

WSR 15-22-009**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed October 22, 2015, 2:09 p.m.]

Subject of Possible Rule Making: WAC 182-550-2600 Inpatient psychiatric 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: The agency is amending this rule to bring it into compliance with federal regulations, and to update and clarify policy regarding authorization of inpatient behavioral health services. 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 division of behavioral health and recovery at DSHS administers these rules and will be included in the rule-making workgroup.

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 Chantelle Diaz, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Chantelle.Diaz@hca.wa.gov.

October 22, 2015
Wendy Barcus
Rules Coordinator

WSR 15-22-030**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
NATURAL RESOURCES**

[Filed October 27, 2015, 2:17 p.m.]

Subject of Possible Rule Making: Committee on geographic names and geographic names proposals and process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.30.293.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing statutes do not fully describe the process for proposing, processing, and deciding upon geographic name proposals. The legislature directed the committee on geographic names to "establish rules for the conduct of its affairs and to carry out the duties of this section." RCW 43.30.293. Rules would clarify the process for proposing and processing geographic names and the standards considered for determining the eligibility of proposed names and for guiding the committee's decision on proposals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state board on geographic names receives the recommendations of the committee on geographic names and makes the final determination whether a proposed name will be adopted. See RCW 43.30.291-[43.30].295. The committee has independent authority to adopt rules relating to its affairs and duties; however, the committee will report its intentions to the board to confirm that the board wants it to pursue rules and during the rule-making process to obtain the board's input on rule development. The United States Board on Geographic Names does not control local naming; however, the committee will also notify the United States Board of the committee's intentions and draft rules.

Process for Developing New Rule: The committee's staff will initially conduct rule development with public outreach. Committee consideration and approval will be needed before adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington Committee on Geographic Names, P.O. Box 47030, Olympia, WA 98504, bogn@dnr.wa.gov, (360) 902-1280. A public meeting will be held to solicit comments on the proposed rules.

October 16, 2015
Kyle Blum
Deputy Supervisor

WSR 15-22-048**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed October 29, 2015, 9:37 a.m.]

Subject of Possible Rule Making: The department is proposing to amend sections in chapter 388-25 WAC related to extended foster care, including WAC 388-25-0502, 388-25-0504, 388-25-0506, 388-25-0515, 388-25-0516, 388-25-0528, 388-25-0540, 388-25-0546, 388-25-0548, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend chapter 388-25 WAC to add additional eligibility criteria to the extended foster care WAC that went into effect on March 1, 2015.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Children's administration will continue to collaborate with the office of attorney general.

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 Mireya Beltre, P.O. Box 45710, Olympia, WA 98504, phone (360) 902-0270, fax (360) 902-7903, e-mail Mireya.beltre@dshs.wa.gov.

October 29, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-22-049
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed October 29, 2015, 9:48 a.m.]

The aging and long-term support administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 13-03-141 on January 23, 2013, (chapter 388-96 WAC) regarding ventilator/tracheostomy clients in nursing homes.

The aging and long-term support administration plans to file a new preproposal statement of inquiry notice on this subject in the near future.

Katherine Vasquez
Rules Coordinator

WSR 15-22-054
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed October 29, 2015, 3:09 p.m.]

Subject of Possible Rule Making: Group 12 amusement games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0331.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is bringing forward a rules package, due to the large volume of questions we have been receiving about Group 12 amusement games. Areas being considered for rule making include, but are not limited to: Gift certificates, prize and wager limits, game approval process, I.D. stamp fees, and licensure of Group 12 amusement game manufacturers.

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, e-mail Susan.Newer@wsgc.wa.gov, (360) 486-3466, fax (360) 486-3625.

[Meetings on:] January 14 and 15, 2016, at the Best Western, Hawks Prairie, 8326 Quinault Drive N.W., Lacey, WA 98516, (360) 456-5655, visit www.wsgc.wa.gov on January 1 for meeting location and start time; on February 11 and 12, 2016, at the Best Western, Hawks Prairie, 8326 Quinault Drive N.W., Lacey, WA 98516, (360) 456-5655, visit www.wsgc.wa.gov on February 1 for meeting location and start time; and on March 10 and 11, 2016, Best Western, Hawks Prairie, 8326 Quinault Drive N.W., Lacey, WA 98516, (360) 456-5655, visit www.wsgc.wa.gov on March 1 for meeting location and start time.

October 29, 2015
Susan Newer
Rules Coordinator

WSR 15-22-070
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Chiropractic Quality Assurance Commission)

[Filed November 2, 2015, 12:49 p.m.]

