

WSR 16-19-005
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed September 7, 2016, 1:32 p.m.]

Subject of Possible Rule Making: Updating purchase service credit rules for teachers' retirement system (TRS) and school employees' retirement system (SERS).

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: To allow TRS and SERS members who work as a substitute and then are hired permanently to purchase service credit if they worked more than five months of seventy hours as either a substitute or eligible employee.

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.

September 7, 2016
 Jilene A. Siegel
 Rules Coordinator

WSR 16-19-021
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed September 9, 2016, 2:42 p.m.]

Subject of Possible Rule Making: WAC 246-817-601, 246-817-610, 246-817-620 and 246-817-630, infection control, the dental quality assurance commission (commission) is considering amending rules to update dental infection control practice standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.002 and 18.32.0365.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rules are outdated and amendments may be necessary to ensure current infection control practice standards are being followed. Up-to-date infection control practice standards are necessary to prevent disease transmission in oral health care.

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 by contacting the Department of Health, Dental Quality Assurance Commission, Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, (360) 236-4893, Jennifer.santiago@doh.wa.gov. Interested stakeholders may sign up

for the commission's listserv at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=dental-qac&A=1>. All rule-making notices will be e-mailed to the commission's interested parties list (listserv) and appropriate state associations. Rule drafting will take place in open public meetings where comments will be accepted verbally and in writing.

September 9, 2016
 Trina Crawford
 Executive Director

WSR 16-19-027
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Filed September 13, 2016, 12:00 p.m.]

I am withdrawing the CR-101 preproposal statement of intent for R 2016-09, implementing RCW 48.43.016 published by the code reviser in WSR 16-10-052. This is being done because we have determined that rules are not needed to implement the legislation.

We will contact individuals that provided comments during the CR-101 comment period and make them aware that rules will not be pursued.

Mike Kreidler
 Insurance Commissioner

WSR 16-19-030
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2016-24—Filed September 13, 2016, 12:10 p.m.]

Subject of Possible Rule Making: Adoption of the 2017 commissioner's standard ordinary (CSO) mortality tables.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.74.030, 48.76.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2017 CSO mortality tables are a new series of mortality tables developed jointly, at the request of NAIC, by the American Academy of Actuaries Life Experience Committee and the Society of Actuaries Preferred Mortality Oversight Group; they reflect changes in mortality since the development of the 2001 CSO tables. The 2001 CSO tables are the current mortality table set; the 2017 tables would provide a new minimum valuation standard of mortality for life insurance products. The new table series includes tables for male/female, smoker/nonsmoker and age-nearest birthday/age-last birthday. The commissioner is proposing that the 2017 CSO mortality tables be adopted.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agency regulates this subject.

Process for Developing New Rule: Submit written comments by November 4, 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 Keogh, P.O. Box 40260, Olympia, WA 98504-0260, rulescoordinator@oic.wa.gov.

September 13, 2016
Mike Kreidler
Insurance Commissioner

WSR 16-19-037
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed September 14, 2016, 9:42 a.m.]

Subject of Possible Rule Making: Chapter 246-322 WAC, Private psychiatric and alcoholism hospitals and chapter 246-324 WAC, Private alcohol and chemical dependency hospitals. The department is considering updating construction standards for these hospitals. The department is also considering repealing chapter 246-324 WAC and integrating all requirements for private alcohol and chemical dependency hospitals into chapter 246-322 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.12.670 and 43.70.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Integration of mental health and chemical dependency licensing, operational and construction requirements would create clarity and efficiency for the department in developing policy for and regulating private hospitals providing integrated behavioral health services. The current construction standards for these types of hospitals have not been updated in over twenty years. In that time there have been substantial advances in the way these physical environments are designed. Updating construction standards also provides consistency for behavioral health units in private and acute care hospitals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Centers for Medicare and Medicaid Services (CMS) also regulates the psychiatric hospitals licensed in Washington state. Any revisions to the chapter would be consistent with CMS regulations. The department of social and health services (DSHS) certifies behavioral health services provided in psychiatric and chemical dependency hospitals. DSHS will be included in all department of health stakeholder activities.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Julie Tomaro, P.O. Box 47852, Olympia, WA 98504, phone (360) 236-2937, fax (360) 236-2321, Julie.Tomaro@doh.wa.gov.

