

WSR 19-12-014**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES**

[Filed May 24, 2019, 11:50 a.m.]

Subject of Possible Rule Making: Chapter 110-425 WAC, Early childhood education and assistance program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.216.065, 43.216.525, 43.216.512.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Updating rules in chapter 110-425 WAC, to include 2019 legislative session changes of 2SSB 5437 and SSB 5089 that modify requirements related to enrollment of children in the early childhood education and assistance program.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nicole Lor, phone 509-789-3834, email Nicole.lor@dcof.wa.gov, web site <https://www.dcof.wa.gov/practice/policy-laws-rules/rule-making>.

May 24, 2019
Brenda Villarreal
Rules Coordinator

WSR 19-12-018**PREPROPOSAL STATEMENT OF INQUIRY
SEATTLE COLLEGES**

[Filed May 28, 2019, 8:42 a.m.]

Subject of Possible Rule Making: Required and emergency medical leaves of absence.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 28B.50.090(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed rule addresses a need for the colleges to issue medical withdrawals to students who exhibit self-harm and cannot otherwise be accommodated through the interactive process while attending college.

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 Kurt Buttleman, 1500 Harvard Avenue, Seattle, WA 98122, phone 206-934-4111, email kurt.buttleman@seattlecolleges.edu, web site seattlecolleges.edu.

May 24, 2019
Kurt R. Buttleman
Interim Vice Chancellor
Academic and Student Success

WSR 19-12-019**WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
SEATTLE COLLEGES**

[Filed May 28, 2019, 8:42 a.m.]

Please withdraw WSR 18-24-100 filed on December 4, 2018, by the Seattle Colleges. We have made changes and will file a new CR-101 accordingly.

Kurt R. Buttleman

WSR 19-12-029**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD**

[Filed May 29, 2019, 11:24 a.m.]

Subject of Possible Rule Making: WAC 314-55-077 Marijuana processor license—Privileges, requirements and fees and 314-55-105 Packaging and labeling requirements, the Washington state liquor and cannabis board (board) is considering: Revising requirements for measuring devices for marijuana-infused liquid edibles; revising plastic package thickness for marijuana-infused edibles; implementing the requirements and directives of ESSB 5298 (chapter 393, Laws of 2019), and the addition of language and concepts set forth in board interim policies (BIP) pertaining to packaging and labeling requirements. The board will also consider general technical and clarifying revisions to the identified rule sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342 and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule revisions to WAC 314-55-077 (8) and (9) and 314-55-105 are needed for the following reasons:

1. To consider two rule-making petitions that propose revising WAC 314-55-105 by:

- Removing the current requirement that marijuana-infused liquid edible products must include a measuring device, such as a measuring cup or dropper;
- Revising the current requirement that marijuana-infused products for oral ingestion must be packaged in plastic 4 mil or greater in thickness, and instead, reduce the requirement to plastic 2 mil or greater in thickness.

The board will consider adding these provisions to existing rule consistent with the specific amendments offered in each petition.

2. Implementation of ESSB 5298, which [amended] RCW 69.50.345, 69.50.346, and created a new section describing the legislature's intent to allow additional information on the labels and labeling of marijuana products to assist in making purchases of these products. The board is required to align its rules with these amendments, and to the extent possible, within the timeline established by the legislature.

3. The board approved five BIP on January 9, 2019, designed to clarify packaging and labeling rules. Since the specific sections of rule that these BIP pertain to (both WAC

314-55-077 (8) and (9) and 314-55-105) will be open for inquiry, it is appropriate and timely to consider and invite public comment regarding the language and provisions of these BIP in rule.

The board will also consider technical and clarifying revisions and adjustments to the identified rule sections that support guideline standardization, as well as consistent, predictable decision making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The board will coordinate with the Washington state department of health, the Washington state health care authority, and other public agencies as needed.

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 Katherine Hoffman, P.O. Box 43080, Olympia, WA 98504, phone 360-664-1622, fax 360-664-9689, email Rules@lcb.wa.gov, web site lcb.wa.gov.

May 28, 2019
Jane Rushford
Chair

WSR 19-12-035

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed May 29, 2019, 2:45 p.m.]

