

**WSR 13-21-008**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 4, 2013, 10:28 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs, higher education programs standards, criteria, infrastructure and timelines for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to the PESB for Title 181 WAC.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site [www.PESB.wa.gov](http://www.PESB.wa.gov).

October 4, 2013  
 David Brenna  
 Senior Policy Analyst

**WSR 13-21-013**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 4, 2013, 11:17 a.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification, certification requirements related to professional certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150.-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers, administrators and education staff associates for obtaining, retaining and renewing their certificate.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Professional educator standards board meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site [www.PESB.wa.gov](http://www.PESB.wa.gov).

October 4, 2013  
 David Brenna  
 Senior Policy Analyst

**WSR 13-21-021**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed October 7, 2013, 1:15 p.m.]

Subject of Possible Rule Making: Chapter 392-144 WAC, School bus driver qualifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.160.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions to chapter 392-144 WAC will update and change the disqualifying conditions and the drug and alcohol reporting requirements. A definition for a school bus driver instructor and professional misconduct will be added. School district reporting requirements will be revised to reduce the workload on the transportation department, and other minor grammatical changes will be made to bring the chapter up-to-date with current federal and state regulations.

Process for Developing New Rule: Other [no further information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Allan J. Jones, Director, Student Transportation, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6122, [allan.jones@k12.wa.us](mailto:allan.jones@k12.wa.us).

October 7, 2013  
 Randy Dorn  
 Superintendent of  
 Public Instruction

**WSR 13-21-028**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
 (Board of Naturopathy)

[Filed October 8, 2013, 2:31 p.m.]

Subject of Possible Rule Making: WAC 246-836-080 Continuing competency program, amending continuing competency requirements for naturopathic physicians.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.36A.160 [(1)](a) and (f).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of naturopathy (board) will consider updating and clarifying existing con-

tinuing competency education (CE) regulations and determine if a portion of the requirements may be completed electronically. The board will also consider approved CE subject matter and complete any necessary housekeeping changes.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the rule process through meetings and by submitting written comments, and are encouraged to join our listserv, which can be accessed at <http://listserv.wa.gov/cgi-bin/wa?A0=NATUROPATHY-PROGRAM>. Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2406, e-mail [susan.gragg@doh.wa.gov](mailto:susan.gragg@doh.wa.gov).

October 8, 2013  
Chris Humberson, R.Ph.  
Executive Director

#### WSR 13-21-034

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed October 9, 2013, 9:37 a.m.]

Subject of Possible Rule Making: WAC 246-926-300 Radiologist assistant scope of practice, amending radiologist assistant scope of practice.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.84.040 and 18.84.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of health received a rule petition to amend the rule regarding radiologist assistant scope of practice. The petitioner requests that the scope of practice be revised from a list of tasks, duties, and procedures with assigned levels of supervision to a broader approach that is similar to mid-level practitioners such as physician assistants. The department has agreed to open WAC 246-926-300 to consider whether changes to the rule may be appropriate.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the rule process through meetings and by submitting written comments, and are encouraged to join the listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=RADIOLOGIC-TECHNOLOGISTS>. Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2901, e-mail [susan.gragg@doh.wa.gov](mailto:susan.gragg@doh.wa.gov).

October 9, 2013

John Wiesman, DrPH, MPH  
Secretary

#### WSR 13-21-036

##### PREPROPOSAL STATEMENT OF INQUIRY HORSE RACING COMMISSION

[Filed October 9, 2013, 11:09 a.m.]

Subject of Possible Rule Making: WAC 260-84-065 Licensees—Drug and alcohol penalties.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update the penalties regarding violations on controlled substances.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, [doug.moore@whrc.state.wa.us](mailto:doug.moore@whrc.state.wa.us).

October 9, 2013  
Douglas L. Moore  
Executive Secretary

#### WSR 13-21-052

##### WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed October 14, 2013, 1:49 p.m.]

The department of labor and industries is withdrawing WSR 13-10-066 filed on April 30, 2013. The department is withdrawing the preproposal statement of inquiry because we have identified a need for additional rule making, and will file a new preproposal to include the additional topics.

Please call (360) 902-6744 if you have any questions.

