

WSR 17-13-003
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 8, 2017, 7:57 a.m.]

The health care authority requests withdrawal of the preproposal statement of inquiry filed as WSR 17-07-124, distributed in the 17-07 State Register, regarding WAC 182-513-1330.

Wendy L. Barcus
 Rules Coordinator

WSR 17-13-010
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING

[Filed June 8, 2017, 3:55 p.m.]

The department of early learning withdraws CR-101 preproposal statement of inquiry filed as WSR 16-15-082 on July 9, 2016. Questions may be directed to Lori Anderson, rules coordinator, (360) 725-4670 or email rules@del.wa.gov.

Lori Anderson
 Rules Coordinator

WSR 17-13-013
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket PG-160121—Filed June 9, 2017, 1:32 p.m.]

On February 19, 2016, the Washington utilities and transportation commission (commission) filed a preproposal statement of inquiry (CR-101) regarding the pipeline safety fee methodology at WSR 16-05-095. The commission has decided not to proceed with this rule-making proceeding. The commission has determined a rule change at this time to address the mileage allocation will have limited impact. The commission, therefore, requests that the CR-101 published in WSR 16-05-095 be withdrawn.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 17-13-014
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket PL-160122—Filed June 9, 2017, 1:32 p.m.]

On February 19, 2016, the Washington utilities and transportation commission (commission) filed a preproposal statement of inquiry (CR-101) regarding the pipeline safety fee methodology at WSR 16-05-096. The commission has decided not to proceed with this rule-making proceeding. The commission has determined a rule change at this time to address the mileage allocation will have limited impact. The commission, therefore, requests that the CR-101 published in WSR 16-05-096 be withdrawn.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 17-13-026
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Long-Term Support Administration)

[Filed June 13, 2017, 10:10 a.m.]

Subject of Possible Rule Making: The department is proposing to amend sections in chapter 388-78A WAC, Assisted living facility licensing rules, including WAC 388-78A-2020 Definitions and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend chapter 388-78A WAC, Assisted living facility licensing rules and other related rules as may be required to assure compliance with requirements of SB [SSB] 5600, which states the new definition of abuse to include financial exploitation of a vulnerable adult. SB [SSB] 5600 also defines chemical, mechanical, and physical restraint.

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

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, Assisted Living Facility Policy Program Manager, Aging and Long-Term Support Administration, Residential Care Services, P.O. Box

45600, Olympia, WA 98504-5600, phone (360) 725-2951,
fax (360) 407-0976, email childjk@dshs.wa.gov.

June 12, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-13-028
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed June 13, 2017, 11:12 a.m.]

The developmental disabilities administration requests the withdrawal of the preproposal statement of inquiry notice filed as WSR 16-13-156 on June 22, 2016 (chapter 388-825 WAC), regarding developmental disabilities administration service rules.

Katherine I. Vasquez
Rules Coordinator

WSR 17-13-032
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed June 13, 2017, 1:15 p.m.]

Subject of Possible Rule Making: Purchasing additional service credit.

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 clarify that the benefit increase resulting from the purchase of additional service credit will become effective the day after full payment is received, even if the member is retiring retroactively.

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, email Rules@drs.wa.gov, phone (360) 664-7291.

June 13, 2017
Jilene Siegel
Rules Coordinator

WSR 17-13-039
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed June 14, 2017, 9:56 a.m.]

The Washington department of fish and wildlife is withdrawing its preproposal statement under WSR 17-09-085 filed on April 19, 2017.

Scott Bird

WSR 17-13-047
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed June 14, 2017, 2:26 p.m.]

Subject of Possible Rule Making: Amendments to the coastal commercial salmon fishing rules are needed to implement Guiding Principle #4 from the WDFW Commission Policy C-3622, which states "investigate and promote the development and implementation of alternative selective gear" in order to achieve conservation objectives in Willapa Bay.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.50.030, 77.50.120, 77.65.400, and 77.70.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington department of fish and wildlife (WDFW) is interested in designating an experimental commercial fishery in Willapa Bay for the purpose of testing a new gear type and intends to issue a limited number of experimental fishery permits that set the permissible time, place, and manner of fishing using a newly designated gear type.

