

WSR 18-21-003
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed October 3, 2018, 4:09 p.m.]

Subject of Possible Rule Making: Implementing the paid family and medical leave (PFML) program (Title 50A RCW) requires substantial rule making. Consistent with agile methodology, rule making is being done in several distinct phases. This preproposal statement of inquiry begins phase 4 of the program's rule making. This phase includes, but is not limited to, continuation of benefits, fraud, and possible changes to PFML rules already promulgated.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.04.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Being a new state entitlement, the PFML program needs clear and usable guidance for the public regarding program operations. These rules will contribute to that guidance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal agencies and no other state agencies regulate this program as it is a new state entitlement with authority granted solely to the employment security department.

Process for Developing New Rule: The draft rules will be shared with the public, stakeholders, and the program's advisory committee. The department will solicit input from all involved parties and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Christina Streuli, 640 Woodland Square Loop S.E., Lacey, WA 98503, phone 360-791-6710, TTY Teresa Eckstein, State EO Officer, 771 or 360-902-9354, email Rules@esd.wa.gov.

October 3, 2018
 Matthew J. Buelow
 Policy and Rules Manager for
 Paid Family and Medical Leave

WSR 18-21-010
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 4, 2018, 8:27 a.m.]

Subject of Possible Rule Making: WAC 182-545-400 Habilitative services and other related rules as appropriate.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is striking the outdated requirement in this section for a diagnosis of one of the qualifying conditions listed in the agency's provider guide for habilitative services. The agency does not require the diagnosis of a specific condition for an eligible client to receive habilitative services and has removed the list from the billing guide. 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 Michael Williams, 626 8th Avenue S.E., Olympia, WA 98504-2716, phone 360-586-9727 [360-725-1346], fax 360-586-9727, telecommunication relay services 711, email michael.williams@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

October 4, 2018
 Wendy Barcus
 Rules Coordinator

WSR 18-21-017
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed October 4, 2018, 2:44 p.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.

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

October 4, 2018
 David Brenna
 Senior Policy Analyst

WSR 18-21-018
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed October 4, 2018, 2:47 p.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs, higher education programs standards, criteria, infrastructure and timelines for approval.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to PESB for Title 181 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: 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, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

October 4, 2018
 David Brenna
 Senior Policy Analyst

WSR 18-21-023
PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY

[Filed October 5, 2018, 10:24 a.m.]

Subject of Possible Rule Making: Revising chapter 172-90 WAC, Student academic integrity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions may be needed to update titles of personnel involved, and to update hearing procedures to reflect changes to the student conduct code, chapter 172-121 WAC.

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 Joseph Fuxa, 314 Showalter Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-7496, fax 509-359-2874, email jfuxa@email.edu, web site <https://sites.ewu.edu/policies/>.

October 5, 2018
 Joseph Fuxa
 Labor Relations Manager

WSR 18-21-046
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 8, 2018, 11:00 a.m.]

Subject of Possible Rule Making: WAC 246-810-024 Counseling-related degrees that meet the requirements for certified counselor and certified adviser.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.19.090 and 18.19.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of health (department) received a rule petition asking the department to consider accepting education that may have been received outside of the bachelor's degree program as also meeting minimum education requirements for initial licensure as a certified counselor or adviser. The department has agreed to open a public discussion of this topic by filing this notice.

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 Brett Lorentson, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4611, TTY 360-833-6388 or 711, email Brett.Lorentson@doh.wa.gov.

Additional comments: The department, in coordination with certified counselors and hypnotherapist advisory committee, invites the public to take part in workshops about this rule. Additionally, interested parties may subscribe to receive rule and program notifications through GovDelivery by visiting <https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/CertifiedCounselor>.

October 5, 2018
 John Wiesman, DrPH, MPH
 Secretary

WSR 18-21-050
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed October 8, 2018, 1:50 p.m.]

