not remain enrolled in school during the trial independence period may the youth still elect to participate in the program? Yes, as long as the youth is enrolled (as described in WAC 388-25-0512 and or 388-25-0514) in an applicable education

program at the time the youth elects to participate in extended foster care.

NEW SECTION

WAC 388-25-0526 Does a youth have to agree to participate in extended foster care program? Yes, a youth must agree to participate in extended foster care. A youth who reaches the age of eighteen years old is not required to continue to receive foster care services.

NEW SECTION

WAC 388-25-0528 How does a youth agree to participate in extended foster care program? An eligible dependent youth can agree to participate by:

- (1) Signing an extended foster care agreement; or
- (2) For developmentally delayed youth, remaining in the foster care placement and continuing in an appropriate educational program.

NEW SECTION

WAC 388-25-0530 Where do youth obtain information about how to participate in the program Youth can contact:

- (1) Youth's attorney/CASA/GAL.
- (2) Youth's social worker.
- (3) Local children's administration office.
- (4) www.independence.wa.gov.
- (5) 1-866-END-HARM.

NEW SECTION

WAC 388-25-0532 Can a youth participating in the extended foster care program to complete a secondary education or equivalency program continue to receive extended foster care services to participate in a post secondary education program? Yes, if at the time the secondary program is completed, the youth is enrolled in, or has applied to, and can demonstrate they intend to timely enroll in, a post secondary academic or vocational program.

NEW SECTION

WAC 388-25-0534 Is there a trial independence period for a youth who completes his or her secondary education program while participating in extended foster care and before the youth enters a post secondary program? No, if a youth completes a secondary education program while in extended foster care, the dependency will be dismissed and foster care services will end, unless the youth has enrolled in, or applied to and can demonstrate an intent to timely enroll in, a post secondary academic or vocational program.

NEW SECTION

WAC 388-25-0536 What are CA's responsibilities to a youth who is participating in extended foster care? Children's administration (CA) is required to have placement and

care authority over the youth and to provide foster care services, including transition planning and independent living services, medical assistance through medicaid, and case management. Case management includes findings or approving a foster care placement for the youth, convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the youth, caseworker visits, and court-related duties, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the youth is progressing toward independence within state and federal mandates. CA has responsibility to inform the court of the status of the child (including health, safety, welfare, education status and continuing eligibility for extended foster care program).

NEW SECTION

WAC 388-25-0538 What is the CA's responsibility for the youth during the six-month trial independence period? Children's administration is relieved of all supervisory and placement responsibility for the youth during the trial independence period until the youth elects to participate in extended foster care or the dependency is dismissed.

NEW SECTION

WAC 388-25-0540 How does CA determine a youth's continuing eligibility for extended foster care program? At least every six months, children's administration will determine if youth continues to:

- (1) Agree to participate in the extended foster care program.
- (2) Be enrolled in an education program.
- (3) Continue to reside in approved placement.
- (4) Comply with youth's responsibilities in WAC 388-25-0546.

NEW SECTION

WAC 388-25-0542 What are the legal rights of a dependent youth in extended foster care to travel out of state, buy a car or engage in other activities as an adult? The youth is a "child" for the purposes of the dependency and must comply with responsibilities in WAC 388-25-0546, otherwise the youth has the legal status and legal rights of an adult. The youth is responsible for their actions, including responsibility for purchases, driving, traveling or financial obligations related to the activities they participate in.

NEW SECTION

WAC 388-25-0544 What are the youth's rights in the extended foster care program? Youth have a right to:

- (1) An approved foster care placement.
- (2) Foster care services including medical assistance through medicaid.
- (3) Participate in the court process as a party to the case.
- (4) Have an attorney appointed for them in dependency proceedings.
- (5) End their participation in the program at any time.

- (6) Referrals to community resources as appropriate.

NEW SECTION

WAC 388-25-0546 What must the youth do to remain in the extended foster care program? Unless otherwise authorized by court order the youth must:

- (1) Agree to participate in the program as expressed in the written extended foster care agreement;
- (2) Maintain standard of eligibility as set by the youth's academic program;
- (3) Participate in the case plan, including monthly health and safety visits;
- (4) Acknowledge that children's administration (CA) has responsibility for the youth's care and placement by authorizing CA to have access to records related to court-ordered medical, mental health, drug/alcohol treatment services, educational records needed to determine continuing eligibility for the program, and for additional necessary services; and
- (5) Remain in the approved foster care placement and follow placement rules. This means the youth will:
 - (a) Stay in placement identified by CA or approved by the court;
 - (b) Obtain approval from case worker and notify caregiver for extended absence from the placement of more than three days; and
 - (c) Comply with court orders and any specific rules developed in collaboration by the youth, caregiver and social worker.

NEW SECTION

WAC 388-25-0548 When is a youth no longer eligible for the extended foster care program? A youth is no longer eligible for the extended foster care program and department will ask the court to dismiss the dependency when the youth:

- (1) Graduates from high school or equivalency program, and has not enrolled in, or applied for and demonstrated an intent to timely enroll in a post secondary academic or vocational program;
- (2) Graduates from a post secondary education or vocational program;
- (3) Reaches their twenty-first birthday;
- (4) Is no longer participating or enrolled in high school, equivalency program, post secondary or vocational program;
- (5) No longer agrees to participate in foster care services;
- (6) Fails or refuses to comply with youth responsibilities outlined in WAC 388-25-0546; or
- (7) Is incarcerated in an adult detention facility on a criminal conviction.

AMENDATORY SECTION (Amending WSR 06-22-030, filed 10/25/06, effective 11/25/06)

WAC 388-148-0010 What definitions do I need to know to understand this chapter? The following definitions are for the purpose of this chapter and are important to understand these rules:

"Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment or mistreatment of a child where the child's health, welfare and safety are harmed.

"Agency" is defined in RCW 74.15.020(1).

"Assessment" means the appraisal or evaluation of a child's physical, mental, social and/or emotional condition.

"Capacity" means the maximum number of children that a home or facility is licensed to care for at a given time.

"Care provider" means any licensed or certified person or organization or staff member of a licensed organization that provides twenty-four-hour care for children.

"Case manager" means the private agency employee who coordinates the planning efforts of all the persons working on behalf of a child. Case managers are responsible for implementing the child's case plan, assisting in achieving those goals, and assisting with day-to-day problem solving.

"Certification" means:

(1) Department approval of a person, home, or facility that does not legally need to be licensed, but wishes to have evidence that it meets the minimum licensing requirements; or

(2) Department licensing of a child-placing agency to certify that a foster home meets licensing requirements.

"Children" or "youth," for this chapter, means individuals who are:

(1) Under eighteen years old, including expectant mothers under eighteen years old; or

(2) Up to twenty-one years of age and pursuing a high school, equivalent course of study (GED), or vocational program or post secondary academic or post secondary vocational program;

(3) Up to twenty-one years of age with developmental disabilities; or

(4) Up to twenty-one years of age if under the custody of the Washington state juvenile rehabilitation administration.

"Child-placing agency" means an agency licensed to place children for temporary care, continued care or adoption.

"Crisis residential center (CRC)" means an agency under contract with DSHS that provides temporary, protective care to children in a foster home, regular (semi-secure) or secure group setting.

"Compliance agreement" means a written licensing improvement plan to address deficiencies in specific skills, abilities or other issues of a fully licensed home or facility in order to maintain and/or increase the safety and well-being of children in their care.

"DCFS" means the division of children and family services.

"DDD" means division of developmental disabilities.

"Department" means the department of social and health services (DSHS).

"Developmental disability" is a disability as defined in RCW 71A.10.020.

"DLR" means the division of licensed resources.

"Firearms" means guns or weapons, including but not limited to the following: BB guns, pellet guns, air rifles, stun guns, antique guns, bows and arrows, handguns, rifles, and shotguns.

"Foster-adopt" means placement of a child with a foster parent(s) who intends to adopt the child, if possible.

"Foster home or foster family home" means person(s) licensed to regularly provide care on a twenty-four-hour basis to one or more children in the person's home.

"Full licensure" means an entity meets the requirements established by the state for licensing or approved as meeting state minimum licensing requirements.

"Group care facility for children" means a location maintained and operated for a group of children on a twenty-four-hour basis.

"Group receiving center" or **"GRC"** means a facility providing the basic needs of food, shelter, and supervision for more than six children placed by the department, generally for thirty or fewer days. A group receiving center is considered a group care program and must comply with the group care facility licensing requirements.

"Hearing" means the administrative review process.

"I" refers to anyone who operates or owns a foster home, staffed residential home, and group facilities, including group homes, child-placing agencies, maternity homes, day treatment centers, and crisis residential centers.

"Infant" means a child under one year of age.

"License" means a permit issued by the department affirming that a home or facility meets the minimum licensing requirements.

"Licensor" means:

(1) A division of licensed resources (DLR) employee at DSHS who:

(a) Approves licenses or certifications for foster homes, group facilities, and child-placing agencies; and

(b) Monitors homes and facilities to ensure that they continue to meet minimum health and safety requirements.

(2) An employee of a child-placing agency who:

(a) Attests that foster homes supervised by the child-placing agency meets licensing requirements; and

(b) Monitors those foster homes to ensure they continue to meet the minimum licensing standards.

"Maternity service" as defined in RCW 74.15.020.

"Medically fragile" means the condition of a child who has a chronic illness or severe medical disabilities requiring regular nursing visits, extraordinary medical monitoring, or on-going (other than routine) physician's care.

"Missing child" means:

(1) Any child up to eighteen years of age for whom Children's Administration (CA) has custody and control (not including children in dependency guardianship) and:

(a) The child's whereabouts are unknown; and/or

(b) The child has left care without the permission of the child's caregiver or CA.

(2) Children who are missing are categorized under one of the following definitions:

(a) **"Taken from placement"** means that a child's whereabouts are unknown, and it is believed that the child is being or has been concealed, detained or removed by another person from a court-ordered placement and the removal, concealment or detainment is in violation of the court order;

(b) **"Absence not authorized, whereabouts unknown"** means the child is not believed to have been taken from placement, did not have permission to leave the placement, and there has been no contact with the child and the whereabouts of the child is unknown; or

(c) **"Absence not authorized, whereabouts known"** means that a child has left his or her placement without permission and the social worker has some contact with the child or may periodically have information as to the whereabouts of the child.

"Multidisciplinary teams (MDT)" means groups formed to assist children who are considered at-risk youth or children in need of services, and their parents.

"Nonambulatory" means not able to walk or traverse a normal path to safety without the physical assistance of another individual.

"Out-of-home placement" means a child's placement in a home or facility other than the child's parent, guardian, or legal custodian.

"Premises" means a facility's buildings and adjoining grounds that are managed by a person or agency in charge.

"Probationary license" means a license issued as part of a disciplinary action to an individual or agency that has previously been issued a full license but is out of compliance with minimum licensing requirements and has entered into an agreement aimed at correcting deficiencies to minimum licensing requirements.

"Psychotropic medication" means a type of medicine that is prescribed to affect or alter thought processes, mood, sleep, or behavior. These include anti-psychotic, antidepressants and anti-anxiety medications.

"Relative" means a person who is related to the child as defined in RCW 74.15.020 (4)(a)(i), (ii), (iii), and (iv) only.

"Respite" means brief, temporary relief care provided to a child and his or her parents, legal guardians, or foster parents with the respite provider fulfilling some or all of the functions of the care-taking responsibilities of the parent, legal guardian, or foster parent.

"Secure facilities" means a crisis residential center that has locking doors and windows, or secured perimeters intended to prevent children from leaving without permission.

"Service plan" means a description of the services to be provided or performed and who has responsibility to provide or perform the activities for a child or child's family.

"Severe developmental disabilities" means significant disabling, physical and/or mental condition(s) that cause a child to need external support for self-direction, self-support and social participation.

"Social service staff" means a clinician, program manager, case manager, consultant, or other staff person who is an employee of the agency or hired to develop and implement the child's individual service and treatment plans.

"Staffed residential home" means a licensed home providing twenty-four-hour care for six or fewer children or expectant mothers. The home may employ staff to care for children or expectant mothers. It may or may not be a family residence.

"Standard precautions" is a term relating to procedures designed to prevent transmission of bloodborne pathogens in health care and other settings. Under standard precautions, blood or other potentially infectious materials of all people should always be considered potentially infectious for HIV and other pathogens. Individuals should take appropri-

ate precautions using personal protective equipment like gloves to prevent contact with blood or other bodily fluids.

"Washington state patrol fire protection bureau" or "WSP/FPB" means the state fire marshal.

"We" or "our" refers to the department of social and health services, including DLR licensors and DCFS social workers.

"You" refers to anyone who operates a foster home, staffed residential home, and group facilities, including group homes, maternity programs, day treatment programs, crisis residential centers, group receiving centers, and child-placing agencies.

WSR 13-03-040
PROPOSED RULES
LIQUOR CONTROL BOARD

[Filed January 9, 2013, 10:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-22-030.

Title of Rule and Other Identifying Information: WAC 314-16-230 Authorization for sale of beer and/or wine in unopened bottles for off-premises consumption under special occasion license.

Hearing Location(s): Washington State Liquor Control Board, Board Room, 3000 Pacific Avenue S.E., Lacey, WA 98504, on February 27, 2013, at 10:00 a.m.

Date of Intended Adoption: March 6, 2013.

Submit Written Comments to: Karen McCall, P.O. Box 43080, Olympia, WA 98504-3080, e-mail rules@liq.wa.gov, fax (360)664-9689, by February 26, 2013.

Assistance for Persons with Disabilities: Contact Karen McCall by February 26, 2013, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The current rule allows a special occasion licensee to sell a maximum of twelve liters of beer and/or wine in original bottle for off-premises consumption to any one person. Special occasion licenses are held by nonprofit organizations for fundraisers. The restriction of twelve liters of beer and/or wine for off-premises consumption limits the fundraising ability of these nonprofit organizations.

Reasons Supporting Proposal: The Washington Wine Industry (WWI) petitioned the board for rule making to remove the limit of twelve liter[s] of beer and/or wine for off-premises consumption to any one person at a special occasion licensed event. This change does not create a public safety concern.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.24.380.

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

Name of Proponent: Washington state liquor control board, governmental.

Name of Agency Personnel Responsible for Drafting: Karen McCall, Rules Coordinator, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1631; Implementation: Alan Rathbun, Licensing Director, 3000 Pacific Avenue S.E.,

Olympia, WA 98504, (360) 664-1615; Enforcement: Justin Nordhorn, Enforcement Chief, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A fiscal impact statement was not required.

A cost-benefit analysis is not required under RCW 34.05.328. A cost-benefit analysis is not required.

January 9, 2013

Sharon Foster
Chairman

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

WAC 314-16-230 Authorization for sale of beer and/or wine in unopened bottles for off-premises consumption under special occasion license. ~~((1))~~ Authorization for the sale of unopened bottles and original packages of beer and/or wine not to be consumed on the premises where sold, as authorized by RCW 66.24.380, must be applied for to the board at the time the society or organization makes application for the special occasion license, and the board's written approval is required before any such sales are made.

~~((2) Board approval for the sales authorized in subsection (1) of this section shall be granted by the board upon the condition that no more than twelve liters of beer and/or wine may be sold to any one purchaser under a single special occasion license.))~~

WSR 13-03-041
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-17—Filed January 9, 2013, 11:33 a.m.]

Supplemental Notice to WSR 12-21-136.

Preproposal statement of inquiry was filed as WSR 12-12-064.

Title of Rule and Other Identifying Information: Essential health benefits designation, supplementation and establishment of scope and limitation requirements.

Hearing Location(s): Training Room, T-120, 5000 Capitol Way South, Tumwater, WA, on February 26, 2012, at 10:00 a.m.

Date of Intended Adoption: February 28, 2013.

Submit Written Comments to: Meg L. Jones, P.O. Box 40258, Olympia, WA 98504, e-mail rulescoordinator@oic.wa.gov, fax (360) 586-3109, by February 25, 2013.

Assistance for Persons with Disabilities: Contact Lorie Villaflores by February 24, 2013, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules will establish new sections explaining the requirements associated with carrier inclusion of the essential health bene-

fits package in nongrandfathered individual and small group plans for plans with coverage beginning January 1, 2014.

Reasons Supporting Proposal: RCW 48.43.715 directs the commissioner to designate by rule the small group plan with the largest enrollment as the benchmark plan for purposes of defining the essential health benefits package for nongrandfathered individual and small group health benefit plans issued on or after January 1, 2014. The same legislation requires supplementation, and adjustment or establishment of scope and limitation requirements by the commissioner in order to ensure meaningful benefits and prevent bias based on health selection. Carriers require specific guidance in order to prepare plan filings for the commissioner's review prior to health benefit exchange deadlines, and to ensure time to satisfy plan replacement requirements.

Statutory Authority for Adoption: RCW 48.02.060, 48.21.241, 48.21.320, 48.44.460, 48.44.341, 48.46.291, 48.46.530, 48.43.715.

Statute Being Implemented: RCW 48.43.715.

Rule is necessary because of federal law, P.L. 111-148, sec. 1302 (2010).

Name of Proponent: Office of the insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Meg Jones, P.O. Box 40258, Olympia, WA 98504, (360) 725-7170; Implementation: Beth Berendt, P.O. Box 40258, Olympia, WA 98504, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40258, Olympia, WA 98504, (360) 725-7050.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The entities that must comply with the proposed rule are not small businesses, pursuant to chapter 19.85 RCW.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Meg Jones, P.O. Box 40258, Olympia, WA 98504, phone (360) 725-7170, fax (360) 586-3109, e-mail rulescoordinator@oic.wa.gov.

January 9, 2013

Mike Kreidler

Insurance Commissioner

NEW SECTION

WAC 284-43-849 Purpose and scope For plan years beginning on or after January 1, 2014, each nongrandfathered health benefit plan offered, issued, amended or renewed to small employers or individuals, both inside and outside the Washington health benefit exchange, must provide coverage for a package of essential health benefits, pursuant to RCW 48.43.715. This subchapter explains the regulatory standards related to this coverage, establishes supplementation of the base-benchmark plan, consistent with PPACA and RCW 48.43.715, and the final parameters for the state EHB-benchmark plan.

(1) This subchapter does not apply to a health benefit plan that provides excepted benefits as described in Section 2722 of the federal Public Health Service Act (42 U.S.C. Sec. 300gg-21), or a health benefit plan that qualifies as a grandfathered health plan as defined in RCW 48.43.005.

(2) This subchapter does not require provider reimbursement at the same level negotiated by the base-benchmark plan's issuer for their plan.

(3) This subchapter does not require a plan to exclude the services or treatments from coverage that are excluded in the base-benchmark plan.

NEW SECTION

WAC 284-43-852 Definitions The following definitions apply to this subchapter unless the context indicates otherwise.

"Base-benchmark plan" means the small group plan with the largest enrollment, as designated in WAC 284-43-850(1), prior to any adjustments made pursuant to RCW 48.43.715.

"EHB-benchmark plan" means the standardized set of essential health benefits that must be met by a qualified health plan offered through the health benefit exchange or by an issuer in the individual or small group market in Washington state.

"Health benefit" unless defined differently pursuant to federal rules, regulations or guidance issued pursuant to Section 1302(b) of PPACA, means coverage for health care items or services for injury, disease, or a health condition, including a behavioral health condition.

"Individual plan" includes any nongrandfathered health benefit plan offered, issued, amended or renewed by an admitted issuer in the state of Washington for the individual health benefit plan market, unless the certificate of coverage is issued to an individual pursuant to or issued through an organization meeting the definition established in 45 CFR 144.103, and sections 3(5) and 3(40) of the Employee Retirement Income Security Act of 1974 (29 USC 1001 et seq.).

"Mandated benefit" and "required benefit" means a specific type of care, treatment or service, device or medical equipment that is required by either state or federal law. Required benefits do not include provider, definition, delivery method or health status based requirements.

"Meaningful health benefit" means a benefit that must be included in an essential health benefit category in order for the category to reasonably provide medically necessary services for an individual patient's condition on a non-discriminatory basis.

"Medical necessity determination process" means the process used by an issuer to make a coverage determination about whether a medical item or service is medically necessary for an individual patient's circumstances.

"PPACA" means the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and any rules, regulations, or guidance issued thereunder.

"Scope and limitation requirements" means any requirement applicable to a benefit that limit its duration, the number of times coverage is available for the benefit, or imposes a legally permitted eligibility limitation on a specific benefit.

"Small group plan" includes any nongrandfathered health benefit plan offered, issued, amended or renewed by an admitted issuer in the state of Washington for the small group health benefit plan market to a small group, as defined

in RCW 48.43.005, unless the certificate of coverage is issued to a small group pursuant to a master contract held by or issued through an organization meeting the definition established in 45 CFR 144.103, and sections 3(5) and 3(40) of the Employee Retirement Income Security Act of 1974 (29 USC 1001 et seq.).

"Stand-alone dental plan" means coverage for a set of benefits limited to oral care including, but not necessarily limited to, pediatric oral care, as referenced in RCW 43.71.-065.

NEW SECTION

WAC 284-43-860 Medical necessity determination

(1) An issuer's certificate of coverage and the Summary of Coverage and Explanation of Benefits for the health plan must specifically explain any uniformly applied limitation on the scope, visit number or duration of a benefit, and state whether the uniform limitation is subject to adjustment based on the specific treatment requirements of the patient.

(2) An issuer's medical necessity determination process must:

(a) Be clearly explained in the certificate of coverage, plan document, or contract for health benefit coverage;

(b) Be conducted fairly, and with transparency to enrollees and providers, at a minimum when an enrollee or their representative appeals or seeks review of an adverse benefit determination;

(c) Include consideration of services that are a logical next step in reasonable care if they are appropriate for the patient, even if the service has not been the subject of clinical studies. Medical necessity determination processes must explicitly address the information needed in the decision making process and incorporate appropriate outcomes within a developmental framework;

(d) Ensure that when the interpretation of the medical purpose of interventions is part of the medical necessity decision-making, the interpretation standard can be explained in writing to an enrollee and providers, and is broad enough to address any of the services encompassed in the ten essential health benefits categories of care. The process or decision must refer to specific standards;

(e) Comply with inclusion of the ten essential health benefits categories, and prohibitions against discrimination based on age, disability, and expected length of life;

(f) Include consideration of the treating provider's clinical judgment and recommendations regarding the medical purpose of the requested service, and the extent to which the service is likely to produce incremental health benefits for the enrollee;

(g) Identify who will participate in the decision making process; and

(h) Support flexibility in the sites of service delivery.

(3) An issuer's medical necessity determination process may include, but is not limited to, evaluation of the effectiveness and benefit of a service for the individual patient based on scientific evidence considerations, up-to-date and consistent professional standards of care, convincing expert opinion and a comparison to alternative interventions, including no

interventions. Cost effectiveness may be criteria for determining medical necessity if it is not limited to lowest price.

(4) Medical necessity criteria for medical/surgical benefits and mental health/substance use disorder benefits or for other essential health benefit categories must be furnished to an enrollee or provider within thirty days of a request to do so.

NEW SECTION

WAC 284-43-877 Plan design (1) A nongrandfathered individual or small group health benefit plan issued, renewed, amended, or offered on or after January 1, 2014, must provide coverage that is substantially equal to the EHB benchmark package, as described in WACs 284-43-878 and 284-43-879.

(a) For plans offered, issued, amended or renewed for a plan or policy year beginning on or after January 1, 2014, until January 31, 2014, an issuer must offer the EHB-benchmark plan without substituting benefits for those specifically identified in the EHB-benchmark plan.

(b) For plan or policy years beginning on or after January 1, 2015, an issuer may substitute benefits to the extent that the benefits are substantially equal to the EHB-benchmark plan.

(c) For the purposes of this section "substantially equal" means that:

(i) The scope and level of benefits offered within each essential health benefit category is meaningful;

(ii) The aggregate value of the benefits across all essential health benefit categories does not vary more than a de minimus aggregate value of the EHB=benchmark base plan; and

(iii) Within each essential health benefit category, the actuarial value of the category must not vary more than a de minimus amount from the actuarial value of the category for the EHB-benchmark plan.

(2) A carrier must classify covered services to an essential health benefits category consistent with WAC 284-43-878 and WAC 284-43-879 for purposes of determining actuarial value. An issuer may not use classification of services to an essential health benefits category for purposes of determining actuarial value as the basis for denying coverage under a health benefit plan.

(3) The base-benchmark plan does not specifically list all types of services, settings and supplies that can be classified to each essential health benefits category. Coverage for benefits that are not specifically listed in the base-benchmark plan document is determined under that plan based on medical necessity. For this reason, the plan document does not list each and every service, supply or covered benefit. An issuer may design its plan in this way and comply with the EHB-benchmark plan package requirements if each of the essential health benefit package categories is covered.

(4) An issuer is not required to exclude services excluded by the base-benchmark plan, but must not include those services as part of its calculation of actuarial value for a category to which those services are classified. A plan may not exclude a benefit that is specifically included in the base-benchmark plan.

(5) An issuer must not apply visit limitations or limit the scope of the benefit category based on the type of provider delivering the service, other than requiring that the service must be within the provider's scope of license for purposes of coverage. This obligation does not require an issuer to contract with any willing provider, nor is an issuer restricted from establishing reasonable requirements for credentialing of and access to providers within its network.

(6) Telemedicine or telehealth services are considered provider services, and not a benefit for purposes of the essential health benefits package.

(7) Consistent with state and federal law, a health benefit plan must not contain an exclusion that unreasonably restricts access to medically necessary services for populations with special needs, including but not limited to a chronic condition caused by illness or injury, either acquired or congenital.

(8) Unless an age based reference limitation is specifically included in the base-benchmark plan or supplemental base-benchmark plan for a category set forth in WAC 284-43-878, a carrier's scope of coverage for those categories of benefits must cover both pediatric and adult populations.

(9) A health benefit plan may not be offered if the commissioner determines that:

(a) It creates a risk of biased selection based on health status;

(b) The benefits within an essential health benefit category are limited so that the coverage for the category is not a meaningful benefit; or

(c) The benefit violates the antidiscrimination requirements of PPACA, section 511 of Public Law 110-343 (the federal Mental Health Parity and Addiction Equity Act of 2008).

(10) An issuer must not impose annual or lifetime dollar limits on an essential health benefit, other than those permitted as reference based limitations pursuant to WAC 284-43-878 and 284-43-879.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 284-43-878 Essential health benefit package categories (1) A health benefit plan must cover "**ambulatory patient services.**" For purposes of determining a plan's actuarial value, an issuer must classify medically necessary services delivered to enrollees in settings other than a hospital or skilled nursing facility, which are generally recognized and accepted for diagnostic or therapeutic purposes to treat illness or injury, in a substantially equivalent manner to the base-benchmark plan as ambulatory patient services.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as ambulatory patient services:

(i) Home and out-patient dialysis services;

(ii) Hospice and Home health care, including skilled nursing care as an alternative to hospitalization, consistent with WAC 284-44-500, 284-46-500, and 284-96-500;

(iii) Provider office visits and treatments, and associated supplies and services, including therapeutic injections and related supplies;

(iv) Urgent care center visits, including provider services, facility costs and supplies; and

(v) Ambulatory surgical center professional services, including anesthesiologist, assistant surgeon and surgeon services, surgical supplies and facility costs;

(vi) Diagnostic procedures including colonoscopies, cardiovascular testing, pulmonary function studies and neurology/neuromuscular procedures;

(vii) Provider contraceptive services and supplies, including but not limited to vasectomy, tubal ligation and insertion of IUD or Norplant, or extraction of FDA-approved contraceptive devices.

(b) A health benefit plan may include, but is not required to include the following services as part of the EHB-benchmark package. These services are specifically excluded by the base-benchmark plan, and should not be included in establishing actuarial value for this category.

(i) Infertility treatment and reversal of voluntary sterilization

(ii) Routine foot care for those that are not diabetic

(iii) Coverage of dental services following injury to sound natural teeth, but not excluding services or appliances necessary for or resulting from medical treatment if the service is (a) emergency in nature or (b) requires extraction of teeth to prepare the jaw for radiation treatments of neoplastic disease. Oral surgery related to trauma and injury must be covered.

(iv) Private duty nursing for hospice care and home health care, to the extent consistent with state and federal law;

(v) Adult dental care and orthodontia delivered by a dentist or in a dentist's office;

(vi) Non-skilled care and help with activities of daily living;

(vii) Hearing care, routine hearing examinations, programs or treatment for hearing loss including but not limited to externally worn or surgically implanted hearing aids, and the surgery and services necessary to implant them, other than for cochlear implants, which are covered, and for hearing screening tests required under the preventive services category;

(viii) Obesity or weight reduction or control other than covered nutritional counseling.

(c) The base-benchmark base plan's establishes specific limitations on services classified to the ambulatory patient services category that conflict with state or federal law as of January 1, 2014. The base-benchmark plan limits nutritional counseling to three visits per lifetime, if the benefit is not associated with diabetes management. This lifetime limitation for nutritional counseling is not part of the state EHB-benchmark plan. An issuer may limit this service based on medical necessity, and may establish an additional reasonable visit limitation requirement for nutritional counseling for medical conditions when supported by evidence based medical criteria.

(d) The benchmark base plan's visit limitations on services in this category include:

(i) 10 spinal manipulation services per calendar year

(ii) 12 acupuncture services per calendar year

(iii) 1 vision examination for adults per calendar year, with \$150 per year for hardware, including frames, contacts, lenses and tints

(iv) 14 days respite care on either an inpatient or outpatient basis for hospice patients, per lifetime.

(v) 130 visits per year for home health care;

(e) State benefit requirements classified to this category are:

(i) TMJ disorder treatment (RCW 48.21.320; 48.44.460, and 48.46.530);

(ii) Diabetes-related care, exclusive of those supplies or prescribed drugs, medications and therapies covered under other categories (RCW 48.20.391; 48.21.143; 48.44.315; 48.46.272).

(2) A health benefit plan must cover "**emergency medical services.**" For purposes of determining a plan's actuarial value, an issuer must classify care and services related to an emergency medical condition to the emergency medical services category.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as emergency services:

(i) Transportation to an emergency room, and treatment provided as part of the ambulance service;

(ii) Emergency room based services, supplies and treatment, including professional charges, and outpatient charges for patient observation and medical screening exams required to stabilize a patient experiencing an emergency medical condition;

(iii) Prescription medications associated with an emergency medical condition, including those purchased in a foreign country.

(b) The base-benchmark plan does not exclude services classified to the emergency medical care category.

(c) The base-benchmark base plan does not establish specific limitations on services classified to the emergency medical services category that conflict with state or federal law as of January 1, 2014.

(d) The base-benchmark plan does not establish visit limitations on services in this category.

(e) State benefit requirements covered under this category include services necessary to screen and stabilize a covered person (RCW 48.43.093).

(3) A health benefit plan must cover "**hospitalization**" For purposes of determining a plan's actuarial value, an issuer must classify medically necessary medical services delivered in a hospital or skilled nursing setting, including but not limited to professional services, facility fees, supplies, laboratory, therapy or other types of services delivered on an inpatient basis, in a manner substantially equivalent to the base-benchmark plan as hospitalization services.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as hospitalization services:

(i) Hospital visits, provider and staff services and treatments delivered during an inpatient hospital stay, including inpatient pharmacy services;

(ii) Skilled nursing facility costs, including professional services and pharmacy services and prescriptions filled in the skilled nursing facility pharmacy;

(ii) Transplant services for donors and recipients, including the transplant facility fees performed in either a hospital setting or outpatient setting;

(iv) Dialysis services delivered in a hospital;

(v) Artificial organ transplants based on an issuer's medical guidelines and manufacturer recommendation;

(vi) Respite care services delivered on an inpatient basis in a hospital or skilled nursing facility.

(b) A health benefit plan may, but is not required to, include the following services as part of the EHB-benchmark package. These services are specifically excluded by the base-benchmark plan, and should not be included in establishing actuarial value

(i) Hospitalization where mental illness is the primary diagnosis to the extent that it is classified under the mental health and substance use disorder benefits category;

(ii) Cosmetic or reconstructive services and supplies except in the treatment of a congenital anomaly, to restore a physical bodily function lost as a result of injury or illness, or related to breast reconstruction following a medically necessary mastectomy;

(iii) Bariatric surgery and supplies, Orthognathic surgery and supplies unless due to Temporomandibular joint disorder or injury, sleep apnea or congenital anomaly, and Sexual reassignment treatment and surgery;

(iv) Reversal of sterilizations;

(v) Surgical procedures to correct refractive errors/astigmatism or reversals or revisions of surgical procedures which alter the refractive character of the eye.

(c) The base-benchmark plan establishes specific limitations on services classified to the hospitalization services category that conflict with state or federal law as of January 1, 2014. The state EHB-benchmark plan requirements for these services are:

(i) The transplant waiting period must not be longer than ninety days, inclusive of prior creditable coverage, if an issuer elects to apply a limitation to the benefit.

(ii) Where transplant benefit services are delivered in a non-hospital setting, the same waiting period limitation may be applied.

(d) The benchmark base plan's visit limitations on services in this category include:

(i) 60 inpatient days per calendar year for illness, injury or physical disability in a skilled nursing facility;

(ii) 30 inpatient rehabilitation service days per year. This benefit may be classified to this category for determining actuarial value or to the rehabilitation services category, but not to both.

(e) State benefit requirements covered under this category are:

(i) General anesthesia and facility charges for dental procedures for those who would be at risk if the service were performed elsewhere and without anesthesia (RCW 48.43.185);

(ii) Reconstructive breast surgery resulting from a mastectomy that resulted from disease, illness or injury (RCW 48.20.395, 48.21.230, 48.44.330, and 48.46.280.);

(iii) Coverage for Temporomandibular joint disorder (RCW 48.21.320; 48.44.460, 48.46.530);

(iv) Coverage at a long-term care facility following hospitalization (RCW 48.43.125).

(4) A health benefit plan must cover **"maternity and newborn"** services. For purposes of determining a plan's actuarial value, an issuer must classify medically necessary care and services delivered to women during pregnancy and in relation to delivery and recovery from delivery, and to newborn children, in a manner substantially equivalent to the benchmark base plan to the maternity and newborn services category.

(a) A health benefit plan must cover the following services, which are specifically covered by the base-benchmark plan, and classify them as maternity and newborn services:

- (i) In utero treatment for the fetus;
- (ii) Vaginal or cesarean childbirth delivery in a hospital or birthing center, including facility fees;
- (iii) Nursery services and supplies for newborns, including newly adopted children;
- (iv) Infertility diagnosis;
- (v) Prenatal and postnatal care and services, including screening;
- (vi) Complications of pregnancy such as but not limited to fetal distress, gestational diabetes and toxemia; and
- (vii) Termination of pregnancy.

(b) A health benefit plan may include, but is not required to include the following service as part of the EHB-benchmark package. This service is specifically excluded by the base-benchmark plan, and should not be included in establishing actuarial: Genetic testing of the child's father.

(c) The base-benchmark plan establishes specific limitations on services classified to the maternity and newborn category that conflict with state or federal law as of January 1, 2014. The state EHB-benchmark plan requirements for these services are:

(i) Maternity coverage for dependent daughters must be included in the base-benchmark plan on the same basis that coverage is included for other enrollees.

(ii) Newborns delivered of dependent daughters must be covered to the same extent, and on the same basis, as newborns delivered to the other enrollees under the plan.

(d) The benchmark base plan's limitations on services in this category include covering home birth by a midwife or nurse midwife only for low risk pregnancy.

(e) State benefit requirements covered under this category include:

(i) Maternity services that include diagnosis of pregnancy, prenatal care, delivery, care for complications of pregnancy, physician services, and hospital services (RCW 48.43.041);

(ii) Newborn coverage that is not less than the coverage for the mother, for no less than three weeks (RCW 48.43.115);

(iii) Prenatal diagnosis of congenital disorders by screening/diagnostic procedures if medically necessary (RCW 48.20.430, 48.21.244, 48.44.344, and 48.46.375).

(5) A health benefit plan must cover **"mental health and substance use disorder services, including behavioral health treatment."** For purposes of determining a plan's actuarial value, an issuer must classify medically necessary care, treatment and services for mental health conditions and substance use disorders categorized in the most recent version of the Diagnostic and Statistical Manual of Mental Dis-

orders, including behavioral health treatment for those conditions, in a manner substantially equivalent to the base-benchmark plan, as mental health and substance use disorder services, including behavioral health treatment.

(a) A health benefit plan must include the following services, when medically necessary, which are specifically covered by the base-benchmark plan, and classify them as mental health and substance use disorder services, including behavioral health treatment:

- (i) In-patient, residential and outpatient mental health and substance use disorder treatment, including partial hospital programs or inpatient services;
- (ii) Chemical dependency detoxification;
- (iii) Behavioral treatment for a DSM category diagnosis;
- (iv) Services provided by a licensed behavioral health provider for a covered diagnosis in a skilled nursing facility;
- (v) Prescription medication prescribed during an inpatient and residential course of treatment.
- (vi) Unlimited acupuncture treatment visits for chemical dependency.

(b) A health benefit plan may include, but is not required to include the following services as part of the EHB-benchmark package. These services are specifically excluded by the base-benchmark plan, and should not be included in establishing actuarial value.

(i) Counseling in the absence of illness, other than family counseling when the patient is a child or adolescent with a covered diagnosis and the family counseling is part of the treatment for mental health services;

(ii) Mental health treatment for diagnostic codes 302 through 302.9 in the DSM-IV, or for "V code" diagnoses except for medically necessary services for parent-child relational problems for children five years of age or younger, neglect or abuse of a child for children five years of age or younger, and bereavement for children five years of age or younger;

(iii) Non-medically necessary court-ordered mental health treatment.

(c) The base-benchmark plan establishes specific limitations on services classified to the mental health and substance abuse disorder services category that conflict with state or federal law as of January 1, 2014. The state EHB-benchmark plan requirements for these services are:

(i) Coverage for eating disorder treatment must be covered for a diagnosis of a DSM-IV or DSM-V categorized mental health condition;

(ii) Chemical detoxification coverage must not be uniformly limited to 30 days. Medical necessity, utilization review and criteria consistent with federal law may be applied by an issuer in designing coverage for this benefit;

(iii) Mental health services and substance use disorder treatment must be delivered in a home health setting on parity with medical surgical benefits, consistent with state and federal law.

(d) The benchmark base plan's visit limitations on services in this category include:

(i) For small group plans, a limit of four employee assistance program counseling sessions;

(ii) Court ordered treatment only when medically necessary.

(e) State state benefit requirements covered under this category include:

(i) Mental health parity (RCW 48.20.580, 48.21.241; 48.44.341, and 48.46.285);

(ii) Chemical dependency detoxification services (RCW 48.21.180, 48.44.240, 48.44.245, 48.46.350, and 48.46.355.);

(iii) Services delivered pursuant to involuntary commitment proceedings (RCW 48.21.242; 48.44.342; 48.46.292).

(g) The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (Public Law 110-343) (MHPAEA) applies to a health benefit plan subject to this section. Coverage of mental health and substance use disorder services, along with any scope and duration limits imposed on the benefits, must comply with the MHPAEA, and all rules, regulations and guidance issued pursuant to Section 2726 of the federal Public Health Service Act (42 U.S.C. Sec. 300gg-26) where state law is silent, or where federal law pre-empts state law.

(6) A health benefit plan must cover "**prescription drug services.**" For purposes of determining actuarial value, an issuer must classify medically necessary prescribed drugs, medication and drug therapies, in a manner substantially equivalent to the base-benchmark plan as prescription drug services.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as prescription drug services:

(i) Those classes of drugs, and the specific drugs in the drug formulary, both generic and brand name, including self-administrable prescription medications;

(ii) Prescribed medical supplies, including diabetic supplies that are not otherwise covered as durable medical equipment under the rehabilitative and habilitative services category, including test strips, glucagon emergency kits, insulin and insulin syringes;

(iii) All FDA approved contraceptive methods, and prescription based sterilization procedures for women with reproductive capacity;

(iv) certain preventive medications, including but not limited to, aspirin, fluoride, iron and medications for tobacco use cessation, according to, and as recommended by, the United States Preventive Services Task Force, when obtained with a prescription order.

(b) A health benefit plan may include, but is not required to include the following services as part of the EHB-benchmark package. These services are specifically excluded by the base-benchmark plan as prescription drug or pharmacy benefit services, and should not be included in establishing actuarial value for this category:

(i) Insulin pumps and their supplies, which are classified to the rehabilitation and habilitation services category;

(ii) Weight loss drugs.

(c) The base-benchmark plan establishes specific limitations on services classified to the prescription drug services category that conflict with state or federal law as of January 1, 2014. The state EHB-benchmark plan requirements for these services are:

(i) Preauthorized tobacco cessation products must be covered consistent with state and federal law. Brand-name

tobacco cessation products must be available pursuant to an issuers formulary exception or substitution process;

(ii) Medication prescribed as part of a clinical trial that is not the subject of the trial must be covered in a manner consistent with state and federal law.

(d) The benchmark base plan's visit limitations on services in this category include:

(i) Prescriptions for self-administrable injectable medication are limited to 30 day supplies at a time, other than insulin, which may be offered with more than a thirty day supply;

(ii) Teaching doses of self-administrable injectable medications are limited to 3 doses per medication per lifetime.

(e) State benefit requirements classified this category include:

(i) Medical foods to treat inborn errors of metabolism, including but not limited to formula for Phenylketonuria (RCW 48.44.440, 48.46.510, 48.20.520, and 48.21.300);

(ii) Diabetes supplies ordered by the physician (RCW 48.44.315, 48.46.272, 48.20.391, and 48.21.143). Inclusion of this mandate does not bar issuer variation in diabetic supply manufacturers under its drug formulary;

(iii) Orally administered anticancer medication parity requirements (RCW 48.20.389; 48.21.223; 48.44.323; 48.46.274);

(iv) Mental health prescription drugs to the extent not covered under the hospitalization or skilled nursing facility services, or mental health and substance use disorders categories (RCW 48.44.341, 48.46.291, 48.20.580, and 48.21.241).

(f) An issuer's formulary is part of the prescription drug services category. The formulary filed with the commissioner must be substantially equal to the benchmark base plan formulary, both as to therapeutic classes covered and included drugs in each class.

(i) The benchmark formulary includes the following therapeutic classes: Anti-infectives, Cardiovascular, Cholesterol Lowering, Diabetes, Ear/Nose/Throat, Gastrointestinal, Hormones, Mental Health, Neurological, Ophthalmic, Pain and Inflammatory Disease, Respiratory, Skin, Women's Health.

(ii) An issuer must file its formulary with a representative product identifier code in each therapeutic class, when filing its rates and forms with the commissioner. Acceptable product identifier codes include Generic Sequence Number (GSN), Generic Code Number (GCN), Generic Product Identifier (GPI), or National Drug Code (NDC).

(iii) An issuer complies with subsection (6)(f)(ii) by filing its product identifier codes through SERFF and noting in its actuarial filings any substitutions, with reference to both the therapeutic class and the drug being replaced.

(iv) An issuer may remove or add products to its formulary during the benefit year consistent with its policies for management of its formulary, and state and federal law. The removal of a product must not result in the elimination of access to any product in a therapeutic class, unless there is not a Food and Drug Administration approved product for that therapeutic class. An issuer must file its updated formulary with the commissioner each quarter and specifically note changes that have been made.

(v) An issuer may submit for the commissioner's review and approval a justification to exclude a drug from its formulary that is included in the base-benchmark plan formulary. The justification must be clearly described and include an evidence based, formal recommendation of the issuer's internal prescription formulary committee.

(vi) An issuer's formulary does not have to be substantially equal to the base-benchmark plan formulary in terms of formulary placement.

(7) A health benefit plan must cover **"rehabilitative and habilitative services."** For purposes of determining a plan's actuarial value, an issuer must classify medically necessary services that help a person keep, restore or improve skills and function for daily living that have been lost or impaired because a person was sick, hurt or disabled, in a manner substantially equivalent to the benchmark base plan as rehabilitative services.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as rehabilitative services:

(i) Cochlear implants;

(ii) In-patient rehabilitation facility and professional services delivered in those facilities are limited to 30 days per year, unless those services are classified under the hospitalization category;

(iii) Outpatient physical therapy, occupational therapy and speech therapy are limited to 25 outpatient visits per year, on a combined basis, for rehabilitative purposes.

(iv) Braces, splints, prostheses, orthopedic appliances and orthotic devices, supplies or apparatuses used to support, align or correct deformities or to improve the function of moving parts;

(v) Durable medical equipment and mobility enhancing equipment used to serve a medical purpose, including sales tax.

(b) A health benefit plan may include, but is not required to include the following services as part of the EHB-benchmark package. These services are specifically excluded by the base-benchmark plan, and should not be included in establishing actuarial value.

(i) Off the shelf shoe inserts and orthopedic shoes;

(ii) Exercise equipment for medically necessary conditions;

(iii) Durable medical equipment that serves solely as a comfort or convenience item

(iv) Hearing aids other than cochlear implants

(c) The base-benchmark plan does not cover certain federally required services under this category. The state EHB-benchmark plan requirements for habilitative services are:

(i) For purposes of determining actuarial value, the issuer must classify the range of medically necessary health care services and health care devices designed to assist an individual in partially or fully developing, keeping and learning age appropriate skills and functioning, within the individual's environment or to compensate for a person's progressive physical, cognitive and emotional illness as habilitative services.

(ii) A health benefit plan must cover habilitative services in a manner consistent with RCW 48.43.045. An issuer must not exclude otherwise covered habilitative services provided

by an individual who is directly supervised by a provider qualified pursuant to RCW 48.43.045.

(ii) An issuer may establish limitations on habilitative services at parity with those for rehabilitative services. A health benefit plan may include reference based limitations only if the limitations take into account the unique needs of the individual and target measurable, and specific treatment goals appropriate for the person's age, and physical and mental condition. When habilitative services are delivered to treat a mental health diagnosis categorized in the most recent version of the DSM, the mental health parity requirements apply and supercede any rehabilitative services parity limitations permitted by this subsection.

(iv) Absent a federal or state requirement to do so, this section does not require an issuer to coordinate its benefits in conjunction with services provided by a public or government program. However, a health benefit plan must not limit an enrollee's access to covered services on the basis that some, but not all of the services are provided by a public or government program.

(v) An issuer may establish utilization review guidelines and practice guidelines for habilitative services that are recognized by the medical community as efficacious. The guidelines may not require a return to a prior level of function.

(vi) Habilitative health care devices may be limited to those that require FDA approval and a prescription to dispense the device.

(vii) Consistent with the standards in this subsection (7)(c), speech therapy, occupational therapy, physical therapy and aural therapy are habilitative services. Day habilitation services designed to provide training, structured activities and specialized assistance to adults, chore services to assist with basic needs, vocational or custodial services are not are not classified as habilitative services.

(viii) An issuer must not exclude coverage habilitative services received at a school-based health care centers unless the habilitative services and devices are delivered pursuant to federal Individuals with Disabilities Education Act of 2004 (IDEIA) requirements pursuant to an individual educational plan (IEP).

(d) The base-benchmark plan's visit limitations on services in this category include:

(i) In-patient rehabilitation facility and professional services delivered in those facilities are limited to 30 days per year;

(ii) Outpatient physical therapy, occupational therapy and speech therapy are limited to 25 outpatient visits per year, on a combined basis, for rehabilitative purposes.

(e) State benefit requirements covered under this category include:

(i) State sales tax for durable medical equipment;

(ii) Coverage of diabetic supplies and equipment (RCW 48.44.315, 48.46.272, 48.20.391, and 48.21.143).

(f) An issuer must not classify services to the rehabilitative services category if the classification results in a limitation of coverage for therapy that is medically necessary for an enrollee's treatment for cancer, chronic pulmonary or respiratory disease, cardiac disease or other similar chronic conditions or diseases. For purposes of this subsection, an issuer

may establish limitations on the number of visits and coverage of the rehabilitation therapy consistent with its medical necessity and utilization review guidelines for medical/surgical benefits. Examples of these are, but are not limited to, breast cancer rehabilitation therapy, respiratory therapy, and cardiac rehabilitation therapy. Such services may be classified to the ambulatory patient or hospitalization services categories for purposes of determining actuarial value.