The gear type being considered is a floating fish trap. This fish trap uses nonpermanent anchors to hold the trap in place; no permanent structures will be installed or used. This fish trap passively funnels adult salmon from the "lead," a net positioned at an angle from the shore, into a series of compartments leading to the final compartment or spiller. Fish are able to swim freely the entire time. Hatchery fish are then removed from the spiller and the natural-origin fish are released untouched through a door at the back of the fish trap to continue their trip upstream to spawn.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WDFW will be providing input on this process and subsequent recommendations for the specifics on permissible time, place, and manner of fishing using the designated gear type.

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 Barbara McClellan, WDFW Fish Program, 48 Devonshire Road, Montesano, WA 98563, phone (360) 249-1213, fax (360) 249-1229, email Barbara.

Mcclellan@dfw.wa.gov. Contact by July 28, 2017. Expected proposal filing on or after July 31, 2017.

June 14, 2017
Scott Bird
Rules Coordinator

WSR 17-13-051

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed June 15, 2017, 9:47 a.m.]

Subject of Possible Rule Making: WAC 308-104-160 Moving and nonmoving violations defined, 308-108-165 Prohibition on wireless communication devices during instruction, and 308-330-464 RCW sections adopted—Operation and restrictions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.20.2891, 46.82.290, and 46.90.-010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is necessary to meet the requirements of SSB 5289 (2017) - Modifying the infraction of and penalties for distracted driving. Amendments will align the WAC with the new statutes and include updating and repealing references.

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 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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting George Price, Assistant Administrator, Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030, (360) 902-0120, gprice@dol.wa.gov.

June 15, 2017
Damon Monroe
Rules Coordinator

WSR 17-13-057

**PREPROPOSAL STATEMENT OF INQUIRY
TRAFFIC SAFETY COMMISSION**

[Filed June 15, 2017, 10:41 a.m.]

Subject of Possible Rule Making: Revisions to current rules including: Updating the description of organization to align with our mission; updating references to our old address; updating references to RCW that have been recodified; updating the capitalization in our agency name to be consistent throughout the document.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.59.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Not applicable, updating existing WAC.

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

Process for Developing New Rule: Commission meeting, request written comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mandie Dell, 621 8th Avenue S.E., Suite 409, Olympia, WA 98504-0944, phone (360) 725-9883, fax (360) 586-6489, mdell@wtsc.wa.gov; or Pam Pannkuk, 621 8th Avenue S.E., Suite 409, Olympia, WA 98504-0944, phone (360) 725-9860, fax (360) 586-6489, ppannkuk@wtsc.wa.gov.

June 15, 2017
Pamela Pannkuk
Deputy Director

WSR 17-13-058

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING**

[Filed June 15, 2017, 10:42 a.m.]

Subject of Possible Rule Making: Implementing a single set of weighted licensing standards for child care and the early childhood education and assistance program (ECEAP). Revising chapters in Title 170 WAC as needed for consistency; repealing chapters 170-295 and 170-296A WAC; creating new chapter 170-300 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.215.070, 43.215.201, chapter 43.215 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature in 2015 passed the Early Start Act (HB 1491). It requires the department of early learning (DEL) to implement a single set of licensing standards for child care and ECEAP. The new WAC chapter will provide minimum health and safety standards for child care and preschool programs, use the standards established in the early achievers program to address quality issues in participating early childhood programs, take into account the separate needs of family care providers and child care centers and promote the continued safety of child care settings. Additionally, the new licensing standards will be weighted to improve licensing enforcement and to enhance the health [health] and safety of children who participate in early learning programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: As appropriate, DEL will coordinate development of these rules with the state department of social and [health] services, the state department of health, Washington state patrol, the office of the superintendent of public instruction, state department of education, state fire marshal's office, and the United States Administration for Children and Families.

