

**WSR 19-17-001**  
**AGENDA**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed August 7, 2019, 12:01 p.m.]

Pursuant to RCW 34.05.314, shown below is the department of labor and industries' (L&I) semi-annual rules development agenda for July 1 to December 31, 2019.

This report details current and anticipated rule-making activities for L&I. This agenda is for information purposes, and the noted dates of anticipated rule-making actions are estimates. There may be additional rule-making activities not anticipated at this time, such as to implement new state laws, meet federal requirements, or other circumstances.

Please contact Maggie Leland at 360-902-4504 or [maggie.leland@Lni.wa.gov](mailto:maggie.leland@Lni.wa.gov) if you have any questions.

**Semi-Annual Rules Development Agenda**  
**July 1 - December 31, 2019**

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
<b>Division: Administrative services</b>						
296-30 296-31 296-33	Crime victims compensation (CVC)	Maty Brimmer Crime Victims 360-902-6707  Linda Messick Crime Victims 360-902-5374	TBD	TBD	TBD	This rule making pertains to the administration of the CVC program, mental health treatment rules and fees, and attendant services. This rule making will consider adopting some rules from chapters 296-14, 296-20, 296-21, 296-23, 296-23A, and 296-23B WAC.
<b>Division: Division of occupational safety and health (DOSH)</b>						
296-36 296-155 Part Q	Compressed air (tunnels)	Chris Miller DOSH Standards Program 360-902-5516	9/18/12	TBD	TBD	This rule making is in response to petitions and other requests from labor and business industry stakeholders to update the compressed air work requirements in chapters 296-36 and 296-155 WAC, Part Q.
296-62 296-155	Lead	Chris Miller DOSH Standards Program 360-902-5516	4/19/16	Spring 2020	TBD	This rule making is in response to a petition and a series of stakeholder meetings. This rule making was initiated to update existing lead standards in both general industry and construction in light of increasing evidence of the hazards associated with occupational lead exposure.
296-27	Recordkeeping and reporting, Phase 3	Chris Miller DOSH Standards Program 360-902-5516	8/2/16	4/30/19	8/20/19	This rule making is in response to Occupational Safety and Health Administration (OSHA) publishing changes to section C.F.R. 1904.35, Employee Involvement, which left some of our rules not as effective. House-keeping amendments were also proposed.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
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296-307	Worker protection standard (pesticides)	Chris Miller DOSH Standards Program 360-902-5516	11/22/16	6/18/19	10/22/19	This rule making is in response to federal Environmental Protection Agency worker protection standard updates. The department is coordinating the adoption of the rules with the Washington state department of agriculture.
296-307 (removing 296-45)	eRules reformatting, Phase 10	Chris Miller DOSH Standards Program 360-902-5516	1/3/17	TBD	TBD	This rule making is the tenth filing package to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access. Note that amendments to chapter 296-45 WAC will be removed from this rule making at the proposed rule making (CR-102) stage, as they were included in rule making adopted on June 18, 2019, under WSR 19-13-083.
296-67	Process safety management (PSM) of highly hazardous chemicals for petroleum refineries	Chris Miller DOSH Standards Program 360-902-5516	8/22/17	October 2019	TBD	This rule making addresses the PSM requirements specific to petrochemical refining facilities. The current rules are outdated, not having been updated in over twenty years and do not reflect current industry practices.
296-65	Safety standards for asbestos removal and encapsulation	Chris Miller DOSH Standards Program 360-902-5516	1/2/18	TBD	TBD	The purpose of this rule making is to update the requirements regarding asbestos removal and encapsulation. This rule making intends to remove confusing and unnecessary language, as well as add clarification where necessary throughout the rule. Some requirements that may have updates include: Certification and testing requirements; when refresher training is required; and when temporary certificates can be issued.
296-52	Safety standards for possession, handling, and use of explosives	Chris Miller DOSH Standards Program 360-902-5516	1/23/18	January - February 2020	TBD	In order to reflect technological advancements in explosives over the past ten to thirty years, and better align with federal regulations, the department is updating the safety standards for possession, handling, and use of explosives. Focus areas will likely include definitions, licensing, storage, background check requirements, public disclosure, and transportation, among other sections.

