

WSR 14-03-003
PREPROPOSAL STATEMENT OF INQUIRY
OLYMPIC COLLEGE

[Filed January 3, 2014, 12:30 p.m.]

January 3, 2014
Douglas L. Moore
Executive Secretary

Subject of Possible Rule Making: Sexual violence policy.

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 will be a new policy for the college to highlight the critical and specific issues and procedures regarding this sensitive issue.

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: Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, 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.

January 3, 2014
Thomas Oliver
Rules Coordinator

WSR 14-03-005
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed January 3, 2014, 1:55 p.m.]

Subject of Possible Rule Making: WAC 260-48-960 Handicapping contests.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington horse racing commission (WHRC) is considering amending the restrictions handicapping contests to allow for an association employee to participate while remaining ineligible for prizes.

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, WHRC, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

WSR 14-03-016
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed January 7, 2014, 1:57 p.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.

January 7, 2014
David Brenna
Senior Policy Analyst

WSR 14-03-036
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY

[Filed January 8, 2014, 1:03 p.m.]

Subject of Possible Rule Making: WAC 4-30-140 What are the authority, structure, and processes for investigations and sanctions?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.045 (7) and (8), 18.04.055, 18.04.295, 18.04.350(6).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed to expand the authority, structure, and processes for investigations and sanctions to include the determination of a case, the detailed process of an investigation, and guidelines used for sanctioning. The changes will incorporate the provisions of Board Policy 2004-1.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard C. Sweeney, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone (360) 586-0163, fax (360) 664-9190, e-mail info@cpaboard.wa.gov.

January 8, 2014
Richard C. Sweeney, CPA
Executive Director

WSR 14-03-037

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed January 8, 2014, 1:04 p.m.]

Subject of Possible Rule Making: WAC 4-30-130 What are the quality assurance review (QAR) requirements for licensed CPA firms?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(9).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed to specify corrective actions for those firms who do not comply with the peer review requirements.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard C. Sweeney, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone (360) 586-0163, fax (360) 664-9190, e-mail info@cpaboard.wa.gov.

January 8, 2014
Richard C. Sweeney, CPA
Executive Director

WSR 14-03-039

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH (Veterinary Board of Governors)

[Filed January 8, 2014, 3:02 p.m.]

Subject of Possible Rule Making: WAC 246-935-050 Animal health care tasks, the veterinary board of governors will consider amending the level of supervision required for the administration of rabies vaccinations by veterinary technicians and unregistered assistants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.92.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 16.36.020 gives the director of the Washington state department of agriculture (WSDA) the authority to regulate the sale, distribution, and use of veterinary biologics in the state. WSDA's WAC 16-42-026 requires that biologics, including rabies, be purchased, administered or used by or under the direct supervision of a licensed veterinarian. The veterinary board of governor's (board) WAC 246-935-050 does not require direct supervision by a licensed veterinarian for veterinary technicians or unregistered assistants when administering the vaccine. The board will consider whether revising its rules is necessary.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of agriculture.

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 by contacting Judy Haenke, Program Manager, Department of Health, Veterinary Board of Governors, P.O. Box 47852, Olympia, WA 98504-7852, Judy.haenke@doh.wa.gov, phone (360) 236-4947, fax (360) 236-2901.

January 8, 2014
Kirby Putscher
Acting Executive Director

WSR 14-03-041

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Podiatric Medical Board)

[Filed January 8, 2014, 3:26 p.m.]

Subject of Possible Rule Making: Chapter 246-922 WAC, Podiatric physicians and surgeons, the podiatric medical board (board) will consider amending or repealing sections of rule related to tasks performed by unlicensed personnel, exam requirements, and approved schools of podiatric medicine.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.22.015, 18.22.083, and 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board will consider amending or repealing rules relating to tasks that may be delegated to an unlicensed person. This change is being considered in order to comply with chapter 18.360 RCW. This law requires medical assistant credentials for assistive personnel who perform the statutorily authorized clinical functions listed under RCW 18.360.050. The board will also consider amending rules to update the list of schools of podiatric medicine approved by the American Association of Colleges of Podiatric Medicine, and revise examination requirements to reflect 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: Collaborative rule making.

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, and providing input on draft and proposed materials. Interested parties can receive information on how to participate by contacting Brett Cain, Program Manager, Podiatric Medical Board, 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.

