

WSR 19-06-001
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed February 20, 2019, 12:23 p.m.]

Subject of Possible Rule Making: Amend regulations pertaining to aquatic invasive species in chapter 220-640 WAC.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department needs to clarify regulations for the public concerning the possession of aquatic invasive species and inspection of vessels and boating equipment to check for harmful aquatic invasive species under chapter 220-640 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: 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, P.O. Box 43153, phone 360-902-2403, fax 360-902-2155, email Rules.Coordinator@dfw.wa.gov.

February 20, 2019
 Scott Bird
 Rules Coordinator

WSR 19-06-011
PREPROPOSAL STATEMENT OF INQUIRY
CHARTER SCHOOL COMMISSION

[Filed February 22, 2019, 4:25 p.m.]

Subject of Possible Rule Making: Performance framework.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.710.100, 28A.710.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission proposes to update its rules implementing the performance framework provisions of the Charter Schools Act in order to clarify existing language and provide more detailed information about the standards set out in the performance framework.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Both the state board of education and the office of the superintendent of public instruction regulate areas that may be impacted by these rules. The commission will solicit input from these agencies.

Process for Developing New Rule: The commission will solicit comments on these rules from the state board of education, the office of the superintendent of public instruction, charter schools, and other interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amanda Martinez, 1068 Washington

Street S.E., phone 360-725-5511, email charterschoolinfo@k12.wa.us, web site www.charterschool.wa.gov.

February 21, 2019
 Amanda Martinez
 Executive Assistant
 Rules Coordinator

WSR 19-06-016
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed February 26, 2019, 10:23 a.m.]

Subject of Possible Rule Making: With the passage of Initiative 1639, the department of licensing (DOL) is proposing rule making related to a fee the agency may require firearms dealers to collect from each semiautomatic assault rifle purchaser or transferee.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.41.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With the passage of I-1639, DOL is to maintain pistol and semiautomatic assault rifles purchase/transfer records. The initiative allows DOL to require firearms dealers to collect an administrative fee on semiautomatic assault rifle purchases and transfers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state patrol, local law enforcement agencies, health care authority, other mental health institutions and health care facilities.

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 Jennifer Richards, P.O. Box 9649, Olympia, WA 98507-9649, phone 360-664-6611, email Firearms@dol.wa.gov, web site www.dol.wa.gov; or the Firearms Program, P.O. Box 9649, Olympia, WA 98507, phone 360-664-6611, email Firearms@dol.wa.gov, web site www.dol.wa.gov.

February 26, 2019
 Damon Monroe
 Rules Coordinator

WSR 19-06-019
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed February 27, 2019, 7:36 a.m.]

Subject of Possible Rule Making: Chapter 139-08 WAC, 2019 Omnibus training requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: I-940, SHB 1064, RCW 43.101.450, 43.101.452, 43.101.455, 36.28A.445.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: I-940, HB [SHB] 1064, RCW 43.101.450, 46.101.452, 43.101.455, 36.28A.445, requires the commission to establish by rule: Violence de-escalation training, mental health and first-aid training for law enforcement officers, adopt training hour requirements and curriculum including continuing training, establish means by which law enforcement officers will receive this training and guidelines for first-aid training requirements in compliance with chapter 1, Laws of 2019, training requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission (WSCJTC) regulates this process.

Process for Developing New Rule: Negotiated rule making; and stakeholder meetings will be held statewide. Check WSCJTC web site for dates/locations <https://fortress.wa.gov/cjtc/www/>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us, deinput@cjtc.state.wa.us; or Alex Buijs, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-[7366], email abuijs@cjtc.state.wa.us, web site www.cjtc.state.wa.us, deinput@cjtc.state.wa.us.

Additional comments: Public can submit comments electronically via WSCJTC web site public input form or email deinput@cjtc.state.wa.us.

February 26, 2019
Sonja Peterson
Rules Coordinator

WSR 19-06-021

PREPROPOSAL STATEMENT OF INQUIRY BATES TECHNICAL COLLEGE

[Filed February 27, 2019, 8:34 a.m.]

Subject of Possible Rule Making: Amending chapter 495A-121 WAC and aligning with model student code of conduct.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarifies and updates the student code of conduct for Bates Technical College.

