

**WSR 18-03-010**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed January 4, 2018, 10:42 a.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification, certification requirements related to professional certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and [no further information supplied by agency].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers, administrators and education staff associates for obtaining, retaining and renewing their certificate.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Brenna, 600 Washington [Street], Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 4, 2018  
 David Brenna  
 Senior Policy Analyst

**WSR 18-03-011**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed January 4, 2018, 11:07 a.m.]

Subject of Possible Rule Making: Chapter 181-77 WAC, Career and technical education certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board is responsible for standards for career and technical education certification, including criteria, eligibility, issuance and renewal.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of the superintendent of public instruction continuing coordination.

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 David Brenna, 600 Washington Street,

Olympia, WA 98504, phone 360-725-6238, fax 360-58-4548 [360-586-4548], email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 4, 2018  
 David Brenna  
 Senior Policy Analyst

**WSR 18-03-014**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed January 5, 2018, 9:48 a.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification, certification requirements related to professional certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and [no further information supplied by agency].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers, administrators and education staff associates for obtaining, retaining and renewing their certificate.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Brenna, 600 Washington [Street], Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 5, 2018  
 David Brenna  
 Senior Policy Analyst

**WSR 18-03-015**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed January 5, 2018, 9:54 a.m.]

Subject of Possible Rule Making: Chapter 181-85 WAC, Professional education—Continuing education requirements, certification requirements for continuing education and renewal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for educators related to clock hours and renewals.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Brenna, 600 Washington [Street], Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 5, 2018  
David Brenna  
Senior Policy Analyst

### WSR 18-03-017

#### PREPROPOSAL STATEMENT OF INQUIRY LOWER COLUMBIA COLLEGE

[Filed January 5, 2018, 2:16 p.m.]

Subject of Possible Rule Making: The purpose of this possible rule making is to adopt a permanent rule that implements the state legislature's new Public Records Act (PRA) requirement and provide the necessary findings so that Lower Columbia College may continue to use the amended statutory default fee schedule that became effective July 23, 2017, and continue to waive copy fees under the listed circumstances. The additional purpose of the rule is to continue to explain procedures for payment for copies and to update the process for requesting documents under this act. Lower Columbia College intends to revise its permanent rule, WAC 132M-110-090, a copying fees rule adopted under prior PRA statutes. Additionally, Lower Columbia College intends to repeal WAC 132M-110-030, 132M-110-040, 132M-110-070, 132M-110-100, 132M-110-110, 132M-110-120, 132M-110-130, 132M-110-140, and 132M-110-990; and revise WAC 132M-110-010, 132M-110-020, 132M-110-050, 132M-110-060 and 132M-110-080, to more clearly explain procedures for requesting documents under this act and indicate that the new form can be found on Lower Columbia College's web site rather than attached as an appendix to the WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 42.56.040, 42.56.070, 42.56.100, 42.56.120 (as amended by chapter 304, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Public Records Act is chapter 42.56 RCW. The 2017 legislature amended RCW 42.56.120, section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. Lower Columbia College is not calculating actual costs for copying records because to do so would be unduly burdensome.

Lower Columbia College intends to adopt the rule on a permanent basis so it can continue to use the statutory default copy fee schedule. In addition, RCW 42.56.120 as amended by section 3, chapter 304, Laws of 2017, allows an agency to waive any charge assessed for a public record pursuant to agency rule. Lower Columbia College intends to enact a permanent rule to address waiver of charges assessed for a public record. Lower Columbia College intends to continue to explain the procedures for payment for copies and to update the process for requesting documents under this act. Lower Columbia College intends to revise WAC 132M-110-090, its copying fees rule originally adopted under former chapter 42.17 RCW because that rule is now outdated. Additionally, Lower Columbia College intends to repeal WAC 132M-110-030, 132M-110-040, 132M-110-070, 132M-110-100, 132M-110-110, 132M-110-120, 132M-110-130, 132M-110-140, and 132M-110-990; and revise WAC 132M-110-010, 132M-110-020, 132M-110-050, 132M-110-060, and 132M-110-080, to more clearly explain procedures for requesting documents under this act and indicate that the new form can be found on Lower Columbia College's web site rather than attached as an appendix to the WAC, this will allow an easier and more efficient process for requesting public records.