January 8, 2014
Blake T. Maresh
Executive Director

WSR 14-03-046

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed January 9, 2014, 10:38 a.m.]

Subject of Possible Rule Making: Permits.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is entering into rule making to ensure WAC is consistent with RCW by changing the term "permit" to "license."

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

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

[Meetings on] February 13 or 14, 2014, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on February 1 to confirm meeting location and start time; on March 20 and 21, 2014, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on March 1 to confirm meeting location and start time; and on April 10 and 11, 2014, at 7801 N.W. Greenwood Drive, Vancouver, WA 98662, visit www.wsgc.wa.gov on April 1 to confirm meeting location and start time.

January 9, 2014
Susan Newer
Rules Coordinator

WSR 14-03-048

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

[Filed January 9, 2014, 12:11 p.m.]

Subject of Possible Rule Making: Amending chapter 326-20 WAC, Certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.19.030, 39.19.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending chapter 326-20 WAC [to] bring the rules up-to-date and to reflect current program needs. This WAC chapter has not been updated in ten years. Amendments to this chapter may change eligibility requirements for some individuals applying for state certification from the office of minority and women's business enterprises (OMWBE). In addition, house-keeping changes will be made such as WAC and RCW references.

Proposed amendments to this chapter are necessary to clarify the rules which determine whether an individual meets the requirements for state certification from OMWBE. Overall changes in organization and language are needed to reduce confusion for applicants. Amendments may also align eligibility requirements for the federal certification program.

Process for Developing New Rule: OMWBE welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, OMWBE [OMWBE] 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 Amanda Migchelbrink, Legal Director, P.O. Box 41160, Olympia, WA 98504, phone (360) 664-9750, fax (360) 407-0955, e-mail amandam@omwbe.wa.gov.

January 9, 2014
Amanda Migchelbrink
Legal Director

WSR 14-03-051

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed January 10, 2014, 12:17 p.m.]

Subject of Possible Rule Making: WAC 308-408-010, 308-408A-020, 308-408B-040, 308-408C-020(13), 308-408C-050(5), involving field training, continuing education, marketing materials, and energy efficiency.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.280.060, the law relating to licensing of home inspectors.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These amendment[s] are needed to:

- Clarify existing rules to assist licensees with regards to field training.
- Clarify existing rules regarding marketing materials.
- Clarify continuing education clock hour requirements, and to adding energy efficiency items.

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 home inspector board uses subcommittee to solicit stakeholder input, as the director must have the advice and approval of the home inspector licensing advisory board to create rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rhonda Myers, P.O. Box 9021, Olympia, WA 98507-9021, phone (360) 664-6497, fax (360) 586-0998.

January 10, 2014
Damon Monroe
Rules Coordinator

WSR 14-03-063
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Securities Division)

[Filed January 13, 2014, 3:22 p.m.]

Subject of Possible Rule Making: The securities division is considering amending WAC 460-80-300 to explicitly allow for delivery of franchise disclosure documents over the internet or by other electronic means, or in machine-readable media, subject to certain requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.100.250, which authorizes the director to make, amend and rescind such rules, forms and orders as are necessary to carry out the provisions of the Washington Franchise Investment Protection Act, chapter 19.100 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Neither the Washington State Franchise Investment Protection Act nor the securities division's rules explicitly allow a franchisor to provide the franchise disclosure document electronically to prospective franchisees. On September 14, 2003, the North American Securities Administrators Association (NASAA) approved a statement of policy regarding electronic delivery of franchise disclosure documents. This statement of policy provided text for proposed state regulation regarding electronic delivery by franchisors of franchise disclosure documents to franchisees. On January 22, 2007, the Federal Trade Commission (FTC) adopted amendments to its franchise rule that explicitly allowed electronic delivery of franchise disclosure documents.

The securities division recognizes that explicitly allowing for electronic disclosure of franchise disclosure documents may benefit prospective franchisees by making franchise disclosure documents more readily available and more

readable. Allowing electronic disclosure also benefits franchisors by reducing costs associated with reproduction and delivery of disclosure materials. Accordingly, the securities division is exploring amending its regulations regarding delivery and receipt of franchise disclosure documents to allow for electronic delivery.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The amendments under consideration by the securities division affect the regulation of franchise offerings. Franchise offerings are also subject to regulation by the FTC under federal law, and subject to regulation by other jurisdictions that have adopted the NASAA model rule. As the amendments considered by the division reflect the language of the NASAA statement of policy, and the FTC rules similarly allow for electronic delivery of franchise disclosure documents, the amendments under consideration would better coordinate the securities division's rules with other federal or state agencies.