Subject of Possible Rule Making: WAC 182-535-1050 Dental-related services—Definitions, 182-535-1060 Dental-related services—Client eligibility, 182-535-1245 Access to baby and child dentistry (ABCD) program, 182-535A-0010 Orthodontic services—Definitions, 182-535A-0020 Orthodontic treatment and orthodontic services—Client eligibility, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, ESHB 1109, sections 211 (1)(c) and 1111 (1)(c), chapter 415, Laws of 2019, 66th legislature, 2019 regular session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is striking all references to dental managed care from these sections. Eligible clients will continue to receive their dental services through fee-for-service on and after July 1, 2019. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Michael Williams, P.O. Box 42716, Olympia, WA 98504-2716, phone 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.

May 29, 2019
Wendy Barcus
Rules Coordinator

WSR 19-12-037

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR AND CANNABIS BOARD

[Filed May 29, 2019, 3:43 p.m.]

Subject of Possible Rule Making: Chapter 314-38 WAC, Permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.20.010, 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 314-38 WAC will be revised to implement EHB 1563 (chapter 112, Laws of 2019). EHB 1563 allows students to taste alcoholic beverages while on the premises of the college or university at which the student is enrolled, or while on a field trip to a grape-growing area or production facility.

The chapter will also be reviewed and updated for technical and clarifying changes and to revise outdated language.

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 Janette Benham, P.O. Box 43080, Olympia, WA 98504, phone 360-664-1760, fax 360-664-9689, email rules@lcb.wa.gov, web site www.lcb.wa.gov.

May 29, 2019
Jane Rushford
Chair

WSR 19-12-038

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR AND CANNABIS BOARD

[Filed May 29, 2019, 3:44 p.m.]

Subject of Possible Rule Making: WAC 314-02-015 What is a spirits, beer, and wine restaurant license?; 314-02-045 What is a beer and/or wine restaurant license?; and chapter 314-30 WAC, Manufacturers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.24.400, 66.24.320, 66.24.170, 66.24.150, 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule revisions are needed to implement SHB 1034 (chapter 61, Laws of 2019), HB 1672

(chapter 169, Laws of 2019), and SB 5909 (chapter 156, Laws of 2019).

SHB 1034 created an endorsement that allows spirits, beer, and wine restaurants to serve soju for on-premises consumption to [a] table of two or more patrons. Restaurants may recap soju bottles and patrons may remove recapped soju from the premises. WAC 314-02-015 needs to be revised to implement these provisions.

HB 1672 allows spirits, beer, and wine restaurants and beer and wine restaurants to recap sake purchased for consumption with a meal. Patrons may remove recapped sake from the premises. WAC 314-02-015 and 314-02-045 need to be revised to implement these provisions.

SB 5909 allows manufacturers licensed under RCW 66.24.150 to contract with distilleries, breweries, and wineries to provide packaging services. Chapter 314-30 WAC needs to be revised to implement the provisions of the bill.

Rule revisions will include technical and clarifying updates to WAC 314-02-015, 314-02-045, and chapter 314-30 WAC.

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 Janette Benham, P.O. Box 43080, Olympia, WA 98504, phone 360-664-1760, fax 360-664-9689, email rules@lcb.wa.gov, web site www.lcb.wa.gov.

May 29, 2019
Jane Rushford
Chair

WSR 19-12-041

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed May 29, 2019, 4:50 p.m.]

Subject of Possible Rule Making: Amending existing rules affected by passage of HB [SHB] 1917 during the 2019 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, and 77.12.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to rules related to the use of body-gripping traps are needed to make the rules in compliance with HB [SHB] 1917 concerning the use of body-gripping traps by airport operators.

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, 1111 Washington Street, Olympia, WA 98501, phone 360-902-2515, fax 360-902-2162, email wildthing@dfw.wa.gov, web site wdfw.wa.gov.

May 29, 2019

Scott Bird
Rules Coordinator

WSR 19-12-043

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF EDUCATION

[Filed May 30, 2019, 11:48 a.m.]