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

Process for Developing New Rule: Lower Columbia College will be proposing a permanent rule and repealing a current rule in response to the copying fee amendments to RCW 42.56.120. Lower Columbia College intends to revise its permanent rule WAC 132M-110-090, a copying fees rule adopted under prior PRA statutes. Additionally, Lower Columbia College intends to repeal WAC 132M-110-030, 132M-110-040, 132M-110-070, 132M-110-100, 132M-110-110, 132M-110-120, 132M-110-130, 132M-110-140, and 132M-110-990; and revise WAC 132M-110-010, 132M-110-020, 132M-110-050, 132M-110-060, and 132M-110-080, to more clearly explain procedures for requesting documents under this act and indicate that the new form can be found on Lower Columbia College's web site rather than attached as an appendix to the WAC. Lower Columbia College will provide public notice of this rule making through filings in the *Washington State Register* and through posting information on the school web site at <https://lowercolumbia.edu/>. During a public comment period, the college will also seek comment: (1) As to be described in the anticipated rule-making proposal form (CR-102); (2) from persons who have requested notice of Lower Columbia College rule making; and (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Linda Clark, 1600 Maple Street, P.O. Box 3010, phone 360-442-2100, fax 360-442-2129, TTY 800-833-6388, email [rulemaking@lowercolumbia.edu](mailto:rulemaking@lowercolumbia.edu), web site <https://lowercolumbia.edu/disclosure/rulemaking.php/>; or Kendra Sprague, 1600 Maple Street, P.O. Box 3010, phone 360-442-2121, fax 360-442-2129, TTY 800-833-6388, email [ksprague@lowercolumbia.edu](mailto:ksprague@lowercolumbia.edu), web site <https://lowercolumbia.edu/disclosure/rulemaking.php/>.

January 5, 2018  
Kendra Sprague  
Vice President of Foundation,  
HR and Legal Affairs

**WSR 18-03-036**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**  
[Filed January 9, 2018, 11:53 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database. Specifically, the rules will address the procedures for establishing appropriate fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.070 (1)(f).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 43.371 RCW directs the office of financial management (OFM) to establish a statewide all-payer health care claims database to support transparent public reporting of health care information. To accomplish this requirement, OFM is further directed to select a lead organization to coordinate and manage the database. RCW 43.371.070 (1)(f) provides that the OFM director shall adopt rules necessary to implement this chapter including the procedures for establishing appropriate fees.

Process for Developing New Rule: A collaborative approach will be used. The all-payer claims database (APCD) web site and associated listserv will be used to provide information and seek comments before a draft is filed for hearing, as well as holding stakeholder meetings to review and discuss draft rules as appropriate. In addition, OFM will work with the statutorily required advisory committee as well as the lead organization and the data vendor.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thea Mounts, 106 11th Avenue S.W., P.O. Box 43124, Olympia, WA 98504, phone 360-902-0552, email [apcd@ofm.wa.gov](mailto:apcd@ofm.wa.gov), web site <http://www.ofm.wa.gov/healthcare/pricetransparency/>, sign up on the APCD listserv at [https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV\\_39](https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV_39) and select "All Payer Claims Database (APCD)."

January 9, 2018  
Roselyn Marcus  
Assistant Director  
Legal and Legislative Affairs

**WSR 18-03-037**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**  
[Filed January 9, 2018, 11:53 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database. Specifically, the rules will address penalties for inappropriate disclosure or use of direct patient identifiers, indirect patient identifiers, or proprietary financial information.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.070 (1)(h).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 43.371 RCW directs the office of financial management (OFM) to establish a statewide all-payer health care claims database to support transparent public reporting of health care information. To accomplish this requirement, OFM is further directed to select a lead organization to coordinate and manage the database. RCW 43.371.070 (1)(h) provides that the OFM director shall adopt rules necessary to implement this chapter including penalties associated with the inappropriate disclosure or use of the information referenced above.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Health and Human Services regulates in this area regarding the inappropriate disclosure and/or use of protected health care information through HIPAA.

Process for Developing New Rule: A collaborative approach will be used. The all-payer claims database (APCD) web site and associated listserv will be used to provide information and seek comments before a draft is filed for hearing, as well as holding stakeholder meetings to review and discuss draft rules as appropriate. In addition, OFM will work with the statutorily required advisory committee(s) as well as the lead organization and the data vendor.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thea Mounts, 106 11th Avenue S.W., P.O. Box 43124, Olympia, WA 98504, phone 360-902-0552, email [apcd@ofm.wa.gov](mailto:apcd@ofm.wa.gov), web site <http://www.ofm.wa.gov/healthcare/pricetransparency/>, sign up on the APCD listserv at [https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV\\_39](https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qsp=WAGOV_39) and select "All Payer Claims Database (APCD)."

