

WSR 16-17-004
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed August 4, 2016, 9:45 a.m.]

The health care authority requests withdrawal of the pre-proposal statement of inquiry filed as WSR 16-07-137, distributed in the 16-07 State Register, regarding WAC 182-531-0050, 182-531-0200, 182-531-0550, 182-500-0005, 182-500-0030, 182-500-0050, 182-500-0085, and 182-550-1050. The agency will file a new preproposal statement of inquiry on one or more of these rules with a revised reason for the rule making.

Wendy L. Barcus
 Rules Coordinator

WSR 16-17-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Board of Pharmacy)

[Filed August 5, 2016, 2:19 p.m.]

Subject of Possible Rule Making: WAC 246-861-XXX Suicide prevention education, creating a new section to establish a one-time continuing education requirement for pharmacists in suicide prevention.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005(8) and E2SHB 2793 (chapter 90, Laws of 2016).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: E2SHB 2793 directs the pharmacy quality assurance commission (commission) to adopt rules to implement a one-time continuing education and training requirement for pharmacists on suicide prevention education. The commission may establish in rule a three or six hour requirement for suicide prevention education to include assessment of issues related to imminent harm by lethal means.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may participate in the development of draft rules prior to formal proposal by joining the commission's listserv, attending workshops, and providing input on draft and proposed rules. Interested parties can receive information on how to participate by contacting Brett Lorentson, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4611, fax (360) 236-2260 or e-mail wspqac@doh.wa.gov. Join public listserv for rule activities at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=PWAC-RULES&A=1>.

August 5, 2016
 Steven Saxe, RPh, FACHE
 Executive Director

WSR 16-17-022
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed August 8, 2016, 8:59 a.m.]

Subject of Possible Rule Making: WAC 260-48-920 Pick (n) pools.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify language as to when "will pays" may be posted for the public.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

August 8, 2016
 Douglas L. Moore
 Executive Secretary

WSR 16-17-023
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed August 8, 2016, 8:59 a.m.]

Subject of Possible Rule Making: WAC 260-70-685 Alphabetical listing of all drugs, medications, and foreign substances.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update and amend current recommended classifications on substances.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

August 8, 2016
 Douglas L. Moore
 Executive Secretary

WSR 16-17-024**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed August 8, 2016, 9:00 a.m.]

Subject of Possible Rule Making: WAC 260-70-645 Anti-ulcer medications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To delete this section regarding administration times for anti-ulcer medications. Thresholds have been set on most of the substances removing the need for administration times.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

August 8, 2016
Douglas L. Moore
Executive Secretary

WSR 16-17-025**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed August 8, 2016, 9:00 a.m.]

Subject of Possible Rule Making: WAC 260-70-540 Veterinarians' reports.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update the time frames in which veterinarians' reports must be submitted to the Washington horse racing commission (WHRC).

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 Douglas L. Moore, Executive Secretary, WHRC, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

August 8, 2016
Douglas L. Moore
Executive Secretary

WSR 16-17-026**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed August 8, 2016, 9:01 a.m.]

Subject of Possible Rule Making: WAC 260-40-090 Registration certificate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To address a typographical error where it indicates a "claiming prize" that should be listed as a "claiming price."

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

August 8, 2016
Douglas L. Moore
Executive Secretary

WSR 16-17-027**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed August 8, 2016, 1:23 p.m.]

Subject of Possible Rule Making: Surplus funds accounts—Disclosure—Reporting deadlines, the commission intends to establish a reporting schedule that requires surplus funds account expenditures to be disclosed when more than \$200 is spent in a single month or an aggregate of more than \$200 is spent since the last report was filed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1) and 42.17A.240(11).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Surplus funds are the excess campaign contributions remaining after the election that are not needed to satisfy campaign debts. Elected officials may have a bank account in which only surplus funds are deposited. This account may be used for nonreimbursed, public office-related expenses and other uses provided for in RCW 42.17A.430. The statute provides for disclosure of the surplus funds expenditures, but does not set out reporting deadlines.

The commission has received complaints that officials are spending surplus funds without reporting the activity. In some cases, nondisclosure has gone on for more than a year and thousands of dollars were spent. A reporting schedule will stop this practice and provide the public with timely information about how surplus funds are spent.

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

Process for Developing New Rule: The commission expects to review draft rule language during the regular September 22, 2016, meeting and schedule a hearing for the purpose of adopting the proposed rule during the regular December 8, 2016, meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to Lori Anderson, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112, phone (360) 664-2737. Participate in the September 22 commission meeting - exact time to be determined when agenda is published. Meeting location: 711 Capitol Way, Room 206, Olympia, WA. Contact Lori Anderson to accommodate alternatives to in-person meeting participation.