Process for Developing New Rule: Negotiated rule making; and DEL solicited comment before and while drafting the rules. Public meetings were held around the state to hear comments and comments were accepted online. The draft rules will be negotiated by teams representing family home providers, center child care providers, Head Start and ECEAP providers, families and parents, and DEL licensing division. Negotiations are open for public observation and time will be scheduled for public comment. The draft rules being negotiated are linked to DEL's web site and comments will be accepted through the end of August 2017. Comments made online are shared with all negotiators. Additionally, comments may be emailed to a particular negotiation participant group. These direct comments will not be shared with the other participant groups.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Submit comments online that will be shared with all negotiators: <https://apps.del.wa.gov/PolicyProposalComment/Detail.aspx>.

Attend a negotiation session to observe or comment. Negotiation meeting locations, dates, and times:

DATE	TIME	LOCATION
June 23, 2017	10:00 a.m. - 5:00 p.m.	Red Lion Hotel 607 East Yakima Avenue Yakima, WA
June 24, 2017	8:30 a.m. - 4:00 p.m.	
June 25, 2017	8:30 a.m. - 12 noon	
July 28, 2017	10:00 a.m. - 5:00 p.m.	Red Lion 2300 Evergreen Park Drive S.W. Olympia, WA
July 29, 2017	8:30 a.m. - 4:00 p.m.	
July 30, 2017	8:30 a.m. - 12 noon	
August 25, 2017	10:00 a.m. - 5:00 p.m.	Red Lion Hotel One South Grady Way Renton, WA
August 26, 2017	8:30 a.m. - 4:00 p.m.	
August 27, 2017	8:30 a.m. - 12 noon	
September 22, 2017	10:00 a.m. - 5:00 pm	Red Lion Hotel One South Grady Way Renton, WA
September 23, 2017	8:30 a.m. - 4:00 p.m.	
September 24, 2017	8:30 a.m. - 12 noon	

Submit a comment to a particular group participating in the negotiation: Negotiation participants and their email addresses where direct comments may be sent:

Family home child care providers: FHCWACComments@pcgus.com.

Center child care providers: CenterWACComments@pcgus.com.

Head start/ECEAP providers: HSECEAPWACComments@pcgus.com.

Families and parents: FamilyWACComments@pcgus.com.

DEL licensing: DELWACComments@pcgus.com.

Email comments to rules@del.wa.gov that will be shared with all negotiations.

Last day that comments will be accepted August 31, 2017.

June 8, 2017
Lori Anderson
Rules Coordinator

WSR 17-13-071
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Washington Apple Health)
[Filed June 16, 2017, 9:39 a.m.]

Subject of Possible Rule Making: WAC 182-531-0050 Physician-related services definitions, 182-531-0950 Office and other outpatient physician-related services, 182-531-1850 Payment methodology for physician-related services—General and billing modifiers, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 42 C.F.R Part 447, Subpart 1.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising these rules to align with the Centers for Medicare and Medicaid Services (CMS) covered outpatient drug rule, CMS-2345-FC. Specifically, the agency will replace estimated acquisition cost with actual acquisition cost. 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 Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email vance.taylor@hca.wa.gov.

June 16, 2017
Wendy Barcus
Rules Coordinator

WSR 17-13-076
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Pharmacy Quality Assurance Commission)
[Filed June 16, 2017, 1:49 p.m.]

The pharmacy quality assurance commission (commission) is withdrawing the preproposal notice (CR-101) for chapter 246-869 WAC, WAC 246-858-040, 246-863-060, 246-901-100, 246-901-120, and 246-901-130, which was filed October 30, 2014, and published in WSR 14-22-048.

The commission filed a CR-101 to update rules related to pharmacy business practices. Since the original filing, the commission has decided to prioritize updating other rules.

Individuals requiring information on this rule should contact Tracy West, rules coordinator, pharmacy quality assurance commission, at (360) 236-4988.

Tami M. Thompson
Regulatory Affairs Manager

WSR 17-13-079

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2017-04—Filed June 16, 2017, 3:13 p.m.]

Subject of Possible Rule Making: Adjuster licensing requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.17.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule would likely create new and amend existing sections of WAC 284-17-123 to clarify education alternative to adjuster training, and establish the office of the insurance commissioner's interpretation of the breadth of the activities to be licensed under the definition of adjuster. This rule making is related to the Matter of Michael R. Marinelli and the Insurance Appraisal Services; Docket No. 16-0155.

