

**WSR 14-12-002**  
**NOTICE OF PUBLIC MEETINGS**  
**LIFE SCIENCES**  
**DISCOVERY FUND AUTHORITY**

[Filed May 21, 2014, 12:05 p.m.]

Please note updates to life sciences discovery fund's (LSDF) 2014 scheduled board meeting information below. Note as well that we will post our public meeting agenda and any call-in information (if the meeting is telephonic only) as appropriate on our web site <http://www.lsdfa.org/about/staff/meetings.html> prior to each meeting.

**2014 Public Board Meeting Dates**  
 (times are approximate and subject to change)

Friday June 6	8:30 a.m.-9:30 a.m. <u>public session;</u> 9:30 a.m.-9:45 a.m. <u>executive session;</u> <u>and approximately</u> <u>9:45 a.m.-4:30 p.m.</u> <u>10:00 a.m. final public session</u>	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora-Conference Room) <u>This meeting is via teleconference, but members of the public are welcome to attend the public sessions at the</u> <u>LSDF Office</u> <u>1551 Eastlake Avenue East</u> <u>Seattle, WA 98115</u> <u>(third floor large conference room)</u>
Friday August 29	8:30 a.m.-4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (third floor large conference room)
Monday November 17	8:30 a.m.-4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora-Conference Room)

**WSR 14-12-003**  
**NOTICE OF PUBLIC MEETINGS**  
**RECREATION AND CONSERVATION**  
**OFFICE**

(Blue Ribbon Task Force on Parks and Outdoor Recreation)

[Filed May 21, 2014, 1:03 p.m.]

The Washington blue ribbon task force on parks and [outdoor] recreation, created by Governor's Executive Order 14-01, will hold a meeting at the following time and location:

Date: Tuesday, July 8, 2014  
 Time: 9:00 a.m. to 1:00 p.m.  
 Location: Wenatchee Valley College Campus  
 Van Tassell Center Café  
 1300 Fifth Street  
 Wenatchee, WA 98801

For further information, please contact Meg O'Leary, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia,

WA 98504-0917, meg.oleary@rco.wa.gov, phone (360) 902-0352, fax (360) 902-3026.

Meeting information is also available on-line at [www.rco.wa.gov/boards/TaskForceMeetings.shtml](http://www.rco.wa.gov/boards/TaskForceMeetings.shtml).

The recreation and conservation office schedules all public meetings at barrier free sites. Persons who need special assistance may contact Leslie Frank at (360) 902-0220 or by e-mail [leslie.frank@rco.wa.gov](mailto:leslie.frank@rco.wa.gov).

**WSR 14-12-014**

**PUBLIC RECORDS OFFICER**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed May 23, 2014, 10:45 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the office of superintendent of public instruction is Sherri Jenkins, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, phone (360) 725-6372, fax (360) 753-4201, e-mail [publicrecordsrequest@k12.wa.us](mailto:publicrecordsrequest@k12.wa.us), [sherri.jenkins@k12.wa.us](mailto:sherri.jenkins@k12.wa.us).

Randy I. Dorn  
 State Superintendent  
 of Public Instruction

**WSR 14-12-019**

**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**

[Filed May 23, 2014, 1:28 p.m.]

Following is a revision to the 2014 regular meeting schedule of the Edmonds Community College board of trustees.

A special executive session has been scheduled for May 29, 2014. The meeting will be held at 7:30 a.m. in Gateway Hall 304 on the Edmonds Community College campus.

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

**WSR 14-12-022**

**NOTICE OF PUBLIC MEETINGS**  
**BOARD FOR VOLUNTEER**  
**FIREFIIGHTERS AND RESERVE OFFICERS**

[Filed May 27, 2014, 9:45 a.m.]

The state board for volunteer firefighters and reserve officers is moving the June 2014 meeting date from June 20, 2014, to June 27, 2014, at 9:00 a.m.

**WSR 14-12-023**  
**HEALTH CARE AUTHORITY**

[Filed May 27, 2014, 10:08 a.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA) 14-0025.

Effective Date: July 1, 2014.

Description: School-based health care services.

The health care authority intends to submit medicaid SPA 14-0025. This SPA is being submitted to incorporate the Individuals with Disabilities Education Act (IDEA) Part C services under the school-based health care services (SBHS) program. Part C services are also known as early intervention services for infants and children ages birth to three who have a disability, developmental delay, or diagnosed physical or mental condition.

SBHS currently reimburses participating school districts for health-care-related services to children age three to twenty-one under IDEA Part B. Reimbursement for Part C services provided by licensed school staff under the SBHS program would allow schools to draw down additional state and federal monies. The agency estimates that if approved, this SPA will result in no additional annual aggregate expenditures.

To be eligible for SBHS Part C services:

- An individualized family support plan must be established;
- The child must be receiving Title XIX medicaid under a categorically needy program or medically needy program; and
- Services must be provided by a licensed health care practitioner.

If you would like to provide official written comments or would like more information regarding this amendment, please contact the person named below.

For additional information, contact James Harvey, SBHS for Children in Special Education, 626 8th Avenue S.E., Olympia, WA 98501, phone (360) 725-1153, TDD/TTY 1-800-848-5429, fax (360) 725-1152, e-mail james.harvey@hca.wa.gov, web site <http://www.hca.wa.gov/medicaid/schoolbased/pages/index.aspx>.