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296-155	Crane incident reporting requirement	Chris Miller DOSH Standards Program 360-902-5516	3/20/18	TBD	TBD	The purpose of this rule making is to provide clarity on the department's interpretation of requirements relating to crane decertification and reinstatement. This rule making intends to address what activities are covered, and will clearly state that damage to critical parts of the crane would require notification, rather than just implying it. This rule making will include additional housekeeping changes as well.
296-155 Part S	Demolition standards	Chris Miller DOSH Standards Program 360-902-5516	7/5/18	November - December 2019	TBD	The purpose of this rule making is to update the requirements regarding demolition standards. The department is initiating this rule making to remove confusing and unnecessary language, as well as add clarification where necessary throughout the rule to improve safety. Other updates and housekeeping changes may also be made throughout the chapter.
296-24	Walking working surfaces	Chris Miller DOSH Standards Program 360-902-5516	2/19/19	November - December 2019	TBD	The purpose of this rule making is to address the requirements in chapter 296-24 WAC, General safety and health standards, Part J-1, walking-working surfaces. The department initiated this rule making to align with possible new language under the plan to adopt a single unified fall protection chapter and to be at-least-as-effective-as OSHA C.F.R. 1910.
296-155 296-24 296-800 (other chapters that reference the requirements may be updated to align with the changes)	Unified fall protection	Chris Miller DOSH Standards Program 360-902-5516	2/19/19	January - February 2020	TBD	This rule making is in response to OSHA updates made in November 2016. Stakeholders requested the department create a single unified fall protection standard that applies to all industries statewide. This rule making will amend the department's rules to make them at-least-as-effective-as OSHA.

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296-155 Part O	Safety standards for reinforcing steel and post-tensioning activities	Chris Miller DOSH Standards Program 360-902-5516	3/5/19	January - February 2020	TBD	This rule making is in response to a petition received to adopt new safety standards for reinforcing steel and post-tensioning activities for iron workers, specifically standards contained in the newly revised 2018 - ANSI A10.9 (2013) Standard, Safety Requirements for Concrete and Masonry Work.
296-32	eRules reformatting, Phase 11	Chris Miller DOSH Standards Program 360-902-5516	8/6/19	TBD	TBD	This rule making is the eleventh filing package to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.
296-800	Adult entertainer safety	Chris Miller DOSH Standards Program 360-902-5516	TBD	TBD	TBD	Rule making will make required changes made by HB 1756 for adult entertainer safety in the accident prevention plan and other measures.
296-840	Respirable crystalline silica (agriculture)	Chris Miller DOSH Standards Program 360-902-5516	TBD	TBD	TBD	The purpose of this rule making is to clarify the application of the respirable crystalline silica rules to agriculture.
269-307 Part Y	Precommercial thinning	Chris Miller DOSH Standards Program 360-902-5516	TBD	TBD	TBD	The rule making is to consider establishing minimum safety standards for precommercial thinning in agriculture.
296-155	Crane operator qualification in construction	Chris Miller DOSH Standards Program 360-902-5516	TBD	TBD	TBD	This rule making [is] in response to OSHA updating rules for crane operator licensing/certification requirements and establishing minimum requirements for determining operator competency.
296-305 296-803 296-811 296-835 296-842 296-863 296-855	Change log, Phase 5	Chris Miller DOSH Standards Program 360-902-5516	TBD (CR-105)	TBD	TBD	The rule making will consider amendments to correct outstanding housekeeping issues, such as correcting typos and updating old references, which are on the DOSH change log.
<b>Division: Field services and public safety</b>						
296-96	Elevator rules (American Society of Mechanical Engineers (ASME) A17.3)	Alicia Curry Field Services and Public Safety 360-902-6244	8/31/18	4/16/19	7/23/19	The purpose of this rule making is to adopt additional requirements from the 2015 ASME A17.3 safety codes for existing elevators and escalators.

