

WSR 15-16-013**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

(Nursing Care Quality Assurance Commission)

[Filed July 24, 2015, 8:07 a.m.]

Subject of Possible Rule Making: WAC 246-840-010, 246-840-020, and 246-840-300 through 246-840-455, amending advanced registered nurse practitioner (ARNP) rules to include clinical nurse specialists (CNS) designation, amend definitions, and make other updates through general housekeeping.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.110, 18.79.050, and 18.79.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The nursing care quality assurance commission (commission) is proposing revising the ARNP rules to include CNS as a fourth recognized designation as a result of a rules petition, and to be consistent with the national Consensus Model for Advanced Practice Registered Nurses. It is also necessary to revise definitions and language related to issuing credentials and title use for individuals who meet qualifications for a CNS to use ARNP or nurse practitioner titles.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may add their e-mail address to the commission's listserv to receive notices for rule-writing workshops and drafts as they are written. Listserv: <http://listserv.wa.gov/cgi-bin/wa?A0=NURSING-QAC>. Interested parties may also write, call, or send e-mails to the Nursing Care Quality Assurance Commission, P.O. Box 47864, Olympia, WA 98504-7864, phone (360) 236-4751, e-mail nursing@doh.wa.gov, web site <http://www.doh.wa.gov/LicensesPermitsandCertificates/NursingCommission/RulesInProgress>.

Paula R. Meyer, MSN, RN, FRE
Executive Director

WSR 15-16-016**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed July 24, 2015, 11:04 a.m.]

Subject of Possible Rule Making: WAC 182-551-1300, 182-551-1400, 182-551-1500, 182-551-1510, 182-551-1530, 182-551-1850, 182-551-2000, 182-551-2010, 182-551-2030, 182-551-2100, 182-551-2120, 182-551-2125, 182-551-2130, 182-551-2200, 182-551-2210, 182-551-2220 and 182-551-3000, hospice/home health/private duty nursing services, and other rules as appropriate.

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: A revision to WAC 182-551-1500 (4)(b) is necessary to clarify that "brief period" means "six additional days of care in a thirty day period." All other revisions to the sections are for housekeeping changes to update program names, agency names, and fix cross references. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of social and health services/aging and long-term support administration and developmental disabilities administration.

Process for Developing New Rule: The agency 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, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

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

July 24, 2015
Wendy Barcus
Rules Coordinator

WSR 15-16-021**PREPROPOSAL STATEMENT OF INQUIRY
STUDENT ACHIEVEMENT COUNCIL**

[Filed July 24, 2015, 2:32 p.m.]

Subject of Possible Rule Making: Consumer protection.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.85.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To increase consumer protection as related to degree-granting schools operating under the requirements of the Degree-Granting Institutions Act (chapter 28B.85 RCW).

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael J. Ball, Associate Director, Washington Student Achievement Council, P.O. Box 43430, Olympia, WA 98504-3430, (360) 753-7866, michaelb@wsac.wa.gov. A public hearing will be planned on the subject and all known stakeholders will be notified of it.

July 24, 2015
 Michael J. Ball
 Associate Director
 Degree Authorization

WSR 15-16-023
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed July 27, 2015, 8:57 a.m.]

Subject of Possible Rule Making: Chapter 16-350 WAC, Registration and certification of fruit tree planting stock, the department is considering adopting changes to the fruit tree planting stock rule to better align with the National Clean Plant Network (NCPN). This proposal would adopt the format of the fruit tree "State Level Model Regulatory Standard" of the NCPN, modify the eligibility requirements for registered prunus trees, and clarify eligibility requirements for imported propagation material.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.14.015 and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: NCPN was created to protect specialty crops from the spread of economically harmful plant pests and diseases. Its mission is to provide healthy planting stock that is easier to propagate, requires fewer chemical inputs, and produces higher crop yields and better crop quality. The NCPN does this through programs which screen plant selections for viruses and other diseases that can be spread by contaminated planting stock. Modifying our certification program is necessary to continue to reduce the chance of introduction of exotic pests that can be difficult and costly to control and to further standardize our program with the NCPN model.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present 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 by contacting Brad White, Assistant Director, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail bwhite@agr.wa.gov; or Cindy Cooper, Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2062, fax (360) 902-2094, e-mail ccooper@agr.wa.gov.