**WSR 14-12-025**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed May 27, 2014, 1:18 p.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Aging and Long-Term Support Administration**  
**Division of Home and Community Services (HCS)**  
**and**  
**Developmental Disabilities Administration (DDA)**

Document Title: Public Notice.

Subject: Change to HCS and DDA home and community based services waivers.

Effective Date: November 24, 2014.

Document Description: HCS and DDA intend to submit waiver amendments with the federal Centers for Medicaid and Medicare Services (CMS) for the following waivers:

- COPES (WA.0049) - HCS
- New Freedom (WA.0443) - HCS
- Basic Plus (WA.0409) - DDA
- Core (WA.0410) - DDA
- CIIBS (WA.40669) - DDA
- Community Protection (WA.0411) - DDA

These amendments will incorporate the new billing and payment information related to implementation of ProviderOne Phase 2 for waiver providers who have 1099 tax status (such as adult family homes, supported living providers, home delivered meals vendors, behavior support and consultation providers, and personal emergency response system vendors). After implementation of ProviderOne Phase 2, billing and payment for these waiver providers will no longer be completed by DSHS social service payment system. This amendment will have no impact on individual providers represented by SEIU 775NW who provide waiver personal care and respite services to waiver participants.

To receive a copy of the interpretive or policy statements contact Debbie Johnson, HCS, P.O. Box 45600, phone (360) 725-2531, fax (360) 586-9727, e-mail [Debbie.Johnson2@dshs.wa.gov](mailto:Debbie.Johnson2@dshs.wa.gov), web site <http://www.altsa.dshs.wa.gov/>; or Kris Pederson, DDA, P.O. Box 45310, phone (360) 725-3445, fax (360) 407-0955, e-mail [Kristine.Pederson@dshs.wa.gov](mailto:Kristine.Pederson@dshs.wa.gov), web site <http://www.dshs.wa.gov/ddd>, TDD/TTY (360) 438-2637.

**WSR 14-12-034**

**NOTICE OF PUBLIC MEETINGS**  
**INNOVATE WASHINGTON**

[Filed May 28, 2014, 12:23 p.m.]

The following regular meetings of the Innovate Washington board of directors have been cancelled:

Thursday, June 26, 2014

Thursday, September 25, 2014

Thursday, November 20, 2014

**WSR 14-12-037**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Veterinary Board of Governors)  
 [Filed May 28, 2014, 2:14 p.m.]

Following is a change in the date of the June 2014 schedule of regular meetings for the department of health, veterinary board of governors for the year 2014. The board meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Location
March 3, 2014	9:00 a.m.	Creekside Two at Center Point 20425 72nd Avenue South Room 307 Kent, WA 98032
June 23, 2014	9:00 a.m.	Red Lion Hotel River Inn 700 North Division Shoreline Ballroom B Spokane, WA 99202
September 25, 2014	9:00 a.m.	Department of Social and Health 1002 North 16th Avenue Room 302 Yakima, WA 98902
December 8, 2014	9:00 a.m.	Creekside Two at Center Point 20425 72nd Avenue South Room 307 Kent, WA 98032

If you need further information, please contact Judy Haenke, Program Manager, Veterinary Board of Governors, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4947, fax (360) 236-2901, Judy.haenke@doh.wa.gov, <http://www.doh.wa.gov/hsqa/Professions/Veterinarian/default.htm>.

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

**WSR 14-12-042**  
**PUBLIC RECORDS OFFICER**  
**PIERCE COLLEGE**  
 [Filed May 29, 2014, 9:35 a.m.]

Pursuant to RCW 42.56.580, the public records officer for Pierce College is Choi Halladay, 9401 Farwest Drive S.W., Lakewood, WA 98498, phone (253) 964-6506, fax (253) 964-3638, e-mail [challaday@pierce.ctc.edu](mailto:challaday@pierce.ctc.edu).

Michele Johnson, Ph.D.  
 Chancellor and CEO

**WSR 14-12-044**  
**DEPARTMENT OF COMMERCE**  
 [Filed May 29, 2014, 10:25 a.m.]

Low-Income Home Energy Assistance Program (LIHEAP)  
 Public Hearing

The Washington state department of commerce plans to hold a public hearing on the proposed Washington state detailed model state plan for the 2015 LIHEAP.

The hearing will be held Thursday, July 10, 2014, at the Department of Commerce, 1011 Plum Street S.E., Olympia, WA 98504-2525. The LIHEAP hearing will begin at 10:00 a.m. and close at noon unless taking testimony requires more time.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted up until 5:00 p.m. on July 10, 2014.

Written testimony for the LIHEAP hearing should be sent to the attention of Lisa Lipsey, Department of Commerce, P.O. Box 42525, Olympia, WA 98504-2525.

The LIHEAP plan is available in an alternate format upon request. Meetings sponsored by commerce shall be accessible to persons with disabilities. Accommodations may be arranged with a minimum of ten working days notice, to Lisa Lipsey, LIHEAP, TTY (360) 586-4623.

If you have any questions or need additional information, please contact Lisa Lipsey, (360) 725-2861, e-mail [lisa.lipsey@commerce.wa.gov](mailto:lisa.lipsey@commerce.wa.gov).