January 9, 2018  
Roselyn Marcus  
Assistant Director  
Legal and Legislative Affairs

**WSR 18-03-043**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed January 9, 2018, 2:34 p.m.]

Subject of Possible Rule Making: WAC 182-531-1710 Alcohol and substance misuse counseling.

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 updating qualification requirements for providers who deliver screening, brief intervention, and referral to treatment (SBIRT) services and expanding the settings where SBIRT services can be delivered. During the course of this review, the agency may identify additional related 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 Amy Emerson, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1348, fax 360-586-9727, TTY 1-800-848-5429, email amy.emerson@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

January 9, 2018  
 Wendy Barcus  
 Rules Coordinator

**WSR 18-03-055**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed January 10, 2018, 9:06 a.m.]

Subject of Possible Rule Making: The department is planning to amend licensing regulations contained in chapter 388-145 WAC, Licensing requirements for group care facilities and services; chapter 388-147 WAC, Licensing requirements for child placing agency and adoption services; and chapter 388-148 WAC, Licensing requirements for child foster homes, including WAC 388-145-1305, 388-145-1330, 388-145-1335, 388-145-1400, 388-145-1405, 388-145-1430, 388-145-1460, 388-145-1560, 388-145-1565, 388-145-1610, 388-145-1835, 388-145-1855, 388-147-1305, 388-147-1425, 388-147-1450, 388-147-1565, 388-148-1305, 388-148-1365, 388-148-1530, 388-148-1575, 388-148-1645, and other related rules as may be required.

The intent of the planned WAC revision is to provide foster parents, child placing agencies, and group care facilities further instructions and additional clarification regarding minimum licensing requirements. The minimum licensing requirements were overhauled in January 2015, but since that

time the department of social and health services (DSHS), child placing agencies, and group care staff have made additional recommendations to improve the clarity and understandability of the WAC. The regional medical consultants, the Foster Parent 1624 Statewide Consultation Team, assistant attorneys general, and other stakeholders have also provided feedback regarding additional changes to make the WAC clearer and easier to understand.

The division of licensed resources (DLR) is planning to amend several of the licensing WAC as a result of the feedback received from these different internal and external stakeholders.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031, 74.15.010, 74.15.030, 74.15.040, 74.15.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The planned WAC revisions are intended to provide foster parents, child placing agencies, and group care staff additional instructions specific to infant and child safety, as well as the practices and processes related to licensing.

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 Kristina Wright, Program Manager, DLR, 1115 Washington Street S.E., P.O. Box 45710, Olympia, WA 98504-5710, phone 360-902-8349, fax 360-902-7903, email wrighks@dshs.wa.gov.

January 9, 2018  
 Katherine I. Vasquez  
 Rules Coordinator

**WSR 18-03-065**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HORSE RACING COMMISSION**

[Filed January 11, 2018, 12:43 p.m.]

Subject of Possible Rule Making: WAC 260-36-260 Employees and duties.

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 add general maintenance of the care and upkeep of the horse to groom duties.

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, 6326 Martin Way,

Suite 209, Olympia, WA 98516, phone 360-450-6462, fax 360-450-6461, TTY 360-450-6462, email doug.moore@whrc.state.wa.us, web site www.whrc.wa.gov; or Amanda Benton, 6326 Martin Way, Suite 209, Olympia, WA 98516, phone 360-450-6462, fax 360-450-6461, TTY 360-450-6462, email amanda.benton@whrc.state.wa.us, web site www.whrc.wa.gov.

January 11, 2018  
Douglas L. Moore  
Executive Secretary

**WSR 18-03-084**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed January 16, 2018, 9:37 a.m.]

Subject of Possible Rule Making: WAC 308-108-020 Definitions, driver training schools.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.82.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Additional definitions are needed to provide clarity for consistency in application of rule.

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 Casey Schaufler, P.O. Box 9027, Olympia, WA 98507, phone 360-664-6692, fax 360-570-4976, TTY 711, email TSE@DOL.WA.GOV, web site dol.wa.gov; or Sirena Walters, P.O. Box 9027, Olympia, WA 98507, phone 360-664-6692, fax 360-570-4976, TTY 711, email TSE@DOL.WA.GOV, web site dol.wa.gov.

