

WSR 16-12-005
HEALTH CARE AUTHORITY
[Filed May 19, 2016, 7:22 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 16-0020.

Effective Date: April 1, 2016.

Description: The health care authority (the agency) intends to submit medicaid SPA 16-0020 to update the effective date of the dental services fee schedule. This is a regular update to keep rates and billing codes in alignment with the coding and coverage changes from the Centers for Medicare and Medicaid Services, medicaid, and other sources. Two codes are listed erroneously in the fee schedule and will be removed: 41899 is not covered under the dental program, and D9630 is listed under an age range (21+) for which it is not covered.

The agency anticipates that updating the effective date of the fee schedule and removing two erroneously listed codes will have no effect on annual aggregate expenditures.

The SPA is in the development process; therefore a copy is not yet available for review. To contact the agency for additional information and a copy of the SPA when it becomes available, please contact Jean Bui, Rates Development, 626 [8th] Avenue S.E., Olympia, WA 98501, phone (360) 725-1973, TDD/TTY 800-848-5429, fax (253) 350-6512, e-mail jean.bui@hca.wa.gov, web site http://www.hca.wa.gov/medicaid/rbrvs/Pages/index.aspx.

WSR 16-12-019
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Filed May 20, 2016, 8:56 a.m.]

The following is for the June 23, 2016, commission meeting: Washington state human rights commission, commission meeting, on June 23, 2016, at 5:30 p.m., conference call, 711 South Capitol Way, Suite 402, Olympia, WA 98504.

WSR 16-12-028
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
[Filed May 23, 2016, 1:13 p.m.]

NOTICE OF REVISION TO PUBLIC MEETINGS 2016

The public works board will be holding regularly scheduled meetings on the following dates at 9:00 a.m.:

- ~~January 22, 2016~~ Canceled
- February 5, 2016 Start time 8:00 a.m.
- March 4, 2016
- April 1, 2016
- May 6, 2016

- ~~June 3, 2016~~ Canceled
- June 10, 2016** **New date**
- July 8, 2016
- ~~August 5, 2016~~ Canceled
- August 12, 2016** **New date**
- ~~August 19, 2016~~ Canceled
- September 9, 2016
- October 20, 2016
- November 4, 2016
- December 2, 2016

Please contact the public works board at (360) 725-2744 for any further information.

WSR 16-12-033
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed May 24, 2016, 2:55 p.m.]

PUBLIC NOTICE

Proposed Administrative Factors

A new law (ESB 5873) effective June 9, 2016, gives law enforcement officers' and firefighters' (LEOFF) Plan 1 retirees an opportunity to provide survivor benefits to their post retirement spouse or registered domestic partner. Administrative factors will be used to calculate the cost of this benefit.

The proposed factors are available for review at <http://www.drs.wa.gov/administration/administrative-factors/default.htm>.

There will be a review period and a public hearing to allow stakeholders to comment on the proposed factors. Comments may be submitted by e-mail to Rules@drs.wa.gov by 9 a.m., July 5, 2016, or in person at the hearing.

Hearing date, time and location: July 5, 2016, 11 a.m., Department of Retirement Systems, 6835 Capitol Boulevard, Room 115, Tumwater, WA 98501.

The department anticipates adopting the proposed factors following the hearing on July 5, 2016. If adopted, the new factors will go into effect on July 6, 2016.

For additional information, contact the rules coordinator at Rules@drs.wa.gov or (360) 664-7291.

WSR 16-12-036
NOTICE OF PUBLIC MEETINGS
FORENSIC INVESTIGATIONS COUNCIL
[Filed May 25, 2016, 9:30 a.m.]

Pursuant to RCW 42.30.075, the forensic investigations council meeting scheduled for Friday June 24, 2016, at the Seattle Crime Laboratory in Seattle, Washington is being moved to Friday June 17, 2016, and will begin at 9:00 a.m.

For security purposes, the forensic investigations council requests that each electronically filed document be returned

to Dave McEachran, Chair, e-mail dmceachr@co.whatcom.wa.us, phone (360) 676-6784. This is being done so that each document can be authenticated by the forensic investigations council.

WSR 16-12-045**HEALTH CARE AUTHORITY**

[Filed May 25, 2016, 1:59 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 16-0012.

Effective Date: January 1, 2017.