Process for Developing New Rule: The division is soliciting comments from interested persons and will adopt rules only after the consideration of public comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michelle Webster, Associate General Counsel, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 902-8736, fax (360) 704-6491, e-mail michelle.webster@dfi.wa.gov.

January 13, 2014
William M. Beatty
Securities Administrator

WSR 14-03-064
PREPROPOSAL STATEMENT OF INQUIRY
LOWER COLUMBIA COLLEGE

[Filed January 14, 2014, 9:44 a.m.]

Subject of Possible Rule Making: Repealing WAC 132M-300-010 Grievance procedure and revising WAC 132M-300-001 Statement of policy.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is an update of the existing policy and procedures to bring the code into alignment with the current laws regarding violence against women and discrimination/harassment.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education, Office of Civil Rights (Title VII and IX of the Civil Rights Act of 1964), the Age Discrimination in Employment Act, Section 504 of the Rehabilitation Act of 1974, the Americans with Disabilities Act of 1990, the Violence Against Women Act, and the Washington state human rights commission, chapter 49.60 RCW.

Process for Developing New Rule: Agency study; and review by president's cabinet and leadership team.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kendra Sprague, Director of Human Resources and Legal Affairs, Lower Columbia College, (360) 442-2121 or ksprague@lcc.ctc.edu.

January 14, 2014
Kendra Sprague
Director of Human Resources
and Legal Affairs

WSR 14-03-066
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed January 14, 2014, 10:41 a.m.]

Subject of Possible Rule Making: Amendments to chapter 392-400 WAC, Pupils.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.600.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESSB 5946 mandates changes in rules impacting suspensions and expulsions, imposing new requirements on timelines and definitions.

Process for Developing New Rule: Solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mike Donlin, Program Supervisor, The School Safety Center, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504, Mike.donlin@k12.wa.us, office (360) 725-6044, fax (360) 725-3575.

January 14, 2014
Randy Dorn
Superintendent of
Public Instruction

WSR 14-03-069
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed January 14, 2014, 11:05 a.m.]

Subject of Possible Rule Making: WAC 182-547-0800 Hearing aids—Coverage—Clients twenty years of age and younger.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is adding bilateral cochlear implants as a covered benefit for clients twenty years of age and younger. The agency uses health technology

assessment in determining coverage for new or existing technology when coverage is not mandated by federal or state law. This policy decision complies with a recent health technology assessment decision made by the health technology clinical committee.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy Barcus, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail wendy.barcus@hca.wa.gov.

January 14, 2014
Kevin M. Sullivan
Rules Coordinator

WSR 14-03-070
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Financial Services Administration)

[Filed January 14, 2014, 11:29 a.m.]

Subject of Possible Rule Making: Chapter 388-03 WAC rules and regulations for the certification of DSHS spoken language interpreters and translators.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090; 74.04.025; 45 C.F.R. Section 80.3 (b)(2); Civil Right[s] Act of 1964; *Reyes vs. Thompson* Consent Order.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since the creation of chapter 388-03 WAC in 2000, the services/business of the DSHS language testing and certification program and how the services are provided have changed. The name of the program has also changed to reflect what and how the services are provided. New demands from internal and external stakeholders are increasing. Additional rules and regulations are needed to implement agreements reached between the former governor and WFSE/AFSCME. New processes and specific procedures need to be included in chapter 388-03 WAC to decertify interpreting-related offenders and to strengthen and enforce interpreter qualification requirements.

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

Process for Developing New Rule: Rule revision: Necessitated by new services and new requirements for the program. 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 Don Barnes/Hungling Fu, Managers, 1115 Washington Street S.E., Olympia, WA 98501, phone (360) 902-8334/(360) 664-6035, fax (360) 664-6183, e-mail BarneDR@dshs.wa.gov/fuh@dshs.wa.gov.

January 14, 2014
Katherine I. Vasquez
Rules Coordinator

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689.