Suchi Sharma  
Counsel for Executive Policy  
and Rules Coordinator

**WSR 13-21-056**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed October 15, 2013, 12:04 p.m.]

Subject of Possible Rule Making: WAC 246-815-020 and 246-815-140, the department of health is considering amending WAC 246-815-020 to streamline the application requirements for dental hygiene examination eligibility, and amending the continuing education requirements for dental hygienists in WAC 246-815-140.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.280 and 18.29.130(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 246-815-020 requires an applicant for licensure as a dental hygienist to submit, with their application, a photo taken within the prior year. The department of health (department), in consultation with the dental hygiene examining committee (committee), is considering the repeal of this requirement as it may streamline the application review process.

The department, in consultation with the committee, is also considering changes to WAC 246-815-140, continuing education. The committee is considering a range of options for continuing education including volunteer hours.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The department will be holding at least one public workshop before developing its proposed rules. Interested members of the public may sign up for the dental hygiene listserv at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=dental-hygiene&A=1>. All rule-making notices will be e-mailed to this listserv and appropriate state associations. Contact Department of Health, Dental Hygiene Program, Vicki Brown, P.O. Box 47852, Olympia, WA 98504-7853, (360) 236-4865, [vicki.brown@doh.wa.gov](mailto:vicki.brown@doh.wa.gov).

October 15, 2013  
 Jessica Todorovich  
 for John Wiesman, DrPh, MPH  
 Secretary

**WSR 13-21-061**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CRIMINAL JUSTICE**  
**TRAINING COMMISSION**

[Filed October 16, 2013, 10:16 a.m.]

Subject of Possible Rule Making: WAC 139-05-915, changes are needed to establish certification expiration and recertification, maintenance training suggestions, clarification to the existing process and requirements and the addition of an additional canine team certification, and the requirement of reporting to the Washington state criminal justice

training commission (WSCJTC) new teams and teams that have been disbanded.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, canine teams are certified once for the life of the team; this is not the field norm. The WSCJTC certifies tribal police officers; therefore these officers should be authorized canine team certification. Additional definitions are added to identify the various scenarios used in the field of canine training. Establishment of certification requirements for trailing [training] canine teams.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSCJTC regulates this process.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail [shirsch@cjtc.state.wa.us](mailto:shirsch@cjtc.state.wa.us), phone (206) 835-7372. Commissioners will be advised of the proposed rule changes via e-mail. Proposed changes will also be listed on the agency web site.

October 16, 2013  
 Sonja Hirsch  
 Executive Assistant  
 and Rules Coordinator

**WSR 13-21-064**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CRIMINAL JUSTICE**  
**TRAINING COMMISSION**

[Filed October 16, 2013, 11:32 a.m.]

Subject of Possible Rule Making: Changes to WAC 139-05-825 are needed to provide clarification and to streamline the existing process and requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes establish a process for certified peace officers to become reserve officers by complying with the rules established in this WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission (WSCJTC) regulates this process.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail [shirsch@cjtc.state.wa.us](mailto:shirsch@cjtc.state.wa.us), phone (206) 835-7372. Commissioners will be advised of the proposed rule changes via e-

mail. Proposed changes will also be listed on the agency web site.

October 16, 2013  
 Sonja Hirsch  
 Executive Assistant  
 and Rules Coordinator

**WSR 13-21-065**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CRIMINAL JUSTICE**  
**TRAINING COMMISSION**

[Filed October 16, 2013, 11:35 a.m.]

Subject of Possible Rule Making: Changes to WAC 139-05-810 are needed to provide clarification and to streamline the existing process and requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Requires agencies that hire a reserve officer to notify the Washington state criminal justice training commission (WSCJTC) of hire. The addition of this requirement will assist the WSCJTC in ensuring all reserve officers are receiving the required basic training.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSCJTC regulates this process.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, phone (206) 835-7372. Commissioners will be advised of the proposed rule changes via e-mail. Proposed changes will also be listed on the agency web site.

October 16, 2013  
 Sonja Hirsch  
 Executive Assistant  
 and Rules Coordinator

**WSR 13-21-067**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
 (Nursing Care Quality Assurance Commission)

[Filed October 16, 2013, 2:10 p.m.]