Description: The health care authority (HCA) intends to submit medicaid SPA 16-0012 in order to create a special family planning only benefit package. This family planning only benefit package will cover limited family planning and family planning-related services for women and men who are currently covered by HCA's two waiver programs - family planning only extension and take charge. These two programs are currently authorized through an 1115 demonstration waiver that expires December 31, 2016. Effective January 1, 2017, HCA intends to transition all clients currently enrolled in these two programs into the new family planning only program. Beginning on January 1, 2017, new clients will be able to apply and enroll in the new program by completing a paper application and submitting it to HCA.

The benefit package for the new family planning only program will be the same as the two programs it replaces. The family planning services covered include: All FDA-approved contraceptives; natural family planning; over-the-counter contraception; emergency contraception; sterilization; contraceptive education, counseling, and management; STI/STD testing and treatment related to family planning visits; cervical cancer screening according to national clinical guidelines when associated with a family planning visit; office visits; and limited ancillary services related to the above services.

The eligibility criteria will match the income and household composition (medical assistance unit) standards for the modified adjusted gross income-based apple health for pregnant women program, which adds one to the standard household size. The take charge program, which this is replacing, had a higher income threshold but did not add one to the standard household size. Taking into account the differences in eligibility criteria, there will be no change in the eligible population.

Because services will remain the same, this SPA is anticipated to have no effect on annual aggregate expenditures.

The SPA is in the development process; therefore a copy is not yet available for review. To contact the agency for additional information and a copy of the SPA when it becomes available, please contact Anaya Balter, Family Planning Program Manager, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 725-1652, TDD/TTY 1-800-848-5429, fax (360) 725-1152, e-mail familyplanning@hca.wa.gov, web site www.hca.wa.gov.

WSR 16-12-062**NOTICE OF PUBLIC MEETINGS****DEPARTMENT OF****NATURAL RESOURCES**

(Natural Heritage Advisory Council)

[Filed May 26, 2016, 1:04 p.m.]

The Natural Heritage Advisory Council will meet on the following dates:

July 14, 2016	9:30 a.m. to 4:00 p.m.	Hal Holmes Center 209 North Ruby Street Ellensburg, WA 98926
July 15, 2016	8:00 [a.m.] - 2:00 p.m.	Hampton Inn 2705 Triple L Loop Ellensburg, WA 98926 Field Trip

Additional 2016 meeting dates to be determined.

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

For further information contact the Department of Natural Resources, Natural Heritage Program, 1111 Washington Street S.E., Olympia, WA 98504-7014, (360) 902-1661.

WSR 16-12-063**NOTICE OF PUBLIC MEETINGS****STATE BOARD OF HEALTH**

(Governor's Interagency Council on Health Disparities)

[Filed May 26, 2016, 2:57 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW), and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the updated schedule of public meetings for the Washington state board of health (board), and the governor's interagency council on health disparities (council) for 2016. The board and council meetings are open to the public. We encourage the public to take time to testify on any matter that may come before the board or council.

Agendas for the meetings listed below are made available in advance via listserv and the board and council web sites (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board and council reserve the right to change or amend agendas at the meeting. If you require special accommodations while attending board or council meetings, please contact Melanie Hisaw five to seven days in advance of the meeting.

Approved by the board November 19, 2015, update approved March 9, 2016.

Approved by the council December 9, 2015, update approved May 11, 2016.

2016 Board/Council Meeting Schedule

Board	Monday June 6, 2016	Snohomish Health District 3020 Rucker Avenue Rucker Auditorium Everett, WA 98201
Board	Wednesday July 13, 2016	Hold date - meet only if necessary
Board	Wednesday August 10, 2016	Capitol Campus John A. Cherberg Building SHR3 304 15th Avenue S.W. Olympia, WA 98501
Council	Thursday September 15, 2016	Tacoma
Board	Wednesday October 12, 2016	SeaTac
Board	Wednesday November 9, 2016	Tri-Cities (Richland)
Council	Wednesday December 14, 2016	Department of Health (<i>or location TBD</i>) Point Plaza East, 310 Israel Road S.E. Room 152/153 Tumwater, WA 98501

Start time is 9:30 a.m. unless otherwise specified. Time and locations subject to change as needed. See the board of health web site and the health disparities council web site for the most current information.