January 16, 2018  
Damon Monroe  
Rules Coordinator

**WSR 18-03-086**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed January 16, 2018, 10:17 a.m.]

Subject of Possible Rule Making: Rules of procedure for driver's license hearings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 34.05.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current procedural rules address the sixty day time frame for holding a hearing which will be reduced to thirty days on January 1, 2019. Per the Administrative Procedure Act, updated rules would meet

department of licensing's (DOL) obligation to codify long-standing informal rules of procedure.

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

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 Stephanie Sams, DOL, P.O. Box 9020, Olympia, WA 98507-9020, phone 360-902-0131, email ssams@dol.wa.gov.

January 16, 2018  
Damon Monroe  
Rules Coordinator

**WSR 18-03-088**

**PREPROPOSAL STATEMENT OF INQUIRY  
PARAEDUCATOR BOARD**

[Filed January 16, 2018, 4:29 p.m.]

Subject of Possible Rule Making: Chapter 179-01 WAC, Authority, introductions to the policy and roles of the paraeducator board as determined in statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Minimum standards for paraeducators to perform in the classroom as support to teachers.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 16, 2018  
David Brenna  
Senior Policy Analyst

**WSR 18-03-089**

**PREPROPOSAL STATEMENT OF INQUIRY  
PARAEDUCATOR BOARD**

[Filed January 16, 2018, 4:29 p.m.]

Subject of Possible Rule Making: Chapter 179-03 WAC, Fundamental course of study, education requirements for paraeducators as required by statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Minimum course work for

paraeducators; and standards for paraeducators to perform in the classroom.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 16, 2018  
David Brenna  
Senior Policy Analyst

### WSR 18-03-090

#### PREPROPOSAL STATEMENT OF INQUIRY PARAEDUCATOR BOARD

[Filed January 16, 2018, 4:30 p.m.]

Subject of Possible Rule Making: Chapter 179-05 WAC, Standards of practice, paraeducators standards of practice as required by statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Minimum standards for paraeducators to perform in the classroom.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 16, 2018  
David Brenna  
Senior Policy Analyst

### WSR 18-03-091

#### PREPROPOSAL STATEMENT OF INQUIRY PARAEDUCATOR BOARD

[Filed January 16, 2018, 4:31 p.m.]

Subject of Possible Rule Making: Chapter 179-05 [179-07] WAC, Paraeducator certification, statutory requirements for certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Requirements to meet certification of paraeducators.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 16, 2018  
David Brenna  
Senior Policy Analyst

### WSR 18-03-092

#### PREPROPOSAL STATEMENT OF INQUIRY PARAEDUCATOR BOARD

[Filed January 16, 2018, 4:32 p.m.]

Subject of Possible Rule Making: Chapter 179-09 WAC, Pilot, rules for a statutorily required pilot of paraeducator certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pilot for the pilot of requirements to meet certification of paraeducators.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 16, 2018  
David Brenna  
Senior Policy Analyst

### WSR 18-03-093

#### PREPROPOSAL STATEMENT OF INQUIRY PARAEDUCATOR BOARD

[Filed January 16, 2018, 4:32 p.m.]

Subject of Possible Rule Making: Chapter 179-11 WAC, Career ladder, rules for regulating a paraeducator career ladder as in statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Concerning a career ladder.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-

4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

January 16, 2018  
David Brenna  
Senior Policy Analyst

**WSR 18-03-096**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Behavioral Health Administration)

[Filed January 17, 2018, 11:57 a.m.]

**Subject of Possible Rule Making:** The department is planning to amend WAC 388-865-0526 Single bed certification. The department may need to amend other related rules as may be required.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 71.05.745, 71.05.560, 71.24.035, 71.34.380, and chapter 71.05 RCW.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The department is planning to amend WAC 388-865-0526 Single bed certification, to clarify that an individual with a less restrictive alternative order or conditional release revocation may be granted an exception to allow timely and appropriate treatment in a facility not certified under WAC 388-865-0500 as an evaluation and treatment facility. The department may need to amend other related rules to improve clarity or update policy.

**Process for Developing New Rule:** The department of social and health services (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 Stephanie Vaughn, P.O. Box 45330, Olympia, WA 98504-5330, phone 360-725-1342, TTY 800-833-6384, email stephanie.vaughn@dshs.wa.gov.