Process for Developing New Rule: Submit written comments by August 4, 2016, to Stacy Middleton, P.O. [Box] 40258, Olympia, WA 98504-0258, 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 Stacy Middleton, P.O. [Box] 40258, Olympia, WA 98504-0258 (360) 725-9651, rulescoordinator@oic.wa.gov.

June 16, 2017
Mike Kreidler
Insurance Commissioner

WSR 17-13-080

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2017-05—Filed June 16, 2017, 3:24 p.m.]

Subject of Possible Rule Making: Public records requests copy costs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 42.56.070, 42.56.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule would amend sections of WAC 284-03-035 to be consistent with the

statutory amendments in EHB 1595 (passed 2017), particularly those provisions concerning charging fees for copies of public records.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: All state agencies subject to the Public Records Act, chapter 42.56 RCW are potentially impacted by this new legislation.

Process for Developing New Rule: Submit written comments by August 4, 2017, to Stacy Middleton, P.O. [Box] 40258, Olympia, WA 98504-0258, 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 Stacy Middleton, P.O. [Box] 40258, Olympia, WA 98504-0258, (360) 725-9651, rulescoordinator@oic.wa.gov.

June 16, 2017
Mike Kreidler
Insurance Commissioner

WSR 17-13-081

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2017-06—Filed June 16, 2017, 3:31 p.m.]

Subject of Possible Rule Making: Title insurance rating and advisory organizations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.29.005, and sections 13 and 23, chapter 103, Laws of 2017.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2017 legislative session, the legislature enacted chapter 103, Laws of 2017 (EHB 1450) for creating and establishing the rights and duties for title insurance rating and advisory organizations. This act provided for the commissioner to adopt rules to (1) establish the fee for a license as a title rating organization; (2) the licensing requirements that an applicant for a license as a title rating organization must comply with; (3) requiring a title rating organization to periodically update its title insurance rate filings; and (4) enable the commissioner to recover the costs of the commissioner's examination of a title rating organization from the title rating organization. The proposed rules will seek to adopt rules regarding these matters and others that may be necessary to implement the act.

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

Process for Developing New Rule: Submit written comments by August 4, 2017, to Jim Tompkins, P.O. [Box] 40260, Olympia, WA 98504-0260, 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 Tompkins, P.O. [Box] 40260, Olympia, WA 98504-0260, email rulescoordinator@oic.wa.gov, fax (360) 586-3109.

June 16, 2017
Mike Kreidler
Insurance Commissioner

WSR 17-13-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 17, 2017, 10:07 a.m.]

Subject of Possible Rule Making: WAC 220-340-070 needs clarification regarding the application process and how the department would issue any remaining geoduck divers licenses for any of the seventy-seven licenses that are not renewed by December 31.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.090, 77.04.130, 77.65.410.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current process described in WAC 220-340-070 for new geoduck divers licenses is ambiguous. The proposed update will clarify the application process and how the department issues new geoduck divers licenses for any of the seventy-seven licenses that are not renewed by December 31.

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 Trisha Anderson, Washington Department of Fish and Wildlife Licensing Program, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2211, fax (360) 902-2466, email Trisha.Anderson@dfw.wa.gov. Contact by July 5, 2017. Expected proposal filing on or after August 4, 2017.

June 18, 2017
Scott Bird
Rules Coordinator

WSR 17-13-086
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 17, 2017, 10:07 a.m.]

Subject of Possible Rule Making: Creating a WAC for the purpose of interpreting and defining terminology of licenses in RCW 77.15.568 that were modified in SB 5306.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010 (70), 77.65.510, 77.65.515, 77.65.520, SB 5306.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SB 5306 introduces different

terminologies of licenses that are not defined elsewhere. This WAC provides a cross-walk of the license in the modified bill in RCW 77.15.568 to the existing license titles defined in RCW 77.08.010(70), 77.65.510, 77.65.515, and 77.65.520.

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 Trisha Anderson, Washington Department of Fish and Wildlife Licensing Program, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2211, fax (360) 902-2466, email Trisha.Anderson@dfw.wa.gov. Contact by July 5, 2017. Expected proposal filing on or after August 4, 2017.

