

WSR 16-10-033**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)
[Filed April 26, 2016, 2:52 p.m.]

Subject of Possible Rule Making: WAC 182-500-0005 Medical definitions, 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Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending this rule to replace outdated references to Title 388 WAC with references to Title 182 WAC, and to expand the applicability of the chapter to other agency health care programs in addition to medical assistance. 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 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.

April 26, 2016
Wendy Barcus
Rules Coordinator

WSR 16-10-040**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)
[Filed April 28, 2016, 9:34 a.m.]

Subject of Possible Rule Making: WAC 182-506-0010 Medical assistance units for MAGI-based programs, 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: To align subsection (3) with 42 C.F.R. 435.603(f).

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: Centers for Medicare and Medicaid Services and the department of social and health services.

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

April 28, 2016
Wendy Barcus
Rules Coordinator

WSR 16-10-044**PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST CLEAN
AIR AGENCY**

[Filed April 28, 2016, 4:58 p.m.]

Subject of Possible Rule Making: SWCAA 400 General Regulations for Air Pollution Sources - all sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141 and 70.94.152.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is being changed to correct minor typographical errors, update program definitions, amend statutory emission standards, incorporate revisions made in associated state/federal regulations, and update adoption by reference of federal regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA 400 is substantially similar to chapter 173-400 WAC as administered by the department of ecology. The proposed rule changes incorporate recent changes in the state rule as well as incorporating by reference updated federal regulations promulgated by the Environmental Protection Agency. The anticipated rule changes do not differ substantially from the associated state and federal regulations.

Process for Developing New Rule: The proposed rule revisions are being developed through internal agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wess Safford, 11815 N.E. 99th Street, Suite 1294, Vancouver [Vancouver], WA 98682, phone (360) 574-3058 ext. 126, e-mail wess@swcleanair.org.

April 28, 2016
Uri Papish
Executive Director

WSR 16-10-048
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-06—Filed April 29, 2016,
 3:51 p.m.]

Subject of Possible Rule Making: Rating requirements (SSB 6536).

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 6536 (chapter 156, Laws of 2016, March 31, 2016, effective date), RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed SHB [SSB] 6536 during the 2016 session. The bill requires the office of insurance commissioner (OIC) to standardize the rating requirements for large group disability plans, stand-alone dental plans and stand-alone vision plans, making the rating requirements for these plans the same as the rating requirements for health care service contractors and health maintenance organizations. OIC needs to do rule writing to implement the requirements of the bill.

Process for Developing New Rule: Submit written comments by June 17, 2016, to 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 Bianca Stoner, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov.

April 29, 2016
 Mike Kreidler
 Insurance Commissioner

WSR 16-10-049
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-07—Filed April 29, 2016,
 4:16 p.m.]

Subject of Possible Rule Making: Registration and regulation of pharmacy benefit managers (PBM).

Statutes Authorizing the Agency to Adopt Rules on this Subject: 5ESSB 5857.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed 5ESSB 5857 during the 2016 session. This bill requires PBMs to register with the office of the insurance commissioner (OIC), paying a registration fee and a renewal fee that OIC will set through rule making.

The bill also gives the agency enforcement authority over PBMs and gives pharmacies with less than fifteen Washington outlets in their corporate family the right to appeal the results of first-level disputes to OIC.

The department of revenue currently has authority over PBMs and the applicable laws are in chapter 19.340 RCW. OIC will need to do rule making to implement chapter 19.340 RCW in Title 284 WAC and to write such additional rules as may be necessary.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of revenue currently regulates PBMs, so OIC will work with them to facilitate this change.

Process for Developing New Rule: Submit written comments by June 17, 2016, to 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 Bianca Stoner, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov.

April 29, 2016
 Mike Kreidler
 Insurance Commissioner

WSR 16-10-051
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-08—Filed April 29, 2016,
 4:33 p.m.]