(8) A health plan must cover **"laboratory services."** For purposes of determining actuarial value, an issuer must classify medically necessary laboratory services and testing, including those performed by a licensed provider to determine differential diagnoses, conditions, outcomes and treatment, and including blood and blood services, storage and procurement, and ultrasound, X-ray, MRI, CAT scan and PET scans, in a manner substantially equivalent to the base-benchmark plan as laboratory services.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as laboratory services:

- (i) Laboratory services, supplies and tests, including genetic testing;
- (ii) Radiology services, including X-ray, MRI, CAT scan, PET scan and ultrasound imaging;
- (iii) Blood, blood products and blood storage, including the services and supplies of a blood bank.

(b) A health benefit plan may include, but is not required to include the following services as part of the EHB-benchmark package. These services are specifically excluded by the base-benchmark plan, and should not be included in establishing actuarial value: an enrollee's non-medically indicated procurement and storage of personal blood supplies provided by a member of the enrollee's family.

(c)-(e): Reserved.

(9) A health plan must cover **"preventive and wellness services, including chronic disease management"** For purposes of determining a plan's actuarial value, an issuer must classify services that identify or prevent the onset or worsening of disease or disease conditions, illness or injury, often asymptomatic, services that assist in the multidisciplinary management and treatment of chronic diseases, services of particular preventive or early identification of disease or illness of value to specific populations, such as women, children and seniors, in a manner substantially equivalent to the benchmark base plan, as preventive and wellness services, including chronic disease management.

(a) A health benefit plan must include the following services, which are specifically covered by the base-benchmark plan, and classify them as preventive and wellness services:

- (i) Immunizations recommended by the Centers for Disease Control's Advisory Committee on Immunization Practices,
- (ii) Screening and tests with A and B recommendations by the U.S. Preventive Services Task Force for prevention and chronic care, for recommendations issued on or before the applicable plan year;
- (iii) Services, tests and screening contained in the U.S. Health Resources and Services Administration Bright Futures guidelines as set forth by the American Academy of Pediatricians

(iv) Services, tests, screening and supplies recommended in the U.S. Health Resources and Services Administration women's preventive and wellness services guidelines;

(v) Chronic disease management services.

(b) The base-benchmark plan does not exclude any services that could reasonably be classified to this category.

(c) The base-benchmark plan does not apply any limitations or scope restrictions that conflict with state or federal law as of January 1, 2014.

(d) The base-benchmark plan does not establish visit limitations on services in this category.

(e) State benefit requirements classified in this category are:

(i) Colorectal cancer screening as set forth in RCW 48.43.043;

(ii) Mammogram services, both diagnostic and screening (RCW 48.21.225, 48.44.325, and 48.46.275);

(iii) Prostate cancer screening (RCW 48.20.392, 48.21.227, 48.44.327, and 48.46.277).

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 284-43-879 Essential health benefit category: Pediatric services A health plan must include "pediatric services" in its essential health benefits package. The base-benchmark plan covers pediatric services for the categories set forth in WAC 284-43-878 (1) through (9) with the exception of pediatric oral services.

(1) A health plan must cover pediatric oral services either as an embedded set of services, offered through a rider or as a contracted service. If a health plan is subsequently certified by the health benefit exchange as a qualified health plan, this requirement is met for that benefit year for the certified plan if a stand-alone dental plan covering pediatric oral services as set forth in the EHB-benchmark is offered in the health benefit exchange for that benefit year.

(2) If a health plan is a stand-alone dental plan offered through the health benefit exchange, then the requirements of this section are the sole essential health benefit requirements applicable to the plan.

(3) A health benefit plan may include, but is not required to include the following services as part of the EHB-benchmark package. The supplemental base-benchmark plan specifically excludes oral implants, and an issuer should not include benefits for oral implants in establishing a plan's actuarial value.

(4) The state EHB-benchmark plan requirements for pediatric oral benefits must be offered and classified consistent with the designated supplemental base-benchmark plan for pediatric oral services, the Washington State CHIP plan. The oral benefits included in the "pediatric" category are:

- (a) Diagnostic services
- (b) Preventive care
- (c) Restorative care
- (d) Oral surgery and reconstruction to the extent not covered under the hospitalization benefit;
- (e) Endodontic treatment
- (f) Periodontics

- (g) Crown and fixed bridge
- (h) Removable prosthetics
- (i) Medically necessary orthodontia
- (5) The supplemental base-benchmark plan's visit limitations on services in this category are:
 - (a) Diagnostic exams once every six months, beginning before one year of age;
 - (b) Bitewing x-ray once a year;
 - (c) Panoramic x-rays once every three years;
 - (d) Prophylaxis every six months beginning at age 6 months
 - (e) Fluoride three times in a twelve month period for ages six and under; two times in a 12 month period for ages seven and older; three times in a twelve month period during orthodontic treatment; sealant once every 3 years for Occlusal surfaces only; oral hygiene instruction two times in twelve months for ages 8 and under if not billed on the same day as a prophylaxis treatment;
 - (f) Every 2 years for the same restoration (fillings);
 - (g) Frenulectomy or frenuloplasty covered for ages six and under without prior authorization;
 - (h) Root canals on baby primary posterior teeth only;
 - (i) Root canals on permanent anterior, bicuspid and molar teeth, excluding teeth 1, 16, 17 and 32;
 - (j) Periodontal scaling and root planning once per quadrant in a 2 year period for ages 13 and older, with prior authorization;
 - (k) Periodontal maintenance once per quadrant in a 12 month period for ages 13 and older, with prior authorization;
 - (l) Stainless steel crowns for primary anterior teeth once every 3 years; if age 13 and older with prior authorization;
 - (m) Stainless steel crowns for permanent posterior teeth once every 3 years;
 - (n) metal/porcelain crowns and porcelain crowns on anterior teeth only, with prior authorization;
 - (o) Space maintainers for missing primary molars A, B, I, J, K, L, S and T
 - (p) One resin based partial denture, replaced once within a 3 year period.
 - (q) One complete denture upper and lower, and one replacement denture per lifetime after at least 5 years from the seat date.
 - (r) Rebasement and relining of complete or partial dentures once in a 3 year period, if performed at least 6 months from the seating date
- (6) State benefit requirements that are limited to those receiving pediatric services, but that are classified to other categories for purposes of determining actuarial value, are:
 - (a) Neurodevelopmental therapy to age six, consisting of physical, occupational and speech therapy and maintenance to restore or improve function based on developmental delay, which cannot be combined with rehabilitative services for the same condition (RCW 48.44.450, 48.46.520, and 48.21.310) (may be classified to ambulatory patient services or mental health and substance abuse disorder including behavioral health categories);
 - (b) Congenital anomalies in newborn and dependent children (RCW 48.20.430, 48.21.155, 48.44.212, 48.46.250, and 48.21.155) (may be classified to hospitalization, ambulatory patient services or maternity and newborn categories).

NEW SECTION

WAC 284-43-882 Plan cost sharing and benefit substitution (1) A health benefit plan must not apply cost-sharing requirements to Native Americans purchasing a health benefit plan through the Exchange, whose incomes are at or below 300% of federal poverty level.

(2) A small group health benefit plan that includes the essential health benefits package may not impose annual cost-sharing or deductibles that exceed the maximum annual amounts that apply to high deductible plans linked to health savings accounts, as set forth in the most recent version of IRS Publication 969, pursuant to section 106 (c)(2) of the Internal Revenue Code of 1986, and section 1302 (c)(2) of PPACA.

(3) An issuer may use reasonable medical management techniques to control costs, including promoting the use of appropriate, high value preventive services, providers and settings. An issuer's policies must accommodate enrollees for whom it would be medically inappropriate to have the service provided in one setting versus another, as determined by the attending provider, and permit waiver of an otherwise applicable copayment for the service that is tied to one setting but not the preferred high-value setting.

(4) An issuer may not require cost-sharing for preventive services delivered by network providers, specifically related to those with an A or B rating in the most recent recommendations of the United States Preventive Services Task Force, women's preventive healthcare services recommended by the U.S. Health Resources and Services Administration (HRSA) and HRSA Bright Futures guideline designated pediatric services. An issuer must post on its website a list of the specific preventive and wellness services mandated by PPACA that it covers.

(5) An issuer must establish cost-sharing levels, structures or tiers for specific essential health benefit categories that are not discriminatory based on health status. "Cost-sharing" has the same meaning as set forth in RCW 48.43.005, and WAC 284-43-130(8).

(a) An issuer must not apply cost sharing or coverage limitations differently to enrollees with chronic disease or complex underlying medical conditions than to other enrollees, unless the difference provides the enrollee with access to care and treatment commensurate with the enrollee's specific medical needs without imposing a surcharge or other additional cost to the enrollee beyond normal cost-sharing requirements under the plan.

(b) An issuer must not establish a different cost-sharing structure for a specific benefit or tier for a benefit than is applied to the plan in general if the sole type of enrollee who would access that benefit or benefit tier is one with a chronic illness or medical condition.

NEW SECTION

WAC 284-43-885 Representations regarding coverage A health plan issuer must not indicate or imply that a health benefit plan covers essential health benefits unless the plan, policy or contract covers essential health benefits in compliance with this subchapter. This requirement applies to

any health benefit plan offered inside or outside the Washington health benefit exchange.

WSR 13-03-042
PROPOSED RULES
OLYMPIC COLLEGE

[Filed January 9, 2013, 11:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-23-024.

Title of Rule and Other Identifying Information: Rental of Olympic College facilities by noncollege organizations or individuals.

Hearing Location(s): Olympic College, Humanities and Student Services Building, Room 119-121, 1600 Chester Avenue, Bremerton, WA 98337, on March 19, 2013, at 5:00 p.m.

Date of Intended Adoption: March 19, 2013.

Submit Written Comments to: Thomas Oliver, 1600 Chester Avenue, Bremerton, WA 98337, e-mail tolover@olympic.edu, fax (360) 475-7505, by March 8, 2013.

Assistance for Persons with Disabilities: Contact Karen Fusco by March 12, 2013, TTY (360) 475-7543 or (360) 475-7542.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Olympic College is revising the current policy to make it more explicit and clear.

Reasons Supporting Proposal: The current rule is out of alignment with existing practice.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Statute Being Implemented: Chapter 28B.50 RCW.

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

Name of Proponent: Bruce Riveland, vice-president for administrative services, Olympic College, governmental.

Name of Agency Personnel Responsible for Drafting: Thomas Oliver, CSC 210, 1600 Chester, Bremerton, WA 98337, (360) 475-7502; Implementation and Enforcement: Candace Alvarez, CSC 403, 1600 Chester, Bremerton, WA 98337, (360) 475-7322.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There will be no significant impact on any entity other than Olympic College.

A cost-benefit analysis is not required under RCW 34.05.328. There is no significant economic impact.

January 9, 2013

Thomas Oliver
Rules Coordinator

AMENDATORY SECTION (Amending Order, filed 4/15/68)

WAC 132C-10-020 Rental of Olympic College facilities by noncollege organizations or individuals. It shall be the policy of Community College District No. 3 (Olympic

College) to allow rental of the (~~Olympic~~) college facilities (~~(when they are not previously scheduled for college use to)~~) by both college and noncollege individuals and organizations (~~(or any individuals upon approval by the president of the college and in accordance with administrative regulations)~~).

WSR 13-03-065
PROPOSED RULES
GAMBLING COMMISSION

[Filed January 11, 2013, 3:13 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-22-056.

Title of Rule and Other Identifying Information: Repealing WAC 230-15-485 Electronic facsimiles of cards allowed; and new section WAC 230-15-116 Electronic facsimiles of cards allowed.

Hearing Location(s): Comfort Inn Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 352-0691, on March 14 or 15, 2013, at 9:00 a.m. or 1:00 p.m. NOTE: Meeting dates and times are tentative. Visit our web site at www.wsgc.wa.gov and select public meeting about ten days before the meeting to confirm meeting date/location/start time.

Date of Intended Adoption: March 14 or 15, 2013. NOTE: Meeting dates and times are tentative. Visit our web site at www.wsgc.wa.gov and select public meeting about ten days before the meeting to confirm meeting date/location/start time.

Submit Written Comments to: Susan Newer, P.O. Box 42400, Olympia, WA 98504-2400, e-mail SusanA@wsgc.wa.gov, fax (360) 486-3625, by March 1, 2013.

Assistance for Persons with Disabilities: Contact Gail Grate, executive assistant, by March 1, 2013, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed amendment would correct a filing error by staff and:

- Reinstatement of the use of electronic facsimiles of cards for "all" card games, not just "house-banked" card games; and
- Move this rule from the house-banked card room section of the rules manual, to rules relating to all card games.

Reasons Supporting Proposal: In July 2001, the commissioners adopted a petition for rule change submitted by DigiDeal amending WAC 230-40-070 to allow electronic facsimiles of cards (EFC) in house-banked card games, effective January 1, 2002. In May 2004, the commissioners adopted a second petition for rule change submitted by DigiDeal amending WAC 230-40-070 to allow EFC to be used in "all" card games not just "house-banked" card games, effective July 1, 2004. A few months later in August 2004, the commissioners adopted a staff proposed rule change to WAC 230-40-070 regarding logo cards. When this amendment was filed, staff inadvertently filed a version that did not incorporate DigiDeal's petition to allow EFC in all card

games, not just house-banked card games. In effect, this accidentally eliminated the amendment the commissioners adopted in May 2004.

Statutory Authority for Adoption: RCW 9.46.070, 9.46-0282.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Newer, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement was not prepared because the rule change would not impose additional costs on any licensee.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

January 11, 2013
Susan Newer
Rules Coordinator

NEW SECTION

WAC 230-15-116 Electronic facsimiles of cards allowed. (1) Card game licensees may use electronic card facsimiles approved by the director or the director's designee in card games.

(2) Card room employees must operate the game.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-15-485 Electronic facsimiles of cards allowed.

**WSR 13-03-080
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF ECOLOGY**

(By the Code Reviser's Office)
[Filed January 15, 2013, 9:00 a.m.]

WAC 173-910-550 and 173-910-560, proposed by the department of ecology in WSR 12-14-036 appearing in issue 12-14 of the State Register, which was distributed on July 18, 2012, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 13-03-089

PROPOSED RULES

HEALTH CARE AUTHORITY

(Medicaid Program)

[Filed January 15, 2013, 11:21 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-22-074.

Title of Rule and Other Identifying Information: Chapter 182-557 WAC, Chronic care management.

Hearing Location(s): Health Care Authority (HCA), Cherry Street Plaza Building, Conference Room, 626 8th Avenue, Olympia, WA 98504 (metered public parking is available street side around building. A map is available at: <http://maa.dshs.wa.gov/pdf/CherryStreetDirectionsNMap.pdf> or directions can be obtained by calling (360) 725-1000), on February 26, 2013, at 10:00 a.m.

Date of Intended Adoption: Not sooner than February 27, 2013.

Submit Written Comments to: HCA Rules Coordinator, P.O. Box 45504, Olympia, WA 98504-5504, delivery 626 8th Avenue, Olympia, WA 98504, e-mail arc@hca.wa.gov, fax (360) 586-9727, by 5:00 p.m. on February 26, 2013.

Assistance for Persons with Disabilities: Contact Kelly Richters by February 19, 2013, TTY (800) 848-5429 or (360) 725-1307 or e-mail kelly.richters@hca.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In accordance with the federal Patient Protection and Affordable Care Act (PPACA), Section 2703, and Washington SSB 5394, these rules are necessary to implement adoption of health homes and within them, advance the practice of chronic care management to improve health outcomes and reduce unnecessary costs. The agency is changing the title of this chapter to health homes.

Statutory Authority for Adoption: RCW 41.05.021, SSB 5394.

Statute Being Implemented: RCW 41.05.021.

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

Name of Proponent: HCA, governmental.

Name of Agency Personnel Responsible for Drafting: Wendy Boedigheimer, HCA, P.O. Box 45504, Olympia, WA 98504, (360) 725-1306; Implementation and Enforcement: Alison Robbins, HCA, P.O. Box 45530, Olympia, WA 98504, (360) 725-1634.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The agency has analyzed the proposed rules and concludes they do not impose more than minor costs for affected small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to HCA rules unless requested by the joint administrative rules [review] committee or applied voluntarily.

January 15, 2013
Kevin M. Sullivan
Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-557-0050 (~~Chronic care management program~~) **Health home—General.** ((1) The department's chronic care management program:

(a) Offers care management and coordination activities for medical assistance clients determined to be at risk for high medical costs;

(b) Provides education, training, and/or coordination of services for program participants through statewide care management (SCM) and local care management (LCM) providers contracted with DSHS;

(c) Assists program participants in improving self-management skills and improving health outcomes; and

(d) Reduces medical costs by educating clients to better utilize health care services.

(2) The department's chronic care management program does not:

(a) Change the scope of services available to a client eligible under a Title XIX medicaid program;

(b) Interfere with the relationship between a participant (client) and the client's chosen department-enrolled provider(s);

(c) Duplicate case management activities available to a client in the client's community; or

(d) Substitute for established activities that are available to a client and provided by programs administered through other DSHS divisions or state agencies.

(3) Chronic care management program services provided by a statewide care management (SCM) contractor and a local care management (LCM) contractor must meet:

(a) The conditions of the contract between DSHS and the contractor; and

(b) Applicable state and federal requirements.

(4) The SCM contractor uses a predictive modeling program to review DSHS claims, and eligibility data to identify clients eligible to participate in the chronic care management program.) (1) The agency's health home program provides patient-centered care to beneficiaries at high risk for high health costs and poor health outcomes. Health homes services consist of six care coordination activities that include providing education to the beneficiary in self-managing his or her condition and navigating the health care system.

(2) Health home offers:

(a) Comprehensive or intensive care management to assess readiness for self-management and promote self-management skills;

(b) Care coordination and health promotion to support coordination across systems of care and beneficiaries' participation in their care;

(c) Comprehensive transitional care after discharge from an inpatient facility (hospital, rehabilitative, psychiatric, skilled nursing, substance use disorder treatment or residential habilitation setting);

(d) Individual and family support services to provide health promotion, education, training and coordination of covered services for beneficiaries and their support network;

(e) Referrals to community and support services; and

(f) Use of health information technology (HIT) to link services between the health home and the beneficiaries' providers.

(3) The agency's health home program does not:

(a) Change the scope of services available to a beneficiary eligible under medicare or a Title XIX medicaid program;

(b) Interfere with the relationship between a beneficiary and his or her chosen agency-enrolled provider(s);

(c) Duplicate case management activities available to a beneficiary in the beneficiary's community or by other providers or programs; or

(d) Substitute for established activities that are available through programs administered through the agency or other state agencies.

(4) Qualified health home providers must:

(a) Contract with the agency to provide services under this chapter to eligible beneficiaries;

(b) Accept the terms and conditions in the agency's contract;

(c) Be able to meet the network and quality standards established by the agency;

(d) Accept the rates established by the agency; and

(e) Comply with all applicable state and federal requirements.

(5) The agency reserves the right to not contract with any otherwise qualified health home provider.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-557-0100 (~~Chronic care management~~) **Health home program—Definitions.** The following terms and definitions apply to the (~~chronic care management~~) health home program:

(~~"Chronic care management program services" are services provided by DSHS-contracted organizations to clients with multiple health, behavioral, and social needs in order to improve care coordination, client education, and client self-management skills.~~

~~"Evidence-based health care practice" means a clinical approach to practicing medicine based on the clinician's awareness of evidence and the strength of that evidence to support the management of a disease treatment process.~~

~~"Local care management program" or "LCM program" means a comprehensive care management program and medical home program for medical assistance clients (participants) that serves a specific geographical area of the state.~~

~~"Local care management (LCM) contractor" means an entity or group of entities that contracts with DSHS to provide chronic care management program services to eligible participants (clients).~~

~~"Medical home" means an approach to providing health care services in a high-quality and cost-effective manner that is accessible, family-centered, comprehensive, continuous, coordinated, compassionate, and culturally competent.~~

"Participant" means a medical assistance client who has been contacted by an SCM or LCM, and has agreed to participate in the chronic care management program.

"Predictive modeling" means using historical medical claims data to predict future utilization of medical services.

"Self-management" means, with guidance from a health care team, the concept of a medical assistance client being the "driver" of their own health care to improve their health care outcome through:

- Education;
- Monitoring;
- Adherence to evidence-based guidelines; and
- Active involvement in the decision-making process with the team.

"Statewide care management program" or "SCM program" means a comprehensive care management program for clients that serves all areas of the state not served by a local care management (LCM) program.

"Statewide care management (SCM) contractor" means an entity that contracts with DSHS to provide chronic care management program services to eligible medical assistance clients (participants). The SCM contractor provides client identification and referral to appropriate local care management (LCM) programs through predictive modeling.))

Agency - See WAC 182-500-0010.

Beneficiary - A person who is eligible for health home services. See WAC 182-557-0200.

Chronic condition - A condition that, in combination with the beneficiary's risk score, determines eligibility for health home services. The chronic conditions covered are mental health conditions, substance use disorders, asthma, diabetes, heart disease, cancer, cerebrovascular disease, coronary artery disease, dementia or Alzheimer's disease, intellectual disability or disease, HIV/AIDS, renal failure, chronic respiratory conditions, neurological disease, gastrointestinal, hematological and musculoskeletal conditions.

Contractor - The entity providing covered services under contract with the agency.

Coverage area(s) - Predetermined geographical area(s) composed of specific counties that will facilitate a phased-in implementation of health homes.

Covered services - A set of services across medicare and medicaid to be coordinated as part of health home program activities.

DSHS - The department of social and health services.

Health action plan - A beneficiary-prioritized plan identifying what the beneficiary plans to do to improve their health and/or self-management of health conditions.

Health home - An entity composed of community based providers, qualified and contracted by the agency to provide health home services to eligible beneficiaries.

HIPAA (Health Insurance Portability and Accountability Act of 1996) - Regulations designed to provide privacy standards to protect patients' medical records and other health information provided to health plans, doctors, hospitals, and other health care providers.

Dual eligible - For the purpose of this chapter, means individuals who are enrolled in medicare parts A and B, and who are eligible for, and receiving, medicaid and no other comprehensive private or public health coverage.

Medicaid - See WAC 182-500-0070.

Participation - An agreement by the beneficiary to participate in health home services as demonstrated by the health action plan.

Risk score - A measure of expected cost risk in the next twelve months based on the beneficiary's disease profiles, medical care utilization, and pharmacy utilization.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-557-0200 ((Chronic care management program)) Health home program—Client eligibility and participation. ((1) To be a participant in the chronic care management program, a client must:

(a) Be a recipient of the supplemental security income (SSI) program or general assistance with expedited medical categorically needy (GAX) program;

(b) Be identified through predictive modeling as being high risk for high medical costs as a result of needing medical treatment for multiple conditions; and

(c) Agree to participate in the program.

(2) A client participating in the chronic care management program must not be:

(a) Receiving medicare benefits;

(b) Residing in an institution, as defined in WAC 388-500-0005, for more than thirty days;

(c) Eligible for third party coverage that provides care management services or requires administrative controls that would duplicate or interfere with the department's chronic care management program;

(d) Enrolled with a managed care organization (MCO) plan contracted with DSHS;

(e) Currently receiving long term care services; or

(f) Receiving care management services that chronic care management program services would duplicate.

(3) Using data provided by DSHS, the statewide care management (SCM) contractor identifies medical assistance clients who are potential participants for chronic care management program services. A client who meets the participation requirements in this section:

(a) Will be served by the SCM program or a local care management (LCM) program, based on the geographical area of the state the client resides.

(b) Will be contacted by an SCM or LCM care manager for an assessment and enrollment in the program;

(c) Will not be enrolled unless the client specifically agrees to the enrollment;

(d) May request disenrollment at any time. Disenrollment is effective the first day of the following month; and

(e) May request reenrollment at any time. Reenrollment is effective the first day of the following month.

(4) A participating client who subsequently enrolls in a DSHS voluntary managed care program is no longer eligible for chronic care management program services.

(5) A client who meets the eligibility and enrollment criteria for participation in the chronic care management services program:

(a) Is eligible to participate for six months from the date of enrollment provided the client continues to meet eligibility and enrollment criteria; and

(b) May participate for additional six-month participation periods if both the department and the SCM or LCM contractor determine that the participant's self-management skills and health care outcome would benefit.

(6) A client who does not agree with a decision regarding chronic care management program services has a right to a hearing under chapter 388-02 WAC.)) (1) To participate in the health home program, a beneficiary must be:

(a) A recipient of the medicaid aged, blind, disabled assistance program; or

(b) A recipient of temporary assistance for needy families (TANF); or

(c) Dually eligible for medicare and medicaid services; and

(i) Have one or more chronic condition(s) as defined in WAC 182-557-0100 and the risk of developing another; and

(ii) Be identified through predictive modeling as being high risk for high medical costs and poor health outcomes as a result of needing medical treatment for chronic condition(s); and

(iii) Agree to participate in a health home program.

(2) A beneficiary participating in the health home program must not be:

(a) Eligible for third-party coverage that provides care management services or requires administrative controls that would duplicate or interfere with the agency's health home program; or

(b) Receiving services through another health system that health home services would duplicate.

(3) Using data provided by the department of social and health services (DSHS), the agency identifies beneficiaries who are potential participants of health home services. A beneficiary who meets the participation requirements in this section will:

(a) Be served by a qualified health home based on the coverage area in which the beneficiary resides;

(b) Be contacted for an assessment and participation in the program;

(c) Work with a care coordinator to develop a health action plan that details the beneficiary's health goals and a plan for achievement of those goals; and

(d) Will receive health home services at a level appropriate to the beneficiary's needs.

(4) A participant who does not agree with a decision regarding health home services has the right to an administrative hearing as described in chapter 182-526 WAC.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-557-0300 ((Chronic care management program)) Health home services—Confidentiality and data sharing. (((1) Statewide care management (SCM) and local care management (LCM) contractors must meet the confidentiality and data sharing requirements that apply to clients eligible under Title XIX medicaid programs and as specified in the chronic care management contract.

(2) ~~DSHS shares health care data with SCM and LCM contractors under the provisions of RCW 70.02.050 and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).~~

(3) ~~DSHS requires SCM and LCM contractors to monitor and evaluate participant activities and provide to the department:~~

~~(a) Any client information collected; and~~

~~(b) Any data compiled as the result of the program.)) (1)~~

Qualified health home contractors must meet the confidentiality and data sharing requirements that apply to clients eligible under medicare and Title XIX medicaid programs and as specified in the health home contract.

(2) The agency and the department of social and health services (DSHS) share health care data with qualified health home contractors under the provisions of RCW 70.02.050 and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

(3) The agency requires qualified health home contractors to monitor and evaluate participant activities and report to the agency as required by the health home contract.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-557-0400 ((Chronic care management program services)) Health home—Payment. ((Only a DSHS contracted statewide care management (SCM) and local care management (LCM) program may bill and be paid for providing the chronic care management program services described in chapter 388-557 WAC. Billing requirements and payment methodology are described in the contract between DSHS and the contractor.)) Only an agency-contracted qualified health home may bill and be paid for providing health home services described in this chapter. Billing requirements and payment methodology are described in the contract between the agency and the contractor.

WSR 13-03-120

PROPOSED RULES

DEPARTMENT OF FISH AND WILDLIFE

[Filed January 18, 2013, 4:15 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-17-031 on August 7, 2012.

Title of Rule and Other Identifying Information: WAC 220-110-085 Integration of hydraulic project approvals and forest practices applications.

Hearing Location(s): Natural Resources Building, Room 175 A/B, 1111 Washington Street S.E., Olympia, WA 98504, on February 27, 2013, at 1:00 p.m.

Date of Intended Adoption: March 1, 2013.

Submit Written Comments to: Lori Preuss, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Lori.preuss@dfw.wa.gov, fax (360) 902-2155, by February 20, 2013.

Assistance for Persons with Disabilities: Contact Tami Lininger by February 20, 2013, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These rules will identify the procedures that the Washington department of fish and wildlife (WDFW) habitat biologists will use to review and provide concurrence determinations on specific forest practices hydraulic project types identified in 2ESSB 6406 (2012). The rules direct WDFW's internal procedures only and include guidelines for the manner in which WDFW biologists will work with the department of natural resources (DNR) and applicants to help ensure that projects meet fish protection standards. The rules do not provide any legal requirements for outside entities.

These rules will provide a new section within the hydraulic code rules (chapter 220-110 WAC).

Reasons Supporting Proposal: This rule making was mandated by 2ESSB 6406 to fulfill one of WDFW's obligations associated with integrating the agency's hydraulic code fish protection standards into DNR's forest practices rules.

Statutory Authority for Adoption: 2ESSB 6406 and RCW 77.55.361 and 76.09.490.

Statute Being Implemented: 2ESSB 6406 and RCW 77.55.361 and 76.09.490.

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

Name of Proponent: WDFW, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Terry Jackson, 1111 Washington Street S.E., Olympia, WA 98504, (360) 902-2609; and **Enforcement:** Bruce Bjork, 1111 Washington Street S.E., Olympia, WA 98504, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule is a procedural rule, which affects only internal agency procedures.

A cost-benefit analysis is not required under RCW 34.05.328. This proposal only affects internal agency procedures. It does not affect the business of external entities.

January 18, 2013

Lori Preuss
Rules Coordinator

NEW SECTION

WAC 220-110-085 Integration of hydraulic project approvals and forest practices applications. (1) **Description.** In 1999, the *Forests and Fish Report* and Engrossed Substitute House Bill 2091, which amended the Forest Practices Act, chapter 76.09 RCW, envisioned a more integrated approach to permitting hydraulic projects that also require forest practices applications (FPAs). In May 2001, the forest practices board adopted permanent forest practices rules in Title 222 WAC, which incorporated fish protection measures normally included in hydraulic project approvals (HPAs) for projects in nonfish-bearing waters.

In April 2012, the legislature, through Second Engrossed Substitute Senate Bill 6406, amended the Forest Practices Act in chapter 76.09 RCW and the hydraulic code statutes in chapter 77.55 RCW. The amendment requires integration of

hydraulic code rule fish protection standards (Title 220 WAC) into the forest practices rules for hydraulic projects in fish-bearing waters on forest land. As codified in RCW 77.55.361 and 76.09.040, the requirements of the hydraulic code rules will no longer apply to any forest practices hydraulic project as soon as fish protection standards have been integrated into the forest practices rules, and technical guidance has been developed and approved for inclusion in the *Forest Practices Board Manual*. Thereafter, forest practices hydraulic projects will be regulated under forest practices rules. The amended statutes also include a requirement that the department of fish and wildlife (department) adopt rules establishing the procedures for the concurrence review process. This process is outlined in subsection (3) of this section.

(2) **General review and comment on forest practices hydraulic projects.**

(a) The department may review and provide comments on any FPA.

(b) For FPAs that include a forest practices hydraulic project involving fish-bearing waters or shorelines of the state, the department must review the forest practices hydraulic projects and either provide comments to the department of natural resources (DNR), or document that the review has occurred without the need for comments. Prior to commenting, or as soon as reasonably practicable, the department will communicate with the applicant regarding any concerns relating to consistency with fish protection standards. The department will also strive to maintain communications with DNR as concerns arise and to inform DNR of communications with applicants.

(c) The department will encourage forest landowners to consult with department biologists, including site visits as needed, prior to submitting an FPA containing a hydraulic project. This will help ensure that project design plans and specifications meet fish protection standards. Preapplication collaboration with the department will result in more efficient and successful outcomes for forest landowners and their proposed hydraulic projects.

In addition to the general review and comment process for forest practices hydraulic projects described in this subsection, hydraulic projects meeting the criteria described in subsection (3)(a) of this section will follow the concurrence review process.

(3) **Concurrence review process.**

(a) The department must review forest practices hydraulic projects meeting the following criteria and provide written comments to DNR on the project's ability to meet fish protection standards:

(i) Culvert installation or replacement, and repair at or below the bankfull width, as that term is defined in WAC 222-16-010 on July 10, 2012, in fish-bearing rivers and streams that exceed five percent gradient;

(ii) Bridge construction or replacement, and repair at or below the bankfull width, of fish-bearing unconfined streams; or

(iii) Fill within the flood level - 100 year, as that term is defined in WAC 222-16-010 on July 10, 2012, of fish-bearing unconfined streams.

(b) After the department receives notification from DNR that a FPA includes one or more hydraulic projects meeting the criteria in (a) of this subsection, the department has thirty days to review the forest practices hydraulic project(s) for consistency with fish protection standards.

(c) Within five business days following notification from DNR, or as soon as reasonably practicable thereafter, the department will determine whether all information, needed for assessing the hydraulic project's consistency with fish protection standards, is included in the application.

(d) If information is missing, the department will contact the applicant to request the missing information. The department will also provide written notification to DNR, indicating that specific information is missing and that the applicant has been notified. The department may issue a nonconcurrency on a proposed project if the applicant fails to provide missing information in time for the department to perform its thirty-day review.

(e) If, during the thirty-day concurrence review period, the department determines that a forest practices hydraulic project may not be consistent with fish protection standards, the department will attempt to work with the applicant to modify the proposed project. The department will strive to include DNR participation on site visits with the applicant as needed.

(f) The department must provide written notification of concurrence or nonconcurrency to DNR within the thirty-day review period, stating whether or not the hydraulic project is consistent with fish protection standards. As part of the written notification to DNR, the department must provide information about the outcomes of any meetings with the applicant, including agreements or disagreements, any missing information requested, and any proposed changes needed to meet fish protection standards.

(g) The department will recommend that DNR deny the FPA when efforts described in (e) of this subsection have not resulted in a successful outcome, the project will result in direct or indirect harm to fish life, and adequate mitigation cannot be assured by modifying the hydraulic project proposal or by DNR's agreement to add appropriate provisions to the FPA.

WSR 13-03-125
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed January 22, 2013, 11:10 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-24-068.

Title of Rule and Other Identifying Information: Chapter 296-104 WAC, Board of boiler rules—Substantive.

Hearing Location(s): Department of Labor and Industries, 950 Broadway, Suite 200, Tacoma, WA 98402, on March 27, 2013, at 10:00 a.m.

Date of Intended Adoption: April 23, 2013.

Submit Written Comments to: Sally Elliott, P.O. Box 44400, Olympia, WA 98504-4400, e-mail Sally.Elliott@Lni.wa.gov, fax (360) 902-5292, by 5 p.m. on March 27, 2013.

Assistance for Persons with Disabilities: Contact Sally Elliott by March 13, 2013, at Sally.Elliott@Lni.wa.gov or (360) 902-6411.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The boiler program reviewed their rules for additions and revisions to ensure the rules are consistent with the national consensus standards and industry practice. The rule making will:

- Adopt the current edition of the national safety standards for boiler and pressure vessels. It is critical the program adopt the current national consensus standards, as these standards are required to be used by boiler and pressure vessel manufacturers and repair organizations throughout the state. Also, these standards ensure that Washington state is consistent with other states and the same safety standards are met by boiler and pressure vessel inspectors working in other states.
- Adopt language to ensure consistency with statutory requirements.

Adopt amendments that have been determined to be beneficial to or requested and supported by the regulated entities or small businesses they affect. This includes:

- Adopt new definitions for terms used in the industry to eliminate confusion and misinterpretation.
- Adopt rules for reciprocity to accept historical boilers and pressure vessels certified in other jurisdictions to the same standards as Washington state.
- Proposals to clarify the rules to improve safety and to reflect current processes, for example:
 - o Clarify the guidelines for the appeal process.
 - o Create guidelines for regulating pool heaters.
- Proposals for general housekeeping, grammatical and reference corrections to bring the rules up to date.

Reasons Supporting Proposal: See Purpose above.

Statutory Authority for Adoption: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, and 70.79.350.

Statute Being Implemented: Chapter 70.79 RCW.

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jose Rodriguez, Tumwater, Washington, (360) 902-6348.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule is exempt from the small business economic impact statement requirement because the proposed changes will impose no more than minor costs on businesses in the affected industry and the agency was not requested to do so by the joint administrative rules review committee (see RCW 19.85.030(1)).

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by

contacting Sally Elliott, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail sally.elliott@lni.wa.gov.

January 22, 2013
Robert E. Olson, Chair
Board of Boiler Rules

AMENDATORY SECTION (Amending WSR 10-06-049, filed 2/24/10, effective 4/1/10)

WAC 296-104-010 Administration—What are the definitions of terms used in this chapter? "Accident" shall mean a failure of the boiler or unfired pressure vessel resulting in personal injury or property loss or an event which renders a boiler or unfired pressure vessel unsafe to return to operation.

"Agriculture purposes" shall mean any act performed on a farm in production of crops or livestock, and shall include the storage of such crops and livestock in their natural state, but shall not be construed to include the processing or sale of crops or livestock.

"Attendant" shall mean the person in charge of the operation of a boiler or unfired pressure vessel.

"Automatic operation of a boiler" shall mean automatic unattended control of feed water and fuel in order to maintain the pressure and temperature within the limits set. Controls must be such that the operation follows the demand without interruption. Manual restart may be required when the burner is off because of low water, flame failure, power failure, high temperatures or pressures.

"Board of boiler rules" or "board" shall mean the board created by law and empowered under RCW 70.79.010.

"Boiler and unfired pressure vessel installation/reinstallation permit," shall mean a permit approved by the chief inspector before starting installation or reinstallation of any boiler and unfired pressure vessel within the jurisdiction of Washington.

Owner/user inspection agency's, and Washington specials are exempt from "boiler and unfired pressure vessel installation/reinstallation permit."

"Boilers and/or unfired pressure vessels" - Below are definitions for types of boilers and unfired pressure vessels used in these regulations:

- **"Condemned boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that has been inspected and declared unsafe or disqualified for further use by legal requirements and appropriately marked by an inspector.

"Corrosion" shall mean the destruction or deterioration of a material, that results from a reaction with its environment.

- **"Expansion tank"** shall mean a tank used to absorb excess water pressure. Expansion tanks installed in closed water heating systems and hot water supply systems shall meet the requirements of ASME Section IV, HG-709.

"Historical boilers and unfired pressure vessel" shall mean nonstandard boilers and pressure vessels including steam tractors, traction engines, hobby steam boilers, portable steam boilers, and other such

boilers or pressure vessels that are preserved, restored, and maintained only for demonstration, viewing, or educational purposes. They do not include miniature hobby boilers as described in RCW 70.79.070.

- **"Hot water heater"** shall mean a closed vessel designed to supply hot water for external use to the system. All vessels must be listed by a nationally recognized testing agency and shall be protected with an approved temperature and pressure safety relief valve and shall not exceed any of the following limits:
 - * Pressure of 160 psi (1100 kpa);
 - * Temperature of 210 degrees F (99°C).
 Additional requirements:
 - * Hot water heaters exceeding 120 gallons (454 liters) must be ASME code stamped;
 - * Hot water heaters exceeding 200,000 Btu/hr (58.58 kW) input must be ASME code stamped.

"Indirect water heater" shall mean a closed vessel appliance used to heat water for use external to itself, which includes a heat exchanger used to transfer heat to water from an external source. The requirements and limits described above shall apply.
- **"Low pressure boiler"** shall mean a steam boiler operating at a pressure not exceeding 15 psig or a boiler in which water is heated and intended for operation at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy. Low pressure boilers open to atmosphere and vacuum boilers are excluded.
- **"Nonstandard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that does not bear marking of the codes adopted in WAC 296-104-200.
 - "Pool heaters"** shall mean a gas, oil, or electric appliance that is used to heat water contained in swimming pools, spas, and hot tubs.
 - (a) Pool heaters with energy input equivalent to 399,999 Btu/hr (117.2 kW) or less shall be manufactured and certified to ANSI Z21.56, UL1261, CSA 4.7 or equivalent manufacturing standards, as approved by the chief inspector, and are excluded from the limit and control devices requirements of WAC 296-104-300 through 296-104-303.
 - (b) Pool heaters with energy input of 400,000 Btu/hr and above shall be stamped with an ASME Section IV Code symbol, and the requirements of WAC 296-104-300 through 296-104-303 shall apply.
 - (c) Pool heaters open to the atmosphere are excluded.
- **"Power boiler"** shall mean a boiler in which steam or other vapor is generated at a pressure of more than 15 psig for use external to itself or a boiler in which water is heated and intended for operation at pressures in excess of 160 psig and/or temperatures in excess of 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy.

- **"Reinstalled boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel removed from its original setting and reset at the same location or at a new location without change of ownership.
- **"Rental boiler"** shall mean any power or low pressure heating boiler that is under a rental contract between owner and user.
- **"Second hand boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel of which both the location and ownership have changed after primary use.
- **"Standard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel which bears the marking of the codes adopted in WAC 296-104-200.
- **"Unfired pressure vessel"** shall mean a closed vessel under pressure excluding:
 - * Fired process tubular heaters;
 - * Pressure containers which are integral parts of components of rotating or reciprocating mechanical devices where the primary design considerations and/or stresses are derived from the functional requirements of the device;
 - * Piping whose primary function is to transport fluids from one location to another;
 - * Those vessels defined as low pressure heating boilers or power boilers.
- **"Unfired steam boiler"** shall mean a pressure vessel in which steam is generated by an indirect application of heat. It shall not include pressure vessels known as evaporators, heat exchangers, or vessels in which steam is generated by the use of heat resulting from the operation of a processing system containing a number of pressure vessels, such as used in the manufacture of chemical and petroleum products, which will be classed as unfired pressure vessels.

"Certificate of competency" shall mean a certificate issued by the Washington state board of boiler rules to a person who has passed the tests as set forth in WAC 296-104-050.

"Certificate of inspection" shall mean a certificate issued by the chief boiler inspector to the owner/user of a boiler or unfired pressure vessel upon inspection by an inspector. The boiler or unfired pressure vessel must comply with rules, regulations, and appropriate fee payment shall be made directly to the chief boiler inspector.

"Code, API-510" shall mean the Pressure Vessel Inspection Code of the American Petroleum Institute with addenda and revisions, thereto made and approved by the institute which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

"Code, ASME" shall mean the boiler and pressure vessel code of the American Society of Mechanical Engineers with addenda thereto made and approved by the council of the society which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

"Code, NBIC" shall mean the National Board Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors with addenda and revisions, thereto made and

approved by the National Board of Boiler and Pressure Vessel Inspectors and adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

"Commission" shall mean an annual commission card issued to a person in the employ of Washington state, an insurance company or a company owner/user inspection agency holding a Washington state certificate of competency which authorizes them to perform inspections of boilers and/or unfired pressure vessels.

"Department" as used herein shall mean the department of labor and industries of the state of Washington.

"Director" shall mean the director of the department of labor and industries.

"Domestic and/or residential purposes" shall mean serving a private residence or an apartment house of less than six families.

"Existing installations" shall mean any boiler or unfired pressure vessel constructed, installed, placed in operation, or contracted for before January 1, 1952.

"Inspection certificate" see "certificate of inspection."

"Inspection, external" shall mean an inspection made while a boiler or unfired pressure vessel is in operation and includes the inspection and demonstration of controls and safety devices required by these rules.

"Inspection, internal" shall mean an inspection made when a boiler or unfired pressure vessel is shut down and handholes, manholes, or other inspection openings are open or removed for examination of the interior. An external ultrasonic examination of unfired pressure vessels less than 36" inside diameter shall constitute an internal inspection.

"Inspector" shall mean the chief boiler inspector, a deputy inspector, or a special inspector.

- **"Chief inspector"** shall mean the inspector appointed under RCW 70.79.100 who serves as the secretary to the board without a vote.
- **"Deputy inspector"** shall mean an inspector appointed under RCW 70.79.120.
- **"Special inspector"** shall mean an inspector holding a Washington commission identified under RCW 70.79.130.

"Nationwide engineering standard" shall mean a nationally accepted design method, formulae and practice acceptable to the board.

"Operating permit" see "certificate of inspection."

"Owner" or **"user"** shall mean a person, firm, or corporation owning or operating any boiler or unfired pressure vessel within the state.

"Owner/user inspection agency" shall mean an owner or user of boilers and/or pressure vessels that maintains an established inspection department, whose organization and inspection procedures meet the requirements of a nationally recognized standard acceptable to the department.

"Place of public assembly" or **"assembly hall"** shall mean a building or portion of a building used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking, or dining or waiting transportation. This shall also include child care centers (those agencies which operate for the care of thirteen or more children), public and private hospitals, nursing and boarding homes.

"Special design" shall mean a design using (~~nation-wide~~) nationally or internationally recognized engineering standards other than the codes adopted in WAC 296-104-200 (~~or other than allowed in WAC 296-104-230~~).

AMENDATORY SECTION (Amending WSR 09-12-033, filed 5/27/09, effective 6/30/09)

WAC 296-104-018 Administration—~~(How are rules interpreted and revised?)~~ **Interpretation of rules—Appeal rights—Hearings.** ~~((Stakeholder requests for clarifications and interpretations of these rules shall be made to the chief inspector in writing upon the form furnished by the chief inspector located on the boiler program web site. Interpretations will be brought to the board in the same manner if the inquirer is aggrieved by the interpretation of the chief inspector (RCW 70.79.360). For board consideration the form must be submitted to the department of labor and industries forty-five days prior to the board of boiler rules meeting date. Forms may also be requested by contacting the department.))~~ (1) Any person desiring clarification or interpretation and/or application of the rules in this chapter shall submit a request in writing to the chief inspector upon the "chief inspector clarification and interpretation request form." The chief inspector shall issue a written decision responding to such a request.

(2) Any person who disputes the interpretation and/or application of the rule(s) by the chief inspector may ask the board of boiler rules (board) for its interpretation. Such requests must:

(a) Be submitted in writing to the board upon the "board of boiler rules interpretation and revision request form";

(b) Be received by the secretary to the board (the chief inspector) within thirty days after the date on which the chief inspector's written decision was served on the person making the request; and

(c) Be received by the secretary at least forty-five days before the board meeting date for inclusion at the next regularly scheduled board meeting. Otherwise, the request will be heard and considered at the following board meeting.

At the meeting, the board will affirm, modify or revoke the department's interpretation and a written order reflecting the board's decision will be issued by the chair.

(3) A party may seek judicial review of a final order of the board within thirty days after service of the order, in accordance with RCW 34.05.542.

(4) Any person, firm, partnership, corporation, or other entity wishing to appeal a penalty issued under chapter 70.79 RCW or this chapter must file a written notice of appeal with the chief boiler inspector within twenty days after the date on which the notice of the penalty was served on the assessed party. In the hearing of the appeal, the department has the burden of proof by a preponderance of the evidence. At the hearing, the board will decide the appropriateness of the penalty and may either affirm, modify or overturn the assessment. The parties shall prepare and submit an order reflecting the board's decision to the chair of the board.

(5) Except as provided in chapter 70.79 RCW and this chapter, all proceedings before the board and the courts will be conducted according to chapter 34.05 RCW, Administra-

tive Procedure Act and chapter 10-08 WAC, Model rules of procedure.

AMENDATORY SECTION (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

WAC 296-104-025 Administration—What are the notification and reporting requirements following an accident involving a boiler or pressure vessel? When an accident occurs which renders a boiler or unfired pressure vessel inoperative, the owner or user shall notify the chief inspector, and submit a detailed report of the accident. In cases of accidents, such as explosions or those resulting in personal injury, notice to the chief inspector shall be given immediately by telephone or electronic means designed to assure its earliest possible receipt. Neither the boiler or unfired pressure vessel nor any parts thereof shall be removed or disturbed before an inspection has been made by the chief inspector, or his designee except for the purpose of saving life or limiting consequential damage. The inspector making the investigation and inspection shall report to the chief inspector as soon as possible. The boiler or pressure vessel owner shall be responsible for all costs of the department's investigation.