Time and locations subject to change as needed. See our web sites at <http://sboh.wa.gov/> and/or <http://healthequity.wa.gov/> for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone (360) 236-4104, fax (360) 236-4088, Melanie.hisaw@sboh.wa.gov.

WSR 16-12-064

DEPARTMENT OF COMMERCE

[Filed May 26, 2016, 4:35 p.m.]

The Washington state department of commerce plans to hold a public hearing on the proposed Washington state model state plan for the 2017 low-income home energy assistance program (LIHEAP).

The hearing will be held Thursday, June 30, 2016, at the Department of Commerce, 1011 Plum Street S.E., Olympia, WA 98504-2525. The LIHEAP hearing will begin at 10:00 a.m. and close at noon unless taking testimony requires more time.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period.

Written testimony will be accepted up until 5:00 p.m. on June 30, 2016. Written testimony for the LIHEAP hearing should be sent to the attention of Lisa Lipsey, Department of Commerce, P.O. Box 42525, Olympia, WA 98504-2525.

The LIHEAP model plan is available in an alternate format upon request. Meetings sponsored by commerce will be

accessible to persons with disabilities. Accommodations can be arranged with ten working days' notice. Please contact Lisa Lipsey (LIHEAP) at (360) 725-2861 or TTY (360) 586-4623 for assistance.

If you have any questions or need additional information, please contact Lisa Lipsey at (360) 725-2861 or by e-mail lisa.lipsey@commerce.wa.gov.

WSR 16-12-077

INTERPRETIVE AND POLICY STATEMENT

**DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed May 27, 2016, 4: 38 p.m.]

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

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

Maggie Leland
Rules Coordinator
Senior Policy Advisor

Title: Policy 2.91 - *Special Handling of Warrants for Time-Loss, Permanent Partial Disability, Vocational Awards, and Pension Payments.*

Date Issued: May 15, 2016.

Description: The policy applies when special handling of checks for time-loss, permanent partial disability, vocational awards, and pension payments is allowed and the steps department staff take to issue a special check. This policy was amended for housekeeping changes. The term "pension payments" was included in the title and some of the policy points for clarity.

Contact: Suzy Campbell, 7273 Linderson Way, Tumwater, WA 98501, Mailstop 4250, (360) 902-5003, suzanne.campbell@lni.wa.gov.

Title: Policy 6.54 - *Authorizing Transportation for Vocational Retraining.*

Date Issued: December 15, 2015.

Description: This policy applies whenever the department or self-insured employer authorizes transportation in approved vocational rehabilitation retraining plans. This policy is amended to make the interim policy permanent.

Contact: Jessica Portschy, 7273 Linderson Way, Tumwater, WA 98501, Mailstop 4250, (360) 902-4616, jessica.portschy@lni.wa.gov.

Title: Policy 13.05 - *Scheduling Independent Medical Examinations.*

Date Issued: May 15, 2016.

Description: The purpose of this policy is to explain what actions to take when scheduling an independent medical examination. This policy was amended to reflect the administrative changes to independent medical examination scheduling system.

Contact: Suzy Campbell, 7273 Linderson Way, Tumwater, WA 98501, Mailstop 4250, (360) 902-5003, Suzanne.campbell@lni.wa.gov.

WSR 16-12-086
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR

[Filed May 31, 2016, 12:53 p.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On May 25, 2016, the Governor's Office received an appeal from Andrea K. Rodgers of Western Environmental Law Center, relating to the Department of Ecology's denial of a petition to repeal or amend WAC 173-557 (Spokane River Instream Flow Rule).

DATE: May 31, 2016.

Taylor Wonhoff
 Deputy General Counsel
 to the Governor

WSR 16-12-088
HEALTH CARE AUTHORITY

[Filed May 31, 2016, 1:19 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 16-0023.

Effective Date: June 16, 2016.

Description: The health care authority intends to submit medicaid SPA 16-0023 in order to add the closure date of the psychiatric indigent inpatient disproportionate share (PIIDSH) payment program. This program was effective July 1, 2003, through December 31, 2013. During that time, hospitals were considered eligible for a PIIDSH payment if:

- a. The hospital was an in-state (Washington) hospital;
- b. The hospital provided emergency, voluntary inpatient services to low-income, psychiatric indigent inpatient (PII) patients. PII persons are low-income individuals who are not eligible for any health care coverage and who are encountering a psychiatric condition; and
- c. The hospital qualified under Section 1923 (d) of the Social Security Act.

