

WSR 15-11-012

HEALTH CARE AUTHORITY

[Filed May 8, 2015, 11:06 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendments (SPA) 15-0024 and 15-0027 Regarding Possible Changes to the Medicaid Nursing Facility Payment System (SPA 15-0024), Adult Family Home rates, Assisted Living rates, Independent Provider rates, and Agency Provider rates (SPA 15-0027).

Effective Date: July 1, 2015.

Description: The health care authority (HCA) in conjunction with the department of social and health services (DSHS) intends to submit two medicaid SPAs in anticipation of a final operating budget being passed by the state legislature. The purpose of this notice is to advise nursing facilities and the general public of potential adjustments to the methodology by which nursing facilities are paid for services they provide to medicaid recipients, as of July 1, 2015. These adjustments will be addressed in SPA 15-0024. Additionally, this notice is to advise adult family homes, assisted living facilities, independent providers, agency providers, and the general public of potential medicaid rate changes as of July 1, 2015. These changes will be addressed in SPA 15-0027.

This notice is furnished in accordance with federal medicaid law, at 42 U.S.C. Sec. 1396a (a)(13)(A) and 42 C.F.R. Sec. 447.205, and state regulations, at WAC 388-96-718. Under these provisions, DSHS must publish proposed new methodologies for determining the payment rates, and the justification for those new methodologies, when the changes would amount to "material" changes that require DSHS to amend its medicaid state plan under Title XIX of the federal Social Security Act.

SPA 15-0024 Nursing Facilities: The current session of the legislature is considering significant changes to the medicaid nursing facility rate methodology. These changes are reflected in the proposed operating budgets of both the house and senate; see Sec. 206 of each bill. The weighted average daily rate for state fiscal year (SFY) 2016 would be \$178.87. The weighted average daily rate for SFY 2017 would be \$191.87. DSHS is directed to ensure that the weighted average daily rate actually paid does not exceed those amounts; see RCW 74.46.421.

The changes are found in 2SSB 5152. It would replace the current methodology with a greatly simplified one. Instead of a system that focuses on the costs of each individual facility, the simplified system would look at industry-wide costs to establish prices to be paid. There would be four rate components: Direct care, indirect care, capital, and quality. Direct care would be a fixed rate at the industry median, adjusted for a facility's resident acuity. Indirect care would be a fixed rate at ninety percent of industry median costs. Capital would use a fair market rental system to set a price per bed. Up to five percent of the rate would be tied to quality indicators. The only remaining rate add-on would be reimbursement of the safety net assessment paid on medicaid resident days. There would be a three year phase-in period designed to mitigate negative impacts on facility rates and to contain spending within the relevant appropriations.

Facilities would be required to maintain certain minimum staffing levels, expressed in hours of care by providers (RNs, LPNs, and CNAs) per resident day.

The present rate methodology would stay in place during SFY 2016. During SFY 2016, DSHS would execute a rule-making procedure to write formal regulations implementing the new system for rates beginning July 1, 2016 (the start of SFY 2017). Facilities, their industry associations, employee groups, and residents would all be invited to participate in the rule-making procedure. The estimated increase in aggregated total annual expenditures for the above changes for SFY 16 beyond SFY 15 spending is anticipated to be \$3,322,042. The estimated increase in aggregated total annual expenditures for the above changes in SFY 17 beyond SFY 16 spending is anticipated to be \$24,906,052.

SPA 15-0024 will also contain the new "swing bed" rate. All information needed to calculate this rate is not available at the time of this notice.

For additional information:

The house budget can be found at <http://app.leg.wa.gov/billinfo/summary.aspx?bill=1106&year=2015>.

The senate budget can be found at <http://app.leg.wa.gov/billinfo/summary.aspx?bill=5077&year=2015>.

The proposed language of 2SSB 5152 can be found at <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management> under the heading "Legislative Proposals."

Persons or organizations that have comments on these changes may contact Edward Southon, Manager, Nursing Home Rates, Aging and Long-Term Support Administration, P.O. Box 45600, Olympia, WA 98504-5600, e-mail edward.southon@dshs.wa.gov.

Comments must be submitted by June 15, 2015.