Process for Developing New Rule: This is an existing WAC and is being updated to align with the model student code of conduct.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Jean Hernandez, 1101 South Yakima Avenue, Room 332, phone 253-680-7163, fax 253-680-7101, email jehernandez@batestech.edu, web site <https://batestech.edu>.

February 27, 2019
Dr. Jean Hernandez
Special Assistant
to the President

WSR 19-06-027

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed February 28, 2019, 10:56 a.m.]

Subject of Possible Rule Making: WAC 182-526-0155 Appellant's representation in the hearing; 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 rule to allow a limited exception to the requirement that an attorney representing an appellant in a hearing must file a notice of appearance. The exception would apply to an attorney representing an appellant who was also the person that originally requested the appellant's hearing. 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.

February 28, 2019
Wendy Barcus
Rules Coordinator

WSR 19-06-029

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed February 28, 2019, 11:43 a.m.]

Subject of Possible Rule Making: WAC 182-501-0125 Advance directives; 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 rule to update and replace references to health maintenance organizations with current terminology. 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 98504-2715, 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.

February 28, 2019
Wendy Barcus
Rules Coordinator

WSR 19-06-030

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

[Filed February 28, 2019, 1:02 p.m.]

Subject of Possible Rule Making: Amendments to chapter 220-440 WAC, Wildlife management and wildlife interaction. Changes to black bear timber damage depredation permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, 77.12.240, and 77.15.245.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is seeking to amend WAC 220-440-210 regarding black bear timber damage depredation permits, adding and/or changing criteria under which a depredation permit may be issued.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will coordinate with United States Department of Agriculture Wildlife Services as needed.

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 Eric Gardner, Washington Department of Fish and Wildlife, 1111 Washington Street S.E., Olympia, WA 98501, phone 360-902-2512, fax 360-902-2162, TTY 800-833-6388, email wildthing@dfw.wa.gov.

February 28, 2019
Scott Bird
Rules Coordinator

WSR 19-06-042

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

(Economic Services Administration)

[Filed March 4, 2019, 9:13 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-412-0025 How do I receive my benefits?; and other related rules as may be required to add another option of payment issuance method for ongoing additional requirements (OAR) and clothing and personal incidentals (CPI).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The planned amendments will change how OAR and CPI payments are issued. Currently these payments are made by warrant, but effective October 1, 2019, recipients will have an additional [additional] option of receiving the payments by direct deposit. The planned amendments will make these benefits more easily accessible for recipients.

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

February 28, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-06-043

**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Public Employees Benefits Board)

[Admin #2019-01—Filed March 4, 2019, 10:00 a.m.]

Subject of Possible Rule Making: Enrollment, eligibility, and appeals rules in chapters 182-08, 182-12, and 182-16 WAC.

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 health care authority is considering adding, amending, and repealing rules to support

the public employees benefits board program within chapters 182-08, 182-12, and 182-16 WAC.

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 Barbara Scott, P.O. Box 42684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services 711, email Barbara.Scott@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking; or Stella Ng, P.O. Box 42684, Olympia, WA 98504-2684, phone 360-725-0852, fax 360-586-9727, telecommunication relay services 711, email Stella.Ng@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

March 4, 2019
Wendy Barcus
Rules Coordinator

WSR 19-06-046
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed March 4, 2019, 10:34 a.m.]

Subject of Possible Rule Making: The department is considering creating new rule sections in chapter 388-826 WAC, amending or repealing WAC 388-826-0090 and 388-826-0095; and amending any other related rules as may be required.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes are intended to clarify room and board requirements and any other client payment responsibilities for clients receiving voluntary placement services. During the course of this review, the department may make additional changes that are necessary to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The developmental disabilities administration (DDA) will be requesting that the health care authority amend rules in Title 182 WAC to clarify how voluntary placement services settings are included in the settings under chapter 182-515 WAC.

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.

February 28, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-06-047
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed March 4, 2019, 11:00 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-444-0030 Are able-bodied adults without dependents (ABAWD) subject to additional work requirements and time limits to be eligible for basic food?; 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, 74.04.510, 74.08.090, 74.04.500, 74.08A.120, and 7 C.F.R. § 273.24.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-444-0030 to align with federal regulations regarding basic food eligibility for able-bodied adults without dependents.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

The state legislature authorizes the department to administer SNAP and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

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 request[s] a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Glenn Haynes, Program Manager,

Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4556, fax 360-725-4904, email haynege@dshs.wa.gov.