**WSR 14-12-045**  
**NOTICE OF PUBLIC MEETINGS**  
**LIFE SCIENCES**  
**DISCOVERY FUND AUTHORITY**  
 [Filed May 29, 2014, 11:14 a.m.]

Please note updates to life sciences discovery fund's 2014 scheduled board meeting information below. Note as well that we will post our public meeting agenda and any call-in information (if the meeting is telephonic only) as appropriate on our web site <http://www.lsdfa.org/about/staff/meetings.html> prior to each meeting.

**2014 Public Board Meeting Dates**  
 (times are approximate and subject to change)

Friday June 6	8:30 a.m.-9:30 am public session; 9:30 a.m.-9:45 a.m. executive session; and approximately 9:45 a.m.-10:00 a.m. final public session	This meeting is via teleconference, but members of the public are welcome to attend the public sessions at the LSDF Office 1551 Eastlake Avenue East Seattle, WA 98115 (third floor large conference room)
Friday August 29	8:30 a.m.-4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (third floor large conference room)

Monday December 15	8:30 a.m.-4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora Conference Room)
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**WSR 14-12-053**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Home Inspector Licensing Advisory Board)  
 [Filed May 30, 2014, 9:03 a.m.]

The following home inspector licensing advisory board meeting has been cancelled: **June 6, 2014**, Washington State Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, 9:00 a.m. to 1:30 p.m., (206) 835-7300.

**WSR 14-12-058**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Podiatric Medical Board)  
 [Filed May 30, 2014, 10:07 a.m.]

The department of health, podiatric medical board, has changed the following regular meeting:

From: July 17, 2014, conference call.

To: July 17, 2014, meeting at the Rainier Hotel and Conference Center in Renton, Washington.

If you need further information contact Brett Cain, program manager, in writing to 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), or visit our web site at [www.doh.wa.gov](http://www.doh.wa.gov).

**WSR 14-12-064**  
**ATTORNEY GENERAL'S OFFICE**  
 [Filed June 2, 2014, 10:15 a.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION**  
**WASHINGTON ATTORNEY GENERAL**

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by June 25, 2014. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion

may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by e-mail to [jeff.even@atg.wa.gov](mailto:jeff.even@atg.wa.gov) or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeff Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested, information about the attorney general's opinion process, information on how to submit your comments, and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the attorney general's web site at [www.atg.wa.gov/AGOOpinions/default.aspx](http://www.atg.wa.gov/AGOOpinions/default.aspx) for more information on how to join our AGO opinions list.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 14-05-02**  
**Request by Peter Goldmark, Commissioner of Public Lands**

**QUESTION(S):**

1. Does the Washington State Forest Practices Board have the authority to adopt a moratorium on the acceptance or approval of Forest Practices Applications that pose a threat to public safety due to potential slope instability?
2. If the Board cannot adopt a moratorium, can it accomplish a similar result by adopting an emergency rule, and if so, what procedural steps must the Board follow to adopt an emergency rule concerning unstable slopes?

**WSR 14-12-071**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Nursing Care Quality Assurance Commission)  
 [Filed June 2, 2014, 2:58 p.m.]

Following is the schedule of regular meetings for the department of health, nursing care quality assurance commission (NCQAC) for 2014 - 2015. This schedule follows the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW). The NCQAC meetings are open to the public. Access for persons with disabilities may be arranged with advance notice. Please contact the staff person below for more information.

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

Date	Time	Location
July 11, 2014	8:30 a.m.	Red Lion Hotel Tacoma 8402 South Hosmer Street Evergreen Room Tacoma, WA 98444
September 12, 2014	8:30 a.m.	Walla Walla, Washington 99362
November 14, 2014	8:30 a.m.	Kent, Washington 98030
January 9, 2015	8:30 a.m.	Kent, Washington 98030
March 13, 2015	8:30 a.m.	Department of Health 310 Israel Road S.E. Room 152/153 Tumwater, WA 98501
May 8, 2015	8:30 a.m.	Spokane, Washington 99202
July 10, 2015	8:30 a.m.	Seattle, Washington 98108
September 11, 2015	8:30 a.m.	Vancouver, Washington 98607
November 13, 2015	8:30 a.m.	Kent, Washington 98030

If you need further information please contact Mike Hively, Administrative Assistant, Department of Health, NCQAC, P.O. Box 47864, Olympia, WA 98504-7864, e-mail Mike.Hively@doh.wa.gov, web <http://www.doh.wa.gov/hsqa/Professions/Nursing/default.htm>, listserv <http://listserv.wa.gov/cgi-bin/wa?SUBED1=nursing-qac&A=1>.

**WSR 14-12-073**  
**AGENDA**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed June 3, 2014, 7:42 a.m.]

In accordance with RCW 34.05.314, the state parks and recreation commission submits this semi-annual agenda for rules under development for publishing in the Washington State Register.

State parks is conducting a thorough review and may have additional rules as conditions arise.

Any questions related to the specific rules identified in the agenda can be directed to the manager or Valeria Evans, rules coordinator, 1111 Israel Road, Olympia, WA 98504-2560, (360) 902-8597 or [valeria.evans@parks.wa.gov](mailto:valeria.evans@parks.wa.gov).