July 27, 2015
 Brad White
 Assistant Director

WSR 15-16-024
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Pharmacy Quality Assurance Commission)
 [Filed July 27, 2015, 9:07 a.m.]

Subject of Possible Rule Making: WAC 246-869-040 and 246-869-190, pharmacy inspections, the pharmacy quality assurance commission (commission) is considering updating the pharmacy inspections process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pharmacy inspections are a vital part of ensuring that pharmacies practice in a manner that protects the health, safety, and welfare of the people of Washington. The pharmacy inspection rules were last updated in 1992. Currently, inspections use a point-based system to evaluate pharmacy's [pharmacies'] compliance with the federal and state rules. This process for inspections has become outdated and has caused frustration among both licensees and inspectors. Additionally, the practice of pharmacy has dramatically changed since 1992. With changes in the practice of pharmacy, the pharmacy inspection process needs to be updated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services, department of corrections, and Federal Drug Enforcement Administration will be invited to participate as stakeholders in the rule-development process.

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. Stakeholders will be invited to participate in rule-writing workshops and provide input throughout the rule-making process. Interested parties can sign up to receive information, updates, or provide comments to the commission at WSPQAC@doh.wa.gov or by contacting Brittany Mahugh, Policy Analyst, Department of Health, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852.

July 27, 2015
 Chris Humberson, R.Ph.
 Executive Director
 Pharmacy Quality Assurance Commission

WSR 15-16-025
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 (Division of Consumer Services)
 [Filed July 27, 2015, 9:42 a.m.]

Subject of Possible Rule Making: Amending the rules (chapter 208-700 WAC) under the mortgage lending fraud prosecution account, RCW 43.320.140.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, proposed in compliance with OFM Guidance 3a, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to be consistent with the definition of mortgage lending process in chapter 229, Laws of 2015 (amending RCW 19.144.-010). Having consistent definitions in the rules will better inform industry about the activities constituting mortgage fraud. Other technical amendments must be made to the rules.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription from the department of financial institutions (DFI) web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 27, 2015
Charles Clark, Director
Division of Consumer Services

WSR 15-16-026
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)
[Filed July 27, 2015, 9:43 a.m.]

Subject of Possible Rule Making: Amending the rules (chapter 208-690 WAC) under the Uniform Money Services Act, chapter 19.230 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 19.230.310, proposed in compliance with OFM Guidance 3 e and f, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to benefit the regulated industries by having clear and consistent rules including taking into account innovations in the industry, informing the industry of obligations under state and federal law, and providing a tiered net worth structure based on volume and business type to better accommodate differently sized businesses and business models.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription from the DFI web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 27, 2015
Charles Clark, Director
Division of Consumer Services

WSR 15-16-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
[Filed July 27, 2015, 9:45 a.m.]

Subject of Possible Rule Making: Amending the department's adjudicative proceedings rules, chapter 208-08 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, proposed in compliance with OFM Guidance 3e, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules are being amended to provide guidance to the industry. Some technical amendments are made as well.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription from the department of financial institutions (DFI) web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 27, 2015
Charles Clark, Director
Division of Consumer Services

WSR 15-16-028
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)
[Filed July 27, 2015, 9:47 a.m.]

Subject of Possible Rule Making: Amending the rules (chapter 208-660 WAC) under the Mortgage Broker Practices Act (MBPA) (chapter 19.146 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 19.146.225, proposed in compliance with OFM Guidance 3a and e, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended

to implement changes to the law, to aid the regulated industries by having consistent rules within the mortgage marketplace, and to make technical changes for clarity and consistency.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription system from the DFI web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 27, 2015
Charles Clark, Director
Division of Consumer Services

WSR 15-16-029
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)
[Filed July 27, 2015, 9:48 a.m.]