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296-46B	Electrical rules	Alicia Curry Field Services and Public Safety 360-902-6244	9/4/18	5/1/19	7/23/19	The purpose of this rule making is to update and clarify existing rules, make housekeeping changes, accept stakeholder proposals, implement new legislation, and adopt the 2020 edition of the National Fire Protection Agency (NFPA) 70, the National Electrical Code (NEC) by reference with an effective date.
296-104	Board of boiler rules	Alicia Curry Field Services and Public Safety 360-902-6244	1/22/19	4/2/19	7/23/19	The purpose of this rule making is to: <ul style="list-style-type: none"> <li>· Amend the definition of "places of public assembly or assembly hall" to include assisted living facilities as housing and basic services for seven or more residents;</li> <li>· Require authorized inspection agencies or inspectors to submit inspection reports through the state's third party provider database. If the agency or inspector does not have access to the third party database, then reports can be submitted to L&amp;I for processing. L&amp;I would charge a processing fee; and</li> <li>· Establish a new fee of \$7 per boiler and pressure vessel for the department to process inspection reports.</li> </ul>
296-150F	Factory-assembled structures (FAS): Factory-built housing and commercial structures	Alicia Curry Field Services and Public Safety 360-902-6244	7/2/19	9/3/19	11/19/19	The purpose of this rule making is to update the rules regarding factory-built housing and commercial structures, to include panelized construction. This rule making will include intent to make the rules related to E2SHB 1257, Energy efficiency, HB 1486, Delegation of authority, and SB [ESSB] 5383, Tiny homes.
296-46B	Temporary electrician permits (emergency rule making)	Alicia Curry Field Services and Public Safety 360-902-6244	N/A	N/A	7/3/19 Emergency	This emergency rule making provides for the issuance of reciprocal licenses and temporary permits in lieu of certificates of competency for electricians coming from another state as authorized by RCW 19.28.231.

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296-96	Elevator rules	Alicia Curry Field Services and Public Safety 360-902-6244	8/20/19	10/1/19	12/17/19	The purpose of this rule making is to consider changes to the elevator rules. The elevator program reviewed specific sections of the elevator rules to update and clarify existing rules, make reference corrections, perform general housekeeping, and consider other rule changes.
296-150I 296-150M	FAS: Manufactured home installer training and certification program and manufactured homes	Alicia Curry Field Services and Public Safety 360-902-6244	8/20/19	12/17/19	3/17/20	The purpose of this rule making is to consider changes to the FAS rules that would adopt rules to comply with U.S. Housing and Urban Development (HUD) regulations. L&I also plans to review the rules to consider updates, clarification, and housekeeping changes to the rules.
296-403A	Electrical rules (amusement rides or structures)	Alicia Curry Field Services and Public Safety 360-902-6244	TBD	TBD	TBD	The purpose of this rule making is to consider changes to the electrical rules for amusement rides or structures. L&I plans to perform a review of the rules to update and clarify existing rules, and make housekeeping changes.
296-46B	Electrical rules	Alicia Curry Field Services and Public Safety 360-902-6244	TBD	TBD	TBD	The purpose of this rule making is to consider changes to the electrical rules that would adopt new safety codes from the 2020 edition of NEC. L&I is also considering updating, clarifying, and making housekeeping changes to the rules.
<b>Division: Fraud prevention and labor standards</b>						
296-128-500 through 296-128-540	Executive administrative professional exemptions	Joshua Grice Fraud Prevention and Labor Standards 360-902-5310	3/20/18	6/4/19	12/3/19	The department is proposing changes to the definitions of bona fide executive, administrative, professional and outside salespersons for the purposes of coverage under chapter 49.46 RCW, Minimum wage requirements and labor standards.
296-127	Prevailing wage	Beverly Clark Fraud Prevention and Labor Standards 360-902-5310	12/18/18	6/4/19	7/23/19	The purpose of this rule making is to review prevailing wage rules for housekeeping changes in order to further clarify the language without changing the effect of any rule except where necessary to align with statute or case law. No substantive changes were proposed in this rule.