June 17, 2017
Scott Bird
Rules Coordinator

WSR 17-13-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed June 19, 2017, 4:08 p.m.]

Subject of Possible Rule Making: Chapter 308-107 WAC, Ignition interlock driver's license.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: E2SHB 1614, enacted by the 2017 legislature, requires that the department of licensing (DOL) adopt a rule to allow individuals to obtain a medical exemption to their ignition interlock device (IID) tolling requirement if they have a physical disability preventing them from operating an IID. The rule will provide DOL a process to certify compliance to remove the IID requirement from the individual's record.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The administrative office of the courts and the Washington state patrol.

Process for Developing New Rule: Internal review and stakeholder input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Andrea Nygard, Assistant Administrator, DOL, P.O. Box 9030, Olympia, WA 98507-9030, (360) 902-3745, anygard@dol.wa.gov.

June 19, 2017
Damon Monroe
Rules Coordinator

WSR 17-13-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Board of Naturopathy)
 [Filed June 19, 2017, 5:16 p.m.]

Subject of Possible Rule Making: WAC 246-836-330, 246-836-340, 246-836-350, 246-836-360, 246-836-370, 246-836-380 and 246-836-390, the board of naturopathy (board) is considering repealing outdated and redundant rule sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.36A.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.041, enacted in 2013, requires the department of health to perform a review of existing rules every five years. During the review process, the board may decide which rules need to be revised, repealed, or kept unchanged. The board is considering repealing seven rule sections regarding mandatory reporting requirements as they are redundant to an existing statute (RCW 18.130.070), as well as existing secretary rules applicable to all health care professions (WAC 246-16-200 through 246-16-270).

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the rule process through meetings and by submitting written comments, and are encouraged to join the listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=NATUROPATHY-PROGRAM>.

Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2901, email susan.gragg@doh.wa.gov.

June 19, 2017
 Blake T. Maresh
 Executive Director

WSR 17-13-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Podiatric Medical Board)
 [Filed June 19, 2017, 5:16 p.m.]

Subject of Possible Rule Making: WAC 246-922-045, 246-922-130, 246-922-140, 246-922-150, 246-922-160, 246-922-170, 246-922-180 and 246-922-190, the podiatric medical board (board) is considering repealing outdated and redundant rule sections for podiatric physicians.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.22.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.041 requires the department of health to perform a review of existing rules

every five years. During the review process, the board may decide which rules need to be revised, repealed or kept unchanged. The board is considering repealing WAC 246-922-045 as the board stopped administering a state licensure examination many years ago, making this rule obsolete. In addition, the board is considering repealing seven rule sections regarding mandatory reporting requirements as they are redundant to an existing statute, as well as existing secretary rules applicable to all health care professions (WAC 246-922-130 through 246-922-190 redundant to RCW 18.130.070 and WAC 246-16-200 through 246-16-270).

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the rule process through meetings and by submitting written comments, and are encouraged to join the listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=PODIATRY-BOARD>.

Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2901, email susan.gragg@doh.wa.gov.

June 19, 2017
 Blake T. Maresh
 Executive Director

WSR 17-13-094
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Podiatric Medical Board)
 [Filed June 19, 2017, 5:18 p.m.]

Subject of Possible Rule Making: WAC 246-922-010, 246-922-120 and 246-922-240, podiatric physicians, the podiatric medical board (board) is considering amending three rule sections for clarity and updates of necessary house-keeping changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.22.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.041 requires the department of health to perform a review of existing rules every five years. During the review process, the board may decide which rules need to be revised, repealed, or kept unchanged. The board is considering amendments to WAC 246-922-010 and 246-922-120 to remove incorrect and irrelevant information. The board is also considering amending WAC 246-922-240 to include a statutory reference.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the rule process

through meetings and by submitting written comments, and are encouraged to join the listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=PODIATRY-BOARD>.

Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2901, email susan.gragg@doh.wa.gov.

June 19, 2017
Blake T. Maresh
Executive Director

WSR 17-13-095

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Board of Naturopathy)

[Filed June 19, 2017, 5:19 p.m.]