The PIIDSH payment program was discontinued because effective January 1, 2014, clients who were eligible for the PII program would be considered newly eligible under the Affordable Care Act. Therefore the health care authority is updating the medicaid state plan to reflect the end date of this program.

SPA 16-0023 is expected to have no effect on annual aggregate expenditures; the program has been discontinued for over two years.

The SPA is in the development process; therefore a copy is not yet available for review. To contact the agency for additional information and a copy of the SPA when it becomes available, please contact Jean Bui, Section Manager, Professional Reimbursement, 626 8th Avenue S.E., Olympia, WA 98501, phone (360) 425-1973, TDD/TTY 1-800-848-5429, fax 1-253-350-6512, e-mail jean.bui@hca.wa.gov.

WSR 16-12-101
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY

(Bleeding Disorder Collaborative for Care)

[Filed May 31, 2016, 4:19 p.m.]

Contact: Leta Evaskus, (206) 521-2029, leta.evaskus@hca.wa.gov.

The agency is changing the meeting schedule to every Wednesday through the end of 2016. All meetings will be held through GoTo Webinar unless otherwise noted. All meetings will be recorded. <https://attendee.gotowebinar.com/register/1675635202037745154>.

2016 Revised Meeting Schedule

June 1, 2016

- Thursday, June 2, 2016 7 a.m. - 8 a.m. PST
- Wednesday, June 8, 2016 7 a.m. - 8 a.m. PST
- Wednesday, June 15, 2016 1 p.m. - 4 p.m. PST

Port of Seattle "International A" Conference Room
Seattle-Tacoma International Airport
17801 International Boulevard
Seattle, WA 98158

- Wednesday, June 22, 2016 7 a.m. - 8 a.m. PST
- Wednesday, June 29, 2016 7 a.m. - 8 a.m. PST
- Wednesday, July 6, 2016 7 a.m. - 8 a.m. PST
- Wednesday, July 13, 2016 7 a.m. - 8 a.m. PST
- Wednesday, July 20, 2016 7 a.m. - 8 a.m. PST
- Wednesday, July 27, 2016 7 a.m. - 8 a.m. PST
- Wednesday, August 3, 2016 7 a.m. - 8 a.m. PST
- Wednesday, August 10, 2016 7 a.m. - 8 a.m. PST
- Wednesday, August 17, 2016 1 p.m. - 4 p.m. PST

Port of Seattle "International A" Conference Room
Seattle-Tacoma International Airport
17801 International Boulevard
Seattle, WA 98158

- Wednesday, August 24, 2016 7 a.m. - 8 a.m. PST
- Wednesday, August 31, 2016 7 a.m. - 8 a.m. PST

Wednesday, September 7, 2016 7 a.m. - 8 a.m. PST
 Wednesday, September 14, 2016 7 a.m. - 8 a.m. PST
 Wednesday, September 21, 2016 7 a.m. - 8 a.m. PST
 Wednesday, September 28, 2016 7 a.m. - 8 a.m. PST
 Wednesday, October 5, 2016 7 a.m. - 8 a.m. PST
 Wednesday, October 12, 2016 7 a.m. - 8 a.m. PST
 Wednesday, October 19, 2016 1 p.m. - 4 p.m. PDT

**Port of Seattle "International A" Conference Room
 Seattle-Tacoma International Airport
 17801 International Boulevard
 Seattle, WA 98158**

Wednesday, October 26, 2016 7 a.m. - 8 a.m. PST
 Wednesday, November 2, 2016 7 a.m. - 8 a.m. PST
 Wednesday, November 9, 2016 7 a.m. - 8 a.m. PST
 Wednesday, November 16, 2016 7 a.m. - 8 a.m. PST
 Wednesday, November 30, 2016 7 a.m. - 8 a.m. PST
 Wednesday, December 7, 2016 7 a.m. - 8 a.m. PST
 Wednesday, December 14, 2016 7 a.m. - 8 a.m. PST
 Wednesday, December 21, 2016 7 a.m. - 8 a.m. PST

**Port of Seattle "International A" Conference Room
 Seattle-Tacoma International Airport
 17801 International Boulevard
 Seattle, WA 98158**