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296-127	Prevailing wage landscape maintenance workers (permanent rule making)	Beverly Clark Fraud Prevention and Labor Standards 360-902-5310	3/8/19	TBD	TBD	The purpose of this rule making is to permanently adopt the landscape maintenance worker scope of work. The department adopted emergency rules on March 8, 2019, effective March 11, 2019, establishing this scope as separate and unique from landscape construction (landscape laborer).
296-127	Prevailing wage landscape maintenance workers (emergency rule making)	Beverly Clark Fraud Prevention and Labor Standards 360-902-5310	N/A	N/A	7/5/19 Emergency	This emergency rule making will continue emergency rule making filed on March 8, 2019, that became effective March 11 and expires [expired] on July 6, 2019. This rule making amends the prevailing wage rules in order to provide a new scope of work specific to landscape maintenance that is separate and unique from landscape construction.
296-05	Apprenticeship rules	Beverly Clark Fraud Prevention and Labor Standards 360-902-5310	7/23/19	TBD	TBD	This rule making is being proposed to incorporate federally required changes to rules for equal opportunity in apprenticeship. Address changes required by HB 1849 concerning use of registered apprentices on qualifying public works construction projects (apprentice utilization requirements). Make technical corrections arising from the 2018 rule making.
New chapter	Labor standard certification for clean energy (emergency rule making)	Beverly Clark Fraud Prevention and Labor Standards 360-902-5310	N/A	N/A	12/1/19 Emergency	E2SSB 5116 requires the department adopt emergency rules related to labor standard certification for certain tax exemptions for alternative energy projects.
New chapter	Labor standard certification for clean energy (permanent rule making)	Beverly Clark Fraud Prevention and Labor Standards 360-902-5310	TBD	TBD	TBD	E2SSB 5116 requires the department adopt permanent rules related to labor standard certification for certain tax exemptions for alternative energy projects.
<b>Division: Insurance services</b>						
296-17A	2019 Classification amendments	James Vest Employer Services 360-902-4799	10/2/18	6/18/19	8/20/19	The purpose of this rule making is to: <ul style="list-style-type: none"> <li>· Correct typographical and other errors (such as invalid telephone numbers and out-of-date references);</li> <li>· Revise wording and formatting to make the rules easier to understand and apply; and</li> </ul>

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						· Incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the department currently includes by interpretation or analogy).
296-17 296-17B	2020 Workers' compensation premium rates	Jo Anne Attwood Employer Services 360-902-4777	6/18/19	9/17/19	November 2019	This rule making will set the rates for 2020 workers' compensation insurance.
296-17	Occupational disease date of injury	Annie Peeples Employer Services 360-902-4723	7/23/19	9/17/19	11/19/19	The purpose of this rule making is to ensure the experience rating rule governing the date of injury for occupational disease claims is clear and equitable.
296-20 296-23	Medical aid rules update	Emily Stinson Health Services Analysis 360-902-5974	12/18/18	TBD	TBD	The purpose of this rule making is to update payment rates for health care services, which are published annually in the medical aid rules and fee schedules.
296-14	Reopenings for benefits	Tanya Weber Health Services Analysis 360-902-6818	5/21/19 Expedited	N/A	7/23/19	The purpose of this expedited rule making was to amend WAC 296-14-400 Reopenings for benefits, to remove the requirement that applications to reopen a workers' compensation claim must be submitted by a provider in the department's medical provider network (MPN) as a result of the state of Washington court of appeals decision ( <i>Ronald V. Ma'ae v. State of WA Dept of Labor And Industries</i> , 2019 WL 1492822) that found the department cannot prohibit non-MPN providers from submitting reopening applications.
296-14	Presumptive posttraumatic stress disorder (PTSD) coverage (SB [SSB] 6214)	Suzy Campbell Legal Services 360-902-5003	8/21/18	TBD	TBD	This rule making will update existing rules and create new rules needed to implement SB [SSB] 6214, allowing industrial insurance coverage for PTSD of law enforcement, firefighters and emergency medical technicians.
296-21	Master's level therapists (MLT) pilot	Suzy Campbell Legal Services 360-902-5003	TBD	TBD	TBD	The department currently doesn't allow MLTs to treat or bill injured workers. This rule making will use pilot rule making to identify appropriate roles for MLTs to provide behavioral and mental health focused on recovery and return to work for workers with a work-related injury or illness.



