

WSR 16-04-001
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
 (Washington Apple Health)
 [Filed January 20, 2016, 2:34 p.m.]

Subject of Possible Rule Making: Maternity related services, WAC 182-533-0320, 182-533-0325, 182-533-0327, 182-533-0375, 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 making changes to update eligibility programs, provider types, and existing policies, and to incorporate specific state plan language. 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 Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Melinda.Froud@hca.wa.gov.

January 20, 2016
 Wendy Barcus
 Rules Coordinator

WSR 16-04-012
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
 [Filed January 21, 2016, 11:49 a.m.]

Subject of Possible Rule Making: Bail bond recovery agent licensing application instructions for obtaining the required background checks.

Amending chapter 308-19 WAC, Bail bond recovery agent, bail bond agency, branch office and bail bond agent fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.235.030(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Washington state patrol and Federal Bureau of Investigation each charge different fees for the required bail bond applicant background check. These fees are currently a part of the bail bond application fee. Frequently, Washington state patrol and the Federal Bureau of Investigation change fees resulting in the bail bond program to over or under collect the cost for the background check. Changing the rule will allow the bail bond applicants to pay accurate background check fees.

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

Process for Developing New Rule: Stakeholder involvement.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Licensing, Business and Professions Division, Bail Bond Recovery Agent Program, Mary Haglund, P.O. Box 9649, Olympia, WA 98507, phone (360) 664-6658, fax (360) 577-7888, e-mail Security@dol.wa.gov. Check our internet web site for updates at <http://www.dol.wa.gov/about/rules.html?footer>.

January 21, 2016
 Damon Monroe
 Rules Coordinator

WSR 16-04-014
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY
 (Office of Columbia River)
 [Filed January 21, 2016, 12:44 p.m.]

The department of ecology (ecology) Office of Columbia River (OCR) withdraws the following preproposal statement of inquiry (CR-101) for chapter 508-14 WAC, Columbia Basin Project—Groundwaters: WSR 10-23-079 filed November 15, 2010.

Ecology's OCR is withdrawing the preproposal statement of inquiry (CR-101) for chapter 508-14 WAC, Columbia basin project, at this time due to the length of time since the original filing and subsequent new scientific information.

OCR is working with local, state, and federal agencies and interested stakeholders on a proposed framework for a rule for administering artificially stored groundwater based on new scientific information. Once an administrative framework is determined between artificial and naturally stored groundwater OCR shall refile the CR-101 at that time.

If you have any questions, G. Thomas Tebb can be reached by phone at (509) 574-3989 or e-mail thomas.tebb@ecy.wa.gov.

G. Thomas Tebb, L.Hg., L.E.G.
 Director
 Office of Columbia River

WSR 16-04-032
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ARCHAEOLOGY
AND HISTORIC PRESERVATION
 [Filed January 26, 2016, 10:17 a.m.]

Subject of Possible Rule Making: The Washington state department of archaeology and historic preservation (DAHP) is considering writing rules for the Washington main street program (WMSP). The WMSP has been administered by DAHP since the program was transferred to it in 2010. In consultation with the WMSP program manager, together with managers from participating local main street programs,

DAHP has identified the need to promulgate in rule existing policies, protocols, and expectations for efficient and effective management of the program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 27.34.220, 27.53.140, 43.21C.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The WMSP is based upon an economic development model first formulated in the 1980s to revitalize historic downtown districts throughout the nation. Based upon experience, successful main street programs have come to be defined by tight-knit committee organization, strong volunteer commitment, and close adherence to the Main Street Approach© and guiding principles. The WMSP manager together with the managers of over thirty designated main street programs in Washington have consulted with the director of DAHP on the need to place into rules the policies, eligibility criteria, plus roles and responsibilities of the state and local partners in order to sustain a strong and vital program.

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

Process for Developing New Rule: DAHP will convene one to two workshops of main street program stakeholders to discuss draft rules and receive comments. DAHP will record and respond to all comments before drafting final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Allyson Brooks, Ph.D., Department of Archaeology and Historic Preservation, P.O. Box 48343, Olympia, WA 98504-8343, phone (360) 586-3065, fax (360) 586-3067, e-mail Allyson.Brooks@dahp.wa.gov.

DAHP will conduct one to two workshops with key main street program stakeholders regarding existing policies and guidelines and proposed new rules. DAHP will record and respond to all comments before drafting final rules.

