

**WSR 14-20-040**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed September 24, 2014, 10:39 a.m.]

Subject of Possible Rule Making: New WAC 182-61-0005 Records including health care information.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, and 70.02.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 70.02.290 requires the health care authority (HCA) to adopt a rule on the subject of records that include health care information. All state or local agencies obtaining patient health care information pursuant to RCW 70.02.050 and 70.02.200 through 70.02.240 that are not health care facilities or providers shall adopt rules establishing their record acquisition, retention, destruction, and security policies that are consistent with this chapter.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Health Insurance Portability and Accountability Act (HIPAA) privacy and security rules regulate this subject. 45 C.F.R. Part 164 Subparts C and E. The Health Care Information Act, chapter 70.02 RCW, does also, and includes the section requiring this rule.

Process for Developing New Rule: 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 George Taylor, P.O. Box 42700, Olympia, WA 98504-2700, phone (360) 725-1116, fax (360) 586-9727, TTY 1-800-848-5429, e-mail george.taylor@hca.wa.gov.

September 24, 2014  
 Kevin M. Sullivan  
 Rules Coordinator

**WSR 14-20-049**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

(Veterinary Board of Governors)

[Filed September 24, 2014, 8:38 p.m.]

Subject of Possible Rule Making: WAC 246-933-XXX, the veterinary board of governors (board) will consider adopting a requirement for veterinarians to provide a prescription, if requested, for medication prescribed by the veterinarian.

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: The board received a petition for rule making requesting a requirement for veterinarians to provide a written or electronic prescription, if requested, for medication prescribed by the veterinarian and that clients be

made aware that they could request a copy of the prescription. The board determined that it would initiate rule making to consider implementation of a requirement that veterinarians would provide a copy of a prescription when requested and that clients of veterinarians would be made aware that they could request a copy.

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 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) 236-2907. Stakeholders will be notified and invited to participate in an open public rules workshop and may submit written comments for consideration. Stakeholders will be notified through listserv and posting to the web site.

September 24, 2014  
 Kathy Schmitt  
 Deputy Director  
 Health Professions  
 and Facilities

**WSR 14-20-062**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed September 25, 2014, 4:28 p.m.]

Subject of Possible Rule Making: Chapter 182-526 WAC and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 34.05.440, chapter 74.09 RCW; Title 42 C.F.R., Part 431.232, 233 (b), (d) and (f), and 245.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending the timeframe a case is in hearing status and clarifying when an initial order is effective in relation to continued or reinstated benefits.

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 Crabbe, P.O. Box 42716, Olym-

pia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail jason.crabbe@hca.wa.gov.

September 25, 2014  
Kevin M. Sullivan  
Rules Coordinator

### WSR 14-20-065

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed September 26, 2014, 12:07 p.m.]

Subject of Possible Rule Making: WAC 458-20-101 (Rule 101) Tax registration and tax reporting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300 and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amending Rule 101 to remove the concept of dissociation from the rule consistent with proposed changes for WAC 458-20-193.

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

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below to provide written comments throughout this rule making or give oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The department anticipates that a preliminary draft of possible rule changes will be available by October 8, 2014, via the department's online Rules Agenda. The department is at this time asking for written comments regarding its anticipated course for amending Rule 101. Please provide comments by October 31, 2014.

Written comments should be directed to David Hesford, Interpretations and Technical Advice Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail DavidH@dor.wa.gov, phone (360) 534-1586.

September 26, 2014  
Dylan Waits  
Rules Coordinator

### WSR 14-20-107

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

(Economic Services Administration)

[Filed September 30, 2014, 1:30 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-310-0300 WorkFirst—Infant care exemptions for mandatory participants and 388-310-1450 Pregnancy to employment, to implement a parenting education and home visiting services program targeted to

WorkFirst households who are homeless or who have an infant. Other related rules may also be amended as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08A.270, 74.04.050, 74.08.090, and 74.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to implement a parenting education and home visiting services program targeted to WorkFirst households who are homeless or who have an infant.

The proposed amendments will support the WorkFirst program changes outlined in the agency detail, rec sums for the supplemental budget (ESSB 6002) that passed the legislature on March 13, 2014.

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 Louisa Erickson, Program Manager, Community Services Division, Economic Services Administration, P.O. Box 4470, Olympia, WA 98504-5470 [98504-4470], phone (360) 725-4559, fax (360) 725-4905, e-mail ericklm@dshs.wa.gov.

September 30, 2014  
Katherine I. Vasquez  
Rules Coordinator

### WSR 14-20-110

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed September 30, 2014, 2:30 p.m.]

Subject of Possible Rule Making: Amend WAC 182-533-0327 Maternity support services—Professional staff qualifications and interdisciplinary team, 182-533-0345 Maternity support services—Payment; and related sections as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update provider type terminology, clarify issues related to group billing, and related subjects.

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 pub-

lication by contacting Kevin Sullivan, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail kevin.sullivan@hca.wa.gov.

September 30, 2014  
Kevin M. Sullivan  
Rules Coordinator

#### WSR 14-20-114

##### PREPROPOSAL STATEMENT OF INQUIRY TRANSPORTATION COMMISSION

[Filed September 30, 2014, 3:27 p.m.]