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296-14	Pension discount rate 2020	Suzy Campbell Legal Services 360-902-5003	8/20/19	10/22/19	1/2/20	This rule making will reduce the current pension discount rate for 2020. The pension discount rate is the interest rate used to account for the time value of money when evaluating the present value of future pension payments.
296-20	Acupuncture/acupuncture pilot spine impairment ratings	Jami Lifka Office of the Medical Director 360-902-4941	TBD	TBD	TBD	L&I's spinal impairment ratings were adopted in 1974. The changes will bring these rules up to current standards of rating impairment in injured workers.
296-17B	Retrospective rating	Julie Osterberg Retrospective Rating 360-902-5819	11/5/13	TBD	TBD	This rule making will address extending requirements for businesses that enroll in individual retro plans and revise enrollment requirements for businesses under common majority ownership.
296-17B	Retrospective rating for workers' compensation insurance— Common ownership (pilot)	Julie Osterberg Retrospective Rating 360-902-5819	8/5/15	TBD	TBD	This pilot rule making will consider/allow exceptions to the retroactive rating program's current common ownership rule (WAC 296-17B-770) as written.
296-19A	Vocational rehabilitation	Laurinda Grytness Return to Work Partnerships 360-902-6362	6/4/19	8/20/19	10/22/19	This rule making will support the department's vocational recovery effort by: <ul style="list-style-type: none"> <li>· Ensuring expectations of vocational providers are better aligned with the return-to-work language in RCW 51.32.095;</li> <li>· Addressing certain requirements for vocational firms; and</li> <li>· Outlining when and to what degree vocational providers may be subject to corrective action or sanctions.</li> </ul>
296-15	Medical bill electronic data interchange (EDI)	James Nylander Self-Insurance 360-902-6907	4/19/16	6/4/19	8/20/19	The department and the self-insured employer community agreed to partner in the development of a self-insurance risk analysis system. One component of this system features the collection of medical bill data using EDI. This rule making will amend existing rules and adopt a new rule in order to make reporting requirements clear and to ensure a uniform standard of reporting is established.

Maggie Leland  
Rules Coordinator

**WSR 19-18-001**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIFORM LAW COMMISSION**  
 [Filed August 21, 2019, 12:19 p.m.]

Following is a change to the last meeting in 2019 for the Washington uniform law commission. It was originally scheduled to be held on October 9, 2019, at 4:00 p.m. It has changed to November 7, 2019, at 4:00 p.m., at the Law Offices of Davis Wright, Tremaine LLP, 920 Fifth Avenue, Suite 3300, Seattle, WA, 206-757-8124 (location remains the same).

**WSR 19-18-006**  
**NOTICE OF PUBLIC MEETINGS**  
**TRAFFIC SAFETY COMMISSION**  
 [Filed August 23, 2019, 8:51 a.m.]

The Washington traffic safety commission has changed the start time of the following regular meeting:

Date	Time	Location
October 17, 2019	10:30 a.m. - noon **New start time 9:30 a.m.	Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944

If you need further information, please contact Geri M. Nelson by phone 360-725-9898 or email gnelson@wtsc.wa.gov.

**WSR 19-18-007**  
**NOTICE OF PUBLIC MEETINGS**  
**SHORELINE COMMUNITY COLLEGE**  
 [Filed August 23, 2019, 10:55 a.m.]

Shoreline Community College board of trustees shall hold its regular meetings at Shoreline Community College, 16101 Greenwood Avenue North, Shoreline, WA 98133, on the following dates and times in calendar year 2020.

WINTER 2020		
January 22, 2020*	Regular meeting	4:30 p.m.
February 26, 2020*	Regular meeting	4:30 p.m.
March 18, 2020 <sup>1</sup> *	Regular meeting	4:30 p.m.
SPRING 2020		
April 22, 2020	Regular meeting	4:30 p.m.
May 27, 2020	Regular meeting	4:00 p.m.
June 24, 2020	Regular meeting	4:00 p.m.
SUMMER 2020		
July 15, 2020 <sup>1</sup>	Regular meeting	4:00 p.m.
FALL 2020		
October 28, 2020*	Regular meeting	4:30 p.m.
December 2, 2020 <sup>2</sup> *	Regular meeting	4:30 p.m.

- <sup>1</sup> Third Wednesday of the month.
- <sup>2</sup> First Wednesday of the month.
- \* Study session to precede regular meeting at 3:00 p.m.

All meetings, with the exception of the March 18, 2020, meeting, will be held in the Board Room (#1010M) in the Administration Building (#1000). The March 18, 2020, meeting will be held in Room 9208 in Building 9000.

Please call 206-546-4552 or email lyonemitsu@shoreline.edu for further information.

**WSR 19-18-009**  
**NOTICE OF PUBLIC MEETINGS**  
**WALLA WALLA**  
**COMMUNITY COLLEGE**  
 [Filed August 24, 2019, 10:42 a.m.]