Subject of Possible Rule Making: WAC 246-840-045, 246-840-090, 246-840-130, 246-840-455, and 246-840-500 through 246-840-575, practical and registered nurses (generally). Updating, consolidating, expanding, and/or reorganizing nursing rules to address nursing education requirements, clinical site approvals for out-of-state nursing programs, internationally educated nurses, refresher course requirements, and nursing program approvals.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.110, 18.79.150, and 18.79.240.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The nursing care quality assurance commission (NCQAC) has determined that existing rules may be outdated and may need to be revised to address barriers to licensure related to educational programs, including international education; and to standardize requirements, update standards, and/or add criteria related to approved refresher courses, graduate nursing education and distance learning.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state student achievement council and state board of technical and community colleges regulate colleges, which has an indirect relationship with nursing program regulation. They will be included as stakeholders in the process.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Public workshops will be held at locations across the state. Stakeholders will be informed about workshops and the public hearing via the NCQAC listserv and web site. Interested parties may sign up for the listserv at <http://www.doh.wa.gov/LicensesPermitsandCertificates/NursingCommission.aspx> or contact Anne Schuchmann, MSN, RN, Department of Health, NCQAC, P.O. Box 47864, Olympia, WA 98504-7864, (360) 236-4712, [Nursing@doh.wa.gov](mailto:Nursing@doh.wa.gov).

October 16, 2013  
 Paula Meyer, MSN, RN  
 Executive Director  
 NCQAC

**WSR 13-21-070**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
 (Board of Osteopathic Medicine and Surgery)

[Filed October 16, 2013, 2:51 p.m.]

Subject of Possible Rule Making: Chapter 246-854 WAC, Osteopathic physicians' assistants (PAs), the board of osteopathic medicine and surgery (board) is considering revisions to this chapter to implement SHB 1737 (chapter 203, Laws of 2013).

Statutes Authorizing the Agency to Adopt Rules on this Subject: SHB 1737 (section 8, chapter 203, Laws of 2013), RCW 18.57A.020, 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is proposing rule making to consider changes related to supervision of PAs in remote sites and changing the term "practice arrangement plan" to "delegation agreement" throughout the rules per SHB 1737. The board is also considering modernizing the PA rules to clarify regulatory requirements; align current rules with national professional standards; amend rules for delegation of laser, light, radio frequency and plasma devices to

align with current allopathic PA rules; and create streamlined processes relevant to initial license applications, license renewals, and delegation agreement approval processes for allopathic and osteopathic PA applicants.

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

Process for Developing New Rule: Collaborative rule making with the medical quality assurance commission and with statewide organizations representing the interests of physician assistants.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may participate in the development of draft rules prior to a formal proposal by joining the board's listserv, attending workshops, or providing input on draft and proposed materials. Interested parties can receive information on how to participate by contacting Brett Cain, Program Manager, Board of Osteopathic Medicine and Surgery, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4766, fax (360) 236-2901, e-mail [brett.cain@doh.wa.gov](mailto:brett.cain@doh.wa.gov).

October 16, 2013  
Blake T. Maresh  
Executive Director

**WSR 13-21-074**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HORSE RACING COMMISSION**

[Filed October 17, 2013, 10:55 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry (CR-101), WSR 10-20-030, filed on September 24, 2010.

Douglas L. Moore  
Executive Secretary

**WSR 13-21-075**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HORSE RACING COMMISSION**

[Filed October 17, 2013, 11:04 a.m.]

Subject of Possible Rule Making: Chapter 260-60 WAC, Claiming.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify how many horses an owner or trainer may enter into a claiming race. Also, to possibly amend when a claim would be allowed when a horse is scratched prior to being declared an official starter.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, [doug.moore@whrc.state.wa.us](mailto:doug.moore@whrc.state.wa.us).

October 16, 2013  
Douglas L. Moore  
Executive Secretary

**WSR 13-21-082**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed October 17, 2013, 3:08 p.m.]

The Washington utilities and transportation commission (commission) filed a preproposal statement of inquiry (CR-101) to consider whether changes to WAC 480-100-128 (6)(k) and 480-90-128 (6)(k), which state that utility company representatives dispatched to disconnect service must accept payment to prevent disconnection, are warranted. The commission filed the CR-101 on June 28, 2013, at WSR 13-14-060.