Subject of Possible Rule Making: Amending the rules (chapter 208-620 WAC) under the Consumer Loan Act (CLA) (chapter 31.04 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 31.04.165, proposed in compliance with OFM Guidance 3a and e, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to implement changes to the law, to aid the regulated industries by having consistent rules within the mortgage marketplace, and to make technical changes for clarity and consistency.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription system from the DFI web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 27, 2015
Charles Clark, Director
Division of Consumer Services

WSR 15-16-046
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING
[Filed July 29, 2015, 8:17 a.m.]

Subject of Possible Rule Making: Title 170 WAC, including but not limited to, chapters 170-01, 170-03, 170-06, 170-12, 170-100, 170-290, 170-295, 170-296A, and 170-297 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.215.060, 43.215.070, chapter 43.215 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of early learning (DEL) seeks to update, streamline, and improve efficiencies across all programs it administers, and to implement legislation as required by the 2015 legislature.

The department may file more than one proposed rule (CR-102) under this notice, and may if appropriate, adopt emergency rules on a temporary basis. To the extent practicable, DEL will circulate draft materials for informal public input during the rule-development process. Draft materials, if available, and proposed rules will be posted for review and comment on the DEL web site "Rules Comment Page" at <https://apps.del.wa.gov/PolicyProposalComment/Detail.aspx>.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: As appropriate, DEL will coordinate development of these rules with the state department of social and health services, the state department of health, Washington state patrol, the office of the superintendent of public instruction, state department of education, state fire marshal's office, and the United States Administration for Children and Families.

Process for Developing New Rule: To the extent practicable, DEL intends to seek public input during the rule drafting and development process. At a later date, DEL will file proposed rules (more than one proposed rule-making notice may be filed), hold a public hearing or hearings, and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals and organizations wishing to

receive draft and proposed materials may join a DEL rules mailing list by contacting the DEL rules coordinator at Rules@del.wa.gov, by fax (360) 725-4925, or writing the Rules Coordinator, DEL, P.O. Box 40970, Olympia, WA 98504-0970.

July 28, 2015
Saul Olivarez
Rules Coordinator

45470, Olympia, WA 98504-5470, phone (360) 725-4589, fax (360) 725-4905, e-mail leslie.kozak@dshs.wa.gov.

July 29, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-16-050
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed July 29, 2015, 11:37 a.m.]

Subject of Possible Rule Making: The community services division is proposing to repeal WAC 388-273-0010 Purpose of the Washington telephone assistance program, 388-273-0020 Who may receive Washington telephone assistance program (WTAP)?, 388-273-0025 Benefits you receive as a WTAP participant, 388-273-0030 How you can apply for WTAP, 388-273-0035 What we reimburse the local telephone company, and any other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 80.36.470.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 80.36.470 prohibits enrollment in WTAP if program expenditures exceed the total amount of funds made available by the legislature. The department is repealing all sections of chapter 388-273 WAC related to WTAP as the program is not funded in the state of Washington 2015-2017 biennium legislative budget (ESSB 6052, section 207).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WTAP is jointly administered by DSHS, the Washington department of commerce (commerce), and the Washington utilities and transportation commission (UTC). Commerce and UTC have been notified that the program is not funded for the next biennium, and will be sent written notification. Telephone companies participating in WTAP will be sent a written notice of termination in order to allow them thirty days to notify their customers, as required by RCW 80.36.110 and WAC 480-120-194.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Leslie Kozak, Community Services Division, Economic Services Administration, P.O. Box

WSR 15-16-051
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed July 29, 2015, 11:48 a.m.]