Wednesday, December 28, 2016 7 a.m. - 8 a.m. PST

WSR 16-12-102

ATTORNEY GENERAL'S OFFICE

[Filed May 31, 2016, 4:33 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
 WASHINGTON ATTORNEY GENERAL**

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney gen-

eral's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by June 22, 2016. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by e-mail to jeff.even@atg.wa.gov or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeff Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested, information about the attorney general's opinion process, information on how to submit your comments, and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the attorney general's web site at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our AGO opinions list.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 16-05-03
 Request by Jay Weber, Executive Directory
 State County Road Administration Board**

QUESTION:

May any county retain its eligibility to participate in the Rural Arterial Program under the limitations imposed by RCW 36.79.140 and article II, section 40 of the Washington Constitution if the county chooses to divert County Road Levy Property Tax for general government purposes, under RCW 36.33.220, to fund: (1) civil or criminal traffic prosecutions, (2) court costs of adjudication (3) indigent defense (4) incarceration, and/or (5) coroner activities?

Reviser's note: The typographical error in the above material occurred in the copy filed by the Attorney General's Office and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 16-12-103

DEPARTMENT OF ECOLOGY

[Filed May 31, 2016, 4:53 p.m.]

PUBLIC NOTICE

**Announcing two Draft Concentrated Animal Feeding
 Operation
 General Permits for Review and Comment**

Proposed Permit: The Washington state department of ecology (ecology) is proposing to reissue the concentrated animal feeding operation (CAFO) national pollutant discharge elimination system (NPDES) and state waste dis-

charge general permit (permit). State and federal water quality statutes and regulations do not allow the discharge of pollutants to waters of the state without permit coverage.

The permit will be reissued as two separate permits, the CAFO state waste discharge general permit (state permit) and the CAFO NPDES and state waste discharge general permit (combined permit).

Ecology issues general permits in place of a series of individual permits when the permitted activities are similar.

Purpose of the Permit: The state and combined permits regulate the discharge of pollutants such as manure, litter, or process wastewater from CAFOs into waters of the state. The state permit will conditionally authorize discharges to groundwater. No surface water discharges other than agricultural stormwater are allowed. The combined permit will conditionally authorize discharges to surface and groundwater as well as agricultural stormwater.

Coverage under the proposed general permit will be available to facilities that meet the definition of a CAFO and that have a discharge or that voluntarily apply for permit coverage.

Copies of the Draft Permit: You may download copies of the draft permits and the fact sheet from the following web site: <http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html>. You may request copies of the documents from Jon Jennings at jonathan.jennings@ecy.wa.gov or (360) 407-6283.

Ecology Contact: Jon Jennings, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone (360) 407-6283, e-mail jonathan.jennings@ecy.wa.gov.

Workshop and Public Hearing: The purpose of the workshop is to explain the general permits and to answer questions prior to the formal public hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed draft permits. Written comments will receive the same consideration as oral testimony. The public hearing will begin immediately following the public workshop and will conclude when public testimony is complete.

On **Tuesday, July 26, at 6 p.m.**, at Whatcom Community College, Heiner Theater, 237 West Kellogg Road, Bellingham, WA 98226; and on **Thursday, July 28, at 6 p.m.**, at the Yakima Convention Center, Room B, 10 North 8th Street, Yakima, WA 98901.

An additional workshop and hearing may also be attended as a webinar where individuals may view the presentation and provide testimony via computer or mobile device. To register for the webinar go to <http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html>. Once the host approves your request, you will receive a confirmation e-mail with instructions for joining the meeting.

Webinar: Wednesday, July 27 at 2 p.m.

Submitting Written Comments: Ecology will accept written comments on the draft permits and fact sheet until **5 p.m., Wednesday, August 17**. Ecology prefers comments be submitted through the comment form on the permit web page. Comments should reference specific permit text when possible.

Submit by Comment Form: <http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html>.

Submit Comments by Mail to: Jon Jennings, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696.

You must provide comments before 5 p.m., August 17, 2016. Written comments must be postmarked no later than **5 p.m., August 17, 2016**.

Issuing the Permit: The final decision on permit issuance will be made after ecology receives and considers all public comments. If public comments cause a substantial change in the permit conditions from the original draft permit, another public notice of draft and comment period may ensue. Ecology expects to issue the general permits by the end of 2016.