January 15, 2014
Sharon Foster
Chairman

WSR 14-03-074

PREPROPOSAL STATEMENT OF INQUIRY EXECUTIVE ETHICS BOARD

[Filed January 15, 2014, 9:51 a.m.]

Subject of Possible Rule Making: WAC 292-110-010 Use of state resources.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.52.360.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To review the permitted uses of state resources.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Legislative ethics board, commission on judicial conduct. Contact will be made to determine any impact a change may have on each agency.

Process for Developing New Rule: Seek stakeholder input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melanie de Leon, P.O. Box 40149, Olympia, WA 98504-0149, (360) 664-0871, Melanied@atg.wa.gov.

January 14, 2014
Melanie de Leon
Executive Director

WSR 14-03-076

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed January 15, 2014, 11:10 a.m.]

Subject of Possible Rule Making: Multiple licenses at one location held by the same license entity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is needed to clarify the requirements for a licensee with multiple licenses at one location.

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

WSR 14-03-080

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed January 15, 2014, 1:53 p.m.]

Subject of Possible Rule Making: The agency is amending the following emergency medical transportation rule sections: WAC 182-546-0001, 182-546-0100, 182-546-0200, 182-546-0250, 182-546-0300, 182-546-0400, 182-546-0425, 182-546-0450, 182-546-0500, 182-546-0600, 182-546-0700, 182-546-0800, 182-546-0900, 182-546-1000, 182-546-1500, 182-546-2500, 182-546-4000, and other related sections as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revision to these sections is necessary to (1) establish rules to inform and educate providers regarding ambulance program policies not currently addressed or sufficiently explained in chapter 182-546 WAC and billing instructions (e.g., use of ambulance transportation for mental health services); (2) update erroneous rule citations; and (3) change "MAA" or "the department" to "the agency" throughout. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Barcus, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail wendy.barcus@hca.wa.gov.

January 15, 2014
Kevin M. Sullivan
Rules Coordinator

WSR 14-03-088

**PREPROPOSAL STATEMENT OF INQUIRY
CASCADIA COMMUNITY COLLEGE**

[Filed January 16, 2014, 2:43 p.m.]

Subject of Possible Rule Making: Cascadia Community College intends to adopt rules amending the student conduct code, chapter 132Z-115 WAC, and adopting related amendments to WAC 132Z-108-050 concerning brief adjudicative proceedings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140 and the Administrative Procedure Act (APA), chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to update, clarify, and streamline student conduct code standards and procedures, as well as to incorporate federal requirements relating to sexual harassment and sexual misconduct, including the Violence Against Women Act, Clery Act amendments, and OCR guidance letters.

Process for Developing New Rule: Initial review by student code workgroup consisting of student code administrators, student leadership, and conflict resolution council members, followed by review through normal campus-wide policy review procedures, APA notice and public comment procedures, and final approval by 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 Dede Gonzales, Rules Coordinator, Office of the President, Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011-8205, (425) 352-8810, dgonzales@cascadia.edu.

January 16, 2014
Dede Gonzales
Executive Assistant
to the President
Rules Coordinator

WSR 14-03-101

**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed January 17, 2014, 3:38 p.m.]

Subject of Possible Rule Making: WAC 182-550-5450 Supplemental distributions to approved trauma service centers and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency plans to amend WAC 182-550-5450 to match State Plan Amendment 13-15,

which makes designated trauma hospitals eligible to receive supplemental payments for trauma care services they provided to managed care enrollees.

During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Jason R. P. Crabbe, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail jason.crabbe@hca.wa.gov.

January 17, 2014
Kevin M. Sullivan
Rules Coordinator

WSR 14-03-105

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed January 21, 2014, 9:51 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for workers' compensation insurance and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries (L&I) is required by law (RCW 51.16.035) to establish and maintain a workers' compensation classification plan. This plan classifies all occupations or industries within the state and sets basic rates of premium that are distributed fairly for these classifications. Department staff determined that a number of rules are in need of revision to ensure the plan is clear and accurate. In an ongoing effort to ease administrative burden for our customers and make it easier to do business with L&I, we propose reformatting and simplifying language for multiple rules to make them easier to understand and apply. For example, the standard exception classification restrictions are presently addressed specifically in the general reporting rules. Customers must look in two places in the rules to learn what the restrictions are. We propose rewriting each of the standard exception classifications to incorporate the parameters of the reporting requirements into the language of the classification.