September 12, 2016
John Wiesman, DrPH, MPH
Secretary

WSR 16-19-039
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed September 14, 2016, 12:30 p.m.]

On September 17, 2014, the Washington utilities and transportation commission (commission) filed a preproposal statement of inquiry (CR-101), Docket UW-143295, regarding the regulation of water companies at WSR 14-19-111. The commission has decided not to proceed with this rule-making proceeding. It has determined that a rule change is not necessary to accomplish the original intent of the CR-101. The commission, therefore, requests that the CR-101 published in WSR 14-19-111 be withdrawn.

The commission will notify stakeholders in this rule-making docket of the withdrawal of this rule-making proceeding.

Steven V. King
Executive Director

WSR 16-19-045
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed September 14, 2016, 3:57 p.m.]

Subject of Possible Rule Making: Guardianship fees, WAC 182-513-1505 Purpose, 182-513-1510 Definitions, 182-513-1515 Maximum fees and costs, 182-513-1520 Procedure to revise award letter after June 15, 1998, but before September 1, 2003, 182-513-1525 Procedure for allowing fees and costs from client participation after September 1, 2003, 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: These rules were recently recodified from the department of social and health services, Title 388 WAC (specifically WAC 388-79-010, 388-79-020, 388-79-030, 388-79-040, and 388-79-050) into the health care authority, Title 182 WAC. The health care authority, in coordination with the department of social and health services, is updating these rules, which have not changed since 2003. As part of this review, the agency will consider current fees allowed for establishing and maintaining guardianships for individuals who must participate in the cost of their health care and clarify the procedures used when determining whether fees above the maximum defined in rule may be requested. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The 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 Melinda Froud, Rules and Publications Manager, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Melinda.Froud@hca.wa.gov.

September 14, 2016
Wendy Barcus
Rules Coordinator

WSR 16-19-054

PREPROPOSAL STATEMENT OF INQUIRY HORSE RACING COMMISSION

[Filed September 16, 2016, 9:12 a.m.]

Subject of Possible Rule Making: WAC 260-36-250 Industrial insurance.

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 change the calculation of the groom premium from a monthly rate to a daily rate.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Labor and industries.

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.

September 16, 2016
Douglas L. Moore
Executive Secretary

WSR 16-19-060

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed September 19, 2016, 11:25 a.m.]

Subject of Possible Rule Making: The department is proposing to add new sections, repeal existing sections, and amend sections in chapter 388-76 WAC, Adult family home minimum licensing requirements, related to tuberculosis screening including WAC 388-76-10198, 388-76-10265, 388-76-10270, 388-76-10275, 388-76-10280, 388-76-10285, 388-76-10290, 388-76-10295, 388-76-10300, 388-76-10305, 388-76-10310, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 70.128, 74.39A RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules have not been updated in seven years or more and are unclear, ambiguous, and inaccurate. The rules need to be updated to include the Centers for Disease Control and Prevention recommendations, as well as the department of health regulations. These rule changes will create consistent regulations across the residential care services programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health collaborates and coordinates closely with the department of social and health services (DSHS), residential care services to develop regulations of the requirements associated with tuberculosis in chapter 388-76 WAC, Adult family home minimum licensing requirements, and other related rules as may be necessary.

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 Jeanette K. Childress, Long-Term Care Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail childjk@dshs.wa.gov.

Draft section language will be posted on aging and long-term support administration 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.

September 16, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-19-061

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed September 19, 2016, 11:57 a.m.]