March 1, 2019
Katherine I. Vasquez
Rules Coordinator

Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4640, fax 360-725-4905, email BarraCM@dshs.wa.gov.

March 1, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-06-049

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Economic Services Administration)

[Filed March 4, 2019, 12:45 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-450-0190 How does the department figure my shelter cost income deduction for basic food?; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 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 planned amendments will align program rule with a recent change to federal regulations requiring states to provide a simplified shelter cost income deduction for homeless households. This change may increase the amount of food benefits for an individual who is homeless, with or without shelter, but is responsible for shelter costs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

The state legislature authorizes the department to administer SNAP and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

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 Christina Barras, Program Manager,

WSR 19-06-050

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

(Services and Enterprise Support Administration)

[Filed March 4, 2019, 12:58 p.m.]

Subject of Possible Rule Making: The department is planning to amend chapter 388-03 WAC, Certification of DSHS spoken language interpreters, translators, employees, and licensed agency personnel (LAPL); and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 45 C.F.R. Section 80.3 (b)(2), RCW 74.04.025, Civil Right[s] Act of 1964, *Reyes vs. Thompson* Consent Order.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 388-03-160 was implemented in April 2015. This section stipulates the requirements interpreters and translators must meet to maintain their certification or authorization. It is expected that a large number of interpreters and translators will have their certification or authorization expire due to not meeting requirements. To minimize the impact of a shrinking pool of certified or authorized interpreters and translators, we are proposing amendments. Rule revision is necessary to maintain an adequate pool of certified or authorized interpreters and translators in serving the limited English proficient (LEP) clients of the department.

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

Process for Developing New Rule: Anyone interested should contact the staff person identified below. At a later date, the department of social and health services 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 Don Barnes, 360-902-8334, Barnes DR@dshs.wa.gov; Hungling Fu, 360-664-6035, fuh@dshs.wa.gov; or Jodi McBride, 360-664-6038, mcbrijh@dshs.wa.gov; 1115 Washington Street S.E., Olympia, WA 98501, fax 360-664-6183.

March 1, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-06-054
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed March 4, 2019, 4:20 p.m.]

Subject of Possible Rule Making: The gambling commission is considering amending its manufacturer and distributor rules to clarify what activities can be done under these licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commission accepted a rules petition requesting a rule change to the agency's marketing level restrictions for punch board and pull-tab gambling service suppliers. The petitioner requested that it be allowed to be a distributor and perform certain service supplier activities, such as training, to current and potential licensees for a fee. Holding both licenses for these activities is currently prohibited. The agency will consider amending manufacturer and distributor rules to allow a narrow set of additional services, including training.

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 Ashlie Laydon, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, phone 360-486-3473, fax 360-486-3624, TTY 360-486-3637, email rules.coordinator@wsgc.wa.gov, web site www.wsgc.wa.gov.

March 4, 2019
 Ashlie Laydon
 Rules Coordinator

WSR 19-06-059
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Long-Term Support Administration)

[Filed March 5, 2019, 10:01 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-96-808 Change of ownership—Assignment of department's contract; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.46.800(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The planned amendment is necessary to limit change of ownership effective dates to the first of a month. This is necessary due to the limitations of internal systems.

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 Elizabeth Pashley, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2447, fax 360-725-2641, TTY 1-877-905-0454, email Elizabeth.pashley@dshs.wa.gov, web site www.dshs.wa.gov.

March 5, 2019
 Katherine I. Vasquez
 Rules Coordinator

WSR 19-06-069
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed March 5, 2019, 11:36 a.m.]

Subject of Possible Rule Making: Chapter 296-150F WAC, Factory built housing and commercial structures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.22 RCW, Department of labor and industries.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries factory-assembled structures program is considering changes to existing rules in chapter 296-150F WAC. The changes include allowing for inspection and approval of manufactured panelized building components prior to the panels shipping to a building site in Washington state, where they would be erected into a building. This change has been requested by some manufacturers of panelized construction that want to ship wall, floor and roof panels with concealed construction to the building site.