Subject of Possible Rule Making: WAC 246-836-150 Full approval of colleges of naturopathic medicine, the board of naturopathy (board) is considering amendments to streamline the process for nationally accredited colleges of naturopathic medicine to maintain board approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.36A.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.041 requires the department of health to perform a review of existing rules every five years. During the review process, the board may decide which rules need to be revised, repealed, or kept unchanged. The board is considering amendments to streamline the process for nationally accredited colleges of naturopathic medicine to maintain board approval.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the rule process through meetings and by submitting written comments, and are encouraged to join the listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=NATUROPATHY-PROGRAM>.

Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2901, email susan.gragg@doh.wa.gov.

June 19, 2017
Blake T. Maresh
Executive Director

WSR 17-13-097

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed June 19, 2017, 7:10 p.m.]

Subject of Possible Rule Making: WAC 246-901-130 Pharmacist to pharmacy technician ratio, the pharmacy quality assurance commission (commission) is considering updating the rule to change the pharmacist to pharmacy technician ratio to reflect current practice.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64A.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently the pharmacist to pharmacy technician ratio is one pharmacist to three pharmacy technicians. The commission determined a need to open the rule to considering amending or eliminating the ratio. This could eliminate or reduce the need for single pharmacy request for modifications to the ratio.

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. 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 Megan Mikkelsen, policy analyst at the department of health, (360) 236-4617 or megan.mikkelsen@doh.wa.gov.

June 19, 2017
Tim Lynch, PharmD, MS, Chair
Pharmacy Quality Assurance Commission

WSR 17-13-100

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF THE CODE REVISER

[Filed June 20, 2017, 9:53 a.m.]

Subject of Possible Rule Making: Amending chapter 1-06 WAC, relating to access to public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120 and 42.56.520; and chapter 304, Laws of 2017.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of the code reviser proposes amending chapter 1-06 WAC to better conform such chapter to: (1) Recent changes in the law concerning public records; (2) model rules recommended by the attorney general's office (chapter 44-14 WAC); and (3) current agency practices.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments or inquiries may be directed to Kerry Radcliff, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, (360) 786-6697, email Kerry.Radcliff@leg.wa.gov.

June 20, 2017
K. Kyle Thiessen
Code Reviser

WSR 17-13-103

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed June 20, 2017, 10:28 a.m.]

Subject of Possible Rule Making: 2018 industrial insurance premium rates, chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17B WAC, Retrospective rating for workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035, 51.04.020(1), and 51.18.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries is required by law to establish and maintain a workers' compensation classification plan, and to set premium rates that are: (1) The lowest necessary to maintain actuarial solvency of the accident and medical aid funds; and (2) designed to attempt to limit fluctuations in premium rates. The plan must be consistent with recognized principles of insurance. Labor and industries is also required by law to offer retrospective rating plans to employers as a further incentive to encourage workplace safety and prevent employee injury.

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

Process for Developing New Rule: Premium rates for each classification are developed in part from the past loss experience of employers subject to the classification, changes in benefit levels mandated by law or court decisions, medical inflation, economic and business trends and financial markets. Labor and industries works with the workers' compensation advisory committee (WCAC) and retrospective rating advisory committee (RAC) as changes are developed. The public can participate in these discussions by attending the WCAC meetings. A schedule of these meetings is available at www.lni.wa.gov/ClaimsIns/Insurance/Learn/Wcac/WcacMtgMin/Default.asp.

The public can also participate in discussions of RAC. A schedule of meetings can be found at www.lni.wa.gov/

ClaimsIns/Insurance/Reduce/Qualify/AdvComm/default.asp.

Employers covered by labor and industries will receive notice of the proposed changes and public hearings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Labor and industries is planning to hold formal public hearings in October and November 2017, in Everett, Spokane, Richland, Vancouver, Tukwila, and Tumwater.

Public hearings are anticipated to last until all public comments are received. Inquiries can be directed to Jo Anne Attwood, Classification Services, P.O. Box 44148, Olympia, WA 98504-4148, phone (360) 902-4777, fax (360) 902-4988, email joanne.attwood@lni.wa.gov.