Subject of Possible Rule Making: WAC 246-808-150 Commission approved continuing education (CE), 246-808-155 Prior approval not required, and 246-808-165 Exemptions, the chiropractic quality assurance commission (commission) is opening rules to meet the requirements of ESHB 1424 (chapter 249, Laws of 2015), to clarify acceptable CE documentation and CE exemptions, adding language regarding when chiropractors must start reporting CE, and consider repealing WAC 246-808-155 and 246-808-165.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.25.0171, 18.130.050, and ESHB 1424 (chapter 249, Laws of 2015).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed ESHB 1424 which delays the suicide CE reporting requirement to 2016. Beginning July 1, 2017, the suicide CE training must be taken from a vendor identified on the department of health's model list. The commission intends to update the rules to meet the requirements of ESHB 1424. The commission will consider consolidating WAC 246-808-150, 246-808-155, and 246-808-165 to reduce the number of rules and make them easier to understand. They intend to clarify that acceptable CE documentation must list how many CE hours the course is worth, review criteria for CE exemptions, and consider adding language regarding when CE reporting is due for new licensees.

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. Stakeholders will be notified of the rule making via the chiropractic listserv and posting it on the chiropractic web site. Stakeholders will be given an opportunity to submit

written comments for consideration. In addition, they can also participate in the public rule writing workshop and/or testify at the public hearing. Questions regarding the rule making can be directed to Leann Yount at leann.yount@doh.wa.gov, (360) 236-4856, or via surface mail at P.O. Box 47858, Olympia, WA 98504-7858.

November 2, 2015
Leann Yount
Program Manager

WSR 15-22-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 2, 2015, 1:04 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-466-0150 Refugee employment and training services, 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, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-466-0150 to create new exemption criteria for refugee employment and training requirements.

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 Jennie Fitzpatrick, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4648, fax (360) 725-4905, e-mail Jennie.Fitzpatrick@dshs.wa.gov.

November 2, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-22-073
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed November 2, 2015, 1:54 p.m.]

Subject of Possible Rule Making: Chapter 246-801 WAC, Donated prescription drugs and supplies program, the department of health is considering new rules establishing forms and procedures to verify the eligibility and prioritization of patients seeking to receive donated prescription drugs and supplies. The rules would also address disclosure to those receiving donated prescription drugs that the drugs have been donated and redistributed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 69.70 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 69.70.060 requires the department to engage in rule making to establish forms and procedures to accomplish two things: (1) Verify the eligibility of patients and prioritize those patients seeking to receive donated drugs and supplies, and (2) inform recipients that the drugs they are receiving have been donated for redistribution.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Food and Drug Administration will be consulted with as needed.

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 department by contacting Andy Fernando, Rules and Legislation Manager, at andres.fernando@doh.wa.gov or by mail to Andy Fernando, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852.

November 2, 2015
John Wiesman, DrPH, MPH
Secretary of Health

WSR 15-22-075
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed November 2, 2015, 2:34 p.m.]

Subject of Possible Rule Making: Limousine, WAC 308-83-010 Definitions, specific changes to the "Chauffeur" definition WAC 308-83-010(6).

Limousine, WAC 308-83-120 to add item #3 for on board safety equipment requirement to the "Vehicle inspection" requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.04.115 for the chauffeur, and 46.72A.030 for the vehicle inspections.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The city of Seattle has requested a change to the definition of "chauffeur." Per their city attorney, city of Seattle cannot cite an uncertified driver of a limousine as an unlicensed "chauffeur" because a "chauffeur" is currently defined as a person certified with the department as qualifying as a chauffeur under chapter 46.72A RCW. The proposed change removes the certification requirement from the definition, which will allow the city to cite any uncertified person operating a limousine for unlicensed activity.

The Washington state patrol (WSP) has requested that we add an on board safety equipment requirement to our WAC, this would increase safety.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of licensing, in conjunction with WSP and the city of Seattle, regulates limousine carriers with respect to entry, safety, chauffeur qualifications, and operations. The department will collaborate with WSP and the city of Seattle on changes to the limousine definitions and vehicle inspection requirements to ensure any changes are appropriate and consistent with our shared interest in ensuring high quality and safe limousine services to the public.

Process for Developing New Rule: Negotiated rule making, the department of licensing has been working with WSP, the city of Seattle, representatives of the Puget Sound Limousine Association, and other limousine business owners in developing the rule changes.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by mail: Livia Romero, Dealer and Manufacturer Services, Department of Licensing, Business and Professions Division, P.O. Box 9039, Olympia, WA 98507-9039, e-mail lromero@dol.wa.gov, phone (360) 664-6455, fax (360) 570-4953. Interested parties may send in comments by mail, phone, fax or e-mail. Additional information will be posted on the limousine licensing web site as it becomes available at <http://www.dol.wa.gov/business/limousine/limolaws.html>.

November 2, 2015
Damon Monroe
Rules Coordinator

WSR 15-22-080

PREPROPOSAL STATEMENT OF INQUIRY

WASHINGTON STATE PATROL

[Filed November 3, 2015, 8:19 a.m.]

Subject of Possible Rule Making: Authorized emergency vehicle permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.194.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes will likely include but may not be limited to updating the process for hearings and appeals.

Process for Developing New Rule: Agency initiated.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, P.O. Box 42600, Olympia, WA 98504-2600, (360) 596-4017, Melissa.vangorkom@wsp.wa.gov.

November 2, 2015
John R. Batiste
Chief

WSR 15-22-083

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed November 3, 2015, 8:50 a.m.]