Subject of Possible Rule Making: The department is proposing to add to add new sections, repeal existing sections, and amend sections in chapter 388-78A WAC, Assisted living facility licensing rules, related to tuberculosis screening including WAC 388-78A-2480, 388-78A-2481, 388-78A-2482, 388-78A-2483, 388-78A-2484, 388-78A-2485, 388-78A-2486, 388-78A-2487, 388-78A-2488, 388-78A-2489, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.20, 74.39A RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules have not been updated in seven years or more and are unclear, ambiguous, and inaccurate. The rules need to be updated to include the Centers for Disease Control and Prevention recommendations, as well as the department of health regulations. These rule changes will create consistent regulations across the residential care services programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health collaborates and coordinates closely with the department of social and health services (DSHS), residential care services to develop regulations of the requirements associated with tuberculosis in chapter 388-78A WAC, Assisted living facility licensing rules, and other related rules as may be necessary.

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 Jeanette K. Childress, Long-Term Care Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail childjk@dshs.wa.gov.

Draft section language will be posted on aging and long-term support administration 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.

September 16, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-19-062
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed September 19, 2016, 12:35 a.m.]

Subject of Possible Rule Making: The department is proposing to add new sections, repeal existing sections, and amend sections in chapter 388-107 WAC, Licensing requirements for enhanced services facilities, related to tuberculosis screening including WAC 388-107-0440, 388-107-0450, 388-107-0460, 388-107-0465, 388-107-0470, 388-107-0480, 388-107-0490, 388-107-0500, 388-107-0510, 388-107-0520, 388-107-0530, 388-107-0540, 388-107-0542, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 70.97, 74.39A RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules have not been

updated in seven years or more and are unclear, ambiguous, and inaccurate. The rules need to be updated to include the Centers for Disease Control and Prevention recommendations, as well as the department of health regulations. These rule changes will create consistent regulations across the residential care services programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health collaborates and coordinates closely with the department of social and health services (DSHS), residential care services to develop regulations of the requirements associated with tuberculosis in chapter 388-107 WAC, Licensing requirements for enhanced services facilities, and other related rules as may be necessary.

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 Jeanette K. Childress, Long-Term Care Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail childjk@dshs.wa.gov.

Draft section language will be posted on aging and long-term support administration 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.

September 16, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-19-063
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed September 19, 2016, 12:47 p.m.]

Subject of Possible Rule Making: The department is proposing to add new sections, repeal existing sections, and amend sections in chapter 388-97 WAC, Nursing homes, related to tuberculosis screening including WAC 388-97-1360, 388-97-1380, 388-97-1400, 388-97-1440, 388-97-1460, 388-97-1480, 388-97-1500, 388-97-1520, 388-97-1540, 388-97-1560, 388-97-1580, 388-97-1600, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.51, 74.39A, 74.42 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules have not been updated in seven years or more and are unclear, ambiguous, and inaccurate. The rules need to be updated to include the

Centers for Disease Control and Prevention recommendations, as well as the department of health regulations. These rule changes will create consistent regulations across the residential care services programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health collaborates and coordinates closely with the department of social and health services (DSHS), residential care services to develop regulations of the requirements associated with tuberculosis in chapter 388-97 WAC, Nursing homes, and other related rules as may be necessary.

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 Jeanette K. Childress, Long-Term Care Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail childjk@dshs.wa.gov.

Draft section language will be posted on aging and long-term support administration 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.

September 16, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-19-064
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed September 19, 2016, 12:57 p.m.]

Subject of Possible Rule Making: The department is proposing to amend chapter 388-97 WAC and other related rules as may be required to establish a retirement community registry for continuing care retirement communities which will set both regulations and pertinent fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, HB 2726.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are needed to establish rules related to the registration and online publication of a continuing care retirement community, residency agreements, and application or listing fees.

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 Christy Hoosier, Contracts and Applications Manager, 4450 10th Avenue S.E., Mailstop 45600, Lacey, WA 98503, phone (360) 725-3205, e-mail Christy.Hoosier@dshs.wa.gov.

September 16, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-19-075
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed September 20, 2016, 9:19 a.m.]