**2014 Semi[-Annual] Rule-Making Agenda**  
**(June - December 2014)**

WAC Citation	Reason and/or Expected Outcome	Contact	Status of Rule Making	Anticipated Date of Adoption	Comments
WAC 352-32-250 Public use fees	Commission adopted certain fee programs and services to better support state parks as a primarily fee-for-service agency.	Katie Manning Business Development Manager P.O. Box 42650 Olympia, WA 98504 (360) 902-8631 <a href="mailto:Katie.manning@parks.wa.gov">Katie.manning@parks.wa.gov</a>	CR-101 3/19/14	October 2014	
WAC 352-44-020 Recreational conveyances certification	Changing dates for the certificate - required prior for each season.	Nata Hurst Administrative Assistant P.O. Box 42650 Olympia, WA 98504 (360) 902-8638 <a href="mailto:Nata.hurst@parks.wa.gov">Nata.hurst@parks.wa.gov</a>	CR-101 5/23/14	October 2014	
WAC 352-44-050 Recreational conveyances—Safety inspections	Staff proposes to delete this section. This information is covered under RCW 79A.40.070 Costs of inspection and plan review.	Nata Hurst Administrative Assistant P.O. Box 42650 Olympia, WA 98504 (360) 902-8638 <a href="mailto:Nata.hurst@parks.wa.gov">Nata.hurst@parks.wa.gov</a>	CR-101 5/23/14	October 2014	

WAC Citation	Reason and/or Expected Outcome	Contact	Status of Rule Making	Anticipated Date of Adoption	Comments
WAC 352-44-080 Recreational conveyances—Simulated load test	Proposing to repeal WAC 352-44-080. State parks adopted ANSIB771.1, current edition as the governing standard.	Nata Hurst Administrative Assistant P.O. Box 42650 Olympia, WA 98504 (360) 902-8638 Nata.hurst@parks.wa.gov	CR-101 5/23/14	October 2014	
WAC 352-32-44-130 [352-44-130] Fees, inspection and plan review	Add new section to cover the costs of implementing the department's responsibilities defined under chapters 79A.40 and 79A.45 RCW.	Nata Hurst Administrative Assistant P.O. Box 42650 Olympia, WA 98504 (360) 902-8638 Nata.hurst@parks.wa.gov	CR-101 5/23/14	October 2014	
WAC 352-37-105 Fires and campfires	On the ocean beaches, the agency does not provide designated campfire pits, rings or other campfire enclosures. A portion of this WAC section is superfluous, and staff recommends that it be eliminated. The remainder of the WAC applies to campfires on the ocean beaches.	Diana Dupuis Operations Manager P.O. Box 42650 Olympia, WA 98504 (360) 902-8847 Diana.Dupuis@parks.wa.gov		December 2014	
WAC 352-32-085 Technical rock climbing	Staff recommend[s] changing part of subsection (3) to be consistent with closure provisions recommended in WAC 325-32-050 Park periods.	Diana Dupuis Operations Manager P.O. Box 42650 Olympia, WA 98504 (360) 902-8847 Diana.Dupuis@parks.wa.gov		December 2014	
WAC 352-32-200 Special group recreation permit	Staff recommends the agency address in subsection (4) be changed to the current agency's address.	Diana Dupuis Operations Manager P.O. Box 42650 Olympia, WA 98504 (360) 902-8847 Diana.Dupuis@parks.wa.gov		December 2014	

Valeria Evans  
Management Analyst

**WSR 14-12-080****AGENDA****DEPARTMENT OF  
FINANCIAL INSTITUTIONS**

[Filed June 3, 2014, 9:59 a.m.]

**Semi-Annual Agenda for Rules Under Development  
July 1 – December 31, 2014****DIVISION OF BANKS**

- Amend rules on limits on loans and extensions of credit (WAC 208-512A-010) to conform to statutory changes in chapter 76, Laws of 2013, which updated the "parity" provisions by which state-chartered banks and savings banks may exercise the powers and authorities of national banks and federal savings associations. The amendments to the statute changed the "parity date" from July 27, 2003, to effectively July 28, 2013. Accordingly, the rule needs to be amended to conform to the statutory changes. There may be other minor proposed amendments to the lending limits rules for clean-up or tweaking purposes.
- Amend chapter 208-512 WAC to modernize securities investment standards rules. Section 939A of the Dodd-Frank Act authorized federal banking regulators to eliminate statutory protections for national credit rating agencies associated with investments (i.e., Standard & Poors, Moody's, and Fitch) and to establish new standards of credit-worthiness. In reviewing its compliance with Section 939A of the Dodd-Frank Act, the division of banks identified one or more sections of chapter 208-512 WAC which need modernization to conform to the Dodd-Frank Act and to also assure "parity" for Washington state-chartered banks and savings banks with national banks in relation to securities investment standards. Accordingly, the division of banks is anticipating repealing WAC 208-512-110 through 208-512-117 inclusive, and to propose and adopt a modern, comprehensive set of rules on bank investment standards set forth in a new chapter 208-512B WAC.
- Propose and adopt rules for a technical clean-up of existing chapter 208-512 WAC consistent with the rule making to be proposed and adopted above. These rules benefit regulated entities.