The program is also performing a review of the existing rules to consider updates, clarification, housekeeping, and other changes.

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

Process for Developing New Rule: Interested parties can participate in the decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed, by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, email Alicia.Curry@lni.wa.gov, web site www.lni.wa.gov.

March 5, 2019
Joel Sacks
Director

WSR 19-06-070
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed March 5, 2019, 11:37 a.m.]

Subject of Possible Rule Making: Reinforcing steel and post-tensioning activities, chapter 296-155 WAC, Part O, concrete, concrete forms, shoring and masonry construction.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is in response to a petition by the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers received on November 20, 2018. Chapter 296-155 WAC, Part O, falls behind the newly revised 2018, American National Standards Institute (ANSI) A10.9 (2013), standard when addressing hazards related to reinforcing steel and post-tensioning work. Identifying and amending relevant parts of chapter 296-155 WAC, Part O, will reduce employee exposures to falls, struck by things, and impalement hazards associated with collapse of formwork.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carmyn Shute, Administrative Regulations Analyst, Department of Labor and Industries, Division of Occupational Safety and Health, P.O. Box 44620, Olympia, WA 98504-4650, phone 360-902-6081, fax 360-902-5619, email Carmyn.Shute@lni.wa.gov.

March 5, 2019
Joel Sacks
Director

WSR 19-06-072
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed March 5, 2019, 1:07 p.m.]

Subject of Possible Rule Making: Chapter 51-11R WAC, Adoption and amendment of the 2018 Washington State Energy Code, Residential.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27A.020, 19.27A.045, 19.27A.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The council will begin review of the 2018 changes to the national model energy code for residential buildings, the 2018 International Energy Conservation Code, and is soliciting changes to increase the energy efficiency of residential buildings pursuant to RCW 19.27A.160.

Process for Developing New Rule: Technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Krista Braaksma, P.O. Box 41449, Olympia, WA 98504-1449, phone 360-407-9278, email SBCC@des.wa.gov, web site www.sbcc.wa.gov.

March 1, 2019
Doug Orth
Council Chair

WSR 19-06-073
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed March 5, 2019, 1:07 p.m.]

Subject of Possible Rule Making: Chapter 51-51 WAC, Adoption and amendment of the 2018 International Residential Code with Washington state amendments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.031, 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The council is reviewing the 2018 changes to the national model code, the 2018 International Residential Code, and is soliciting changes to those documents and the existing state amendments.

Process for Developing New Rule: Technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard Brown, P.O. Box 41449, Olympia, WA 98504-1449, phone 360-407-9277, email SBCC@des.wa.gov, web site www.sbcc.wa.gov.

March 1, 2019
Doug Orth
Council Chair

WSR 19-06-074
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed March 5, 2019, 1:09 p.m.]

Subject of Possible Rule Making: Chapter 51-52 WAC, Adoption and amendment of the 2018 International Mechanical Code with Washington state amendments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.031, 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The council is reviewing the 2018 changes to the national model code and associated codes and standards, the 2018 International Fuel Gas Code, the 2018 National Fuel Gas Code (NFPA 54) and the 2017 Liquefied Petroleum Gas Code (NFPA 58), and is soliciting changes to those documents and the existing state amendments.

Process for Developing New Rule: Technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Krista Braaksma, P.O. Box 41449, Olympia, WA 98504-1449, phone 360-407-9278, email SBCC@des.wa.gov, web site www.sbcc.wa.gov.

March 1, 2019
Doug Orth
Council Chair

WSR 19-06-075

PREPROPOSAL STATEMENT OF INQUIRY BUILDING CODE COUNCIL

[Filed March 5, 2019, 1:10 p.m.]

Subject of Possible Rule Making: Chapter 51-56 WAC, Adoption and amendment of the 2018 Uniform Plumbing Code with Washington state amendments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.031, 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The council is reviewing the 2018 changes to the national model code, the 2018 Uniform Plumbing Code, and is soliciting changes to those documents and the existing state amendments.

Process for Developing New Rule: Technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ray Shipman, P.O. Box 41449, Olympia, WA 98504-1449, phone 360-407-8047, email SBCC@des.wa.gov, web site www.sbcc.wa.gov.