Subject of Possible Rule Making: Electrical rules, chapter 296-46B WAC, Electrical safety standards, administration, and installation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 19.28 RCW, Electricians and electrical installations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The electrical program is considering amendments to the electrical rules (chapter 296-46B WAC) following a formal review of the rules and new safety code requirements from the 2017 edition of the National Electrical Code (NEC) (NFPA 70 - 2017). The electrical rules are reviewed each code cycle or every three years to ensure the rules are consistent with national electrical safety standards, industry practice, to clarify the rules, and for housekeeping changes. The review process provides Washington's electrical stakeholders the opportunity to review the new NEC requirements, submit proposals and provide recommendations to the department regarding adoption of specific sections of the 2017 NEC. The proposed rules may include amendments to all sections of chapter 296-46B WAC, excluding the electrical fees in WAC 296-46B-906, 296-46B-909, and 296-46B-911.

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 decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. All rule proposals will be reviewed by a technical advisory committee (TAC) and the electrical board.

The department of labor and industries (L&I) is seeking input from interested parties to be used in the formulation of the proposed electrical rules for the 2017 revision cycle. Interested parties may submit rule proposals for additions/revisions to the existing rules and new code requirements from 12:01 a.m., October 1, 2016, to 11:59 p.m., Octo-

ber 31, 2016. The department is also appointing a general TAC made up of experts and interested group representatives to review and make recommendations on proposals from the electrical industry. Interested parties may submit an application to become a TAC member and participate in the rules development process from October 1, 2016, to October 31, 2016. For more information on this rule making, visit the L&I web site at <http://www.lni.wa.gov/TradesLicensing/Electrical/LawRulePol/RuleDev/default.asp> or contact the individual below. Interested parties can sign up for e-mail updates at <http://www.lni.wa.gov/Main/Listservs/Electrical.asp>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, L&I, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6244, fax (360) 902-5292, e-mail Alicia.Curry@Lni.wa.gov.

September 20, 2016
Joel Sacks
Director

WSR 16-19-077

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed September 20, 2016, 10:18 a.m.]

Subject of Possible Rule Making: Chapter 246-865 WAC, Pharmaceutical services—Extended care facility and WAC 246-869-130 Return and exchange of drugs. The pharmacy quality assurance commission is considering updating rules related to long-term care pharmacies in order to conform with ESSB 6203 and ESHB 2458, become consistent with chapter 69.70 RCW, and to reflect current practice.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005, ESSB 6203 (chapter 148, Laws of 2016), chapter 69.70 RCW, ESHB 2458 (chapter 43, Laws of 2016).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2016 ESSB 6203 was passed adding definitions and new provisions around the practice of pharmacy in long-term care settings. Rule making may be necessary to address the use of chart orders, dispensing, and shared pharmacy services in long-term care settings as addressed in the bill. Rule making may also be necessary to address the use of automated technology and updated pharmacy practices. Also in 2016, the legislature passed ESHB 2458 which amended chapter 69.70 RCW to allow individuals or their representatives to donate prescription drugs under certain circumstances. The rules need to be updated to be consistent with these changes. Amendments may also be necessary to reflect current practice.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services, health care authority, and Federal Drug Enforcement Administration will

be invited to participate as stakeholders in the rule-development process.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Stakeholders will be invited to participate in rule-writing workshops and provide input throughout the rule-making process. Interested parties can sign up to receive information, updates, or provide comments to the commission at WSPQAC@doh.wa.gov or Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, or by contacting Tracy West, policy analyst at the department of health, (360) 236-4988 or tracy.west@doh.wa.gov.

September 20, 2016
Tim Lynch, PharmD, MS, Chair
Pharmacy Quality Assurance Commission

WSR 16-19-082

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 20, 2016, 12:16 p.m.]

Subject of Possible Rule Making: Chapter 392-141 WAC, Transportation—State allocation for operations.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions need to be made to this chapter that will allow school districts to include midday home-to-school student counts. These students would be included in the reports submitted using the student transportation allocation reporting system.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Glenn Gorton, Director, Student Transportation, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6121, or e-mail glenn.gorton@k12.wa.us.

September 20, 2016
Randy Dorn
State Superintendent
of Public Instruction

WSR 16-19-084**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed September 20, 2016, 1:38 p.m.]