**DIVISION OF CONSUMER SERVICES**

- Amend chapter 208-630 WAC as to small loan agents. Chapter 31.45 RCW provides for the regulation of small loan agents. Chapter 208-630 WAC must be amended to provide for differing levels of regulation of small loan agents based on the services they provide. Rules are beneficial to or requested or supported by regulated entities.

**DIVISION OF CREDIT UNIONS**

- Initiate rule making on investments for credit unions. Rules are beneficial to or requested or supported by regulated entities.

**DIVISION OF SECURITIES**

- Amendments to WAC 460-80-300 to allow electronic delivery of franchise disclosure documents to franchisees. Rules are beneficial to or requested or supported by regulated entities.
- Amendments to WAC 460-42A-081 to include NASDAQ Global Select, Global, and Capital Markets securities in exemption, reflecting changes in federal law. The current rule predates the creation of these tiers and references a system no longer in place. Rules are beneficial to or requested or supported by regulated entities.
- Amending chapter 460-16A WAC to clarify requirements for filing applications to renew securities offering registrations. Rules are beneficial to or requested or supported by regulated entities.
- Propose rules in a new chapter in Title 460 WAC to implement the "Washington Jobs Act of 2014," ESHB 2023, an act allowing equity crowdfunding for certain small securities offerings. Rules are beneficial to or requested or supported by regulated entities.
- Considering amendment to WAC 460-16A-205 to remove the reference to the North American Securities Administrators Association (NASAA) Statement of Policy regarding health care facility offerings, pertaining to the offering on nonprofit health care facility bonds, as it has been repealed by NASAA. Rules are beneficial to or requested or supported by regulated entities.
- Amendments and updates to chapter 460-24A WAC regarding investment advisers due to changes in federal law and NASAA model rules. Rules are required by federal law.
- Amendments to WAC 460-44A-502 regarding legends to clarify requirements. Rules are beneficial to or requested or supported by regulated entities.
- Amendments to WAC 460-80-140 correcting cross references to federal law. Rules are beneficial to or requested or supported by regulated entities.
- Propose new rule in chapter 460-23B WAC to clarify requirement to file termination notice for agents of issuers. Rules are beneficial to or requested or supported by regulated entities.

**WSR 14-12-091**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed June 3, 2014, 2:59 p.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Developmental Disabilities Administration (DDA)**

Document Title: Public Notice.

Subject: Create a new individual and family services (IFS) home and community based services (HCBS) waiver program and amend existing Basic Plus, core, community protection and children's intensive in-home behavioral support (CIIBS) HCBS waivers to increase program capacity, modify services necessary to provide consistency between the new IFS waiver program and existing HCBS waivers and modify as necessary to implement new Code of Federal Regulations.

Effective Date: May 1, 2015.

Document Description: The 2014 operating supplemental budget directed the DDA to move the state funded IFS program into a 1915(C) HCBS waiver. The requirement is to mirror the current IFS program as much as possible in the new HCBS waiver. In addition, the 2014 operating supplemental budget directed the administration to increase the capacity in the IFS program and the Basic Plus waiver program. As a result, DDA will need to complete the following actions:

- Initiate an application to the Centers for Medicare and Medicaid Services (CMS) in order to implement this new IFS waiver program by May 2015;
- Modify current chapters 388-845, 388-832, 388-825 and 388-828 WAC, in order to incorporate the new IFS program;
- Modify current HCBS waiver programs services as needed to promote consistency between services with the addition of the new IFS waiver program;
- Amend the Basic Plus waiver to increase capacity to an additional one thousand individuals; and
- Amend the core, CIIBS and community protection waivers to reflect projected capacity changes within and between waivers.

CMS has implemented new home and community based services Code of Federal Regulations as of March 17, 2014, and provided new standards for developing an HCBS quality improvement system (QIS). As a result of CMS guidance, DDA will be amending the Basic Plus, CIIBS, core and community protection programs to modify the existing performance measurements in the QIS and to incorporate the new performance measurements. In addition, modifications will be made to enhance the current QIS system to allow for a random sample of data to be extracted to review the HCBS waiver programs system as a whole program as well as looking at the individual waiver program performance.

For additional questions, please contact Bob Beckman, DDA, P.O. Box 45310, phone (360) 725-3145, TDD/TTY (360) 438-2637, fax (360) 407-0955, e-mail Bob.Beckman@dshs.wa.gov, web site <http://www.dshs.wa.gov/ddd>.

**WSR 14-12-094**  
**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF REVENUE**

[Filed June 4, 2014, 9:23 a.m.]

**INTERPRETIVE STATEMENT ISSUED**

The department of revenue has issued the following property tax advisory (PTA): **PTA 12.3.2014** *Classification of Land Used for Christmas Tree Production*.

This PTA clarifies the statutory guidelines for designation of Christmas tree lands under chapter 84.33 RCW. The key points of this advisory are identification of the disqualifying conditions, an explanation of the difference between stump removal or scarification as opposed to plowing and tilling the soil, and classification under open space farm and agriculture if the property meets the requirements contained in RCW 84.34.020. This PTA is being revised to recognize a law change made to RCW 84.33.035 by chapter 137, Laws of 2014 (SB 6180), which amends the definition of "forest land" by reducing the specified acreage from twenty acres to five acres effective June 12, 2014.