January 17, 2018  
Katherine I. Vasquez  
Rules Coordinator

**WSR 18-03-109**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed January 18, 2018, 3:46 p.m.]

**Subject of Possible Rule Making:** The department is considering amending current recreational fishing rules resulting from stakeholder recommendations made during North of Falcon meetings and to incorporate changes in the rules

brought about from the department's freshwater recreational rule simplification project.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The recreational fishing rules based on North of Falcon recommendations change from year to year to reflect resource availability and to achieve conservation goals. Amendments to recreational fishing rules are needed to implement the agreed upon changes. In addition, the rules need to be amended to incorporate recent rule changes brought about from the freshwater recreational rule simplification project.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** There are several other agencies involved in this rule making in association with the Pacific Fisheries Management Council (PFMC) season setting process including the National Oceanic and Atmospheric Agency (NOAA) Fisheries Division (National Marine Fisheries Service). These agencies, as well as the Washington department of fish and wildlife, all provide input and/or take part in the PFMC/North of Falcon season setting meeting.

**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 Scott Bird, 600 Capitol Way North, Olympia, WA 98501, phone 360-902-2403, fax 360-902-2466, email Rules.Coordinator@dfw.wa.gov.

January 18, 2018  
Scott Bird  
Rules Coordinator

**WSR 18-03-112**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed January 19, 2018, 9:11 a.m.]

**Subject of Possible Rule Making:** Substantive and procedural obligations of school districts to implement RCW 28A.320.192 On-time grade level progression and graduation of students who are homeless, dependent, or at-risk youth or children—Rules.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 28A.320.192(6).

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The legislature mandated in chapter 40, Laws of 2017, that the office of superintendent of public instruction adopt and distribute to all school districts lawful and reasonable rules prescribing the substantive and procedural obligations of school districts to implement the provisions in RCW 28A.320.192. This rule making would enable Washington to meet its obligations for establishing procedures to ensure homeless children and youth receive full and partial credit for work completed as required in Section 722 (g)(1)(F)(ii) of the McKinney-Vento Homeless

Assistance Act (42 U.S.C. 11432), as reauthorized by the Every Student Succeeds Act (2015).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Education (USDE) requires procedures to ensure homeless children and youth receive full and partial credit for work completed as required in Section 722 (g)(1)(F)(ii) of the McKinney-Vento Homeless Assistance Act, as reauthorized by the Every Student Succeeds Act (2015). USDE is responsible for monitoring each state to ensure we have met this obligation.

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 Jess Lewis, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6505, TTY 360-664-3631, email jess.lewis@k12.wa.us.

January 19, 2018  
Chris P. S. Reykdal  
State Superintendent  
of Public Instruction

### WSR 18-03-118

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed January 19, 2018, 11:11 a.m.]

Subject of Possible Rule Making: WAC 308-104-014 Application for driver's license or identicaid.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 46.20.119.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Without immediate adoption of a rule ending the department's collection of an applicant's place of birth, there is a risk that collection of information that does not prove identity and establishes a Washington resident's national origin could be lawfully obtained by federal law enforcement agencies for federal immigration enforcement purposes, or otherwise could be used to discriminate against a person based on national origin. *See* Governor's Executive Order 17-01.

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

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

January 19, 2018  
Damon Monroe  
Rules Coordinator

### WSR 18-03-123

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed January 19, 2018, 12:42 p.m.]

Subject of Possible Rule Making: WAC 458-65A-10001, brief adjudicative proceedings for matters related to penalties and interest imposed under the Uniform Unclaimed Property Act, chapter 63.29 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 63.29.370.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This section will provide the option of a brief adjudicative proceeding to those impacted by specific agency actions of the department of revenue in the administration of unclaimed property, RCW 63.29.340 Interest and penalties.

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 this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or by giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joseph Vidal, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1576, fax 360-534-1606, TTY 800-833-6384, email josephv@dor.wa.gov.

Additional comments: Written comments may be submitted by mail or email and should be directed to Joseph Vidal using one of the contact methods above. Written and oral comments will be accepted at the public meeting, on March 1, 2018, at 1:00 p.m., at Conference Room 114A, 6400 Linderson Way S.W., Tumwater, WA 98501.

January 19, 2018  
Erin T. Lopez  
Rules Coordinator

### WSR 18-03-126

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed January 19, 2018, 2:48 p.m.]