After considering comments from interested persons concerning the CR-101, the commission has decided not to proceed with this rule-making proceeding and requests that the CR-101 published in WSR 13-14-060 be withdrawn. Thus, the commission is withdrawing its notice of a rule-making proceeding in this docket, and will notify stakeholders of the withdrawal of this proceeding.

Steven V. King  
Executive Director  
and Secretary

**WSR 13-21-087**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Docket UG-121207—Filed October 18, 2013, 9:40 a.m.]

The Washington utilities and transportation commission (commission) filed a preproposal statement of inquiry (CR-101) regarding natural gas conservation programs on July 26, 2012, at WSR 12-16-038. The commission has decided not to proceed with this rule-making proceeding and requests that the CR-101 published in WSR 12-16-038 be withdrawn.

On October 9, 2013, the commission issued, to all interested persons in the rule-making docket, a policy statement on the evaluation of the cost-effectiveness of natural gas conservation programs. On October 17, 2013, the commission

filed, for publication in the state register, a notice regarding the policy statement.

Steven V. King  
Executive Director  
and Secretary

**WSR 13-21-107**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF CORRECTIONS**

[Filed October 21, 2013, 2:17 p.m.]

Subject of Possible Rule Making: Earned release/good time for offenders.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 72.09.130 and 72.01.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To correct/update references to department of corrections (DOC) policy.

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

Process for Developing New Rule: The department invites interested parties to review and provide input on the proposed rules. Comments may be sent to John Nispel, rules coordinator at the address shown below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Nispel, Rules Coordinator, DOC, Contracts and Legal Affairs, P.O. Box 41114, Olympia, WA 98504-1114, phone (360) 725-8365, fax (360) 664-2009, e-mail john.nispel@DOC.wa.gov.

October 21, 2013  
Bernard Warner  
Secretary

**WSR 13-21-120**

**PREPROPOSAL STATEMENT OF INQUIRY  
OLYMPIC COLLEGE**

[Filed October 22, 2013, 11:35 a.m.]

Subject of Possible Rule Making: Nondiscrimination policy, WAC 132C-10-160.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Antidiscrimination policies are required for all colleges under the state board for community and technical colleges. This is an update of the existing policy to bring it into alignment with the federal Violence Against Women Act.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This policy will meet federal and state laws as follows: Titles VII and IX of the Civil Rights Act of 1964, the Age Discrimination and Employment Act, Section 504 of the Rehabilitation Act of 1974, the Americans with Disabilities

Act of 1990, the Violence Against Women Act, and the state law against discrimination, chapter 49.60 RCW.

Process for Developing New Rule: Review by president's cabinet, college council and the board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thomas Oliver, Olympic College, rules coordinator, (360) 475-7502 or tolover@olympic.edu to provide comments on this rule.

October 22, 2013  
Thomas Oliver  
Rules Coordinator

**WSR 13-21-121**

**PREPROPOSAL STATEMENT OF INQUIRY  
OLYMPIC COLLEGE**

[Filed October 22, 2013, 11:35 a.m.]

Subject of Possible Rule Making: Student conduct code, chapter 132C-120 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is an update of the existing policy to bring it into alignment with the federal Violence Against Women Act and to bring language into alignment with current practice.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This policy will meet federal and state laws as follows: Titles VII and IX of the Civil Rights Act of 1964, the Age Discrimination and Employment Act, Section 504 of the Rehabilitation Act of 1974, the Americans with Disabilities Act of 1990, the Violence Against Women Act, and the state law against discrimination, chapter 49.60 RCW.

Process for Developing New Rule: Review by president's cabinet, college council and the board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thomas Oliver, Olympic College, rules coordinator, (360) 475-7502 or tolover@olympic.edu to provide comments on this rule.

October 22, 2013  
Thomas Oliver  
Rules Coordinator

**WSR 13-21-122**

**PREPROPOSAL STATEMENT OF INQUIRY  
OLYMPIC COLLEGE**

[Filed October 22, 2013, 11:36 a.m.]

Subject of Possible Rule Making: Rescind of current grievance procedure, WAC 132C-258-010.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW.

Rules Coordinator

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule is outdated and needs to be replaced with modern verbiage reflecting current practice.