A copy of this document is available via the internet at Recent Rule and Interpretive Statements, Adoptions, and Repeals.

Tim Jennrich  
Tax Policy Manager  
ETA and Special Projects

**WSR 14-12-095**  
**DEPARTMENT OF CORRECTIONS**

[Filed June 4, 2014, 10:16 a.m.]

**Reviser's note:** The following material has *not* been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

Following are amendments to chapter 137-25 WAC, Serious infractions. These amendments are submitted for publication in the Washington State Register and the Washington Administrative Code. Pertinent information follows:

1. The amendments to chapter 137-25 WAC, Serious infractions, are adopted as of May 29, 2014.
2. The effective date of these amendments shall be July 1, 2014.
3. The statutory authority for these amendments is RCW 72.01.090 and 72.65.100.
4. I certify pursuant to RCW 34.05.030 that the amendment, as stated above, is excluded from the Administrative Procedure Act.

Bernard Warner  
Secretary



AMENDATORY SECTION (Amending WSR 11-17-119, filed 8/23/11, effective 9/23/11)

**WAC 137-25-030 Serious infractions.**

**Category A**

501 - Committing homicide.
502 - Aggravated assault on another offender.
507 - Committing an act that would constitute a felony and that is not otherwise included in these rules.
511 - Aggravated assault on a visitor or community member.
521 - Taking or holding any person hostage.
550 - Escape.
601 - Possession, manufacture, or introduction of an explosive device or any ammunition, or any components of an explosive device or ammunition.
602 - Possession, manufacture, or introduction of any gun, firearm, weapon, sharpened instrument, knife, or poison or any component thereof.
603 - Possession, introduction, use or transfer of any narcotic, controlled substance, illegal drug, unauthorized drug, mind altering substance, or drug paraphernalia.
604 - Aggravated assault on a staff member.
611 - Sexual assault on a staff member.
612 - Attempted sexual assault of staff.
613 - Abusive sexual contact with staff.
635 - Sexual assault on another offender.
636 - Attempted sexual assault of another offender.
637 - Abusive sexual contact with another offender.
650 - Rioting.
651 - Inciting others to riot.
882 - Possession or unauthorized use of a cell phone.

**Category B - Level 1**

504 - Engaging in sexual acts with others within the facility with the exception of approved conjugal visits.
553 - Setting a fire.
560 - Unauthorized possession of items or materials likely to be used in an escape attempt.
633 - Assault on another offender.
704 - Assault on a staff member.
711 - Assault on a visitor or community member.
744 - Making a bomb threat.
884 - Urinating, defecating or placing feces or urine, in any location other than a toilet or authorized receptacle.
886 - Adulteration of any food or drinks.
892 - Giving, selling or trading any prescribed medication with another offender.

**Category B - Level 2**

505 - Fighting with any person.
556 - Refusing to submit or cooperate in a search when ordered to do so by a staff member.
607 - Refusing to submit to a urinalysis and/or failure to provide a urine sample when ordered to do so by a staff member within the allotted time frame.
608 - Refusing or failing to submit to a breathalyzer or other standard sobriety test when ordered to do so by a staff member.
609 - Refusing or failing to submit to testing required by policy, statute, or court order, such as DNA blood tests when ordered to do so by a staff member.
652 - Engaging in or inciting a group demonstration.
655 - Making intoxicants, alcohol, controlled substances, narcotics, or possession of ingredients, equipment, items, formulas, or instructions that are used in making intoxicants, alcohol, controlled substances, or narcotics.
682 - Engaging in or inciting an organized work stoppage.
707 - Possession, introduction, or transfer of any alcoholic or intoxicating beverage or substance.
716 - Unauthorized use of an over the counter medication or failure to take prescribed medication as required when administered under supervision.
736 - Possession, manufacture or introduction of unauthorized keys.
750 - Indecent exposure.
752 - Receiving a positive test for use of unauthorized drugs, alcohol, or other intoxicants.
830 - Any escape from work release with voluntary return within 24 hours.

**Category B - Level 3**

503 - Extortion, blackmail, demanding or receiving money or anything of value in return for protection against others, or under threat of informing.
506 - Threatening another with bodily harm or with any offense against another person, property, or family.
509 - Refusing a direct order by any staff member to proceed to or disperse from a particular area.
525 - Violating conditions of a furlough.
549 - Providing false or misleading information during any stage of an investigation of sexual misconduct, as defined in DOC policy on <i>Response to and Investigation of Sexual Misconduct</i> .
558 - Interfering with staff members, medical personnel, firefighters, or law enforcement personnel in the performance of their duties.