January 22, 2016
Allyson Brooks
Director

WSR 16-04-037

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

[Filed January 26, 2016, 1:12 p.m.]

Subject of Possible Rule Making: Amending chapter 326-30 WAC, Goals and goal setting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.19.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Governor Inslee formed the business diversity subcabinet (subcabinet) that focused on increasing access for small, minority, women, and veteran-owned businesses to contracting opportunities in Washington state government. Part of the subcabinet's action plan focuses on the framework for how this spend is measured. Some of the outcomes of this action plan could affect rules in chapter

326-30 WAC that address how agency's contracting spend with women and minority-owned business is calculated and measured.

Process for Developing New Rule: The office of minority and women's business enterprises (OMWBE) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, OMWBE 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 Mark Kifowit, Public Records Manager, Rules Coordinator, P.O. Box 41160, Olympia, WA 98504, phone (360) 664-9750, fax (360) 407-0955, e-mail markk@omwbe.wa.gov.

January 26, 2016
Mark Kifowit
Public Records Manager
Rules Coordinator

WSR 16-04-043

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-02—Filed January 27, 2016, 2:04 p.m.]

Subject of Possible Rule Making: Prior authorization of medical benefits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.43.510, 48.165.0301.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESSB 6511 (RCW 48.165.-0301), passed during the 2014 legislative session, requires the office of insurance commissioner to adopt recommendations from a OneHealthPort workgroup to streamline the prior authorization process. The initial rule making to adopt the workgroup recommendations was limited to the pharmacy benefit and completed by Matter No. R2014-13. Additional rule making is necessary to adopt the remaining workgroup recommendations and apply the recommended time frames for approval of covered services that fall within the medical benefit. This rule making is limited to adopting the OneHealthPort recommendations.

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

Process for Developing New Rule: Submit written comments by March 8, 2016, to Jim Freeburg, rulescoordinator@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Freeburg, P.O. Box 40258, Olympia, WA 98504, (360) 725-7170, rulescoordinator@oic.wa.gov.

January 27, 2016
Mike Kreidler
Insurance Commissioner

WSR 16-04-052
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed January 28, 2016, 8:50 a.m.]

Subject of Possible Rule Making: Group 12 amusement games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0201.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To repeal the rule authorizing group 12 amusement 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, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] March 10 or 11, 2016, at the Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531, (360) 273-7718, visit www.wsgc.wa.gov on March 1 for meeting location and start time; on April 14 or 15, 2016, at the DoubleTree by Hilton, 415 Capitol Way North, Olympia, WA 98501, (360) 570-0555, visit www.wsgc.wa.gov on April 1 for meeting location and start time; and on May 12 or 13, 2016, at the Red Lion Pasco, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701, visit www.wsgc.wa.gov on May 1 for meeting location and start time.

January 28, 2016
Susan Newer
Rules Coordinator

WSR 16-04-069
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed January 29, 2016, 9:41 a.m.]

Subject of Possible Rule Making: WAC 388-96-010, 388-96-107, 388-96-205, 388-96-208, 388-96-211, 388-96-218, 388-96-502, 388-96-505, 388-96-525, 388-96-540, 388-96-542, 388-96-552, 388-96-553, 388-96-554, 388-96-556, 388-96-558, 388-96-559, 388-96-560, 388-96-561, 388-96-562, 388-96-564, 388-96-565, 388-96-572, 388-96-574, 388-96-580, 388-96-585, 388-96-708, 388-96-709, 388-96-710, 388-96-713, 388-96-718, 388-96-744, 388-96-746, 388-96-747, 388-96-748, 388-96-758, 388-96-759, 388-96-762, 388-96-767, 388-96-776, 388-96-777, 388-96-781, 388-96-782,

388-96-783, 388-96-784, 388-96-786, 388-96-901, 388-96-905, new rules, and other related rules as may be required.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing these rules to implement the nursing facility methodology changes from SHB 1274.

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.

January 28, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-04-070
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed January 29, 2016, 10:20 a.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.97 RCW, RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department was directed to develop enhanced service facilities in the 2013-15 biennium budget. The DSHS home and community services division developed the 1915(c) residential support waiver (RSW) to provide medicaid funding of supports and services in certain residential settings. These rules will be amended to add retainer payments to the RSW and to add two new waiver services, adult day health and expanded community services. Other WAC chapters may need to be updated as a result of this rule making.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olym-

pia, WA 98504-5600, phone (360) 725-2495, fax (360) 407-7582, TTY (360) 493-2637, e-mail angel.sullivan@dshs.wa.gov.