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

Process for Developing New Rule: Review by president's cabinet and the board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thomas Oliver, Olympic College, rules coordinator, [toliver@olympic.edu](mailto:toliver@olympic.edu) or (360) 475-7502 to participate in the process of rescinding this rule and creating a replacement policy.

October 22, 2013  
Thomas Oliver  
Rules Coordinator

### WSR 13-21-127

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed October 22, 2013, 2:23 p.m.]

Subject of Possible Rule Making: The department is adding a new section in chapter 388-106 WAC, Long-term care services.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is adding a new section in chapter 388-106 WAC to establish a methodology for how DSHS calculates nursing home comparable home and community based long-term care availability to be used in the nursing home bed need process in Washington state. DSHS is creating this new section for clarification about how it calculates comparable nursing home capacity. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail [angel.sullivan@dshs.wa.gov](mailto:angel.sullivan@dshs.wa.gov).

October 8, 2013  
Katherine I. Vasquez

### WSR 13-21-128

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed October 22, 2013, 2:25 p.m.]

Subject of Possible Rule Making: The community services division is proposing to amend WAC 388-273-0020 Who may receive WTAP? and possible other related WACs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090 and 2ESSHB [2E2SHB] 1971, Laws of 2013.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department may propose to modify rules to comply with requirements of 2ESSHB [2E2SHB] 1971. 2ESSHB [2E2SHB] 1971 requires enrollment in the Washington telephone assistance program not result in expenditures that exceed the total amount of funds made available by the legislature. If necessary, the department must close program enrollment to eliminate the danger of over-expenditure of appropriated funds.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Olga Walker, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4641, fax (360) 725-4904, e-mail [olga.walker@dshs.wa.gov](mailto:olga.walker@dshs.wa.gov).

October 14, 2013  
Katherine I. Vasquez  
Rules Coordinator

### WSR 13-21-129

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Office of the Deaf and Hard of Hearing)

[Filed October 22, 2013, 2:26 p.m.]

Subject of Possible Rule Making: Formally establishing standards for sign language interpreters to interpret in legal proceedings in chapter 388-818 WAC, with a new subsection starting as WAC 388-818-0500, et seq.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 2.42.130 and 2.42.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 2.42.130 states that the office of the deaf and hard of hearing (ODHH) shall maintain a list of sign language interpreters for use in legal proceedings. RCW 2.42.170 clarifies that fees shall be in accordance with standards established by ODHH. With these standards clarified as rules, courts will have more consistent, higher-quality sign language interpreting services by interpreters who have met minimum requirements and standards.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Administrative Office of the Courts (AOC), under the auspices of the Board of Judicial Administration and the Court Interpreter Commission, establishes statewide policies and procedures for the provision of court interpreter services in Washington courts. ODHH has worked closely with the AOC on developing these standards being proposed as rules and continues to partner with AOC staff in refining the standards, the WAC language, and has expressed an interest in monitoring interpreter compliance with AOC certification rules as may be later identified for sign language interpreters.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be posted on the ODHH web site (<http://www.dshs.wa.gov/odhh/ReasonableAccommodations/SLIM/court.shtml>) and will be mailed to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Robert Lichtenberg, Assistant Director, ODHH, Berle Ross, Sign language Interpreter Management, Program Manager, P.O. Box 43501 [45301], Olympia, WA 98504-5301, phone (360) 339-7382 (VP), TTY (360) 902-0271, fax (360) 902-0855, e-mail [robert.lichtenberg@dshs.wa.gov](mailto:robert.lichtenberg@dshs.wa.gov) or [berle.ross@dshs.wa.gov](mailto:berle.ross@dshs.wa.gov).

October 22, 2013  
Katherine I. Vasquez  
Rules Coordinator

### WSR 13-21-134

#### PREPROPOSAL STATEMENT OF INQUIRY CRIMINAL JUSTICE TRAINING COMMISSION

[Filed October 22, 2013, 3:38 p.m.]

Subject of Possible Rule Making: WAC 139-05-200 Requirement of basic law enforcement training, changes to WAC 139-05-200 are needed to provide clarification and to streamline the existing process and requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Subsequent WACs have been

establish[ed] that contradict the terms listed in WAC 139-05-200.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission (WSCJTC) regulates this process.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail [shirsch@cjtc.state.wa.us](mailto:shirsch@cjtc.state.wa.us), phone (206) 835-7372. Commissioners will be advised of the proposed rule changes via e-mail. Proposed changes will also be listed on the agency web site.