600 - Tampering with, damaging, blocking, or interfering with any locking or security device.
605 - Impersonating any staff member, contracted staff member, volunteer, other offenders or visitor.
653 - Causing an inaccurate count or interfering with count by means of unauthorized absence, hiding, concealing oneself, or other form of deception or distraction.
654 - Counterfeiting, forgery, altering, falsification, or unauthorized reproduction of any document, article of identification, money, security, or official paper.
660 - Unauthorized possession of money or other negotiable instruments the value of which is five dollars or more.
709 - Out-of-bounds: Being in another offender's cell or being in an area in the facility with one or more offenders without authorization.
738 - Possession of clothing or assigned equipment of a staff member.
739 - Possession of personal information about currently employed staff, contractors, or volunteers, or their immediate family members, not voluntarily given to the offender by the individual involved; including, but not limited to: Social Security numbers, unpublished home addresses or telephone numbers, driver's license numbers, medical, personnel, financial, or real estate records, bank or credit card numbers, or other like information not authorized by the court or the superintendent.
745 - Refusing a transfer to another institution.
746 - Engaging in or inciting an organized hunger strike.
762 - Failing to complete, or administrative termination from, DOSA substance abuse treatment program. Note: <i>This infraction must be initiated by authorized staff and heard by a community corrections hearing officer in accordance with chapter 137-24 WAC.</i>
777 - Causing injury to another person by resisting orders, resisting assisted movement or physical efforts to restrain.
813 - Unauthorized/unaccounted time in the community or being in an unauthorized location in the community.
814 - While in work release, violation of an imposed special condition.
831 - While in work release, failure to return from an authorized sign out.
879 - Operating a motor vehicle without permission or in an unauthorized manner or location.
889 - Unauthorized use of facility phones/related equipment or use of computer to conduct unauthorized or illegal business.

**Category C - Level 1**

508 - Throwing objects, materials, substances, or spitting in the direction of another person(s).
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517 - Committing any act that would constitute a misdemeanor and that is not otherwise included in these rules.
555 - Theft of property or possession of stolen property.
557 - Refusing to participate in an available education or work program or other mandatory programming assignment.
563 - Making a false fire alarm or tampering with, damaging, blocking, or interfering with fire alarms, fire extinguishers, fire hoses, fire exits, or other firefighting equipment or devices.
610 - Unauthorized possession of prescribed medication greater than a single or daily dose.
620 - Receipt or possession of contraband during participation in off-grounds or outer perimeter activity or work detail.
659 - Sexual harassment.
663 - Using physical force, intimidation or coercion against any person.
702 - Possession, manufacture or introduction of an unauthorized tool.
708 - Organizing or participating in unauthorized group activity or meeting.
714 - Giving, selling, borrowing, lending, or trading money or anything of value to, or accepting or purchasing money or anything of value from, another offender or that offender's friend(s) or family, the value of which is ten dollars or more.
717 - Causing a threat of injury to another person by resisting orders, resisting assisted movement or physical efforts to restrain.
720 - Flooding a cell or other area of the institution/facility.
724 - Refusing a cell or housing assignment.
734 - Participating or engaging in the activities of any unauthorized club, organization, gang or security threat group; or wearing or possessing the symbols of an unauthorized club, organization, gang or security threat group.
810 - Failure to seek/maintain employment or training or maintain oneself financially or being terminated from a job for negative or substandard performance.

**Category C - Level 2**

552 - Causing an innocent person to be penalized or proceeded against by providing false information.
554 - Damaging or destroying state property or any other item the value of which is ten dollars or more and that is not the personal property of the offender.
559 - Gambling; possession of gambling paraphernalia.
656 - Giving, receiving, or offering any person a bribe or anything of value for an unauthorized favor or service.

706 - Giving false information when proposing a release plan.
710 - Being tattooed while incarcerated, tattooing another, or possessing tattoo paraphernalia.
718 - Use of mail or telephone in violation of court order or local, state, or federal law.
725 - Any telephonic or written correspondence with any offender in a correctional facility without prior written approval of the superintendent/community corrections supervisor/designee.
726 - Telephoning or sending written communication or otherwise initiating communication with a minor without the approval of that minor's parent or guardian.
727 - Telephoning or sending written communications to any person contrary to previous written warnings or direction and/or documented disciplinary action.
728 - Possession of any sexually explicit material(s), as defined by department policy and/or WAC 137-25-020.
740 - Fraud, embezzlement, or obtaining goods, services, money, or anything of value under false pretense.
742 - A pattern of creating a false emergency by feigning illness.
778 - Providing a urine specimen that has been diluted, substituted or altered in any way.

**Category C - Level 3**

551 - Providing false information to the disciplinary hearings officer or on a disciplinary appeal.
606 - Possession, introduction, or transfer of any tobacco, tobacco products, matches, or tobacco paraphernalia.
657 - Being found guilty of four or more general infractions arising out of separate incidents within a 90-day period.
658 - Failing to comply with any administrative or post-hearing sanction imposed for committing any general or serious infraction.
662 - Soliciting goods or services for which the provider would expect payment when the offender knows or should know that no funds are available to pay for those goods or services.
<del>((712 - Attempted suicide as determined by mental health staff.</del>
<del>713 - Self mutilation or self harm.))</del>
741 - Theft of food the value of which is more than five dollars.
755 - Misuse or waste of issued supplies, goods, services, or property the replacement value of which is ten dollars or more.
811 - Entering into an unauthorized contract.
812 - Failure to report/turn in all earnings income.

861 - Performing or taking part in an unauthorized marriage.
890 - Failure to follow a medical directive and/or documented medical recommendations resulting in injury.

(1) In determining whether a #728 infraction or a #328 infraction pursuant to WAC 137-25-030 should be charged, the infracting officer shall consider mitigating factors as defined in WAC 137-25-020.