Subject of Possible Rule Making: Notification re: Emergency fills.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Matter R 2014-13 created an emergency fill, a short-term prescription fill that allows for the processing of a prior authorization request. However, the rules did not prescribe how consumers are supposed to be notified of the emergency fill option. Additional rule making is necessary to clarify how consumers are to be notified of the emergency fill option, including any cost-sharing obligations.

Process for Developing New Rule: Submit written comments by June 17, 2016, to 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 98504-0258, (360) 725-7170, rulescoordinator@oic.wa.gov.

April 29, 2016
 Mike Kreidler
 Insurance Commissioner

WSR 16-10-052
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-09—Filed April 29, 2016,
 4:47 p.m.]

Subject of Possible Rule Making: Implementing RCW 48.43.016 (ESSHB [E2SHB] 1471 from 2015).

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is necessary to implement ESSHB [E2SHB] 1471. Rules are necessary to ensure consistency during the plan approval process.

Process for Developing New Rule: Submit written comments by June 17, 2016, to 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.

April 29, 2016
Mike Kreidler
Insurance Commissioner

WSR 16-10-056

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-10—Filed April 29, 2016, 4:54 p.m.]

Subject of Possible Rule Making: Adding dental insurance requirements to comply with SHB 1002.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.43.740, 48.43.743.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2015, the legislature passed SHB 1002, which goes into effect on January 1, 2017, and adds two new sections to chapter 48.43 RCW (RCW 48.43.740 and 48.43.743). Under the first new section, health carriers that offer dental-only health plans can't refuse to pay a claim simply because it was for an emergency condition that a provider diagnosed and treated on the same day.

Under the second new section (RCW 48.43.743), health carriers that offer dental-only health plans must submit additional information to the office of the insurance commissioner (OIC), such as the total number of dental members and revenue, by April 1 of each year. OIC must make this information publicly available in a searchable format on a web site and must work with disability carriers to develop a data statement using information from annual statements.

Process for Developing New Rule: Submit written comments by June 17, 2016, to 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 Bianca Stoner, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov.

April 29, 2016
Mike Kreidler
Insurance Commissioner

WSR 16-10-065

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Economic Services Administration)

[Filed May 2, 2016, 11:16 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-468-0005 Residency, 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, 74.04.510, 74.08.090, 74.08A.100, 7 C.F.R. 273.2, 7 C.F.R. 273.3.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes proposed under this filing will amend WAC 388-468-0005 and related rules to comply with federal regulations for residency requirements for basic food, the Washington combined application program (WASHCAP), the food assistance program (FAP) for legal immigrants, and transitional food assistance.

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 supplemental nutrition assistance program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

The state legislature authorizes the department to administer SNAP and FAP for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for FAPs administered under the Washington basic food 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 Ezra Paskus, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4611, fax (360) 725-4905, e-mail paskuet@dshs.wa.gov.

April 28, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-10-066
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed May 2, 2016, 12:19 p.m.]

Subject of Possible Rule Making: The department is considering amending the following sections in chapter 388-76 WAC, Adult family home minimum licensing requirements: WAC 388-76-10000 Definitions, 388-76-10540 Resident rights—Disclosure of fees and charges—Notice requirements—Deposits, 388-76-10650 Medical devices, 388-76-10715 Doors—Ability to open, 388-76-10730 Grab bars and hand rails, 388-76-10820 Resident evacuation capabilities and location of resident bedrooms, 388-76-10845 Emergency drinking water supply, 388-76-10865 Emergency evacuation from adult family home, 388-76-10880 Emergency evacuation adult family home bedrooms, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.128 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-76-10000 Definitions, to assure compliance with requirements from recently passed legislation SB [SSB] 5600 and to clarify language in rule with statute.

The department is amending WAC 388-76-10650 Medical devices, 388-76-10715 Doors—Ability to open, and 388-76-10730 Grab bars and hand rails, for the health and safety of residents in the home.

