

WSR 15-10-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 27, 2015, 1:19 p.m.]

Subject of Possible Rule Making: Chapter 246-322 WAC, Private psychiatric and alcoholism hospitals, amending WAC 246-322-180 to clarify the authority of a psychiatric advanced registered nurse practitioner (PARNP), allopathic physician's assistant, and osteopathic physician's assistant regarding the seclusion and restraint of patients. Other technical changes made as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.12.670.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarification of a PARNP and physician assistant's authority regarding seclusion and restraint of patients may increase efficiency in private psychiatric hospitals by allowing for greater continuity of patient care and scheduling flexibility for hospitals and providers.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The department will schedule one stakeholder workgroup. Stakeholders may also participate through the public comment and public hearing process. Notice of all rule-making activity will be sent via listservs and posted on the department of health's web site at www.doh.wa.gov/AboutUs/DepartmentofHealth/RuleMaking/RuleMakingActivity.

Additional questions may be directed to Julie Tomaro, 111 Israel Road S.W., Tumwater, WA 98501, e-mail [julie.tomaro@doh.wa.gov](mailto:jtomaro@doh.wa.gov), phone (360) 236-2937, fax (360) 236-2321.

April 24, 2015

John Wiesman DrPH, MPH
Secretary

WSR 15-10-038
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed April 29, 2015, 9:04 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-400-0040 Am I eligible for benefits through the Washington Basic Food program?, and any other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.500, 74.04.510, 74.04.515, 74.08A.120, and 7 C.F.R. 271.2.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend rules regarding the definition of "disabled" for supplemental nutrition assistance program (SNAP) clients. The

proposal is to amend the definition to include clients that receive state general assistance benefits.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The community services division is coordinating this rule change with key staff in the home and community services division to make sure rule changes are consistent with that agency's regulations and state law.

The state legislature authorizes the department to administer the food stamp program (SNAP) and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

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 Ezra Paskus, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4611, fax (360) 725-4905, e-mail paskuet@dshs.wa.gov.

April 28, 2015

Katherine I. Vasquez
Rules Coordinator

WSR 15-10-039
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 15-03—Filed April 29, 2015, 9:08 a.m.]

Subject of Possible Rule Making: Ecology is starting a rule making to propose amendments to chapter 173-900 WAC, Electronic products recycling program, to incorporate a new approach to calculating manufacturer responsibility in the program. This follows the passage of chapter 305, Laws of 2013 (ESB 5699) in 2013 that amended chapter 70.95N RCW. Portions of Part IX of the rule (sampling, return share, and equivalent share) need to be repealed or amended, and several sections throughout the chapter need to be revised to reflect changes in the law. Also, we will be making changes to the requirements for the annual report filed by the authority or authorized party for the manufacturers of electronic products. This follows the passage of chapter 292, Laws of 2013 (SHB 1498) that amended chapter 70.95N RCW. In addition, we will make other changes needed for clarification and basic editing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.95N.230 (1) and (4).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is required following the passage of legislation in 2013. The electronic products recycling program is supported by fees paid to a stewardship organization by producers of consumer electron-

ics subject to the rule. Most notably, the legislature has directed us to implement a market-share based system to determine manufacturer responsibility from which fees will be calculated by the stewardship organization. Under the current system, ecology performs sampling of returned consumer electronics to assign manufacturer responsibility. In conjunction with available market-share information the stewardship organization uses that assigned responsibility to determine a fee for each participating manufacturer to support the stewardship program. Under the legislation adopted in 2013, manufacturers' responsibility for recycling electronics will be based entirely on current sales (market share), rather than on the amount of products that were sold in the past and are just now being turned in for recycling.

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

Process for Developing New Rule: Standard agency process adopting some changes as directed in statute and working with stakeholders on other recommendations. Ecology will hold at least one public hearing on the rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Miles Kuntz, (360) 407-7157 or e-mail miles.kuntz@ecy.wa.gov or Christine Haun, (360) 407-6107 or e-mail christine.haun@ecy.wa.gov. Rule-making information for this program will be posted at <http://www.ecy.wa.gov/programs/swfa/rules/ruleDev.html>. Sign up for program-related notifications about this rule making, from the Washington recycles electronic products listserv at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=WA-RECYCLES-ELECTRONICS>. Visit the E-Cycle Washington web pages at <http://www.ecy.wa.gov/programs/swfa/eproductrecycle/>.

April 28, 2015

Laurie G. Davies

Waste 2 Resources Program Manager

WSR 15-10-041

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed April 29, 2015, 11:38 a.m.]