Subject of Possible Rule Making: Extended foster care program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 13.34.267, 13.34.268, 74.13.020, 74.13.031, 74.13.336.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The extended foster care program provides an opportunity for eligible young adults to receive support and services from the department of children, youth, and families (DCYF) after age eighteen as they transition into adulthood.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sherrie Flores, P.O. Box 40983, Olympia, WA 98504-0983, phone 360-902-8332, fax 360-902-7903, email sherrie.flores@dcyf.wa.gov, web site DCYF.wa.gov.

October 11, 2018
Wendy Barcus
Rules Coordinator

October 8, 2018
Brenda Villarreal
Rules Coordinator

WSR 18-21-071
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 11, 2018, 10:47 a.m.]

The health care authority (HCA) requests withdrawal of the preproposal statement of inquiry filed as WSR 18-09-073 on April 17, 2018, and distributed in the 18-09 State Register. HCA will refile a new preproposal statement of inquiry to amend these rules under chapter 182-531 WAC, Physician-related services.

Wendy L. Barcus
Rules Coordinator

WSR 18-21-073
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 11, 2018, 12:24 p.m.]

Subject of Possible Rule Making: New sections within chapter 182-531 WAC, Physician-related services, and other related rules as appropriate.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending this chapter to add rules regarding palliative care for adults. 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 Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication relay services 711, email melinda.froud@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

WSR 18-21-074
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed October 11, 2018, 2:31 p.m.]

Subject of Possible Rule Making: Chapter 468-38 WAC, Vehicle size and weight—Highway restrictions—Equipment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.44.098, 46.44.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: States are directed by the federal provision in the Fixing America's Surface Transportation Act (FAST Act) to increase weights for emergency vehicles and to allow additional weight for natural gas powered vehicles.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state patrol, Federal Highway Administration.

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 Anne Ford, P.O. Box 47367, Olympia, WA 98504-7367, phone 360-705-7341, fax 360-704-6391, email FordA@wsdot.wa.gov, web site www.wsdot.wa.gov/commercialvehicle; or Justin Heryford, P.O. Box 47367, Olympia, WA 98504-7367, phone 360-705-7987, fax 360-704-6391, email HeryfoJ@wsdot.wa.gov, web site www.wsdot.wa.gov/commercialvehicle.

October 10, 2018
Kara Larsen
Director of Risk Management
and Legal Services

WSR 18-21-096
PREPROPOSAL STATEMENT OF INQUIRY
WALLA WALLA
COMMUNITY COLLEGE

[Filed October 16, 2018, 9:26 a.m.]

Subject of Possible Rule Making: The college is proposing the adoption of new chapter 132T-20 WAC, Nondiscrimination and harassment policy and grievance procedure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed WAC will meet compliance requirements of all applicable federal and state discrimination laws. The college is updating its internal

procedures consistent with legislative changes and routine updates.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state human rights commission; equal employment opportunity commission; United States Department of Education Office for Civil Rights.

Process for Developing New Rule: Normal rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sherry Hartford, Vice President of Human Resources, 500 Tausick Way, Walla Walla, WA 99362, phone 509-527-4300, fax 509-527-4313, TDD 509-527-4412, email Sherry.Hartford@wwcc.edu.

Additional comments: Interested parties will have an opportunity to comment on the proposed rules during a public comment period and to give oral testimony at a public hearing.

October 15, 2018
 Jerri Ramsey
 Rules Coordinator
 Executive Assistant
 to the President

WSR 18-21-110

PREPROPOSAL STATEMENT OF INQUIRY HORSE RACING COMMISSION

[Filed October 17, 2018, 7:31 a.m.]

Subject of Possible Rule Making: WAC 260-36-100 Fingerprints.

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 consider an age limit where fingerprints are required if certain conditions are met.

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.