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-140 Inspection—How should a state (~~stamp~~) number be assigned and applied? Upon completion of the installation, all boilers and unfired pressure vessels shall be inspected by an inspector as defined in WAC (~~296-104-010~~) 296-104-100. At the time of this inspection, each boiler or unfired pressure vessel shall be marked with a serial number of the state of Washington followed by the letter "W." The marking should be conspicuously located and as close as possible to the boiler or unfired pressure vessel nameplate.

All boilers and unfired pressure vessels granted a Washington state special (~~numbers when assigned by the chief inspector~~) by the board of boiler rules shall (~~be~~) have a serial number of the state of Washington followed by the letters "WS." This number shall be assigned by the chief inspector.

Washington numbers assigned by the chief inspector for historical boilers and pressure vessels from outside the jurisdiction shall be a serial number of the state of Washington followed by the letters "WH."

All rental boilers used in the state of Washington shall be marked with the serial number of the state of Washington followed by the letters "WR." This will indicate that the boiler is a rental unit.

The state of Washington markings, numbers and letters, referenced above, shall not be less than 5/16 inches in height and shall not be concealed by lagging or paint and shall be exposed at all times.

AMENDATORY SECTION (Amending WSR 09-12-033, filed 5/27/09, effective 6/30/09)

WAC 296-104-200 Construction—What are the standards for new construction? The standards for new construction are:

- (1) ASME Boiler and Pressure Vessel Code, ~~((2007))~~ current edition, ~~((with addenda))~~ Sections I, III, IV, VIII, Division 1, 2, 3, X, XII;
- (2) ASME PVHO-1 ~~((2007))~~ Safety Standard for Pressure Vessels for Human Occupancy, current edition; and
- (3) Standards of construction approved by the chief inspector and meeting the National Board Criteria for Registration of Boilers, Pressure Vessels and Other Pressure Retaining Items.

These codes and standards may be used on or after the date of issue and become mandatory twelve months after adoption by the board as specified in RCW 70.79.050(2). ASME Code Cases may be approved for use when accepted by the chief inspector. The board recognizes that the ASME Code states that new editions of the code become mandatory ~~((on issue and that subsequent addenda become mandatory))~~ six months after the date of issue. For nuclear systems, components and parts the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

AMENDATORY SECTION (Amending WSR 09-12-033, filed 5/27/09, effective 6/30/09)

WAC 296-104-205 Construction—What are the requirements for nonstandard new construction? ~~((These boilers and unfired pressure vessels that are exempted by the codes adopted in WAC 296-104-200 due to volume, temperature or pressure requirements, and are not to be constructed to those codes, must be certified to a nationally recognized testing agency or constructed to WAC 296-104-230. See WAC 296-104-316 for safety pressure relief devices.~~

~~Other))~~ Nonstandard boilers and unfired pressure vessels that are not to be constructed to the codes adopted in WAC 296-104-200 may be treated as special designs at the discretion of the board. Nonstandard construction shall not be permitted to avoid standard construction.

AMENDATORY SECTION (Amending WSR 05-22-092, filed 11/1/05, effective 1/1/06)

WAC 296-104-210 Construction—What are the requirements for construction of boilers and unfired pressure vessels of special design? Boilers and unfired pressure vessels of special design require a special certificate granted by the board of boiler rules. At a minimum the following information shall be supplied to obtain board approval for special designs: Construction drawings, design calculations, material specifications, and a ~~((Washington state))~~ written evaluation by a professional ((engineer's evaluation of the design)) engineer knowledgeable with boilers and unfired pressure vessels. Upon board approval a Washington special number will be assigned by the chief inspector. The installation will be subject to the regular inspections required by WAC 296-104-100 and any additional conditions as required by the board.

AMENDATORY SECTION (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

WAC 296-104-215 Construction—What are the requirements to use nonstandard boilers and unfired pressure vessels ~~((constructed prior to January 1, 1952))~~ other than historical boilers and pressure vessels? Nonstandard boilers and unfired pressure vessels ~~((constructed prior to January 1, 1952))~~, other than historical boilers and pressure vessels may be used provided they have not been moved from their original setting since January 1, 1952.

AMENDATORY SECTION (Amending WSR 05-22-092, filed 11/1/05, effective 1/1/06)

WAC 296-104-220 Construction—What are the requirements to use nonstandard second hand boilers and unfired pressure vessels, other than historical boilers and pressure vessels? Nonstandard second hand boilers and unfired pressure vessels constructed after January 1, 1952, cannot be used in this state without prior approval of the board of boiler rules. At a minimum the following information shall be supplied to obtain board approvals: Construction drawings, photographs, operating and inspection history, design calculations, ~~((and a Washington state professional))~~ an engineer's evaluation of the design and present condition ~~((- Upon board approval a Washington special number will be assigned by the chief inspector. The installation will be subject to the regular inspections required by WAC 296-104-100 and any additional conditions as required by))~~ and any additional requirements of the board.

NEW SECTION

WAC 296-104-226 Construction—What are the requirements to use historical boilers and pressure vessels? Historical boilers and pressure vessels not previously registered may be used in this state provided they meet all the requirements for historical boilers in the National Board Inspection Code and have prior approval of the board of boiler rules.

Historical boilers and pressure vessels from outside the jurisdiction can be used subject to the approval of the chief inspector, provided they have been registered in another national board jurisdiction and have been inspected and maintained in accordance with all requirements for historical boilers in the National Board Inspection Code.

The object will be subject to regular periodic inspections as required in WAC 296-104-100.

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-303 Installation—What control and limit devices are required on automatically fired boilers after December 2004? In addition to those requirements listed in WAC 296-104-302, the following are also required with regard to installations or refits of gas, oil, or combinations of gas or oil:

- (1) All automatically fired boilers with input greater than 400,000 Btu/hr, including electric boilers with input greater

than 117 kW shall have a manually operated remote shut-down switch or circuit breaker. The shutdown switch should be located just outside the boiler room door and marked for easy identification. Consideration should be given to the type and location of the switch to safeguard against tampering. If the boiler room door is on the building exterior, the switch should be located just inside the door. If there is more than one door to the boiler room, there should be a switch located at each door.

(2) A means shall be provided for testing the operation of hot water heating boiler low-water fuel cutoff(s) without resorting to draining the entire system. Such means shall not render the device(s) inoperable. If the means temporarily isolates the device from the boiler during testing, it shall automatically return to its normal position.

AMENDATORY SECTION (Amending WSR 04-01-194, filed 12/24/03, effective 1/24/04)

WAC 296-104-316 Installation—What safety pressure relief devices are required on boilers and unfired pressure vessels? All boilers and unfired pressure vessels, including pressure retaining items listed in RCW 70.79.090 (5), shall be safeguarded by safety (~~valves, safety relief valves, or rupture discs~~) pressure relief devices as specified in the applicable ASME Code or recognized standard. The pressure relieving device set pressure shall not exceed the boiler's or the unfired pressure vessel's maximum allowable working pressure unless allowed by the code of construction. These pressure relieving devices shall be installed per the applicable ASME Code or manufacturer's requirements. The outlet of the relief valve shall be run full size to a safe place and shall not induce undue stress on the valve. As an alternative they may be safeguarded by a fail safe pressure relief control system that is evaluated by a professional engineer knowledgeable with boilers and pressure vessels (~~(-licensed by the state of Washington,))~~) and accepted by the chief inspector.

AMENDATORY SECTION (Amending WSR 12-09-057, filed 4/17/12, effective 6/30/12)

WAC 296-104-700 What are the inspection fees—Examination fees—Certificate fees—Expenses? The following fees shall be paid by, or on behalf of, the owner or user upon the completion of the inspection. The inspection fees apply to inspections made by inspectors employed by the state.

Boiler and pressure vessel installation/reinstallation permit (excludes inspection and certificate of inspection fee): \$50.00.

Certificate of inspection fees: For objects inspected, the certificate of inspection fee per object is \$21.50.

Hot water heaters per RCW 70.79.090, inspection fee: \$6.70.

Heating boilers:	Internal	External
Cast iron—All sizes	\$36.30	\$29.00
All other boilers less than 500 sq. ft.	\$36.30	\$29.00

500 sq. ft. to 2500 sq. ft.	\$72.40	\$36.30
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	\$29.00	\$14.20
Power boilers:	Internal	External
Less than 100 sq. ft.	\$36.30	\$29.00
100 sq. ft. to less than 500 sq. ft.	\$43.90	\$29.00
500 sq. ft. to 2500 sq. ft.	\$72.40	\$36.30
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	\$29.00	\$14.20
Pressure vessels:		
Square feet shall be determined by multiplying the length of the shell by its diameter.		
	Internal	External
Less than 15 sq. ft.	\$29.00	\$21.50
15 sq. ft. to less than 50 sq. ft.	\$43.00	\$21.50
50 sq. ft. to 100 sq. ft.	\$50.10	\$29.00
For each additional 100 sq. ft. or any portion thereof	\$50.10	\$14.20
Nonnuclear shop inspections, field construction inspections, and special inspection services:		
For each hour or part of an hour up to 8 hours		\$43.90
For each hour or part of an hour in excess of 8 hours		\$65.50
Nuclear shop inspections, nuclear field construction inspections, and nuclear triennial shop survey and audit:		
For each hour or part of an hour up to 8 hours		\$65.50
For each hour or part of an hour in excess of 8 hours		\$102.40
Nonnuclear triennial shop survey and audit:		
When state is authorized inspection agency:		
For each hour or part of an hour up to 8 hours		\$43.90
For each hour or part of an hour in excess of 8 hours		\$65.50
When insurance company is authorized inspection agency:		
For each hour or part of an hour up to 8 hours		\$65.50
For each hour or part of an hour in excess of 8 hours		\$102.40

Examination fee: A fee of \$81.00 will be charged for each applicant sitting for an inspection examination(s).

Special inspector commission: ~~((An initial) A fee of (\$27.40 and an) \$43.80 for initial work card. A fee of \$27.30 for annual renewal ((fee of \$10.90 along with an annual work card fee of \$16.40)).~~

If a special inspector changes companies: A work card fee of \$43.80.

Expenses shall include:

Travel time and mileage: The department shall charge for its inspectors' travel time from their offices to the inspection sites and return. The travel time shall be charged for at the same rate as that for the inspection, audit, or survey. The department shall also charge the current Washington office of financial management accepted mileage cost fees or the actual cost of purchased transportation. Hotel and meals: Actual cost not to exceed the office of financial management approved rate.

Requests for Washington state specials and extensions of inspection frequency: For each vessel to be considered by the board, a fee of \$407.40 must be paid to the department before the board meets to consider the vessel. The board may, at its discretion, prorate the fee when a number of vessels that are essentially the same are to be considered.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-104-230 Construction—What are the testing requirements for new boilers or unfired pressure vessels exempted from code requirements for volume, pressure or temperature?
- WAC 296-104-235 Construction—What are the requirements for code exempted boiler and unfired pressure vessel safety relief valves?
- WAC 296-104-330 Installation—What are the relief or safety valve requirements when pressure reducing valves are used?

Preproposal statement of inquiry was filed as WSR 12-23-074.

Title of Rule and Other Identifying Information: Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations, SSB 5801 (chapter 6, Laws of 2011), as it amends RCW 51.36.010, directs the department of labor and industries (L&I) to establish a statewide health care provider network to treat injured and ill workers and to expand the Centers for Occupational Health and Education in the workers' compensation system. Rules are necessary to implement these changes. Self-insured employers are included within the network provisions in SSB 5801. This rule-making process is to clarify the self-insured employers' requirements.

Hearing Location(s): L&I, Tumwater Building, Room S117, 7273 Linderson Way S.W., Tumwater, WA 98501, on February 27, 2013, at 12:30 p.m.

Date of Intended Adoption: April 9, 2013.

Submit Written Comments to: Jami Lifka, P.O. Box 44321, Olympia, WA 98501, or e-mail Jami.Lifka@Lni.wa.gov, or fax (360) 902-6315, and are received no later than 5 p.m., February 27, 2013.

Assistance for Persons with Disabilities: Contact office of information and assistance by February 1, 2013, TTY (360) 902-5797 or (360) 902-4941.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: An amendment to WAC 296-15-330 is being proposed to ensure that department rules for self-insured employers related to medical care are consistent with and include reference to the statewide health care provider network established in SSB 5801.

The subject of this fourth rule making is to specify the requirements of self-insured employers to ensure their workers receive the information necessary to access care within the health care provider network.

Statutory Authority for Adoption: RCW 51.36.010, 51.04.020, and 51.04.030.

Statute Being Implemented: RCW 51.36.010.

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

Name of Proponent: Governor Gregoire, 2011 legislators, the governor's interim workgroup made up of representatives of state fund and self-insured businesses and workers, and L&I, private, public and governmental.

Name of Agency Personnel Responsible for Drafting: Natalee Fillinger, Program Manager Self-Insurance, (360) 902-6907; Implementation: Leah Hole-Curry, Medical Administrator, Office of the Medical Director, (360) 902-4996; and Enforcement: Vickie Kennedy, Assistant Director, Insurance Services, (360) 902-4997.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule making applies only to self-insured employers. The department did not prepare a small business economic impact statement because it determined that the proposed rules will not have a disproportionate impact on small businesses.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Leah Hole-Curry, L&I, P.O. Box 44321, Olympia,

WSR 13-03-126
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed January 22, 2013, 11:14 a.m.]

Original Notice.

WA 98504-4321, phone (360) 902-4996, fax (360) 902-6315, e-mail Leah.Hole-Curry@Lni.wa.gov.

January 22, 2013

Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 06-06-066, filed 2/28/06, effective 4/1/06)

WAC 296-15-330 Authorization of medical care. What are the requirements for authorization of medical care? Every self-insurer must:

(1) Authorize treatment and pay bills in accordance with Title 51 RCW and the medical aid rules and fee schedules of the state of Washington.

(2) Provide a written explanation of benefits (EOB) to the provider, with a copy to the worker if requested, for each bill adjustment. A written explanation is not required if the adjustment was made solely to conform to the maximum allowable fees as set by the department.

(3) Establish procedures to ensure prompt responses to inquiries regarding authorization decisions and bill adjustments.

(4) Comply with the requirements of the health care provider network. This includes:

(a) Utilizing only those providers approved for the provider network, except when the provider specialty or geographic location is not yet covered by the network;

(b) Providing information to workers about the requirement for providers to be enrolled in the network in order to treat injured workers and information on how a worker can find network providers. This information must be included in publications used by self-insurers to comply with WAC 296-15-400 (2)(a);

(c) Ensuring, when applicable, that only network providers are paid for care after the initial office or emergency room visit; and

(d) Promptly assisting workers who are being treated by a nonnetwork provider to transfer their care to a network provider of their choice; including, at a minimum, notification to the worker within forty-five days of receipt of the first bill from a nonnetwork provider that the provider will not be paid for treatment beyond the initial visit on the claim and information about how to find network providers.

WSR 13-03-132

PROPOSED RULES

**PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed January 22, 2013, 12:48 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 11-14-105.

Title of Rule and Other Identifying Information:
Amends WAC 181-79A-211, to require three year teaching experience for a candidate for principal certification.

Hearing Location(s): Best Western Plus, 714 Lakeway Drive, Bellingham, WA 98229, on March 7, 2013, at 8:30 a.m.

Date of Intended Adoption: March 7, 2013.

Submit Written Comments to: David Brenna, Legislative and Policy Coordinator, P.O. Box 47236, Olympia, WA 98504, e-mail david.brenna@k12.wa.us, fax (360) 586-4548, by March 1, 2013.

Assistance for Persons with Disabilities: Contact David Brenna by Match [March] 1, 2013, TTY (360) 664-3631 or (360) 725-6238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Currently, candidate[s] are required to have classroom experience for principal preparation entrance. This amendment specifies that three years are required.

Reasons Supporting Proposal: Stakeholder support.

Statutory Authority for Adoption: RCW 28A.410.210.

Statute Being Implemented: RCW 28A.410.270.

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

Name of Proponent: Professional educator standards board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Brenna, P.O. Box 47236 [47236], Olympia, WA 98504, (360) 725-6238.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting David Brenna, P.O. Box 47236, Olympia, WA 98504, phone (360) 725-6238, fax (360) 586-3631, e-mail david.brenna@k12.wa.us.

January 22, 2013

David Brenna

Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 11-15-038, filed 7/13/11, effective 8/13/11)

WAC 181-79A-211 Academic and experience requirements for certification—Administrators. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 181-79A-150 and 181-79A-213.

(1) Superintendent.

(a) Initial.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least forty-five quarter credit hours (thirty semester credit hours) of graduate level course work in education.

(ii) The candidate shall hold a valid teacher, educational staff associate, program administrator or principal certificate; excluding certificates issued under WAC 181-79A-231, or comparable out-of-state certificates.

(b) Continuing.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least sixty quarter credit hours (forty semester credit hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) The candidate shall hold a valid teacher, educational staff associate, program administrator or principal certificate; excluding certificates issued under WAC 181-79A-231, or comparable out-of-state certificates.

(iii) Candidates applying for continuing superintendent's certificate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(2) Principal.

(a) Initial.

(i) The candidate shall hold an approved master's degree and have completed an approved program for the preparation of principals.

(ii) The candidate shall have documented successful school-based experience in an instructional role with students.

(b) Residency.

(i) The candidate shall hold an approved master's degree.

(ii) The candidate shall have three years of documented successful school-based experience in an instructional role with students.

(iii) The candidate shall have or have held:

(A) A valid teacher's certificate, excluding certificates issued under WAC 181-79A-231; or

(B) A valid education staff associate certificate, excluding certificates issued under WAC 181-79A-231.

(iv) Persons whose teacher of educational staff associate certificates were revoked, suspended or surrendered are not eligible for principals certificates.

(c) Continuing.

(i) The candidate who holds a valid initial principal's certificate issued prior to August 31, 1998, shall hold an approved master's degree and completed subsequent to the baccalaureate degree at least forty-five hours (thirty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) The candidate who applies on or after August 31, 1998, shall hold a valid initial principal's certificate, an approved master's degree and shall have completed at least fifteen quarter (ten semester) credit hours of graduate course work offered by a college or university with a state approved principal program or one hundred fifty clock hours of study, which meet the state continuing education clock hour criteria pursuant to chapter 181-85 WAC, or a combination of credits and clock hours equivalent to the above. Such study shall:

(A) Be based on the principal performance domains included in WAC 181-78A-270 (2)(a) or (b);

(B) Be taken subsequent to the issuance of the initial principal's certificate; and

(C) Be determined in consultation with and approved by the candidate's employer or the administrator of a state approved principal preparation program.

(iii) Provided, That a candidate who held a valid initial principal's certificate on August 31, 1998, may meet the academic requirement for the continuing certificate described in WAC 181-79A-211 (2)(c)(i), if the candidate meets requirements for and applies for the continuing certificate by the expiration date on that initial certificate.

(iv) The candidate must meet requirements for a principal's certificate pursuant to WAC 181-79A-150(4).

(v) Candidates applying for continuing principal's certificate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer. Candidates applying for the continuing principal's certificate on or after August 31, 1998, shall provide documentation of three contracted school years of full-time employment as a principal or assistant principal.

(vi) Provided, That a candidate who held a valid initial principal's certificate on August 31, 1998, may meet the one hundred-eighty day experience requirement described in WAC 181-79A-211 (2)(c)(v), if that candidate meets requirements and applies for the continuing certificate by the expiration date on that initial certificate.

(d) Professional certificate.

(i) The candidate shall have completed an approved professional certificate program.

(ii) The candidate shall have documentation of three contracted school years of employment as a principal or assistant principal.

(3) Program administrator.

(a) Initial.

The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least twenty-four quarter credit hours (sixteen semester credit hours) of graduate level course work in education.

(b) Residency certificate.

The candidate shall hold an approved master's degree and have completed an approved program for the preparation of program administrators.

(c) Continuing.

(i) The candidate shall hold a valid initial program administrator's certificate, an approved master's degree and have completed subsequent to the baccalaureate degree at least thirty quarter credit hours (twenty semester credit hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) Candidates applying for continuing program administrator's certificate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—

and at least thirty days of such employment with the same employer.

(d) Professional certificate.

The candidate shall have completed an approved professional certificate program.

**WSR 13-03-135
PROPOSED RULES**

WASHINGTON STATE UNIVERSITY

[Filed January 23, 2013, 8:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-19-089.

Title of Rule and Other Identifying Information: Chapter 504-31 WAC, Conduct on campus code.

Hearing Location(s): Lighty 405, WSU Pullman, Pullman, Washington, on February 28, 2013, at 4:00 p.m.

Date of Intended Adoption: March 22, 2013.

Submit Written Comments to: Ralph Jenks, Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, e-mail prf.forms@wsu.edu, fax (509) 335-3969, by February 28, 2013.

Assistance for Persons with Disabilities: Contact Deborah Bartlett, (509) 335-2005, by February 26, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The university is adopting rules regarding conduct on campus that will be applicable to the university community.

Statutory Authority for Adoption: RCW 28B.30.150.

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

Name of Proponent: Washington State University.

Name of Agency Personnel Responsible for Drafting: Sharyl Kammerzell, Director, Legal Affairs, Special Counsel to the President, French Administration 422, Pullman, WA 99164-1048, (509) 335-4200; Implementation: Roger Patterson, Vice-President, Business and Finance, French Administration 442, Pullman, WA 99164-1045, (509) 335-5524; and Enforcement: William Gardner, Chief, WSU Police Department, 1535 N.E. Wilson Road, Pullman, WA 99164-7300, (509) 335-8548.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule has no impact on small business.

A cost-benefit analysis is not required under RCW 34.05.328. The university does not consider this rule to be a significant legislative rule.

January 23, 2013

Ralph T. Jenks

Chapter 504-31 WAC

CONDUCT ON CAMPUS CODE

NEW SECTION

WAC 504-31-010 General policy. It is the policy of Washington State University to support and promote each

individual's right to express their views and opinions for or against actions or ideas in which the individual has an interest, to associate freely with others, and to assemble peacefully.

The above rights exist in equal measure for each member of the university community. They exist regardless of the professional stature or rank of the individual and regardless of the degree of acceptability among others of the views or opinions advocated. Each individual has an obligation to respect the rights of all members of the university community.

This rule shall be read and applied together with any other applicable university policies and rules, in the event of a conflict more specific provisions shall take precedence. WAC 504-35-150 shall apply to violations of this rule.

NEW SECTION

WAC 504-31-020 Prohibited conduct. In order to assure the above rights to all members of the university community and to maintain a peaceful atmosphere in which the university may continue to make its unique contribution to society, the following types of conduct are hereby prohibited on or in property either owned, controlled, or operated by the university which is used or set aside for university purposes, hereinafter referred to as the university campus:

(1) Conduct that intentionally and substantially obstructs or disrupts teaching or freedom of movement or other lawful activities on the university campus;

(2) Physical abuse of any person or conduct that unlawfully threatens imminent bodily harm or endangers the health or safety of any person on the university campus;

(3) Malicious damage to or malicious misuse of university property, or the property of any person where such property is located on the university campus;

(4) Refusal to comply with any lawful order to leave the university campus or any portion thereof;

(5) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the university campus. This prohibition does not apply to possession of such items for authorized university purposes; possession of such items by authorized law enforcement officers; individuals who have obtained prior written approval from the university chief of police, president, or designee; or lawful possession of firearms by persons other than students in privately owned vehicles while on any university campus.

(6) Unlawful possession, use, distribution, or manufacture of alcohol or controlled substances on the university campus or during university-sponsored activities;

(7) Intentionally inciting others to engage immediately in any of the conduct prohibited herein, which incitement leads directly to such conduct. (Inciting is advocacy that prepares the group addressed for imminent action and steels it to the conduct prohibited herein.)

**WSR 13-03-138
PROPOSED RULES
OFFICE OF**

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-17—Filed January 23, 2013, 9:52 a.m.]

Supplemental Notice to WSR 13-03-041.

Preproposal statement of inquiry was filed as WSR 12-12-064.

Title of Rule and Other Identifying Information: Essential health benefits designation, supplementation and establishment of scope and limitation requirements.

Hearing Location(s): Training Room, T-120, 5000 Capitol Way South, Tumwater, WA, on March 12, 2013, at 10:00 a.m.

Date of Intended Adoption: March 13, 2013.

Submit Written Comments to: Meg L. Jones, P.O. Box 40258, Olympia, WA 98504, e-mail rulescoordinator@oic.wa.gov, fax (360) 586-3109, by March 11, 2013.

Assistance for Persons with Disabilities: Contact Lorie Villaflores by March 10, 2013, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules will establish new sections in chapter 284-43 WAC (health benefits), explaining the requirements associated with carrier inclusion of the essential health benefits (EHB) package in nongrandfathered individual and small group plans for plans with coverage beginning January 1, 2014. Under federal law, plans must be substantially equal to the "EHB-benchmark plan." The proposed rules identify the specific supplementation of benefits for pediatric oral and vision services with federally-designated benchmark plans for those benefits, and the scope, limitation and definition of covered benefits that comprise the EHB-benchmark plan.

Reasons Supporting Proposal: RCW 48.43.715 directs the commissioner to designate by rule the small group plan with the largest enrollment as the benchmark plan for purposes of defining the essential health benefits package for nongrandfathered individual and small group health benefit plans issued on or after January 1, 2014. The same legislation requires supplementation, and adjustment or establishment of scope and limitation requirements by the commissioner in order to ensure meaningful benefits and prevent bias based on health selection. Carriers require specific guidance in order to prepare plan filings for the commissioner's review, and have sufficient time to satisfy plan replacement and health benefit exchange participation requirements.

Statutory Authority for Adoption: RCW 48.02.060, 48.21.241, 48.21.320, 48.44.460, 48.44.341, 48.46.291, 48.46.530, and 48.43.715.

Statute Being Implemented: RCW 48.43.715.

Rule is necessary because of federal law, P.L. 111-148, section 1302 (2010).

Name of Proponent: Office of the insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Meg Jones, P.O. Box 40258, Olympia, WA 98504, (360) 725-7170; Implementation: Beth Berendt, P.O. Box 40258, Olympia, WA 98504, (360) 725-7117; and Enforcement:

Carol Sureau, P.O. Box 40258, Olympia, WA 98504, (360) 725-7050.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The entities that must comply with the proposed rule are not small businesses, pursuant to chapter 19.85 RCW.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Meg Jones, P.O. Box 40258, Olympia, WA 98504, phone (360) 725-7170, fax (360) 586-3109, e-mail rulescoordinator@oic.wa.gov.

January 23, 2013

Mike Kreidler

Insurance Commissioner

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 13-04 issue of the Register.

**WSR 13-03-139
PROPOSED RULES
OFFICE OF**

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-30—Filed January 23, 2013, 9:53 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-23-070.

Title of Rule and Other Identifying Information: National Association of Insurance Commissioner's (NAIC) Actuarial Guideline XXXVIII regarding regulation of reserving for universal life products with secondary guarantees.

Hearing Location(s): Insurance Commissioner's Office, TR 120, 5000 Capitol Boulevard, Tumwater, WA 98504-0255, on February 26, 2013, at 3:00 p.m.

Date of Intended Adoption: March 4, 2013.

Submit Written Comments to: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, e-mail rulescoordinator@oic.wa.gov, fax (360) 586-3109, by February 26, 2013.

Assistance for Persons with Disabilities: Contact Lorie [Lorie] Villaflores by February 25, 2013, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The NAIC adopted the revised Actuarial Guideline XXXVIII on September 12, 2012, which is a guideline for implementation of NAIC Model Regulation 830. This proposed rule would implement NAIC Model Regulation 830.

Reasons Supporting Proposal: The proposed rule will provide uniformity in the application of Model 830.

Statutory Authority for Adoption: RCW 48.02.060 and 48.74.030.

Statute Being Implemented: RCW 48.74.030.

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

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

Name of Agency Personnel Responsible for Drafting: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258,

(360) 725-7041; Implementation and Enforcement: Jim Odi-
orne, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-
7214.

No small business economic impact statement has been
prepared under chapter 19.85 RCW. There are no small
domestic issuers of the types of policies that would be
affected by this proposed regulation.

A cost-benefit analysis is required under RCW 34.05.-
328. A preliminary cost-benefit analysis may be obtained by
contacting Kacy Scott, P.O. Box 40258, Olympia, WA
98504-0258, phone (360) 725-7041, fax (360) 586-3109, e-
mail rulescoordinator@oic.wa.gov.

January 23, 2013
Mike Kreidler
Insurance Commissioner

NEW SECTION

**WAC 284-74-365 Implementation of WAC 284-74-
360.** (1) Insurers will fully apply NAIC Actuarial Guideline
XXXVIII, as adopted on September 12, 2012, to properly and
uniformly implement WAC 284-74-360.

(2) NAIC Actuarial Guideline XXXVIII will be effec-
tive July 1, 2013.

WSR 13-03-149
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed January 23, 2013, 11:02 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-
24-028.

Title of Rule and Other Identifying Information: WAC
314-28-030 Changes to the distiller and craft distiller license
and 314-28-050 What does a craft distillery license allow?

Hearing Location(s): Washington State Liquor Control
Board, Board Room, 3000 Pacific Avenue S.E., Olympia,
WA 98504, on February 27, 2013, at 10:00 a.m.

Date of Intended Adoption: March 6, 2013.

Submit Written Comments to: Karen McCall, P.O. Box
43080, Olympia, WA 98504-3080, e-mail rules@liq.wa.gov,
fax (360) 664-9689, by February 27, 2013.

Assistance for Persons with Disabilities: Contact Karen
McCall by February 27, 2013, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects,
Including Any Changes in Existing Rules: This rule making
is the result of a stakeholder petition for rule making. Rules
need to be written to reflect internet sales and delivery of
spirits, formalize associated public safety regulations, and to
provide clear direction to distilleries and craft distilleries in
these areas.

Reasons Supporting Proposal: Creating rules clarifies
policies surrounding internet sales and delivery of spirits by
distillers and craft distillers.

Statutory Authority for Adoption: RCW 66.08.030,
66.24.145.

Statute Being Implemented: RCW 66.24.145.

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

Name of Proponent: Washington state liquor control
board, governmental.

Name of Agency Personnel Responsible for Drafting:
Karen McCall, Rules Coordinator, 3000 Pacific Avenue S.E.,
Olympia, WA 98504, (360) 664-1631; Implementation:
Alan Rathbun, Licensing Director, 3000 Pacific Avenue S.E.,
Olympia, WA 98504, (360) 664-1615; and Enforcement:
Justin Nordhorn, Enforcement Chief, 3000 Pacific Avenue
S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been
prepared under chapter 19.85 RCW. A fiscal impact state-
ment was not required.

A cost-benefit analysis is not required under RCW
34.05.328.

January 23, 2013
Sharon Foster
Chairman

AMENDATORY SECTION (Amending WSR 12-12-065,
filed 6/5/12, effective 7/6/12)

**WAC 314-28-030 Changes to the distiller and craft
distiller license.** (1) Beginning March 1, 2012, all distilleries
licensed under RCW 66.24.140 and 66.24.145 may sell spir-
its of their own production directly to a licensed spirits dis-
tributor in the state of Washington and to a licensed spirits
retailer in the state of Washington.

(2) Beginning June 1, 2012, a distiller may sell spirits of
its own production to a customer for off-premises consump-
tion, provided that the sale occurs when the customer is phys-
ically present at the licensed premises.

(3) A distiller or craft distillery may accept orders for
spirits of their own production from, and deliver spirits to,
customers. Spirits may be ordered in person at the licensed
distillery or craft distillery location, by mail, telephone, inter-
net, or by other similar methods. See WAC 314-28-050 for
requirements for internet sales and delivery.

AMENDATORY SECTION (Amending WSR 12-12-065,
filed 6/5/12, effective 7/6/12)

**WAC 314-28-050 What does a craft distillery license
allow?** (1) A craft distillery license allows a licensee to:

(a) Produce sixty thousand proof gallons or less of spirits
per calendar year. A "proof gallon" is one liquid gallon of
spirits that is fifty percent alcohol at sixty degrees Fahrenheit;

(b) Sell spirits of its own production directly to a cus-
tomer for off-premises consumption, provided that the sale
occurs when the customer is physically present on the
licensed premises. A licensee may sell no more than two
liters per customer per day. A craft distiller may not sell
liquor products of someone else's production;

(c) For sales on or after March 1, 2012, sell spirits of its
own production to a licensed spirits distributor;

(d) For sales on or after March 1, 2012, sell spirits of its
own production to a licensed spirits retailer in the state of
Washington;

(e) Sell to out-of-state entities;

(f) Provide, free of charge, samples of spirits of its own production to persons on the distillery premises. Each sample must be one-half ounce or less, with no more than two ounces of samples provided per person per day. Samples must be unaltered, and anyone involved in the serving of such samples must have a valid Class 12 alcohol server permit. Samples must be in compliance with RCW 66.28.040;

(g) Provide, free of charge, samples of spirits of its own production to retailers. Samples must be unaltered, and in compliance with RCW 66.28.040, 66.24.310 and WAC 314-64-08001. Samples are considered sales and are subject to taxes;

(h) Contract produce spirits for holders of a distiller or manufacturer license.

(2) A distillery or craft distillery licensee may accept orders for spirits from, and deliver spirits to, customers.

(a) Resale. Spirits shall not be for resale.

(b) Stock location. Spirits must come directly from the licensed distillery or craft distillery location.

(c) How to place an order. Spirits may be ordered in person at the licensed distillery or craft distillery location, by mail, telephone, internet, or by other similar methods.

(d) Sales and payment.

(i) Only a distillery or craft distillery licensee or a licensee's direct employees may accept and process orders and payments. A contractor may not do so on behalf of a distillery or craft distillery licensee, except for transmittal of payment through a third-party service. A third-party service may not solicit customer business on behalf of a distillery or craft distillery licensee.

(ii) All orders and payments shall be fully processed before spirits transfer ownership or, in the case of delivery, leaves a licensed distillery or craft distillery premises.

(iii) Payment method. Payment methods include, but are not limited to: Cash, credit or debit card, check or money order, electronic funds transfer, or an existing prepaid account. An existing prepaid account may not have a negative balance.

(iv) Internet. To sell spirits via the internet, a new distillery or craft distillery license applicant must request internet-sales privileges in his or her application. An existing distillery or craft distillery licensee must notify the board prior to beginning internet sales.

(e) Delivery location. Delivery shall be made only to a residence or business that has an address recognized by the United States postal service; however, the board may grant an exception to this rule at its discretion. A residence includes a hotel room, a motel room, or other similar lodging that temporarily serves as a residence.

(f) Hours of delivery. Spirits may be delivered each day of the week between the hours of 6:00 a.m. and 2:00 a.m. Delivery must be fully completed by 2:00 a.m.

(g) Age requirement.

(i) Under chapter 66.44 RCW, any person under twenty-one years of age is prohibited from purchasing, delivering, or accepting delivery of liquor.

(ii) A delivery person must verify the age of the person accepting delivery before handing over liquor.

(iii) If no person twenty-one years of age or older is present to accept a liquor order at the time of delivery, the liquor shall be returned.

(h) Intoxication. Delivery of liquor is prohibited to any person who shows signs of intoxication.

(i) Containers and packaging.

(i) Individual units of spirits must be factory sealed in bottles. For the purposes of this subsection, "factory sealed" means that a unit is in one hundred percent resalable condition, with all manufacturer's seals intact.

(ii) The outermost surface of a liquor package, delivered by a third party, must have language stating that:

(A) The package contains liquor;

(B) The recipient must be twenty-one years of age or older; and

(C) Delivery to intoxicated persons is prohibited.

(j) Required information.

(i) Records and files shall be retained at the distillery or craft distillery licensed premises. Each delivery sales record shall include the following:

(A) Name of the purchaser;

(B) Name of the person who accepts delivery;

(C) Street addresses of the purchaser and the delivery location; and

(D) Time and date of purchase and delivery.

(ii) A private carrier must obtain the signature of the person who receives liquor upon delivery.

(iii) A sales record does not have to include the name of the delivery person, but it is encouraged.

(k) Web site requirements. When selling over the internet, all web site pages associated with the sale of liquor must display the distillery or craft distillery licensee's registered trade name.

(l) Accountability. A distillery or craft distillery licensee shall be accountable for all deliveries of liquor made on its behalf.

(m) Violations. The board may impose administrative enforcement action upon a distillery or craft distillery licensee, or suspend or revoke a distillery or craft distillery licensee's delivery privileges, or any combination thereof, should a distillery or craft distillery licensee violate any condition, requirement, or restriction.

(3) A craft distillery licensee may not sell directly to in-state retailers or in-state distributors until March 1, 2012.

WSR 13-03-150
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed January 23, 2013, 11:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-19-034.

Title of Rule and Other Identifying Information: WAC 314-23-030 What does a spirits certificate of approval license allow?

Hearing Location(s): Washington State Liquor Control Board, Board Room, 3000 Pacific Avenue S.E., Olympia, WA 98504, on February 27, 2013, at 10:00 a.m.

Date of Intended Adoption: March 6, 2013.

Submit Written Comments to: Karen McCall, P.O. Box 43080, Olympia, WA 98504-3080, e-mail rules@liq.wa.gov, fax (360) 664-9689, by February 27, 2013.

Assistance for Persons with Disabilities: Contact Karen McCall by February 27, 2013, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The amendments will allow any spirits certificate of approval licensee to obtain an endorsement to sell their spirits product to a spirits retailer in Washington state.

Reasons Supporting Proposal: This rule making is due to a stakeholder request to amend the current rule regarding what the holder of a spirits certificate of approval license is allowed to do.

Statutory Authority for Adoption: RCW 66.24.640, 66.08.030.

Statute Being Implemented: RCW 66.24.640.

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

Name of Proponent: Washington state liquor control board, governmental.

Name of Agency Personnel Responsible for Drafting: Karen McCall, Rules Coordinator, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1631; Implementation: Alan Rathbun, Licensing Director, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1615; and Enforcement: Justin Nordhorn, Enforcement Chief, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A fiscal impact statement was not required.

A cost-benefit analysis is not required under RCW 34.05.328.

January 23, 2013

Sharon Foster
Chairman

AMENDATORY SECTION (Amending WSR 12-12-065, filed 6/5/12, effective 7/6/12)

WAC 314-23-030 What does a spirits certificate of approval license allow? (1) A spirits certificate of approval licensee may not commence sales until March 1, 2012. A spirits certificate of approval license may be issued to spirits manufacturers located outside of the state of Washington but within the United States.

(2) There are three separate spirits certificate of approval licenses as follows:

(a) A holder of a spirits certificate of approval may act as a distributor of spirits they are entitled to import into the state by selling directly to spirits distributors or spirits importers licensed in Washington state. The fee for a certificate of approval is two hundred dollars per year.

(b) A holder of an authorized representative out-of-state spirits importer or brand owner for spirits produced in the United States but outside of Washington state may obtain a spirits authorized representative domestic certificate of approval license which entitles the holder to import spirits into the state by selling directly to spirits distributors, or spir-

its importers licensed in Washington state. The fee for an authorized representative certificate of approval for spirits is two hundred dollars per year.

(c) A holder of an authorized representative out-of-state spirits importer or brand owner for spirits produced outside of the United States obtains a spirits authorized representative foreign certificate of approval which entitles the holder to import spirits into the state by selling directly to spirits distributors, or spirits importers licensed in Washington state. The fee for an authorized representative certificate of approval for foreign spirits is two hundred dollars per year.

(3) A spirits certificate of approval holder, a spirits authorized representative domestic certificate of approval holder, and/or a spirits authorized representative foreign certificate of approval holder must obtain an endorsement to the certificate of approval that allows the shipment of spirits the holder is entitled to import into the state directly to licensed liquor retailers. The fee for this endorsement is one hundred dollars per year and is in addition to the fee for the certificate of approval license. The holder of a certificate of approval license that sells directly to licensed liquor retailers must:

(a) Report to the board monthly, on forms provided by the board, the amount of all sales of spirits to licensed retailers.

(b) Pay to the board a fee of ten percent of the total revenue from all sales of spirits to retail licensees made during the month for which the fee is due for the first two years of licensure.

(c) Pay to the board five percent of the total revenue from all sales of spirits to retail licensees made during the month for which the fee is due for the third year of licensure and every year thereafter.

~~((4) An authorized representative out of state spirits importer or brand owner for spirits produced in the United States but outside of Washington state may obtain an authorized representative certificate of approval license which allows the holder to ship spirits to spirits distributors, or spirits importers located in Washington state. The fee for an authorized representative certificate of approval for spirits is two hundred dollars per year.~~

~~(5) An authorized representative out of state spirits importer or brand owner for spirits produced outside of the United States may ship spirits to licensed spirits distributors, or spirits importers located in Washington state. The fee for an authorized representative certificate of approval for foreign spirits is two hundred dollars per year.))~~

WSR 13-03-151

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed January 23, 2013, 11:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-24-089.

Title of Rule and Other Identifying Information: WAC 314-02-107 What are the requirements for a spirits retail license?

Hearing Location(s): Washington State Liquor Control Board, Board Room, 3000 Pacific Avenue S.E., Olympia, WA 98504, on February 27, 2013, at 10:00 a.m.

Date of Intended Adoption: March 6, 2013.

Submit Written Comments to: Karen McCall, P.O. Box 43080, Olympia, WA 98504-3080, e-mail rules@liq.wa.gov, fax (360) 664-6989, by February 27, 2013.

Assistance for Persons with Disabilities: Contact Karen McCall by February 27, 2013, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The passage of Initiative 1183 and the privatization of spirits theft and product loss is significant and increasing. This is contributing to increased underage access to alcohol. Rules are needed to clarify reporting requirements of product loss due to theft and internal shrinkage.

Reasons Supporting Proposal: This rule making is the result of a petition from the Washington Association of Sheriffs and Police Chiefs. Law enforcement feels stolen spirits product has created a public safety issue.

Statutory Authority for Adoption: RCW 66.24.630 and 66.08.030.

Statute Being Implemented: RCW 66.24.630.

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

Name of Proponent: Washington state liquor control board, governmental.

Name of Agency Personnel Responsible for Drafting: Karen McCall, Rules Coordinator, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1631; Implementation: Alan Rathbun, Licensing Director, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1615; and Enforcement: Justin Nordhorn, Enforcement Chief, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A fiscal impact statement was not required.

A cost-benefit analysis is not required under RCW 34.05.328.

January 23, 2013
Sharon Foster
Chairman

AMENDATORY SECTION (Amending WSR 12-12-065, filed 6/5/12, effective 7/6/12)

WAC 314-02-107 What are the requirements for a spirits retail license? (1) The requirements for a spirits retail license are as follows:

(a) Submit a signed acknowledgment form indicating the square footage of the premises. The premises must be at least ten thousand square feet of fully enclosed retail space within a single structure, including store rooms and other interior areas. This does not include any area encumbered by a lease or rental agreement (floor plans one-eighth inch to one foot scale may be required by the board); and

(b) Submit a signed acknowledgment form indicating the licensee has a security plan which addresses:

- (i) Inventory management;
- (ii) Employee training and supervision; and

(iii) Physical security of spirits product with respect to preventing sales to underage or apparently intoxicated persons and theft of product.

(2) A grocery store licensee or a specialty shop licensee may add a spirits retail liquor license to their current license if they meet the requirements for the spirits retail license.

(3) The board may not deny a spirits retail license to qualified applicants where the premises is less than ten thousand square feet if:

(a) The application is for a former contract liquor store location;

(b) The application is for the holder of a former state liquor store operating rights sold at auction; or

(c) There is no spirits retail license holder in the trade area that the applicant proposes to serve; and

(i) The applicant meets the operational requirements in WAC 314-02-107 (1)(b); and

(ii) If a current liquor licensee, has not committed more than one public safety violation within the last three years.

(4) Spirit retail licensees must report to the board quarterly on a form provided by the board, spirits product loss due to theft and internal shrinkage.

WSR 13-03-152

PROPOSED RULES

DEPARTMENT OF FISH AND WILDLIFE

[Filed January 23, 2013, 11:05 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-19-007 on September 6, 2012; WSR 12-20-084 on October 3, 2012; and WSR 12-23-013 on November 9, 2012.

Title of Rule and Other Identifying Information: The subject of this proposed rule-making effort is the amendment of hunting seasons and regulations for 2013-2014, archery equipment regulations, and rules governing the importation of dead nonresident wildlife for the purposes of disease control.

Amending WAC 232-12-021 Importation and retention of dead nonresident wildlife, 232-12-054 Archery requirements—Archery special use permits, 232-28-248 Special closures and firearm restriction areas, 232-28-273 2012-2014 Moose seasons and permit quotas, 232-28-286 2013, 2014, and 2015 Spring black bear seasons and regulations, 232-28-296 Landowner hunting permits, 232-28-334 Game management units (GMUs) boundary descriptions—Region four, 232-28-336 Game management units (GMUs) boundary descriptions—Region six, 232-28-337 Elk area descriptions, 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations, 232-28-357 2012-2014 Deer general seasons and definitions, 232-28-358 2012-2014 Elk general seasons and definitions, 232-28-359 2013 Deer special permits and 232-28-360 2013 Elk special permits; new sections WAC 232-28-622 Big horn sheep seasons and permit quotas, 232-28-623 2012-2014 Mountain goat seasons and permit quotas, and 232-28-624 Deer area descriptions.

Hearing Location(s): Moses Lake Civic Center, 401 South Balsam, Moses Lake, WA 98837, on March 1-2, 2013, at 8:30 a.m.

Date of Intended Adoption: On or after April 12, 2013.

Submit Written Comments to: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by February 15, 2013.

Assistance for Persons with Disabilities: Contact Tami Lininger by February 22, 2013, TTY (800) 833-6388 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-12-021, the states and provinces listed in this WAC have confirmed chronic wasting disease (CWD) in their wild, free-ranging populations of cervids. This proposal would add the states of Texas and Missouri to those states where additional processing of deer, elk, and moose carcasses is required before they can be brought into Washington.

WAC 232-12-054, this proposed amendment is intended to further the discussion on allowing illuminated nocks for archery equipment.

WAC 232-28-248, this proposed amendment is part of the effort to streamline, reorganize, and update rules in the WAC overhaul project currently underway. Anticipated effects are minimal; this project involves merely rewording and clarifying a rule already in existence.

WAC 232-28-273, this amendment clarifies that the exemption from the once-in-a-lifetime moose restriction is also applicable if the hunter applies in the future for a hunt in the permit categories of antlerless moose: Raffle, auction, or master hunter. Additionally, this amendment reduces the number of master-hunter moose permits.

WAC 232-28-286, the purpose for amending the 2013-15 spring black bear hunting seasons is to expand opportunity in the north Puget Sound. These spring seasons are mainly established to address damage caused by bears to commercially grown trees. The hunt utilizes recreational hunters to harvest black bears in areas where chronic tree damage and other property damage has been documented and allows the department to disperse harvest geographically and target male bears. This strategy helps ensure long-term sustainability in the black bear population and provides recreational opportunity for hunters.

WAC 232-28-296, the purpose of this proposal is to expand the number of special hunting opportunities available on private lands for hunters and to maintain the number of cooperating landowners.

WAC 232-28-334, this proposal changes the management area designation of the Puget Sound Islands from deer areas to game management units (GMUs). The proposed amendments will allow the department to better track harvest removals specific to the islands.

WAC 232-28-336, the purpose of the proposal is to designate Anderson Island as a GMU rather than a deer area. The proposed language will allow the department to better track harvest removals specific to the island.

WAC 232-28-337, the purpose of the proposal is to separate elk area descriptions from deer area descriptions. The proposal also removes one elk area that is no longer needed

and adjusts the boundary of two other elk areas to make them more effective in dealing with wildlife conflict. Additional language modifications have been made to improve clarity.