SPA 15-0027 Adult Family Homes, Assisted Living Facilities, Independent Providers, and Agency Providers: The legislature is considering changes for SFY 2016, which can be found in the house and the senate proposed budgets. Not all changes being considered can be found in both proposed budgets. The following are proposals which the legislature is examining. At the present time it is unclear which proposal(s), if any, a future methodology may look like. These proposals are:

1. Beginning on July 1, 2015 (SFY 16), adult family homes would have their rate increased by five percent, as well as a rate increase of approximately thirty cents per medicaid client day for license fees. Additionally, on July 1, 2015, the adult family home license fee would increase from \$225 per bed to \$325 per bed. Beginning on July 1, 2016 (SFY 17), adult family homes would have their rate increased a further five percent. The estimated increase in aggregated total annual expenditures for the above changes beyond SFY 15 spending is anticipated to be \$12,654,000 in SFY 16 and \$26,897,000 in SFY 17.

2. Beginning on July 1, 2015 (SFY 16), adult family home expanded community services would receive a five percent increase. This is included in the total in number 1.

3. Beginning on July 1, 2015 (SFY 16), assisted living facilities would have their rate for AL, ARC, and EARC settings as well as dementia care increased by 2.5 percent. The estimated increase in aggregated total annual expenditures

for the above changes beyond SFY 15 spending is anticipated to be \$4,166,800 in SFY 16 and \$4,166,800 in SFY 17.

4. Beginning on July 1, 2015 (SFY 16), SEIU 775NW individual provider rates would be as follows:

CCH	1st Half FY2016	2nd Half FY2016	1st Half FY2017	2nd Half FY17
0-700	\$11.31	\$11.50	\$11.75	\$12.00
701-2000	\$11.56	\$12.00	\$13.00	\$13.40
2001-4000	\$11.71	\$12.20	\$13.20	\$13.60
4001-6000	\$11.89	\$12.40	\$13.40	\$13.80
6001-8000	\$12.03	\$12.60	\$13.60	\$14.00
8001-10000	\$12.20	\$12.80	\$13.80	\$14.20
10001-12000	\$12.36	\$13.00	\$14.00	\$14.40
12001-14000	\$12.53	\$13.20	\$14.20	\$14.60
14001-16000	\$14.78	\$15.00	\$15.00	\$15.25
Above 16000	\$15.03	\$15.15	\$15.15	\$15.40

The estimated increase in aggregated total annual expenditures for the above changes beyond SFY 15 spending is anticipated to be \$198,503,000 over the SFY 16-17 biennium.

5. Beginning on July 1, 2015 (SFY 16), agency providers would receive a thirteen cents increase to the administrative portion of the hourly vendor rate paid. This money would be to restore reimbursement that was previously cut. The estimated increase in aggregated total annual expenditures for the above changes beyond SFY 15 spending is anticipated to be \$3,661,000 over the SFY 16-17 biennium.

6. Beginning on July 1, 2015 (SFY 16), additional funding would be provided to create parity of wages and benefits between agency providers and individual providers. The estimated increase in aggregated total annual expenditures for the above changes beyond SFY 15 spending is anticipated to be \$61,573,000 over the SFY 16-17 biennium.

For additional information:

The house budget can be found at <http://app.leg.wa.gov/billinfo/summary.aspx?bill=1106&year=2015>.

The senate budget can be found at <http://app.leg.wa.gov/billinfo/summary.aspx?bill=5077&year=2015>.

Persons or organizations that have comments on these changes may contact Joseph LaChance, Manager, Aging and Long-Term Support Reimbursement, Aging and Long-Term Support Administration, P.O. Box 45600, Olympia, WA 98504-5600, e-mail joseph.lachance@dshs.wa.gov.

Comments must be submitted by June 15, 2015.

These SPAs are in the development process; therefore a copy is not yet available for review.

WSR 15-11-015
NOTICE OF PUBLIC MEETINGS
WINE COMMISSION

[Filed May 11, 2015, 10:49 a.m.]

The Washington state wine commission has made changes to the regular 2015 meeting schedule:

Meeting cancellations: Friday, June 5 and Friday, December 11, 2015, meetings cancelled.

If you need further information contact Jayne Cain, 1201 Western Avenue, Suite 450, Seattle, WA 98101-2402, (206) 326-5760, (206) 583-0573, jcain@washingtonwine.org, www.washingtonwine.org.

WSR 15-11-017
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE

[Filed May 11, 2015, 11:27 a.m.]