October 17, 2018
 Douglas L. Moore
 Executive Secretary

WSR 18-21-113

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed October 17, 2018, 10:05 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-79A-005 Maximum amount of guardianship fees and related costs for a long-term care medicaid eligible client, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20B.460, 11.92.180, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department intended to create two classes of clients with guardians: Class (1) - those who had the most recent guardianship-related court order signed before June 1, 2018; and class (2) - those with the order signed on or after June 1, 2018. Language in WAC 388-79A-005 could be read to create a third class of clients with guardians, along with the intended two: Those who had their guardianship established prior to June 1, 2018, but had the most recent guardianship-related order signed on or after June 1, 2018. Under this reading, inconsistent with the rest of chapters 388-79A and 182-513 WAC, this third class of clients would have no enumerated limits on fees or costs under chapter 388-79A WAC, and therefore no deductions would be allowed under WAC 388-79A-015, RCW 11.92.180, and 43.20B.460.

The department intends to clarify that there is no third class, and that these clients fall under class (2), and therefore fee and costs deductions would be allowed under WAC 182-513-1530.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health care authority.

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 Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2495, fax 360-438-8633, TTY 360-493-8633, email angel.sullivan@dshs.wa.gov.

October 16, 2018
 Katherine I. Vasquez
 Rules Coordinator

WSR 18-21-114
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
FINANCIAL MANAGEMENT

[Filed October 17, 2018, 10:44 a.m.]

Subject of Possible Rule Making: The subject of this rule making relates to the statewide all-payer health care claims database (WA-APCD). WAC 82-75-030 provides additional definitions for terms used in the chapter that establishes and regulates WA-APCD. This rule making is to revise the definition of "Washington covered person" to correct an error that was made when amending the definition in spring 2018.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.371.010(3) and 43.371.070.

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 WA-APCD to support transparent public reporting of health care information. To accomplish this requirement, OFM is directed to establish rules necessary to implement this chapter, and to establish rules that specifically define claim and data files that suppliers must submit. OFM enacted additional definitions in WAC 82-75-030 and has added definitions as needed. Based on stakeholder feedback and experience since WA-APCD has been implemented, the definition of "Washington covered persons" was amended in spring 2018. An error was made in the drafting of that amendment. This rule making is to correct that error.

Process for Developing New Rule: A collaborative approach will be used. The WA-APCD web site and associated listserv will be used to provide information and seek comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thea Mounts, P.O. Box 43124, Olympia, WA 98504, email apcd@ofm.wa.gov, web site <https://www.ofm.wa.gov/washington-data-research/health-care/all-payer-health-care-claims>. Sign up on the WA-APCD listserv at https://public.govdelivery.com/accounts/WAGOV/subscriber/new?qs=WAGOV_39.

Additional comments: Those who sign up will receive information on the rules, hearing dates and the latest drafts of the rules for your comments.

October 17, 2018
 Roselyn Marcus
 Assistant Director
 Legal and Legislative Affairs

WSR 18-21-125
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed October 18, 2018, 1:52 p.m.]

Subject of Possible Rule Making: One hundred twenty day provisional hires.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.216 RCW, RCW 74.15.030, P.L. 115-123.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This chapter is being established to include the requirements for one hundred twenty day provisional hires which allows an employee in a group care facility to have unsupervised access to children in the care and custody of the department of children, youth, and families (DCYF) on a provisional basis pending the results of their Federal Bureau of Investigation [background check].

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: To the extent practicable, DCYF intends to seek stakeholder and public input during the rule development and drafting process. At a later date, DCYF will file proposed rules, hold a public hearing, and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chris Parvin, 1310 Jefferson Street, Olympia, WA 98504, phone 360-407-5501, email chris.parvin@dcyf.wa.gov.

October 18, 2018
 Brenda Villarreal
 Rules Coordinator

WSR 18-21-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed October 18, 2018, 1:56 p.m.]