The Walla Walla Community College (WWCC) board of trustees has changed the location of the following regular meeting:

From: September 18, 2019, on the WWCC Clarkston campus.

To: September 18, 2019, on the WWCC Walla Walla campus.

If you need further information, please contact Jerri Ramsey, 500 Tausick Way, Walla Walla, WA 99362, phone 509-527-4274, email jerri.ramsey@wwcc.edu, www.wwcc.edu.

**WSR 19-18-013**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLEVUE COLLEGE**  
 [Filed August 26, 2019, 4:37 p.m.]

The following is the schedule of regular meetings for the board of trustees of Community College District VIII for Bellevue College. The meetings will be held in the Board Room (B201), Bellevue College, 3000 Landerholm Circle S.E., Bellevue, WA on the following dates unless otherwise noted:

Date	Time	Location
September 11, 2019	2:00 p.m.	Bellevue College
October 2, 2019	4:00 p.m.	Mercer Island Community Center Room 104
November 13[,] 2019	2:00 p.m.	Bellevue College
December 11, 2019	2:00 p.m.	Bellevue College
January 8, 2020	2:00 p.m.	Bellevue College
February 5, 2020	8:00 a.m. All-day retreat	Bellevue College
March 4, 2020	2:00 p.m.	Bellevue College
April 22, 2020	2:00 p.m.	Bellevue College
May 6, 2020	2:00 p.m.	Bellevue College
June 17, 2020	2:00 p.m. Tentative pending budget process	Bellevue College

If you need any further information, please contact Alicia Keating Polson, 3000 Landerholm Circle S.E., Bellevue, WA 98007, voice 425-564-2302, fax 425-564-2261, Alicia.keatingpolson@bellevuecollege.edu.

**WSR 19-18-014**  
**HEALTH CARE AUTHORITY**

[Filed August 27, 2019, 7:30 a.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA) 19-0014.

Effective Date: January 1, 2020.

Description: Pharmacy update - Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act) requirements.

The health care authority (the agency) intends to submit SPA 19-0014 to implement requirements of medicaid under Section 1004 of SUPPORT Act (the act). To comply with the act, the agency will submit the following changes to the state plan:

1. Description of the agency's opioid policy regarding quantity limits for acute prescribing, prescriber attestation requirements for chronic use, and changes to comply with the act. These limits, related exemptions, and attestation requirements have been in place since November 2017. This SPA will include a new morphine milligram equivalent (MME) limitation as required by the act, which will be incorporated into the existing attestation process.

2. Descriptions of existing policies related to rejecting duplicate prescriptions and monitoring for prescriptions refilled earlier than medically necessary.

3. Automated processes for claims review to:

- Indicate when an individual is prescribed a subsequent fill of opioids in excess of the limitations above;
- Indicate when an individual is prescribed greater than a one hundred twenty MME dose of opioids per day; or
- Monitor when an individual is concurrently prescribed opioids and benzodiazepines or opioids and antipsychotics.

4. Description of the program the state has in place to identify fraud and abuse related to opioids and what the agency does when fraud or abuse is identified. Description of the agency's program for monitoring antipsychotic use in children, as expanded to comply with the act. Currently, the agency has specific age and dose thresholds for antipsychotic medications, beyond which a consultation with an agency-designated pediatric mental health specialist is required. Under the act, the agency will add an automated claims review process to monitor the prescribing of antipsychotics for all children, regardless of whether these age and dose thresholds are exceeded.

5. Provision that affirms the agency has updated its contracts with managed care organizations (MCO) to require MCOs to participate in and implement all of the same activities described above.

SPA 19-0014 is expected to have no effect on the annual aggregate expense/payments for prescription drugs.

SPA 19-0014 is in the development process; therefore a copy is not yet available for review. The agency would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, you may contact Charles Agte, Prescription Drug Program, 626 8th Avenue S.E., Olympia, WA 98504, phone 360-725-1301, TTY 711, email Charles.Agte@hca.wa.gov, web site <https://www.hca.wa.gov/billers-providers-partners/programs-and-services/pharmacy> (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

**WSR 19-18-020**

**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**

[Filed August 27, 2019, 9:26 p.m.]

The Edmonds Community College board of trustees has changed the following regular meeting:

From: Thursday, November 7, 2019, at 4:30 p.m., in Gateway Hall 352, 6600 196th Street S.W., Lynnwood, WA.