The department is amending or repealing WAC 388-76-10820 Resident evacuation capabilities and location of resident bedrooms, 388-76-10865 Emergency evacuation from adult family home, 388-76-10845 Emergency drinking water supply, 388-76-10540 Resident rights—Disclosure of fees and charges—Notice requirements—Deposits, and 388-76-10880 Emergency evacuation adult family home bedrooms, on behalf of adult family home and/or prospective adult family home providers, as the changes are beneficial to adult family home business owners.

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 Sherise Baltazar, Adult Family Home Policy Program Manager, P.O. Box 45600, Olympia, WA 98513, phone (360) 725-3204, fax (360) 438-7903, e-mail Sherise.Baltazar@dshs.wa.gov.

Draft section language will be posted on aging and long-term support administration's professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

April 28, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-10-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 3, 2016, 11:10 a.m.]

Subject of Possible Rule Making: Chapter 296-20 WAC, Medical aid rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.14.120, 51.04.020, and 51.04.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Department of labor and industries' (L&I) current rules related to structured intensive multidisciplinary programs (SIMP) for chronic, noncancer pain (WAC 296-20-12055 through 296-20-12095) need to be changed. They are now inconsistent with the recent coverage decision made by the Washington state health technology clinical committee (HTCC) that lumbar fusion for uncomplicated degenerative disc disease (DDD) is not a covered procedure. In addition to this rule change, L&I will be reviewing the best available scientific evidence on the treatment of chronic pain, and will work with clinicians to develop and implement policies regarding new medical coverage decisions, medical treatment guidelines, and/or payment policies about chronic pain management. Program requirements are also contained in the fee schedule. Removing SIMP program requirements from rule will permit L&I to be flexible and efficient when making these changes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: HTCC made the coverage determination using an open and transparent process after considering the best available scientific evidence, agency utilization data, and public testimony regarding the safety, efficacy and cost-effectiveness of lumbar fusions for uncomplicated DDD. The HTCC made its final coverage determination January 15, 2016. Pursuant to RCW 70.14.120, participating agencies, which includes L&I, must comply with a determination of the HTCC.

Process for Developing New Rule: This rule-making process is being developed partly in response to a final HTCC determination and in compliance with RCW 70.14.120. Rule changes will be developed in consultation with L&I's major stakeholders and other interested parties. Major stakeholder groups include, but are not limited to:

- The industrial insurance medical advisory committee (IIMAC),
- Advisory committee on healthcare innovation and evaluation (ACHIEV), and
- SIMP providers.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jami Lifka, Department of Labor and Industries, Office of the Medical Director, P.O. Box 44321,

Olympia, WA 98504-4321, fax (360) 902-6315, phone (360) 902-4941, e-mail Jami.Lifka@Lni.wa.gov.

May 3, 2016
Joel Sacks
Director

WSR 16-10-093
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed May 3, 2016, 4:06 p.m.]

The department of licensing, home inspector program, request[s] the withdrawal of the proposed rule making (CR-101) filed as WSR 15-21-021 for chapters 308-408, 308-408A, 308-408B, and 308-408C WAC (filed on October 12, 2015).

Damon Monroe
Rules Coordinator

WSR 16-10-095
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed May 4, 2016, 8:32 a.m.]

Subject of Possible Rule Making: Law enforcement officers' and fire fighters' Plan 1 (L1) flexible survivor options.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This amendment will implement ESB 5873, which provides a new window of time for qualified L1 retirees to select a survivor option for a postretirement spouse or registered domestic partner. The amendment will also correct WAC 415-104-202 to reflect that more than one postretirement survivor option may be permitted. The rule will be reviewed in its entirety to determine if additional clarification or corrections are needed.

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 Jilene Siegel, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Rules@drs.wa.gov, phone (360) 664-7291.

May 4, 2016
Jilene A. Siegel
Rules Coordinator

WSR 16-10-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed May 4, 2016, 8:32 a.m.]

Subject of Possible Rule Making: Eligibility for membership in the Washington public safety employees' retirement system (PSERS), and potentially other minor revisions to clarify PSERS rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Membership in PSERS is defined in RCW 41.37.010 and 41.37.020. This amendment will clarify how the department interprets the statutes to determine eligibility. This amendment may incorporate other revisions if opportunities for further clarification are identified during this review.