Subject of Possible Rule Making: The department is proposing to amend rules under WAC 388-450-0015 What types of income are not used by the department to figure out my benefits?, 388-470-0045 How do my resources count toward the resource limits for cash assistance?, 388-470-0055 How do my resources count toward the resource limit for Basic Food?, and other related rules as may be required. The amendments propose to implement income and asset exclusions for ABLE (achieving a better life experience) tax-deferred accounts and associated distributions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08A.120, 7 C.F.R. 273.8(e) and 273.9(c).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The ABLE accounts are a new tax-deferred account for 2015 created under the Achieving a Better Life Experience Act of 2014. These accounts are dedicated to provide for tax-deferred savings (nondeductible contributions) of up to \$14,000 per year for individuals who became blind or disabled before age twenty-six.

Tax-free distributions from the ABLE account can be used to pay for housing, transportation, education, job training, and the like. The assets in an ABLE account are not counted toward an individual's eligibility to qualify for medicaid, supplemental security income, and other federal need-tested benefits such as TANF and supplemental nutrition assistance program (SNAP) benefits. They are not mentioned in current program rules and must be added.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Services, regulates federal food benefits affected by this filing. No direct coordination is necessary. Adopted rules will be consistent with federal laws and regulations regarding filing and processing applications for food assistance under SNAP under 7 U.S.C. 2020 and 7 C.F.R. 273.8 and 273.9.

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 pub-

lication by contacting Bob Thibodeau, P.O. Box 45440 [45470], Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4904, e-mail robert.thibodeau@dshs.wa.gov.

July 29, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-16-052
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF HEALTH

[Filed July 29, 2015, 1:56 p.m.]

The state board of health is withdrawing the CR-101 for revising the fluoridation of drinking water rule for Group A public water supplies filed on May 13, 2011, and published as WSR 11-11-046. The original proposal was to consider revising the fluoridation concentration range based on federal recommendations. Since the filing of WSR 11-11-046, the state board of health has determined that the scope of this preproposal should include consideration of public notification requirements. For this reason, the state board of health will be filing a new CR-101 that clearly states the purpose and scope of possible rule making.

Individuals requiring information on this rule should contact David DeLong, Health Policy Advisor, State Board of Health, (360) 236-4111 or david.delong@doh.wa.gov.

Tami Thompson
Department of Health
Regulatory Affairs Manager

WSR 15-16-053
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF HEALTH

[Filed July 29, 2015, 2:07 p.m.]

Subject of Possible Rule Making: WAC 246-290-460 Fluoridation of drinking water.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 246-290-460 sets the fluoridation concentration range for Group A public water systems that fluoridate. On April 27, 2015, the United States Department Health and Human Services (HHS) released a recommendation for the optimal fluoride level in drinking water to prevent tooth decay. The new recommendation is for a single level of 0.7 milligrams of fluoride per liter of water. The state board of health (board) will consider revising WAC 246-290-460 based on the new recommendation and consider notification requirements. The board will also make editorial and clarifying changes as needed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Environmental Protection Agency (EPA) regulates the maximum level of fluoride in Group A

public water systems under the Safe Drinking Water Act. The federal regulations set the maximum allowable level in drinking water to protect public health. The HHS recommended level considered optimal for cavity prevention is much lower than the maximum level of fluoride allowed in public drinking water supplies by EPA. The state board of health will assure the allowed fluoridation level set in WAC 246-290-460 is under the maximum level allowed by EPA.

Process for Developing New Rule: The state board of health will use a collaborative rule-making process, seeking input from interested parties. Outreach efforts will include providing information on our web page, www.sboh.wa.gov, the department of health, office of drinking water web page at www.doh.wa.gov/CommunityandEnvironment/DrinkingWater and using e-mail contact lists of Group A public water system stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to the state board of health at wsboh@doh.wa.gov. For additional information contact David DeLong, Health Policy Analyst, State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, e-mail david.delong@doh.wa.gov, phone (360) 236-4111, fax (360) 236-4088.