Subject of Possible Rule Making: The state board of education (SBE) is reviewing chapter 180-08 WAC to make changes as necessary to align rule to current policy or practice, correct references to law, implement recently passed legislation, improve readability of the rule, or make other changes identified during the review. SBE will make amendments to align the public record request process outlined in chapter 180-08 WAC [to] conform to current practice for receiving and processing public records requests.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.305 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SBE will make amendments to align the public record request process outlined in chapter 180-08 WAC [to] conform to current practice for receiving and processing public records requests.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of superintendent of public instruction (OSPI). SBE staff will engage OSPI staff regarding these rule changes because the SBE follows OSPI business practices, including utilizing OSPI public records staff to coordinate public records requests.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Parker Teed, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6047, fax 360-753-6712, email parker.teed@k12.wa.us, web site www.sbe.wa.gov.

May 30, 2019
Mr. Randy Spaulding
Executive Director

WSR 19-12-047

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF ADMINISTRATIVE HEARINGS

[Filed May 31, 2019, 7:22 a.m.]

Subject of Possible Rule Making: WAC 10-08-110 Adjudicative proceedings—Filing and service of papers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.12.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of administrative hearings (OAH) is proposing to amend WAC 10-08-110 to allow for electronic filing of appeal records with OAH.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Chapter 10-08 WAC serves as the model rules of procedure for administrative hearings under the Administrative Procedure Act (APA). Therefore, any rule revisions would apply to any APA administrative hearing. We will share the draft rule proposal with interested persons or agencies.

Process for Developing New Rule: A workgroup will be convened to develop language for the proposed rule revisions.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Donald Capp, P.O. Box 42488, Olympia, WA 98504, phone 360-407-2700, fax 360-664-8721, email donald.capp@oah.wa.gov, web site www.oah.wa.gov.

May 31, 2019

Lorraine Lee

Chief Administrative Law Judge

WSR 19-12-053

PREPROPOSAL STATEMENT OF INQUIRY BATES TECHNICAL COLLEGE

[Filed May 31, 2019, 9:18 a.m.]

Subject of Possible Rule Making: Amending chapter 495A-130 WAC, Tuition and fee schedules, to update with current legislation and add clarifying language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.140, 28B.50.140, chapter 34.05 RCW and chapter 238, Laws of 1991.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Explains how to access tuition and fee schedules for Bates Technical College.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state board for community and technical colleges.

Process for Developing New Rule: Current chapter 495A-130 WAC is outdated and needs to be aligned with current state statutes and clarify the language.

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.

May 31, 2019

Dr. Jean Hernandez
Special Assistant
to the President

WSR 19-12-055

PREPROPOSAL STATEMENT OF INQUIRY BATES TECHNICAL COLLEGE

[Filed May 31, 2019, 9:21 a.m.]

Subject of Possible Rule Making: Amending chapter 495A-140 WAC, Use of college facilities, to update with current state statutes and add clarifying language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.140, chapter 34.05 RCW, and chapter 238, Laws of 1991.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Explains the rules for using facilities at the college and appropriate behavior while on the campus of Bates Technical College.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Chapter 28B.50 RCW, RCW 34.05.250.

Process for Developing New Rule: Current chapter 495A-140 WAC is outdated and needs to be aligned with current state statutes and clarify the language.

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.

May 31, 2019

Dr. Jean Hernandez
Special Assistant
to the President

WSR 19-12-060

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF THE INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2019-02—Filed May 31, 2019, 11:26 a.m.]

Subject of Possible Rule Making: Internal audit requirements [requirements] for insurance companies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.44.050, and 48.46.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To incorporate an internal audit function requirement for large insurers writing more than \$500 million, or insurance groups writing more than \$1 billion in annual premium. These insurers must maintain an internal audit function providing independent, objective, and reasonable assurance to the audit committee and insurer management regarding the insurer's governance, risk management and internal controls.

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

Process for Developing New Rule: Submit comments by July 19, 2019.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Jim Tompkins, P.O. Box 40260, Olympia, WA 98504-0260, phone 360-725-7036, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, web site www.insurance.wa.gov.

Additional comments: The amendments to existing rules to be proposed by this rule are required for the National Association of Insurance Commissioners accreditation.

May 31, 2019
Mike Kreidler
Insurance Commissioner

WSR 19-12-062
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2019-07—Filed May 31, 2019, 11:38 a.m.]