Pursuant to RCW 42.30.075, Olympic College hereby gives notice that members of the Olympic College board of trustees, District Three, will be attending a meeting seeking input from community members invited to form a community multicultural advisory council for Olympic College. The meeting is scheduled for May 11, 2015, 8:00-9:30 a.m., at Olympic College in the Bremer Student Center. No official action will be taken during this meeting, which is for input purposes only.

WSR 15-11-019
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Filed May 11, 2015, 2:01 p.m.]

The Bellingham Technical College board of trustees will meet in a special meeting on Tuesday, May 12, 2015, 3:15 - 5:15 p.m., in the College Services Board Room on the Bellingham Technical College campus; and from 5:30 - 8:30 at 1 Bellwether Way. The special meeting will be conducted in executive session to evaluate the qualifications of an applicant for public employment. (RCW 42.30.110 (1)(g).) No action is expected to be taken as a result of the executive session. Call 752-8334 for information.

The Bellingham Technical College board of trustees will meet in a special meeting on Wednesday, May 13, 2015, 3:15 - 5:15 p.m., in the College Services Board Room on the Bellingham Technical College campus; and from 5:30 - 8:30 at 1 Bellwether Way. The special meeting will be conducted in executive session to evaluate the qualifications of an applicant for public employment. (RCW 42.30.110 (1)(g).) No action is expected to be taken as a result of the executive session. Call 752-8334 for information.

WSR 15-11-020
NOTICE OF PUBLIC MEETINGS
LIFE SCIENCES
DISCOVERY FUND AUTHORITY

[Filed May 11, 2015, 3:21 p.m.]

Please note Life Sciences Discovery Fund's (LSDF) 2015 scheduled board meeting information below. Note as well that we will post our public meeting agenda as appropriate on our web site <http://www.lsdfa.org/about/staff/meetings.html> prior to each meeting.

2015 Public Board Meeting Dates
(times are approximate and subject to change)

Monday, May 18	9:00 a.m.- approximately- 9:30 a.m.	LSDF Office 1551 Eastlake Avenue East Suite 325 Seattle, WA 98102
Monday, July 27	8:30 a.m.- 4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora Conference Room)
Monday, Sept 28	8:30 a.m.- 4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora Conference Room)
Monday, December 14	8:30 a.m.- 4:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora Conference Room)

WSR 15-11-022
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF REVENUE

[Filed May 12, 2015, 6:54 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA):

ETA 3043.2015 - Low-Density Light and Power Utility Deduction

The department of revenue has revised ETA 3043. This ETA explains the public utility tax deduction provided by RCW 82.16.053 to qualifying power and light businesses.

RCW 82.16.053 requires that the department determine the state average electric power rate each year and inform taxpayers of this rate. This rate is used by the power and light businesses to compute the amount of the deduction. The revised ETA 3043 updates the information to provide the rate to be used for the period of July 2015 through June 2016.

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

Kevin Dixon
 Tax Policy Manager
 ETAs and Special Projects

WSR 15-11-028
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
 (Home Inspector Board)
 [Filed May 12, 2015, 3:43 p.m.]

The following are the 2015 home inspector board meeting dates:

June 4, 2015	9:00 a.m. until completion of business	City of Shoreline Parks and Recreation 17500 Midvale Avenue North Shoreline, WA 98133-4905
September 3, 2015	9:00 a.m. until completion of business	Red Lion at the Park 303 West North River Drive Spokane, WA 99201
December 3, 2015	9:00 a.m. until completion of business	DoubleTree by Hilton Seattle Airport 18740 International Boulevard Seattle, WA 98188

WSR 15-11-029
HEALTH CARE AUTHORITY
 [Filed May 13, 2015, 6:26 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment 15-0021 Apple Health Managed Care.

Effective Date: July 1, 2015.

Description: The health care authority intends to submit medicaid state plan amendment (SPA) 15-0021 regarding the apple health managed care program. This SPA is intended to:

- Update the assignment methodology for apple health enrollees;
- Clarify the procurement methodology used by the agency to obtain additional managed care organization (MCO) contracts when necessary; and
- Update the list of services excluded from the apple health managed care benefit package. These are services covered by medicaid, but paid through the agency's fee-for-service system rather than by the MCOs.

If approved, this SPA is anticipated to have no effect on annual aggregate expenditures.

To contact the agency for additional information and a copy of the draft SPA when it becomes available, please contact Alison Robbins, Managed Care, 626 8th Avenue S.E., Olympia, WA 98501, phone (360) 725-1634, TDD/TTY 1-800-848-5429, fax (360) 753-7315, e-mail Alison.robbins@hca.wa.gov.