August 8, 2016
Lori Anderson
Communications and
Training Officer

WSR 16-17-030

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed August 8, 2016, 3:18 p.m.]

Subject of Possible Rule Making: Candidates' joint campaign expenses—Transferring campaign contributions from one candidate to another.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 42.17A.430(8) prohibits a candidate from transferring campaign funds to another candidate. Currently, WAC 390-16-234 allows joint campaign expenses to be paid by one candidate who is reimbursed proportionately by the other participating candidates. The commission will change its rules to require candidates to directly pay their prorated share of joint campaign expenses.

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

Process for Developing New Rule: The commission expects to review draft rule language during the regular September 22, 2016, meeting and schedule a hearing for the purpose of adopting the proposed rule during the regular December 8, 2016, meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to Lori Anderson, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112, phone (360) 664-2737. Participate in the September 22 commission meeting - exact time to be determined when agenda is published. Meeting location: 711 Capitol Way, Room 206, Olympia, WA. Contact

Lori Anderson to accommodate alternatives to in-person meeting participation.

August 8, 2016
Lori Anderson
Communications and
Training Officer

WSR 16-17-031

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed August 8, 2016, 4:55 p.m.]

Subject of Possible Rule Making: Updating enforcement procedures, including:

- Making hearing procedures consistent with the state's model administrative procedures,
- Modernizing time period calculations for requests for reconsideration of decisions, and
- Adopting penalty schedules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making will ensure that the commission's hearing procedures are consistent with the state's model administrative procedures and best practices are used for calculating reconsideration time periods by using calendar days instead of business days. The adoption of more penalty schedules will allow respondents in brief enforcement hearings to enter into statements of understanding and pay a scheduled penalty to avoid hearings.

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 the commission expects to review and discuss potential amendments to enforcement rules during its regular fall 2016 meetings. Draft rule language will likely be reviewed during the October or December regular meetings with a hearing to be scheduled thereafter.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to Lori Anderson, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112, phone (360) 664-2737. Participate in commission meetings - exact time to be determined when agenda is published. Meeting agendas are available at www.pdc.wa.gov at least one week before the meeting. Meeting location: 711 Capitol Way, Room 206, Olympia, WA. Contact Lori Anderson to accommodate alternatives to in-person meeting participation.

August 8, 2016
Lori Anderson
Communications and
Training Officer

WSR 16-17-032**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed August 8, 2016, 5:36 p.m.]

Subject of Possible Rule Making: Operations and procedures—Received date for mailed reports—Timely filing presumption based on date of delivery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission seeks to adopt a timely filing presumption for mailed reports that are delivered within five business days of the filing deadline, or some other time period to be determined by the commission that would be consistently applied to all mailed reports.

The post office cancellation mark is used as the date received for mailed reports. RCW 42.17A.140(1). Postage purchased online at Stamps.com is not cancelled, which causes the commission to frequently receive mailed reports in envelopes that do not bear a cancellation mark. Using the date delivered resolves the lack of a cancellation mark.

Furthermore, efficiencies could be achieved by using the commission's scanner to imprint one, consistent date received on all reports as they are scanned. The current practice of hand date stamping each report before it is scanned is time consuming.

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

Process for Developing New Rule: The commission expects to review draft rule language during the regular September 22 or October 27, 2016, meeting and schedule a hearing for the purpose of adopting the proposed rule during the subsequent regular meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to Lori Anderson, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112, phone (360) 664-2737. Participate in the September 22 commission meeting - exact time to be determined when agenda is published. Meeting location: 711 Capitol Way, Room 206, Olympia, WA. Contact Lori Anderson to accommodate alternatives to in-person meeting participation.

August 8, 2016
Lori Anderson
Communications and
Training Officer

WSR 16-17-039**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 16-08—Filed August 9, 2016, 1:37 p.m.]

Subject of Possible Rule Making: Children's safe products—Reporting rule, chapter 173-334 WAC, as authorized by the Children's Safe Products Act (CSPA) (chapter 70.240 RCW). This rule includes requirements for manufacturers of

children's products to annually report the presence of chemicals of high concern to children (CHCC) in children's products to ecology. The CSPA reporting rule identifies the CHCC's and details the process for manufacturers to report to ecology.