Subject of Possible Rule Making: WAC 180-18-040 Waivers from minimum one hundred eighty-day school year requirement and 180-18-050 Procedure to obtain waiver.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.305.140, 28A.655.180.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In November 2012 the state board of education (SBE) adopted rules to WAC 180-18-040 and 180-18-050 as WSR 12-24-049. These rules established criteria for evaluation of the need for the waiver, in compliance with RCW 28A.305.140(2), modified procedures for obtaining a waiver, and created a simplified procedure for obtaining waivers for the sole purpose of parent-teacher conferences. With experience in implementing these rules, SBE has identified opportunities for amendments to WAC 180-18-040 and 180-18-050 that will resolve certain questions that have arisen about interpretation of the current rules and provide greater clarity for school districts in applying for waivers and for the board in evaluating and making decisions on the waiver requests received.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office of superintendent of public instruction and the Washington State School Directors Association. SBE staff will provide copies of any draft amendments to those agencies for review and comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kaaren Heikes, 600 Washington Street S.E., Olympia, WA 98504, e-mail kaaren.heikes@k12.wa.us, (360) 725-6029. SBE staff will solicit comment from interested persons on any draft rules that may [be] prepared amending these two sections of WAC.

September 20, 2016
Ben Rarick
Executive Director

WSR 16-19-091**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed September 21, 2016, 7:15 a.m.]

Subject of Possible Rule Making: WAC 468-95-220 Stop and yield lines, clarification of stop bar placement language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.36.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 468-95-220 modifies Section 3B.16 of the Manual of Uniform Traffic Control Devices (MUTCD).

Changes to WAC 468-95-220 will clarify stop bar placement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None. Federal Highway Administration (FHWA) publishes the MUTCD. The Washington state department of transportation (WSDOT) coordinates adoption and modification of the MUTCD for use in Washington state with FHWA.

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 Deanna Brewer, brewerd@wsdot.wa.gov, WSDOT, Traffic Operations Division, P.O. Box 47344, Olympia, WA 98504-7344, (360) 705-7411, fax (360) 705-6826.

September 20, 2016
Kara Larsen, Director
Risk Management and Legal Services

WSR 16-19-098**WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Medical Quality Assurance Commission)**

[Filed September 21, 2016, 8:57 a.m.]

The medical quality assurance commission (commission) is withdrawing the CR-101 for WAC 246-919-430 and 246-918-XXX, which was filed June 30, 2009, and published in WSR 09-14-114.

The related CR-102 filed as WSR 10-21-098 on October 20, 2010, has expired. The commission allowed it to expire due to a moratorium on rule making which began November 17, 2010.

The department would like to withdraw this CR-101 as the proposed amendments in the CR-102 under WSR 10-21-098 are now included in RCW 18.71.080 (1)(b) and 18.71A.-020 (4)(b), making rules unnecessary. In the proposal the commission considered amending the physician rules and adding a new section to the physician assistant rules to identify medical specialties, board certification, access to care, and medical trends. The RCW listed above state[s] "The commission shall request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, board certification, or other relevant data determined by the commission."

Individuals requiring information on this rule should contact Daidria Underwood, medical quality assurance commission program manager, at (360) 236-2727.

Tami M. Thompson
Regulatory Affairs Manager

WSR 16-19-103
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Washington Apple Health)
[Filed September 21, 2016, 11:06 a.m.]

Subject of Possible Rule Making: WAC 182-544-0325 Vision care—Covered eyeglass frames—Clients twenty years of age and younger, 182-544-0350 Vision care—Covered eyeglass lenses—Clients twenty years of age and younger, 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 WAC 182-544-0325 to clarify the limitations for incidental repairs to eyeglass frames and replacement of lost or broken eyeglass frames. The agency is amending WAC 182-544-0350 to clarify the limitations for lost or broken eyeglass lenses and to add diagnosed medical conditions for coverage of polycarbonate lenses. 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.

September 21, 2016
Wendy Barcus
Rules Coordinator