January 28, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-04-071
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed January 29, 2016, 10:31 a.m.]

Subject of Possible Rule Making: Chapter 181-77 WAC, Standards for career and technical education certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board is responsible for standards for career and technical education certification, including criteria, eligibility, issuance and renewal.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Professional educator standards board meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

January 29, 2016
David Brenna
Senior Policy Analyst

WSR 16-04-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed January 29, 2016, 10:52 a.m.]

Subject of Possible Rule Making: The department may propose rules related to the Washington combined application project (WASHCAP) under chapter 388-492 WAC in order to ensure that the project remains cost neutral with supplemental nutrition assistance program (SNAP) benefits provided under the Washington Basic Food program or Basic Food. Proposed revisions may include WAC 388-492-0040 Can I choose whether I get WASHCAP food benefits or Basic Food benefits?, 388-492-0070 How are my WASHCAP food benefits calculated?, and 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, 74.04.500, 74.04.510, 74.08.090, and 7 C.F.R. 282.1.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As required by the demonstration project waiver with the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS), the department will review the cost neutrality between WASHCAP and Basic Food. Based on the findings of this evaluation, the department may amend WAC 388-492-0040, 388-492-0070, and other related rules to ensure that WASHCAP benefits are cost neutral to SNAP.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA, FNS enforces the provisions of the federal SNAP as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will develop amendments to WASHCAP rules that are consistent with the act, federal regulations, and our approved WASHCAP demonstration project waiver while ensuring cost neutrality of the program.

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 Holly St. John, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4905, e-mail Holly.St.John@dshs.wa.gov.

January 28, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-04-078
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed January 29, 2016, 11:56 a.m.]

Subject of Possible Rule Making: Chapter 180-105 WAC, Performance improvement goals, for amendment to conform with and implement the federal Elementary and Secondary Education Act (ESEA) as reauthorized in 2015.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.305.130 Powers and duties—Purpose, state board of education (SBE).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 180-105-020, initially filed April 23, 2003, requires each school district board of directors to adopt, and to direct each school to adopt, performance improvement goals in reading and mathematics using the federal requirements in ESEA as reauthorized in January 2002. WAC 180-105-040 establishes definitions for purposes

of the prior section. WAC 180-105-060 directs districts to revise graduation rate goals and specifies minimum goals through 2013. In December 2015 the president signed an act reauthorizing the ESEA as the Every Student Succeeds Act (ESSA). Chapter 180-105 WAC must be amended to conform to the requirements of this act.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education, office of the superintendent of public instruction (OSPI). The SBE will work with OSPI in an ongoing manner in the development of rule amendments. Any consultation with the United States Department of Education found necessary or appropriate under federal rules or guidance for implementation of ESSA will be done through OSPI.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack Archer, Director of Basic Education Oversight, 600 Washington Street, Olympia, WA 98504, (360) 725-6035, jack.archer@k12.wa.us; or Ben Rarick, Executive Director, (360) 725-6025, ben.rarick@k12.wa.us.

January 29, 2016
Ben Rarick
Executive Director

WSR 16-04-084
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed January 29, 2016, 2:43 p.m.]

Subject of Possible Rule Making: Chapter 308-22 WAC, Body art, body piercing, and tattooing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.300.020, 43.24.023.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will be reviewing WAC to ensure we are meeting current safety and sanitation requirements regarding public safety. We will also be reviewing WAC for effectiveness, clarity, intent, and statutory authority.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of health.

Process for Developing New Rule: Details will be distributed through the tattoo, body piercing, body art and permanent cosmetic listserv and through direct mailings to licensees and interested parties.

To receive information by e-mail, please sign up on the tattoo, body piercing, body art and permanent cosmetic listserv at <http://www.dol.wa.gov/business/tattoo/list.html>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cameron Dalmas, Tattoo Program, Department of Licensing, P.O. Box 9026, Olympia, WA 98507, phone (360) 664-6643, fax (360) 664-2550, e-mail plssunit@dol.wa.gov. Additional information will be posted on the tattoo, body piercing, body art and permanent cos-

metic web site as it becomes available at <http://www.dol.wa.gov/business/tattoo/>.