Subject of Possible Rule Making: Part II of EHB 2163 - Remote Sellers, Referrers, and Marketplace Facilitators.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060(2), and 82.08.0531.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of revenue intends to provide guidance to taxpayers regarding Part II of EHB 2163, which was enacted by the legislature during the 3rd sp. sess. of 2017.

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 this rule making may contact the individual listed below. The



public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting and/or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Adam Wolfson, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1588, fax 360-534-1606, TTY 800-833-6384, email adamw@dor.wa.gov, web site dor.wa.gov.

Additional comments: Written comments may be submitted by mail or email and should be directed to Adam Wolfson using one of the contact methods above. Written and oral comments will be accepted at the public meeting and/or public hearing, on March 29, 2018, at 10:00 a.m., at Conference Room 114A, 6400 Linderson Way S.W., Tumwater, WA 98501.

January 19, 2018  
Erin T. Lopez  
Rules Coordinator

### WSR 18-03-129

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed January 19, 2018, 4:01 p.m.]

Subject of Possible Rule Making: Changes to Washington department of fish and wildlife's (WDFW) coastal commercial salmon fishing rules, resulting from North of Falcon recommendations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Coastal commercial salmon fishing rules are based on North of Falcon recommendations that change from year to year to reflect resource availability and to achieve conservation goals. Amendments to coastal commercial salmon fishing rules are needed to implement the agreed-upon changes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: National Oceanic and Atmospheric Administration (NOAA) Fisheries and the National Marine Fisheries Service. These agencies, as well as WDFW, the Pacific Fisheries Management Council, and the Pacific Salmon Commission, all provide input and/or take part in the North of Falcon meetings and recommendations.

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, 48 Devonshire Road, Montesano, WA 98563, phone 360-249-1213, fax 360-249-1229, email Barbara.McClellan@dfw.wa.gov.

Additional comments: Contact by April 13, 2018. Expected proposal filing on or after April 16, 2018.

January 19, 2018  
Scott Bird  
Rules Coordinator

### WSR 18-03-132

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed January 22, 2018, 9:36 a.m.]

Subject of Possible Rule Making: New section in chapter 182-535 WAC, Dental-related services; and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, SSB 5883 (section 213 (1)(nn), chapter 1, Laws of 2017, 65th legislature, 2017 3rd sp. sess.).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is necessary to implement SSB 5883 which directs the agency to develop and implement a three-year pilot program to test the effect that enhanced dental benefits for adult medicaid clients with diabetes and pregnant medicaid clients have on access to dental care, health outcomes, and medical care costs. The pilot program must include enhanced reimbursement rates for specific current dental terminology codes for participating providers and an increase in the allowable number of periodontal treatments to up to four per calendar year. During the course of this review, the agency may identify additional related 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: None.

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 Amy Emerson, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1348, fax 360-586-9727, TTY 1-800-848-5429, email amy.emerson@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

January 22, 2018  
Wendy Barcus  
Rules Coordinator

**WSR 18-03-144****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed January 22, 2018, 12:12 p.m.]

Subject of Possible Rule Making: Amend regulations to allow for fish catch record card reporting to be available online and through mobile communication devices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.090, 77.04.130, 77.32.430.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amend regulations to allow for fish catch record card reporting to be available online and through mobile communication devices.

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 by contacting Scott Bird, 600 Capitol Way North, phone 360-902-2403, fax 360-902-2155, email Rules.Coordinator@dfw.wa.gov.

January 22, 2018  
Scott Bird  
Rules Coordinator

**WSR 18-03-152****WITHDRAWL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

(Board of Naturopathy)

[Filed January 23, 2018, 7:16 a.m.]

The department of health, board of naturopathy (board) is requesting to withdraw the CR-101 for WAC 246-836-XXX, the board of naturopathy's consideration of creating rules establishing professional practice standards when authorizing medical marijuana, which was filed June 28, 2017, and published in WSR 17-14-056.

The board was part of a workgroup that developed uniform guidelines to address some of the developing concepts in medical marijuana industry regulation. The board then opened rule making to adopt into rule by reference these shared professional practice standard guidelines.

After discussing possible rule language, the board determined enforceable rule making was not the best approach for this topic. Consequently the board would like to withdraw this CR-101.

Individuals requiring information on this rule should contact Susan Gragg, board of naturopathy program manager, at 360-236-4941.

Tami Thompson  
Regulatory Affairs Manager

**WSR 18-03-160****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed January 23, 2018, 10:28 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance; and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 296-17A WAC establishes and maintains the classifications employers are required to report in and pay for industrial insurance premiums.