June 20, 2017
Joel Sacks
Director

WSR 17-13-104

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed June 20, 2017, 10:28 a.m.]

Subject of Possible Rule Making: Chapter 296-45 WAC, Electric power generation, transmission and distribution.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17-060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is being done to comply with the division of occupational safety and health (DOSH) eRules initiative in addition to making necessary corrections to the rule that have been identified since the updated rule was effective May 3, 2016. The eRules portion of this rule making will provide a format consistent with all the other DOSH rules, and allow ease of access using the DOSH web site. Additional corrections include: Correct an error relating to hard hats, add a reference in the scope of this rule to chapter 296-32 WAC, and update notes inadvertently formatted as requirements. Incorporate additional housekeeping changes.

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

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cynthia Ireland, Administrative Regulations Analyst, Department of Labor and Industries, Division of Occupational Safety and Health, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5522, fax (360) 902-5619, email cynthia.ireland@lni.wa.gov.

June 20, 2017
Joel Sacks
Director

WSR 17-13-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 20, 2017, 10:28 a.m.]

Subject of Possible Rule Making: Amendments to chapter 296-150I WAC, Manufactured home installer training and certification program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.22A RCW, Mobile and manufactured home installation.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The factory assembled structures (FAS) program is considering amendments to chapter 296-150I WAC, Manufactured home installer training and certification program as a result of HB 1329 (chapter 10, Laws of 2017), which passed the legislature in 2017. The bill replaces the mandatory penalty of \$1,000 for each infraction of manufactured home installation requirements with discretionary authority to issue a monetary penalty of no more than \$250 for a first infraction and no more than \$1,000 for a second or subsequent infraction. Rule making is needed to establish a penalty schedule for infractions for manufactured home installations as required by the bill and to modify the existing rules to comply with the new statutory requirements.

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.

For more information on this rule making, visit the department of labor and industries (L&I) web site at <http://www.lni.wa.gov/TradesLicensing/Rules/ByTrade/FAS/default.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, Management Analyst, L&I, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6244, fax (360) 902-5292, email Alicia.Curry@Lni.wa.gov.

June 20, 2017
Joel Sacks
Director

WSR 17-13-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)

[Filed June 20, 2017, 10:37 a.m.]

Subject of Possible Rule Making: The department is proposing to amend sections within chapter 388-825 WAC, Developmental disabilities administration service rules; chapter 388-101D WAC, Requirements for providers of residential services and supports; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 General authority of secretary—Rule adoption, 71A.12.120 Authority to participate in federal programs, 43.43.842 Vulnerable adults—Additional licensing requirements for agencies, facilities, and individuals providing services, 74.39A.056 Criminal history checks on long-term care workers, and 43.20A.710 Investigation of conviction records or pending charges of state employees and individual providers.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is proposing to amend rules recently recodified in chapter 388-101D WAC from chapter 388-101 WAC to correct cross-references and align with amendments to chapter 388-825 WAC. Other proposed amendments to chapters 388-825 and 388-101D WAC will clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and character, competence, and suitability determinations. These proposed changes will clarify the rules and reduce the amount of WAC language across programs, and help preserve the health and safety of clients.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DDA and the aging and long-term support administration will collaborate and coordinate with the DSHS background check central unit to consolidate and coordinate rules related to negative actions and character, competence, and suitability reviews including WAC such as chapters 388-71, 388-76, 388-78A, 388-97, 388-101, 388-106, and 388-825 WAC.

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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1581, fax (360) 407-0955, TTY 1-800-833-6388, email DiazCM1@dshs.wa.gov.

June 19, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-13-108
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed June 20, 2017, 10:43 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-105-0005 The daily medicaid payment rates for clients who have been assessed using the CARE tool and reside at an AFH or assisted living facility contracted to provide AL, ARC, or EARC services, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.39A.030 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department anticipates that the rates on this table will change when the state fiscal year 2018-2019 budget is passed. This table will be amended to reflect those new rates upon the passage of a budget.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Elizabeth Pashley, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2447, fax (360) 725-2641, TTY 1-877-905-0454, email Elizabeth.Pashley@dshs.wa.gov.