July 29, 2015
Michelle A. Davis
Executive Director

WSR 15-16-058
PREPROPOSAL STATEMENT OF INQUIRY
STUDENT ACHIEVEMENT COUNCIL

[Filed July 30, 2015, 9:22 a.m.]

Subject of Possible Rule Making: College bound scholarship, chapter 250-84 WAC, comprehensive technical and administrative changes and corrections to align WAC with RCW and other recent legislative direction, state need grant RCW and WAC, and codifying current practice in various operational areas.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 28B.76, 28B.77, 28B.118 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Program WAC requires updates and additions to align with recent legislative changes and direction; to align with state need grant RCW and WAC; and to codify existing practice in areas where the WAC is no longer accurate or incomplete.

Process for Developing New Rule: Agency study; and technical corrections and additions aligning program operations with legislative direction and current practice in collaboration with affected partners.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting written comments to Jeffrey Powell, Student Achievement Council, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430.

July 30, 2015
 Jeffrey N. Powell
 Program Administrator

WSR 15-16-059

**PREPROPOSAL STATEMENT OF INQUIRY
 STUDENT ACHIEVEMENT COUNCIL**

[Filed July 30, 2015, 9:22 a.m.]

Subject of Possible Rule Making: State need grant, chapter 250-20 WAC.

(1) Comprehensive technical and administrative changes and corrections to align WAC with RCW and other recent legislative direction, as well as codifying current practice in various operational areas.

(2) Clarifying institutional participation rules for active, prospective, and former institutional participants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 28B.76, 28B.77, 28B.92 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: (1) Program WAC requires updates to align with recent legislative changes and to codify existing practice in areas where the WAC is no longer accurate or incomplete.

(2) Clarifying institutional participation rules will improve transparency and codify current practice.

Process for Developing New Rule: Agency study; and technical corrections and additions aligning program operations with legislative direction and current practice. Clarification of institutional participation rules. Both in collaboration with affected partners.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting written comments to Jeffrey Powell, Student Achievement Council, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430.

July 30, 2015
 Jeffrey N. Powell
 Program Administrator

WSR 15-16-060

**PREPROPOSAL STATEMENT OF INQUIRY
 STUDENT ACHIEVEMENT COUNCIL**

[Filed July 30, 2015, 9:22 a.m.]

Subject of Possible Rule Making: State work study, chapter 250-40 WAC, minor technical and administrative changes to align WAC with RCW and other recent legislative direction; and codifying current operational practice where necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 28B.76, 28B.77, 28B.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Program WAC requires updates to align with recent legislative direction and to codify

existing practice in areas where the WAC is no longer accurate or incomplete.

Process for Developing New Rule: Agency study; and technical corrections aligning program operations with legislative direction and current practice in collaboration with affected partners.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting written comments to Jeffrey Powell, Student Achievement Council, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430.

July 30, 2015
 Jeffrey N. Powell
 Program Administrator

WSR 15-16-062

**PREPROPOSAL STATEMENT OF INQUIRY
 DEPARTMENT OF
 FINANCIAL INSTITUTIONS**

(Division of Consumer Services)

[Filed July 30, 2015, 11:14 a.m.]

Subject of Possible Rule Making: Amending the rules (chapter 208-630 WAC) under the Check Cashers and Sellers Act (chapter 31.45 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 31.45.200, proposed in compliance with OFM Guidance 3e, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to aid the regulated industries by putting them on notice of federal laws they must comply with, having consistent rules, and to make technical changes for clarity and consistency.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription system from the department of financial institutions (DFI) web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 30, 2015
 Charles Clark, Director
 Division of Consumer Services

WSR 15-16-064

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Consumer Services)
[Filed July 30, 2015, 11:17 a.m.]**

Subject of Possible Rule Making: Amending the rules (chapter 208-680 WAC) implementing the Escrow Agent Registration Act (chapter 18.44 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.320 RCW, RCW 18.44.410, proposed in compliance with OFM Guidance 3a and e, dated October 12, 2011.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules must be amended to put licensees on notice of changes to a state law they must comply with, notice of a federal law they must comply with, to aid the regulated industry by having consistent rules, and to make technical changes for clarity and consistency.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection, the department of financial institutions (DFI) insures that state regulations are consistent with the federal regulations. This gives industry a consistent and equitable regulatory environment in which to operate.