The 2016 Washington state legislature passed HB 2545 which identified six flame retardants to be considered for inclusion on the CHCC's list in the CSPA reporting rule. Ecology and the Washington department of health will evaluate the six flame retardants and other chemicals against the CHCC criteria in the law. If these chemicals meet the criteria in the law, ecology may propose to amend the CSPA reporting rule (chapter 173-334 WAC) to add the chemicals to the CHCC list in the rule. Ecology also plans to work with stakeholders to determine if these flame retardants should be included, identify other chemicals that meet the criteria in the law that should be added to the CHCC list, identify chemicals that may need to be removed from the CHCC list, and to streamline the rule to make compliance easier.

HB 2545 also amended chapter 70.240 RCW to prohibit five flame retardants in children's products and residential upholstered furniture. Ecology expects to implement restrictions on these five chemicals without rule making. These five flame retardants are currently on the CSPA CHCC list.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Children's safe products, chapter 70.240 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology is updating the CSPA reporting rule in response to HB 2545 and to update the rule based on new science and data. Now that the rule has been in place for five years, ecology will conduct a review of the existing CHCC list using recent scientific data to determine if any chemicals should be added or deleted. Ecology will also evaluate where changes may be helpful to streamline the rule where possible.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The U.S. Environmental Protection Agency regulates the use of chemicals under the Toxic Substances Control Act but does not focus on children's products. The federal Consumer Protection Safety Commission limits specific chemicals in children's products under the federal Consumer Product Safety Improvement Act but does not require manufacturers to report. Other Washington regulations require reporting for chemical emissions or disposal but not for children's products. Three other states require manufacturers to report on chemicals in children's products: Maine (toxic chemicals in children's products), Vermont (chemicals of high concern to children) and Oregon (Toxic Free Kids Act). This rule making will be coordinated with other states to avoid conflicts. Ecology works directly with the state's department of health on updates to the CSPA reporting rule language and CHCC list.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can stay informed about the rule making and public involvement opportunities as described

below. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

Visit ecology's web page at http://www.ecy.wa.gov/programs/hwtr/laws_rules/PBT/1608ov.html.

Contact Information: Kara Steward, (360) 407-6250, fax (360) 407-6715, kara.steward@ecy.wa.gov, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

How to sign up for listserv/e-mail list <http://listserv.wa.gov/cgi-bin/wa?A0=CHILDRENS-SAFE-PRODUCTS>.

August 9, 2016

Darin Rice

Hazardous Waste and Toxics
Reduction Program Manager

WSR 16-17-048

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Developmental Disabilities Administration)

[Filed August 11, 2016, 2:29 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-827-0115, 388-827-0145, 388-827-0185, and other related rules as may be required to add prevocational legacy as a state supplemental payments (SSP) payment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A state plan amendment was authorized by the social security administration which added prevocational legacy as an SSP payment. In order to keep in compliance with the state plan, these rules must be updated. In addition, the federal government requires the department of social and health services (DSHS) to meet the SSP maintenance of effort (MOE). These rules must also be updated to meet MOE and to prevent risk of losing federal funding by jeopardizing the medicaid program.

SSP prevocational legacy will allow developmental disabilities administration (DDA) clients to transition from prevocational services, which do not meet center for medicare and medicaid services requirements, to services in an integrated setting. SSP prevocational legacy may be used to purchase needed services, such as respite, and other community services. This will help the welfare of individuals transitioning from prevocational services to more integrated community services. This will also allow clients to more easily remain in the community setting and less likely to enter into an institutional setting.

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 Alan McMullen, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3524, fax (360) 407-0955, TTY 1-800-833-6388, e-mail alancmullen@dshs.wa.gov.

August 11, 2016

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-058

PREPROPOSAL STATEMENT OF INQUIRY

CHARTER SCHOOL COMMISSION

[Filed August 12, 2016, 3:58 p.m.]

Subject of Possible Rule Making: Chapter 108-10 WAC, Introduction; chapter 108-20 WAC, Application; chapter 108-40 WAC, Charter school oversight and corrective action policy, renewal and nonrenewal policy, revocation policy, and termination protocol; and chapter 108-50 WAC, Public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.710.070, 28A.710.130, 28A.710.180, 28A.710.190, 28A.710.200, and 42.56.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring rules into alignment with the new charter school law (E2SSB 6194) that became effective April 3, 2016. The majority of the amendments are minor and would not impact the intent or effect of the rules. In addition, two amendments would delete section parts related to conversion schools. Another amendment would change the commission's rule process for requesting public records. The commission is a transparent agency and we want the public to know how to request documents and receive a response in a timely fashion.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Public disclosure commission, state board of education, office of superintendent of public instruction. The commission will notify these agencies of the proposed amendments and will solicit comments on the proposed amendments.