These changes will not change employer rates or reporting requirements, or classifications.

L&I is also reviewing these rules as part of its rules review process under SSB 5679 (chapter 30, Laws of 2013 2nd sp. sess.).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local or federal agency regulates this subject.

Process for Developing New Rule: L&I will solicit input from the business community by way of the internet. L&I will use input to formulate proposed changes to the existing rules and advise customers of future rule making by the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Employers can obtain information on our rule-making process at <http://www.lni.wa.gov/LawRule/ruleProcess.asp> and can submit comments electronically to JoAnne.Attwood@lni.wa.gov or by calling (360) 902-4777, or fax (360) 902-4729.

January 21, 2014
Joel Sacks
Director

WSR 14-03-117

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed January 21, 2014, 3:21 p.m.]

Subject of Possible Rule Making: The community services division is proposing to require completion of a new orientation as a condition of eligibility for the temporary assistance for needy families (TANF)/state family assistance (SFA) programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.08.283, 74.04.050, 74.04.057.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to add completion of a WorkFirst orientation as a condition of eligibility for individuals applying for TANF/SFA who will be required to participate in WorkFirst activities once TANF/SFA is approved.

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 Leslie Kozak, Policy Manager, 712 Pear Street S.E., Olympia, WA 98501, phone (360) 725-4589, fax (360) 725-4904, e-mail kozakla@dshs.wa.gov.

January 21, 2014
Katherine I. Vasquez
Rules Coordinator

WSR 14-03-118

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed January 21, 2014, 3:33 p.m.]

Subject of Possible Rule Making: Amendment to the Highway Advertising Control Act, chapter 468-66 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.42.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Define new terms "annual permit renewal fee" and "rental income signs" by incorporating into chapter 468-66 WAC pursuant to provisions of SSB 5761 of the 63rd legislature, 2013 regular session. Also, amends additional sections of chapter 468-66 WAC to clarify provisions of existing rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Highway Administration (FHWA) - pursuant to 23 C.F.R. Sec. 750.705(j), states must submit regulations and enforcement procedures to FHWA for approval.

Process for Developing New Rule: Negotiated rule making, negotiations and agreements coordinated with Federal Highway Administration, Washington State Outdoor Advertising Association and the Washington state department of transportation.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Nisbet, State Traffic Engineer, Washington State Department of Transportation, P.O. Box 47344, Olympia, WA 98504-7344, phone (360) 705-7280, fax (360) 705-6826.

January 21, 2014
Kathryn W. Taylor
Assistant Secretary

WSR 14-03-122

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 13-11—Filed January 21, 2014, 4:32 p.m.]

Subject of Possible Rule Making: This rule making will propose new chapter 173-557 WAC, Water resource management program for the Spokane River and Spokane Valley Rathdrum Prairie (SVRP) Aquifer. The proposed rule will set instream flow levels for the Spokane River, and establish regulations for managing future out-of-stream uses of water from the Spokane River and SVRP Aquifer. An amendment to chapter 173-555 WAC, Water resources program in the Little Spokane River Basin, WRIA 55, may be proposed, if necessary, solely for the purpose of ensuring regulatory clar-

ity since the geographic areas of applicability of these rules will partially overlap.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.22 RCW, Minimum water flows and levels; chapter 90.82 RCW, Watershed planning; chapter 90.54 RCW, Water Resources Act of 1971; chapter 90.03 RCW, Water code; chapter 90.44 RCW, Regulation of public groundwaters; and chapter 18.104 RCW, Water well construction.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The possible adoption of this rule is needed to protect and preserve instream resources in the Spokane River including fish, wildlife, recreation, water quality, navigation and aesthetics. The established instream flow levels will serve to determine whether additional water is available for future allocation beyond the needs of existing water rights and will assist ecology with managing future water withdrawals from the Spokane River and SVRP Aquifer. A rule will also establish Washington state legal interests in the water as it may relate to any future adjudications or interstate apportionment.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Ecology has exclusive statutory authority under RCW 90.03.247 and chapter 90.22 RCW to establish minimum instream flows. In establishing instream flows, RCW 90.03.-247 directs ecology to "consult with, and carefully consider the recommendations of, the department of fish and wildlife (WDFW), the department of community[,] trade and economic development (now commerce), the department of agriculture, and representatives of the affected Indian tribes." RCW 90.22.020 directs ecology to serve notice of the public hearing upon the administrators of the departments of social and health services, natural resources, fish and wildlife and transportation. RCW 90.82.080 directs ecology to engage in government to government consultation with affected tribes in the management area. Consultation will occur with Washington department of fish and wildlife (WDFW), and affected tribes. We will also coordinate with appropriate federal agencies and other state agencies.