January 29, 2016
Damon Monroe
Rules Coordinator

WSR 16-04-098
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
(Business and Professions Division)

[Filed February 2, 2016, 7:59 a.m.]

The department of licensing, business and professions division requests withdrawal of the proposed rule making [preproposal] filed as WSR 12-03-062. The CR-101 was filed on January 12, 2012, and appearing [appeared] in issue 12-03 of the state register. This document serves as the official notification of our rule withdrawal.

Damon Monroe
Rules Coordinator

WSR 16-04-100
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
FINANCIAL MANAGEMENT

[Filed February 2, 2016, 8:44 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database. Specifically, the rules will address (1) the procedures for ensuring that all data received from data suppliers are securely collected and stored in compliance with state and federal law (security rules) and (2) procedures for ensuring compliance with state and federal privacy laws (privacy rules).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.070 [(1)](d) and (e).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 43.371 RCW directs the office of financial management (OFM) to establish a statewide all-payer health care claims database to support transparent public reporting of health care information. To accomplish this requirement, OFM is further directed to select a lead organization to coordinate and manage the database. RCW 43.371.070 [(1)](d) and (e) provide that the OFM director shall adopt rules necessary to implement this chapter including:

(d) Procedures for ensuring that all data received from data suppliers are securely collected and stored in compliance with state and federal law;

(e) Procedures for ensuring compliance with state and federal privacy laws (privacy rules).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office of chief information officer has standards that

must be met for both security and privacy. There are state and federal laws regarding protection of private data, which must be followed in regards to the establishment and operation of the database. Coordination will be accomplished through meetings and other written methods of communication. As agency points of contact become known, we will add them to the stakeholder list to ensure receipt of correspondence of all rule-making activities.

Process for Developing New Rule: A collaborative approach will be used. A privacy and security workgroup was formed with stakeholders from state agencies and the private sector. This group will help sort out the issues and review drafts before released for a more general review. The all-payer claims database (APCD) web site and associated listserv will be used to provide information and seek comments before a draft is filed for hearing. Stakeholder meetings to review and discuss draft rules will also be scheduled as appropriate.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To participate in the rule-making process, you may:

- Send OFM an e-mail with your name and contact information (and questions or comments) at [to] apcd@ofm.wa.gov.
- Sign up on the APCD listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=APCD>.

Those who sign up will receive information on the rules, hearing dates and the latest drafts of the rules for your comments.

February 2, 2016
Roselyn Marcus
Assistant Director
Legal and Legislative Affairs
Rule[s] Coordinator

WSR 16-04-107

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed February 2, 2016, 10:59 a.m.]

Subject of Possible Rule Making: WAC 392-169-005 Authority, 392-169-015 Running start program—Definition, 392-169-020 Eligible student—Definition, 392-169-025 Full-time equivalent (FTE) running start enrollment—Definition, 392-169-030 Annual average full-time (AAFTE) running start enrollment—Definition, 392-169-055 Enrollment—Extent and duration of running start enrollment, and 392-169-100 Running start enrollment count dates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.600.390.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Several sections of chapter 392-169 WAC require updating to address the following:

- Add to the definition of running start program the language from ESSHB [E2SHB] 1546.

- Remove language that addresses running start in the high school model.
- Add language regarding students who are disenrolled from a nonresident district after a rescindment of their choice transfer and plan to only take running start classes to allow a college to report their running start enrollment to the nonresident district.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WAC 392-169-005 requires joint agreement with the office of superintendent of public instruction (OSPI), state board of community and technical colleges, and Washington student achievement council. Both agencies will be instrumental in developing and reviewing the proposed changes.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becky McLean, OSPI, Enrollment Supervisor, (360) 725-6306, Old Capitol Building, P.O. Box 47200, Olympia, WA.

January 22, 2016
Randy Dorn
Superintendent of
Public Instruction

WSR 16-04-108

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed February 2, 2016, 11:00 a.m.]

Subject of Possible Rule Making: Chapter 392-700 WAC, Dropout reengagement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.175.100, 28A.175.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 392-700 WAC requires updating to clarify student eligibility, program requirements, and reporting processes for dropout reengagement programs.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becky McLean, Office of Superintendent of Public Instruction, Enrollment Supervisor, (360) 725-6306, Old Capitol Building, P.O. Box 47200, Olympia, WA.