Subject of Possible Rule Making: Health plan coverage of reproductive health care and contraception.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.43.072, and 48.43.073.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2018, SSB 6129 passed to improve access to reproductive health care and in 2019, the legislature passed 2SSB 5602 (chapter 399, Laws of 2019) which eliminated barriers to access to reproductive health care. Together, these bills ensure access to reproductive health care services, contraceptive supplies, sterilizations, preventative services, abortion services, breast pumps and prenatal vitamins and also ensure that reproductive health care services and supplies are provided without discrimination. The purpose of this rule making is to update WAC and add new sections to align with chapter 399, Laws of 2019 (2SSB 5602), amending RCW 48.43.072 and adding sections into chapter 48.43 RCW. It is expected that this rule making will join with current rule making in Insurance Commissioner Matter R 2018-10 in the CR-102 stage, resulting in one rule concerning access to reproductive health care.

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: Submit written comments by [no further information supplied by agency.]

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mandy Weeks-Green, P.O. Box 40260, Olympia, WA 98504, phone 360-725-7041, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, web site www.insurance.wa.gov.

May 31, 2019
Mike Kreidler
Insurance Commissioner

WSR 19-12-063

PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF TAX APPEALS

[Filed May 31, 2019, 1:43 p.m.]

Subject of Possible Rule Making: Add new chapter 456-11 WAC relating to what is considered a part of the board's official record.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.03.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of tax appeals proposes this new WAC to clarify what is considered a part of the board's official record.

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 Keri Lamb, 1110 Capitol Way South, Suite 300, Olympia, WA 98501, phone 360-753-5446, fax 360-586-9020, email bta@bta.wa.gov, web site http://www.bta.wa.gov/.

May 31, 2019
Kate Adams
Executive Director

WSR 19-12-064

PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF TAX APPEALS

[Filed May 31, 2019, 1:43 p.m.]

Subject of Possible Rule Making: Make new chapter.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.03.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Create new chapter to reorganize and condense all procedural WAC into one chapter.

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 Keri Lamb, 1110 Capitol Way South, Suite 300, Olympia, WA 98501, phone 360-753-5446, fax 360-586-9020, email bta@bta.wa.gov, web site http://www.bta.wa.gov/.

May 31, 2019
Kate Adams
Executive Director

WSR 19-12-065**PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF TAX APPEALS**

[Filed May 31, 2019, 1:43 p.m.]

Subject of Possible Rule Making: Add new sections to chapter 456-12 WAC relating to electronic communication from the board.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.03.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To save resources the board will clarify that it may send electronic communications with the same effect as physical mail.

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 Keri Lamb, 1110 Capitol Way South, Suite 300, Olympia, WA 98501, phone 360-753-5446, fax 360-586-9020, email bta@bta.wa.gov, web site <http://www.bta.wa.gov/>.

May 31, 2019
Kate Adams
Executive Director

WSR 19-12-066**PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF TAX APPEALS**

[Filed May 31, 2019, 1:43 p.m.]

Subject of Possible Rule Making: Rename and redefine chapter 456-12 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.03.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rename and redefine chapter 456-12 WAC to encompass all administrative processes.

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 Keri Lamb, 1110 Capitol Way South, Suite 300, Olympia WA 98501, phone 360-753-5446, fax 360-586-9020, email bta@bta.wa.gov, web site <http://www.bta.wa.gov/>.

May 31, 2019
Kate Adams
Executive Director

WSR 19-12-071**PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF
PILOTAGE COMMISSIONERS**

[Filed June 3, 2019, 11:34 a.m.]

Subject of Possible Rule Making: WAC 363-116-081 Rest period.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 88.16 RCW, Pilotage Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2019 legislative session resulted in changes to the board of pilotage commissioner's (BPC) statute regarding mandatory rest periods for pilots, RCW 88.16.103. Subsequently, all provisions in this rule will be reviewed and updated accordingly including, but not limited to, definitions, mandatory rest periods, data reporting requirements, and housekeeping modifications.

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

Process for Developing New Rule: Discussions regarding proposed amendments to this rule will occur at regular session BPC meetings as well as BPC's fatigue management and legislative/WAC committee meetings. Stakeholder comments are welcome. Upon review and consideration of recommended revisions, a public hearing will be scheduled pursuant to formal notice requirements.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jaimie Bever, Executive Director, 2901 Third Avenue, Suite 500, Seattle, WA 98121, phone 206-515-3887, fax 206-515-3906, email BeverJ@wsdot.wa.gov, web site www.pilotage.wa.gov.