WSR 15-11-031
RULES OF COURT
STATE SUPREME COURT

[May 12, 2015]

IN THE MATTER OF THE ADOPTION) ORDER
 OF THE AMENDMENT TO IRLJ 6.2) NO. 25700-A-1103

The Judicial Information System Committee (JISC), having recommended the adoption of the proposed amendment to IRLJ 6.2 and the raising of the assessment authorized by RCW 2.68.040 (1)(a), and JISC, local governments, and the Office of Public Defense (OPD) having recommended an inflation adjustment to the base penalty schedule, as authorized by RCW 46.63.110(3), with support from the Superior Court Judges' Association, District and Municipal Court Judges' Association, Association of Washington Cities, and the Washington State Association of Counties, and the Court having determined that the proposed increases will aid in the prompt and orderly administration of justice, and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the assessment, as authorized by RCW 2.68.020 (1)(a), is increased from \$17 to \$23;

(b) That the infraction base penalty schedule is increased by \$6 for inflation, as authorized by RCW 46.63.110(3);

(c) That the amendment as shown below is adopted;

(d) That pursuant to the emergency provisions of GR 9(i), the amendment and assessment increase will be published expeditiously and become effective July 1, 2015.

DATED at Olympia, Washington this 12th of May, 2015.

	Madsen, C.J.
	Wiggins, J.
_____	_____
Owens, J.	
_____	_____
Fairhurst, J.	
_____	_____
Stephens, J.	

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 15-12 issue of the Register.

WSR 15-11-037

RULES COORDINATOR

HEALTH CARE AUTHORITY

[Filed May 14, 2015, 8:42 a.m.]

Pursuant to RCW 34.05.312, effective May 25, 2015, I have designated Wendy L. Barcus, Health Care Authority, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1306, fax (360) 586-97277 [586-9727], e-mail wendy.barcus@hca.wa.gov, as acting rules coordinator for the health care authority.

Should you need further information, please contact Annette Schuffenhauer, Assistant Director, Division of Legal Services, phone (360) 725-1254 or e-mail annette.schuffenhauer@hca.wa.gov.

Dorothy F. Teeter
Director

WSR 15-11-038

NOTICE OF PUBLIC MEETINGS

BELLINGHAM TECHNICAL COLLEGE

[Filed May 14, 2015, 9:09 a.m.]

The associated students of Bellingham Technical College (ASBTC) will hold a special meeting on Friday, May 15, 2015, at 4:00 p.m., in the Campus Center, Room 300 on the Bellingham Technical College campus. The purpose of the meeting will be to discuss the end of year BBQ, a letter to the BTC board of trustees, and giveaways for the ASBTC senate. Action may be taken in open session as a result of discussion. (RCW 42.30.110 (1)(g).) Call 752-8443 for information.

WSR 15-11-039

HEALTH CARE AUTHORITY

[Filed May 14, 2015, 11:25 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) TN# 15-0025 FQHC Services.

Effective Date: July 1, 2015.

Description: The health care authority intends to submit medicaid SPA 15-0025 in order to update information regarding services provided in federally qualified health centers (FQHC). These updates include, but may not be limited to, clarifying service limitations, describing "other ambulatory services," and describing FQHC provider types and their qualifications.

This SPA will update the medicaid state plan so it reflects current practice and policy; no program changes are anticipated. This SPA is anticipated to have no effect on annual aggregate expenditures.

The SPA is in the development process; therefore a copy is not yet available for review. To contact the agency for additional information and a copy of the SPA when it becomes available, please contact Madina Cavendish, FQHC/RHC Unit, 628 8th Avenue S.E., Olympia, WA 98501, phone (360) 725-1486, TDD/TTY 1-800-848-5429, fax (253) 350-6512, e-mail madina.cavendish@hca.wa.gov.

WSR 15-11-040

HEALTH CARE AUTHORITY

[Filed May 14, 2015, 12:57 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) TN# 15-0026 RHC Services.

Effective Date: July 1, 2015.

Description: The health care authority intends to submit medicaid SPA 15-0026 in order to update information regarding services provided in rural health centers (RHC). These updates include, but may not be limited to, clarifying service limitations, describing "other ambulatory services," and describing RHC provider types and their qualifications.