October 22, 2013  
Sonja Hirsch  
Executive Assistant  
and Rules Coordinator

### WSR 13-21-141

#### PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2013-24—Filed October 23, 2013, 8:13 a.m.]

Subject of Possible Rule Making: Requiring charitable gift annuity organizations to file their financial statements and related filings electronically and to file their gift annuity contract forms using system for electronic rate and form filing (SERFF).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.38.075.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Charitable organizations that have received a certificate from the commissioner to issue charitable gift annuities must file an annual financial report and related financial information with the commissioner. These organizations must also file their proposed charitable gift annuity contract forms with the commissioner for approval. These documents are currently filed using paper copies. Under this rule making the commissioner will consider adopting rules to require that these organizations file their annual financial report and related financial information with the commissioner electronically and file their charitable gift annuity contract forms electronically with the commissioner using the SERFF system.

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

Process for Developing New Rule: Submit written comments by December 2, 2013, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail [rulescoordinator@oic.wa.gov](mailto:rulescoordinator@oic.wa.gov), fax (360) 586-3109.



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

October 23, 2013  
Mike Kreidler  
Insurance Commissioner

**WSR 13-21-142**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2013-25—Filed October 23, 2013,  
8:19 a.m.]

Subject of Possible Rule Making: Filing of financial statements and related filings electronically.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.05.250, 48.44.050, 48.44.095, 48.46.090, 48.46.200, and 48.125.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently all Washington domestic insurance companies, health care service contractors, health maintenance organization[s], and self-funded multiple employer welfare arrangements are required to file their financial statements and related filings with the commissioner. Both paper and electronic filings are accepted under the agency's current business process. Under this rule making the commissioner will consider amending those requirements so that these entities file their financial statements electronically with the NAIC and for the related financial filings that the NAIC does not accept, the entities must file them electronically with the commissioner.

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

Process for Developing New Rule: Submit written comments by December 2, 2013, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail [rulescoordinator@oic.wa.gov](mailto:rulescoordinator@oic.wa.gov), fax (360) 586-3109.

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

October 23, 2013  
Mike Kreidler  
Insurance Commissioner

**WSR 13-21-146**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CLOVER PARK**  
**TECHNICAL COLLEGE**

[Filed October 23, 2013, 9:45 a.m.]

Subject of Possible Rule Making: Delete chapter 495C-120 WAC, Student conduct code, replace with new chapter 495C-121 WAC, Student conduct code; delete chapter 495C-140 WAC, Use of college facilities, replace with new chapter 495C-141 WAC, Use of college facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current code of conduct rule is out of date; last agency filing 2003. New rule needed to update misconduct, incorporate Title IX procedural elements, create appeals board and move use of facilities sections to new use of facilities WAC. Current use of facilities rule is out of date; last update May 26, 2000; new rule needed to incorporate facility use sections moved from student conduct code and to update rules on expressive activity on college facilities. Both new rules contain substantial reorganization of existing material and additions of new materials. For clarity, it [is] easier to delete old rules and create new rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Education, Office for Civil Rights has provided colleges with recent specific guidance on Title IX requirements: Dear Colleague Letter, April 4, 2011, and Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties, January 2001; May 9, 2013, University of Montana-Missoula OCR compliance review and settlement agreement. See also 2013 amendment to Violence Against Women Act.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting June Stacey-Clemons, Vice-President for Student Services, Clover Park Technical College, 4500 Steilacoom Boulevard S.W., Lakewood, WA 98499, (253) 589-5546, [june.stacey-clemons@cptc.edu](mailto:june.stacey-clemons@cptc.edu); or Jim Tuttle, Chief Human Resources, Legal Affairs Officer, Clover Park Technical College, 4500 Steilacoom Boulevard S.W., Lakewood, WA 98499, (253) 589-5533, [jim.tuttle@cptc.edu](mailto:jim.tuttle@cptc.edu).

October 23, 2013  
Jim Tuttle  
Chief Human Resources  
Legal Affairs Officer