Process for Developing New Rule: The process for developing the new rule will build on the watershed planning processes for water resource inventory areas (WRIAs) 55/57 and 54, and other existing processes for the management of water resources in the region, including water quality permitting, water resource studies, and hydropower dam relicensing. Draft rule language will be shared with watershed planning units, WDFW, tribes, the city of Spokane, regional water purveyors, the state of Idaho, and other interested parties. Ecology will hold an open house prior to filing the CR-102 and proposed rule language. A focus sheet, web page, and public notice will be developed to explain the elements of the proposed rule and announce the date of the open house. A press release and e-mail will be used to distribute the information. At the open house staff will be available to explain the proposal and answer questions.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rusty Post, Watershed Lead, Department of Ecology, Eastern Regional Office, Shorelands and

Environmental Assistance Program, 4601 North Monroe, Spokane, WA 99205-1295, (509) 329-3579, Rusty.post@ecy.wa.gov, fax (509) 329-3529; or Ann Wessel, Rule Writer, Department of Ecology, Water Resources Program, 1440 10th Street, Suite 102, Bellingham, WA 98225-7028, (360) 715-5215, Ann.wessel@ecy.wa.gov, fax (360) 715-5225. For the latest updates on this rule making sign up for the department of ecology Spokane River water resources rule e-mail list and see the web page at <http://www.ecy.wa.gov/programs/wr/rules/557-ov.html>.

January 21, 2014
Thomas Loranger
Water Resources
Program Manager

WSR 14-03-123

PREPROPOSAL STATEMENT OF INQUIRY WHATCOM COMMUNITY COLLEGE

[Filed January 21, 2014, 5:02 p.m.]

Subject of Possible Rule Making: Chapter 132U-300 WAC, Complaints—Discrimination; WAC 132U-300-010 Statement of policy: Complaints—Discrimination and/or harassment/intimidation complaint and 132U-300-020 Procedure—Discrimination and/or harassment/intimidation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW, Community and technical colleges; RCW 28B.50.100 Board of trustees—Generally and 28B.50.140 Board of trustees—Powers and duties.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The senior assistant attorney general for higher education prepared model policies and procedures for Washington community and technical colleges based upon new federal regulations and best practices for discrimination and harassment. The existing WAC 132U-300-010 statement of policy must be deleted and replaced with the model policy to adhere to the new federal regulations. However, Whatcom Community College (WCC) proposes the deletion of WAC 132U-300-020 Procedure, in order to make timely revisions of required changes in designees and additional new procedures. These new procedures have been approved by the WCC board of trustees and will be prominently posted on the college web site as required by federal regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Education recently added new Title IX and Violation [Violence] Against Women Act regulations that require all colleges and universities to expand the rights for victims of sexual harassment and assault. Therefore, colleges must revise their discrimination and harassment policies and procedures to adhere to these new federal regulations.

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 Sheila Pennell, WCC, Rules Coordina-

tor, 237 West Kellogg Road, Bellingham, WA 98226, (360) 383-3077, spennell@whatcom.ctc.edu.

January 21, 2014
Patricia Onion
Vice-President for
Educational Services

Patricia Onion
Vice-President for
Educational Services

WSR 14-03-124

PREPROPOSAL STATEMENT OF INQUIRY WHATCOM COMMUNITY COLLEGE

[Filed January 21, 2014, 5:02 p.m.]