WAC 232-28-342, the purpose of this proposal is to add GMU 145 to the late fall turkey season. This GMU was inadvertently omitted during the three-year season-setting process. This proposal also modifies bag-limit language pertaining to fall turkey permit seasons. The change to the bag-limit language clarifies that hunters who kill a turkey during the permit seasons may still participate in the other fall seasons open to all hunters.

References to the western Washington Dungeness pheasant release site are also removed under the western Washington pheasant seasons.

WAC 232-28-357, the purpose of this proposal is to retain general-season deer hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when deer populations allow; and reduce opportunity when declining deer numbers warrant a change.

WAC 232-28-358, the purpose of this proposal is to retain general-season elk hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when elk populations allow; and reduce opportunity when declining elk numbers warrant a change.

WAC 232-28-359, the purpose of this proposal is to retain special-permit deer hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when deer populations allow; and reduce opportunity when declining deer numbers warrant a change.

WAC 232-28-360, the purpose of this proposal is to retain special-permit elk hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when elk populations allow; and reduce opportunity when declining elk numbers warrant a change.

WAC 232-28-622, hunters may apply for a bighorn sheep permit even if they've previously harvested a bighorn sheep in Washington if the earlier harvest was a bighorn sheep killed under a ewe-only hunt permit, a raffle permit, or an auction permit. Language in this amendment clarifies whether the exemption from the once-in-a-lifetime bighorn sheep restriction is also applicable if the hunter applies in future for a hunt in these categories.

Rocky Mountain bighorn sheep populations in the Blue Mountains area of south-eastern Washington have been reduced in past years due to the lingering effects of pneumonia outbreaks. Pneumonia was detected in the Asotin herd in 2012, and biologists expect this herd to decline over the next few years, although a few older rams remain in this herd.

WAC 232-28-623, language in this amendment clarifies whether the exemption from the once-in-a-lifetime mountain goat restriction is also applicable if the hunter applies in future for a hunt in these categories.

The proposed amendment also clarifies the names and descriptions of mountain goat hunt areas in Region 4, around Mt. Baker, and establishes legal descriptions of open mountain goat hunt areas.

WAC 232-28-624, the purpose of the proposal is to separate deer area descriptions from elk area descriptions to improve the clarity of these rules. The proposal also removes the Puget Sound Islands that were previously described as deer areas. The department is proposing that those islands be described as GMUs in the future. Additional language modifications have been made to improve clarity.

Reasons Supporting Proposal: WAC 232-12-021, the proposal reduces the risk of CWD being imported into Washington state via carcasses of animals harvested in other states. Reducing disease risk helps in sustaining deer, elk, and moose hunting opportunities in Washington.

WAC 232-12-054, this proposal facilitates public discussion of new technologies and consideration of acceptable fair chase and ethical standards for hunting.

WAC 232-28-248, the department needs these changes to increase efficiency, functionality, and clarity of the rules within its administrative code.

WAC 232-28-273, the proposed change in language reduces ambiguity regarding who may apply for a moose permit. The reduction in master hunter moose permits reflects the expected number of hunters needed in 2013 and beyond, based on the experience of recent years.

WAC 232-28-286, spring bear hunting helps address commercial tree damage issues and provides recreational hunting opportunity. In the past, most black bear damage was addressed using depredation permits where the landowner would contract with a hunter using dogs to kill multiple bears near areas with tree damage. Depredation permit hunters were taking an increasing number of bears each year, and over one hundred fifty bears were being killed annually. The spring black bear season allows recreational hunters to better target the areas receiving damage and allows hunters rather than contractors to harvest bears.

WAC 232-28-296, several years ago, the fish and wildlife commission developed a policy to expand the private lands available to the general public for hunting. One of the programs that was authorized is the landowner hunting permit program. This program encourages landowners to provide opportunity to the general hunter in exchange for customized hunting seasons and the ability to generate funding to offset the cost of providing public access.

WAC 232-28-334, this proposal will allow the department to better track harvest removals specific to the Puget Sound Islands rather than having those removals lumped with mainland GMUs.

WAC 232-28-336, the proposed changes will allow the department to better track harvest removals specific to Anderson Island rather than having those removals lumped with a mainland GMU.

WAC 232-28-337, elk areas help direct hunters at a scale smaller than the GMU when needed. Elk areas also help address local wildlife conflict problems. Some of the language modifications in this proposed amendment are part of the effort to streamline, reorganize, and update rules in the WAC overhaul project currently underway.

WAC 232-28-342, GMU 145 is surrounded by other GMUs open during the late fall season. The intent was to include this unit in the three-year proposal. The department supports providing opportunity in this unit.

Turkey populations are healthy or increasing in areas where fall general seasons are in place, and the department is encouraging additional harvest and recreational opportunity in these areas. Allowing harvest during the general seasons by those who draw permits poses no concern for the population.

Clallam County owns the Dungeness release site and has decided to no longer allow use of the area for upland bird hunting. For this reason, removing references to this site is appropriate.

WAC 232-28-357, the proposed amendment provides recreational deer hunting opportunity and protects deer from overharvest. The amendment would maintain sustainable general deer hunting season opportunities for 2013; address deer damage problems; and provide for deer population control when needed.

WAC 232-28-358, this proposal provides recreational elk hunting opportunity and protects elk from overharvest. The proposed amendment would maintain sustainable general elk hunting season opportunities for 2013; address elk damage problems; and provide for elk population control when needed.

WAC 232-28-359, this proposal provides recreational deer hunting opportunity and protects deer from overharvest. The proposed amendment would maintain sustainable deer special-permit hunting season opportunities for 2013; address deer damage problems; and provide for deer population control when needed.

WAC 232-28-360, this proposal provides recreational elk hunting opportunity and protects elk from overharvest. The proposed amendment would maintain sustainable elk special-permit hunting season opportunities for 2013; address elk damage problems; and provide for elk population control when needed.

WAC 232-28-622, the change in language reduces ambiguity regarding who may apply for a bighorn sheep permit. The reduction in hunting permits for the Blue Mountain area will reduce pressure on a herd that is experiencing a disease problem, and increase the chances for a high quality ram taken from this herd by the winner of the Rocky Mountain bighorn sheep raffle.

WAC 232-28-623, changes in language reduce ambiguity regarding who may apply for a bighorn sheep permit; remove inconsistency between the WAC, pamphlet, and instructional letters sent to permit holders; and clarify hunting unit boundaries for mountain goats in the Mt. Baker area.

WAC 232-28-624, deer areas help direct hunters at a scale smaller than the GMU and help staff address wildlife conflict problems. Some of the language modifications in this proposed amendment are part of the effort to streamline, reorganize, and update rules in the WAC overhaul project currently underway.

Statutory Authority for Adoption: RCW 77.12.047, 77.12.150, and 77.12.240.

Statute Being Implemented: RCW 77.12.047, 77.12.150, and 77.12.240.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fis-

cal Matters: When filing the permanent rule-making order (CR-103P), the WAC sections containing rule amendments will be consolidated into one or two order typing service (OTS) documents.

Name of Proponent: Washington department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Nate Pamplin, Natural Resources Building, Olympia, (360) 902-2693; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not directly regulate small business.

A cost-benefit analysis is not required under RCW 34.05.328. This proposal is not related to hydraulics rules.

January 23, 2013

Lori Preuss

Rules Coordinator

AMENDATORY SECTION (Amending Order 11-299, filed 11/16/11, effective 12/17/11)

WAC 232-12-021 Importation and retention of dead nonresident wildlife. It is unlawful:

(1) To import or possess dead wildlife, taken in another state or country, into Washington unless such wildlife was acquired lawfully. Proof of legal acquisition must be retained during the period of retention of the carcass or edible parts. Violation of this subsection is punishable under RCW 77.15.290.

(2) For a person who imports a dead mountain sheep, mountain goat, cougar or bear to fail to report such importation to the department in writing within ten days of the importation. The report must contain the name and address of the importer, the location where the dead wildlife is being stored and general information describing where and how the wildlife was obtained. Violation of this subsection is punishable under RCW 77.15.290.

(3) To import or possess deer, elk, or moose, or parts thereof, harvested in Texas, Missouri, Colorado, Wyoming, Utah, New Mexico, Wisconsin, Illinois, South Dakota, Nebraska, Kansas, New York, West Virginia, Virginia, North Dakota, Alberta, Maryland, Minnesota, and Saskatchewan with the following exceptions:

(a) Meat that has been deboned in the state or province where it was harvested and is imported as boned out meat;

(b) Skulls and antlers, antlers attached to the skull plate, or upper canine teeth (buglers, whistlers, ivories) from which all soft tissue has been removed;

(c) Hides or capes without heads attached;

(d) Tissue imported for use by a diagnostic or research laboratory;

(e) Finished taxidermy mounts.

Violation of this subsection is punishable under RCW 77.15.290.

(4) To fail to notify the department within twenty-four hours if an importer or receiver of deer or elk is notified by a state or province that a harvested animal has tested positive

for chronic wasting disease. Violation of this subsection is an infraction punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-12-054 Archery requirements—Archery special use permits. (1) Rules pertaining to all archery hunting seasons:

(a) It is unlawful for any person to carry or have in his possession any firearm while in the field archery hunting, during an archery season specified for that area, except for modern handguns carried for personal protection. Modern handguns cannot be used to hunt big game or dispatch wounded big game during an archery, big game hunting season.

(b) It is unlawful to have any electrical equipment or electric device(s), except for illuminated nocks, attached to the bow or arrow while hunting.

(c) It is unlawful to shoot a bow and arrow from a vehicle or from, across, or along the maintained portion of a public highway, except that persons with a disabled hunter permit may shoot from a vehicle if the hunter is in compliance with WAC 232-12-828.

(d) It is unlawful to use any device secured to or supported by the bow for the purpose of maintaining the bow at full draw or in a firing position, except that persons with an archery special use permit may hunt game birds or game animals using a device that stabilizes and holds a long bow, recurve bow, or compound bow at a full draw, and may use a mechanical or electrical release.

(e) It is unlawful to hunt wildlife with a crossbow during an archery season. However, disabled hunter permittees in possession of a crossbow special use permit may hunt with a crossbow in any season that allows archery equipment.

(f) It is unlawful to hunt big game animals with any arrow or bolt that does not have a sharp broadhead, and the broadhead blade or blades are less than seven-eighths inch wide.

(g) It is unlawful to hunt big game animals with a broadhead blade unless the broadhead is unbarbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width and forming a smooth line toward the feather end of the shaft, and such line does not angle toward the point.

(h) It is unlawful to hunt big game animals with a retractable broadhead.

(i) It is unlawful to hunt wildlife with any bow equipped with a scope. However, hunters with disabilities who meet the definition of being visually impaired in WAC 232-12-828 may receive a special use permit that would allow the use of scopes or other visual aids. A disabled hunter permit holder in possession of a special use permit that allows the use of a scope or visual aid may hunt game birds or game animals during archery seasons.

(2) Rules pertaining to long bow, recurve bow and compound bow archery:

(a) It is unlawful for any person to hunt big game animals with a bow that does not produce a minimum of 40 pounds of pull measured at twenty-eight inches or at full draw.

(b) It is unlawful to hunt big game animals with any arrow measuring less than 20 inches in length or weighing less than 6 grains per pound of draw weight with a minimum arrow weight of 300 grains.

(3) Archery special use permits:

(a) An archery special use permit is available to a person who possesses a valid disabled hunter permit. An archery special use permit application must be signed by a physician stating that the person's disability is permanent and the person has a loss of use of one or both upper extremities, has a significant limitation in the use of an upper extremity, or has a permanent physical limitation, which loss or limitation substantially impairs the ability to safely hold, grasp, or shoot a long bow, recurve bow or compound bow. The loss or limitation may be the result of, but not limited to, amputation, paralysis, diagnosed disease, or birth defect. The approved archery special use permit must be in the physical possession of the person while using adaptive archery equipment as described in subsection (1)(d) of this section to hunt game birds or game animals.

(b) A crossbow special use permit is available to a person who meets the requirements for an archery special use permit and is unable to use adaptive archery equipment. Adaptive equipment includes, but is not limited to: Cocking devices that hold the bow at full draw; trigger mechanisms that may be released by mouth, or chin, or hand supporting the bow; and devices that assist in supporting the bow. Information describing types of adaptive equipment will be provided to physicians for their assessment of the applicant's ability to utilize adaptive archery equipment. Muscle weakness, impaired range of motion, or unilateral hand weakness disability, of both hands or both arms or both sides of the upper extremity, may result in an inability to use adaptive archery equipment. Standard tests approved by the American Medical Association may be conducted to assess a person's abilities.

(4) A violation of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending Order 10-94, filed 4/30/10, effective 5/31/10)

WAC 232-28-248 Special closures and firearm restriction areas. (1) RESTRICTED ((AND PROHIBITED)) HUNTING AREAS.

~~((These areas are closed by Fish and Wildlife Commission action. Other areas may be closed to hunting by local, state or federal regulations.~~

~~IT IS ILLEGAL TO HUNT EXCEPT WHERE PROVIDED IN THE FOLLOWING AREAS))~~ It is unlawful to hunt in the following restricted hunting areas except where provided below:

~~((1-))~~ (a) Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389), and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to ~~((the))~~ hunting ~~((of))~~ wild animals and wild birds year-round. The Parker Lake closure ~~((was estab-~~

~~lished to))~~ provides a protected area for the Air Force Military Survival Training Program.

~~((2-))~~ (b) Columbia River: The Columbia River ~~((and)),~~ all ~~((the))~~ islands in the river, ~~((and))~~ the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline, between Vernita Bridge ~~((t))~~ on Highway 24~~((t))~~ downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to ~~((the))~~ hunting ~~((of))~~ wild animals and wild birds.

~~((3-))~~ (c) Green River (GMU 485): Except for special permit hunters, who may also take a black bear and/or cougar with the appropriate license/tag options, all lands within GMU 485 are designated as a "CLOSED AREA" to the hunting of big game ~~((by Department of Fish and Wildlife regulated hunters throughout the))~~ year-round. During the general westside elk season and general and late deer seasons, all lands within GMU 485 are also designated as a "CLOSED AREA" to ~~((the))~~ hunting ~~((of))~~ all wild animals ~~((t))~~, including wild birds~~((t))~~, year-round. The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.

~~((4-))~~ (d) McNeil Island (part of GMU 652): ~~((McNeil Island (part of GMU 652) is))~~ Closed to the hunting of all wild animals ~~((t))~~, including wild birds~~((t))~~ year-round.

~~((5-))~~ (e) Loo-wit (GMU 522): Closed to hunting and trapping ~~((within GMU 522 (Loo-wit))~~), except for ~~((the))~~ elk hunting ~~((of elk))~~ by special permit holders during established seasons and designated areas.

~~((6-))~~ (f) The Voice of America Dungeness Recreation Area County Park ((in)) (Clallam County ((is))): Closed to all hunting except Wednesdays, weekends, and holidays, from the first weekend in October to the end of January.

~~((7-))~~ (2) A violation of ((any provision in 1. through 6. under "Restricted and Prohibited Hunting Areas")) subsection (1) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending ~~((upon))~~ on the species hunted.

(3) CLOSED BIG GAME ((CLOSURES)) HUNTING AREAS.

It is unlawful to hunt big game in the following closed areas, unless otherwise specified:

~~((1-))~~ (a) Clark, Cowlitz, Pacific, and Wahkiakum counties ((are)): Closed to Columbian Whitetail Deer hunting.

~~((2-))~~ (b) Cathlamet: Beginning in the town of Skamokawa; then east along SR 4 to ~~((the))~~ Risk Road; then south and east along ~~((the))~~ Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to ~~((the))~~ Elochoman Valley Road (old SR 407); then west along the Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning. This area is closed to all deer and elk hunting, to protect the Columbian Whitetail Deer.

~~((3-))~~ ~~(c)~~ Willapa National Wildlife Refuge: ~~((Except for Long Island, Willapa National Wildlife Refuge is))~~ Closed to all big game hunting, except for Long Island.

~~((4-))~~ ~~(d)~~ Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to ~~((the))~~ hunting ~~((of))~~ all wild animals ~~((f))~~, including wild birds~~((t))~~, except for the elk hunting ~~((of elk))~~ by the holders of GMU-157 special elk permits during the established open season. This area is closed to motorized vehicles. Entry ~~((is))~~ allowed only by Forest Service permit for the duration of the hunt. Any entry into the Mill Creek Watershed at other times is prohibited.

~~((5-))~~ ~~(e)~~ Westport: Closed to hunting ~~((of))~~ all big game animals on ~~((that))~~ the part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge, and the Schafer Island Road to the ocean beach.

~~((6-))~~ ~~(f)~~ Cottonwood and Howard islands ~~((in))~~ (GMU 564 ~~((are))~~): Closed to all deer hunting.

~~((7-))~~ ~~(4)~~ A violation of ~~((any provision in 1. through 6. under "Big Game Closures"))~~ subsection (3) of this section is a gross misdemeanor or a class C felony punishable under RCW 77.15.410, depending on the circumstances of the violation.

~~(5)~~ **FIREARM RESTRICTION AREAS**~~((UNLAWFUL ACTS))~~.

~~((1-))~~ ~~(a)~~ It is unlawful to hunt wildlife in the following firearm restriction areas with centerfire or rimfire rifles, or to fail to comply with additional firearm restrictions, except as established below~~((-))~~:

COUNTY	AREA
Chelan	That portion of GMU 251 (Mission) beginning at the intersection of the Duncan Road and Highway 2; south on Duncan Road to Mountain Home Road; south along Mountain Home Road to the Icicle Irrigation Ditch; south and west along the Icicle Irrigation Ditch to the Snow Lake Trail; west and north along the Snow Lake Trail and across the Icicle River to Icicle River Road; east and north along Icicle River Road to the Wenatchee River; northwest along the Wenatchee River to Highway 2; north and east on Highway 2 to Duncan Road and the point of beginning.
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.
Clark	GMU 564 (Battleground) That portion of GMU 554 in Clark County.
Cowlitz	GMU 554 (Yale) GMU 504 (Stella) That portion of GMU 564 (Battleground) in Cowlitz County.

COUNTY	AREA
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland Grocery; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.
Grays Harbor	The following Chehalis Valley restriction applies only during elk seasons: That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on the Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of the South Bank Road to Delzene Road; north along Delzene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.
Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands.
Jefferson	Indian and Marrowstone islands.
King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; Vashon and Maury islands. This area is restricted to archery only: The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.

COUNTY	AREA
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.
Kittitas	GMU 334 (Ellensburg) Closed to centerfire rifles during deer and elk seasons.
Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to December 15.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstene Island.
Pacific	GMU 684 (Long Beach) west of Sand Ridge Road. The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge. GMU 681 between U.S. Highway 101, Chinook Valley Road and the Columbia River from Astoria-Megler bridge to the Wallacut River.
Pierce	GMU 652 (Anderson and Ketron islands) limited to archery, shotgun, and muzzle-loader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County. GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
San Juan	All San Juan County.
Snohomish	All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.
Skagit	All mainland areas and islands in Skagit County west of I-5 and north of the Skagit/Snohomish County line, except Cypress Island. This restriction applies to big game hunting only.
Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.

~~(2-)~~ (b) Archery tag holders may only hunt during established archery seasons with archery equipment as defined under WAC 232-12-054.

(c) Muzzleloader tag holders may only hunt during established muzzleloader seasons with muzzleloader equipment as defined ~~((under WAC 232-12-054))~~ in department rule.

(d) Modern firearm tag holders may hunt during established modern firearm seasons with bows and arrows; crossbows; muzzleloaders; revolver-type handguns; or shotguns, so long as the equipment ~~((used meets the department's regulations for that equipment))~~ and ammunition complies with department rules.

~~(3-)~~ (6) A violation of ~~((any provision in 1. or 2. under "Firearm Restriction Areas - Unlawful Acts"))~~ subsection (5) of this section is punishable under RCW 77.15.400, 77.15.-410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-273 2012-2014 Moose~~(, bighorn sheep, and mountain goat)~~ season~~(s)~~ and permit quotas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.-410.

~~((+))~~ (2) **Moose Permit Hunts**

(a) **Who May Apply:** Anyone ~~((may apply,))~~ EXCEPT those who previously harvested a moose ~~((previously))~~ in Washington state may apply for a moose permit. An individual may only harvest one moose during ~~((their))~~ his or her lifetime ~~((except)).~~ However, this restriction is waived for hunters who have previously harvested a moose under an antlerless-only ~~((hunts)),~~ master-hunter hunt~~((s)),~~ ~~((and))~~ raffle ~~((and)),~~ or auction ~~((hunts))~~ permit, as well as for applications for an antlerless-only, master-hunter, raffle, or auction permit.

(b) **Bag Limit:** One moose.

(c) **Weapon Restrictions:** Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range/East Okanogan	Oct. 1 - Nov. 30	GMUs 101, 105, 204	Any Moose	10
Selkirk Mtns. A	Oct. 1 - Nov. 30	GMU 113	Any Moose	15
Selkirk Mtns. B ^d	Oct. 1 - Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane South A	Oct. 1 - Nov. 30	Moose Area 1	Any Moose	8
Mt. Spokane South B	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North A	Oct. 1 - Nov. 30	Moose Area 2	Any Moose	8
Mt. Spokane North B	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	7
Mt. Spokane North C ^b	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	1
Mt. Spokane ^{h^c}	Dec. 1 - Mar. 31	GMUs 124, 127, and 130 within Spokane County	Antlerless Only	((20)) 10 ^{h^c}
Mt. Spokane South - Youth Only ^a	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North - Youth Only ^a	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	8
49 Degrees North A	Oct. 1 - Nov. 30	GMU 117	Any Moose	21
49 Degrees North B ^b	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	3
49 Degrees North C ^c	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only ^a	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1 - Nov. 30	GMUs 108, 111	Any Moose	6
Hangman A	Oct. 1 - Nov. 30	GMUs 127, 130	Any Moose	7
Hangman B	Oct. 1 - Nov. 30	GMUs 127, 130	Antlerless Only	7
Huckleberry Range A	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	7
Huckleberry Range B ^c	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Antlerless Only	2

^aApplicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter((s must be accompanied by an adult)) during the hunt.

^bApplicants must possess a Disabled Hunter Permit.

^cApplicants must be eligible to purchase a 65 years of age or older permit application.

^dApplicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

^{h^c}This is a damage hunt administered by a WDFW designated hunt coordinator. Only master hunters may apply, and any weapon may be used. Successful applicants will be contacted on an as-needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.

(3) Moose Areas:

(a) Moose Area 1: South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(b) Moose Area 2: North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

~~((2)) Bighorn Sheep Permit Hunts~~

Who May Apply: Anyone may apply, EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime (except waived for raffle and auction hunts, and ewe only hunts).

Bag Limit: One bighorn ram (except in designated adult ewe hunts, one bighorn adult ewe).

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Selah Butte	Nov. 5-30	Sheep Unit 4	Any Legal Weapon	3
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	6
Cleman Mountain B	Nov. 5-30	Sheep Unit 7	Any Legal Weapon	6
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C ^b	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	3
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton A	Sept. 15 - 30	Sheep Unit 15	Any Legal Weapon	3
Tieton B	Nov. 5-30	Sheep Unit 15	Any Legal Weapon	3
Manson	Nov. 5-30	Sheep Unit 16	Any Legal Weapon	2
Asotin	Sept. 15 - Oct. 10	Sheep Unit 17	Any Legal Weapon	2
Chelan Butte	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	1
Sinlahekin	Sept. 15 - Oct. 10	Sheep Unit 19	Any Legal Weapon	1

^aApplicants must be eligible to purchase a 65 years of age or older permit application.

^bApplicants must be eligible to purchase a youth bighorn sheep permit application. Youth hunters must be accompanied by an adult during the hunt.

Bighorn Sheep Units:

~~Sheep Unit 2 Vulcan Mountain:~~ Permit Area: Ferry County north of the Kettle River near Curlew.

~~Sheep Unit 4 Selah Butte:~~ Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

~~Sheep Unit 5 Umtanum:~~ Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

~~Sheep Unit 7 Cleman Mountain:~~ Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

~~Sheep Unit 10 Mt. Hull:~~ Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

~~Sheep Unit 11 Wenaha Wilderness:~~ Permit Area: That part of GMU 169 within Crooked Creek drainage.

~~Sheep Unit 12 Lincoln Cliffs:~~ Permit Area: That part of Lincoln County north of Highway 2.

~~Sheep Unit 13 Quilomene:~~ Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

~~Sheep Unit 14 Swakane:~~ Permit Area: GMU 250.

~~Sheep Unit 15 Tieton:~~ Permit Area: GMU 360.

~~Sheep Unit 16 Manson:~~ Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

~~Sheep Unit 17 Asotin:~~ Permit Area: GMU 175.

~~Sheep Unit 18 Chelan Butte:~~ Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washing-

ton Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

~~**Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis Oroville Rd (Co. Rd 9425); E on the Loomis Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Con-~~

~~conully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.~~

~~(3) **Mountain Goat Permit Hunts**~~

~~**Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)~~

~~**Bag Limit:** One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids.~~

Hunt Name	Permit Season ^b	Subpopulations Open to Hunting ^a	Special Restrictions	Permits ^a
Mt. Baker	Sept. 15 – Oct. 31	Chowder Ridge, Coleman-Pinnaele, Lava Divide, Black Buttes, Lake Ann, SE Baker	Any Legal Weapon	7
North Lake Chelan	Sept. 15 – Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass	Sept. 15 – Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	1
Bumping River	Sept. 15 – Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	1
Blazed Ridge	Sept. 15 – Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1
Goat Rocks-Tieton River	Sept. 15 – Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
Methow	Sept. 15 – Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	1
South Lake Chelan	Sept. 15 – Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1

^aMountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subpopulations and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the hunt area as a condition of the hunt permit. Selected hunters will receive a text description or map of their hunt area.

~~Permit hunters may start hunting September 1 with archery equipment.)~~

AMENDATORY SECTION (Amending Order 12-90, filed 5/23/12, effective 6/23/12)

WAC 232-28-286 2013, 2014, and 2015 Spring black bear seasons and regulations. It is unlawful to fail to comply with the provisions below. Violators may be punished under RCW 77.15.410, 77.15.245, and 77.15.280 (1)(c).

Who May Apply: Anyone with a valid Washington big game license, which includes black bear as a species option.

Hunt Areas, Permit Levels, and Season Dates for Each License Year:

Hunt Name	Hunt Area	Permits	Season Dates ^b
Sherman	GMU 101	25	April 1 - June 15
Kelly Hill	GMU 105	25	April 1 - June 15
Douglas	GMU 108	20	April 1 - June 15
Aladdin	GMU 111	25	April 1 - June 15
49 Degrees North	GMU 117	50	April 1 - June 15
Huckleberry	GMU 121	50	April 1 - June 15
Blue Creek	GMU 154	15	April 15 - May 31
Dayton	GMU 162	15	April 15 - May 31
Tucannon	GMU 166	5	April 15 - May 31
Wenaha	GMU 169	45	April 15 - June 15
Mt. View	GMU 172	15	April 15 - May 31
Lick Creek	GMU 175	15	April 15 - May 31
Couse	GMU 181	4	April 15 - May 31
Grande Ronde	GMU 186	5	April 15 - May 31
North Skagit	That portion of GMU 418 that is designated as the hunt area by DNR, Sierra Pacific, and Grandy Lake Timber company.	((20)) 30	April 15 - ((May 31)) <u>June 15</u>
Monroe	That portion of GMU 448 that is designated as the hunt area by DNR, Campbell Group, and Longview Timber Lands.	25	April 15 - ((May 31)) <u>June 15</u>
Copalis ^a	That portion of GMU 642 that is designated as the hunt area by Rayonier Timber Company.	100	April 15 - June 15
Kapowsin ^a	That portion of GMUs 653 and/or 654 that is designated as the hunt area by Hancock Forest Management and International Forestry.	150	April 15 - June 15
Lincoln ^a	That portion of GMU 501 that is designated as the hunt area by participating commercial timber landowners.	75	April 15 - June 15

^aSpring black bear hunting seasons under this area constitute a pilot program to reduce black bear damage to trees.

^bPermits are valid for the license year they are issued.

Bag Limit: One black bear per black bear special permit season.

License Required: A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option.

Hunting Method: Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for

hunting black bear. The use of dogs or bait to hunt black bear is prohibited statewide.

Submitting Bear Teeth: Successful bear hunters must submit the black bear premolar located behind the canine tooth of the upper jaw.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-296 Landowner hunting permits. A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

It is unlawful for hunters to participate in landowner-permit hunts unless the hunters possess both an access permit from the landowner and a hunting permit from the department for the species covered under landowner's contract. A violation of this section is punishable under RCW 77.15.410.

(1) Buckrun

Buckrun is located in Grant County, near the town of Wilson Creek.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tailed Deer	Buckrun
Buckrun	30	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	10	Oct. 26 - Dec. 31	Any deer	Buckrun

Deer

Buckrun Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits. Only hunters possessing a modern firearm deer tag are eligible for Buckrun special permits. All hunters must check in and out. Schedule hunts in advance by calling 509-345-2577.

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tailed Deer	Buckrun

(2) Silver Dollar Association

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. A legal description of the property is in the contract between the Silver Dollar Association and the department.

Silver Dollar Association Landowner Hunting Permits

The manager of the Silver Dollar Association will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	8	Aug. 1 - March 31	Antlerless	Silver Dollar

Silver Dollar Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits. ~~((The landowners have requested changing the application criteria to eastside elk tags only.))~~

Elk

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	8	<u>EA, EF, EM</u>	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	6	<u>EA, EF, EM</u>	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar

Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out on hunt day. Hunts will be scheduled on a first come basis by calling 509-345-2577 in advance.

Deer

Buckrun Landowner Hunting Permits

The manager of Buckrun will distribute these hunting permits. An access fee may be charged in order to utilize these permits. No access fee will be charged for the raffle permit winners. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun properties. Contact the manager at 509-345-2577 for additional information.

Hunt Name	Permit Number	<u>Weapon/Tag</u>	Permit Season	Special Restrictions	Boundary Description
Silver Dollar Antlerless Elk	2	<u>EA, EF, EM</u>	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

(3) Blackrock Ranches

Blackrock Ranches is located in Yakima County, west of the Hanford Reservation. A legal description of the property is in the contract between Blackrock Ranches and the department.

Blackrock Ranches Landowner Hunting Permits

The manager of Blackrock Ranches will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	2	Aug. 1 - March 31	Antlerless	Blackrock Ranches

Blackrock Ranches Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits. The landowners have requested changing the application criteria to eastside elk tags only.

Elk

Hunt Name	Permit Number	<u>Weapon/Tag</u>	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	<u>EA, EF, EM</u>	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	1	<u>EA, EF, EM</u>	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	<u>EA, EF, EM</u>	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	1	<u>EA, EF, EM</u>	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

(4) Pine Mountain Ranch

The Pine Mountain Ranch is located in Yakima County, 14 miles west of Yakima. A legal description of the property is in the contract between the Pine Mountain Ranch and the department.

Pine Mountain Ranch Landowner Hunting Permits

The manager of the Pine Mountain Ranch will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. ((5)) <u>4</u> - Dec. 31	Any Buck	Pine Mountain Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	((Nov. 5)) <u>Aug. 1</u> - Dec. 31	Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	August 1 - Nov. ((4)) <u>3</u>	Antlerless	Pine Mountain Ranch

Pine Mountain Ranch Special Hunting Permits

Hunters apply to Washington department of fish and wildlife for these permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. ((5)) <u>4</u> - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	((Nov. 2)) <u>Aug. 1</u> - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Nov. ((4)) <u>3</u>	Antlerless	Pine Mountain Ranch

(5) 4-0 Ranch

The 4-0 Ranch is located in Asotin County (GMU 172), south of Asotin. A legal description of the property is in the contract between the 4-0 Ranch and the department.

4-0 Ranch Landowner Hunting Permits

The manager of the 4-0 Ranch will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	4	Oct. ((13-16)) <u>12-15</u>	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch <u>B</u>	2	Nov. ((12-16)) <u>11-15</u>	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch ((East-B)) <u>C</u>	1	Nov. ((16-19)) <u>15-18</u>	White-tailed, 3 pt. min	4-0 Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	2	Sept. ((17-21)) <u>16-20</u>	Any Bull	4-0 Ranch
4-0 Ranch B	1	Oct. ((22-25)) <u>21-24</u>	Any Bull	4-0 Ranch
((4-0 Ranch C <u>C</u>	4	Nov. 5-8	Any Bull	4-0 Ranch))
4-0 Ranch ((D)) <u>C</u>	4	Oct. ((27-30)) <u>26-29</u>	Spike Only	4-0 Ranch
4-0 Ranch ((E)) <u>D</u>	8	Sept. ((27-30)) <u>26-29</u>	Antlerless Only	4-0 Ranch
4-0 Ranch ((F)) <u>E</u>	2	Oct. ((27-30)) <u>26-29</u>	Antlerless Only	4-0 Ranch
4-0 Ranch ((G)) <u>E</u>	6	Nov. ((22-25)) <u>21-24</u>	Antlerless Only	4-0 Ranch
((4-0 Ranch H))				

4-0 Ranch Special Hunting Permits

Hunters apply to Washington department of fish and wildlife for these permits. Hunters need an Eastside Elk tag to apply for the elk permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	1	Oct. ((17-21)) <u>16-20</u>	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch B	1	Nov. ((17-21)) <u>16-20</u>	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch C	1	Nov. ((26)) <u>25</u> - Dec. ((2)) <u>1</u>	Whitetail, 3 pt. min	4-0 Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	2	Sept. 22-26	Any Bull	4-0 Ranch

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
((4-0 Ranch B	1	Nov. 9-12	Any Bull	4-0 Ranch))
4-0 Ranch ((€)) B	1	Oct. ((31)) 30 - Nov. ((4)) 3	Spike Only	4-0 Ranch
4-0 Ranch ((Ⓓ)) C	4	Oct. ((5-8)) 4-7	Antlerless Only	4-0 Ranch
4-0 Ranch ((Ⓔ)) D	2	Oct. ((31)) 30 - Nov. ((4)) 3	Antlerless Only	4-0 Ranch
4-0 Ranch ((F)) E	2	Nov. ((29)) 28 - Dec. ((2)) 1	Antlerless Only	4-0 Ranch

(6) ZMI Ranch

ZMI Ranch is located in northern Walla Walla County near Lyons Ferry (GMU 149).

Deer

ZMI Landowner Hunting Permits

The manager of ZMI Ranch will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
((ZMI A	2	Oct. 22-28	Antlerless, Mule Deer or White-tailed Deer	ZMI))
ZMI ((B)) A	2	Oct. ((22-28)) 21-27	3 pt. min	ZMI
ZMI ((€)) B	4	Nov. ((17)) 16 - Dec. ((9)) 8	3 pt. min	ZMI

Deer

ZMI Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits. Only hunters possessing a modern firearm deer tag are eligible for ZMI special permits. All hunters must check in and out and have them provided a scheduled time by the manager.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
((ZMI A	2	Oct. 8-12	Antlerless, Mule Deer or White-tailed Deer	ZMI))
ZMI ((B)) A	2	Nov. ((2-5)) 1-4	3 pt. min	ZMI

(7) Columbia Plateau Wildlife Management Association

The Columbia Plateau Wildlife Management Association (CPWMA) LHP is located in Spokane County (GMU 130), near Turnbull National Wildlife Refuge. Hunting is primarily a damage hunt but managed for a quality experience by keeping the number of hunters in the field low. A legal description of the property is in the contract between the CPWMA and the department.

Columbia Plateau Wildlife Management Association Landowner Hunting Permits

The manager of the CPWMA will distribute these hunting permits. No access fee will be charged for the raffle permit winners. Only hunters possessing an elk tag are eligible for permits on CPWMA properties. All successfully drawn permit applicants must have written authorization from the CPWMA manager and must check in and out at the beginning and ending of the scheduled dates. Successful applicants will receive a packet of required information with forms to fill out and a map showing the hunt area. Information must be filled out and returned prior to Sept 30. Applicants ~~((may))~~ see web site www.cpwma.org or contact the hunt manager at 509-263-4616.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	2	Jan. 1 - Mar. 31	Antlerless	CPWMA
CPWMA Raffle 1	2	Jan. 1-15	Antlerless	CPWMA
CPWMA Raffle 2	2	Jan. 16-31	Antlerless	CPWMA
CPWMA Raffle 3	3	Feb. 1-14	Antlerless	CPWMA
CPWMA Raffle 4	2	Feb. 15-28	Antlerless	CPWMA
CPWMA Raffle 5	2	Mar. 1-15	Antlerless	CPWMA

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA Raffle 6	2	Mar. 16-31	Antlerless	CPWMA
CPWMA Raffle 7	2	Jan. 1-31	Any bull	CPWMA

Columbia Plateau Wildlife Management Association Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits. All successfully drawn permit applicants must have written authorization from the CPWMA manager and must check in and out at the beginning and ending of the scheduled dates. Successful applicants will receive a packet of required information with forms to fill out and a map showing the hunt area. Information must be filled out and returned prior to Sept 30. Applicants (~~may~~) see web site www.cpwma.org or contact the hunt manager at 509-263-4616.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA 1	3	Jan. 1-15	Antlerless	CPWMA
CPWMA 2	2	Jan. 16-31	Antlerless	CPWMA
CPWMA 3	(3) 2	Feb. 1-14	Antlerless	CPWMA
CPWMA 4	(2) 3	Feb. 15-28	Antlerless	CPWMA
CPWMA 5	3	Mar. 1-15	Antlerless	CPWMA
CPWMA 6	2	Mar. 16-31	Antlerless	CPWMA
CPWMA 7	1	Jan. 1-31	Any bull	CPWMA

AMENDATORY SECTION (Amending Order 11-86, filed 5/6/11, effective 6/6/11)

WAC 232-28-334 Game management units (GMUs) boundary descriptions—Region four.

GMU 407-NORTH SOUND (Whatcom, Skagit, Snohomish and King counties): Does not include Guemes Island.

Beginning at the NW corner of Whatcom County line and the US-Canadian border; E on the US-Canadian border to a point due north of Silver Lake Rd; S to Silver Lake Rd; S on Silver Lake Rd to State Route (SR) 542 (Mount Baker Hwy); SW on SR 542 (Mount Baker Hwy) to Mosquito Lake Rd; S on Mosquito Lake Rd to SR 9 (Valley Hwy); S on SR 9 (Valley Hwy) to SR 20 in the town of Sedro-Woolley; W and S on SR 20 to SR 9; S on SR 9 to SR 530 at the town of Arlington; NE on SR 530 to Jim Creek-Trafton Rd at the Trafton School in the town of Trafton; SE along Jim Creek-Trafton Rd (242nd St. NE) to the City of Seattle power transmission line; SW on the transmission line to Jordan Rd in Section 20, T31N, R6E; SE along Jordan Rd to SR 92 at the town of Granite Falls; E on SR 92 to South Alder Ave; S on South Alder Ave to E Pioneer St; E on East Pioneer St to Menzel Lake Rd; SE on Menzel Lake Rd to North Lake Roesiger Rd; S on North Lake Roesiger Rd to South Lake Roesiger Rd; S on South Lake Roesiger Rd to 242nd St SE; S on 242nd St SE to Woods Creek Rd; S on Woods Creek Rd to US Hwy 2 at the town of Monroe; W on US Hwy 2 to SR 203 at the town of Monroe; S on SR 203 to NE Woodinville-Duvall Rd at the town of Duvall; W on NE Woodinville-Duvall Rd to the Snoqualmie River; N down the Snoqualmie River to the Snohomish River; W down the Snohomish River to its mouth on the Puget Sound; W from the mouth of the Snohomish River to the northern tip of Gedney Island; due W from the northern tip of Gedney Island to a point on the Snohomish-Island County line; N along the Island-Snohomish County line in Possession Sound and Port Susan to Juniper Beach and N through Davis Slough to the Island-Snohomish-Skagit County junction; W and N along Island-Skagit County line

through Skagit Bay and W through Deception Pass to San Juan-Skagit County line; N on the San Juan-Skagit County line to a point due West of Kelly's Point on Guemes Island; E from the San Juan-Skagit County line to Bellingham Channel, EXCLUDING Guemes Island; N through the middle of Bellingham Channel, then NE from Bellingham Channel to Carter Point on Lummi Island; NW from Carter Point to the Skagit-Whatcom County line; W along Skagit-Whatcom County line to the Whatcom-San Juan County line; NW along the Whatcom-San Juan County line to the US-Canadian border and the point of beginning.

GMU 410-ISLANDS (San Juan and ~~(Island)~~ Skagit counties) EXCLUDING Orcas, San Juan, Lopez, Shaw, Blakely, Decatur, and Cypress Islands:

Beginning at the junction of San Juan-Whatcom County lines and the US-Canadian border at the northernmost point in San Juan County; SE on the San Juan-Whatcom County line to the junction of San Juan-Whatcom-Skagit County lines; E on the Skagit-Whatcom County line to the first point where the Skagit-Whatcom County line turns SE; SE from the Skagit-Whatcom County line to Carter Point on Lummi Island; SW down the middle of Bellingham Channel to a point due W of Kelly's Point on Guemes Island and including Cypress Island; W to the Skagit-San Juan County line; S through Rosario Strait on the San Juan-Skagit County line to the San Juan-Skagit-Island County line; E on the Skagit-Island County line through Deception Pass and S through Skagit Bay to the Island-Snohomish-Skagit County junction; SE on the Island-Snohomish County line through Davis Slough, Juniper Beach, Port Susan, Possession Sound to the Island-Kitsap County line; NW on the Island-Kitsap-Jefferson County line through Puget Sound, Admiralty Inlet, and the Strait of Juan De Fuca; W on the Clallam-Jefferson-San Juan County lines to the US-Canadian border; N on the US-Canadian border, through Middle Bank, Haro Strait, and Boundary Pass, to the northernmost corner of San Juan-Whatcom County line and the point of beginning.

GMU 411-ORCAS (San Juan County):

Includes all of Orcas Island

GMU 412-SHAW (San Juan County):

Includes all of Shaw Island

GMU 413-SAN JUAN (San Juan County):

Includes all of San Juan Island

GMU 414-LOPEZ (San Juan County):

Includes all of Lopez Island

GMU 415-BLAKELY (San Juan County):

Includes all of Blakely Island

GMU 416-DECATUR (San Juan County):

Includes all of Decatur Island

GMU 417-CYPRESS(Skagit County):

Includes all of Cypress Island

GMU 419-GUEMES (Skagit County):

Includes all of Guemes Island

GMU 420-WHIDBEY (Island County):

Includes all of Whidbey Island

GMU 421-CAMANO (Island County):

Includes all of Camano Island

GMU 422-VASHON-MAURY (King County):

Includes all of Vashon and Maury Islands

GMU 418-NOOKSACK (Whatcom and Skagit counties):

Beginning at the US-Canadian border and the western border of the North Cascades National Park; S on the North Cascades National Park boundary to Noisy Diobsud Wilderness Area boundary; W and S on Noisy Diobsud Wilderness Area boundary to a point due E of the head waters of Watson Creek; W to the headwaters of Watson Creek; S down Watson Creek to Thunder Creek; W down Thunder Creek to Baker River Rd; S along Baker River Rd to State Route (SR) 20 at the town of Concrete; W along SR 20 to SR 9 at the town of Sedro-Woolley; N along SR 9 to Mosquito Lake Rd; N on the Mosquito Lake Rd to SR 542 (Mount Baker Hwy); N on SR 542 to the Silver Lake Rd; N on the Silver Lake Rd to its northern most point; N from the Silver Lake Rd to the US-Canadian border; E on the US-Canadian border to the western border of the North Cascades National Park and the point of beginning.

GMU 426-DIABLO (Skagit and Whatcom counties):

Beginning at the US-Canadian border and the western boundary of the Ross Lake National Recreation Area; S on the Ross Lake National Recreation Area boundary, across SR 20 (North Cascades Hwy) and Skagit River, then NE and E on the Ross Lake National Recreation Area boundary to a point 2 miles east of Panther Creek, where the recreation boundary connects with the Okanogan National Forest boundary; S on North Cascades National Park boundary to the Skagit-Chelan County line at Fisher Peak; SE along the Skagit-Chelan County line to the US Forest Service (USFS) Trail 2000 (Pacific Crest National Scenic Trail); N on the USFS Trail 2000 to the Pasayten Wilderness boundary at Jim Pass; W along the Pasayten Wilderness boundary to the Ross Lake National Recreation Area boundary; N along the Ross Lake

National Recreation Area-Pasayten Wilderness Area boundary to the US-Canadian border; W along the US-Canadian border to the NW corner of the Ross Lake National Recreation Area and the point of beginning.

GMU 437-SAUK (Skagit and Snohomish counties):

Beginning at the intersection of State Route (SR) 9 and SR 20, W of the town of Sedro-Woolley; E along SR 20 to Baker River Rd at the town of Concrete; N on Baker River Rd to Thunder Creek; E up Thunder Creek to Watson Creek; N up Watson Creek to its headwaters; E from the headwaters of Watson Creek to Noisy Diobsud Wilderness boundary; N and E on Noisy Diobsud Wilderness boundary to North Cascades National Park boundary; S and E along the North Cascades National Park boundary to the Ross Lake National Recreation Area boundary; S along the Ross Lake National Recreation Area boundary, across the SR 20 (North Cascade Hwy) and the Skagit River, then E along the Ross Lake National Recreation Area boundary to the North Cascades National Park boundary near Big Devil Peak; SE on the North Cascades National Park boundary to the Cascade River Rd; S on Cascade River Rd to US Forest Service (USFS) Rd 1590; S on USFS Rd 1590 to USFS Trail 769 (South Fork Cascade River Trail); S on USFS Trail 769 to the Glacier Peak Wilderness Area boundary; W and S on Glacier Peak Wilderness Area Boundary to the Suiattle River; W down the Suiattle River to the Sauk River; N on the Sauk River to SR 530 (Sauk Valley Rd); S on SR 530 to the town of Darrington; W on SR 530 to SR 9 at the town of Arlington; N on SR 9 to SR 20, W of the town of Sedro-Woolley, and the point of beginning.

GMU 448-STILLAGUAMISH (Snohomish and Skagit counties):

Beginning at the intersection of State Route (SR) 530 (Arlington-Darrington Hwy) and Jim Creek Rd at the town of Trafton; NE on SR 530 to the town of Darrington, where it is called Seeman St; N on SR 530 (Sauk Valley Rd) to the Sauk River; S on the Sauk River to Suiattle River; E along the Suiattle River to the Glacier Peak Wilderness Area boundary; S on the Glacier Peak Wilderness Area boundary to US Forest Service (USFS) Trail 650, West of June Mountain; W on the (USFS) Trail 650 to (USFS) Trail 1050 (Quartz Creek Trail) at Curry Gap; S on the USFS Trail 1050 to USFS Rd 6300; E on USFS Rd 6300 to USFS Trail 1051; NE on Trail 1051 to Henry M. Jackson Wilderness boundary; S along the Henry M. Jackson Wilderness boundary to Meadow Creek; S down Meadow Creek to Rapid River; E up Rapid River to USFS Trail 2000 (Pacific Crest National Scenic Trail) at Lake Janus; S on the USFS 2000 to SR 2 at Stevens Pass; W on SR 2 to Woods Creek Rd at the town of Monroe; N on Woods Creek Rd to 242nd St SE; N on 242nd St SE to South Lake Roesiger Rd; N on South Lake Roesiger Rd to North Lake Roesiger Rd; N on North Lake Roesiger Rd to Menzel Lake Rd; N on Menzel Lake Rd to East Pioneer St; W on East Pioneer St to South Alder Ave; N on South Alder Ave to SR 92 (E Stanley St); W on SR 92 to Jordan Rd; NW on Jordan Rd, through the town of Jordan, to the City of Seattle power transmission lines; NE on the transmission lines to Jim Creek-Trafton Rd (242nd St. NE); W on Jim Creek-Trafton Rd to SR 530 at the town of Trafton and the point of beginning.