February 2, 2016
Randy Dorn
Superintendent of
Public Instruction

WSR 16-04-109
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed February 2, 2016, 11:01 a.m.]

Subject of Possible Rule Making: WAC 392-122-107 Definition—Report 1220 and 392-122-710 Distribution of state moneys for the transitional bilingual program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The above WAC require updating to address the additional June count day that went into effect for the 2012-13 school year which changed the special education and transitional bilingual funding to a nine month average of reported enrollment.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becky McLean, Office of Superintendent of Public Instruction, Enrollment Supervisor, (360) 725-6306, Old Capitol Building, P.O. Box 47200, Olympia, WA.

February 2, 2016
 Randy Dorn
 Superintendent of
 Public Instruction

WSR 16-04-110
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed February 2, 2016, 11:01 a.m.]

Subject of Possible Rule Making: WAC 392-121-122 Definition—Full-time equivalent student, 392-121-133 Definition—Annual average full-time equivalent students, 392-121-136 Limitation on enrollment counts, 392-121-137 Full-time equivalent enrollment of students with a disability, 392-122-225 Definition—State institutional education program—FTE students, 392-122-421 Full-day kindergarten program—Definition, and 392-169-057 Enrollment—Extent of combined high school and running start enrollment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2015-17 biennial budget (section 502 (1)(e)(ii) requires the office of superintendent of public instruction (OSPI) to align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours. These WAC require revising to change the annual average FTE to one thousand hours and FTE for all grades to twenty-seven hours and forty-five minutes weekly.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WAC 392-169-005 requires joint agreement with OSPI, state board of community and technical colleges, and Washington student achievement council on any revision to chapter 392-169 WAC. Both agencies will review the proposed change to WAC 392-169-057.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becky McLean, OSPI, Enrollment Supervisor, (360) 725-6306, Old Capitol Building, P.O. Box 47200, Olympia, WA.

February 2, 2016
 Randy Dorn
 Superintendent of
 Public Instruction

WSR 16-04-119
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed February 2, 2016, 2:54 p.m.]

Pursuant to RCW 34.05.335 and WAC 1-21-060, the department of retirement systems withdraws the following preproposal statements of inquiry (CR-101):

WSR	Filed	Subject of Possible Rule Making
03-09-054	April 11, 2003	Military service credit.
04-04-020	January 26, 2004	Computing leave for interruptive military service.
04-04-104	February 4, 2004	Post thirty year program for PERS Plan 1 and TRS Plan 1 members.
05-12-018	May 20, 2005	Interruptive military service credit.
05-17-148	August 22, 2005	Substitute employees working concurrently in two or more retirement systems in a school district or educational service district.
06-08-080	April 3, 2006	Retirement benefits for justices and judges.
06-14-025	June 27, 2006	Clarifying the rights of surviving spouses in WSPRS.
07-23-032	November 9, 2007	SERS and TRS retirement plan choice options.
08-11-027	May 13, 2008	Additional method for counting SERS 2/3 and TRS 2/3 service credits.
08-23-063	November 17, 2008	Reportable compensation.
09-02-072	January 6, 2009	Flexible survivor options.
10-05-053	February 11, 2010	Appealing denied DCP emergency withdrawals.

WSR	Filed	Subject of Possible Rule Making
10-07-091	March 18, 2010	PERS Plan 2 to SERS Plan 2 transfers.
10-09-018	April 12, 2010	Removing references to the employee retirement benefits board.
10-18-061	August 30, 2010	Chapter 415-02 WAC, SHB 2196, Laws of 2010, LEOFF 1 to PERS 1 transfers.
10-18-063	August 30, 2010	Chapters 415-02, 415-103, and 415-104 WAC, duty death and disability benefits outlined in EHB 2519 and SHB 1679, Laws of 2010.
11-18-090	September 7, 2011	WAC 415-02-350 What are the cost-of-living adjustments (COLA) and how are they calculated? and 415-02-360 What is the optional cost-of-living adjustment (COLA) for PERS Plan 1 and TRS Plan 1? Implementing SHB 2021, Laws of 2011.

Comments, questions or concerns may be directed to Jilene Siegel at (360) 664-7291 or Rules@drs.wa.gov.

Jilene Siegel
Rules and Contracts Manager

WSR 16-04-121
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed February 2, 2016, 4:19 p.m.]