June 3, 2019
Jaimie Bever
Executive Director

WSR 19-12-074**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed June 3, 2019, 4:35 p.m.]

Please withdraw WSR 18-12-106, filed on June 5, 2018, that lists the subject of possible rule making as chapter 180-51 WAC.

Randy Spaulding
Executive Director

WSR 19-12-080
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Long-Term Support Administration)
 [Filed June 4, 2019, 9:17 a.m.]

The aging and long-term support administration requests the withdrawal of the preproposal statement of inquiry notice filed as WSR 19-03-167 on January 23, 2019 (WAC 388-97-1090), regarding nursing homes.

Katherine I. Vasquez
 Rules Coordinator

WSR 19-12-081
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD
 [Filed June 4, 2019, 9:19 a.m.]

Subject of Possible Rule Making: Chapter 181-01 WAC and WAC 181-78A-300.

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: Amend WAC to incorporate the recent legislative change regarding the passage of the basic skills assessment.

Process for Developing New Rule: Agency study.

June 4, 2019
 Chloe Smyth
 Rules Coordinator

WSR 19-12-082
PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION
 [Filed June 4, 2019, 9:37 a.m.]

Subject of Possible Rule Making: Amend Title 390 WAC to implement ESHB 1379, chapter 261, Laws of 2019, concerning disclosure of contributions from political committees to other political committees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1) and ESHB 1379, chapter 261, Laws of 2019.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed ESHB 1379, chapter 261, Laws of 2019, concerning disclosure of contributions from political committees to other political committees. To comply with chapter 261, Laws of 2019, current Title 390 WAC must be amended and new sections added. The effective date of the bill is July 28, 2019.

Process for Developing New Rule: Collaborative rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sean Flynn, P.O. Box 40908, Olympia, WA 98504, phone 360-753-1111, fax 360-753-1112, email pdc@pdc.wa.gov, web site www.pdc.wa.gov.

June 4, 2019
 B. G. Sandahl
 Deputy Director

WSR 19-12-083
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD
 [Filed June 4, 2019, 9:37 a.m.]

Subject of Possible Rule Making: Rules regarding case-by-case exceptions and testing barriers assessment requirements.

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: Amend WAC to incorporate recommendations from the case-by-case exceptions workgroup.

Process for Developing New Rule: Agency study.

June 4, 2019
 Chloe Smyth
 Rules Coordinator

WSR 19-12-086
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)
 [Filed June 4, 2019, 10:39 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-823-0500 and other related rules as may be required.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is considering amending this rule to expand the list of professionals from whom DDA accepts a diagnosis of autism. 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: 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.

June 3, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-12-090
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 4, 2019, 11:12 a.m.]

Subject of Possible Rule Making: Chapter 296-19A WAC, Vocational rehabilitation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, and 51.36.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rules will support the department of labor and industries' vocational recovery effort by:

- Ensuring expectations of vocational providers are better aligned with the return-to-work language in RCW 51.32.095.
- Addressing minimum requirements for vocational providers/firms.
- Outlining when and to what degree vocational providers may be subject to corrective action or sanctions.

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 these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Laurinda Grytness, P.O. Box 44329, Olympia, WA 98504-4329, phone 360-902-6362, fax 360-902-6706, TTY 360-902-4252, email Laurinda.grytness@Lni.wa.gov.

June 4, 2019
Joel Sacks
Director

WSR 19-12-098

PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed June 4, 2019, 2:53 p.m.]

Subject of Possible Rule Making: The state board of education is reviewing chapter 180-51 WAC to make changes as necessary to align rule to current policy or practice, correct references to law, implement recently passed legislation, improve readability of the rule, or make other changes identified during the review.

To implement provisions of ESHB 2224 (chapter 31, Laws of 2017), SHB 2686 (chapter 229, Laws of 2018), SSHB [2SHB] 1896 (chapter 127, Laws of 2018), and E2SHB 1599 (chapter 252, Laws of 2019), the state board of education is amending rule in chapter 180-51 WAC. E2SHB 1599 (chapter 252, Laws of 2019) grants the state board of education rule-making authorities and those authorities will be codified in chapter 28A.655 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 28A.305, 28A.655 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 2224 (chapter 31, Laws of 2017), SHB 2686 (chapter 229, Laws of 2018), SSHB [2SHB] 1896 (chapter 127, Laws of 2018), and E2SHB 1599 (chapter 252, Laws of 2019) make changes to graduation requirements that include but are not limited to civics, high school and beyond planning, and graduation pathways. To implement those provisions, the state board of education will amend rules related to graduation requirements.