GMU 450-CASCADE (Skagit and Snohomish counties):

Beginning on the Glacier Peak Wilderness boundary and Jordan Creek, W of Jordan Lakes; N and E on the wilderness boundary to US Forest Service (USFS) Trail 769; N on USFS Trail 769 to USFS Rd 1590; N on USFS Rd 1590 to the USFS Rd 15 (Cascade River Rd); N on USFS Rd 15 to the North Cascades National Park boundary; E on the North Cascades National Park boundary to USFS Trail 2000 (Pacific Crest National Scenic Trail); S on USFS Trail 2000 to the Rapid River at Lake Janus; NW down the Rapid River to Meadow Creek; N up Meadow Creek to Henry M. Jackson Wilderness Area boundary; N along the Henry M. Jackson Wilderness boundary to USFS Trail 1051; S on USFS Trail 1051 to USFS Rd 6300; W on USFS Rd 6300 to USFS Trail 1050; N on USFS Trail 1050 to USFS Trail 650 at Curry Gap; E on USFS Trail 650 to the Glacier Peak Wilderness boundary west of June Mountain; N on the Glacier Peak Wilderness boundary, across the Suiattle River, to Jordan Creek and the point of beginning.

**GMU 454-ISSAQUAH (King and Snohomish counties):
Does not include Vashon-Maury Island.**

Beginning at the mouth of the Snohomish River at the city of Everett; SE up the Snohomish River to the Snoqualmie River; SE up the Snoqualmie River to NE Woodinville-Duvall Rd; E on NE Woodinville-Duvall Rd to State Route (SR) 203 at the town of Duvall; S on SR 203 to SR 202 (Fall City-Snoqualmie Rd) at the town of Fall City; S on SR 202 (Fall City-Snoqualmie Rd), across the Snoqualmie River, to Preston-Fall City Rd; SW on Preston-Fall City Rd to SE 82nd St at the town of Preston; E on SE 82nd St to Interstate Hwy (I)-90; E on I-90 to SR 18; S on SR 18 to the Raging River; SE along the Raging River to Kerriston Rd; S on Kerriston Rd to the City of Seattle Cedar River Watershed boundary; W, S and E along the Cedar River Watershed boundary to US Forest Service (USFS) Rd 5100; S along USFS Rd 5100 to the posted boundary of the Green River Watershed; S along the posted boundary of the Green River Watershed to the USFS Rd 5410; S on USFS Rd 5410 to USFS Rd 5400; E on USFS Rd 5400 to the junction with posted boundary of the Green River Watershed; S on the posted Tacoma Green River Watershed boundary to USFS Rd 7110 (Weyerhaeuser (Weyco) 5200 line) near Lynn Lake; SW on USFS Rd 7110 (Weyco 5200 line) to SR 410; W on SR 410 to SR 164 at the city of Enumclaw; W on SR 164 to SR 18 at the city of Auburn; W on SR 18 to SR 99; N on SR 99 to SR 509; W on SR 509 to Redondo Way South; NW on Redondo Way South to the town of Redondo on Puget Sound; SW across ((~~Admiralty Inlet on~~)) East Passage to the Pierce-King County line ((~~to~~)) at the point where the county line turns southeast, northwest of Dash Point; W and N along the King County line, EXCLUDING Vashon-Maury Island; to the King, Snohomish, and Kitsap ((~~county~~)) counties line junction in the Puget Sound west of Point Wells; N on the Snohomish County line through Possession Sound to a point on the Snohomish County line due west of the northern tip of Gedney Island (Hat Island); E to the northern tip of Gedney Island; E from the northern tip of Gedney Island to the mouth of the Snohomish River and the point of beginning.

GMU 460-SNOQUALMIE (King and Snohomish counties):

Beginning at State Route (SR) 203 and SR 2 at the town of Monroe; E on SR 2 to US Forest Service (USFS) Trail 2000 (Pacific Crest National Scenic Trail) at Stevens Pass; S on the USFS Trail 2000 to the City of Seattle Cedar River Watershed; W on the Cedar River Watershed boundary to Kerriston Rd; N on Kerriston Rd to the Raging River; W and N along the Raging River to SR 18; N on SR 18 to Interstate Hwy (I)-90; W on I-90 to SE 82nd St at the town of Preston; NE on SE 82nd St to Preston-Fall City Rd; N on the Preston-Fall City Rd to SR 202 (Fall City-Snoqualmie Rd); N on SR 202 (Fall City-Snoqualmie Rd), across the Snoqualmie River, to SR 203; N on SR 203 to SR 2 at the town of Monroe and the point of beginning.

GMU 466-STAMPEDE (King County):

Beginning on the US Forest Service (USFS) Trail 2000 (Pacific Crest National Scenic Trail) and the east boundary of the City of Seattle Cedar River Watershed; S on the USFS Trail 2000, past Blowout Mountain, to USFS Rd 7038 at its closest point to the USFS Trail 2000 near Windy Gap north of Pyramid Peak; NW on USFS Rd 7038 to USFS Rd 7036; NW on USFS Rd 7036 to USFS Rd 7030; NW on USFS Rd 7030 to USFS Rd 7032; NW on USFS Rd 7032 to USFS Trail 1172; W on USFS Trail 1172 to about 1/4 mile past Williams Hole to the posted boundary of the City of Tacoma Green River Watershed; N on the posted City of Tacoma Green River Watershed boundary to the City of Seattle Cedar River Watershed boundary; N along City of Seattle Cedar River Watershed boundary to USFS Trail 2000 and the point of beginning.

GMU 485-GREEN RIVER (King County):

Beginning at the junction of NW corner of the city of Tacoma Green River Watershed and US Forest Service (USFS) Rd 5100; E on the boundary between the Green River Watershed and the Cedar River Watershed to USFS Rd 5060; S on Rd 5060 to the posted boundary of the Green River Watershed; along the southern boundary of the Green River Watershed over Huckleberry Mountain and Grass Mountain to the USFS Rd 5400; NW along USFS Rd 5400 to USFS Rd 5410; N along USFS Rd 5410 to posted boundary of the City of Tacoma Green River Watershed; N along the posted boundary of the City of Tacoma Green River Watershed to USFS 5100; N along USFS Rd 5100 to City of Tacoma Green River Watershed and City of Seattle Cedar River Watershed border and the point of beginning.

GMU 490-CEDAR RIVER (King County):

The area within the posted boundary of the city of Seattle's Cedar River Watershed.

AMENDATORY SECTION (Amending Order 11-86, filed 5/6/11, effective 6/6/11)

WAC 232-28-336 Game management units (GMUs) boundary descriptions—Region six.**GMU 601-HOKO (Clallam County):**

Beginning on the Makah Indian reservation boundary and the Strait of Juan de Fuca; SE along the shore of the Strait of Juan

de Fuca to the mouth of the Hoko River; S along the Hoko River to State Route (SR) 112; SE on SR 112 to the Hoko-Ozette Rd; SW on the Hoko-Ozette Rd to the Olympic National Park boundary near Ozette; N along the Olympic National Park boundary to the Makah Indian reservation boundary; E and N along the Makah Indian reservation boundary to the Strait of Juan de Fuca and the point of beginning.

GMU 602-DICKEY (Clallam County):

Beginning at the mouth of the Hoko River and the Strait of Juan de Fuca; SE along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River; S along the Clallam River to State Route (SR) 112; S on SR 112 to SR 113 (Burnt Mountain Rd); S on SR 113 to US Hwy (US) 101 at the town of Sappho; SW on US 101 to the LaPush Rd; SW on LaPush Rd to the Olympic National Park boundary; N along the Olympic National Park boundary to Hoko-Ozette Rd; NE on Hoko-Ozette Rd to SR 112; NW on SR 112 to the Hoko River; NW on the Hoko River to its mouth on the Strait of Juan De Fuca and the point of beginning.

GMU 603-PYSHT (Clallam County):

Beginning at the mouth of the Clallam River on Strait of Juan de Fuca; E along the shore of the Strait of Juan de Fuca to the mouth of the Elwha River; S along the Elwha River to the Olympic National Park boundary; W along the Olympic National Park boundary to one mile west of Lake Crescent; S on the Olympic National Park boundary to US Hwy (US) 101; W on US 101 to the State Route (SR) 113 (Burnt Mountain Rd); N on SR 113 to SR 112; N on SR 112 to the Clallam River; N along the Clallam River to its mouth and the point of beginning.

GMU 607-SOL DUC (Clallam County):

Beginning at US Hwy (US) 101 at the town of Sappho; E on US 101 to the Olympic National Park boundary; S and W along the Olympic National Park boundary to the Bogachiel River; W along the Bogachiel River to US 101; N on US 101, through the town of Forks, to the town of Sappho and the point of beginning.

GMU 612-GOODMAN (Jefferson and Clallam counties):

Beginning approximately two miles east of the town of LaPush on the Olympic National Park boundary and LaPush Rd intersection; NE on LaPush Rd to US Hwy (US) 101 at the town of Forks; S on US 101, across the Hoh River, and west to Olympic National Park Boundary; N on the Olympic National Park boundary to LaPush Rd and the point of beginning.

GMU 615-CLEARWATER (Jefferson County):

Beginning on US Hwy (US) 101 and the Bogachiel River; E along the Bogachiel River to the Olympic National Park boundary; SE and W on the Olympic National Park boundary to the Quinalt Indian reservation boundary; W on the Quinalt Indian reservation boundary to the Olympic National Park boundary; N along the Olympic National Park boundary to US 101; E, N, and W on US 101 to the Bogachiel River and the point of beginning.

GMU 618-MATHENY (Jefferson and Grays Harbor counties):

Beginning at the boundary junction of Olympic National Park and the Quinalt Indian reservation, east of the Queets River Rd; N, E, S, and W along the Olympic National Park boundary to the park and Quinalt Indian reservation boundary junction, north of Lake Quinalt; NW along the Quinalt Indian reservation boundary to its junction with the boundary of Olympic National Park, east of the Queets River Rd, and the point of beginning, including the Olympic National Forest land and private land one mile west of Lake Quinalt and bounded by the Olympic National Park and the Quinalt Indian reservation.

GMU 621-OLYMPIC (Jefferson, Clallam and Mason counties):

Beginning at the Olympic National Park boundary and the Elwha River; N along the Elwha River to US Hwy (US) 101; E on US 101, through Port Angeles and Sequim, to the Chimaicum Center Rd at the town of Quilcene; N on the Chimaicum Center Rd to the East Quilcene Rd; E on the East Quilcene Rd to Quilcene Bay; S along the shore of Quilcene Bay to Dabob Bay; S along the shore of Dabob Bay to Hood Canal; SW along the shore of Hood Canal to Finch Creek; upstream on Finch Creek to US 101; S on US 101 to State Route (SR) 119 (Lake Cushman Rd); W on SR 119 to Standstill Dr (Power Dam Rd); W on Standstill Dr to Upper Cushman Dam and the shore of Lake Cushman; NW on the west shore of Lake Cushman to the North Fork Skokomish River; N along the North Fork Skokomish River to the Olympic National Park boundary; N and W on the Olympic National Park boundary to the Elwha River and the point of beginning.

GMU 624-COYLE (Clallam and Jefferson counties):

Beginning at the mouth of the Elwha River on the Strait of Juan de Fuca; N from the mouth of the Elwha River to the Clallam county line in the Strait of Juan De Fuca; NE on the Clallam county line to Clallam-San Juan county line; NE on the Clallam-San Juan county line to the Jefferson-San Juan county line; NE on the Jefferson-San Juan county line to the Jefferson-Island county line; S then SE on the Jefferson-Island county line to the Kitsap-Island county line; SE on the Kitsap-Island county line to a point due east of Point No Point; W from the Kitsap-Island county line to Point No Point; NW, S, N, and SW along the coast of the Kitsap peninsula to Cougar Spit; W from Cougar Spit to Finch Creek at the town of Hoodspout; NE along the east shore of Hood Canal to Dabob Bay; N along the shore of Dabob Bay and Quilcene Bay to East Quilcene Rd; W on East Quilcene Rd to the Chimaicum Center Rd; S on Chimaicum Center Rd to US Hwy (US) 101; N and W on US 101 through Sequim and Port Angeles to the Elwha River; N down the Elwha River to its mouth on the Strait of Juan de Fuca and the point of beginning.

GMU 627-KITSAP (Kitsap, Mason, and Pierce counties):

Beginning at the Hood Canal Bridge; E, S, N, and SE along the shore of the Kitsap peninsula to Point No Point; due E from Point No Point to Kitsap-Island county line in the Puget Sound; S along the Kitsap-Island county line to the Kitsap-Snohomish county line; S along the Kitsap-Snohomish county line to Kitsap-King county line; S along the Kitsap-

King county line to the King-Pierce county line; S on the King-Pierce county line to the outlet of the Tacoma Narrows; S through the Tacoma Narrows, past Fox Island (which is included in this GMU), to Carr Inlet; NW up Carr Inlet around McNeil and Gertrude Islands (which are excluded from this GMU), to Pitt Passage; SW through Pitt Passage and Drayton Passage to the Pierce-Thurston county line in the Nisqually Reach; NW along the Pierce-Thurston county line to the Pierce-Mason county line; NW on the Pierce-Mason county line in the Nisqually Reach to North Bay; along the east shore of North Bay to State Route (SR) 3 at the town of Allyn; N on SR 3 to the Old Belfair Hwy at the town of Belfair; N on the Old Belfair Hwy to the Bear Creek-Dewatto Rd; W on the Bear Creek-Dewatto Rd to the Dewatto Rd West; N along the Dewatto Rd to Albert Pfundt Rd; N on the Albert Pfundt Rd to Anderson Creek; E down Anderson Creek to the east shore of the Hood Canal; N from Anderson Creek along the east shore of Hood Canal to the Hood Canal bridge and the point of beginning.

GMU 633-MASON (Mason and Kitsap counties):

Beginning at the mouth of Anderson Creek on the eastern shore of Hood Canal; W along Anderson Creek to Albert Pfundt Rd; S on the Albert Pfundt Rd to West Dewatto Rd; S on West Dewatto Rd to Bear Creek-Dewatto Rd; E along Bear Creek-Dewatto Rd to Old Belfair Hwy; S on Old Belfair Hwy to State Route (SR) 3 at the town of Belfair; S on SR 3 to North Bay at the town of Allyn; N along the west shore of North Bay; S along the east shore of North Bay to Pierce-Mason county line at Case Inlet; SE along the Pierce-Mason county line through Case Inlet to the Mason-Thurston county line; W along the Mason-Thurston county line through Dana Passage, Squaxin Passage, and Totten Inlet to US Hwy (US) 101 at Oyster Bay; N on US 101 to Finch Creek at the town of Hoodspport; E from Finch Creek across Hood Canal to Cougar Spit on the east shore of the Hood Canal; N from Cougar Spit along the east shore of Hood Canal to the mouth of Anderson Creek and the point of beginning.

GMU 636-SKOKOMISH (Grays Harbor and Mason counties):

Beginning on the Olympic National Park boundary and the North Fork of the Skokomish River; S along the North Fork Skokomish River to Lake Cushman; SE along the west shore of Lake Cushman to Standstill Dr (Power Dam Rd) at the Upper Cushman Dam; E on the Standstill Dr to State Route (SR) 119 (Lake Cushman Rd); SE on SR 119 to US Hwy (US) 101 at the town of Hoodspport; S on US 101 to the Shelton-Matlock Rd at the town of Shelton; W on the Shelton-Matlock Rd to the Matlock-Brady Rd; S on the Matlock-Brady Rd to Deckerville Rd south of the town of Matlock; W on Deckerville Rd to Boundary Rd (Middle Satsop Rd); W and S on Boundary Rd to Kelly Rd; N on Kelly Rd to US Forest Service (USFS) Rd 2368 (Simpson Timber 500 line); N on USFS Rd 2368 to USFS Rd 2260 (Simpson Timber 600 line); W on USFS Rd 2260 to USFS Rd 22 (Wynoochee Rd); NW and W on USFS Rd 22 to USFS Rd 2294, 1/4 mile east of Big Creek; NW on USFS Rd 2294, which parallels Big Creek, to junction with USFS Rd 2281; W on USFS Rd 2281, to the watershed divide between the Humptulips River watershed and the Wynoochee River watershed; N on the ridge

between the Humptulips River watershed and Wynoochee River watershed to Olympic National Park boundary; E along the Olympic National Park boundary to the north fork of the Skokomish River and the point of beginning.

GMU 638-QUINAULT RIDGE (Grays Harbor and Jefferson counties):

Beginning on the Olympic National Park boundary and the Quinault Indian reservation boundary at the northwest corner of Lake Quinault; NE along the west shore of Lake Quinault to the Quinault River; NE on the Olympic National Park boundary, which is along the Quinault River, to the Olympic National Park boundary west of Bunch Creek; S and NE on the Olympic National Park boundary to the ridge between the Wynoochee River watershed and Humptulips River watershed; S along the ridge between the Humptulips River watershed and the Wynoochee River watershed to its intersection with US Forest Service (USFS) Rd 2281; E along USFS Rd 2281 to USFS Rd 2294; SE on USFS Rd 2294, paralleling Big Creek, to USFS Rd 22 (Donkey Creek Rd); W on the USFS Rd 22 to US Hwy (US) 101; N on US 101 to the Quinault Indian reservation boundary; NE on the reservation boundary to Lake Quinault; NW along the south shore of Lake Quinault to the Olympic National Park boundary and the point of beginning.

GMU 642-COPALIS (Grays Harbor County):

Beginning at the Quinault Indian reservation and US Hwy (US) 101 south of Lake Quinault; S on US 101 to the Hoquiam River in the city of Hoquiam; S along the Hoquiam River to the north shore of Grays Harbor; W along the north shore of Grays Harbor to the Pacific Ocean; N along the shore of the Pacific Ocean to the Quinault Indian reservation boundary; E and NE along the Quinault Indian reservation to US 101 south of Lake Quinault and the point of beginning.

GMU 648-WYNOOCHEE (Grays Harbor County):

Beginning at the junction of US Hwy (US) 101 and the US Forest Service (USFS) Rd 22 (Donkey Creek Rd); NE along the USFS Rd 22 (Donkey Creek Rd) to its junction with the Donkey Creek-Grisdale Rd; E on USFS Rd 22 (Donkey Creek-Grisdale Rd) to Camp Grisdale (south of Wynoochee Lake); S along USFS Rd 22 (Wynoochee Rd) to USFS Rd 2260 (Simpson Timber 600 line); E on USFS Rd 2260 to USFS Rd 2368 (Simpson Timber 500 line); S on USFS Rd 2368 to Kelly Rd; S on Kelly Rd to Boundary Rd (Middle Satsop Rd); S on Boundary Rd to Cougar Smith Rd; W on Cougar Smith Rd to the west fork of the Satsop River; S down the west fork Satsop River to the Satsop River; S down the Satsop River to US 12; W along US 12 to its junction with US 101 in the town of Aberdeen; SE along US 101 to the north shore of the Chehalis River; W along the north shore of the Chehalis River to the north shore of Grays Harbor; W along the north shore of Grays Harbor to the mouth of the Hoquiam River; N up the Hoquiam River to US 101; W and N along US 101 to its junction with the USFS Rd 22 (Donkey Creek Rd) and the point of beginning. INCLUDES Rennie Island.

GMU 651-SATSOP (Grays Harbor, Mason and Thurston counties):

Beginning at the US Hwy (US) 12 bridge on the Satsop River; N up the Satsop River to its junction with the west fork of the Satsop River; N up the west fork of the Satsop River to Cougar Smith Rd; E on Cougar Smith Rd to Boundary Rd (Middle Satsop Rd); N and E on Boundary Rd to Deckerville Rd; E on Deckerville Rd to Matlock-Brady Rd; N on Matlock-Brady Rd to the town of Matlock; E on Shelton-Matlock Rd to its junction with US 101 west of the town of Shelton; S on US 101 to its junction with State Route (SR) 8; W on SR 8 to its junction with US 12; W along US 12 to bridge over the Satsop River and the point of beginning.

GMU 652-PUYALLUP (Pierce and King counties):

Does not include Anderson Island. Beginning at Redondo Junction on the shore of Puget Sound and Redondo Way S; SE on Redondo Way S to State Route (SR) 509; E on SR 509 to Pacific Hwy S (Old Hwy 99); S on Pacific Hwy S to SR 18 at the city of Auburn; E on SR 18 to SR 164; SE on SR 164 to SR 410 (Chinook Pass Hwy) at the town of Enumclaw; E on SR 410 to the second set of power transmission lines near the Mud Mountain Dam Rd; SW on the power transmission lines to the White River; NW along the White River to SR 410; S on SR 410 to SR 165; S on SR 165 to the first intersection with a power transmission line at T19N, R06E, Sec 21; SW on this power transmission line to Orville Rd E at the Puyallup River; S on Orville Rd E to SR 161; S on SR 161 to the Mashel River; down the Mashel River to the Nisqually River (Pierce-Thurston county line); NW along the Nisqually River, along the Pierce-Thurston county line, to the Nisqually Reach in the Puget Sound; NW along the Thurston-Pierce county line in the Nisqually Reach to a point on the Thurston-Pierce county line southeast of Drayton Passage Channel; NE through Drayton Passage and Pitt Passage to Carr Inlet; E and S around McNeil Island to a point southwest of the Tacoma Narrows (including McNeil, Gertrude, ((Anderson)) and Keron Islands); NE through the Tacoma Narrows to a point on the Pierce-King county line northeast of the main channel of the Tacoma Narrows; E on the Pierce-King county line to the point where the county line turns southeast, northwest of Dash Point; E to Redondo Junction on the eastern shore of the Puget Sound and the point of beginning.

GMU 653-WHITE RIVER (King and Pierce counties):

Beginning at the lookout station at US Forest Service (USFS) Rd 7110 (Grass Mountain mainline) and the city of Tacoma Green River Watershed boundary; E on the Green River Watershed boundary to USFS Rd 7032; E along USFS Rd 7032 to USFS Rd 7030; SE along USFS Rd 7030 to USFS Rd 7036; SE along USFS Rd 7036 to USFS Rd 7038; SE on USFS Rd 7038 to USFS Trail 2000 (Pacific Crest National Scenic Trail) at its closest point to USFS Rd 7038 near Windy Gap north of Pyramid Peak; S on the USFS Trail 2000 to Pierce-Yakima County Line (Cascades Crest) in T17N, R10E, Sec 35; S on the county line to the Mt. Rainier National Park boundary in T17 R, R10E, Sec 35; S on the park boundary to Chinook Pass; N and W on the Mt. Rainier National Park boundary to the Carbon River; NW down the Carbon River to the power transmission line at T19N, R06E, Sec 21; NE along the power transmission line to SR 165; NE

on SR 165 to SR 410; NE on SR 410 to the White River; SE along the White River to the power transmission lines on the north side of the White River near Mud Mountain Dam Rd; NE on the power transmission lines to State Route (SR) 410; E on SR 410 to USFS Rd 7110; N on USFS Rd 7110 to the city of Tacoma Green River Watershed and the point of beginning.

GMU 654-MASHEL (Pierce County):

Beginning at the power transmission line at the Puyallup River Bridge on Orville Rd E; NE on the power line to the Carbon River; SE along the Carbon River to the west boundary of Mt. Rainier National Park; S on the Mt. Rainier National Park boundary to the Nisqually River; W down the Nisqually River to the mouth of the Mashel River; N up the Mashel River to the State Route (SR) 161 bridge (Eatonville-LaGrande Rd); N on SR 161 through Eatonville to Orville Rd E; N on Orville Rd E to the Puyallup River bridge and the point of beginning.

GMU 655-ANDERSON (Pierce County):

Includes all of Anderson Island.

GMU 658-NORTH RIVER (Grays Harbor and Pacific counties):

Beginning at the Pacific Ocean and the south shore of Grays Harbor at the Westport Jetty; E along the south shore of Grays Harbor to the mouth of the Chehalis River at the town of Aberdeen; E up the Chehalis River to the US Hwy (US) 101 bridge; S on US 101 to the Willapa River at the town of Raymond; W down the Willapa River to Willapa Bay; W along the north shore of Willapa Bay to the Pacific Ocean; N along the Pacific Coast to the south shore of Grays Harbor at the Westport Jetty and the point of beginning.

GMU 660-MINOT PEAK (Grays Harbor and Pacific counties):

Beginning at the intersection of US Hwy (US) 12 and US 101 at the town of Aberdeen; E and S on US 12 to N State St at the town of Oakville; S on N State St to South Bank Rd; W on South Bank Rd to Garrard Creek Rd; SW on Garrard Creek Rd to Oakville-Brooklyn Rd; W on Oakville-Brooklyn Rd to North River Valley Rd; W on North River Valley Rd to Smith Creek Rd; W on Smith Creek Rd to US 101; N on US 101 to US 12 at the town of Aberdeen and the point of beginning.

GMU 663-CAPITOL PEAK (Grays Harbor and Thurston counties):

Beginning at US Hwy (US) 12 and State Route (SR) 8 at the town of Elma; E on SR 8 to US 101; E on US 101 to Delphi Rd SW; S on Delphi Road SW to 110th Ave SW; E on 110th Ave SW to Littlerock Rd; S on Littlerock Rd to US 12; NW on US 12 to SR 8 at the town of Elma and the point of beginning.

GMU 666-DESCHUTES (Thurston County):

Beginning on US Hwy (US) 101 at the Mason-Thurston county line southeast of Oyster Bay; NE on the Mason-Thurston county line, through Totten Inlet, Squaxin Passage and Dana Passage, to the Pierce-Thurston county line in the Nisqually Reach; SE through the Nisqually Reach along the Pierce-Thurston county line to the mouth of the Nisqually

River; SE on the Nisqually River to State Route (SR) 507; SW on SR 507 to Old Hwy 99 SE at the town of Tenino; SW on Old Hwy 99 SE to SR 12 at Interstate Hwy-5; W on SR 12 to Littlerock Rd; N on the Littlerock Rd to 110th Ave SW; W on 110th Ave SW to Delphi Rd SW; N on Delphi Rd SW to US 101; NW on US 101 to the Mason-Thurston county line southeast of Oyster Bay and the point of beginning.

GMU 667-SKOOKUMCHUCK (Thurston and Lewis counties):

Beginning at the State Route (SR) 507 bridge on the Nisqually River; SE up the Nisqually River (Pierce-Thurston county line) to SR 7 bridge at the town of Elbe on Alder Lake; S on SR 7 to Main St at the town of Morton; S on Main St to SR 508; W on SR 508 to the Centralia-Alpha Rd; W and N on the Centralia-Alpha Rd to Salzer Valley Rd; W on Salzer Valley Rd to Summa St at the town of Centralia; W on Summa St to Kresky Rd; N on Kresky Rd to Tower St; N on Tower St to SR 507; W on SR 507 (Cherry St, Alder St, and Mellen St) to Interstate Hwy (I)-5; N on I-5 to Old Hwy 99 SE; NE on Old Hwy 99 SE to SR 507; NE on SR 507 to the Nisqually River bridge and the point of beginning.

GMU 672-FALL RIVER (Pacific, Lewis and Grays Harbor counties):

Beginning at the intersection of US Hwy (US) 101 and State Route (SR) 6 at the town of Raymond; N on US 101 to Smith Creek Rd; NE on Smith Creek Rd to North River Valley Rd; E on North River Valley Rd to Oakville-Brooklyn Rd; E on the Oakville-Brooklyn Rd to Garrard Creek Rd; S on Garrard Creek Rd to Weyerhaeuser (Weyco) C line at mile post 5; W on the Weyco C line to Weyco 723 line; S on the Weyco 723 line to Weyco 720 line; W on the Weyco 720 line to Weyco 7800 F line; S on Weyco 7800 F line to Weyco 7800 line; S and SE on Weyco 7800 line to Weyco 7000 line; SW on Weyco 7000 line to Weyco 7050 line; S on Weyco 7050 line to Weyco 7400 line; S and E on Weyco 7400 line to Weyco 7000 line; E on Weyco 7000 line to Elk Creek Rd; E on Elk Creek Rd to Stevens Rd at the town of Doty; E on Stevens Rd to SR 6; S, W and NW on SR 6 to US 101 at the town of Raymond and the point of beginning.

GMU 673-WILLIAMS CREEK (Pacific County):

Beginning at US Hwy (US) 101 bridge crossing the Willapa River at the town of Raymond; S on US 101 to State Route (SR) 6; SE on SR 6 to the Trap Creek A line; S and W on the Trap Creek A line to power transmission lines; S and SW on the power transmission lines to Weyerhaeuser (Weyco) 5800 line (Section 22, T11N, R8W); SW along the Weyco 5800 line to Weyco 5000 line (Deep River main line); SW on the Weyco 5000 line to the Salmon Creek Rd; SW along the Salmon Creek Rd to SR 4; W on SR 4 to US 101 at Johnson's Landing; W on US 101 to the Naselle River bridge; W down the Naselle River to Willapa Bay; N along the east shore of Willapa Bay to the Willapa River; SE and NE up the Willapa River to the US 101 bridge and the point of beginning.

GMU 681-BEAR RIVER (Pacific and Wahkiakum counties):

Beginning at the US Hwy (US) 101 bridge at the Naselle River; E on US 101 to State Route (SR) 4; SE on SR 4 to Deep River bridge; S down the Deep River to the Columbia

River; W along the shore of the Columbia River to the mouth of the Wallacut River (including all islands in the Columbia both north of the Washington-Oregon state line and between the Deep River and the Wallacut River); N up the Wallacut River to US 101; NW on US 101 to alternate US 101, north of the Ilwaco Airport; N on alternate US 101 to US 101; E and NE on US 101 to Bear River; N down Bear River to Willapa Bay; N along the eastern shore of Willapa Bay to the mouth of the Naselle River; SE up the Naselle River to the US 101 bridge and the point of beginning.

GMU 684-LONG BEACH (Pacific County):

Beginning at the mouth of Bear River on Willapa Bay; S up Bear River to US Hwy (US) 101; W and SW on US 101 to alternate US 101, north of the Ilwaco Airport; S on alternate US 101 to US 101; W on US 101 to the Wallacut River; S along the Wallacut River to the Columbia River; W down the Columbia River to its mouth on the Pacific Ocean (including all islands in the Columbia River both north of the Washington-Oregon state line and between the Wallacut River and the mouth of the Columbia River); N, E, S, and E along the shoreline of the Long Beach peninsula to Bear River and the point of beginning.

GMU 699-LONG ISLAND (Pacific County):

Includes all of Long Island.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-337 ((~~Deer and~~) Elk area descriptions.

((~~ELK AREAS~~)) The following areas are defined as elk areas:

Elk Area No. 1008 West Wenaha (Columbia County):

That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Elk Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties):

That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

Elk Area No. 1010 (Columbia County):

GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1011 (Columbia County):

That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

Elk Area No. 1012 (Columbia County):

That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1013 (Asotin County):

GMU 172, excluding National Forest lands.

Elk Area No. 1014 (Columbia-Garfield counties):

That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr.-Diamond Pk. Trail).

Elk Area No. 1015 Turnbull (Spokane County): Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

Elk Area No. 1016 (Columbia County): GMU-162 Dayton, excluding the Rainwater Wildlife Area.

Elk Area No. 2032 Malaga (Kittitas and Chelan counties): Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

Elk Area No. 2033 Peshastin (Chelan County): Starting at the Division St bridge over the Wenatchee River in the town of Cashmere; S on Aplets Way then Division St to Pioneer St; W on Pioneer St to Mission Creek Rd; S on Mission Creek Rd to Binder Rd; W on Binder Rd to Mission Creek Rd; S on Mission Creek Rd to Tripp Canyon Rd; W on Tripp Canyon Rd to where Tripp Canyon Rd stops following Tripp Creek; W on Tripp Creek to its headwaters; W up the drainage, about 1000 feet, to US Forest Service (USFS) Rd 7200-160; W on USFS Rd 7200-160 to Camas Creek Rd (USFS Rd 7200); W on Camas Creek Rd (USFS 7200 Rd) (excluding Camas Land firearm closure*) to US Hwy 97; N on US Hwy 97 to Mountain Home Rd (USFS 7300 Rd); N on Mountain Home Rd to the Wenatchee River in the town of Leavenworth; S on the Wenatchee River to the Division St bridge in Cashmere and the point of beginning.

Elk Area No. 2051 Tronsen (Chelan County): All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and

Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

Elk Area No. 3068 Klickitat Meadows (Yakima County): Beginning at Darland Mountain, southeast along the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to the point due west of the headwaters of Reservation Creek (Section 18, T12N, R14E); then along a line due west to Spencer Point (as represented in the DNR 100k map); northeast from Spencer Point to US Forest Service (USFS) Trail 1136; north along USFS Trail 1136 to USFS Trail 615; east on USFS Trail 615 to Darland Mountain and the point of beginning.

Elk Area No. 3681 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Highway 12; northeast on Highway 12 to the Naches River; southeast down the Naches River to Cowiche Creek; west up Cowiche Creek and South Fork Cowiche Creek to Summitview Avenue; northwest on Summitview Avenue to Cowiche Mill Road; west on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13; southeast along the power line to Ahtanum Creek and the point of beginning.

Elk Area No. 3721 Corral Canyon (Benton and Yakima counties): That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

Elk Area No. 3722 Blackrock (Benton and Yakima counties): That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241

to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

Elk Area No. 3911 Fairview (Kittitas County): Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek; north on Parke Creek to Whiskey Jim Creek; east on Whiskey Jim Creek to the Wild Horse Wind Farm Boundary; south and East on Wild Horse Wind Farm boundary to the Vantage Highway; east along the Vantage Highway to the first power line crossing; southwest along the power lines to where they intersect with the second set of BPA power lines in T17N, R21E, Section 18; southeast along the BPA power lines to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw/Hanson Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to Big Creek; north on Big Creek to Nelson Siding Road; west and north on Nelson Siding Road to I-90; east on I-90 to point of beginning.

Elk Area No. 3912 Old Naches (Yakima County): Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence at the south

end of the bridge in T14N, R16E, Section 3; south along the elk fence to the top of the cliff/rimrock line; southwest along the top of the cliff/rimrock line to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal to the elk fence in T14N, R16E, Section 8; south along the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek and Ahtanum Creek to the Yakima River; upstream along the Yakima River to Roza Canal and point of beginning.

~~((Elk Area No. 4041 Grandy Creek (Skagit County): Begin at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); east along the CP 132 Road to the CP 130 Road; east and south along CP 130 Road to CP 110 Road; west, south and east along CP 110 Road to Childs Creek; south down Childs Creek to State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Hwy; west on South Skagit Hwy to State Route 9; north on State Route 9 to State Route 20; east on State Route 20 to Helmick Road; north on Helmick Road to CP 190 Road to CP 132 Road and the point of beginning. (WA Atlas & Gazetteer & Mt. Baker-Snoqualmie National Forest Map))~~

Elk Area No. 4601 North Bend (King County): That portion of GMU 460 beginning at the interchange of State Route (SR) 18 and I-90; W on I-90 to SE 82nd St, Exit 22, at the town of Preston; N on SE 82nd Street to Preston Fall City Rd SE (Old SR 203); N on Preston Fall City Rd SE to SE Fall City Snoqualmie Rd (SR 202) at the town of Fall City; E on SE Fall City Snoqualmie Rd to the crossing of Tokul Creek; N and E up Tokul Creek to its crossing with Tokul Rd SE; S on SE Tokul Rd to SE 53rd Way; E on SE 53rd Way where it turns into 396th Dr SE then S on 396th Dr SE to SE Reinig Rd; E on SE Reinig Rd to 428th Ave SE; N on 428th Ave SE to where it turns into North Fork Rd SE; N and E on North Fork Rd SE to Ernie's Grove Rd; E on Ernie's Grove Rd to SE 70th St; N on SE 70th St to its ends at Fantastic Falls on the North Fork Snoqualmie River; SW down the North Fork Snoqualmie River to Fantastic Falls and the Mt Si Natural Resource Conservation Area boundary then S and E along the southern boundary of the Mt Si NRCA to the "School Bus" turnaround at SE 114th St; S on 480th Ave SE to SE 130th St; S and E on SE 130th St to its end; SSE overland from the end of SE 130th St, over the Middle Fork Snoqualmie River, to the end of 486th Ave SE; S on 486th Ave SE to the intersection with SE Middle Fork Road; Due S, from said intersection, up Grouse Mountain toward its peak, to the logging road adjacent to Grouse Mountain Peak; S down the logging road to Grouse Ridge Access Rd; W on Grouse Ridge Access Road which becomes SE 146th St; W on SE 146th St to I-90 then east along I-90 to the W boundary of Olallie/Twin Falls State Park then S along the state park western boundary to its most western boundary where it intersects with the boundary of the Iron Horse State Park; W along the boundary of Iron Horse State Park to the boundary of the Rattlesnake Lake Recreation Area; W along the boundary of the Rattlesnake Lake Recreation Area to Cedar Falls Rd SE; N along the Cedar Falls Rd to SE 174th Way; W on

SE 174th Way to SE 174th St; W on SE 174th St to SE 173rd St; W on SE 173rd St to SE 170th Pl; W on SE 170th Pl to SE 169th St; W on SE 169th St to 424th Ave SE; N on 424th Ave SE to SE 168th St; W on SE 168th St to 422 Ave SE; N on 422 Ave SE to 426th Way SE; S on 426th Way SE to SE 164th St; E on SE 164th St to Uplands Way SE; W on Uplands Way SE to the crossing with the Power Transmission Lines; W along the Power Transmission Lines to the Winery Rd; NW on the Winery Rd to SE 99th Rd; W and N on SE 99th Rd to the I-90 interchange, at Exit 27; SW on I-90 to the interchange with SR 18 and the point of beginning.

Elk Area No. 4941 Skagit River (Skagit County): That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to ((~~Cape Horn Road NE; south down Cape Horn Road NE to the power line crossing which passes over the Skagit River; east on the power line to the Skagit River; south and west down the Skagit River to Pressentin Creek; south up Pressentin Creek to the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 to~~)) Concrete-Sauk Valley Road; south on Concrete-Sauk Valley Road over The Dalles Bridge (Skagit River) to the intersection with the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 and the point of beginning.

Elk Area No. 5029 Toledo (Lewis and Cowlitz counties): Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

Elk Area No. 5049 Ethel (Lewis County): That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spencer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road; west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

Elk Area No. 5050 Newaukum (Lewis County): That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west

along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

Elk Area No. 5051 Green Mountain (Cowlitz County): Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

Elk Area No. 5052 Mossyrock (Lewis County): Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5053 Randle (Lewis County): Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5054 Boistfort (Lewis County): Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812,

5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

Elk Area No. 5056 Grays River Valley (Wahkiakum County): On or within 3/4 mile of agricultural land in the Grays River Valley within the following sections: T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26.

Elk Area No. 5057 Carlton (Lewis County): That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

Elk Area No. 5058 West Goat Rocks (Lewis County): Goat Rocks Wilderness west of the Pacific Crest Trail.

Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties): The Mt. Adams Wilderness.

Elk Area No. 5060 Merwin (Cowlitz County): Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

Elk Area No. 5061 Wildwood (Lewis County): Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

Elk Area No. 5062 Trout Lake (Klickitat County): Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-

4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties): That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.

Elk Area No. 5064 Upper Smith Creek (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowit Trail); north on Trail 216 to U.S. Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

Elk Area No. 5065 Mount Whittier (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214 to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

Elk Area No. 5090 JBH (Wahkiakum County): The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

Elk Area No. 5099 Mudflow (Cowlitz County): That part of GMU 522 beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser (Weyco) 3020 line; NW along Weyco 3020 line to Weyco 3000 line; E along Weyco 3000 line to Weyco 3000P line; E on the 3000P line to Weyco 5600 Line to the Mount Saint Helens National Volcanic Monument Boundary; N on the Mount Saint Helens National Volcanic Monument Boundary to SR 504; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

Elk Area No. 6010 Mallis (Pacific County): That part of GMUs 506, 672, and 673 within one and one-half mile either

side of SR 6 between the east end of Elk Prairie Rd and the Mallis Landing Rd, and all lands within a half mile of Elk Creek Rd bounded on the south by Monohon Landing Rd.

Elk Area No. 6011 Centralia Mine (Lewis County): That portion of GMU 667 within Centralia Mine property boundary.

Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties): Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit to mile post 16 and all lands within 2 miles north of SR 12 between the Satsop River and Schouweiler and Hurd roads and then a line north from the end of Hurd Road to a point 2 miles north of SR 12.

Elk Area No. 6013 (Pierce County): That part of GMU 652 beginning at the intersection of Highway 167 and Highway 410; north on Highway 167 to Highway 18; east on Highway 18 to Highway 164; southeasterly on Highway 164 to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

Elk Area No. 6054 Puyallup River (Pierce County): That portion of GMU 654 beginning at the intersection of Mount Rainier National Park's western boundary and State Route (SR) 706; W on SR 706 to 278th Ave E; N on 278th Ave E to WA Dept of Natural Resources' (DNR) 1300 Rd; NW on DNR 1300 Rd to Scott Turner Rd; NW on Scott Turner Rd to Alder Cutoff Rd; W and NE on Alder Cutoff Rd to Center St SE in the town of Eatonville; NW on Center St SE to SR 161; N and W on SR 161 to Orville Rd E; N on Orville Rd E, past Lake Ohop and Lake Kapowsin, to the bridge crossing the Puyallup River; SE up the Puyallup River to Mount Rainier National Park's western boundary; S on Mount Rainier National Park's western boundary to SR 706 and the point of beginning.

Elk Area No. 6061 Twin Satsop Farms (Mason County): That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

Elk Area No. 6062 South Bank (Grays Harbor County): That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn

Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

Elk Area No. 6063 (Grays Harbor and Jefferson counties): Private lands within Elk Area 6064 east of Highway 101.

Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gattion Creek and Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area.

Elk Area No. 6066 Chehalis Valley (Grays Harbor County): That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

Elk Area No. 6067 North Minot (Grays Harbor County): The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and southwest on SR 107 to the Melbourne A-line and the point of beginning.

Elk Area No. 6068 Willapa (Grays Harbor County): That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

Elk Area No. 6069 Hanaford (Lewis and Thurston counties): That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Rd and S Pearl St (Centralia); N on S Pearl St to N Pearl St; N on N Pearl St to State Hwy 507; W and N on State Hwy 507 to Skookumchuck Rd; E on Skookumchuck Rd to the first bridge over the Skookumchuck River; E along the Skookumchuck River to the Skookumchuck Rd bridge; E on Skookumchuck Rd to the steel tower power line; SW along the power line to Big Hanaford Rd; E and S along Big Hanaford Rd to (~~Weyerhaeuser Rd E150~~) the TransAlta property line; E (~~on Weyerhaeuser Rd E150 to Weyerhaeuser Rd E247; S and W on Weyerhaeuser Rd E247 to Weyerhaeuser Rd E240; S on Weyerhaeuser Rd E240~~) and S along the TransAlta property line to North Fork Rd; S on North Fork Rd to Centralia-Alpha Rd; W on Centralia-Alpha Rd to Salzer Valley Rd and the point of beginning.

Elk Area No. 6071 Dungeness (Clallam County): Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan de Fuca to the mouth of Jimmycomelately Creek on Sequim Bay; south and west up Jimmycomelately Creek to US Hwy 101; east on US Hwy 101 to Chicken Coop Road; east and north on Chicken Coop Road to the Clallam-Jefferson county line; south and west along the Clallam-Jefferson county line to the Olympic National Park boundary; north and west along the Olympic Park boundary to McDonald Creek; north along McDonald Creek to US Hwy 101; east along US Hwy 101 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

Elk Area No. 6072 Sol Duc Valley (Clallam County): That portion of GMU 607 (Sol Duc) between the Sol Duc River and Hwy 101 from a point at the Sol Duc River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duc River bridge over Hwy 101 at a point approximately 1 mile east of Lake Pleasant.

Elk Area No. 6073 Clearwater Valley (Jefferson County): That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the north.

~~((DEER AREAS~~

~~**Deer Area No. 1008 West Wenaha (Columbia County):** That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.~~

~~**Deer Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties):** That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.~~

~~**Deer Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.~~

~~**Deer Area No. 1020 Prescott (Columbia and Garfield counties):** That portion of GMU 149 between Hwy 261 and Hwy 127.~~

~~**Deer Area No. 1021 Clarkston (Asotin County):** That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Sileott Road; south and east on Sileott Road to Highway 128; southwest on Highway 128 to McGuire Guleh Road; southeast along the bottom of McGuire Guleh to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.~~

~~**Deer Area No. 1030 Republic (Ferry County):** That area within one-half mile surrounding the incorporated town of Republic.~~

~~**Deer Area No. 1035 Highway 395 Corridor (Stevens County):** That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State~~

~~Route (SR) 25: S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm to Market Rd; S on Farm to Market Rd to Newton Rd (also known as Riekers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.~~

~~**Deer Area No. 1050 Spokane North (Spokane County):** From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Frideger Rd, W to Elk-Camden Rd, S to Boundary Rd, N and W to Dunn Rd, S to Oregon Rd, W to Hwy 2, S on US Hwy 2 to the Deer Park-Milan Rd, W on the Deer Park-Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy 395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.~~

~~**Deer Area No. 1060 Spokane South (Spokane County):** That part of GMU 127 beginning at the intersection of Spokane River and Barker Rd Bridge, Barker Rd S to 24 Ave, 24 Ave W to Barker Rd, Barker Rd S to 32 Ave, 32 Ave W to Linke Rd, Linke Rd S and E to Chapman Rd, Chapman Rd S to Linke Rd, Linke Rd S to Belmont Rd, Belmont Rd W to Hwy 27, Hwy 27 S to Palouse Hwy, Palouse Hwy W to Valley Chapel Rd, Valley Chapel Rd S to Spangle Creek Rd, Spangle Creek Rd SW to Hwy 195, Hwy 195 N to I 90, I 90 E to Latah Creek at I-90-Latah Creek Bridge, Latah Creek NE to Spokane River, Spokane River E to the Barker Rd Bridge and the point of beginning.~~

~~**Deer Area No. 1070 Spokane West (Spokane County):** That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90-Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy~~

904/1st St in the town of Cheney; 1st SW to Salmave Rd/Hwy 902, Salmave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray Rd, Gray Rd W then N to Fancher Rd, Fancher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

Deer Area No. 1080 Colfax (Whitman County): That part of GMUs 139 and 142 beginning at the intersection of Hwy 195 and Crumbaker Rd, NE on Crumbaker Rd to Brose Rd, E on Brose Rd to Glenwood Rd, S on Glenwood Rd to Hwy 272, SE on Hwy 272 to Clear Creek Rd, SE on Clear Creek Rd to Stueckle Rd, S on Stueckle Rd to Palouse River Rd, E to Kenoyer Rd SE to Abbott Rd, S on Abbott Rd to Parvin Rd, S on Parvin Rd to McIntosh Rd, S on McIntosh Rd to 4 mile Rd/Shawnee Rd, W on Shawnee Rd to Hwy 195, N on Hwy 195 to Prune Orchard Rd, W on Prune Orchard Rd to Almota Rd, S on Almota Rd to Duncan Springs Rd, W and NW on Duncan Springs Rd to Airport Rd, NW on Airport Rd to Fairgrounds Rd, N on Fairgrounds Rd to Endicott Rd, NNW on Endicott Rd to Morley Rd, E and S and E on Morley Rd to Hwy 295 (26), NE on Hwy 295 to West River Dr then follow Railroad Tracks NW to Manning Rd, E on Manning Rd to Green Hollow Rd, E and S on Green Hollow Rd to Bill Wilson Rd, E on Bill Wilson Rd to Hwy 195, S on Hwy 195 to Crumbaker Rd and the point of beginning.

Deer Area No. 2010 Benge (Adams and Whitman counties): That part of GMU 284 beginning at the town of Wash-tuena; north on SR 261 to Weber Road; east on Weber Road to Benzel Road; north on Benzel Road to Wellsandt Road; east on Wellsandt Road to Hills Road; south on Hills Road to Urquhart Road; east on Urquhart Road to Harder Road; East on Harder Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to George Knott Road; south on George Knott Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Wash-tuena and the point of beginning.