This SPA will update the medicaid state plan so it reflects current practice and policy; no program changes are

anticipated. This SPA is anticipated to have no effect on annual aggregate expenditures.

The SPA is in the development process; therefore a copy is not yet available for review. To contact the agency for additional information and a copy of the SPA when it becomes available, please contact Madina Cavendish, FQHC/RHC Unit, 628 8th Avenue S.E., Olympia, WA 98501, phone (360) 725-1486, TDD/TTY 1-800-848-5429, fax (253) 350-6512, e-mail madina.cavendish@hca.wa.gov.

WSR 15-11-057
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 18, 2015, 11:04 a.m.]

Under RCW 34.05.230, following are two policy and interpretive statements issued by the department of labor and industries regarding the insurance services division.

If you have any questions or need additional information, please call Maggie Leland at (360) 902-4504.

Title: Policy 61.21, *Determining Coverage Requirements for Members/Managers of a Limited Liability Company (LLC)*.

Date Issued: May 1, 2015.

Description: Policy 61.21 is amended to add additional clarification and to reflect current practice.

As a result of RCW 51.12.183, effective January 1, 2012, policy point #2 is added to reflect that LLC members and member/managers in the taxi industry are mandatorily covered while operating a licensed for-hire vehicle. LLC members or member/managers who hold a for-hire license in the taxi, limousine, or cabulance industries are required to purchase industrial insurance.

Clarification is added under 3b that member/managers of family LLCs are not required to have and exercise authority in the management of the day-to-day operations of the LLC in order to be exempt.

Contact: Nancy Lach, 7273 Linderson Way, Mailstop 4208, Tumwater, WA 98501, (360) 902-4379, nancy.lach@lni.wa.gov.

Title: Policy 63.06, *Entity Conversions*.

Date Issued: May 1, 2015.

Description: Policy 63.06 is amended to reflect the June 12, 2014, legislation (SB 5999) allowing some Washington business entities to change their structure. See secretary of state, corporations. Corporation and LLC laws join the limited partnership law in Washington allowing these entities to convert to certain other structures as well as change their domicile. The law specifies entity types. A list of entity types allowed to convert and those not allowed to convert are added to the policy.

Contact: Nancy Lach, 7273 Linderson Way, Tumwater, WA 98501, (360) 902-4379, nancy.lach@lni.wa.gov.

Maggie Leland
 Rules Coordinator
 Senior Policy Advisor

WSR 15-11-071
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION

[Filed May 19, 2015, 10:22 a.m.]

Following is the revised schedule of meetings of the state board of education for 2015. Additional meetings may be scheduled as circumstances warrant.

Date	Time	Location
January 7-8, 2015	8:00-5:00	ESD 113 Tumwater
March 11-12, 2015	8:00-5:00	Pacific Lutheran University Tacoma
May 13-14, 2015	8:00-5:00	ESD 123 Pasco
July 7-9, 2015	8:00-5:00	Museum of Flight Seattle
August 5, 2015*	1:00-5:00	ESD 113 Tumwater
September 10-11, 2015	8:00-5:00	ESD 101 Spokane
November 4-5, 2015	8:00-5:00	ESD 112 Vancouver

*Special Meeting

If you need further information please contact State Board of Education, 600 Washington Street S.E., Olympia, WA, (360) 725-6027, www.sbe.wa.gov.

WSR 15-11-074
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
 (Natural Heritage Advisory Council)

[Filed May 19, 2015, 12:16 p.m.]

REVISED

The natural heritage advisory council will meet on the following dates:

- March 11, 2015 9:30 a.m. to 4:00 p.m.
 Natural Resources Building
 1111 Washington Street S.E.
 Room 172
 Olympia, WA 98501
- June 10, 2015 9:30 to 4:30
 Red Lion Inn
 1225 North Wenatchee Avenue
 Chelan Room
 Wenatchee, WA 98801
- June 11, 2015 8:00 to 3:00
 Red Lion Inn
 1225 North Wenatchee Avenue
 Field trip
 Wenatchee, WA 98801

October 22, 2015 9:30 to 4:00
 Natural Resources Building
 1111 Washington Street S.E.
 Room 172
 Olympia, WA 98501

Regular council business generally includes consideration of conservation priorities and proposals for new natural areas, additions to existing natural areas, and management activities within existing natural areas.

For further information contact Department of Natural Resources, Natural Heritage Program, 1111 Washington Street S.E., Olympia, WA 98504-7014, (360) 902-1600.