Subject of Possible Rule Making: Chapter 296-14 WAC, Industrial insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.44.070(1), 51.44.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The pension discount rate is the interest rate used to account for the time value of money when evaluating the present value of future pension payments. Currently, WAC 296-14-8810 sets the pension discount rate at 6.4 percent. The department has worked with the workers' compensation advisory committee (WCAC) to develop a plan reducing the pension discount rate annually, through 2022, until it reaches 4.5 percent. The purpose of this rule making is to consider whether to reduce the current pension discount rate for 2016 in furtherance of that long-term goal.

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

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings 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 Suzy Campbell, Department of Labor and Industries, P.O. Box 44208, Olympia, WA 98504-4208, phone (360) 902-5003, fax (360) 902-4960, casu235@lni.wa.gov.

November 3, 2015
Joel Sacks
Director

WSR 15-22-096

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

FISH AND WILDLIFE

[Filed November 3, 2015, 3:20 p.m.]

Subject of Possible Rule Making: Amend Puget Sound commercial smelt fishery rules to permanently adopt quick reporting requirements in the Puget Sound commercial smelt fishery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.-047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A permanent rule change adopted by the fish and wildlife commission established a fixed annual quota of sixty thousand pounds in the Puget

November 3, 2015
 Joanna M. Eide
 Rules Coordinator

Sound commercial smelt fishery. This fixed quota means that the department now needs inseason catch tracking to ensure overharvest does not occur. As such, the department filed an emergency rule amending WAC 220-49-005 that established "quick reporting" procedures for the Puget Sound commercial smelt fishery. Requiring fishers to "quick report" their catch by 2:00 p.m. the day after harvest allows fishery managers to track harvest in near real-time. This proposed rule making would make quick reporting requirements permanent in the Puget Sound commercial smelt fishery in response to the fixed quota adopted by the commission.

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

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 by contacting Craig Burley, WDFW Marine Resources Division, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2784, e-mail Craig.Burley@dfw.wa.gov. Contact by December 11, 2015. Expected proposal filing on or after December 18, 2015.

November 3, 2015
 Joanna M. Eide
 Rules Coordinator

WSR 15-22-097

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed November 3, 2015, 3:23 p.m.]

Subject of Possible Rule Making: Coastal mackerel purse seine fishery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington department of fish and wildlife is considering rule amendments relating to the commercial harvest of mackerel with purse seine gear.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The National Marine Fisheries Service regulates certain commercial fisheries in federal waters. Rule coordination is accomplished through the Pacific Fishery Management Council processes.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2403, fax (360) 902-2155, e-mail Rules.Coordinator@dfw.wa.gov. Contact by December 11, 2015. Expected proposal filing on or after December 18, 2015.

Updates will be added to the agency's rule-making page at <http://wdfw.wa.gov/about/regulations/development.html>.

WSR 15-22-100

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed November 4, 2015, 8:30 a.m.]

Subject of Possible Rule Making: The department plans to amend or create new sections in chapter 388-96 WAC as may be required to adopt rules regarding ventilator/tracheostomy clients in nursing facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.46.800(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering adopting rules regarding ventilator/tracheostomy clients in nursing facilities to allow the department to establish a methodology for ventilator and tracheostomy payments for nursing facility clients.

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 Elizabeth Pashley, Office of Rates Management, 4450 10th Avenue S.E., Lacey, WA 98503, phone (360) 725-2447, fax (360) 725-2641, TTY (360) 493-2637, e-mail Elizabeth.Pashley@dshs.wa.gov.

November 3, 2015
 Katherine I. Vasquez
 Rules Coordinator

WSR 15-22-106

PREPROPOSAL STATEMENT OF INQUIRY SECRETARY OF STATE

[Filed November 4, 2015, 10:57 a.m.]

Subject of Possible Rule Making: Corporations filing of records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 176, Laws of 2015 (HUB) and chapters 11.110, 18.100, 19.77, 23.86, 23.90, 23B.01, 24.03, 24.06, 25.10, 25.15, 43.07, 46.64 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repealing older regulations to implement new law from 2015.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Business licensing services at the Washington department of revenue; periodic meetings to coordinate rules with that agency.

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 Pam Floyd, Director, Corporations Division, Office of the Secretary of State, P.O. Box 40234, Olympia, WA 98504, (360) 725-0310, pam.floyd@sos.wa.gov.

November 3, 2015
Mark Neary
Assistant Secretary of State

WSR 15-22-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed November 4, 2015, 11:45 a.m.]

Subject of Possible Rule Making: The department is considering rule making regarding cougar seasons and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.020, 77.12.047, 77.12.150, 77.12.240, 77.32.070, and 77.32.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are needed to provide recreational opportunity while maintaining sustainable game populations.

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, fax (360) 902-2162, e-mail Wildthing@dfw.wa.gov. Contact by December 24, 2015. Expected proposal filing on or after January 1, 2016.

November 4, 2015
Joanna M. Eide
Rules Coordinator