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 Sara Rietcheck, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8793, e-mail sara.rietcheck@dfi.wa.gov. Sign up for the GovDelivery e-mail subscription system from the DFI web site (www.dfi.wa.gov). Access the rule-making page on the DFI web site.

July 30, 2015
Charles Clark, Director
Division of Consumer Services

WSR 15-16-066

**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING
[Filed July 30, 2015, 1:52 p.m.]**

The department of early learning is withdrawing the CR-101 Preproposal statement of inquiry filed as WSR 14-05-046 on February 14, 2014. Please contact Saul Olivarez at (360) 725-4670 should you have any additional questions.

Saul Olivarez
Rules Coordinator

WSR 15-16-087

**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Washington Apple Health)
[Filed August 3, 2015, 10:38 a.m.]**

Subject of Possible Rule Making: WAC 182-535-1050 Dental-related services—Definitions, 182-535-1400 Dental-related services—Payment for dental-related services, and other rules as appropriate.

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: WAC 182-535-1400 is being updated because it references WAC 182-535-1240 and 182-535-1290 that no longer exist. This WAC will be updated to reference WAC 182-535-1090. WAC 182-535-1050 is being updated with a definition for "six months" - a term needing clarification as it is used regularly in chapter 182-535 WAC.

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 agency 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, the agency 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 Amy Emerson, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail amy.emerson@hca.wa.gov.

July 28, 2015
Wendy Barcus
Rules Coordinator

WSR 15-16-088

**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Washington Apple Health)
[Filed August 3, 2015, 10:49 a.m.]**

Subject of Possible Rule Making: WAC 182-550-4400 Services exempt from DRG payment and other rules as appropriate.

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: This rule is being revised to remove the list of approved hospitals for bariatric surgery. The list is outdated. Providers may refer to the agency's inpatient hospital provider guide or the agency's web site for the most updated list of approved hospitals for bariatric surgery.

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 agency 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, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

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

August 3, 2015
Wendy Barcus
Rules Coordinator

WSR 15-16-096

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

[Filed August 4, 2015, 7:59 a.m.]

Subject of Possible Rule Making: Chapter 296-19A WAC, Option 2 benefits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, chapter 137, Laws of 2015 (SHB 1496).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed to implement chapter 137, Laws of 2015 (SHB 1496). The proposed rule making increases the vocational award ("option 2") to an amount equal to nine months of temporary total disability benefits, allows up to ten percent of training funds to be used for vocational assistance, and provides a longer period of time for workers to make their option 2 selection.

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

Process for Developing New Rule: Labor and industries will begin the rule amendment process and will share the draft proposal with stakeholders and other interested parties. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Labor and Industries, Laurinda Grytness, P.O. Box 44329, Olympia, WA 98504-4329.

August 4, 2015
Joel Sacks
Director

WSR 15-16-097

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

[Filed August 4, 2015, 8:00 a.m.]

Subject of Possible Rule Making: Chapter 296-16 WAC, Employer—Worker reemployment incentives.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, Laws of 2015 (SHB 1496).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed to implement chapter 137, Laws of 2015 (SHB 1496). The proposed rule making will enable eligible employers participating in the preferred worker program to receive financial incentives similar to the existing stay at work program, plus a new "durable employment" bonus. The proposed rule making also extends the incentives to include the employer of injury.

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

Process for Developing New Rule: Labor and industries will begin the rule amendment process and will share the draft proposal with stakeholders and other interested parties. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Labor and Industries, Laurinda Grytness, P.O. Box 44329, Olympia, WA 98504-4329.