Process for Developing New Rule: The commission will engage in rule making with stakeholders to update the commission's rules regarding chapter 108-10 WAC, Introduction; chapter 108-20 WAC, Application; chapter 108-40 WAC, Charter school oversight and corrective action policy, renewal and nonrenewal policy, revocation policy, and termination protocol; and chapter 108-50 WAC, Public records. We will file a CR-101 and will follow it with the filing of a CR-102. We will schedule public hearings and solicit feedback from the public in order to improve our proposed amendments to our rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sandy Green, Washington State Charter School Commission, 1068 Washington Street S.E., Olympia, WA 98504, (360) 725-5511, sandy.green@k12.wa.us.

August 12, 2016
Sandy Green
Executive Assistant

WSR 16-17-072

**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

(Board of Registration for Professional Engineers and Land Surveyors)

[Filed August 17, 2016, 7:25 a.m.]

The department of licensing, professional engineers and land surveyors program requests the withdrawal of preproposal statement of inquiry filed as WSR 16-14-112 for WAC 196-27A-010 Purpose and applicability and 196-29-110 Land surveying practice standards, filed July 6, 2016. This document serves as the official notification of our rule withdrawal.

Damon G. Monroe
Rules Coordinator

WSR 16-17-075

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

(Economic Services Administration)

[Filed August 17, 2016, 10:56 a.m.]

The economic services administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 13-21-128 on October 22, 2013 (WAC 388-273-0020) regarding Washington telephone assistance program.

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-077

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

(Economic Services Administration)

[Filed August 17, 2016, 11:58 p.m.]

The economic services administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 13-20-081 on September 30, 2013 (Title 388 WAC) regarding working families.

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-079

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

(Economic Services Administration)

[Filed August 17, 2016, 12:26 p.m.]

The economic services administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 13-19-067 on September 17, 2013 (Title 388 WAC) regarding Alcohol and Drug Addiction Treatment and Support Act.

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-081

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

(Economic Services Administration)

[Filed August 17, 2016, 1:50 p.m.]

The economic services administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 13-19-070 on September 17, 2013 (chapter 388-14A WAC) regarding Affordable Care Act.

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-083

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

(Economic Services Administration)

[Filed August 17, 2016, 2:15 p.m.]

The economic services administration requests the withdrawal of the preproposal statement of inquiry notice filed as WSR 12-16-109 on August 1, 2012 (WAC 388-450-0200) regarding basic food.

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-094

**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed August 18, 2016, 8:56 a.m.]

Subject of Possible Rule Making: WAC 182-531-0050 Physician-related services definitions, 182-531-0550 Experi-

mental and investigational services, and other rules as appropriate.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising WAC 182-531-0050 Physician-related services definitions, to clarify definitions of "experimental" and "investigational" and to align the definition of "peer-reviewed medical literature" with other agency publications. WAC 182-531-0550 Experimental and investigational services, is being updated to correct cross-references and clarify information regarding experimental and investigational services. 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 Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail katherine.pounds@hca.wa.gov.

August 18, 2016
Wendy Barcus
Rules Coordinator

WSR 16-17-095

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed August 18, 2016, 9:18 a.m.]

Subject of Possible Rule Making: WAC 182-533-0315 Maternity support services—Definitions, 182-533-0325 Maternity support services—Provider requirements, 182-533-0327 Maternity support services—Professional staff qualifications and interdisciplinary team, 182-533-0345 Maternity support services—Payment, and other related 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 the maternity support services (MSS) rules to require MSS providers to assign the appropriate lead interdisciplinary team member to moderate and high risk clients. The amended rules also add language regarding infant case management screening and include housekeeping changes. 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 Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail katherine.pounds@hca.wa.gov.

August 18, 2016
Wendy Barcus
Rules Coordinator

WSR 16-17-111

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed August 22, 2016, 12:24 p.m.]

Subject of Possible Rule Making: Minimum tow truck equipment standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.55.050 and 46.55.115.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: There is a need to update WAC 204-91A-170 as follows:

- Clarify that minimum tow truck equipment standards apply to all registered tow truck operators.
- Clean-up terms used throughout the section.
- Clarify the requirements for a class S tow/recovery truck.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of licensing will keep informed of the proposed changes throughout the rule-making process and asked to provide feedback.

Process for Developing New Rule: The agency plans to develop a draft and provide the language to stakeholders for review and input as part of the CR-102 process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sergeant J. D. Strup, Commercial Vehicle Division, P.O. Box 42614, Olympia, WA 98504-2614, Jd.strup@wsp.wa.gov, (360) 596-3829.

August 4, 2016
John R. Batiste
Chief

WSR 16-17-112

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed August 22, 2016, 12:25 p.m.]