June 19, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-13-114
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed June 20, 2017, 2:03 p.m.]

Subject of Possible Rule Making: The department is proposing to amend sections within chapter 388-825 WAC, Developmental disabilities administration service rules; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Title 71A RCW, Developmental disabilities.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend chapter 388-825 WAC and other related rules as may be required to align these rules with amendments being made to chapters 388-71 and 388-113 WAC. During the

course of this review, the developmental disabilities administration (DDA) may identify additional changes that are necessary to improve rule clarity and update department policy. These amendments are necessary to reduce the amount of WAC language across programs and help preserve the health and safety of clients.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DDA and the aging and long-term support administration will collaborate to complete rule making on the related rules identified above.

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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1581, fax (360) 407-0955, TTY 1-800-833-6388, email DiazCM1@dshs.wa.gov.

June 20, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-13-123
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed June 21, 2017, 10:10 a.m.]

Subject of Possible Rule Making: Amending and/or adding sections to chapter 392-172A WAC to: (1) Address changes to federal law and requirements; (2) clarify requirements under current state and/or federal law; and (3) make housekeeping changes to correct typographical errors, reorganize WAC in this chapter for ease of reference, and other rule changes that are technical in nature.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.155.090; 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of the superintendent of public instruction (OSPI) has the authority under state statute to develop administrative rules to implement federal and regulations governing special education services to students. OSPI is proposing to amend current special education rules so they are consistent with recent changes to federal law, and to make other housekeeping and technical changes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education, Office of Special Education Programs.

Process for Developing New Rule: OSPI will hold a public hearing for comment and seek written input from stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting OSPI, Special Education Section, P.O. Box 47200, Olympia, WA 98504-7200, phone (360) 725-6075, TTY (360) 586-0126, fax (360) 586-0247, email spiced@k12.wa.us. Please include the words "2017 Rulemaking" in the subject line.

June 21, 2017
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 17-13-127
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed June 21, 2017, 11:04 a.m.]

Subject of Possible Rule Making: The department is proposing to amend sections within chapter 388-825 WAC, Developmental disabilities administration service rules; chapter 388-101D WAC, Requirements for providers of residential services and supports; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120, 43.43.842, 74.39A.056, 43.20A.710.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend rules that were recently recodified in chapter 388-101D WAC from chapter 388-101 WAC to correct cross references and align with amendments to chapter 388-825 WAC. Other proposed amendments to chapters 388-825 and 388-101D WAC will clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and character, competence, and suitability (CC&S) determinations. The proposed changes will clarify the rules and reduce the amount of WAC language across programs, and help preserve the health and safety of clients.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The developmental disabilities administration (DDA) and the aging and long-term support administration will collaborate and coordinate with the DSHS background check central unit to consolidate and coordinate rules related to negative actions and CC&S reviews including WAC such as chapters 388-71, 388-76, 388-78A, 388-97, 388-101, 388-106, and 388-825 WAC.

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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1581, fax (360) 407-0955, TTY 1-800-833-6388, email DiazCM1@dshs.wa.gov.

June 21, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-13-128
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed June 21, 2017, 11:06 a.m.]

Subject of Possible Rule Making: Chapter 246-805 WAC, Applied behavior analysis, the department is considering new rule sections to address continuing education requirements for certified behavior technicians, licensed behavior analysts and licensed assistant behavior analysts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.380.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The secretary recently adopted rules to create three new applied behavior analysis (ABA) credentials: Licensed behavior analyst, licensed assistant behavior analyst, and certified behavior technician. The department is now considering whether to adopt continuing education requirements for these three credentials, as authorized by RCW 18.380.110. Continuing education is intended to enhance the professional competency of ABA providers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies have been identified that regulate this subject.

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 request to receive notices of rule development workshops and other rule-making activities or send comments by contacting Brett Lorentson, Program Manager, Department of Health, Applied Behavior Analysis, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4611, fax (360) 236-2901, email brett.lorentson@doh.wa.gov.

June 21, 2017
John Wiesman, DrPH, MPH
Secretary