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 Jilene Siegel, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Rules@drs.wa.gov, phone (360) 664-7291.

May 4, 2016
Jilene A. Siegel
Rules Coordinator

WSR 16-10-097
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Public Employees Benefits Board)

[Admin # 2016-01—Filed May 4, 2016, 8:40 a.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1. The health care authority (HCA) will consider amendments and new rules to implement the following:

- Define the term "retiree."
- Amend WAC 182-08-180 to specifically state that failure to pay premiums will result in termination of the public employees benefits board (PEBB) benefits.
- Amend WAC 182-08-197 to state that elections not submitted in a timely manner will result in default elections; evaluate the need to add clarity to describe when optional life and long-term disability insurance begins for an employee who regains eligibility, and consider changing the number of days for an employee to submit a life insurance form from sixty to thirty-one days.
- Amend WAC 182-08-199 (3)(a)(xi) to state "or enrolls in or terminates enrollment in a Medicare Part D plan."

- Amend WAC 182-08-220 (1)(c) to replace the word "employees" with the word "members."
 - Amend rules in chapters 182-08 and 182-12 WAC to more clearly distinguish school districts and educational service districts from all the other employer groups that may contract with the PEBB program. Clarify that applications submitted by employer groups must clearly identify all bargaining units within their organization and which bargaining units are applying for PEBB benefits. Clarify when enrollment will begin following approval of an application.
 - Clarify within WAC 182-08-237 whether a local government or tribal government must make the decision to include or not include existing retirees at the time the entity submits an application for the bargaining unit to participate in PEBB benefits or if the request can be submitted after the bargaining unit has been accepted for participation.
 - Amend WAC 182-08-240 to incorporate criteria used by the PEBB program to evaluate an employer group's request to have eligibility criteria which differ from the eligibility in chapter 182-12 WAC for state employees, and to further clarify what data is used to evaluate employer group applications.
 - Review WAC 182-12-131(3) to ensure that the references to WAC 182-12-114 are clear.
 - Amend WAC 182-12-133(2) to say employees may continue medical, dental, or both for the remaining months allowed under COBRA.
 - Amend WAC 182-12-146 and 182-12-148 to state that premiums must be paid or coverage will be terminated.
 - Amend chapters 182-08, 182-12, and 182-16 WAC to clarify the meaning of employer-paid coverage versus employer-based coverage.
 - Amend references to RCW 41.05.011, to include medical only employer groups in which an employee has waived PEBB program medical coverage.
 - Clarify within WAC 182-12-205 at what times a retiree is required to defer enrollment in a PEBB health plan.
 - Amend chapters 182-08 and 182-12 WAC to address underpayment of premiums.
 - Amend WAC 182-12-260(3) to say "Children are eligible through the last day of the month in which their twenty-sixth birthday occurred."
 - Amend WAC 182-16-010 to state that the definitions within WAC 182-16-020 apply throughout this chapter.
 - Amend WAC 182-16-020 to add new definitions for "Appellant," "Filing," and "Service" and to amend definitions for "PEBB program," "Denial or denial notice," "Documents," and "Hearing."
 - Amend all sections within chapter 182-16 WAC to account for the new and amended definitions contained within WAC 182-16-020.
 - Clarify within WAC 182-16-050(2) that a written request must be received within thirty calendar days after the date of the written decision letter from the PEBB appeals committee.
 - Amend WAC 182-16-052 so that an appellant may act on their own behalf or have someone else represent them.
 - Clarify within WAC 182-16-061(3) that a petition request can also be denied.
 - Add new sections to chapter 182-16 WAC regarding how to serve documents and the use of subpoenas within the appeals process.
 - Clarify within WAC 182-16-071 that a presiding officer's office must serve notice twenty-one calendar days before a hearing, not fourteen calendar days.
 - Clarify within WAC 182-16-081 (4)(d) that a schedule will be established for: The exchange and filing of briefs, providing a proposed witnesses list, and providing exhibit lists prior to the hearing.
 - Amend WAC 182-16-105(1) to include a timeline when a reconsideration request may be made to the presiding officer.
 - Create a definition of "season" to be used to determine eligibility for seasonal employees.
 - Global change across chapters 182-08, 182-12, and 182-16 WAC to incorporate the correct use of "PEBB insurance coverage" vs. "insurance coverage."
 - Global change across chapters 182-08, 182-12, and 182-16 WAC to incorporate the correct use of "employer" as used in RCW 41.05.011.
 - Amend WAC 182-12-205 to require a request to terminate coverage to be made in writing and to allow coverage to be terminate[d] the last day of the previous month if a written request to voluntary terminate coverage is received on the first day of the month.
 - Global change across chapters 182-08, 182-12, and 182-16 WAC to include "and regulations" along with every reference to Internal Revenue Code.
 - Amend WAC 182-12-114 so that employee's eligibility for benefits is in alignment with RCW 41.05.065.
 - Amending the special open enrollment provision for a "change in employment status" to add clarity.
 - Clarify within chapter 182-12 WAC that dependents of a retiree must be enrolled in the same medical and dental plan coverage as the retiree or survivor subscriber.
2. HCA will conduct a full review of PEBB program rules in these chapters and make changes as necessary to provide technical corrections, implement legislation, implement PEBB policy, implement an accountable care program, and to comply with federal or state regulations.
- Process for Developing New Rule: HCA welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.
- Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, (360) 725-0830 or Rob Parkman, (360) 725-0883, HCA, P.O. Box 42684, Olympia, WA 98504-2684, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Barbara.Scott@hca.wa.gov or Robert.Parkman@hca.wa.gov. Individuals wishing to receive PEBB rule-making notices are encouraged to join the PEBB-RULE-MAKING-NOTICE listserv available by following this path <http://listserv.wa.gov/archives/pebb-rule-making-notice>.