(2) Attempts to commit infraction #611 or #635 are now separate infractions #612 and #636 for the Prison Rape Elimination Act (PREA) reporting purposes only and do not impact the definition in WAC 137-25-020 which includes "attempts."

**WSR 14-12-097**  
**AGENDA**  
**FOREST PRACTICES BOARD**

[Filed June 4, 2014, 10:54 a.m.]

**Semi-Annual Rule-Making Agenda for**  
**Publication in the Washington State Register pursuant to**  
**RCW 34.05.314**  
**July - December 2014**

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

1. **WAC 222-16-080 Critical habitats (state) of threatened and endangered species.** Rule making has been put on hold.

2. **Road Maintenance.** Rule making has been put on hold until 2015.

3. **Unstable Slopes Information on Forest Practices Applications.** The board will consider initiating rule making at their November meeting to clarify rules that additional geologic information conforms to appropriate technological and professional standards needed to help the department of natural resources (DNR) assess threats to public safety and appropriately classify forest practices applications.

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

**WSR 14-12-105**  
**AGENDA**  
**GAMBLING COMMISSION**

[Filed June 4, 2014, 11:59 a.m.]

Following is the Washington state gambling commission's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

If you have questions about this rule-making agenda, please contact Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, phone (360) 486-3466, fax (360) 486-3625, e-mail [Susan.Newer@wsgr.wa.gov](mailto:Susan.Newer@wsgr.wa.gov).

**Rule Development Agenda  
July through December 2014**

<b>WAC</b>	<b>Subject of Rule Making</b>	<b>CR-101</b>	<b>CR-102</b>	<b>CR-103</b>	<b>Effective</b>
WAC 230-03-061	Staff is proposing an amendment to require background checks on landlords as set forth in RCW 9.46.070(7).	WSR 12-19-042	WSR 13-15-041	WSR 14-11-022	7/1/14
WAC 230-15-040	Petition for rule change from Ashford Gaming requesting a rule change to allow an optional wager in the card game mini-Baccarat.	WSR 13-15-118	WSR 13-19-057	WSR 13-03-009	2/17/14
WAC 230-14-047	Staff is proposing an amendment to allow pull-tab prizes of \$20 or less to be added to cash cards used in electronic video pull-tab dispensers. This rule making is in response to a recent Thurston County superior court decision.	WSR 13-19-073	WSR 13-23-054	Adopted	5/12/14
WAC 230-15-040	Staff is proposing an amendment to clarify the rule to allow more than one "envy" and "share the wealth" "bonus features" to be offered in a single card game. And to add definitions and clarifications to bring agency rules in-line with current practice.	WSR 13-15-120	WSR 13-23-041	Adopted	3/17/14
Chapter 230-15 WAC	Staff has been working with stakeholders to review our card game rules chapter to evaluate our regulatory processes to ensure requirements add value and to streamline requirements.	WSR 13-24-057	WSR 14-07-087	WSR 14-11-021	7/1/14
WAC 230-03-025	Staff is reviewing possible amendments to the requirements and restrictions related to the manufacturer's special sales permit.	WSR 13-24-054	WSR 14-09-039	Anticipate final action at the July 2014 commission meeting	
WAC 230-17-170	Staff is reviewing a possible amendment to increase the length of time to hold a stay hearing from seven to fourteen days.	WSR 13-24-055		Adopted	5/12/14
WAC 230-14-110	Petition for rule change from Mr. Berven requesting to increase the threshold for recording identification information for punch board/pull-tab winners from \$20 to \$150.	WSR 13-24-081	WSR 14-03-097	WSR 14-08-002	7/1/14
New section WAC 230-16-003	Petition for rule change from John Lowmon: Requiring bingo and pull-tab manufacturers to make related products and services available to all distributors.	WSR 14-06-092	WSR 14-12-103	Anticipate final action at the July 2014 commission meeting	
WAC 230-15-030	Petition for rule change from Omega Gaming, requesting a rule change to allow staff to approve new nonhouse banked card games.	WSR 14-08-008	WSR 14-11-052	Anticipate final action at the August 2014 commission meeting	
WAC 230-06-030, 230-11-070, new section 230-11-091	Petition for rule change from Rocky Mountain Elk Foundation to allow progressive raffles for members-only raffles and a new rule is proposed that defines a "members only progressive raffle" as a raffle in which winner(s) of one members only raffle or group of raffles may, without further consideration, receive an entry into another members only raffle.	WSR 14-08-007	WSR 14-11-051	Anticipate final action at the August 2014 commission meeting	
WAC 230-03-052	Petition for rule change from Nathan Schreiner regarding resident agent requirements.	WSR 14-11-017	Anticipate up for filing at the July 2014 commission meeting		
WAC 230-06-045 and 230-11-105	Staff has identified two raffle rules for amendments to meet current practice.	WSR 14-11-084	Anticipate up for filing at the August 2014 commission meeting		

WAC	Subject of Rule Making	CR-101	CR-102	CR-103	Effective
WAC 230-15-295	Staff is reviewing requirements related to digital surveillance at card rooms.	WSR 14-08-030	Anticipate up for filing at the August 2014 commission meeting		

Susan Newer  
Rules Coordinator