March 1, 2019
Doug Orth
Council Chair

WSR 19-06-077

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed March 5, 2019, 1:40 p.m.]

The department of health (department) is withdrawing the CR-101 for WAC 246-810-024 regarding rule making for counseling-related degrees that meet the requirements for certified counselor and certified adviser, which was filed October 8, 2018, and published in WSR 18-21-046.

The department is withdrawing this CR-101 because the petitioner rescinded the request.

Individuals needing information on this rule should contact U. James Chaney, executive director, at 360-236-2831 or james.chaney@doh.wa.gov.

Tami M. Thompson
Regulatory Affairs Manager

WSR 19-06-078

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed March 5, 2019, 1:42 p.m.]

The department of health (department) is withdrawing the CR-101 for WAC 246-824-010 Definitions, which was filed February 3, 2017, and published as WSR 17-05-015.

The department is withdrawing this CR-101 because the department became aware of concerns by stakeholders regarding the department's intent to initiate rule making to address the definition of personal supervision. After consultation with stakeholders, the department determined a different course of action would be more appropriate and is withdrawing this preproposal statement of inquiry.

The department convened a meeting of representatives from each of three professions, dispensing opticians, optometrists and ophthalmologists, to discuss a definition of personal supervision in the context of chapter 18.34 RCW and to see if consensus could be achieved. The group reviewed definitions of supervision used by other health professions. Good debate ensued, but did not result in consensus. Concern was expressed about changing a practice that has afforded optometrists and ophthalmologists with business model flexibility, especially in more rural communities where licensed dispensing opticians are hard to find.

Though there has been an uptick in the number of complaints related to the unlicensed practice of dispensing opticianry, none of the complaints have related to substandard care or patient harm. The department will not pursue rule making or publication of a formal interpretive policy to define personal supervision. Rather, when investigating complaints of unlicensed practice, the department recommends that disciplining authorities evaluate whether adequate supervision of unlicensed employees is in place to optimize patient safety.

Individuals requiring information on this rule should contact Debra Mendoza, program manager, at 360-236-4841.

Tami M. Thompson
Regulatory Affairs Manager

WSR 19-06-080
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed March 5, 2019, 3:33 p.m.]

Subject of Possible Rule Making: The department is considering rule changes related to black bear and cougar seasons and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.240, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments to the rules are needed to provide clarification, expand recreational opportunity, and mitigate wildlife conflicts, while maintaining sustainable game populations.

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 Eric Gardner, 600 Capitol Way North, Olympia, WA 98501, phone 360-902-2515, fax 360-902-2162, email wildthing@dfw.wa.gov, web site wdfw.wa.gov.

March 5, 2019
 Scott Bird
 Rules Coordinator

WSR 19-06-086
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed March 6, 2019, 10:34 a.m.]

Subject of Possible Rule Making: Fees related to requests for documents as allowed by the Public Records Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify the fees that will be assessed for documents and electronic files provided in response to a request made in accordance with the Public Records Act, including procedures for payment, and when the fees may be waived.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jilene Siegel, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7291, TTY 711, email jilene.siegel@drs.wa.gov, web site www.drs.wa.gov/rules/.

March 6, 2019
 Jilene Siegel
 Rules Coordinator

WSR 19-06-088
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed March 6, 2019, 10:49 a.m.]

Subject of Possible Rule Making: Permitting claimants to backdate applications for "standby" under WAC 192-110-015.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department (ESD). RCW 50.12.042 provides specific rule-making authority regarding the requirement that unemployment claimants be able to work, available for work, and actively seek work.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State law allows the department to waive the requirement that an unemployment claimant search for work if that claimant is temporarily laid off, but has an expected return-to-work date. This is known as "standby." The department has discovered circumstances when claimants should be allowed to backdate applications for standby after employers confirm an expected return-to-work date. The rule, however, as currently drafted does not permit the application to be backdated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: The proposed rule will be shared with stakeholders as identified through the standard rule-making process. ESD will solicit input and consider all comments in the development of the final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott E. Michael, P.O. Box 9046, phone 360-902-9587, fax 360-902-9662, TTY relay 711, email rules@esd.wa.gov, web site <https://esd.wa.gov/newsroom/rulemaking/benefits>.

March 6, 2019
 Daniel Zeitlin
 Employment System
 Policy Director