Subject of Possible Rule Making: I-405 Express toll lane toll rate and policy setting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.850 and 47.56.880.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State statute requires tolls for the express toll lanes generate sufficient revenue to pay for operating costs and effectively maintain travel time, speed, and reliability on the highway facilities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of transportation will review and coordinate with the transportation commission on this rule-making process.

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. The transportation commission will hold a public input meeting in the regional area surrounding the I-405 express toll lanes project in the fall of 2014 and/or the winter of 2015. More details will be issued in coming months. Public comment will be taken at the public input meeting as well as at the final hearing. Comments may also be submitted in writing to the transportation commission by mail at P.O. Box 47308, Olympia, WA 98504-7308, phone (360) 705-7070, fax (360) 705-6802, or via e-mail [transc@wsdot.wa.gov](mailto:transc@wsdot.wa.gov).

September 30, 2014  
Reema Griffith  
Executive Director

#### WSR 14-20-116

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

(Aging and Long-Term Services Administration)

[Filed October 1, 2014, 8:27 a.m.]

Subject of Possible Rule Making: Chapter 388-106 WAC, Long-term care services and chapter 388-71 WAC, Home and community services and programs, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520, 74.36.110, 74.36.130, 74.36.100, ESHB 2746.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In accordance with ESHB 2746, establish a 1915(k) community first choice option (CFCO) as specified in the federal rule. The DSHS home and community services division will develop a state plan amendment to provide this new state plan option. These rules will define the scope and eligibility of the new 1915(k) services. Other related changes that may arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tracey Rollins, CFCO Program Manager, P.O. Box 45533, Olympia, WA 98504-45533, phone (360) 725-3216, fax (360) 438-8633, TTY (800) 848-5429, e-mail [Tracey.Rollins@dshs.wa.gov](mailto:Tracey.Rollins@dshs.wa.gov).

September 30, 2014  
Katherine I. Vasquez  
Rules Coordinator

#### WSR 14-20-119

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed October 1, 2014, 9:35 a.m.]

Subject of Possible Rule Making: Amend WAC 458-30-200 Definitions and repeal WAC 458-30-210 Classification of land under chapter 84.34 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.34.141 Rules and regulations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-30-200 and 458-30-210 provide definitions used in the administration of chapter 458-30 WAC. Amending WAC 458-30-200 will clarify and update definitions the department and the county assessor offices use when administering the current use program under chapter 84.34 RCW. Additionally, the department believes that the definitions found in WAC 458-30-210 can be incorporated into the definitions in WAC 458-30-200 to improve the entire chapter.

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

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. A preliminary draft of possible rule changes is available via the department's online Rules Agenda.

Written comments may be submitted and should be directed to Leslie Mullin, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail [LeslieMu@dor.wa.gov](mailto:LeslieMu@dor.wa.gov).

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, 2nd Floor Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on November 13, 2014, at 10:00 a.m. *Call-in option can be provided upon request no later than three days before the meeting date.*

Assistance for persons with disabilities: Contact Mary Carol LaPalm, (360) 725-7499, or Renee Cosare, (360) 725-7514, no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

October 1, 2014  
Dylan Waits  
Rules Coordinator

**WSR 14-20-120**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed October 1, 2014, 10:32 a.m.]

Subject of Possible Rule Making: The department is considering rule making involving aquatic invasive species (AIS) rules. Rule making will embody the principles of prevention as the highest priority, identify allowable certificate of inspection forms for aquatic conveyances entering the state, determine exemptions to clean and drain requirements where there is minimal risk of spreading invasive species, set inspection and decontamination station standards, and establish types of services department-authorized representatives can perform.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.12.047, 77.135.020, 77.135.-100, 77.135.110, 77.135.150, and 77.135.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature adopted ESSB 6040 (codified as chapter 77.135 RCW) in 2014 which implements a more robust AIS program under the primary authority of the department. The department needs rules to implement the expanded program to provide additional protection against the spread of aquatic invasive species.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is the lead agency for managing invasive species of the animal kingdom statewide pursuant to RCW 77.135.020. This rule-making proposal will be centered on department activities, however, the department will collaborate with additional agencies should that become necessary as the project develops.

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 Allen Pleus, AIS Coordinator, Fish Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2724, fax (360) 902-2155, e-mail [Allen.Pleus@dfw.wa.gov](mailto:Allen.Pleus@dfw.wa.gov). Contact by November 14, 2014. Expected proposal filing on or after November 19, 2014.

October 1, 2014  
Joanna M. Eide  
Rules Coordinator

**WSR 14-20-124**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF TRANSPORTATION**  
[Filed October 1, 2014, 11:47 a.m.]

Subject of Possible Rule Making: Update and cleanup of the tolling WACs, including adding an adjudication review process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 47.46 and 47.56 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As the program has matured, there is a need to update and add rules for new processes.

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. The Washington state department of transportation (WSDOT) will publish a notice for a public hearing on these rules in January 2015. Comments may be submitted to Lucinda Broussard, WSDOT toll operations manager, (206) 716-1156, or fax (206) 464-1189. Comments may also be submitted to [tollrulecomments@wsdot.wa.gov](mailto:tollrulecomments@wsdot.wa.gov).

September 30, 2014  
Theresa Greco  
Government Relations  
and Communications Manager