The department intends to review these chapters and make revisions to:

- Correct typographical and other errors (such as invalid telephone numbers and out-of-date references),
- Revise wording and formatting to make the rules easier to understand and apply, and
- Incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the department currently includes by interpretation or analogy).

The purpose of this rule making is not to make substantive changes to how the department classifies employment, but to review and revise the classification plan to ensure it is clear and understandable. These changes will not change the way we calculate employer rates, our reporting requirements, or how we classify businesses.

As part of this rule making, the department also intends to review these chapters as required by SSB 5679 (chapter 30, Laws of 2013 2nd sp. sess.) to make changes where possible to reduce the regulatory burden on employers insured with the state fund.

Process for Developing New Rule: Labor and industries will solicit input from the business community by way of the internet. Labor and industries will use input to formulate proposed changes to the existing rules and advise customers of future rule making by the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jo Anne Attwood, P.O. Box 44148, Olympia, WA 98504-4148, phone 360-902-4777, fax 360-902-4180, email JoAnne.Attwood@Lni.wa.gov, web site www.wa.gov/LawRule/WhatsNew/Proposed.

January 23, 2018  
Joel Sacks  
Director

**WSR 18-03-162****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed January 23, 2018, 10:40 a.m.]

Subject of Possible Rule Making: Chapter 296-52 WAC, Safety standards for possession, handling, and use of explosives.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, chapter 70.74 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Many sections within chapter 296-52 WAC, Safety standards for possession, handling, and use of explosives, have not been updated in ten to thirty years and there is widespread agreement among stakeholders and agency staff that some changes are necessary in order to reflect technological advancements and to better complement related federal regulations in the interest of both worker and public safety. Additionally, updating requirements for storage of smokeless powder to reflect current industry best practices and align with federal regulations is expected to significantly reduce the number of variances requested, which place an administrative burden on both businesses and division of occupational safety and health (DOSH). Accordingly, DOSH has formed an explosives safety stakeholder group comprised of representatives of law enforcement, other governmental agencies, industry, and private/recreational users who plan to meet regularly beginning in January 2018 to discuss potential rule changes in advance of drafting a revised rule proposal. While the scope of the rule making will include the entire WAC chapter and updating other references to chapter 296-52 WAC as needed, likely focus areas will include changes to definitions, licensing, storage, background check requirements, public disclosure, transportation, and restructuring of the rule in order to create separate sections for law enforcement and avalanche control work.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Bureau of Alcohol, Tobacco, and Firearms.

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 Kevin Walder, Administrative Regulations Analyst, Department of Labor and Industries, DOSH, P.O. Box 44620, Olympia, WA 98504-4620, phone 360-902-6681, fax 360-902-5619, email kevin.walder@lni.wa.gov, web site www.lni.wa.gov.

January 23, 2018  
Joel Sacks  
Director

**WSR 18-03-164****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

[Filed January 23, 2018, 10:59 a.m.]

Subject of Possible Rule Making: Chapter 246-339 WAC, Blood establishments, the department of health (department) is considering amendments to certain provisions of the chapter regarding the department's registration requirements for blood establishments that except hospitals from providing proof of a Federal Drug Administration license. The department may amend other rules in the chapter or make grammatical corrections as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.040 and chapter 70.335 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amending the chapter in response to a petition received in August 2017. The petition was received following the final adoption of new chapter 246-339 WAC, Blood establishments, filed on June 23, 2017, under WSR 17-14-026. The rules were adopted pursuant to SHB 2580 (chapter 47, Laws of 2016), which was later codified into chapter 70.335 RCW.

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 Susan Walker, Manager, 20425 72nd Avenue South, Suite 310, Kent, WA 98032, phone 253-395-6745, fax 253-872-6803, TTY 360-833-6388 or 711, email susan.walker@doh.wa.gov.

Additional comments: Interested persons may sign up for the blood establishments' interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. All rule-making notices will be emailed via GovDelivery and program email lists, and interested parties will be invited to participate in public rules meetings and submit written comments for consideration.

January 23, 2018  
John Wiesman, DrPH, MPH  
Secretary

**WSR 18-03-172****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Developmental Disabilities Administration)**

[Filed January 23, 2018, 3:03 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-833-0015 Who is eligible for the community crisis stabilization service (CCSS) program?; 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, 71A.20.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is planning to amend this rule in order to correct the age limit for CCSS program eligibility.