WSR 15-11-091

NOTICE OF PUBLIC MEETINGS LIQUOR CONTROL BOARD

[Filed May 20, 2015, 8:40 a.m.]

Washington state liquor control board special meeting, on Wednesday, June 10, 2015, at 10:00 a.m. to 12:00 p.m., Boardroom, LCB Headquarters, 3000 Pacific Avenue S.E., Olympia, WA 98501.

For questions please contact Maureen Malahovsky, confidential secretary to the board, Maureen.malahovsky@lcb.wa.gov, (360) 664-1717.

WSR 15-11-094

ATTORNEY GENERAL'S OFFICE

[Filed May 20, 2015, 8:56 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 10, 2015. 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 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 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. 15-03-01 Request by Eileen Cody, Representative

QUESTION(S):

Does state law prohibits the use of a corneal burr by an optometrist in the treatment of eye disease?

WSR 15-11-095

DEPARTMENT OF ECOLOGY

[Filed May 20, 2015, 9:14 a.m.]

Announcing a Draft Fisheries Resource Management General Permit for Review and Comment

Proposed Permit: The Washington state department of ecology (ecology) is proposing a new general permit to regulate the use of rotenone and potassium permanganate for management of fish populations in surface waters of Washington state.

Washington's water quality statutes and regulations do not allow the discharge of pollutants to waters of the state without permit coverage. The piscicide rotenone and the detoxification agent potassium permanganate are potential pollutants, and therefore require a discharge permit before application to surface waters. Ecology issues general permits in place of a series of individual permits when the permitted activities are similar.

Washington department of fish and wildlife (WDFW), the State Environmental Policy Act (SEPA) lead for this permit, has determined that this proposal is likely to have significant adverse impacts on the environment. WDFW has made the environmental documents, adopted as part of the SEPA determination, available for review and comment at http://wdfw.wa.gov/licensing/sepa/sepa_final_docs_2015.html.

Purpose of the Permit: This permit would allow WDFW to manage fish populations in surface waters of Washington state. Coverage under the proposed general permit will be limited to WDFW only.

Copies of the Draft Permit: You may download copies of the draft permit and fact sheet beginning June 3, 2015, from the following web site http://www.ecy.wa.gov/programs/wq/pesticides/final_pesticide_permits/fish_fish_index.html.

Ecology Contact: Nathan Lubliner, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone (360) 407-6563, e-mail nathan.lubliner@ecy.wa.gov.

Workshop and Public Hearing: Ecology will hold one workshop and public hearing on the draft NPDES general

permit for fisheries resource management. The purpose of the workshop is to explain the general permit and answer questions in order to facilitate meaningful testimony during the hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comment on the proposed draft permit. Written comments will receive the same consideration as oral testimony. The workshop and public hearing will begin at 12:00 noon on July 8, 2015, and conclude when public testimony is complete, at the Moses Lake Fire Station 1, 701 East Third Avenue, Moses Lake, WA 98837.

Submitting Written Comments: Ecology will accept written comments on the draft permit and fact sheet until **5 p.m., July 17, 2015**. Ecology prefers comments be submitted by e-mail to nathan.lubliner@ecy.wa.gov. E-mailed comments must contain the commenter's name and postal address. Comments should reference specific permit text when possible.

Submit comments by e-mail to nathan.lubliner@ecy.wa.gov.

Submit written comments to Nathan Lubliner, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696.

You must send e-mail comments before **5 p.m., July 17, 2015**. Written comments must be postmarked no later than **5 p.m., July 17, 2015**.

Issuing the Permit: The final decision on permit issuance will be made after ecology receives and considers all public comments. If public comments cause a substantial change in the permit conditions from the original draft permit, another public notice of draft and comment period may ensue. Ecology expects to issue the general permit in fall 2015.

WSR 15-11-097
RULES COORDINATOR
ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE

[Filed May 20, 2015, 9:29 a.m.]

Paulette Yorke will take over as rules coordinator for the environmental and land use hearings office. She can be reached at paulette.yorke@eluh.wa.gov or (360) 664-9171.

Nina Carter
Director

WSR 15-11-099
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH

(Podiatric Medical Board)

[Filed May 20, 2015, 9:35 a.m.]

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

From: July 16, 2015, meeting at the Blackriver Training and Conference Center in Renton, Washington.

To: August 6, 2015, meeting at the department of health in Kent, Washington.

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