Deer Area No. 2011 Lakeview (Grant County): That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Norton Canyon Road; north on Norton Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

Deer Area No. 2012 Methow Valley (Okanogan County): All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north

on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

Deer Area No. 2013 North Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket at the junction of Havillah Rd and Hwy 97; NE on Havillah Rd to Dry Guleh Extension Rd; N to Dry Guleh Rd; N on Dry Guleh Rd to Oroville-Chesaw Rd; W on Oroville-Chesaw Rd to Molson Rd; N on Molson Rd to Nine Mile Rd; N and W on Nine Mile Rd to the Canadian border at the old Sidley Town Site; W along the border to the east shore of Lake Osoyoos; S around Lake Osoyoos to the Okanogan River; S along the east bank of the Okanogan River to the Tonasket Fourth Street Bridge; E on Fourth Street to Hwy 97; N on Hwy 97 to point of beginning.

Deer Area No. 2014 Central Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth Street Bridge; S along Hwy 7 to Pine Creek Rd; W along Pine Creek Rd to Horse Spring Coulee Rd; W and N on Horse Spring Coulee Rd to Beeman Rd; W on Beeman Rd to North Lemanasky Rd; S along North Lemanasky Rd to Pine Creek Rd; S on Pine Creek Rd to Hagood Cut-off Rd; S on Hagood Cut-off Rd to South Pine Creek Rd; E on South Pine Creek Rd to Hwy 97; S on Hwy 97 to Town of Riverside North Main Street junction; SE on North Main Street to Tunk Valley Rd and the Okanogan River Bridge; E on Tunk Creek Rd to Chewiliken Valley Rd; NE along Chewiliken Valley Rd to Talkire Lake Rd; N on Talkire Lake Rd to Hwy 20; W on Hwy 20 to the junction of Hwy 20 and Hwy 97; N on Hwy 97 to Fourth Street; W on Fourth Street to point of beginning.

Deer Area No. 2015 Omak (Okanogan County): Restricted to private land only located within the following boundary: Beginning at Hwy 97 and Riverside Cut-off road; west on Riverside Cut-off Rd to Conceonully Road; south on Conceonully Rd to Danker Cut-off road; west on Danker Cut-off road to Salmon Creek Rd; north on Salmon Creek Rd to Spring Coulee Rd; south on Spring Coulee Rd to B&O Road North Rd; southwest on B&O North Rd to Hwy 20; east on Hwy 20 to B&O Rd; south on B&O Rd to the Town of Malott and the bridge over the Okanogan River; north along the west bank of the Okanogan River to the Town of Riverside and the Tunk Valley road bridge; west on Tunk Valley road to State Street in Riverside; south on State Street to 2nd Street; west on 2nd Street to Hwy 97 and the point of beginning.

Deer Area No. 2016 Conceonully (Okanogan County): Restricted to private land only located within the following boundary: Beginning at the Conceonully town limit at the south edge of Town and the east shore of Conceonully Reservoir; south along the east shore of the reservoir to Salmon Creek; south along the east bank of Salmon Creek to Salmon Creek road at the old Ruby Town site; south on Salmon Creek road to Green Lake road; northeast on Green Lake road

to Conconully road; north on Conconully road to the south limit of the Town of Conconully and the point of beginning.

Deer Area No. 3071 Whitcomb (Benton County): That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3072 Paterson (Benton County): That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3088 High Prairie (Klickitat County): That portion of GMU 388 (Grayback) that is south of SR 142.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13. Southeast along the power line to Ahtanum Creek and the point of beginning.

Deer Area No. 4004 (San Juan County): That part of GMU 410 made up of Shaw Island.

Deer Area No. 4005 (San Juan County): That part of GMU 410 made up of Lopez Island.

Deer Area No. 4006 (San Juan County): That part of GMU 410 made up of Oreas Island.

Deer Area No. 4007 (San Juan County): That part of GMU 410 made up of Decatur Island.

Deer Area No. 4008 (San Juan County): That part of GMU 410 made up of Blakely Island.

Deer Area No. 4009 (Skagit County): That part of GMU 410 made up of Cypress Island.

Deer Area No. 4010 (San Juan County): That part of GMU 410 made up of San Juan Island.

Deer Area No. 4011 (Island County): That part of GMU 410 made up of Camano Island.

Deer Area No. 4012 (Island County): That part of GMU 410 made up of Whidbey Island.

Deer Area No. 4013 (King County): That part of GMU 454 made up of Vashon and Maury islands.

Deer Area No. 4926 Guemes (Skagit County): That part of GMU 407 (North Sound) on Guemes Island.

Deer Area No. 5064: That part of GMU 564 in the Columbia River near the mouth of the Cowlitz River made up of Cottonwood Island and Howard Island.

Deer Area No. 6014 (Pierce County): That part of GMU 652 made up of Anderson Island.

Deer Area No. 6020: Dungeness-Miller Peninsula (Clallam and Jefferson counties): That part of GMU 624 west of Discovery Bay and Salmon Creek.)

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations. ((It is unlawful to fail to)) Hunters must comply with the bag, possession, and season limits ((except as)) described ((below)) in this section. Failure to do so constitutes violations of ((this section are punishable under)) RCW 77.15.245, 77.15.400, ((and)) or 77.15.430, depending on the species hunted and the circumstances of the violation.

STATEWIDE SEASONS:

(1) FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)

(a) BAG AND POSSESSION LIMITS: ((Four (4))) 4 grouse per day, straight or mixed bag, with a total of ((twelve (12))) 12 grouse in possession at any time.

(b) SEASON DATES: Sept. 1 - Dec. 31, 2012, 2013, 2014.

(2) BOBCAT

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(c) RESTRICTION: It is unlawful to hunt bobcat ((may not be hunted)) with dogs.

(3) RACCOON

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

(c) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(4) FOX

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

(c) SEASON DATES: ((Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.))

(i) Sept. 1, 2012 - Mar. 15, 2013;

(ii) Sept. 1, 2013 - Mar. 15, 2014; and

(iii) Sept. 1, 2014 - Mar. 15, 2015.

(5) COYOTE

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year-round.

(d) RESTRICTION: It is unlawful to hunt coyote (~~(may not be hunted)~~) with dogs.

(6) COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)

(a) BAG AND POSSESSION LIMITS: (~~(Five (5))~~) 5 cotton-tails or snowshoe hares per day, with a total of (~~(fifteen (15))~~) 15 in possession at any time, straight or mixed bag.

(b) SEASON DATES:

(i) Sept. 1, 2012 - Mar. 15, 2013;

(ii) Sept. 1, 2013 - Mar. 15, 2014; and

(iii) Sept. 1, 2014 - Mar. 15, 2015.

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES:

(i) Sept. 1, 2012 - Dec. 31, 2012;

(ii) Sept. 1, 2013 - Dec. 31, 2013; and

(iii) Sept. 1, 2014 - Dec. 31, 2014.

(8) JACKRABBIT;

(Season) Closed statewide.

(9) PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE;

(Season) Closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

(A) April 7-8, 2012;

(B) April 6-7, 2013;

(C) April 5-6, 2014; and

(D) April 4-5, 2015.

(b) SPRING SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

(A) April 15 - May 31, 2012;

(B) April 15 - May 31, 2013;

(C) April 15 - May 31, 2014; and

(D) April 15 - May 31, 2015.

(ii) BAG LIMIT: The combined spring/youth season limit is (~~(three (3))~~) 3 birds. Only (~~(two (2))~~) 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

(c) FALL NORTHEAST BEARDLESS TURKEY SEASON

(i) LEGAL BIRD: Beardless only.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-142.

(iv) SEASON DATES:

(A) Sept. 22 - Oct. 12, 2012;

(B) Sept. 21 - Oct. 11, 2013; and

(C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: Two (2) beardless turkeys (in addition to other fall turkey harvest).

(d) EARLY FALL GENERAL SEASON

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 101, 124-142, 145-154, and 162-186.

(iv) SEASON DATES:

(A) Sept. 22 - Oct. 12, 2012;

(B) Sept. 21 - Oct. 11, 2013; and

(C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: One (1) turkey (~~(either sex)~~) (in addition to other fall turkey harvest).

(e) FALL PERMIT SEASONS

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who also possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
Klickitat	Sept. 22 - Oct. 12, 2012, Sept. 21 - Oct. 11, 2013, Sept. 20 - Oct. 10, 2014	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMU 335	50	1

*BAG LIMIT: During the (~~(early)~~) fall (~~(general and)~~) permit hunting seasons (~~(combined)~~).

(f) LATE FALL SEASON

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-~~(142, 149)~~154, 162-186.

(iv) SEASON DATES:

(A) Nov. 20 - Dec. 15, 2012;

(B) Nov. 20 - Dec. 15, 2013; and

(C) Nov. 20 - Dec. 15, 2014.

(v) BAG LIMIT: One (1) turkey.

(g) HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. (~~(Qualifying)~~) Hunter education instructors (~~(must be)~~) qualify if the instructor is certified and (~~(have)~~) has been in active status for

a minimum of ~~((three))~~ 3 consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt(,) will not be eligible for ~~((these))~~ a hunter education instructor incentive permit(s) for ~~((a period of ten))~~ 10 years ~~((thereafter))~~ after they are drawn for the incentive permit.

(iii) OPEN AREA: Statewide.

(iv) SEASON DATES: April 1 - May 31, 2012, 2013, 2014, 2015.

(v) PERMITS: 2.

(h) OFFICIAL HUNTING HOURS FOR WILD TURKEY:

~~((HUNTING HOURS: One-half))~~ 1/2 hour before sunrise to sunset during spring and fall seasons.

(i) SPECIAL ((REGULATIONS)) RULES FOR WILD TURKEY:

~~((1-))~~ (i) Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.

~~((2-))~~ (ii) It is unlawful to hunt turkey unless the hunter possesses a turkey tag ~~((is required for hunting turkey)).~~

~~((3-))~~ (iii) It is unlawful to ~~((use dogs to))~~ hunt turkeys with dogs.

~~((4-))~~ (iv) It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS:

(11) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: Three (3) cock pheasants per day ~~((, with a total of fifteen (15))).~~ Hunters may possess up to 15 cock pheasants ~~((in possession))~~ at any one time.

(b) YOUTH SEASON DATES: ~~((Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.))~~ Open only to youth hunters accompanied by an adult ~~((at least))~~ 18 years ~~((old))~~ of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES:

(i) Sept. 24-28, 2012;

(ii) Sept. 23-27, 2013; and

(iii) Sept. 22-26, 2014.

(d) REGULAR SEASON DATES:

(i) Oct. 20, 2012 - Jan. 13, 2013;

(ii) Oct. 19, 2013 - Jan. 12, 2014; and

(iii) Oct. 18, 2014 - Jan. 11, 2015.

(12) CHUKAR

(a) BAG AND POSSESSION LIMITS: ~~((Six (6)))~~ 6 chukar per day ~~((, with a total of eighteen (18))).~~ Hunters may possess up to 18 chukar ~~((in possession))~~ at any one time.

(b) YOUTH SEASON DATES: ~~((Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.))~~ Open only to youth hunters accompanied by an adult ~~((at least))~~ 18 years ~~((old))~~ of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

(13) GRAY (HUNGARIAN) PARTRIDGE

(a) BAG AND POSSESSION LIMITS: ~~((Six (6)))~~ 6 gray partridges per day ~~((, with a total of eighteen (18))).~~ Hunters may possess up to 18 gray partridges ~~((in possession))~~ at any one time.

(b) YOUTH SEASON DATES: ~~((Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.))~~ Open only to youth hunters accompanied by an adult ~~((at least))~~ 18 years ~~((old))~~ of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

(14) MOUNTAIN QUAIL

~~((Season))~~ Closed throughout Eastern Washington.

(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: ~~((Ten (10)))~~ 10 quail per day ~~((, with a total of thirty (30))).~~ Hunters may possess up to 30 quail ~~((in possession))~~ at any one time, straight or mixed bag.

(b) YOUTH SEASON DATES: ~~((Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.))~~ Open only to youth hunters accompanied by an adult ~~((at least))~~ 18 years ~~((old))~~ of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

WESTERN WASHINGTON SEASONS:

(16) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: ~~((Two (2)))~~ 2 pheasants of either sex per day ~~((, with a total of fifteen (15))).~~ Hunters may possess up to 15 pheasants ~~((in possession))~~ at any one time.

(b) YOUTH SEASON DATES: ~~((Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.))~~ Open only to youth hunters accompanied by an adult ~~((at least))~~ 18 years ~~((old))~~ of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES:

(i) Sept. 24-28, 2012;

(ii) Sept. 23-27, 2013; and

(iii) Sept. 22-26, 2014.

(d) REGULAR SEASON DATES: 8:00 a.m. to 4:00 p.m.

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014. ((8 a.m. to 4 p.m.; EXCEPT Dungeness Recreation Area Site (Clallam County) starting Oct. 6, 2012; Oct. 5, 2013; Oct. 4, 2014.))

(e) EXTENDED SEASON DATES:

(i) Dec. 1-15, 2012, 2013, 2014.

(ii) 8 a.m. to 4 p.m. only (~~(on)~~) at the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

(iii) Pheasants will not be released during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt only on (~~(either)~~) odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and all hunting sites on Whidbey Island (~~(-and at the Dungeness Recreation Area, and)~~). Hunters must indicate their choice of odd-numbered or even-numbered weekend days on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters 65 years of age or older, and youth hunters may hunt (~~(during either)~~) in the morning on both odd-numbered and even-numbered weekend ((day morning)) days. Youth hunters must be accompanied by an adult (~~(at least)~~) 18 years (~~(old who)~~) of age or older and the adult must have an appropriately marked pheasant permit if hunting.

(17) MOUNTAIN QUAIL

(a) BAG AND POSSESSION LIMITS: (~~(Two (2))~~) 2 mountain quail per day (~~(-with a total of four (4))~~). Hunters may possess up to 4 mountain quail (~~(in possession)~~) at any one time.

(b) SEASON DATES:

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: (~~(Ten (10))~~) 10 California (valley) quail or northern bobwhite per day (~~(-with a total of thirty (30))~~). Hunters may possess up to 30 California (valley) quail or northern bobwhite (~~(in possession)~~) at any one time, straight or mixed bag.

(b) SEASON DATES:

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

FALCONRY SEASONS:

(19) UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY

(a) BAG AND POSSESSION LIMITS:

(~~(Two (2))~~) (i) 2 pheasants (either sex) (~~(-six (6))~~);

(ii) 6 partridge (~~(-five (5))~~);

(iii) 5 California (valley) quail or northern bobwhite (~~(-two (2))~~);

(iv) 2 mountain quail (in Western Washington only) (~~(-and three (3))~~);

(v) 3 forest grouse (blue, ruffed, spruce) per day (~~(-)~~); and

(vi) Possession limit is twice the daily bag limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

(20) TURKEY - FALCONRY

(a) A turkey tag is required to hunt turkey during the turkey falconry season.

(b) BAG AND POSSESSION LIMITS: One (1) turkey (either sex) per turkey tag with a maximum of (~~(two (2))~~) 2 turkeys. (~~(Possession limit: Two (2))~~) Hunters may possess up to 2 turkeys at any one time.

(c) OPEN AREA: Eastern Washington.

(d) SEASON DATES:

(i) Sept. 1, 2012 - Feb. 15, 2013;

(ii) Sept. 1, 2013 - Feb. 15, 2014; and

(iii) Sept. 1, 2014 - Feb. 15, 2015.

(21) MOURNING DOVE - FALCONRY

(a) BAG AND POSSESSION LIMITS: (~~(Three (3))~~) 3 mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. The possession limit is twice the daily limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1 - Dec. 16, 2012, 2013, 2014.

(22) COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY

(a) BAG AND POSSESSION LIMITS: (~~(Five (5))~~) 5 cottontails or snowshoe hares per day, straight or mixed bag. (~~(Possession limit: Fifteen (15))~~) Hunters may possess up to 15 cottontails or snowshoe hares at any one time, straight or mixed bag.

(b) OPEN AREA: Statewide.

(c) SEASON DATES:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

OTHER SEASONS:

(23) CANADA GOOSE SEPTEMBER SEASON

(a) WESTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS: (~~(Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Five (5))~~)

(A) 5 Canada geese per day (~~(with a total of ten (10) in possession)~~); hunters may possess up to 10 Canada geese at any time (-), EXCEPT:

(B) In Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: ((Three (3)) 3 Canada geese per day (~~(with a total of six (6) in possession)~~); hunters may possess up to 6 at any one time.

(ii) SEASON DATES: Sept. 10-15, 2012, 2013, and 2014. EXCEPT Pacific County: Sept. 1-15, 2012, 2013, and 2014.

(b) EASTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS: (~~(Three (3))~~) 3 Canada geese per day (~~(with a total of six (6) in possession)~~); hunters may possess up to 6 at any one time.

(EASTERN WASHINGTON) (ii) SEASON DATES: Sept. 14-15, 2012, 2013, 2014.

(WESTERN WASHINGTON SEASON DATES: Sept. 10-15, 2012, 2013, and 2014. EXCEPT Pacific County: Sept. 1-15, 2012, 2013, 2014.)

(24) MOURNING DOVE

(a) BAG AND POSSESSION LIMITS: (~~(Ten (10))~~) 10 mourning doves per day (~~(with a total of twenty (20) mourning doves in possession)~~). Hunters may possess up to 20 mourning doves at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1-30, 2012, 2013, 2014.

~~((HIP REQUIREMENTS:~~

~~All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) are required to complete a Harvest Information Program (HIP) survey at a license dealer, and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey, and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.))~~

(25) BAND-TAILED PIGEON

(a) BAG AND POSSESSION LIMITS: ~~((Two (2)))~~ 2 band-tailed pigeons per day ~~((with a total of four (4)))~~. Hunters may possess up to 4 band-tailed pigeons ~~((in possession))~~ at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 15-23, 2012, 2013, 2014.

(d) WRITTEN AUTHORIZATION IS REQUIRED TO HUNT BAND-TAILED PIGEONS~~(-):~~

(i) Hunters must possess a special migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. Immediately after taking a band-tailed pigeon into possession, hunters must record ~~((in ink))~~ the required information ~~((required))~~ in ink on the harvest record card. Hunters must report harvest information from band-tailed pigeon harvest record cards to Washington department of fish and wildlife (WDFW) for receipt by September 30 following the current season. Every person issued a migratory bird hunting authorization and harvest record card must return the entire card to ~~((the Washington department of fish and wildlife))~~ WDFW or report the card information at the designated internet site listed on the harvest record card. ~~((Any))~~ If a hunter ((failing)) fails to report his or her harvest by the reporting deadline ((will be in noncompliance)), he or she is in violation of reporting requirements.

(ii) Beginning with the 2013 license year, hunters who ~~((have))~~ do not ((reported)) report band-tailed pigeon hunting activity by the reporting deadline for any harvest record card ~~((will be))~~ are required to pay a ten dollar administrative fee before any new migratory bird authorization and harvest record card ~~((will be))~~ is issued. A hunter may only be penalized a maximum of ten dollars during a license year.

(26) BIRD DOG TRAINING SEASON

(a) Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if proof of lawful acquisition (invoices) are in possession and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 31, 2013; Aug. 1, 2013 - Mar. 31, 2014; Aug. 1, 2014 - Mar. 31, 2015.

(d) Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

(e) Bird dog training may be conducted year round on areas posted for bird dog training on portions of:

(i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);

(ii) Region Three - South L. T. Murray Wildlife Area;

(iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;

(iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

(v) Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

~~((HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS~~

~~It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232-12-243) or a commission authorized hound permit (WAC 232-28-285)), coyote, and bobcat is prohibited year round.))~~

(27) YAKAMA INDIAN RESERVATION:

The 2012-13, 2013-14, 2014-15 upland bird seasons within the Yakama Indian Reservation ~~((shall be))~~ are the same as the season established by the Yakama Indian Nation.

(28) COLVILLE INDIAN RESERVATION:

The 2012-13, 2013-14, 2014-15 upland bird seasons within the Colville Indian Reservation ~~((shall be))~~ are the same as the season established by the Colville Indian Tribe.

HIP REQUIREMENTS:

(29) All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a Harvest Information Program (HIP) survey at a license dealer and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

(30) Youth hunters are required to complete a HIP survey and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-357 2012-2014 Deer general seasons and definitions. It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section are punishable under RCW 77.15.-410.

Bag Limit: One (1) deer per hunter during the license year except where otherwise permitted by fish and wildlife commission rule.

Hunting Method: Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Any Buck Deer Seasons: Open only to the taking of deer with visible antlers (buck fawns illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Antler Restrictions: APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS. Buck deer taken in antler restricted GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

2 Point minimum GMUs: 437, 636, 654, and 681.

3 Point minimum GMUs: All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, and black-tailed deer in GMU 578.

4 Point minimum GMUs: All white-tailed deer in GMUs 117 and 121.

Permit Only Units: The following GMUs require a special permit to hunt deer: 157 (Mill Creek Watershed), 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

GMUs Closed to Deer Hunting: 490 (Cedar River) and 522 (Loo-wit).

Black-tailed Deer: Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

Mule Deer: Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

White-tailed Deer: Means any white-tailed deer (member of the species *Odocoileus virginianus*) except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

MODERN FIREARM DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid modern firearm deer tag on his/her person for the area hunted.

Hunting Method: Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
HIGH BUCK HUNTS					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
GENERAL SEASON					
Western Washington Black-tailed Deer	Oct. 13-31	Oct. 12-31	Oct. 11-31	407, 418, 426, 448, 450, 454, 460, 466, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 633, 638 through 653, 658 through 673, 684	Any buck
				410, 564, Deer Areas 4013, 4926, 6014, and 6020	Any deer
				578	3 pt. min.
				437, 636, 654, 681	2 pt. min.
Eastern Washington White-tailed Deer	Oct. 13-26	Oct. 12-25	Oct. 11-24	101, 105, 108, 111, 113, 124	Any white-tailed buck
	Oct. 13-21	Oct. 12-20	Oct. 11-19	203 through 284, 328, 330 through 368, 372	Any white-tailed buck
	Oct. 13-21	Oct. 12-20	Oct. 11-19	127 through 154, 162 through 186	White-tailed, 3 pt. min.
				379, 381	Any white-tailed deer
Oct. 13-26	Oct. 12-25	Oct. 11-24	373	Any white-tailed deer	
Eastern Washington White-tailed Deer in GMUs 117 and 121	Oct. 13-26	Oct. 12-25	Oct. 11-24	117, 121	White-tailed, 4 pt. min.
Eastern Washington Mule Deer	Oct. 13-21	Oct. 12-20	Oct. 11-19	101 through 154, 162 through 186, 203 through 284, 328, 330 through 368, 372, 379, 381	Mule deer, 3 pt. min.
	Oct. 13-26	Oct. 12-25	Oct. 11-24	373, 382, 388	Mule deer, 3 pt. min.
LATE GENERAL SEASON					
Western Washington Black-tailed Deer	Nov. 15-18	Nov. 14-17	Nov. 13-16	407, 454, 466, 501 through 520, 524 through 560, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684 and 699	Any buck
				636, 654, 681	2 pt. min.
	Nov. 15-18	Nov. 14-17	Nov. 13-16	410, 564, Deer Areas 4013, 4926, 6014, 6020	Any deer

Hunt Season	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington White-tailed Deer	Nov. 10-19	Nov. 9-19	Nov. 8-19	105, 108, 111, 113, 124	Any white-tailed buck
Eastern Washington White-tailed Deer in GMUs 117 and 121	Nov. 10-19	Nov. 9-19	Nov. 8-19	117, 121	White-tailed, 4 pt. min.
HUNTERS 65 AND OVER, DISABLED, OR YOUTH GENERAL SEASONS					
Eastern Washington White-tailed Deer	Oct. 13-26	Oct. 12-25	Oct. 11-24	124	Any white-tailed deer
	Oct. 18-21	Oct. 17-20	Oct. 16-19	101, 105, 108, 111, 113	Any white-tailed deer
	Nov. 10-19	Nov. 9-19	Nov. 8-19	Deer Area 1050	Any white-tailed deer
	Nov. 10-19	Nov. 9-19	Nov. 8-19	Deer Areas 1060, 1070, 1080	White-tailed, antlerless only
	Oct. 13-21	Oct. 12-20	Oct. 11-19	127 through 142, 145, 149 , 154, ((and 172 through 178;)) and Deer Area 1010	White-tailed, 3 pt. min. or antlerless
Eastern Washington White-tailed Deer in GMUs 117 and 121	Oct. 18-21	Oct. 17-20	Oct. 16-19	117, 121	White-tailed, 4 pt. min. or antlerless

ARCHERY DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid archery deer tag on his/her person for the area hunted.

Special Notes: Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
EARLY ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Sept. 1-28	Sept. 1-27	Sept. 1-26	407 through 426, 448, 450, 454, 466, 501, 504, 505, 510, 513, 520, 554, 564, 568, 621 through 633, 642 through 652, 658 through 672, 684 and 699	Any deer
				460, 503, 601, 603, 615, 618, 673	Any buck
				437, 636, 654, 681	2 pt. min. or antlerless
				578	3 pt. min.
	Sept. 1-23	Sept. 1-22	Sept. 1-21	516, 524, 556, 638, 653	Any deer
			506, 530, 550, 560, 572, 574, 602, 607, 612	Any buck	
Eastern Washington Mule Deer	Sept. 1-28	Sept. 1-27	Sept. 1-26	105 through 121, ((145;)) 166, 169, 172, <u>175</u> , 181, 243, 334	3 pt. min.
				124 through 142, ((175, 181;)) <u>145</u> , 186, 244 through 247, 249, 250, 260, 372, 373, 379, 381, 382, 388	3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	<u>149</u> , <u>154</u> , 178	3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	((149, 154;)) 162, 163, 251, 328, 335, 336, 340, 342, 346, 352, 356, 360, 364, 368	3 pt. min.
	Sept. 1-15	Sept. 1-15	Sept. 1-15	101, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284	3 pt. min.
	Sept. 16-28	Sept. 16-27	Sept. 16-26	101, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284	3 pt. min. or antlerless
Eastern Washington White-tailed Deer	Sept. 1-28	Sept. 1-27	Sept. 1-26	101, 105, 108, 111, 113	Any white-tailed buck
	Sept. 1-28	Sept. 1-27	Sept. 1-26	124, 204 through 250, 254 through 284, 373, 379, 381	Any white-tailed deer
	Sept. 1-28	Sept. 1-27	Sept. 1-26	127 through 145, 166, ((169, 172, 175;)) 181, 186	White-tailed, 3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	<u>149</u> , 154, 162, 163, 178	White-tailed, 3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	((149;)) <u>169</u> , <u>172</u> , <u>175</u>	White-tailed, 3 pt. min.
Eastern Washington White-tailed Deer in GMUs 117 and 121	Sept. 1-28	Sept. 1-27	Sept. 1-26	117, 121	White-tailed, 4 pt. min.

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
LATE ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	437, 636, 654, 681	2 pt. min. or antlerless
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	466, 510 through 520, 524, 556, 638, 648, and 699	Any deer
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	460, 506, 530, 560, 572, 601, 607 through 618	Any buck
	Nov. 21 - Dec. 31	Nov. 27 - Dec. 31	Nov. 26 - Dec. 31	603, 624, 652	Any buck
	Nov. 21 - Dec. 31	Nov. 27 - Dec. 31	Nov. 26 - Dec. 31	407, 410, 454, 505, 564, 627, <u>633</u> , 642, 660 through 672	Any deer
Eastern Washington Mule Deer	Nov. 21-30	Nov. 21-30	Nov. 21-30	209, 215, 233, 243, 250	3 pt. min.
	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	346, 352, 364, 388, Deer Area 3682	3 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	3 pt. min. or antlerless
	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	272, 278, 373	3 pt. min. or antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	Antlerless only
Eastern Washington White-tailed Deer	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	105, 108, 124	Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	127	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	White-tailed, 3 pt. min. or antlerless
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	204, 209, 215, 233, 243, 272, 278, 373	Any white-tailed deer
Eastern Washington White-tailed Deer in GMUs 117 and 121	Nov. 25 - Dec. 9	Nov. 25 - Dec. 9	Nov. 25 - Dec. 9	117, 121	White-tailed, 4 pt. min.
	Dec. 10-15	Dec. 10-15	Dec. 10-15	117, 121	White-tailed, 4 pt. min. or antlerless

MUZZLELOADER DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid muzzleloader deer tag on his/her person for the area hunted.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment (WAC 232-12-051) or archery equipment (WAC 232-12-054).

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
EARLY MUZZLELOADER GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	407, 418, 426, 448, 450, 501, 504, 505, 506, 510, 513, 516, 520, 530, 554, 556, 568, 572, 574, 603, 607, 612, 615, 624, 638, 642, 648, 660, 663, 672, 673, 684	Any buck
				410, 454, 564, 627, 652, 666, Deer Areas 4926 and 6020	Any deer
				437, 636	2 pt. min.
				578	3 pt. min.
Eastern Washington White-tailed Deer	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	101, 105, 108, 111, 113, 124, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 260, 278, 284	White-tailed, any buck
				142, 145, 149	White-tailed, 3 pt. min. or antlerless
				127, 130, 133, 136, 139, ((145, 149,)) 175, 181, 186	White-tailed, 3 pt. min.
				373, 379	White-tailed, any deer

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington White-tailed Deer in GMUs 117 and 121	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	117, 121	White-tailed, 4 pt. min.
Eastern Washington Mule Deer	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	101 through 149, 175, 181, 186, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 254, 260, 262, 266, 269, 272, 284, 328, 330 through 342, 352 through 360, 368, 373, 379, 382	Mule deer, 3 pt. min.
				278	Mule deer, 3 pt. min. or antlerless
LATE MUZZLELOADER GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. 22 - Dec. 15	Nov. 28 - Dec. 15	Nov. 27 - Dec. 15	407, 410, 454, 501, 504, 564, 627, 633, 666, 684, and Deer Areas 4926 and 6020	Any deer
				654	2 pt. min.
				460, 550, 602, 651, 658	Any buck
	Nov. 22 - Dec. 6	Nov. 28 - Dec. 6	Nov. 27 - Dec. 6	667, 673	Any buck
Dec. 7-15	Dec. 7-15	Dec. 7-15	673	Any deer	
Eastern Washington White-tailed Deer	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	113	Any white-tailed buck
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130, 133, 136, 139	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	172, 181	White-tailed, 3 pt. min. ((or antlerless))
	Nov. 20-30	Nov. 20-30	Nov. 20-30	379, 381	Any white-tailed deer
Eastern Washington Mule Deer	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130	Antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	381	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	379, 382	3 pt. min.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-358 2012-2014 Elk general seasons and definitions. It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section are punishable under RCW 77.15.410.

Bag Limit: One (1) elk per hunter during the license year, except where otherwise permitted by fish and wildlife commission rule. Any combination of seasons, tags, and permits set by the fish and wildlife commission will not exceed a maximum of two (2) elk per hunter during the license year.

Hunting Method: Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

Elk Tag Areas: Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

Any Bull Elk Seasons: Open only to the taking of elk with visible antlers (bull calves are illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Branch: A branch is defined as any projection off the main antler beam that is at least one inch long, measured on the longest side, and longer than it is wide.

Spike Bull Antler Restrictions: Bull elk taken in spike only GMUs must have at least one antler with no branches origi-

nating more than four inches above where the antler attaches to the skull.

Spike Only GMUs: 145-154, 162-186, 249, and 336-368.

True Spike—Bull Antler Restrictions: Bull elk taken in these units must have both antlers with no branching originating more than four inches above where the antlers attach to the skull. Under the true spike restriction, the taking of an elk that has two points on one side or has antler points within one inch of the definitions regarding length of point, or point of origination, is an infraction under RCW 7.84.030. All other types of violations of the true spike restriction are subject to current penalties and assessments under RCW 77.15.410 and 77.15.420.

True Spike GMUs: 251, 328-335.

3 Point Antler Restrictions: Legal bull elk must have at least 3 antler points on one side with at least 2 antler points above the ear. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: All of Western Washington except for GMUs 454, 564, 568, 574, 578, 652 for archers, 666, 684, and Elk Area 4941.

Permit Only Units: The following GMUs are closed during general seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, 653, and Elk Area 3068.

GMUs Closed to Elk Hunting: 437 (except for Elk Area 4941) and 490.

Elk Tag Areas

Eastern Washington: All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs except closed in GMU 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinalt) is open to master

hunters only. Elk hunting by permit only in GMUs 418, 485, 522, 524, 556, 621, and 636.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

Modern Firearm General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid modern firearm elk tag as listed below on his/her person for the area hunted.

Hunting Method: May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Eastern Washington	EF	101, 105, 108, 111, 113, 117, 121, 204	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 25 - Nov. 2	Any bull
		145 through 154, 162 through 186, 249, 336 through 368	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 25 - Nov. 2	Spike bull
		251, 328, 329, 334, 335	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 26 - Nov. 2	True spike bull
		Elk Area 3722*	Sept. 8-23	Sept. 7-22	Sept. 6-21	Antlerless only
		124 through 142, 372, 382, 388	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 25 - Nov. 2	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		Elk Area 2033	Sept. 4-30	Sept. 3-30	Sept. 2-30	Antlerless only
		Master Hunters Only: 371, Elk Area 3912	Aug. 1 - Jan. 20, 2013	Aug. 1 - Jan. 20, 2014	Aug. 1 - Jan. 20, 2015	Antlerless only
		Master Hunters Only: Elk Area 3911**	Nov. 10 - Dec. 16	Nov. 9 - Dec. 15	Nov. 8 - Dec. 14	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag.	Aug. 1 - Oct. 26	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Antlerless only
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access. **Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Only one (1) antlerless elk may be taken from Elk Area 3911 unless drawn for an antlerless elk special permit. Any legal weapon may be used. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 26, 2012, August 1 - October 25, 2013, and August 1 - October 24, 2014. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.						
Western Washington	WF	407, 460, 466, 503, 505 through 520, 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except master hunters only in Elk Area 6064.	Nov. 3-14	Nov. 2-13	Nov. 1-12	3 pt. min.
		501, 504	Nov. 3-14	Nov. 2-13	Nov. 1-12	3 pt. min. or antlerless
		448, 564, 666	Nov. 3-14	Nov. 2-13	Nov. 1-12	Any elk
		454	Nov. 3-14	Nov. 2-13	Nov. 1-12	Any bull

Archery General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid archery elk tag as listed below on his/her person for the area hunted.

Hunting Method: Bow and arrow only as defined under WAC 232-12-054.

Special Notes: Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Early Archery General Elk Seasons						
Eastern Washington	EA	101 through 142, 243, 247, 249, 250, 373, 379, 381, 388	Sept. 4-16	Sept. 3-15	Sept. 2-14	Any elk
		162, 166 through 172, 186(352-356)	Sept. 4-16	Sept. 3-15	Sept. 2-14	Spike bull
		328, 329, 335	Sept. 4-16	Sept. 3-15	Sept. 2-14	True spike bull
		145, 149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, 181, 334, 336, 340, (346), 352, 356, 364	Sept. 4-16	Sept. 3-15	Sept. 2-14	Spike bull or antlerless
Western Washington	WA	448, 454, 564, 652, 666	Sept. 4-16	Sept. 3-15	Sept. 2-14	Any elk
		407, 501 through 505, 520, 550, 554, 560, 568, 572, 574, 578, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 667 through 673, 681, 684, 699	Sept. 4-16	Sept. 3-15	Sept. 2-14	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, 663. Master hunters only in Elk Area 6064.	Sept. 4-16	Sept. 3-15	Sept. 2-14	3 pt. min.
Late Archery General Elk Seasons						
Eastern Washington	EA	101, 105, 108, 117, 121, 204	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any bull
		124, 127, 373, 388	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		Elk Area 1010, 163	Dec. 9 - Jan. 30, 2013	Dec. 9 - Jan. 30, 2014	Dec. 9 - Jan. 20, 2015	Antlerless only
		203, 209 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange.	Oct. 21 - Nov. 15	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, 2013	Aug. 1 - Jan. 20, 2014	Aug. 1 - Jan. 20, 2015	Antlerless only
		Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 10 - Dec. 16	Nov. 9 - Dec. 15	Nov. 8 - Dec. 14	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 26	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Antlerless only
		Master Hunters Only: 127, 130		Dec. 9-31	Dec. 9-31	Antlerless only
		328, 334, 335	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	True spike bull or antlerless
		336, 346, 352, 364, Elk Area 3681	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	Spike bull or antlerless
Western Washington	WA	407, 503, 505, 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638.	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min. or antlerless
		448, 454, 564, 666	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	Any elk
		603, 612, 615, 638, 648	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min.
		506, 520, 530	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	Antlerless only

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
		*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access. **Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Only one (1) antlerless elk may be taken from Elk Area 3911 unless drawn for an antlerless elk special permit. Any legal weapon may be used. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 26, 2012, August 1 - October 25, 2013, and August 1 - October 24, 2014. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

Muzzleloader General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid muzzleloader elk tag as listed below on his/her person for the area hunted.

Hunting Method: Muzzleloader as defined under WAC 232-12-051 or bow and arrow as defined under WAC 232-12-054.

Special Notes: Muzzleloader tag holders can only hunt during the muzzleloader seasons. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Early Muzzleloader General Elk Seasons						
Eastern Washington	EM	101 through 121, 247	Oct. 6-12	Oct. 5-11	Oct. 4-10	Any bull
		124 through 142, 245, 250	Oct. 6-12	Oct. 5-11	Oct. 4-10	Any elk
		172, 336 through 342, 352 through 360, 368	Oct. 6-12	Oct. 5-11	Oct. 4-10	Spike bull
		335, Elk Area 2051	Oct. 6-12	Oct. 5-11	Oct. 4-10	True spike bull
Western Washington	WM	448, 454, 564, 666, 684	Oct. 6-12	Oct. 5-11	Oct. 4-10	Any elk
		460, 513, 530, 554, 568, 574, 578, 602, 603, 607, 627, 633, 638 except Elk Area 6064, 642, 660, 663, 672	Oct. 6-12	Oct. 5-11	Oct. 4-10	3 pt. min.
		501, 503, 504, 652, except Elk Area 6013 closed to antlerless, 654, 667	Oct. 6-12	Oct. 5-11	Oct. 4-10	3 pt. min. or antlerless
Late Muzzleloader General Elk Seasons						
Eastern Washington	EM	130 through 142	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		204	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 25 - Nov. 15	Any bull
		203, 209 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange.	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, 2013	Aug. 1 - Jan. 20, 2014	Aug. 1 - Jan. 20, 2015	Antlerless only
		Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 10 - Dec. 16	Nov. 9 - Dec. 15	Nov. 8 - Dec. 14	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 26	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Antlerless only
		<u>Master Hunters Only: 127, 130</u>		<u>Dec. 9-31</u>	<u>Dec. 9-31</u>	<u>Antlerless only</u>
Western Washington	WM	501, 503, 504, 505, 652 except Elk Area 6013 closed to antlerless.	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	Any elk
		568, 574, 578	Nov. 21-30	Nov. 27-30	Nov. 26-30	3 pt. min.
		550, 601, 618, 658, 667	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
		**Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. Only one (1) antlerless elk may be taken from Elk Area 3911 unless drawn for an antlerless elk special permit. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 26, 2012, August 1 - October 25, 2013, and August 1 - October 24, 2014. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-359 ((2012)) 2013 Deer special permits. It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section are punishable under RCW 77.15.410.

Deer Special Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase a deer hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for archery, muzzleloader, or modern firearm permit hunts. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "Any tag" under the "Weapon/Tag" restriction must use equipment consistent with the requirements of their transport tag and license.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Kelly Hill White-tailed Buck	Modern	Any	((Nov. 20-24)) Oct. 26 - Nov. 24	White-tailed, Any buck	GMU 105	5
Kelly Hill Mule Deer Buck	Modern	Any	Nov. ((10-20)) 9-24	Mule deer, 3 pt. min.	GMU 105	1
Douglas White-tailed Buck	Modern	Any	((Nov. 20-24)) Oct. 26 - Nov. 24	White-tailed, Any buck	GMU 108	5
Douglas Mule Deer Buck	Modern	Any	Nov. ((10-20)) 9-24	Mule deer, 3 pt. min.	GMU 108	1
Aladdin White-tailed Buck	Modern	Any	((Nov. 20-24)) Oct. 26 - Nov. 24	White-tailed, Any buck	GMU 111	5
Aladdin Mule Deer Buck	Modern	Any	Nov. ((10-20)) 9-24	Mule deer, 3 pt. min.	GMU 111	1
Selkirk	Modern	Any	Nov. ((10-20)) 9-24	Mule deer, 3 pt. min.	GMU 113	1
49 Degrees North White-tailed Buck	Modern	Any	((Nov. 20-24)) Oct. 26 - Nov. 24	White-tailed, Any buck	GMU 117	5
49 Degrees North Mule Buck	Modern	Any	Nov. ((10-20)) 9-24	Mule deer, 3 pt. min.	GMU 117	1
Huckleberry White-tailed Buck	Modern	Any	((Nov. 20-24)) Oct. 26 - Nov. 24	White-tailed, Any buck	GMU 121	5
Huckleberry Mule Deer Buck	Modern	Any	Nov. ((10-20)) 9-24	Mule deer, 3 pt. min.	GMU 121	1
Mt. Spokane	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 124	5
Mica Peak	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 127	5
Cheney	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 130	5
Roosevelt	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 133	5
Steptoe	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 139	5
Almota	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 142	5
((Watershed	Any Tag	Any	Oct. 1-10	3 pt. min.	GMU 157	5))
Dayton	Modern	Any	Nov. 20-24	3 pt. min.	GMU 162	5
Tucannon	Modern	Any	Nov. 20-24	3 pt. min.	GMU 166	2
Wenaha East	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Deer Area 1009	2
Wenaha West	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Deer Area 1008	2
Lick Creek	Modern	Any	Nov. 20-24	3 pt. min.	GMU 175	1
Grande Ronde	Modern	Any	Nov. 20-24	3 pt. min.	GMU 186	1
East Okanogan	Modern	Any	Nov. 1-20	Any buck	GMU 204	10
Sinlahekin	Modern	Any	Nov. 1-20	Any buck	GMU 215	10
Chewuch	Modern	Any	Nov. 1-20	Any buck	GMU 218	15
Pearygin	Modern	Any	Nov. 1-20	Any buck	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any buck	GMU 231	10
Pogue	Modern	Any	Nov. 1-20	Any buck	GMU 233	20

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Alta	Modern	Any	Nov. 1-20	Any buck	GMU 242	10
Manson	Modern	Any	Nov. 1-20	Any buck	GMU 243	10
Chiwawa	Modern	Any	Nov. 1-20	Any buck	GMU 245	28
Slide Ridge	Modern	Any	Nov. 1-20	Any buck	GMU 246	11
Entiat	Modern	Any	Nov. 1-20	Any buck	GMU 247	25
Swakane	Modern	Any	Nov. 1-20	Any buck	GMU 250	15
Mission	Modern	Any	Nov. 1-20	Any buck	GMU 251	10
Ritzville	Modern	Any	Nov. 1-20	Any buck	GMU 284	12
Desert	Modern	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Any buck	GMU 290	17
Desert	Modern	Any	Nov. ((17-25)) <u>16-24</u>	Any buck	GMU 290	5
Naneum	Modern	Any	Nov. 12-20	Any buck	GMU 328	14
Quilomene	Modern	Any	Nov. ((5)) <u>4-20</u>	Any buck	GMU 329	14
Teanaway	Modern	Any	Nov. 12-20	Any buck	GMU 335	14
L.T. Murray	Modern	Any	Nov. ((14)) <u>12-20</u>	Any buck	GMUs 336, 340	5
Bethel	Modern	Any	Nov. ((5)) <u>4-20</u>	Any buck	GMU 360	5
Cowiche	Modern	Any	Nov. ((5)) <u>4-20</u>	Any buck	GMU 368	10
Alkali	Modern	Any	Nov. ((3-18)) <u>2-17</u>	Any buck	GMU 371	6
Kahlotus	Modern	Any	Nov. ((10-19)) <u>9-18</u>	Any buck	GMU 381	10
Grayback	Modern	Any	Nov. 1-20	3 pt. min.	GMU 388	40
Nooksack	Modern	Any	Nov. 15-20	Any buck	GMU 418	25
Skagit	Modern	Any	Nov. 15-20	Any buck	GMU 426	10
Sauk	Modern	Any	Nov. 15-20	2 pt. min.	GMU 437	25
Stillaguamish	Modern	Any	Nov. 15-20	Any buck	GMU 448	10
Snoqualmie	Modern	Any	Nov. 15-20	Any buck	GMU 460	10
Green River	(Modern) Any tag	Any	((Oct. 27 - Nov. 2)) Nov. 9-15	Any buck	GMU 485	10
Lewis River	Modern	Any	Nov. 1-((14)) <u>13</u>	Any buck	GMU 560	1
Washougal	Modern	Any	Nov. 1-((14)) <u>13</u>	Any buck	GMU 568	2
Siouxon	Modern	Any	Nov. 1-((14)) <u>13</u>	Any buck	GMU 572	1
Wind River	Modern	Any	Nov. ((13)) <u>14-20</u>	Any buck	GMU 574	40
West Klickitat	Modern	Any	Nov. ((13)) <u>14-20</u>	3 pt. min.	GMU 578	40
Sol Duc	Modern	Any	Nov. 1-20	Any buck	GMU 607	5
Wynoochee	Modern	Any	Nov. 1-((23)) <u>24</u>	Any buck	GMU 648	10
Satsop	Modern	Any	Nov. 1-((23)) <u>24</u>	Any buck	GMU 651	10
Mashel	Modern	Any	Nov. 1-((23)) <u>24</u>	2 pt. min.	GMU 654	10
Capitol Peak	Modern	Any	Nov. 1-((23)) <u>24</u>	Any buck	GMU 663	10
Skookumchuck	Modern	Any	Nov. 1-((23)) <u>24</u>	Any buck	GMU 667	10
Chiliwist	Archery	Any	Nov. 21-30	Any buck	GMU 239	15
Entiat	Archery	Any	Nov. 21-30	Any buck	GMU 247	50
Chiwawa	Archery	Any	Dec. 1-8	Any buck	GMU 245	13
Slide Ridge	Archery	Any	Dec. 1-8	Any buck	GMU 246	3
Desert	Archery	Any	Nov. ((26)) <u>25</u> - Dec. ((9)) <u>8</u>	Any buck	GMU 290	29
Naneum	Archery	Any	Nov. 21 - Dec. 8	Any buck	GMU 328	6
Quilomene	Archery	Any	Nov. 21 - Dec. 8	Any buck	GMU 329	6
Teanaway	Archery	Any	Nov. 21 - Dec. 8	Any buck	GMU 335	9
L.T. Murray	Archery	Any	Nov. 21 - Dec. 8	Any buck	GMUs 336, 340	2
West Klickitat	Archery	Any	Nov. ((21-30)) <u>22-29</u>	3 pt. min.	GMU 578	((100)) <u>75</u>
Kitsap	Archery	Any	Nov. 1-((23)) <u>24</u>	Any buck	GMU 627	10
Skokomish	Archery	Any	Nov. 1-((23)) <u>24</u>	2 pt. min.	GMU 636	10
Blue Mtns. Foothills	Muzzleloader	Any	Nov. 24 - Dec. 8	White-tailed, 3 pt. min.	GMUs 149, 154, 162, 166	70
Alta	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 242	20
Chiwawa	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 245	3
Slide Ridge	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 246	1