Subject of Possible Rule Making: The department is amending the following sections in chapter 388-107 WAC, Enhanced services facilities: WAC 388-107-0001, 388-107-0080, 388-107-0100, 388-107-0110, 388-107-0120, 388-107-0130, 388-107-0140, 388-107-0150, 388-107-0160, 388-107-0180, 388-107-0190, 388-107-0200, 388-107-0210, 388-107-0240, 388-107-0280, 388-107-0370, 388-107-0390, 388-107-0400, 388-107-0410, 388-107-0420, 388-107-0430, 388-107-0560, 388-107-0770, 388-107-0810, 388-107-0830, 388-107-0890, 388-107-0940, 388-107-0960, 388-107-1190, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.97 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is revising this rule in order to address concerns of the Center for Medicare/Medicaid Services Home and Community Based Services and stakeholders with operationalization of the requirements stated therein.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas Mora, Enhanced Services Facilities Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2589, fax (360) 438-7903, e-mail moradd@dshs.wa.gov. Draft section language will be posted on aging and long-term support administration professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail, or fax.

April 29, 2015

Katherine I. Vasquez

Rules Coordinator

WSR 15-10-044

PREPROPOSAL STATEMENT OF INQUIRY

CRIMINAL JUSTICE

TRAINING COMMISSION

[Filed April 29, 2015, 2:08 p.m.]

Subject of Possible Rule Making: Changes to WAC 139-05-300 are needed to require that reserve peace officers receive twenty-four hours of in-service training.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes establish a requirement that all reserve peace officer[s] receive a minimum of twenty-four hours of in-service training.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, phone (206) 835-7356. Commissioners will be advised of the proposed rule changes via e-

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

April 29, 2015
Sonja Hirsch
Rules Coordinator

WSR 15-10-045
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed April 29, 2015, 3:00 p.m.]

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

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Require agencies to provide Washington state criminal justice training commission (WSCJTC) notification of the hire and separation of each reserve officer. In addition, the proposed changes will identify who may or may not attend training.

The addition of these requirements will assist the WSCJTC in ensuring all reserve officers are receiving the required basic training.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, phone (206) 835-7356. Commissioners will be advised of the proposed rule changes via e-mail. Proposed changes will also be listed on the agency web site.

April 29, 2015
Sonja Hirsch
Rules Coordinator

WSR 15-10-046
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed April 29, 2015, 3:00 p.m.]

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

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes establish a

process for certified peace officer[s] to become reserve officers by complying with the rules established in this WAC.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, phone (206) 835-7356. Commissioners will be advised of the proposed rule changes via e-mail. Proposed changes will also be listed on the agency web site.

April 29, 2015
Sonja Hirsch
Rules Coordinator

WSR 15-10-047
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed April 29, 2015, 3:01 p.m.]

Subject of Possible Rule Making: Changes to WAC 139-05-915 are needed to establish guidelines in reference to canine training.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently canine teams are certified by the Washington state criminal justice training commission (WSCJTC); if approved, the WSCJTC will establish written guidelines for canine training and will no longer certify canine teams.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, phone (206) 835-7356. Commissioners will be advised of the proposed rule changes via e-mail. Proposed changes will also be listed on the agency web site.

April 29, 2015
Sonja Hirsch
Rules Coordinator

WSR 15-10-055
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed April 30, 2015, 11:57 a.m.]

May 4, 2015
 David F. Kokot
 Council Chair

Subject of Possible Rule Making: WAC 260-70-580 Official veterinarian's list.

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 calculation of the official veterinarian's list to adapt to current entry schedules.

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.

April 30, 2015
 Douglas L. Moore
 Executive Secretary

WSR 15-10-074
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed May 4, 2015, 10:45 a.m.]

May 4, 2015
 David F. Kokot
 Council Chair

Subject of Possible Rule Making: Chapter 51-50 WAC, adoption and amendment of the 2015 International Building Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington State Building Code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for statewide code amendments. The estimated effective date of the 2015 codes is July 1, 2016.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group (TAGs) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9280, fax (360) 586-5366, e-mail sbcc@ga.wa.gov.

WSR 15-10-075
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed May 4, 2015, 10:45 a.m.]

Subject of Possible Rule Making: Chapter 51-51 WAC, adoption and amendment of the 2015 International Residential Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington State Building Code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for statewide code amendments. The estimated effective date of the 2015 codes is July 1, 2016.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group (TAGs) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9280, fax (360) 586-5366, e-mail sbcc@ga.wa.gov.

WSR 15-10-076
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed May 4, 2015, 10:46 a.m.]