Subject of Possible Rule Making: Chapter 132U-120 WAC, Whatcom Community College (WCC) Student rights and responsibilities; deleting chapter 132U-120 WAC because the existing policy and procedures (chapter 132U-120 WAC) must be entirely rewritten; and adding chapter 132U-125 WAC based upon assistant attorney general (AAG) statewide model policy and procedure recommendations (chapter 132U-125 WAC has not yet been used).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW, Community and technical colleges; RCW 28B.50.100 Board of trustees—Generally and 28B.50.140 Board of trustees—Powers and duties.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The existing chapter 132U-120 WAC, Student rights and responsibilities, has out-of-date definitions, jurisdiction, and procedures that must be updated and revised based upon the AAG model policies and procedures and a statewide review of best practices among community and technical colleges. The existing chapter 132U-120 WAC does not address the recent federal and state regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Education recently added new Title IX and Violation [Violence] Against Women Act regulations which require expanded rights for victims of sexual harassment and crimes. These rights must be outlined in the Whatcom Community College (WCC) student rights and responsibilities (student conduct code). These new federal regulations also broadened the jurisdiction of the college to pursue disciplinary action for off-campus student behavior when the college determines that such behavior adversely affects the college. The new United States Department of Education regulations must be implemented in college policies and procedures by April 2014. In addition, the new policies and procedures must address the legalization of marijuana in Washington state and misconduct with new technologies.

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 Sheila Pennell, WCC Rules Coordinator, 237 West Kellogg Road, Bellingham, WA 98226, (360) 383-3077, spennell@whatcom.ctc.edu.

January 21, 2014

WSR 14-03-125

PREPROPOSAL STATEMENT OF INQUIRY WHATCOM COMMUNITY COLLEGE

[Filed January 21, 2014, 5:02 p.m.]

Subject of Possible Rule Making: Chapter 132U-140 WAC, Use of college facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW, Community and technical colleges; RCW 28B.50.100 Board of trustees—Generally and 28B.50.140 Board of trustees—Powers and duties.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The existing chapter 132U-140 WAC, Use of college facilities, needs to be updated based upon the model policy and procedures prepared by the office of the attorney general for community and technical colleges.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The proposed policy revisions for chapter 132U-140 WAC provide clear definitions, priorities, and limitations for use of college facilities based upon best practices from other Washington community and technical colleges. This model policy was developed by the AAG for colleges in order to adhere to relevant federal and state regulations.

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 Sheila Pennell, WCC Rules Coordinator, 237 West Kellogg Road, Bellingham, WA 98226, (360) 383-3077, spennell@whatcom.ctc.edu.

January 21, 2014
Patricia Onion
Vice-President for
Educational Services

WSR 14-03-129

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE UNIVERSITY

[Filed January 22, 2014, 8:44 a.m.]

Subject of Possible Rule Making: The university is updating the standards of conduct for students, chapter 504-26 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update, edit, and clarify the standards of conduct for students. Changes in federal law, specifically the 2013 reauthorization of and amendments to the Violence Against Women Act of 1994, 42 U.S.C. Section 13925, require updates to this chapter.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ralph T. Jenks, Director, Office of Procedures, Records, and Forms, University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone (509) 335-2005, fax (509) 335-3969, and e-mail prf.forms@wsu.edu. A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

January 22, 2014
Ralph T. Jenks, Director
Procedures, Records, and Forms
and University Rules Coordinator

WSR 14-03-133

PREPROPOSAL STATEMENT OF INQUIRY LOWER COLUMBIA COLLEGE

[Filed January 22, 2014, 10:41 a.m.]

Subject of Possible Rule Making: Student conduct code, chapter 132M-121 WAC, repeal and replace.

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 current Violence Against Women [Act], Department of Education Dear Colleague letter dated April 2011. New rules contain substantial reorganization of existing material and additions of new materials. For clarity, it is easier to delete old rules and replace with the 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 Dr. Lisa Matye Edwards, Vice-President for Student Success, Lower Columbia College, (360) 442-2301 or lmatyeedwards@lcc.ctc.edu.

January 22, 2014
Lisa Matye Edwards
Vice-President
for Student Success

WSR 14-03-134

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed January 22, 2014, 10:44 a.m.]

Subject of Possible Rule Making: Coastal sardine purse seine fishery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington department of fish and wildlife is considering rule amendments relating to the commercial harvest of mackerel in the coastal sardine purse seine fishery.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2403, fax (360) 902-2155, e-mail Joanna.Eide@dfw.wa.gov. Contact by March 12, 2014. Expected proposal filing on or after March 19, 2014. Updates will be added to the agency's rule-making page at <http://wdfw.wa.gov/about/regulations/development.html>. The commission's agenda, which will reflect public meeting dates and locations, can be found at <http://wdfw.wa.gov/commission/minutes.html>.

January 22, 2014
Joanna M. Eide
Rules Coordinator