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Mission	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 251	15
Desert	Muzzleloader	Any	Oct. ((13-21)) <u>12-20</u>	Any buck	GMU 290	3
Teanaway	Muzzleloader	Any	Nov. ((7-13)) <u>4-11</u>	Any buck	GMU 335	2
L. T. Murray	Muzzleloader	Any	Nov. ((7-13)) <u>4-11</u>	Any buck	GMUs 336, 340	1
Bald Mountain	Muzzleloader	Any	Nov. ((7)) <u>4-20</u>	Any buck	GMUs 342, 346	2
Naneum	Muzzleloader	Any	Nov. ((7-13)) <u>4-11</u>	Any buck	GMU 328	2
Quilomene	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u>	Any buck	GMU 329	6
West Klickitat	Muzzleloader	Any	Dec. 1-8	3 pt. min.	GMU 578	100
Olympic	Muzzleloader	Any	Nov. 1-((23)) <u>24</u>	Any buck	GMU 621	5

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Palouse	Modern	Any	Nov. ((40)) <u>9-19</u>	White-tailed, 3 pt. min.	GMUs 127-142	750
Blue Mtns. Foothills West	Modern	Any	Nov. 7-19	White-tailed, 3 pt. min.	GMUs 149, 154, 162-166	110
Blue Mtns. Foothills East	Modern	Any	Nov. 7-19	White-tailed, 3 pt. min.	GMUs 145, 172-181	50
<u>Mayview</u>	<u>Any tag</u>	<u>Any</u>	<u>Nov. 16-19</u>	<u>3 pt. min.</u>	<u>GMU 145</u>	<u>25</u>
<u>Watershed</u>	<u>Any tag</u>	<u>Any</u>	<u>Oct. 1-10</u>	<u>3 pt. min.</u>	<u>GMU 157</u>	<u>5</u>
East Okanogan	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 204	50
Sinlahekin	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 215	50
Chewuch	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 218	15
Pearrygin	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 233	20
Chiliwist	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 239	15
Alta	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 242	15
Big Bend	Archery	Any	Dec. 1-8	Any buck	GMU 248	10
Ritzville	Archery	Any	Dec. 1-8	Any buck	GMU 284	4
Alkali	Archery	Any	Sept. 1-((22)) <u>21</u>	Any buck	GMU 371	4
((Whiteomb	Archery	Any	Sept. 10-15	Any buck	Deer Area 3071	10
Paterson	Archery	Any	Sept. 10-15	Any buck	Deer Area 3072	10))
Roosevelt	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((12)) <u>11</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 133	25
Harrington	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((12)) <u>11</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 136	25
Step toe	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((12)) <u>11</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 139	25
Almota	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((12)) <u>11</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 142	25
Dayton	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((9)) <u>6</u>	3 pt. min.	GMU 162	25
Tucannon	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((9)) <u>6</u>	3 pt. min.	GMU 166	10
Wenaha	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((9)) <u>6</u>	3 pt. min.	GMU 169	15
Mountain View	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((9)) <u>6</u>	3 pt. min.	GMU 172	15
Ritzville	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 284	1
Alkali	Muzzleloader	Any	Sept. ((23)) <u>22</u> - Oct. ((12)) <u>11</u>	Any buck	GMU 371	1
<u>Whitcomb</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 8-13</u>	<u>Any buck</u>	<u>Deer Area 3071</u>	<u>10</u>
<u>Paterson</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 8-13</u>	<u>Any buck</u>	<u>Deer Area 3072</u>	<u>10</u>
Kahlotus	Muzzleloader	Any	Sept. ((30)) <u>28</u> - Oct. ((7)) <u>6</u>	Any buck	GMU 381	20

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
<u>Mayview</u>	<u>Modern</u>	<u>Any</u>	<u>Nov. 1-12</u>	<u>Antlerless</u>	<u>GMU 145</u>	<u>35</u>
<u>Prescott</u>	<u>Modern</u>	<u>Any</u>	<u>Nov. 1-12</u>	<u>Antlerless</u>	<u>GMU 149</u>	<u>50</u>
Blue Creek	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 154	30
Dayton	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 162	80
Ten Ten	Modern	Any	Nov. 8-19	Antlerless	Deer Area 1010	30
Marengo	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 163	50
Peola	Modern	Any	Nov. 1-12	Antlerless	GMU 178	50
Lincoln	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 501	15
Stella	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 504	15
Mossyrock	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 505	30
South Rainier	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 513	10
Winston	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 520	20
Lewis River	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 560	3
Siouxon	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 572	3
Wind River	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 574	3
<u>West Klickitat</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 12-31</u>	<u>Antlerless</u>	<u>GMU 578</u>	<u>5</u>
Pysht	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 603	15
Olympic	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 621	35
Skokomish	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 636	20
Wynoochee	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 648	110
Mashel	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 654	40
North River	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 658	35
Minot Peak	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 660	20
Capitol Peak	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 663	5
Skookumchuck	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 667	5
Entiat	Archery	Any	Nov. 21-30	Antlerless	GMU 247	40
Swakane	Archery	Any	Nov. 21-30	Antlerless	GMU 250	50
Whitcomb	Archery	Any	Sept. ((1-7)) <u>16-20</u>	Antlerless	Deer Area 3071	10
Paterson	Archery	Any	Sept. ((1-7)) <u>16-20</u>	Antlerless	Deer Area 3072	10
<u>Whitcomb</u>	<u>Archery</u>	<u>Any</u>	<u>Sept. 23-30</u>	<u>Antlerless</u>	<u>Deer Area 3071</u>	<u>10</u>
<u>Paterson</u>	<u>Archery</u>	<u>Any</u>	<u>Sept. 23-30</u>	<u>Antlerless</u>	<u>Deer Area 3072</u>	<u>10</u>
Grayback	Archery	Any	Nov. ((23)) <u>21</u> - Dec. 8	Antlerless	GMU 388	100
Sherman	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	White-tailed, antlerless	GMU 101	40
Selkirk	Muzzleloader	Any	Nov. 25 - Dec. 8	White-tailed, antlerless	GMU 113	15
<u>Prescott</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 28 - Oct. 6</u>	<u>Antlerless</u>	<u>GMU 149</u>	<u>25</u>
<u>Couse</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Nov. 20 - Dec. 8</u>	<u>White-tailed, antlerless</u>	<u>GMU 181</u>	<u>30</u>
Whitcomb	Muzzleloader	Any	Sept. ((16-24)) <u>1-7</u>	Antlerless	Deer Area 3071	10
Paterson	Muzzleloader	Any	Sept. ((16-24)) <u>1-7</u>	Antlerless	Deer Area 3072	10
((<u>Whiteomb</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 24-30</u>	<u>Antlerless</u>	<u>Deer Area 3071</u>	<u>40</u>
<u>Paterson</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 24-30</u>	<u>Antlerless</u>	<u>Deer Area 3072</u>	<u>40</u>
Mossyrock	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 505	10
Stormking	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 510	5
South Rainier	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 513	5
Packwood	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 516	5
Winston	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 520	5
Coweeman	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 550	30
Yale	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 554	2

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Toutle	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 556	3
West Klickitat	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 28 - Oct. 6</u>	<u>Antlerless</u>	<u>GMU 578</u>	<u>5</u>
Olympic	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 621	20
Satsop	Muzzleloader	Any	Nov. 22 - Dec. 15	Antlerless	GMU 651	100
Mashel	Muzzleloader	Any	Nov. 22 - Dec. 15	Antlerless	GMU 654	50
North River	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 658	5

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Colville River	Any	Any	Sept. 1 - Dec. 31	White-tailed, antlerless	Deer Area 1035	25
Benge	Any	Any	Dec. 9-31	Antlerless	Deer Area 2010	30
Lakeview	Any	Any	Jan. 1-30, ((2013)) <u>2014</u>	Antlerless	Deer Area 2011	((20)) <u>15</u>
Methow	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2012	20
North Okanogan	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2013	40
Central Okanogan	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2014	50
Omak	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2015	25
Conconully	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2016	25
High Prairie	Any	Any	Oct. ((13-26)) <u>12-25</u>	Antlerless	Deer Area 3088	((15)) <u>5</u>
Mt. Spokane	Modern	Any	Oct. ((13-26)) <u>12-25</u> and Nov. 10-19	White-tailed, antlerless	GMU 124	50
Spokane North	Modern	Any	Oct. ((13-26)) <u>12-25</u> and Nov. 10-19	White-tailed, antlerless	Deer Area 1050	350
Mica Peak	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 127	25
Spokane South	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	Deer Area 1060	125
Cheney	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 130	100
Spokane West	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	Deer Area 1070	75
Roosevelt	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 133	150
Harrington	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 136	150
Steptoe	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 139	200
Colfax	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	Deer Area 1080	125
Almota	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 142	150
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	((50)) <u>35</u>
Blue Creek	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 154	30
Ten Ten	Modern	Any	Nov. 8-19	Antlerless	Deer Area 1010	30
East Okanogan	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 204	75
Sinlahekin	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 215	40
Chewuch	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 218	10
Perrygin	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 224	10
Gardner	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 231	10
Pogue	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 233	10
Chiliwist	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 239	10
Alta	Modern	Any	Oct. ((13-21)) <u>12-20</u>	White-tailed, antlerless	GMU 242	10
Big Bend	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 248	35
Mission	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 251	10
Mission	Modern	Any	Nov. 1-20	Antlerless	GMU 251	15
St. Andrews	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 254	20
Foster Creek	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 260	20
Withrow	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 262	20
Badger	Modern	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 266	15
Desert	Modern	Any	Dec. 13-26	Antlerless	GMU 290	50
Kahlotus	Modern	Any	Dec. 1-9	Antlerless	GMU 381	20

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
East Klickitat	Modern	Any	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 382	30
Grayback	Modern	Any	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 388	20
((High Prairie	Modern	Any	Oct. 13-28	Antlerless	Deer Area 3088	15))
Shaw	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4004)) GMU 412	20
Lopez	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4005)) GMU 414	30
Orcas	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4006)) GMU 411	30
Decatur	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4007)) GMU 416	30
Blakely	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4008)) GMU 415	30
Cypress	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4009)) GMU 417	30
San Juan	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4010)) GMU 413	30
Camano	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4011)) GMU 421	30
Whidbey	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4012)) GMU 420	100
Vashon-Maury	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4013)) GMU 422	100
Guemes	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 4926)) GMU 419	30
Randle	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 503	5
Willapa Hills	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 506	10
Stormking	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 510	15
Packwood	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 516	15
Ryderwood	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 530	10
Coweeman	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 550	10
Yale	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 554	10
Washougal	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 568	10
((West Klickitat	Modern	Any	Oct. 13-31	Antlerless	GMU 578	10))
Anderson	Modern	Any	Oct. ((43)) <u>12-31</u> and Nov. ((45-48)) <u>14-17</u>	Antlerless	((Deer Area 6014)) GMU 655	40
Kitsap	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 627	10
Mashel	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 654	10
North River	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 658	15
Deschutes	Modern	Any	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 666	40
Mt. Spokane	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	GMU 124	25
Mica Peak	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	GMU 127	25
Clarkston	Archery	Any	Nov. 20 - Dec. 31	Antlerless	Deer Area 1021	30
Spokane North	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	Deer Area 1050	75
Spokane South	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	Deer Area 1060	25
Shaw	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4004)) GMU 412	20
Lopez	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4005)) GMU 414	20

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Orcas	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4006)) GMU 411	20
Decatur	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4007)) GMU 416	20
Blakely	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4008)) GMU 415	20
Cypress	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4009)) GMU 417	20
San Juan	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4010)) GMU 413	20
Camano	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4011)) GMU 421	20
Whidbey	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4012)) GMU 420	20
Vashon-Maury	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4013)) GMU 422	20
Guemes	Archery	Any	Sept. 1-((28)) <u>27</u> and Nov. ((24)) <u>27</u> - Dec. 31	Antlerless	((Deer Area 4926)) GMU 419	20
Anderson	Archery	Any	Sept. 1-((28)) <u>27</u> and Dec. 16-31	Antlerless	((Deer Area 6014)) GMU 655	10
Miller	Archery	Any	Dec. 15-30	Antlerless	Deer Area 6020	40
Mt. Spokane	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	White-tailed, antlerless	GMU 124	25
Spokane North	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Dec. 9-31	White-tailed, antlerless	Deer Area 1050	100
Cheney	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Nov. 25 - Dec. 8	Antlerless	GMU 130	25
Spokane West	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Nov. 25 - Dec. 8	Antlerless	Deer Area 1070	25
Colfax	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Nov. 25 - Dec. 8	Antlerless	Deer Area 1080	75
Roosevelt	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Nov. 25 - Dec. 8	Antlerless	GMU 133	25
Harrington	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Nov. 25 - Dec. 8	Antlerless	GMU 136	25
Mayview	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 145	((25)) <u>30</u>
Chiwawa	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 245	10
Swakane	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 250	5
Mission	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 251	5
Foster Creek	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 260	10

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Moses Coulee	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 269	10
Lakeview	Muzzleloader	Any	Nov. 1-18	Antlerless	Deer Area 2011	((40)) <u>5</u>
((High Prairie	Muzzleloader	Any	Sept. 29 - Oct. 7	Antlerless	Deer Area 3088	5))
Shaw	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4004)) GMU 412	20
Lopez	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4005)) GMU 414	20
Orcas	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4006)) GMU 411	20
Decatur	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4007)) GMU 416	20
Blakely	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4008)) GMU 415	20
Cypress	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4009)) GMU 417	20
San Juan	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4010)) GMU 413	20
Camano	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4011)) GMU 421	20
Whidbey	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4012)) GMU 420	20
Vashon-Maury	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4013)) GMU 422	20
Guemes	Muzzleloader	Any	Sept. ((24)) <u>28</u> - Oct. ((2)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 4926)) GMU 419	20
East Klickitat	Muzzleloader	Any	Nov. 20-30	Antlerless	GMU 382	30
Yale	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 554	2
Washougal	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 568	10
West Klickitat	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 578	10
((High Prairie	Muzzleloader	Any	Sept. 29 - Oct. 7	Antlerless	Deer Area 3088	5))
Anderson	Muzzleloader	Any	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u> and Nov. ((24)) <u>28</u> - Dec. 15	Antlerless	((Deer Area 6014)) GMU 655	5

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Ferry	Modern	Youth	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 101	25
Blue Mtns. Foothills West	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMUs 149, 154, 163, Deer Area 1010	30
Blue Mtns. Foothills East	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMUs 145, 172-181	((30)) <u>20</u>
Tucannon	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	White-tailed, antlerless	GMU 166	5
East Okanogan	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 204	30

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wannacut	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 209	10
Sinlahekin	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 215	20
Chewuch	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 218	25
Pearrygin	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 224	25
Gardner	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 231	10
Pogue	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 233	10
Chiliwist	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 239	15
Alta	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 242	15
Chiwawa	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 245	10
Entiat	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 247	10
Swakane	Modern	Youth	Nov. 1-20	Antlerless	GMU 250	5
Mission	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 251	15
Bridgeport	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMUs 248, 260	20
Palisades	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMUs 266, 269	20
Benge	Modern	Youth	Oct. 30 - Nov. 7	Antlerless	Deer Area 2010	30
Horse Heaven Hills	Modern	Youth	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 373	10
Kahlotus	Modern	Youth	Oct. ((43-21)) <u>12-20</u>	Antlerless	GMU 381	10
East Klickitat	Modern	Youth	Oct. ((43-26)) <u>12-25</u>	Any buck	GMU 382	5
East Klickitat	Modern	Youth	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 382	20
East Klickitat	Modern	Youth	Dec. ((29)) 21 - Jan. 1, ((2013)) 2014	Antlerless	GMU 382	10
East Klickitat	Modern	Youth	Jan. ((45)) 16-31, ((2013)) 2014	Antlerless	GMU 382	10
East Klickitat	Modern	Youth	Feb. ((40-20, 2013)) 8- 18, 2014	Antlerless	GMU 382	10
Grayback	Modern	Youth	Oct. ((43-26)) <u>12-25</u>	Any buck	GMU 388	5
Grayback	Modern	Youth	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 388	10
Green River	Modern	Youth	((Oct. 27 - Nov. 2)) Nov. 9-15	((Any deer)) Antlerless	GMU 485	5
Lincoln	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 501	10
Stella	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 504	10
Mossyrock	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 505	10
Stormking	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 510	10
South Rainier	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 513	10
Packwood	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 516	10
Winston	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 520	10
Yale	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 554	10
Toutle	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 556	25
Lewis River	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 560	5
Washougal	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 568	10
Siouxon	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 572	5
Wind River	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 574	10
West Klickitat	Modern	Youth	Oct. ((43)) <u>12-31</u>	Any buck	GMU 578	5
West Klickitat	Modern	Youth	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 578	10
Skokomish	Modern	Youth	Oct. ((6)) <u>5-31</u>	Antlerless	GMU 636	5
Satsop	Modern	Youth	Oct. ((6)) <u>5-31</u>	Antlerless	GMU 651	10
Mashel	Modern	Youth	Oct. ((6)) <u>5-31</u>	Antlerless	GMU 654	30
North River	Modern	Youth	Oct. ((6)) <u>5-31</u>	Antlerless	GMU 658	10
Skookumchuck	Modern	Youth	Oct. ((6)) <u>5-31</u>	Antlerless	GMU 667	35
Skookumchuck	Modern	Youth	Oct. ((6-12)) <u>5-11</u>	Any buck	GMU 667	20
East Okanogan	Muzzleloader	Youth	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 204	5
Wannacut	Muzzleloader	Youth	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 209	5
Pogue	Muzzleloader	Youth	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 233	5

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Chiliwist	Muzzleloader	Youth	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 239	5
Alta	Muzzleloader	Youth	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 242	5
Mission	Muzzleloader	Youth	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 251	5

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blue Mtns. Foothills	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMUs 145, 149, 154, Deer Area 1010	30
East Okanogan	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 204	5
Wannacut	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 209	5
Sinlahekin	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 215	5
Chewuch	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 218	10
Pearrygin	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 224	10
Gardner	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 231	5
Pogue	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 233	5
Chiliwist	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 239	10
Alta	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 242	5
Chiwawa	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 245	10
Entiat	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 247	10
Swakane	Modern	65+	Nov. 1-20	Antlerless	GMU 250	10
Mission	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 251	10
Bridgeport	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMUs 248, 260	10
Palisades	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMUs 266, 269	10
Sunnyside	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 372	10
Horse Heaven Hills	Modern	65+	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 373	10
Kahlotus	Modern	65+	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 381	10
East Klickitat	Modern	65+	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 382	20
Grayback	Modern	65+	Oct. ((43-26)) <u>12-25</u>	Antlerless	GMU 388	5
Lincoln	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 501	5
Stella	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 504	5
Mossyrock	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 505	15
Stormking	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 510	5
South Rainier	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 513	5
Packwood	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 516	5
Winston	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 520	5
Yale	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 554	5
Toutle	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 556	10
Lewis River	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 560	5
Washougal	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 568	10
Siouxon	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 572	5
Wind River	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 574	5
West Klickitat	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 578	5
Copalis	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 642	20
North River	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 658	10
Williams Creek	Modern	65+	Oct. ((43)) <u>12-31</u>	Antlerless	GMU 673	10

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
East Okanogan	Modern	Hunter with Disability	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 204	5
Wannacut	Modern	Hunter with Disability	Oct. ((43-24)) <u>12-20</u>	Antlerless	GMU 209	5

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Sinlahekin	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 215	5
Chewuch	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 218	5
Pearrygin	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 224	5
Gardner	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 231	5
Pogue	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 233	5
Chiliwist	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 239	5
Alta	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 242	5
Chiwawa	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 245	5
Entiat	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 247	5
Mission	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 251	5
Saint Andrews	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 254	5
Bridgeport	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMUs 248, 260	5
Palisades	Modern	Hunter with Disability	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMUs 266, 269	5
Horse Heaven Hills	Modern	Hunter with Disability	Oct. ((13-26)) <u>12-25</u>	Antlerless	GMU 373	10
Kahlotus	Modern	Hunter with Disability	Nov. 1-9	Antlerless	GMU 381	10
East Klickitat	Modern	Hunter with Disability	Oct. ((13-26)) <u>12-25</u>	Antlerless	GMU 382	15
Grayback	Modern	Hunter with Disability	Oct. ((13-26)) <u>12-25</u>	Antlerless	GMU 388	5
Green River	Modern	Hunter with Disability	((Oct. 27 - Nov. 2)) <u>Nov. 9-15</u>	Antlerless	GMU 485	5
Lincoln	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 501	((5)) 2
Stella	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 504	((5)) 2
Mossyrock	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 505	((5)) 3
Stormking	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 510	((5)) 2
South Rainier	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 513	((5)) 2
Packwood	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 516	((5)) 2
Winston	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 520	((5)) 2
Yale	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 554	((5)) 2
Toutle	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 556	((5)) 3
Lewis River	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 560	((5)) 1
Washougal	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 568	5
Siouxon	Modern	Hunter with Disability	Oct. ((13)) <u>12-31</u>	Antlerless	GMU 572	((5)) 2

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wind River	Modern	Hunter with Disability	Oct. ((43)) <u>12</u> -31	Antlerless	GMU 574	((5)) <u>1</u>
West Klickitat	Modern	Hunter with Disability	Oct. ((43)) <u>12</u> -31	Antlerless	GMU 578	((5)) <u>2</u>
Capitol Peak	Modern	Hunter with Disability	Oct. ((43)) <u>12</u> -31	Antlerless	GMU 663	20
Skookumchuck	Modern	Hunter with Disability	Oct. ((43)) <u>5</u> -31	Antlerless	GMU 667	20
North River	Modern	Hunter with Disability	Oct. ((43)) <u>12</u> -31	Antlerless	GMU 658	5
Wind River	Archery	Hunter with Disability	Sept. 1-((23)) <u>22</u>	Antlerless	GMU 574	((5)) <u>1</u>
West Klickitat	Archery	Hunter with Disability	Sept. 1-((23)) <u>22</u>	Antlerless	GMU 578	((5)) <u>1</u>
East Okanogan	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 204	5
Sinlahekin	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 215	5
Gardner	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 231	5
Chiwawa	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 245	5
Mission	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 251	5
Entiat	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 247	5
Saint Andrews	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 254	5
Bridgeport	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMUs 248, 260	5
Palisades	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMUs 266, 269	5
Capitol Peak	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 663	5
North River	Muzzleloader	Hunter with Disability	Sept. ((29)) <u>28</u> - Oct. ((7)) <u>6</u>	Antlerless	GMU 658	5

Master Hunter						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Republic	Any/2nd <u>deer tag required</u>	Master Hunter	Sept. 1 - Dec. 31	Any deer	Designated properties within Deer Area 1030	25 ^{HC}
Region 1 North	Any/2nd <u>deer tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - March 31, ((2013)) <u>2014</u>	Antlerless	Designated Areas in Ferry, Stevens, and Pend Oreille counties	10 ^{HC}
Region 1 Central	Any/2nd <u>deer tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - March 31, ((2013)) <u>2014</u>	Antlerless	Designated Areas in Lincoln and Spokane counties	20 ^{HC}
Region 1 South	Any/2nd <u>deer tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - March 31, ((2013)) <u>2014</u>	Antlerless	Designated Areas in Whitman, Walla Walla, Columbia, Garfield, and Asotin counties	20 ^{HC}
<u>Region 2</u>	<u>Any/2nd deer tag required</u>	<u>Master Hunter</u>	<u>Aug. 1, 2013 - March 31, 2014</u>	<u>Antlerless</u>	<u>Designated Areas in Region 2</u>	<u>20^{HC}</u>
Region 3	Any/2nd <u>deer tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - March 31, ((2013)) <u>2014</u>	Antlerless	Designated Areas in Region 3	((20)) <u>30^{HC}</u>

Master Hunter						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Lakeview	Any/2nd <u>deer tag required</u>	Master Hunter	Dec. 9-31	Antlerless	Deer Area 2011	20
Region 5	Any/2nd <u>deer tag required</u>	Master Hunter	Aug. 1, ((2012)) 2013 - March 31, ((2013)) 2014	Antlerless	Designated Areas in Region 5	20 ^{HC}
Region 6	Any/2nd <u>deer tag required</u>	Master Hunter	Aug. 1, ((2012)) 2013 - March 31, ((2013)) 2014	Antlerless	Designated Areas in Region 6	20 ^{HC}

Hunter Education Instructor Incentive Permits				
<ul style="list-style-type: none"> - Special deer permits will be allocated through a random drawing to those hunter education instructors that qualify. - Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange is required during modern firearm seasons. - <u>Except for on-line class incentive permits</u>, qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. - Instructors who are drawn, accept a permit denoted with (*) below, and are able to participate in the hunt, will not be eligible for those specific incentive permits for a period of ten years thereafter. - Permittees may purchase a second license for use with the permit hunt only. <p>Qualified hunter education instructors may only receive one incentive permit each year.</p>				
Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any white-tailed deer	Any 100 series GMU EXCEPT GMU 157	2*
Region 2		Any white-tailed deer	GMUs 204-215	2
Region 2		Any deer	GMUs 215-251	1*
Region 2		Any deer	GMU 290	1*
Region 3		Any deer	GMUs 335-368, 382, 388	1*
Region 4		Any deer	Any 400 series GMU EXCEPT GMUs 485 and 490	2
Region 5		Legal buck for 500 series GMU of choice or antlerless	Any 500 series GMU open for a general deer hunting season or a special deer permit hunting season	6
Region 6	Legal buck for GMU of choice	GMUs 654, 660, 672, 673, 681	1	

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-360 ((2012)) 2013 Elk special permits. It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section are punishable under RCW 77.15.410.

Special Elk Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase an elk hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "Any tag" under the "Weapon/Tag" restriction must use equipment consistent with the requirements of their transport tag and license.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EA, EF, EM	Any	Oct. ((22)) 21 - Nov. 24	Any bull	Elk Area 1015	1
Prescott	EF	Any	Sept. 24-28	Any bull	GMU 149	1
Prescott	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 149	4
Blue Creek	EF	Any	Sept. 24-28	Any bull	GMU 154	1
Blue Creek	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 154	5
Watershed	EA, EF, EM	Any	Oct. ((27)) 21 - Nov. ((4)) 3	3 pt. min. or antlerless	GMU 157	45
Dayton	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 162	26

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Ten Ten	EF	Any	Sept. 24-28	Any bull	Elk Area 1010, GMU 163	1
Ten Ten	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	Elk Area 1010, GMU 163	12
Tucannon	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 166	14
Wenaha West	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	Elk Area 1008	15
Wenaha East	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	Elk Area 1009	21
Mountain View	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 172	20
Lick Creek	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 175	10
Peola	EF	Any	Sept. 24-28	Any bull	GMU 178	1
Peola	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 178	((2)) 1
Couse	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMU 181	((3)) 1
Mission	EF	Any	Sept. ((17-21)) 16-20	Any bull	GMU 251	1
Colockum	EF	Any	Oct. ((22)) 21 - Nov. ((4)) 3	Any bull	GMUs 328, 329, 335	7
Colockum	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMUs 328, 329, 335	1
Teanaway	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMU 335	1
Peaches Ridge	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMUs 336, 346	1
Observatory	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMUs 340, 342	1
Little Naches	EF	Any	Oct. 1-((10)) 11	Any bull	GMU 346	10
Goose Prairie	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMUs 352, 356	1
Bethel	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMU 360	1
Rimrock	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMU 364	1
Cowiche	EF	Any	Sept. ((24-28)) 23-27	Any bull	GMU 368	1
Nooksack	WF	Any	Oct. 8 - Nov. 16	Any bull	GMU 418 and Elk Area 4941	5
Green River	WF	Any	((Nov. 12-18)) Oct. 27 - Nov. 2	Any bull	GMU 485	6
Wahkiakum	WF	Any	Sept. ((17)) 16-30	Any bull	GMUs 506, 530	1
Packwood	WF	Any	Sept. ((17)) 16-30	Any bull	GMU 516	1
Toutle	WF	Any	Sept. ((17-30)) 24-28 and Nov. ((3-14)) 2-13	Any bull	GMU 556	4
Toutle	WF	Any	Nov. ((3-14)) 2-13	Any bull	GMU 556	((129)) 100
Lewis River	WF	Any	Sept. ((17)) 16-30	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. ((17)) 16-30	Any bull	GMU 572	2
Carlton	WF	Any	Sept. ((17)) 16-30	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. ((17)) 16-30	Any bull	Elk Area 5058	5
Mt. Adams	WF	Any	Sept. ((17)) 16-30	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. ((3-9)) 2-8	Any bull	Elk Area 5099	5
Peninsula	WF	Any	Sept. 24-28	3 pt. min.	GMUs 602, 607, 612	1
Clearwater	WF	Any	Oct. ((8-12)) 7-11	3 pt. min.	GMU 615	2
Matheny	WF	Any	Oct. 1-((12)) 11	3 pt. min.	GMU 618	3
Quinault	WF	Any	Sept. 16-20	3 pt. min.	GMU 638	5
Wynoochee	WF	Any	Oct. ((8-12)) 7-11	3 pt. min.	GMU 648	1
Satsop	WF	Any	Oct. ((8-12)) 7-11	3 pt. min.	GMU 651	1
Dungeness	WF	Any	Oct. ((8-12)) 7-11	3 pt. min.	Elk Area 6071	2
White River	WF	Any	Sept. ((24-28)) 23-27	Any bull	GMU 653	1
Prescott	EA	Any	Sept. 1-19	Any bull	GMU 149	2
Blue Creek	EA	Any	Sept. 1-19	Any bull	GMU 154	3
Dayton	EA	Any	Sept. 1-19	Any bull	GMU 162	14

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Ten Ten	EA	Any	Sept. 1-19	Any bull	Elk Area 1010, GMU 163	8
Tucannon	EA	Any	Sept. 1-19	Any bull	GMU 166	8
Wenaha West	EA	Any	Sept. 1-19	Any bull	Elk Area 1008	5
Wenaha East	EA	Any	Sept. 1-19	Any bull	Elk Area 1009	11
Mountain View	EA	Any	Sept. 1-19	Any bull	GMU 172	11
Lick Creek	EA	Any	Sept. 1-19	Any bull	GMU 175	11
Peola	EA	Any	Sept. 1-19	Any bull	GMU 178	1
Couse	EA	Any	Sept. 1-19	Any bull	GMU 181	1
Colockum	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMUs 328, 329, 335	6
Peaches Ridge	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMUs 336, 346	101
Observatory	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMUs 340, 342	130
Goose Prairie	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMUs 352, 356	65
Bethel	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMU 360	29
Rimrock	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMU 364	97
Cowiche	EA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMU 368	19
Klickitat Meadows	EA	Any	Oct. ((11-21)) <u>12-20</u>	Any bull	Elk Area 3068	1
Nooksack	WA	Any	Sept. 1-23 and Dec. 1-31	Any bull	GMU 418 and Elk Area 4941	3
Toutle	WA	Any	Sept. ((8-23)) <u>7-22</u> and Dec. 1-15	Any bull	GMU 556	((80)) <u>50</u>
Mudflow	WA	Any	Sept. ((5-11)) <u>3-9</u>	Any bull	Elk Area 5099	5
((Olympie	WA	Any	Sept. 4-16	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	5))
White River	WA	Any	Sept. 4-16	Any bull	GMU 653	13
Prescott	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 149	1
Blue Creek	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 154	1
Dayton	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 162	5
Ten Ten	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	Elk Area 1010, GMU 163	6
Tucannon	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 166	3
Wenaha West	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	Elk Area 1008	3
Wenaha East	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	Elk Area 1009	3
Mountain View	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 172	8
Lick Creek	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 175	2
Peola	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 178	1
Couse	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 181	1
Mission	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 9	Any bull	GMU 251	1
Colockum	EM	Any	Oct. 1-10	Any bull	GMUs 328, 329, 335	1
Peaches Ridge	EM	Any	Oct. 1-10	Any bull	GMUs 336, 346	26
Observatory	EM	Any	Oct. 1-10	Any bull	GMUs 340, 342	21
Goose Prairie	EM	Any	Oct. 1-10	Any bull	GMUs 352, 356	15
Bethel	EM	Any	Oct. 1-10	Any bull	GMU 360	14
Rimrock	EM	Any	Oct. 1-10	Any bull	GMU 364	13
Cowiche	EM	Any	Oct. 1-10	Any bull	GMU 368	10
Klickitat Meadows	EM	Any	Oct. 1-10	Any bull	Elk Area 3068	1
Nooksack	WM	Any	Sept. 24 - Oct. 7 and Nov. 24-30	Any bull	GMU 418	3
Toutle	WM	Any	Oct. ((6-12)) <u>5-11</u>	Any bull	GMU 556	((28)) <u>20</u>
Mudflow	WM	Any	Oct. ((6-12)) <u>5-11</u>	Any bull	Elk Area 5099	5

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Prescott	EF	Any	Nov. 17-30	Any bull	GMU 149	2
Prescott	EF	Any	Dec. 1-15	Any bull	GMU 149	2

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Prescott	EF	Any	Dec. 16-31	Any bull	GMU 149	2
Grande Ronde	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMU 186	1
Mission	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMU 251	1
Teanaway	EF	Any	Dec. 17-31	Any bull	GMU 335	10
Peaches Ridge	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMUs 336, 346	120
Observatory	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMUs 340, 342	64
Goose Prairie	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMUs 352, 356	74
Bethel	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMU 360	63
Rimrock	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMU 364	120
Cowiche	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMU 368	22
<u>Alkali</u>	<u>EF</u>	<u>Any</u>	<u>Oct. 12 - Nov. 1</u>	<u>Any bull</u>	<u>GMU 371</u>	<u>10</u>
Klickitat Meadows	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	Elk Area 3068	1
Nooksack	WF	Any	Oct. 8 - Nov. 18	Spike only	GMU 418 and Elk Area <u>4941</u>	6
Margaret	WF	Any	Sept. ((17)) <u>23</u> -30 and Nov. ((3)) <u>2</u> -14	Any bull	GMU 524	4
Margaret	WF	Any	Nov. ((3)) <u>2</u> -14	Any bull	GMU 524	((50)) <u>75</u>
Upper Smith Creek	WF	Any	Oct. ((20-16)) <u>19-25</u>	Any bull	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. ((20-26)) <u>12-18</u>	Any bull	Elk Area 5065	1
Olympic	WF	Any	Nov. 3-14	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	20
Skokomish	WF	Any	Nov. 3-14	3 pt. min.	GMU 636	3
White River	WF	Any	Nov. 3-14	Any bull	GMU 653	24
Grande Ronde	EA	Any	Sept. 1-19	Any bull	GMU 186	1
Teanaway	EA	Any	Nov. 21 - Dec. 8	Any bull	GMU 335	8
Alkali	EA	Any	Sept. 1- ((22)) <u>21</u>	Any bull	GMU 371	5
Nooksack	WA	Any	Sept. 1-23 and Dec. 1-31	Spike only	GMU 418 and Elk Area <u>4941</u>	3
Margaret	WA	Any	Sept. ((8-23)) <u>7-22</u> and Dec. 1-15	Any bull	GMU 524	((29)) <u>50</u>
Upper Smith Creek	WA	Any	Oct. ((6-12)) <u>5-11</u>	Any bull	Elk Area 5064	2
Lewis River	WA	Any	Nov. ((21)) <u>27</u> - Dec. ((4)) <u>8</u>	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. ((21)) <u>27</u> - Dec. ((4)) <u>8</u>	3 pt. min.	GMU 572	5
Olympic	<u>WA</u>	<u>Any</u>	<u>Sept. 4-16</u>	<u>3 pt. min.</u>	<u>GMU 621 EXCEPT Elk Area 6071</u>	<u>5</u>
Skokomish	WA	Any	Sept. 4-16	3 pt. min.	GMU 636	2
Grande Ronde	EM	Any	Oct. 1- ((12)) <u>11</u>	Any bull	GMU 186	1
Teanaway	EM	Any	Dec. 9-16	Any bull	GMU 335	16
Alkali	EM	Any	Sept. ((23)) <u>22</u> - Oct. ((12)) <u>11</u>	Any bull	GMU 371	10
Nooksack	WM	Any	Sept. 24 - Oct. 7 and Nov. 24-30	Spike only	GMU 418 and Elk Area <u>4941</u>	3
Margaret	WM	Any	Oct. ((6-12)) <u>5-11</u>	Any bull	GMU 524	((14)) <u>25</u>
Upper Smith Creek	WM	Any	Oct. ((13-19)) <u>12-18</u>	Any bull	Elk Area 5064	2
Mount Whittier	WM	Any	Oct. ((13-19)) <u>5-12</u>	Any bull	Elk Area 5065	1
Yale	WM	Any	Nov. ((21)) <u>27</u> - Dec. 15	3 pt. min.	GMU 554	15

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Olympic	WM	Any	Oct. 6-12	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	5
Skokomish	WM	Any	Oct. 6-12	3 pt. min.	GMU 636	1
White River	WM	Any	Oct. 6-12	Any bull	GMU 653	3

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Half	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Antlerless	GMUs 101, 105, 204	10
Stevens	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Antlerless	GMUs 108, 121	10
Aladdin	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 111	15
Selkirk	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 113	20
49 Degrees North	EF	Any	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u> and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EF	Any	Oct. ((23-28)) <u>22-27</u>	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((4)) <u>3</u>	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Nov. ((6-11)) <u>5-10</u>	Antlerless	Elk Area 1015	6
Mayview-Peola	EF	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMUs 145, 178	10
Mayview-Peola	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMUs 145, 178	40
Blue Creek	EF	Any	Oct. ((13-21)) <u>12-20</u>	Antlerless	GMU 154	10
Prescott	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 149	20
Blue Creek	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 154	((25)) <u>20</u>
Marengo-Dayton	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 163 and Elk Area 1010	75
Mountain View	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	Elk Area 1013	((5)) <u>10</u>
Dayton	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	Elk Area 1016	((40)) <u>25</u>
Lick Creek	EF	Any	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 175	15
Couse	EF	Any	Oct. ((2-12)) <u>1-11</u>	Antlerless	GMU 181	30
Malaga	EF	Any	Sept. ((12-22)) <u>11-21</u>	Antlerless	Elk Area 2032	10
Malaga	EF	Any	Nov. ((5)) <u>4</u> - Dec. 31	Antlerless	Elk Area 2032	30
Colockum	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMUs 328, 329	40
West Bar	EF	Any	Oct. ((27-31)) <u>26-30</u>	Antlerless	GMU 330	5
West Bar	EF	Any	((Nov. 1-4)) <u>Oct. 31 - Nov. 3</u>	Antlerless	GMU 330	5
Teanaway	EF	Any	Dec. 17-31	Antlerless	GMU 335	30
Taneum	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 336	200
Manastash	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 340	275
Umtanum	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 342	250
Little Naches	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 346	250
Nile	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 352	20
Bumping	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 356	25

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Bethel	EF	Any	Oct. ((3+)) 30 - Nov. ((4)) 3	Antlerless	GMU 360	20
Rimrock	EF	Any	Oct. ((3+)) 30 - Nov. ((4)) 3	Antlerless	GMU 364	250
Cowiche	EF	Any	Oct. ((3+)) 30 - Nov. ((4)) 3	Antlerless	GMU 368	250
Alkali	EF	Any	Oct. ((13)) 12 - Nov. ((2)) 1	Antlerless	GMU 371	20
Klickitat Meadows	EF	Any	Oct. ((3+)) 30 - Nov. ((4)) 3	Antlerless	Elk Area 3068	5
North Bend	WF	Any	Nov. ((3-14)) 2-13	Antlerless	Elk Area 4601	7
Mossyrock	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 505	50
Willapa Hills	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 506	35
Winston	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 520	150
Winston	WF	Any	Jan. 1-16, ((2013)) 2014	Antlerless	GMU 520	((200)) 150
Margaret	WF	Any	Nov. ((21-30)) 19-27 and Jan. 1-16, ((2013)) 2014	Antlerless	GMU 524	140
Ryderwood	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 530	100
Coweeman	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 550	((240)) 200
Coweeman	WF	Any	Jan. 1-16, ((2013)) 2014	Antlerless	GMU 550	((200)) 100
Toutle	WF	Any	Nov. ((21-30)) 19-27 and Jan. 1-16, ((2013)) 2014	Antlerless	GMU 556	((240)) 200
Lewis River	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 560	((100)) 75
Washougal	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 568	((75)) 50
Siouxon	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 572	((30)) 20
Wind River	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 574	((75)) 50
West Klickitat	WF	Any	Nov. ((3-14)) 2-13	Antlerless	GMU 578	((150)) 100
Toledo	WF	Any	Nov. ((3-14)) 2-13	Antlerless	Elk Area 5029	50
Green Mt.	WF	Any	Nov. ((3-14)) 2-13	Antlerless	Elk Area 5051	10
Boistfort	WF	Any	Nov. ((3-14)) 2-13	Antlerless	Elk Area 5054	75
Wildwood	WF	Any	Jan. 16-30, ((2013)) 2014	Antlerless	Elk Area 5061	50
Upper Smith Creek	WF	Any	Oct. ((20-26)) 19-25	Antlerless	Elk Area 5064	4
Mount Whittier	WF	Any	Oct. ((20-26)) 12-18	Antlerless	Elk Area 5065	2
Mudflow	WF	Any	Nov. ((7-13)) 2-8	Antlerless	Elk Area 5099	10
Raymond	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Raymond	WF	Any	Jan. 1-20, ((2013)) 2014	Antlerless	Elk Area 6010	5
Raymond	WF	Any	Feb. 1-28, ((2013)) 2014	Antlerless	Elk Area 6010	5
Puyallup	WF	Any	Jan. 1-20, 2014	Antlerless	Elk Area 6013	5
North Minot	WF	Any	Oct. 20-31	Antlerless	Elk Area 6067	5
Hanaford	WF	Any	Nov. 3-14	Antlerless	Elk Area 6069	5
North River	WF	Any	Nov. 6-11	Antlerless	GMU 658	10
Deschutes	WF	Any	Jan. 10-20, ((2013)) 2014	Antlerless	GMU 666	10
Williams Creek	WF	Any	Nov. 6-14	Antlerless	GMU 673	50
Turnbull	EA	Any	Sept. ((4-16)) 3-15	Antlerless	Elk Area 1015	14
Dayton	EA	Any	Sept. 4-16	Antlerless	Elk Area 1016	((20)) 15
Malaga	EA	Any	((Sept. 1-7)) Aug. 31 - Sept. 6	Antlerless	Elk Area 2032	15
Colockum	EA	Any	Sept. ((4-16)) 3-15	Antlerless	GMUs 328, 329	50
((Nile	EA	Any	Sept. 4-16	Antlerless	GMU 352	50
Bumping	EA	Any	Sept. 4-16	Antlerless	GMU 356	50))
Klickitat Meadows	EA	Any	Oct. ((1+)) 12-21	Antlerless	Elk Area 3068	9
Alkali	EA	Any	Sept. 1- ((22)) 21	Antlerless	GMU 371	5
North Bend	WA	Any	Sept. 4-16	Antlerless	Elk Area 4601	10
Skagit River	WA	Any	Sept. 4-16	Antlerless	Elk Area 4941	5
Skagit River	WA	Any	Nov. 21 - Dec. 15	Antlerless	Elk Area 4941	5

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Margaret	WA	Any	Sept. ((8-23)) <u>7-22</u> and Dec. 1-15	Antlerless	GMU 524	70
Toutle	WA	Any	Sept. ((8-23)) <u>7-22</u> and Dec. 1-15	Antlerless	GMU 556	((100)) <u>80</u>
Upper Smith Creek	WA	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 5064	4
Mudflow	WA	Any	Sept. ((5-11)) <u>3-9</u>	Antlerless	Elk Area 5099	10
Lewis River	WA	Any	Nov. ((21)) <u>27</u> - Dec. ((4)) <u>8</u>	Antlerless	GMU 560	((15)) <u>10</u>
Siouxon	WA	Any	Nov. ((21)) <u>27</u> - Dec. ((4)) <u>8</u>	Antlerless	GMU 572	5
Wynoochee	WA	Any	Nov. 21 - Dec. 15	Antlerless	GMU 648	150
North Half	EM	Any	Oct. ((1-7)) <u>5-11</u>	Antlerless	GMUs 101, 105, 204	10
Stevens	EM	Any	Oct. ((1-7)) <u>5-11</u>	Antlerless	GMUs 108, 121	10
Aladdin	EM	Any	Oct. ((1-7)) <u>5-11</u>	Antlerless	GMU 111	10
Selkirk	EM	Any	Oct. ((1-7)) <u>5-11</u>	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. ((1-7)) <u>5-11</u> and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 1015	9
Turnbull	EM	Any	Nov. 25 - Dec. 8	Antlerless	Elk Area 1015	9
Dayton	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 1016	((25)) <u>15</u>
Blue Creek	EM	Any	Dec. 9 - Jan. 20, ((2013)) <u>2014</u>	Antlerless	GMU 154	((40)) <u>25</u>
Mountain View	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 1013	5
Lick Creek	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 175	10
Mayview-Peola	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMUs 145, 178	20
Couse	EM	Any	Dec. 1-31	Antlerless	GMU 181	((30)) <u>15</u>
((Couse	EM	Any	Jan. 1-20, 2013	Antlerless	GMU 181	30))
Malaga	EM	Any	Oct. ((13-26)) <u>12-25</u>	Antlerless	Elk Area 2032	35
Colockum	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMUs 328, 329	30
West Bar	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 330	5
Taneum	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 336	100
Manastash	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 340	100
Umtanum	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 342	250
Nile	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 352	20
Bumping	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 356	30
Bethel	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 360	20
Cowiche	EM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 368	250
Alkali	EM	Any	Sept. ((23)) <u>22</u> - Oct. ((12)) <u>11</u>	Antlerless	GMU 371	10
Teanaway	EM	Any	Dec. 9-16	Antlerless	GMU 335	10
Klickitat Meadows	EM	Any	Oct. 1-((10)) <u>11</u>	Antlerless	Elk Area 3068	5
North Bend	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 4601	5
Skagit River	WM	Any	Oct. <u>5-11</u>	Antlerless	Elk Area 4941	<u>5</u>
Skagit River	WM	Any	Nov. 21 - Dec. 15	Antlerless	Elk Area 4941	<u>5</u>
Stella	WM	Any	Jan. 1-((16)) <u>15</u> , ((2013)) <u>2014</u>	Antlerless	GMU 504	75
Toledo	WM	Any	Dec. 8-20	Antlerless	Elk Area 5029	60
Mossyrock	WM	Any	Jan. 1-((16)) <u>15</u> , ((2013)) <u>2014</u>	Antlerless	Elk Area 5052	((15)) <u>8</u>
Boistfort	WM	Any	Jan. 1-((16)) <u>15</u> , ((2013)) <u>2014</u>	Antlerless	Elk Area 5054	75
Willapa Hills	WM	Any	((Dec. 8-20)) <u>Oct. 5-11</u>	Antlerless	GMU 506	15
Green Mt.	WM	Any	Jan. 1-((16)) <u>15</u> , ((2013)) <u>2014</u>	Antlerless	Elk Area 5051	30
Wildwood	WM	Any	Jan. 1-15, ((2013)) <u>2014</u>	Antlerless	Elk Area 5061	50
Mudflow	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 5099	10
Winston	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 520	90

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Margaret	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 524	70
Ryderwood	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 530	50
Coweeman	WM	Any	Nov. ((21)) <u>27</u> - Dec. ((15)) <u>8</u>	Antlerless	GMU 550	((90)) <u>50</u>
Yale	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 554	40
Yale	WM	Any	Nov. ((21)) <u>27</u> - Dec. 15	Antlerless	GMU 554	35
Toutle	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 556	((100)) <u>80</u>
Lewis River	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 560	((50)) <u>35</u>
Washougal	WM	Any	Nov. ((21-30)) <u>27</u> - Dec. <u>8</u>	Antlerless	GMU 568	((50)) <u>35</u>
Siouxon	WM	Any	Oct. ((6-12)) <u>5-11</u>	Antlerless	GMU 572	((15)) <u>10</u>
Wind River	WM	Any	Nov. ((21-30)) <u>27</u> - Dec. <u>8</u>	Antlerless	GMU 574	((100)) <u>50</u>
West Klickitat	WM	Any	Nov. ((21-30)) <u>27</u> - Dec. <u>8</u>	Antlerless	GMU 578	((150)) <u>75</u>
Upper Smith Creek	WM	Any	Oct. ((13-19)) <u>12-18</u>	Antlerless	Elk Area 5064	4
Mount Whittier	WM	Any	Oct. ((13-19)) <u>5-11</u>	Antlerless	Elk Area 5065	2
((North Minot	WM	Any	Oct. 6-12	Antlerless	Elk Area 6067	10))
Mashel	WM	Any	Jan. 1-15, ((2013)) <u>2014</u>	Antlerless	Elk Area 6054	25
North River	WM	Any	Nov. 21 - Dec. 15	Antlerless	GMU 658	20

Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Dayton	EF	Youth	Oct. 26 - Nov. 4	Antlerless	GMU 162	<u>5</u>
Lick Creek	EF	Youth	Oct. 26 - Nov. 4	Antlerless	GMU 175	<u>5</u>
North Bend	WF, WM, WA	Youth	Nov. 3-9	Antlerless	Elk Area 4601	5
Toledo	WF, WM, WA	Youth	Aug. 1-7	Antlerless	Elk Area 5029	20
Mudflow	WF, WM, WA	Youth	Nov. ((19-)) <u>25</u> - Dec. <u>1</u>	Any bull	Elk Area 5099	3
Mudflow	WF, WM, WA	Youth	Nov. ((19-)) <u>25</u> - Dec. <u>1</u>	Antlerless	Elk Area 5099	4
((Dungeness	WF, WM, WA	Youth	Oct. 1 - Dec. 31	Any bull	Elk Area 6071, north of HWY 101	10 ^{HC}))

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Aladdin	EF	65+	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 111	5
Northeast	EF	65+	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u> and Dec. 16-31	Antlerless	GMUs 113, 117	10
Prescott	EF	65+	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 149	5
Blue Creek	EF	65+	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 154	5
Dayton	EF	65+	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMUs 162, 163	((10)) <u>5</u>
((Liek Creek	EF	65+	Oct. 27 - Nov. 4	Antlerless	GMU 175	5))
Peola	EF	65+	Oct. ((27)) <u>26</u> - Nov. ((4)) <u>3</u>	Antlerless	GMU 178	5
Taneum	EF	65+	Oct. ((31)) <u>30</u> - Nov. ((11)) <u>10</u>	Antlerless	GMU 336	25
Manastash	EF	65+	Oct. ((31)) <u>30</u> - Nov. ((11)) <u>10</u>	Antlerless	GMU 340	25
Umtanum	EF	65+	Oct. ((31)) <u>30</u> - Nov. ((11)) <u>10</u>	Antlerless	GMU 342	25
Cowiche	EF	65+	Oct. ((31)) <u>30</u> - Nov. ((11)) <u>10</u>	Antlerless	GMU 368	25
Alkali	EF	65+	Oct. ((13)) <u>12</u> - Nov. ((2)) <u>1</u>	Antlerless	GMU 371	5
Margaret	WF, WM, WA	65+	Nov. ((21-30)) <u>19-27</u>	Antlerless	GMU 524	20
Toledo	WF, WM, WA	65+	Aug. 15-21	Antlerless	Elk Area 5029	20

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Centralia Mine	WF	65+	Jan. 5-6, ((2013)) <u>2014</u>	Antlerless	Elk Area 6011	4
Centralia Mine	WF	65+	Jan. 12-13, ((2013)) <u>2014</u>	Antlerless	Elk Area 6011	4
Hanaford	WF, WM, WA	65+	Jan. 1-15, ((2013)) <u>2014</u>	Antlerless	Elk Area 6069	5
Hanaford	WF, WM, WA	65+	Jan. 16-30, ((2013)) <u>2014</u>	Antlerless	Elk Area 6069	5

Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. ((14-21)) <u>12-19</u>	Antlerless	Elk Area 1015	6
Observatory	EF, EM	Hunters w/ Disabilities	Oct. ((22)) <u>21</u> - Nov. ((4)) <u>3</u>	Any bull	GMUs 340, 342	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Oct. 1-((40)) <u>11</u>	Any bull	GMU 346	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Oct. ((31)) <u>30</u> - Nov. ((11)) <u>10</u>	Antlerless	GMU 346	5
Alkali	EF	Hunters w/ Disabilities	Oct. ((13)) <u>12</u> - Nov. ((2)) <u>1</u>	Any bull	GMU 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. ((23-30)) <u>22-29</u>	Any bull	Elk Area 3721	2
Toledo	WF, WM, WA	Hunters w/ Disabilities	Aug. 8-14	Antlerless	Elk Area 5029	20
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. ((22-30)) <u>21-27</u>	Antlerless	Elk Area 5099	4
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. ((17-23)) <u>16-22</u>	Any bull	Elk Area 5099	4
Centralia Mine	WF	Hunters w/ Disabilities	Oct. 6-7	Antlerless	Designated Areas in Elk Area 6011	4
Centralia Mine	WF	Hunters w/ Disabilities	Oct. 13-14	Antlerless	Designated Areas in Elk Area 6011	4

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned on local situation for each hunt. For those hunts ((allowing)) requiring the purchase of a second tag, only one elk may be killed in the unit under the authorization of the permit.