Subject of Possible Rule Making: Chapter 51-52 WAC, adoption and amendment of the 2015 International Mechanical Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington State Building Code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for statewide code amendments. The estimated effective date of the 2015 codes is July 1, 2016.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group (TAGs) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9280, fax (360) 586-5366, e-mail sbcc@ga.wa.gov.

May 4, 2015
David F. Kokot
Council Chair

WSR 15-10-077

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed May 4, 2015, 10:46 a.m.]

Subject of Possible Rule Making: Chapter 51-54A WAC, adoption and amendment of the 2015 International Fire Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington State Building Code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to review revisions made to the codes by the national model code committees, and to review and consider proposals for statewide code amendments. The estimated effective date of the 2015 codes is July 1, 2016.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group (TAGs) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9280, fax (360) 586-5366, e-mail sbcc@ga.wa.gov.

May 4, 2014 [2015]
David F. Kokot
Council Chair

WSR 15-10-078

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed May 4, 2015, 10:47 a.m.]

Subject of Possible Rule Making: Chapter 51-56 WAC, adoption and amendment of the 2015 Uniform Plumbing Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington State Building Code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to

review revisions made to the codes by the national model code committees, and to review and consider proposals for statewide code amendments. The estimated effective date of the 2015 codes is July 1, 2016.

Process for Developing New Rule: Stakeholder and subject expert technical advisory group (TAGs) review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs contact Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9280, fax (360) 586-5366, e-mail sbcc@ga.wa.gov.

May 4, 2015
David F. Kokot
Council Chair

WSR 15-10-079

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed May 4, 2015, 10:47 a.m.]

Subject of Possible Rule Making: Chapters 51-11C and 51-11R WAC, adoption and amendment of the 2015 Washington State Energy Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27A.020, 19.27A.025, and 19.27A.045.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington State Building Code, as outlined in chapter 51-04 WAC, RCW 19.27A.025 and 19.27A.045 to review revisions made to the codes by the national model code committees, and to review and consider proposals for statewide code amendments. The estimated effective date of the 2015 codes is July 1, 2016.

Process for Developing New Rule: Stakeholder and subject expert technical advisory groups (TAGs).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information on meetings of the TAGs contact Krista Braaksma, Washington State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9278, fax (360) 586-5366, e-mail sbcc@ga.wa.gov.

May 4, 2015
David F. Kokot
Council Chair

WSR 15-10-080

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY (Public Employees Benefits Board)

[Admin 2015-01—Filed May 4, 2015, 1:10 p.m.]

Subject of Possible Rule Making: Enrollment, eligibility, and appeal rules in chapters 182-08, 182-12, and 182-16 WAC.

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: (1) The health care authority (HCA) will consider amendments and new rules to implement the following:

- Clarify whether blind vendors have a sixty day notification requirement after a loss of group health or health insurance under HIPAA.
 - Clarify what "employer-based group medical insurance," "pay status," and "employee" means.
 - Clarify that new employees must either "enroll or waive" coverage within thirty-one days of eligibility.
 - Clarify within WAC 182-12-205 what conditions a retiring employee must meet in order to defer coverage, the timeline to defer retiree health plan coverage for both new and existing retirees, and when coverage ends for retiring employees who are deferring coverage.
 - Clarify termination for nonpayment within WAC 182-12-270, termination dates on self-pay accounts within WAC 182-12-146 and 182-12-148, and add termination language for retiree insurance self-pay accounts within WAC 182-12-208.
 - Amend the definition of "PEBB program" to remove the reference to "disabled employees."
 - Amending WAC 182-12-171 to account for retiring employee issues.
 - Clarify within WAC 182-12-123 the notification process between employers who employ the same employee and need to change who is paying the employer contribution.
 - Clarify the term "appointed officials" in WAC 182-12-114.
 - Amend WAC 182-12-131 to ensure coverage of RCW 41.05.065 (4)(c)(i) and to ensure references to WAC 182-12-114 are correct.
 - Clarify within WAC 182-08-235 that the employer group actuarial evaluation will be conducted by a public employees benefits board (PEBB) program designated actuary.
 - Clarify within WAC 182-16-073 what the PEBB program's rescheduling and continuance processes are.
 - Amend WAC 182-08-245 (1)(e) to replace the words "health plans" with "insurance coverages."
 - Amend WAC 182-08-240 to include a timeframe, for all group sizes, on how long an employer group evaluation is valid and that like populations will be evaluated against each other during the application process.
 - Amend WAC 182-08-185 to account for surcharge changes and issues.
 - Amend WAC 182-12-260(3) so it says that coverage for children ends on the last day of the month in which they turn twenty-six years old.
 - Amend WAC 182-08-187 to account for additional error correction issues that have been identified.
 - Amend WAC 182-08-196 to address unintended gaps in coverage.
 - Amend WAC 182-12-211 to include the ability to "defer" and that the references to WAC 182-12-171 are correct.
 - Clarify within WAC 182-12-262 (2)(c) when coverage ends for dependents.
 - Amend WAC 182-12-133 and 182-12-146 to include deadlines for COBRA/LWOP continuation coverage that mirror those requirements for COBRA.
 - Amend WAC 182-12-207 to add specific language regarding termination for nonpayment.
 - Amend WAC 182-12-200 to integrate provisions of Policy 21-1 that deal with retiree deferral form exemptions.
 - Amend WAC 182-16-036(1) so that it also includes eligibility for benefits and add the process flow for flexible spending arrangement appeals.
 - Amend WAC 182-16-040 to determine what must be included versus what may be included in a notice of appeal.
 - Amend WAC 182-12-260 to state the PEBB program requires dependent verification documents.
 - Amend WAC 182-16-062 to limit the HCA director's delegated powers to the office of administrative hearings.
 - Amend WAC 182-12-263 to remove "court orders."
 - Amend WAC 182-08-199 (3)(c)(vi) to update the Internal Revenue Service references.
 - Amend WAC 182-12-123 to clarify that eligibility as an employee supersedes eligibility as a dependent in most situations.
- (2) HCA will conduct a full review of PEBB program rules in these chapters and make changes as necessary to provide technical corrections, implement legislation, implement PEBB policy, implement an accountable care program, and to comply with federal or state regulations.