Subject of Possible Rule Making: Background checks and group care facility licensing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.43.832, 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, and 43.43.832, chapter 43.216 RCW, and P.L. 115-123.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To comply with the Family First Prevention Services Act and preserve continued Title IV-E funding, rules must be adopted that will subject each individual working in a department of children, youth, and families (DCYF) licensed group care facility to a fingerprint based background check and out-of-state child abuse and neglect history check of every state in which the individual lived in the five years preceding submission of the background check application. Rules are also necessary to establish conditions under which the department will allow an individual to have unsupervised access to children on a provisional basis pending the results of a Federal Bureau of Investigation background check. Other housekeeping edits are being made.

Process for Developing New Rule: To the extent practicable, DCYF intends to seek stakeholder and public input

during the rule development and drafting process. At a later date, DCYF will file proposed rules, hold a public hearing, and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting DCYF Rules Coordinator, P.O. Box 40975, Olympia, WA 98504-0975, phone 360-902-7956, fax 360-902-7903, email dcyf.rulescoordinator@dcyf.wa.gov, web site www.dcyf.wa.gov, <https://del.wa.gov/PolicyProposalComment/Detail.aspx>.

October 18, 2018
Brenda Villarreal
Rules Coordinator

WSR 18-21-127
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed October 18, 2018, 2:12 p.m.]

Subject of Possible Rule Making: Administrative hearings (adjudicative proceedings).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of children, youth, and families (DCYF) must adopt rules that explain its informal dispute resolution and administrative hearing procedures. The rules are expected to encourage informal dispute resolution where appropriate and promote fair, consistent, and timely administrative hearings.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office of administrative hearings' model rules of procedure will be considered in the development of these rules.

Process for Developing New Rule: To the extent practicable, DCYF intends to seek stakeholder and public input during the rule development and drafting process. At a later date, DCYF will file proposed rules, hold a public hearing, and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting DCYF Rules Coordinator, P.O. Box 40975, Olympia, WA 98504-0975, phone 360-902-7956, fax 360-902-7903, email dcyf.rulescoordinator@dcyf.wa.gov, web site www.dcyf.wa.gov, <https://del.wa.gov/PolicyProposalComment/Detail.aspx>.

October 18, 2018
Brenda Villarreal
Rules Coordinator

WSR 18-21-145
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 19, 2018, 2:58 p.m.]

The pharmacy quality assurance commission (commission) is requesting to withdraw the CR-101 for chapter 246-865 WAC and WAC 246-869-130, filed September 20, 2016, and published in WSR 16-19-077.

The commission filed a CR-101 to update the rules related to long-term care pharmacies in order to conform with ESSB 6203 (chapter 148, Laws of 2016) and ESHB 2458 which amended chapter 69.70 RCW. The commission decided to include the subject of the CR-101 in its evaluation for a comprehensive rule rewrite for pharmacy practice.

Individuals needing information on this rule should contact Doreen Beebe, pharmacy commission program manager, at 360-236-4834.

Tami M. Thompson
Regulatory Affairs Manager

WSR 18-21-146
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 19, 2018, 2:59 p.m.]

The pharmacy quality assurance commission (commission) is requesting to withdraw the CR-101 proposing creating a new chapter 246-XXX WAC, filed October 12, 2016, and published in WSR 16-21-041.

The commission filed a CR-101 to create a new chapter to set standards for pharmacies that volunteer to participate in the donation of prescription drugs and supply program as allowed under chapter 69.70 RCW. The commission decided to include the subject of the CR-101 in its evaluation of a comprehensive rule rewrite for pharmacy practice.

Individuals needing information on this rule should contact Doreen Beebe, pharmacy commission program manager, at 360-236-4834.

Tami M. Thompson
Regulatory Affairs Manager

WSR 18-21-147
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 19, 2018, 2:59 p.m.]

The pharmacy quality assurance commission (commission) is requesting to withdraw the CR-101 for chapters 246-878, 246-903, and 246-873 WAC, filed May 20, 2013, and published in WSR 13-11-096.