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	Any elk tag	Master Hunter	Dec. 10-31	Antlerless	Elk Area 1015	6
Region 1 North	EF, EA, EM 2nd <u>elk tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - Mar. 31, ((2013)) <u>2014</u>	Antlerless	Designated areas in Ferry, Stevens, and Pend Oreille counties	10 ^{HC}
Region 1 Central	EF, EA, EM 2nd <u>elk tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - Mar. 31, ((2013)) <u>2014</u>	Antlerless	Designated areas in Spokane and Lincoln counties	20 ^{HC}
Region 1 South	EF, EA, EM/ 2nd <u>elk tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - Mar. 31, ((2013)) <u>2014</u>	Antlerless	Designated areas in Whitman, Walla Walla, Columbia, Garfield, and Asotin counties	10 ^{HC}
Region 2	Any elk tag/2nd <u>elk tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - Mar. 31, ((2013)) <u>2014</u>	Antlerless	Designated Areas in Region 2	50 ^{HC}
Fairview	Any elk tag/2nd <u>elk tag required</u>	Master Hunter	Nov. 1 - Feb. 28, ((2013)) <u>2014</u>	Antlerless	Designated Areas in GMUs 328-368	40 ^{HC}
Region 3	Any elk tag/2nd <u>elk tag required</u>	Master Hunter	Aug. 1, ((2012)) <u>2013</u> - Mar. 31, ((2013)) <u>2014</u>	Antlerless	Designated Areas in Region 3	((75)) <u>25</u> ^{HC}
Rattlesnake Hills	Any elk tag/2nd <u>elk tag required</u>	Master Hunter	Aug. 1 - Feb. 28, ((2013)) <u>2014</u>	Antlerless	Designated Areas in GMU 372	20 ^{HC}
North Bend	Any elk tag/2nd <u>elk tag required</u>	Master Hunter	Aug. 15 - Mar. 31	Antlerless	Designated Areas in Elk Area 4601	25
((Skagit River	Any elk tag/2nd tag	Master Hunter	Aug. 15 - Mar. 31	Antlerless	Designated Areas in Elk Area 4941	15))

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned on local situation for each hunt. For those hunts (~~allowing~~) requiring the purchase of a second tag, only one elk may be killed in the unit under the authorization of the permit.

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 4 North	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Aug. 1, ((2012)) 2013 - Mar. 31, ((2013)) 2014	Antlerless	Designated Areas in Whatcom and Skagit counties	20 ^{HC}
Region 4 South	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Aug. 1, ((2012)) 2013 - Mar. 31, ((2013)) 2014	Antlerless	Designated Areas in King and Snohomish counties	10 ^{HC}
Green Mt.	Any elk tag	Master Hunter	Jan. ((47)) 16-30, 2014	Antlerless	Elk Area 5051	20
Mossyrock	Any elk tag	Master Hunter	Jan. ((47)) 16-30, 2014	Antlerless	Elk Area 5052	10
Pumice Plains	Any elk tag	Master Hunter	Oct. ((13-19)) 12-18	Antlerless	Elk Area 5063	2
Pumice Plains	Any elk tag	Master Hunter	Oct. ((20-26)) 19-25	Antlerless	Elk Area 5063	5
Toledo	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Aug. 22-28	Antlerless	Elk Area 5029	20
Toledo	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Dec. 21-31	Antlerless	Elk Area 5029	50
Trout Lake**	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	3
Trout Lake**	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Jan. 1- ((14, 2013)) 15, 2014	Antlerless	Elk Area 5062	3
Trout Lake**	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Jan. ((15)) 16-30, ((2013)) 2014	Antlerless	Elk Area 5062	3
Region 5	Any western elk tag/2nd elk tag <u>required</u>	Master Hunter	Aug. 1, ((2012)) 2013 - Mar. 31, ((2013)) 2014	Antlerless	Designated areas in Region 5	40 ^{HC}
North River	Any elk tag/2nd elk tag <u>required</u>	Master Hunter	Dec. 16, ((2012)) 2013 - Feb. 28, ((2013)) 2014	Antlerless	Designated Areas in GMU 658	10 ^{HC}
((Raymond	Any elk tag/2nd tag	Master Hunter	Oct. 1, 2012 - Mar. 31, 2013	Antlerless	Elk Area 6010	5 ^{HC})
Region 6	WF, WA, WM /2nd elk tag <u>required</u>	Master Hunter	Aug. 1, ((2012)) 2013 - Mar. 31, ((2013)) 2014	Antlerless	Designated Areas in Region 6	((50)) 60 ^{HC}

**May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).

^{HC} This is a damage hunt administered by a WDFW designated hunt coordinator. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on elk damage activity for that year.

Hunter Education Instructor Incentive Permits				
<ul style="list-style-type: none"> Special elk permits will be allocated through a random drawing to those hunter education instructors that qualify. Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange is required during modern firearm seasons. Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit denoted with (*) below, and are able to participate in the hunt, will not be eligible for those specific incentive permits for a period of ten years thereafter. Permittees may purchase a second license for use with the permit hunt only. Qualified hunter education instructors may only receive one incentive permit each year. 				
Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts	Any elk	GMUs 336-368	((2)) 1*
<u>Region 3</u>		<u>Any elk</u>	<u>GMUs 336-368</u>	1
Region 5		Any elk	All 500 series GMUs EXCEPT GMU 522	((4)) 3*
<u>Region 5</u>		<u>Any elk</u>	<u>All 500 series GMUs EXCEPT GMU 522</u>	1
Region 6		3 pt. min.	GMUs 654, 660, 672, 673, 681	1*

NEW SECTION

WAC 232-28-622 2012-2014 Big horn sheep seasons and permit quotas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) Bighorn Sheep Permit Hunts

(a) **Who May Apply:** Anyone may apply, EXCEPT those who previously harvested a bighorn sheep in Washington state. An individual may only harvest one bighorn sheep during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a bighorn sheep under a ewe-only, raffle, or auction permit, as well as for applications for an ewe-only, raffle, or auction permit.

(b) **Bag Limit:** One bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Selah Butte	Nov. 5-30	Sheep Unit 4	Any Legal Weapon	3
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	6
Cleman Mountain B	Nov. 5-30	Sheep Unit 7	Any Legal Weapon	6
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C ^b	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	3
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton A	Sept. 15-30	Sheep Unit 15	Any Legal Weapon	3
Tieton B	Nov. 5-30	Sheep Unit 15	Any Legal Weapon	3
Manson	Nov. 5-30	Sheep Unit 16	Any Legal Weapon	2
Chelan Butte	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	1
Sinlahekin	Sept. 15 - Oct. 10	Sheep Unit 19	Any Legal Weapon	1

^aApplicants must be eligible to purchase a 65 years of age or older permit application.

^bApplicants must be eligible to purchase a youth bighorn sheep permit application. An adult 18 years of age or older must accompany the youth hunter during the hunt.

(3) Bighorn Sheep Units:

(a) **Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

(c) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

(d) **Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

(e) **Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to

the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

(f) **Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

(g) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

(h) **Sheep Unit 14 Swakane:** Permit Area: GMU 250.

(i) **Sheep Unit 15 Tieton:** Permit Area: GMU 360.

(j) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the

mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

(k) **Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

(l) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US

Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

NEW SECTION

WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas. (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) Mountain Goat Permit Hunts

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during his or her lifetime, except for those who harvested a goat prior to 1999. This restriction is also waived for hunters who have previously harvested a goat under a raffle and/or auction permit, as well as for applications for a raffle and/or auction permit.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer. WDFW urges hunters to refrain from shooting nannies.

Goat Hunt Area Name (Number)	Permit Season ^b	Subhunt Units (may be opened or closed by the director) ^a	Special Restrictions	Permits ^a
Chowder Ridge (4-3)	Sept. 15 - Oct. 31		Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Oct. 31		Any Legal Weapon	1
Dillard Creek (4-6)	Sept. 15 - Oct. 31		Any Legal Weapon	0
Avalanche Gorge (4-7)	Sept. 15 - Oct. 31		Any Legal Weapon	2
North Lake Chelan (2-1)	Sept. 15 - Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass (3-6)	Sept. 15 - Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	1
Bumping River (3-7)	Sept. 15 - Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	1
Blazed Ridge (3-10)	Sept. 15 - Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1

Goat Hunt Area Name (Number)	Permit Season ^b	Subhunt Units (may be opened or closed by the director) ^a	Special Restrictions	Permits ^a
Goat Rocks-Tieton River (5-4/3-9)	Sept. 15 - Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
Methow (2-2)	Sept. 15 - Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	1
South Lake Chelan (2-3)	Sept. 15 - Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1

(3) **Mountain Goat Hunt Area Descriptions.** The following areas are defined as mountain goat hunt areas:

Chowder Ridge 4-3:

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Wells Creek with the North Fork Nooksack River; then up Wells Creek to the confluence with Bar Creek; then up Bar Creek to the Mazama Glacier; then SW on Mazama Glacier to the summit of Mount Baker; then NW between Roosevelt Glacier and Coleman Glacier to the headwaters of Kulshan Creek; then down Kulshan Creek to the confluence with Grouse Creek; then down Grouse Creek to the confluence with Glacier Creek; then down Glacier Creek to the confluence with the North Fork Nooksack River; then up the North Fork Nooksack River to Wells Creek and the point of beginning.

Lincoln Peak 4-4

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Glacier Creek and the North Fork Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt glaciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

Dillard Creek 4-6

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Rocky Creek; then NW up Rocky Creek to its intersection with the Park Butte Trail (Trail No. 603); then NW on Park Butte Trail to its intersection with the Bell Pass Trail (Trail No. 603.3); then N on Bell Pass Trail to Baker Pass; then N onto Easton Glacier and NE to the summit of Mount Baker; then NE and SE on Park Glacier to headwaters of Park Creek; then down Park Creek to Baker Lake Road; then SW on Baker Lake Road to Rocky Creek and the point of beginning.

Avalanche Gorge 4-7

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Park Creek; then up Park Creek to headwaters and beginning of Park Glacier; then NW and SW on Park Glacier to Mount Baker summit; then N on the Mazama Glacier to Bar Creek, then down Bar Creek to the confluence with Wells Creek; then SE up Wells Creek to its headwaters; then E about 1 mile to an unnamed peak (indicated elevation 5,831 ft, just W of Ptarmigan Ridge Trail (Trail No. 682.1) (See referenced 1:24k USGS quad map - Shuksan Arm)); then NE to the headwaters of the first tributary of Swift Creek encountered; then SE down said unnamed tributary to the confluence with Swift Creek; then down Swift Creek to the Baker Lake Road (USFS Road 394); then SW along the Baker Lake Road to Park Creek and point of beginning. (Refer to 1:24k USGS quad map - Shuksan Arm).

Chelan North 2-1

Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then southeast along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

Methow 2-2

Permit Area: Okanogan County within following described boundary: Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River-Mazama Rd to Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.

South Lake Chelan 2-3

Permit Area: GMU 246

Naches Pass 3-6

Permit Area - Naches: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

Bumping River 3-7

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

Blazed Ridge 3-10

Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

Goat Rocks 5-4/Tieton River 3-9

Permit Area - Goat Rocks: Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).

Permit Area - Tieton River: GMU 364

^aMountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subhunt area and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the subhunt unit as a condition of the hunt permit. Hunters receiving permits will be sent a text description or map of the hunt subunit from the director prior to the start of that hunting season.

^bPermit hunters may start hunting September 1 with archery equipment.

NEW SECTION

WAC 232-28-624 Deer area descriptions. The following areas are defined as deer areas:

Deer Area No. 1008 West Wenaha (Columbia County): That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties): That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Deer Area No. 1020 Prescott (Columbia and Garfield counties): That portion of GMU 149 between Hwy 261 and Hwy 127.

Deer Area No. 1021 Clarkston (Asotin County): That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

Deer Area No. 1030 Republic (Ferry County): That area within 1/2 mile surrounding the incorporated town of Republic.

Deer Area No. 1035 Highway 395 Corridor (Stevens County): That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State Route (SR) 25: S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm-to-Market Rd; S on Farm-to-Market Rd to Newton Rd (also known as Rickers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.

Deer Area No. 1050 Spokane North (Spokane County): From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Frideger Rd, W to Elk-Camden Rd, S to Boundary Rd, N and W to Dunn Rd, S to Oregon Rd, W to Hwy 2, S on US Hwy 2 to the Deer Park-Milan Rd, W on the Deer Park-Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy

395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.

Deer Area No. 1060 Spokane South (Spokane County):

That part of GMU 127 beginning at the intersection of Spokane River and Barker Rd Bridge, Barker Rd S to 24 Ave, 24 Ave W to Barker Rd, Barker Rd S to 32 Ave, 32 Ave W to Linke Rd, Linke Rd S and E to Chapman Rd, Chapman Rd S to Linke Rd, Linke Rd S to Belmont Rd, Belmont Rd W to Hwy 27, Hwy 27 S to Palouse Hwy, Palouse Hwy W to Valley Chapel Rd, Valley Chapel Rd S to Spangle Creek Rd, Spangle Creek Rd SW to Hwy 195, Hwy 195 N to I-90, I-90 E to Latah Creek at I-90-Latah Creek Bridge, Latah Creek NE to Spokane River, Spokane River E to the Barker Rd Bridge and the point of beginning.

Deer Area No. 1070 Spokane West (Spokane County):

That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90-Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy 904/1st St in the town of Cheney, 1st SW to Salnave Rd/Hwy 902, Salnave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray Rd, Gray Rd W then N to Fancher Rd, Fancher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

Deer Area No. 1080 Colfax (Whitman County): That part of GMUs 139 and 142 beginning at the intersection of Hwy 195 and Crumbaker Rd, NE on Crumbaker Rd to Brose Rd, E on Brose Rd to Glenwood Rd, S on Glenwood Rd to Hwy 272, SE on Hwy 272 to Clear Creek Rd, SE on Clear Creek Rd to Stueckle Rd, S on Stueckle Rd to Palouse River Rd, E to Kenoyer Rd SE to Abbott Rd, S on Abbott Rd to Parvin Rd, S on Parvin Rd to McIntosh Rd, S on McIntosh Rd to 4 mile Rd/Shawnee Rd, W on Shawnee Rd to Hwy 195, N on Hwy 195 to Prune Orchard Rd, W on Prune Orchard Rd to Almota Rd, S on Almota Rd to Duncan Springs Rd, W and NW on Duncan Springs Rd to Airport Rd, NW on Airport Rd to Fairgrounds Rd, N on Fairgrounds Rd to Endicott Rd, NNW on Endicott Rd to Morley Rd, E and S and E on Morley Rd to Hwy 295 (26), NE on Hwy 295 to West River Dr then follow Railroad Tracks NW to Manning Rd, E on Manning Rd to Green Hollow Rd, E and S on Green Hollow Rd to Bill Wilson Rd, E on Bill Wilson Rd to Hwy 195, S on Hwy 195 to Crumbaker Rd and the point of beginning.

Deer Area No. 2010 Benge (Adams and Whitman counties): That part of GMU 284 beginning at the town of Wash-tucna; north on SR 261 to Weber Road; east on Weber Road to Benzel Road; north on Benzel Road to Wellsandt Road; east on Wellsandt Road to Hills Road; south on Hills Road to Urquhart Road; east on Urquhart Road to Harder Road, East

on Harder Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to George Knott Road; south on George Knott Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Wash-tucna and the point of beginning.

Deer Area No. 2011 Lakeview (Grant County): That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Norton Canyon Road; north on Norton Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

Deer Area No. 2012 Methow Valley (Okanogan County):

All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: Starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

Deer Area No. 2013 North Okanogan (Okanogan County):

Restricted to private land only located within the following boundary: Beginning in Tonasket at the junction of Havillah Rd and Hwy 97; NE on Havillah Rd to Dry Gulch Extension Rd; N to Dry Gulch Rd; N on Dry Gulch Rd to Oroville-Chesaw Rd; W on Oroville-Chesaw Rd to Molson Rd; N on Molson Rd to Nine Mile Rd; N and W on Nine Mile Rd to the Canadian border at the old Sidley Town Site; W along the border to the east shore of Lake Osoyoos; S around Lake Osoyoos to the Okanogan River; S along the east bank of the Okanogan River to the Tonasket Fourth Street Bridge; E on Fourth Street to Hwy 97; N on Hwy 97 to point of beginning.

Deer Area No. 2014 Central Okanogan (Okanogan County):

Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth Street Bridge; S along Hwy 7 to Pine Creek Rd; W along Pine Creek Rd to Horse Spring Coulee Rd; W and N on Horse Spring Coulee Rd to Beeman Rd; W on Beeman Rd to North Lemanasky Rd; S along North Lemanasky Rd to Pine Creek Rd; S on Pine Creek Rd to Hagood Cut-off Rd; S on Hagood Cut-off Rd to South Pine Creek Rd; E on South Pine Creek Rd to Hwy 97; S on Hwy 97 to Town of Riverside North Main Street junction; SE on North Main Street to Tunk Valley Rd and the Okanogan River Bridge; E on Tunk Creek Rd to Chewiliken Valley Rd; NE along Chewiliken Valley Rd to Talkire Lake Rd; N on Talkire Lake Rd to Hwy 20; W on Hwy 20 to the junction of Hwy 20 and Hwy 97; N on Hwy 97 to Fourth Street; W on Fourth Street to point of beginning.

Deer Area No. 2015 Omak (Okanogan County): Restricted to private land only located within the following boundary: Beginning at Hwy 97 and Riverside Cut-off road; west on Riverside Cut-off Rd to Conconully Road; south on Conconully Rd to Danker Cut-off road; west on Danker Cut-off road to Salmon Creek Rd; north on Salmon Creek Rd to Spring Coulee Rd; south on Spring Coulee Rd to B&O Road North Rd; southwest on B&O North Rd to Hwy 20; east on Hwy 20 to B&O Rd; south on B&O Rd to the Town of Malott and the bridge over the Okanogan River; north along the west bank of the Okanogan River to the Town of Riverside and the Tunk Valley road bridge; west on Tunk Valley road to State Street in Riverside; south on State Street to 2nd Street; west on 2nd Street to Hwy 97 and the point of beginning.

Deer Area No. 2016 Conconully (Okanogan County): Restricted to private land only located within the following boundary: Beginning at the Conconully town limit at the south edge of Town and the east shore of Conconully Reservoir; south along the east shore of the reservoir to Salmon Creek; south along the east bank of Salmon Creek to Salmon Creek road at the old Ruby Town site; south on Salmon Creek road to Green Lake road; northeast on Green Lake road to Conconully road; north on Conconully road to the south limit of the Town of Conconully and the point of beginning.

Deer Area No. 3071 Whitcomb (Benton County): That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3072 Paterson (Benton County): That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3088 High Prairie (Klickitat County): That portion of GMU 388 (Grayback) that is south of SR 142.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13. Southeast along the power line to Ahtanum Creek and the point of beginning.

Deer Area No. 5064: That part of GMU 564 in the Columbia River near the mouth of the Cowlitz River made up of Cottonwood Island and Howard Island.

Deer Area No. 6020 (Clallam and Jefferson counties): Dungeness-Miller Peninsula: That part of GMU 624 west of Discovery Bay and Salmon Creek.

WSR 13-03-154
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed January 23, 2013, 11:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-22-063.

Title of Rule and Other Identifying Information: WAC 415-02-177 May I purchase additional service credit?

Hearing Location(s): Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on February 26, 2013, at 1:30 p.m.

Date of Intended Adoption: February 26, 2013.

Submit Written Comments to: Jilene Siegel, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail jilenes@drs.wa.gov, fax (360) 753-5397, by February 26, 2013, 1:30 p.m.

Assistance for Persons with Disabilities: Contact Jilene Siegel by February 22, 2013, TTY (866) 377-8895 or (360) 586-5450.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Corrects the administration of retirement benefits when a retiree who has purchased additional service credits returns to work and exceeds the hours limit for continuing pension payments. Retirees who exceed the return-to-work limits will have their retirement benefit suspended, including any portion that is attributable to purchased service credit.

Reasons Supporting Proposal: A retirement benefit calculation includes three factors: Service credits, average compensation and a multiplier. Purchasing service credits increases that factor in the calculation, but there is no independent monetary value to the service credits that are purchased. Therefore, if the benefit is stopped, the portion attributable to the purchased service credit is also stopped.

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.26.199, 41.26-432, 41.40.034, 41.37.265, 41.35.183, 41.32.066, 43.43.233.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Retirees who applied for or purchased service credit between September 1, 2010, and March 31, 2013, will continue to receive payment for that portion of the retirement benefit that is attributable to the purchased service credit, when the rest of the benefit is suspended upon exceeding the return-to-work hours limit, in accordance with the rule that

was in effect at the time of the purchase. (WAC 415-02-177 (11)(a)(ii)).

Name of Proponent: Department of retirement systems, governmental.

Name of Agency Personnel Responsible for Drafting: Jilene Siegel, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation: Shawn Merchant, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7303; and Enforcement: Jennifer Dahl, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7219.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable. These rules do not impact small businesses and are not being submitted by the state board of education.

A cost-benefit analysis is not required under RCW 34.05.328. The department of retirement systems is not one of the departments named in the section requiring a cost benefit analysis (RCW 34.05.328).

January 23, 2013

Jilene Siegel

Rules and Contracts Manager

AMENDATORY SECTION (Amending WSR 10-16-086, filed 7/30/10, effective 9/1/10)

WAC 415-02-177 May I purchase additional service credit? (1) What is the option for purchasing additional service credit? The following statutes provide an option for eligible members to purchase additional service credit that provides a guaranteed, lifetime increase to their monthly retirement benefit:

- (a) RCW 41.26.199 for LEOFF Plan 1 members;
- (b) RCW 41.26.432 for LEOFF Plan 2 members;
- (c) RCW 41.40.034 for PERS Plan 1, 2, and 3 members;
- (d) RCW 41.37.265 for PSERS Plan 2 members;
- (e) RCW 41.35.183 for SERS Plan 2 and 3 members;
- (f) RCW 41.32.066 for TRS Plan 1, 2, and 3 members;

and

- (g) RCW 43.43.233 for WSPRS Plan 1 and 2 members.

(2) Am I eligible to purchase additional service credit?

$$\begin{aligned}
 \text{Amount of increase} &= 2\% \times \text{additional service credit years} \times \text{AFC} \times \text{early retirement factor} \\
 &= 2\% \times 5 \text{ years} \times \$4000 \times .7240000 \\
 &= \$289.60
 \end{aligned}$$

Example 2 (TRS Plan 3): Jane is a member of TRS Plan 3. She applies for retirement, effective the first month after her 62nd birthday. Her AFC is \$4000 per month. If she purchases sixty months of additional service credit, her monthly retirement benefit will increase by \$144.80 per month, calculated as follows:

Additional service credit: 60 months ÷ 12 = 5 years
Early retirement factor (WAC 415-02-320(5)): .7240000

$$\begin{aligned}
 \text{Amount of increase} &= 1\% \times \text{additional service credit years} \times \text{AFC} \times \text{early retirement factor} \\
 &= 1\% \times 5 \text{ years} \times \$4000 \times .7240000 \\
 &= \$144.80
 \end{aligned}$$

Example 3 (LEOFF Plan 2): Jim is a member of LEOFF Plan 2. He applies for retirement, effective the first month after his 53rd birthday. His FAS is \$4000 per month. If he purchases sixty months of additional service credit, his monthly retirement benefit will increase by \$400 per month, calculated as follows:

Additional service credit: 60 months ÷ 12 = 5 years

(a) You may purchase additional service credit if you are eligible to retire from one or more of the following plans and you elect a monthly benefit rather than a lump sum payment:

- (i) LEOFF Plan 1 or 2 under RCW 41.26.090 or 41.26.430;
- (ii) PERS Plan 1, 2 or 3 under RCW 41.40.180, 41.40.630, or 41.40.820;
- (iii) PSERS Plan 2 under RCW 41.37.210;
- (iv) SERS Plan 2 or 3 under RCW 41.35.420 or 41.35.680;
- (v) TRS Plan 1, 2, or 3 under RCW 41.32.480, 41.32.765, or 41.32.875; or
- (vi) WSPRS Plan 1 or 2 under RCW 43.43.250.

(b) If you retire as a result of a disability, you may purchase additional service credit if you meet the requirements in (a) of this section.

(3) How much additional service credit may I purchase? If you are eligible, you may purchase from one to sixty months of additional service credit in whole month increments.

(4) May I use the additional purchased service credit to qualify for normal retirement or an early retirement? No. You may not use the purchased service credit to qualify for normal retirement or to qualify for an early retirement.

(5) When must I apply to purchase additional service credit? You must submit your request to purchase additional service credit to the department at the same time you submit your application for retirement.

(6) How much will my monthly retirement benefit increase if I purchase additional service credit? The increase in your monthly retirement benefit will be calculated using the benefit formula for your system and plan, with a reduction for early retirement, if applicable.

Example 1 (PERS Plan 2): John is a member of PERS Plan 2. He applies for retirement, effective the first month after his 62nd birthday. His AFC is \$4000 per month. If he purchases sixty months of additional service credit, his monthly retirement benefit will increase by \$289.60 per month, calculated as follows:

Additional service credit: 60 months ÷ 12 = 5 years
Early retirement factor (WAC 415-02-320(5)): .7240000

$$\begin{aligned}
 \text{Amount of increase} &= 2\% \times \text{additional service credit years} \times \text{FAS} \\
 &= 2\% \times 5 \text{ years} \times \$4000 \\
 &= \$400
 \end{aligned}$$

(7) **How is the cost of the additional purchased service credit calculated?** The cost to purchase additional service credit is calculated by dividing the amount of the increase in subsection (6) of this section by the age-based annuity factor in WAC 415-02-340.

Example. In subsection (6) of this section, Example 1, it was determined that John's retirement benefit would increase by \$289.60 per month. The cost to purchase the five years of additional service credit would be \$44,542.88, calculated as follows:

$$\begin{aligned}
 \text{Age-based annuity factor (WAC 415-02-340):} & .0065016 \\
 \text{Cost} &= \text{Amount of increase} \div \text{age-based annuity factor} \\
 &= \$289.60 \div .0065016 \\
 &= \$44,542.88
 \end{aligned}$$

(8) **How and when do I pay for the additional service credit?** The department will generate a bill to you for the cost of the additional service credit.

(a) Payment may be made with an eligible rollover, a direct rollover or a trustee-to-trustee transfer, if allowed by the transferring plan. Payment may also be made with after-tax dollars, such as money from a personal savings account. However, IRS regulations limit the amount of after-tax dollars you may use to purchase additional service credit.

(b) Payment must be made in full within ninety days after the bill issue date.

(9) **If I choose a benefit option with a survivor feature, will my survivor beneficiary's monthly benefit reflect the additional purchased service credit?** Yes. Depending upon the rules for your retirement system and plan and the benefit option you choose at retirement, your survivor beneficiary's monthly benefit will be a percentage of the gross monthly retirement benefit you were receiving at the time of your death. If you choose a benefit option with a survivor feature and your survivor beneficiary dies before you, your monthly retirement benefit will increase to the amount it would have been had you not selected a survivor option.

(10) **Will I receive a cost of living adjustment (COLA) on the portion of my benefit that is based on the additional purchased service credit?**

(a) For all systems and plans, except as noted in (b) of this subsection, your COLA will be based on your gross monthly retirement benefit, including the increase due to the purchased service credit.

(b) If you retire from PERS Plan 1 or TRS Plan 1 and you do not elect the optional auto COLA, you will not receive a COLA on the additional purchased service credit amount.

(11) **If I purchase additional service credit and then return to work, how will my retirement benefit be affected?**

(a) If you return to work with an employer that participates with the department:

(i) Elect to return to membership - Your entire retirement benefit is suspended, including the portion of your retirement benefit attributable to service credit purchased under this section.

(ii) Do not elect to return to membership - If your retirement benefit is suspended due to working over the hours allowed annually, the portion of your retirement benefit

attributable to service credit purchased under this section will ~~((not))~~ be suspended.

(b) If you return to work with an employer that does not participate with the department, your retirement benefit and the portion of your retirement benefit attributable to service credit purchased under this section will not be suspended.

(12) **If I retire and purchase less than sixty months of additional service credit, may I purchase more at a later time?** If you retire and purchase less than sixty months of additional service credit, you may not purchase additional months of service credit from the same plan unless you return to membership and rereire from the same system and plan. You must meet the eligibility requirements provided in subsection (2) of this section at the time you rereire. You may not purchase more than a total of sixty months of service credit regardless of how many times you rereire from the same system and plan.

(13) **May I purchase service credit from more than one retirement plan?**

(a) If you are a dual member under chapter 415-113 WAC, Portability of public employment benefits, and you combine service credit to retire as a dual member, you may purchase up to sixty months of additional service credit from each of your dual member plans.

(b) If you retire from more than one plan, but are not a dual member under chapter 415-113 WAC, you may purchase up to sixty months of additional service credit from each plan in which you meet the eligibility requirements in subsection (2) of this section.

(14) **How are the funds I paid to purchase the additional service credit treated upon my death (and the death of my survivor beneficiary, if applicable)?**

(a) Plans 1 and 2. The amount paid to purchase the additional service credit is credited to your individual account as part of your accumulated contributions. Distribution of accumulated contributions after your death (and the death of your survivor beneficiary, if any) is governed by the statutes and rules applicable to your plan. See:

(i) WAC 415-108-326 for PERS Plan 1 and 2;

(ii) WAC 415-112-504~~((8))~~ (9) for TRS Plan 1;

(iii) WAC 415-112-505(7) for TRS Plan 2;

(iv) WAC 415-110-610(7) for SERS Plan 2;

(v) WAC 415-106-600(7) for PSERS Plan 2;

(vi) WAC 415-103-215 for WSPRS Plan 1;

(vii) WAC 415-103-225(7) for WSPRS Plan 2;

- (viii) WAC 415-104-202 for LEOFF Plan 1; or
- (ix) WAC 415-104-215(7) for LEOFF Plan 2.

(b) Plan 3. The amount paid to purchase the additional service credit is credited to the Plan 3 trust fund and not to your member account. There are no circumstances under which the amount will be distributed upon your death.

WSR 13-03-156
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed January 23, 2013, 11:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-24-053.

Title of Rule and Other Identifying Information: RCW 28A.710.090 Charter school authorizers—Approval process (Initiative Measure No. 1240, Section 209).

Hearing Location(s): Brouillet Room, Old Capitol Building, 600 Washington Street S.E., Olympia, WA 98504, on February 26, 2013, at 1:00 p.m.

Date of Intended Adoption: February 26, 2013.

Submit Written Comments to: Jack Archer, State Board of Education (SBE), Old Capitol Building, P.O. Box 47206, Olympia, WA 98504-7206, e-mail jack.archer@k12.wa.us, fax (360) 586-2357, by February 25, 2013.

Assistance for Persons with Disabilities: Contact Jack Archer by February 25, 2013, TTY (360) 725-6025 or (360) 725-6035.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to establish an annual application approval process and timelines for entities seeking to be charter school authorizers, as required by subsection (1) of RCW 28A.710.-090. Under RCW 28A.710.080, entities seeking to be charter school authorizers that must be approved by the SBE are school district boards of directors. RCW 28A.710.090(1) stipulates that the initial process and timelines must be established no later than ninety days after the effective date of this section. That requires that the SBE establish the initial process and timelines by March 6, 2013. RCW 28A.710.090(2) specifies a minimum set of information, documentation and statements that each applicant to be an authorizer must submit to the SBE. A second purpose of the proposal is to provide specificity and clarity in the materials that must be submitted to the SBE, and to require, as enabled by this section, the submission of additional materials deemed necessary and appropriate by the SBE in evaluating applications. A third purpose is to establish standards and criteria by which the SBE will, as required by RCW 28A.710.090(3), consider the merits of each application and make its decision whether to approve or disapprove. Last, the proposal will establish requirements for the authorizing contract to be executed pursuant to RCW 28A.710.090(4), with specific reference to the applicant school district's proposal and plan for chartering. Adoption of these rules will provide clarity to school districts on the requirements of the statute and the expectations of the SBE for applications to be charter authorizers, and a clear and

accountable basis for decisions by the SBE on the applications.

Statutory Authority for Adoption: RCW 28A.710.090.

Statute Being Implemented: Chapter 28A.710 RCW (Initiative 1240).

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

Name of Proponent: SBE, governmental.

Name of Agency Personnel Responsible for Drafting: Jack Archer, Old Capitol Building, 600 Washington Street S.E., Olympia, WA, (360) 725-6035; Implementation and Enforcement: Ben Rarick, Old Capitol Building, 600 Washington Street S.E., Olympia, WA, (360) 725-6025.

A school district fiscal impact statement has been prepared under section 1, chapter 210, Laws of 2012.

School District Fiscal Impact Statement

WSR	Title of Rule: I-1240 Section 209 Charter Schools Authorizer Approval Process.	Agency: SDF - School District Fiscal Impact - SPI.
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Part I: Estimates:

Estimated Expenditures From:

ACCOUNT	FY 2012	FY 2013	2011-13	2013-15	2015-17
001-01				95,000	
Total \$				95,000	

The cash receipts and expenditures estimate on this page represent the most likely fiscal impact.

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note from Parts I-IV.

Part II: Narrative Explanation:

II. A - Brief Description Of What the Measure Does That Has Fiscal Impact: School districts who seek to become authorizers of charter schools will incur costs to obtain this approval through the application process. These costs were estimated based on projected total hours needed to complete the application process.

II. B - Cash Receipts Impact: None.

II. C - Expenditures: Each school district who seeks to become an authorizer would incur \$95,000 of expense in the application process.

Part III: Expenditure Detail:

III. A - Expenditures by Object or Purpose:

Total FTE	0.6
Salaries and Wages	60,123
Employee Benefits	12,600
Personal Service Contracts	17,000
Goods and Services	2,639
Travel	2,638
Total	95,000

Part IV: Capital Budget Impact: None.

A copy of the statement may be obtained by contacting Lorrell Noahr, Old Capitol Building, 600 Washington Street S.E., Olympia, WA, phone (360) 725-6019, e-mail lorrell.noahr@k12.wa.gov.

January 22, 2013
Ben Rarick
Executive Director

Chapter 180-19 WAC

CHARTER SCHOOLS

NEW SECTION

WAC 180-19-010 Definitions. (1) "Act" means Initiative 1240, as passed by the voters on November 6, 2012, and as codified in the Revised Code of Washington.

(2) "School district" or "district" means a school district board of directors.

(3) "Authorizer" shall have the same meaning as set forth in section 201(3) of the act.

(4) "Board" means the state board of education.

(5) "Authorizer application" or "application" means the form developed by the state board of education that must be completed and timely filed as set forth in these rules with the state board of education by a school district seeking approval to be a charter school authorizer.

NEW SECTION

WAC 180-19-020 Notice of intent to submit an authorizer application. A school district intending to file an application during a calendar year to be approved as a charter school authorizer must submit to the state board of education a notice of intent to file such application by April 1st of that same year. A district may not file an authorizer application in a calendar year unless it has filed a timely notice of intent as provided for herein.

NEW SECTION

WAC 180-19-030 Submission of authorizer application. (1) The state board of education shall develop and make available on its web site, no later than April 1st of each year, an "authorizer application" that must be used by school districts seeking to be approved as a charter school authorizer. The application may include such attachments as deemed required by the board to support and complete the application.

(2) A school district seeking approval to be a charter school authorizer must submit an "authorizer application" to the state board of education by June 15th of the year in which the district seeks approval as an authorizer. The district's completed application must be sent via electronic mail to sbe@sbewa.gov with the original hand delivered or mailed to the board at the following address:

Washington State Board of Education
600 Washington St. S.E.
Olympia, WA 98504

The original and electronic version of the application must be received by the board no later than June 15th of the year in which the district submits its application.

(3) A school district must provide sufficient and detailed information regarding all of the following in the authorizer application submitted to the board:

(a) The district's strategic vision for chartering. The district must state the purposes that it expects to fulfill in being an authorizer of charter schools, with specific reference to the statutory purposes set forth in section 101 of the act, as well as any district-specific purposes that are a particular priority for the district; the characteristics of the school or schools it is most interested in authorizing, while maintaining a commitment to considering all charter applicants based on the merits of their proposals and the likelihood of success; how the school or schools it wishes to authorize would differ from the schools the district currently operates with regard to leadership, staffing, schedule, curriculum, community engagement, or other features; the educational goals it wishes to achieve; how it will give priority to serving at-risk students, as defined in section 201 of the act, or students from low-performing schools; and how it will protect the autonomy and promote the accountability of the charter schools it oversees.

(b) A plan to support the vision presented, including explanations and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing. "Budget and personnel capacity" means the district's capability of providing sufficient assistance, oversight and monitoring to ensure that the charter schools it authorizes will meet all fiscal, academic and operational requirements under the act and comply with all applicable state and federal laws. A district's evidence of budget and personnel capacity shall consist, at a minimum, of a detailed description of the following:

(i) Staff resources to be devoted to charter authorizing and oversight under the act, in full-time equivalent employees, at a level sufficient to fulfill its authorizing responsibilities in accordance with the "Principles and Standards for Quality Charter Authorizing" developed by the National Association of Charter School Authorizers and the provision of this act;

(ii) Job descriptions and professional qualifications of authorizing personnel, demonstrating the district's access to competent and necessary expertise in all areas essential to charter school oversight including, but not limited to: School leadership; curriculum instruction and assessment; special education, English language learners, and other diverse learning needs; performance management; law, finance and facilities, through staff and any contractual relationships or inter-agency collaborations; and

(iii) An estimate, supported by verifiable data, of the financial needs of the authorizer and a projection of sufficient financial resources, supported by the authorizer oversight fee under section 211 of this act and any other resources, to carry out its authorizing responsibilities in accordance with National Principles and Standards developed by the National Association of Charter School Authorizers and the provisions of the act.

(c) A draft or preliminary outline of the request for proposal(s) that the district would, if approved as an authorizer,

issue to solicit charter school applicants. The draft or preliminary outline of the request for proposal(s) shall meet all of the requirements set forth in section 213 (1)(b), as codified, of the act and demonstrate that the applicant intends to implement a comprehensive application process that follows fair procedures and rigorous criteria, and an evaluation and oversight process based on a performance framework meeting the requirements of this act.

(d) A draft of the performance framework that the district would, if approved as an authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools. The draft of the performance framework shall, at a minimum, meet the requirements of section 217(2) of the act including specific descriptions of each indicator, measure and metric enumerated therein; and shall provide that student academic proficiency, student academic growth, achievement gaps in both proficiency and growth, graduation rates, and postsecondary readiness are measured and reported in conformance with the achievement index developed by the state board of education under RCW 28A.657.110.

(e) A draft of the district's proposed renewal, revocation, and nonrenewal processes, consistent with sections 219 and 220 of the act. The draft provided must, at a minimum, provide for the implementation of transparent and rigorous processes that:

(i) Establish clear standards for renewal, nonrenewal, and revocation of charters it may authorize under section 210 of the act;

(ii) Set reasonable and effective timelines for actions that may be taken under sections 219 and 220 of the act;

(iii) Describe how performance data will be used in making decisions under sections 219 and 220 of the act;

(iv) Outline a plan to take appropriate actions, or exercise sanctions short of revocation, in response to identified deficiencies in charter school performance or legal compliance, in accordance with the charter contract and the provisions of this act.

(4) A district must sign a statement of assurances submitted with its application, that shall be included as an attachment to the authorizing contract executed between the approved board and the state board of education, stating that it seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of the act, and that if approved as an authorizer it will:

(a) Seek opportunities for authorizer professional development, and assure that personnel with significant responsibilities for authorizing and oversight of charter schools will participate in any authorizer training provided or required by the state;

(b) Provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures;

(c) Solicit applications for both new charter schools and conversion charter schools, while appropriately distinguishing the two types of charter schools in proposal requirements and evaluation criteria;

(d) Ensure that any charter school it oversees shall have a fully independent governing board and exercise autonomy

in all matters, to the extent authorized by this act, in such areas as budget, personnel and educational programs;

(e) Ensure that the schools it authorizes will deliver appropriate services to students with disabilities, and will provide access to, and appropriately serve, other special populations of students as required by state and federal law;

(f) Include in any charter contract it may execute with the governing board of an approved charter school, in accordance with section 216(2) of this act, educational services that at a minimum meet the basic education standards set forth in RCW 28A.150.220.

NEW SECTION

WAC 180-19-040 Evaluation and approval or denial of authorizer applications. (1) The board shall evaluate an application submitted by a school district seeking to be an authorizer and issue a decision approving or denying the application by August 15th of each year. The state board may utilize the services of external reviewers with expertise in educational, organizational and financial matters in evaluating applications.

(2) For an application to be approved, the state board must find it to be satisfactory in providing all of the information required to be set forth in the application. The board will also consider whether the district's proposed policies and practices are consistent with the principles and standards for quality charter school authorizing developed by the National Association of Charter School Authorizers, as required by section 210(3) of the act, in at least the following areas:

(a) Organizational capacity: Commit human and financial resources necessary to conduct authorizing duties effectively and efficiently;

(b) Solicitation and evaluation of charter applications: Implement a comprehensive application process that includes clear application questions and rigorous criteria, and grants charters only to applicants who demonstrate strong capacity to establish and operate a charter school;

(c) Performance contracting: Execute contracts with charter schools that articulate the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms;

(d) Ongoing charter school oversight and evaluation: Conduct contract oversight that competently evaluates performance and monitors compliance, ensures schools' legally entitled autonomy, protects student rights, informs intervention, revocation and renewal decisions, and provides annual reports as required by this act; and

(e) Charter renewal and revocation processes: Design and implement a transparent and rigorous process that uses comprehensive academic, financial and operational performance data to make merit-based renewal decisions, and revokes charters when necessary to protect student and public interests.

A determination that an application does not provide the required information, or does not meet standards of quality authorizing in any component, shall constitute grounds for disapproval.

(3) The state board of education shall post on its web site the applications of all school districts approved as authorizers. A school district approved as an authorizer shall post its application on a public web site.

(4) If the state board disapproves an application, it shall state in writing the reasons for the disapproval, with specific reference to the criteria established in the charter rules.

NEW SECTION

WAC 180-19-050 Authorizing contract. (1) If the board approves a district's application, it shall execute a renewable authorizing contract with the school district within thirty days of its decision. The contract shall specify the district's agreement to serve as an authorizer in accordance with the expectations of the act and specify additional performance terms based on the district's proposal and plan for chartering as set forth in its application.

(2) The statement of assurances submitted with an authorizer application shall be incorporated as an attachment to the authorizing contract and incorporated by reference as if fully set forth therein.