Subject of Possible Rule Making: The department plans to update all necessary sections in Title 388 WAC to implement annual adjustments to standards for the Washington combined application project (WASHCAP) and the Washington Basic Food program. Amendments may include updates to the following rules for federal fiscal year 2016: WAC 388-412-0015 General information about your food assistance allotments, 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?, 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food?, 388-450-0195 Does the department use my utility costs when calculating my Basic Food or WASHCAP benefits?, 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These standards are required by federal regulations and approved department waivers. Under federal regulations these standards must be adjusted annually in order to determine a client's eligibility and benefit

level for the Washington Basic Food program or WASHCAP.

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 Service (FNS) annually adjusts income and payment standards, the standard deduction, and maximum shelter deductions for the upcoming federal fiscal year. FNS also requires that the department adjust the supplemental nutrition assistance program utility allowance and WASHCAP standards on an annual basis. DSHS adopts the new FNS standards into administrative rule. The department adjusts WASHCAP standards as required under the department's approved waiver based on changes to the consumer price index.

The department will update the current standard utility allowance (SUA) for Basic Food, adjusting for inflation for the various utilities included in the SUA deduction and submitting proposed standards to FNS for approval. The standards approved by FNS will be adopted by the department for use in determining monthly benefits for Basic Food and WASHCAP.

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 Holly St. John, Policy Analyst, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, e-mail stjohhc@dshs.wa.gov.

February 2, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-04-122
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed February 2, 2016, 4:22 p.m.]

Subject of Possible Rule Making: The department may amend WAC 388-400-0047 and other related rules as may be required to provide a small energy assistance payment to certain Basic Food households who are not eligible for a standard utility allowance income deduction.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.515, 74.08.090, 74.04.500, 74.08A.010, 74.08A.903; Food and Nutrition Act of 2008 (P.L. 110-246, 7 U.S.C.) as amended by P.L. 113-79.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes proposed under this filing will be to provide an energy assistance payment to select Basic Food, Washington combined application project (WASHCAP), and food assistance program (FAP) for legal immigrant households who are not eligible for the standard utility allowance income deduction for supplemental nutrition assistant program (SNAP), and do not receive the maximum monthly benefit for Basic Food or FAP. These changes will be proposed only if the department's federally required review of benefit cost neutrality for WASHCAP shows the WASHCAP program as more costly than what the same households would receive under SNAP, and that providing a heat and eat benefit would restore cost neutrality.

The Agricultural Act of 2014, Public Law 113-79, increased the amount of energy assistance through the low income home energy assistance program a SNAP household must receive in order for the household to be eligible for the standard utility allowance.

Changes proposed under this filing are expected to impact benefits for certain households receiving the Washington Basic Food program, WASHCAP, and the state-funded FAP for legal immigrants. Under RCW 74.08A.120, rules for FAP shall follow exactly the rules of the federal food stamp program (SNAP) except for the provisions pertaining to immigrant status.

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 Service (FNS) enforces the provisions of the federal SNAP as enacted in the 2008 Food and Nutrition Act as amended and codified in the Code of Federal Regulations. DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers and demonstration projects by adopting administrative rules for food assistance administered as the Washington Basic Food program, WASHCAP, and transitional food assistance.

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 Holly St. John, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, e-mail stjohhc@dshs.wa.gov.

February 2, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-04-125

PREPROPOSAL STATEMENT OF INQUIRY THE EVERGREEN STATE COLLEGE

[Filed February 2, 2016, 5:40 p.m.]

Subject of Possible Rule Making: Parking regulations, chapter 174-116 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.40.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 174-116 WAC was last updated in 1999. In 2014-2015, The Evergreen State College (TESC) conducted a broad review process that identified possible ways that TESC's parking program and rules could be updated. The results of the review have been considered and the college has identified a number of revisions that include, but are not limited to, updating schedule of fines for parking violations, general housekeeping of the rules, and removal of components that are more appropriately addressed through TESC policy.

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; and students, faculty, staff, and other interested parties will 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 Andy Corn, Office of the Vice-President for Student Affairs, Library 3009, The Evergreen State College, 2700 Evergreen Parkway N.W., Olympia, WA 98505, phone (360) 867-6296, fax (360) 867-6886, corn@evergreen.edu.

February 2, 2016
John Carmichael
Chief of Staff
to the President
and Secretary to the
Board of Trustees