The commission filed a CR-101 to update and set enforceable practice and quality standards for the sterile and nonsterile compounding in order to conform with HB 1800

(chapter 146, Laws of 2013). The commission decided to include the subject of the CR-101 in its evaluation for a comprehensive rule rewrite for pharmacy practice.

Individuals needing information on this rule should contact Doreen Beebe, pharmacy commission program manager, at 360-236-4834.

Tami M. Thompson
Regulatory Affairs Manager

WSR 18-21-148
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 19, 2018, 3:00 p.m.]

The pharmacy quality assurance commission (commission) is requesting to withdraw the CR-101 for chapter 246-870 WAC, filed May 19, 2016, and published in WSR 16-12-016.

The commission filed a CR-101 to update the rules related to electronic prescription information in order to conform with SSB 5416 (chapter 276, Laws of 2013). The commission decided to include the subject of the CR-101 in its evaluation for a comprehensive rule rewrite for pharmacy practice.

Individuals needing information on this rule should contact Doreen Beebe, pharmacy commission program manager, at 360-236-4834.

Tami M. Thompson
Regulatory Affairs Manager

WSR 18-21-158
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket UT-180831—Filed October 22, 2018, 1:08 p.m.]

Subject of Possible Rule Making: Local exchange telecommunications carriers' obligation to construct facilities and provide service on request pursuant to RCW 80.36.090.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040 and 80.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules governing telecommunication companies, chapter 480-120 WAC, in particular WAC 480-120-071, need to be clarified regarding obligations of local exchange companies to construct facilities and otherwise provide basic local telecommunications service on consumer request.

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 pub-

lication by contacting Mark L. Johnson, 1300 South Evergreen Park Drive S.W., Olympia, WA 98503, phone 360-664-1160, email records@utc.wa.gov, web site www.utc.wa.gov.

Additional comments: **WRITTEN COMMENTS:** The commission invites comments on the subject of the proposed rule making. Written comments must be submitted to the commission for filing no later than **5 p.m., Friday, December 7, 2018**. Pursuant to WAC 480-07-250(3), written comments must be submitted in electronic form, specifically in searchable .pdf format (Adobe Acrobat or comparable software). As provided in WAC 480-07-140(5), those comments must be submitted via the commission's web portal at www.utc.wa.gov/e-filing. If you are unable to submit documents via the portal, you may submit your comments by email to the commission's records center at records@utc.wa.gov or by mailing or delivering an electronic copy to the commission's records center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket number of this proceeding (UT-180831).
- The commenting party's name.
- The title and date of the comment or comments.

The commission will post all written comments on its web site at the following URL address: www.utc.wa.gov/180831. If you have questions regarding this rule making, you may contact staff lead, Gregory J. Kopta, at 360-664-1355 or email gregory.kopta@utc.wa.gov.

STAKEHOLDER WORKSHOP: Interested persons are invited to attend a stakeholder workshop on **January 7, 2019, beginning at 9:30 a.m., in Room 206, Richard Hemstad Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.**

Stakeholders will have further opportunity for comment. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may:

- Call the commission's records center at 360-664-1234.
- Email the commission at records@utc.wa.gov.
- Mail written comments to the address below.

When contacting the commission, please refer to Docket UT-180831 to ensure that you are placed on the appropriate service list. The commission's mailing address is Executive Director and Secretary, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., P.O. Box 47250, Olympia, WA 98504-7250.

NOTICE: If you do not want to comment now, but do want to receive future information about this rule making, please notify the executive director and secretary in one of the ways described above and ask to be included on the mailing list for Docket UT-180831. If you do not do this, you might not receive further information about this rule making.

October 22, 2018
Mark L. Johnson
Executive Director and Secretary

WSR 18-21-163
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 22, 2018, 2:35 p.m.]