The state board of education is reviewing chapter 180-51 WAC to make changes as necessary to align rule to current policy or practice, correct references to law, implement recently passed legislation, improve readability of the rule, or make other changes identified during the review of the WAC chapter.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of superintendent of public instruction. State board of education staff will engage the office of superintendent of public instruction staff regarding these rule changes.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Parker Teed, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6047, fax 360-753-6712, email parker.teed@k12.wa.us, web site www.sbe.wa.gov.

June 4, 2019
Mr. Randy Spaulding
Executive Director

WSR 19-12-106
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 5, 2019, 8:16 a.m.]

The health care authority requests withdrawal of the pre-proposal statement of inquiry filed as WSR 18-12-099 on June 5, 2018, and distributed in the 18-12 State Register.

Wendy L. Barcus
 Rules Coordinator

WSR 19-12-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed June 5, 2019, 9:02 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-450-0025 What is unearned income?, 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, 74.04.057, 74.04.770, 74.08.090, 74.08A.100, 74.09.035, 74.09.530, 74.62.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments to WAC 388-450-0025 and other related rules as may be required will address benefits payable from the family and medical leave program, as authorized under chapter 50A.04 RCW, beginning January 1, 2020. Payments received under this program are considered unearned income for cash and food assistance eligibility determinations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Planned amendments are informed by ongoing collaboration and consultation with the state of Washington employment security department, which is responsible for administration of the family and medical leave 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, 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.

June 4, 2019
 Katherine I. Vasquez
 Rules Coordinator

WSR 19-12-108
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed June 5, 2019, 9:12 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-414-0001 Do I have to meet all eligibility requirements for basic food?, 388-418-0005 How will I know what changes to report?, 388-418-0020 How does the department determine the date a change affects my cash and basic food benefits?, 388-470-0005 How do resources affect my eligibility for cash assistance and 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, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.010, 74.08A.120, 74.08A.250, 7 C.F.R. 273 and 84 F.R. 15083.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes planned under this filing will amend WAC 388-414-0001, 388-418-0005, 388-418-0020, 388-470-0005, and other related rules as may be required to comply with recent changes to federal regulations.

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 enforces the provisions of the federal Supplemental Nutrition Assistance Program. The department amends its rules to ensure that they are consistent with federal statutes, regulations, and guidance. Where appropriate, the department may seek waivers of federal requirements.

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 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 Ivette Dones-Figueroa, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4651, fax 360-725-4905, email DonesIM@dshs.wa.gov.

June 4, 2019
 Katherine I. Vasquez
 Rules Coordinator

WSR 19-12-109
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed June 5, 2019, 9:19 a.m.]

Subject of Possible Rule Making: The department is planning to add new sections and amend existing sections in chapter 388-97 WAC, Nursing homes, including WAC 388-97-1090 Direct care hours, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.42.620.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-97-1090 and other related rules as may be required to implement ESHB 1548 and HB 1349. ESHB 1548 requires the department to establish rules that allow a geriatric behavioral health worker to be recognized in the minimum staffing requirement as part of the direct care service delivery. ESHB 1548 requires these rules include standards or requirements for work skills, work experience, training and supervision. HB 1349, passed after ESHB 1548, alters the definition of geriatric behavioral health worker and redefines the standards or requirements for training and work experience.

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 invites the public to review and provide input on the draft language in this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa Herke, Policy Program Manager, P.O. Box 45600, Olympia, WA 98513, phone 509-225-2819, fax 360-725-3224, email herkela@dshs.wa.gov.

June 4, 2019
Katherine I. Vasquez
Rules Coordinator

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 Rules@drs.wa.gov, web site www.drs.wa.gov/rules/.

June 5, 2019
Jilene Siegel
Rules Coordinator

WSR 19-12-116
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed June 5, 2019, 10:09 a.m.]

Subject of Possible Rule Making: Consent requirement for survivorship benefit options.

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 implement chapter 102, Laws of 2019 (HB 1408), clarifying the written consent requirement for survivorship benefit options.

Process for Developing New Rule: Agency study.