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

Process for Developing New Rule: The department of social and health services (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 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

January 23, 2018  
Katherine I. Vasquez  
Rules Coordinator

**WSR 18-03-173**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Children's Administration)  
[Filed January 23, 2018, 3:08 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-27-0090 What information must the department or child placing agency provide to prospective adoptive parents about the child that is being considered for adoption?; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules on this subject are needed for compliance with RCW 26.33.350 and 26.33.380. Rules identify the documents necessary to meet the RCW requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The children's administration will continue working with the office of attorney general.

Process for Developing New Rule: The department of social and health services (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 Debbie Marker, P.O. Box 45710, Olympia, WA 98504, phone 360-902-7968, email Debbie.marker@dshs.wa.gov.

January 23, 2018  
Katherine I. Vasquez  
Rules Coordinator

**WSR 18-03-176**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF THE**  
**STATE TREASURER**

[Filed January 24, 2018, 8:20 a.m.]

Subject of Possible Rule Making: The purpose of the rule is to implement the state legislature's new Public Records Act requirement and provide the necessary findings so that the office of the state treasurer may use the amended statutory default fee and waive copy fees. The additional purpose of the rule is to explain procedures for payment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.100, 42.56.040 (1)(d), 42.56.120 (as amended by chapter 304, Laws of 2017), 43.08.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Public Records Act is chapter 42.56 RCW. The 2017 legislature amended RCW 42.56.120, section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The office believes that calculating actual costs for copying records would be unduly burdensome. In addition, RCW 42.56.120 as amended by section 3, chapter 304, Laws of 2017, allows an agency to waive any charge assessed for a public record pursuant to agency rule. The agency is considering adopting a rule that would allow the agency to waive copy fees for records responsive to a request.

Process for Developing New Rule: The office will be proposing a permanent rule and repealing a current rule in response to the copying fee amendments to RCW 42.56.120. The office will provide public notice of this rule making through filings in the Washington State Register and through posting information on the office web site at [www.tre.wa.gov](http://www.tre.wa.gov). During a public comment period, the office will also seek comment (1) as to be described in the anticipated Rule Making Proposal form (CR-102); (2) from persons who have requested notice of office rule making; and (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Shawn Myers, Legislative Building, 416 Sid Snyder Avenue S.W., Room 230, Olympia, WA

98504, phone 360-902-9002, fax 360-902-9037, email Shawn.Myers@tre.wa.gov, web site www.tre.wa.gov.

January 24, 2018  
Shawn D. Myers  
Assistant State Treasurer

**WSR 18-03-181**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**WASHINGTON STATE UNIVERSITY**

[Filed January 24, 2018, 9:18 a.m.]

Subject of Possible Rule Making: The university is updating the rules regarding standards of conduct for students, chapter 504-26 WAC; and the rules regarding practice and procedure, chapter 504-04 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments modify, clarify, and update the student conduct procedures in the university's standards of conduct for students and rules regarding practice and procedure, including, but not limited to, student conduct hearings and appeals. The proposed amendments include, but are not limited to, changes to incorporate legal requirements and help ensure that students' rights are well protected throughout the process, while also protecting the university community and holding individuals accountable for violations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The proposed amendments are consistent with guidance from the federal Department of Education regarding the application of Title IX to student conduct proceedings.

Process for Developing New Rule: Proposed amendments are the result of an extensive process involving task force recommendations in addition to standard, multilevel internal review and approval prior to proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, fax 509-335-3969, email prf.forms@wsu.edu, web site <http://public.wsu.edu/~forms/ProposedWAC.html>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

January 24, 2018  
Deborah L. Bartlett, Director  
Procedures, Records, and Forms  
and University Rules Coordinator

**WSR 18-03-184**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**LIQUOR AND CANNABIS**  
**BOARD**

[Filed January 24, 2018, 10:31 a.m.]

Subject of Possible Rule Making: WAC 314-11-015 What are my responsibilities as a liquor licensee?; and chapter 314-03 WAC, Allowed activities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Licensees that offer online ordering and pickup by consumers need to know the requirements for the activity.

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

Process for Developing New Rule: Pilot rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, P.O. Box 43098, Olympia, WA 98504, phone 360-664-1631, fax 360-664-9689, email [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov), web site [lcb.wa.gov](http://lcb.wa.gov)

January 24, 2016  
Jane Rushford  
Chair