Subject of Possible Rule Making: Towing businesses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.55.115.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: There is a need to update sec-

tions within chapter 204-91A WAC to clarify the language of the rules as follows:

- Under the definitions section cleanup to the definitions are provided and terms are amended throughout to ensure consistency within the chapter.
- Definitions are consolidated and new definitions are added for inspection certificate and section commander.
- Procedural rules are amended with regard to hearings to clarify representation and deposition processes.
- Language regarding complaint investigations is amended to provide clarification.
- Personal property handling procedures are amended to clarify tow operators' responsibilities.
- Tow operator restrictions are clarified with regard to repeated refusal or failure to respond, requirements for notification if a tow operator is unavailable or changes business hours and professional conduct.
- Requirements are clarified to require the tow truck drivers' first and last name on the inventory record and first name on their clothing.
- Clarification is provided regarding who can request a tow operator at a collision scene and where impounded vehicles from a collision must be taken.
- Owner's authorized representative is added to clarify who is authorized to reclaim a vehicle at the conclusion of a special event or overflow situation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of licensing will keep informed of the proposed changes throughout the rule-making process and asked to provide feedback.

Process for Developing New Rule: The agency plans to develop a draft and provide the language to stakeholders for review and input as part of the CR-102 process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sergeant J. D. Strup, Commercial Vehicle Division, P.O. Box 42614, Olympia, WA 98504-2614, Jd.strup@wsp.wa.gov, (360) 596-3829.

August 4, 2016
John R. Batiste
Chief

WSR 16-17-118
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed August 23, 2016, 8:41 a.m.]

The economic services administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 16-13-060 on June 13, 2016 (WAC 388-400-0047) regarding the heat and eat program.

Katherine I. Vasquez
Rules Coordinator

WSR 16-17-132

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 23, 2016, 12:11 p.m.]

Subject of Possible Rule Making: Chapter 296-17A WAC, Classifications for Washington workers' compensation insurance, the department is considering reclassifying paver stone installation work. Currently, paver stone installation work is classified in 0302, Masonry (\$5.55/hour in 2016). Landscape contractors who do incidental paver stone installation work as part of a landscape contract are eligible to report in 0301, Landscape construction (\$2.03/hour in 2016).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries (L&I) is required by RCW 51.16.035 to establish and maintain a workers' compensation classification plan that classifies according to the degree of hazard and recognized insurance principles as described in WAC 296-17-31029. Department study found:

- Paver stone installation companies and landscape construction companies have similar risk exposure to injury due to similar processes.
- Paver stone installation companies that only do paver installation are in competition with landscapers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agency regulates the workers' compensation classification plan in the state of Washington.

Process for Developing New Rule: Agency study; and this proposal follows an agency study. The study recommended rule making to maintain the integrity of the classification plan. Employers affected by any rule making the department considers will receive notice before and after the department makes any proposals. Interested parties may participate by commenting before proposals are made, by testifying at the public hearing, or by providing written comment after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. L&I is planning to hold a formal public hearing in December 2016, in Tumwater. Inquiries can be directed to Karen Chamberlain, Classification Services, P.O. Box 44148, Olympia, WA 98504-4148, phone (360) 902-4772, fax (360) 902-4988, e-mail Karen.Chamberlain@lni.wa.gov.

August 23, 2016
Joel Sacks
Director

WSR 16-17-143**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed August 24, 2016, 8:44 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-400-0047 and other related rules as may be required to be consistent with federal requirements for the low income home energy assistance program (LIHEAP) under 8 U.S.C. § 1611 (a)(1).

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 PL 113-79.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes proposed under this filing will clarify which households are or are not eligible to receive a LIHEAP payment to allow the standard utility allowance.

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 enforces the provisions of the federal Supplemental Nutrition Assistance Program 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, the Washington combined application program, 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.

August 23, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-17-149**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD**

[Filed August 24, 2016, 10:36 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rules to implement the marijuana research license established in RCW 69.50.372 and as amended during the 2016 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342, 69.50.345, and 69.50.372.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to implement the marijuana research licenses established by RCW 69.50.372. Changes to RCW 69.50.372 were passed during the 2016 legislative session making it possible for WSLCB to proceed with implementing the new license. RCW 69.50.372 gives WSLCB authority to adopt rules related to the implementation of the marijuana research license in RCW 69.50.372(5), including application requirements and administrative provisions relating to the license. These rules are needed to fully implement and issue the license.

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 Joanna Eide, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, rules@lcb.wa.gov, (360) 664-1622, fax (360) 664-9689.

August 24, 2016
Jane Rushford
Chair