html or by logging on to listserv.wa.gov and selecting our listserv from the public e-mail list.

May 4, 2016
Wendy Barcus
Rules Coordinator

WSR 16-10-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed May 4, 2016, 9:18 a.m.]

Subject of Possible Rule Making: The department is considering amendments to rules regarding charter stamps.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, and 77.15.-047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department needs a rule to expressly prohibit fishing guides and charter-boat operators from reusing charter stamps rather than issuing new stamps as contemplated by RCW 77.32.430. The proposed rule project will: (1) Lay out the process for validating charter stamps so the stamps cannot be reused; and (2) ensure that charter-stamp-validation violations and the reuse of stamps are penalized appropriately. This rule making will involve the responsibilities of charter operators as well as how catch record cards are used and the recording of catch occurs.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, Washington Department of Fish and Wildlife, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2155, e-mail Rules.Coordinator@dfw.wa.gov.

May 3, 2016
Scott Bird
Rules Coordinator

WSR 16-10-107
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION
[Filed May 4, 2016, 10:41 a.m.]

Subject of Possible Rule Making: WAC 139-05-300 Requirement for in-service training.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes establish clarification to the extension provision and gives the Washington

state criminal justice training commission (WSCJTC) auditor the authority to make decisions regarding exceptions under extenuating circumstances when the employing agency has made every reasonable effort to meet compliance, therefore aiding the stakeholder agencies in obtaining compliance with the rule.

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

Process for Developing New Rule: Negotiated rule making.

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

May 4, 2016
Sonja Peterson
Rules Coordinator

WSR 16-10-109
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD
[Filed May 4, 2016, 10:49 a.m.]

Subject of Possible Rule Making: WAC 314-02-105 What is a beer and/or wine specialty store license?; chapter 314-05 WAC, Special occasion licenses; and chapter 314-38 WAC, Permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: WAC 314-08-030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to implement 2016 legislation.

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

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689.

May 4, 2016
Jane Rushford
Chair