August 4, 2015
Joel Sacks
Director

WSR 15-16-103

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

(Economic Services Administration)

[Filed August 4, 2015, 11:00 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-310-1300 Community jobs, and any other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.08A.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend this rule to allow part-time participation in the community jobs program for single parents and caretaker relatives with a child under the age of six.

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 Miranda Adams, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4769, fax (360) 725-4905, e-mail miranda.adams@dshs.wa.gov.

August 3, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-16-123

PREPROPOSAL STATEMENT OF INQUIRY UNIVERSITY OF WASHINGTON

[Filed August 5, 2015, 8:42 a.m.]

Subject of Possible Rule Making: Chapter 478-160 WAC, Admission and registration procedures for the University of Washington.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 478-160 WAC needs a complete review to bring the chapter up-to-date with current operational practices and allow for additional standardization of business operations across the three University of Washington campuses.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments or inquiries may be directed to Rebecca Goodwin Deardorff, Director of Rules Coordination, mail University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210, e-mail rules@uw.edu.

August 5, 2015
Rebecca Goodwin Deardorff
Director of Rules Coordination

WSR 15-16-132

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 5, 2015, 11:14 a.m.]

Subject of Possible Rule Making: Creating an exception process to the current rule governing the enrollment of commonly-owned businesses in retrospective rating, WAC 296-17B-770.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.18.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Certain rules of the retrospective rating program (retro) require commonly-owned businesses in the same industry category to all be enrolled in retro if any one account wishes to be enrolled. Through the retro advisory committee, several retro groups have petitioned the department to undertake rule making to amend this "all or nothing" rule. The department accepted the petition and initiated rule making (CR-101 filed on November 5, 2013, under WSR 13-22-071). As indicated, the department discussed possible changes to WAC 296-17B-770 with the petitioners, other retro participants, the retro advisory committee, and department staff. To date, there is general agreement on the concept of an exception process and on exception criteria. Based on this input, the department has decided to undertake pilot rule making to gain practical experience administering an exception process, evaluate the exception criteria categories and descriptions, assess the needs of retro participants, and ensure conformance with the purpose of the authorizing statute.

With stakeholder input, the department developed pilot rule language. Under this pilot, commonly-owned employers who volunteer to participate in the pilot will be able to apply for an exception from current requirements under WAC 296-17B-770. The pilot program will begin with the enrollment effective October 1, 2015, and will continue through the enrollment effective July 1, 2017, unless terminated sooner by the department. The exceptions granted are effective throughout the applicable twelve month retro coverage period or as otherwise specified. Upon completion, the pilot program results will be considered in developing possible proposed rule language.

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

Process for Developing New Rule: Pilot rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. For information about requirements, you may contact Julie Osterberg, Financial Incentive Coordinator, julie.osterberg@lni.wa.gov or Tim Smolen, Retrospective Rating Program Manager, tim.smolen@lni.wa.gov. You can find a link to more information on the pilot rules on the Retro Program Rules Page <http://www.lni.wa.gov/ClaimsIns/Insurance/Reduce/Qualify/Rules/default.asp>.

August 5, 2015
Joel Sacks
Director

WSR 15-16-133
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed August 5, 2015, 11:18 a.m.]

Subject of Possible Rule Making: House-banked card games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from the public requesting changes to card game rules to allow enhanced house-banked table games.

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

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

[Meetings on] September 10 or 11, 2015, at the Spokane Convention Center, 334 West Spokane Falls Boulevard, Spokane, WA 99201, (509) 279-7000, visit www.wsgc.wa.gov on September 1 for meeting location and start time; on October 8, 2015, at the Grand Mound Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531, (360) 273-7718, visit www.wsgc.wa.gov on October 1 for meeting location and start time; and on November 12 or 13, 2015, at the DoubleTree by Hilton Olympia, 415 Capitol Way North, Olympia, WA 98501, (360) 570-0555, visit www.wsgc.wa.gov on November 1 for meeting location and start time.

August 5, 2015
Susan Newer
Rules Coordinator