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. Individuals wishing to receive PEBB rule-making notices are encouraged to join the PEBB-RULE-MAKING-NOTICE listserv available by following this path <http://listserv.wa.gov/archives/pebb-rule-making-notice.html> or by logging on to listserv.wa.gov and selecting our LISTSERV from the public e-mail list. If you have questions about this rule making, contact Barbara Scott at (360) 725-0830 or Rob Parkman at (360) 725-0883 or the Health Care Authority, P.O. Box 42684, Olympia, WA 98504-2684, fax (360) 586-9727, TTY 1-800-848-5429, e-mail <mailto:Barbara.Scott@hca.wa.gov>.

May 4, 2015
Jason R. P. Crabbe
Rules Coordinator

WSR 15-10-088
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 5, 2015, 4:31 p.m.]

Subject of Possible Rule Making: Migratory waterfowl seasons and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.047, and 77.32.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to rules are needed to provide recreational opportunity while promoting conservation of resources.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Several wildlife species are subject to United States Fish and Wildlife Service (USFWS) regulation in Washington as part of the Endangered Species Act, the Migratory Bird Treaty Act, and other federal laws. Regular coordination occurs between Washington department of fish and wildlife (WDFW) and USFWS, and state regulations are designed to fit within the parameters of USFWS's regulation guidelines. In addition, the United States Department of Agriculture's (USDA) Wildlife Services branch works with many entities across the state to mitigate wildlife conflicts and damage. WDFW also regularly coordinates activities with USDA and has both a memorandum of understanding and individual contracts with USDA for assistance with wildlife conflict issues.

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 Nate Pamplin, Wildlife Program Assistant Director, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2515. Contact by June 10, 2015. Expected proposal filing on or after June 19, 2015.

May 5, 2015
 Joanna M. Eide
 Rules Coordinator

WSR 15-10-104
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 6, 2015, 10:29 a.m.]

Subject of Possible Rule Making: Amending and/or adding sections to chapter 392-172A WAC to address a final rule change from the United States Department of Education (US DOE) regarding maintenance of effort calculations for school districts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.155.090; 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Act (IDEA).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On April 28, 2015, the US

DOE amended its federal rules regarding maintenance of effort under the Individuals with Disabilities Education Act. (*See: Federal Register Vol. 80, No. 81, Page 23644*) the office of superintendent of public instruction (OSPI) is required to implement its rules and calculate maintenance of effort consistent with the federal rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: US DOE, Office of Special Education Programs.

Process for Developing New Rule: OSPI will hold a public hearing for comment and seek written input from stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Douglas H. Gill, Assistant Superintendent, Special Education, OSPI, P.O. Box 47200, Olympia, WA 98504-7200, phone (360) 725-6075, TTY (360) 586-0126, fax (360) 586-0247, e-mail spced@k12.wa.us. Please put the words "2015 Rulemaking MOE" in the subject line.

May 6, 2015
 Randy Dorn
 Superintendent of
 Public Instruction