Subject of Possible Rule Making: Closure of the white sturgeon sport retention fishery in the Columbia River from McNary Dam upstream to Priest Rapids Dam and the lower Snake River from the mouth to Ice Harbor Dam.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The natural production of white sturgeon in McNary Reservoir is intermittent and minimal. Population assessments conducted in 1995 and 2011 indicated a population capable of supporting only a limited harvest fishery. Funding, staff, and equipment necessary to implement semi-annual stock assessment and in-season harvest management programs is not available now or in the near future. Therefore, this modification will make the regulations in this area consistent with the regulations in other areas with limited natural production.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The rules concerning this are coordinated with Oregon department of fish and wildlife.

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 Scott Bird, P.O. Box 43153, Olympia, WA 98501, phone 360-902-2403, fax 360-902-2155, email Rules.Coordinator@dfw.wa.gov.

October 22, 2018
 Scott Bird
 Rules Coordinator

WSR 18-21-178
PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE

[Filed October 23, 2018, 1:13 p.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: It is necessary to update the WAC to reflect recent legislative changes and to update and clarify procedures.

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 Sheryl Moss, P.O. Box 40229, Olympia, WA 98504, phone 360-902-4146, fax 360-664-4619, email sheryl.moss@sos.wa.gov, web site vote.wa.gov; or Miriam Campbell, P.O. Box 40229, Olympia, WA 98504,

phone 360-902-4165, fax 360-664-4619, email miriam.campbell@sos.wa.gov, web site vote.wa.gov.

October 23, 2018
 Mark Neary
 Assistant Secretary of State

WSR 18-21-192
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed October 24, 2018, 9:31 a.m.]

Subject of Possible Rule Making: Chapter 16-752 WAC, Noxious weed seed and plant quarantine, in response to petitions received from the Washington state noxious weed control board and the department of ecology, the agency is considering adding additional species to the noxious weed seed and plant quarantine. These species are: Italian arum (*Arum italicum*); Ravenna grass (*Tripidium ravennae*); spurge laurel (*Daphne laureola*); myrtle spurge (*Euphorbia myrsinites*); annual bugloss (*Lycopsis arvensis*); yellow flag iris (*Iris pseudacorus*); hoary alyssum (*Berteroa incana*); small-flowered jewelweed (*Impatiens parviflora*), American sponge plant (*Limnobiium spongia*) and South American sponge plant (*Limnobiiumlaevigatum*).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.074, 17.24.011, 17.24.041, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The intrusion into this state of nonnative, invasive weed species continues to be a concern. The spread of these weeds presents a risk to the economic well-being of the agricultural, forest, horticultural, and floricultural industries, and the environmental quality and natural resources of the state. Initiating quarantines forbidding entry or distribution of weed species may be critical for their exclusion or control. Some of the candidate species for quarantine are also listed in chapter 16-750 WAC, the state noxious weed list, as a Class A or a Class B noxious weed, requiring mandatory control by county weed boards. However, designation as a noxious weed on the state noxious weed list doesn't prohibit its sale, allowing consumers to buy a plant species that's prohibited by their county weed board. Prohibiting the sale of plants designated under the state noxious weed list for mandatory control will support the efforts of county weed boards to control noxious weeds.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state noxious weed control board.

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at 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 Brad White, Assistant Director, Plant Protection Division, Washington State Department of Agri-

culture, P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1907, fax 360-902-2094, TTY 800-833-6388, email bwhite@agr.wa.gov, web site <https://agr.wa.gov/LawsRules/Rulemaking/>; or Cindy Cooper, Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-2062, fax 360-902-2094, TTY 800-833-6388, email ccooper@agr.wa.gov.

October 24, 2018
Brad White
Assistant Director

WSR 18-21-195
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed October 24, 2018, 9:46 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-410-0005 Cash assistance overpayment amount and liability, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department plans to amend WAC 388-410-0005 to change which members of a household are and are not responsible for cash assistance overpayments. This amendment is necessary to protect children's financial well-being.

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 Sarah Garcia, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4949, fax 360-725-4905, email roddisl@dshs.wa.gov.

October 23, 2018
Katherine I. Vasquez
Rules Coordinator