To: Thursday, November 14, 2019, at 4:30 p.m., in Gateway Hall 352, 6600 196th Street S.W., Lynnwood, WA.

If you need further information contact Kristen Nyquist, Edmonds Community College, 20000 68th Avenue West, Lynnwood, 98036, 425-640-1516, kristen.nyquist@edcc.edu.

**WSR 19-18-027**

**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF HEALTH**

[Filed August 28, 2019, 12:04 p.m.]

**NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT**

Title of Interpretive Statement: "Clinical supervision" for Mental Health Professionals working in Behavioral Health Agencies licensed under chapter 246-341 WAC.

Number: CHS-08-27-19.

Issuing Entity: Department of health.

Subject Matter: Interpreting the definition of "clinical supervision" as it relates to mental health professionals.

Effective Date: August 27, 2019.

Contact Person: James Chaney, executive director, james.chaney@doh.wa.gov, 360-236-2831; or Nancy Tyson, executive director, nancy.tyson@doh.wa.gov, 360-236-4796.

**WSR 19-18-028**  
**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF HEALTH**  
 [Filed August 28, 2019, 12:05 p.m.]

**NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT**

Title of Interpretive Statement: Exempting Patients in Nursing Homes and Long-Term Acute Care Hospitals from the Opioid Prescribing Rules. Number: INS2019-03.  
 Issuing Entity: Washington medical quality assurance commission.  
 Subject Matter: Application of opioid prescribing rules to patients in nursing homes and LTACs.  
 Effective Date: May 17, 2019.  
 Contact Person: Michael Farrell, Policy Development Manager, Washington Medical Quality Assurance Commission, Michael.farrell@wmc.wa.gov, 509-329-2186.

**WSR 19-18-038**  
**HEALTH CARE AUTHORITY**  
 [Filed August 29, 2019, 1:57 p.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA) 19-0028 - Update References to Per Case Rate Payment Methodology.  
 Effective Date: October 1, 2019.  
 Description: The health care authority (HCA) intends to submit medicaid SPA 19-0028 to update references to a former inpatient hospital payment methodology known as the "per case rate." HCA eliminated this payment methodology in favor of the diagnosis-related group methodology, effective October 1, 2018. In order to ensure clarity regarding when this methodology was effective, SPA 19-0028 adds the effective dates to each reference to the per case rate. The Centers for Medicare and Medicaid Services approved eliminating the per case rate methodology in SPA 18-0029, approved in December 2018.  
 SPA 19-0028 is expected to have no effect on annual aggregate expenditures/payments.  
 HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).  
 Contact Abigail Cole, Hospital Finance, P.O. Box 5510, Olympia, WA 98504, phone 360-725-1835, TRS 711, fax 360-753-9152, email abigail.cole@hca.wa.gov.

**WSR 19-18-042**  
**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF HEALTH**  
 [Filed August 29, 2019, 2:51 p.m.]

**NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT**

Title of Interpretive Statement: Physician Assistants [Assistants] Ordering Patient Restraint and Seclusion.  
 Issuing Entity: Washington medical commission.  
 Subject Matter: Physician assistants scope of practice.  
 Effective Date: August 29, 2019.  
 Contact Person: Michael Farrell, policy development manager, 509-329-2186.

**WSR 19-18-044**  
**NOTICE OF PUBLIC MEETINGS**  
**EASTERN WASHINGTON UNIVERSITY**  
 [Filed August 29, 2019, 3:58 p.m.]

Following is the schedule of regular meetings for the Eastern Washington University (EWU) board of trustees (BOT) for 2019:

Date	Location and Time	Meeting
Thursday February 21, 2019	EWU Cheney Campus Hargreaves Hall 223 1:00 - 5:00 p.m.	Board work session
	EWU Cheney Campus Hargreaves Hall 223 5:00 - 7:00 p.m.	Dinner
Friday February 22, 2019	EWU Cheney Campus Tawanka 215 B&C 8:30 a.m. - Noon	Committee of the whole
	Tawanka 215 A Noon - 1:00 p.m.	Executive session lunch
	Tawanka 215 B&C 1:00 - 3:00 p.m.	Board meeting
Thursday May 9, 2019	EWU Cheney Campus Hargreaves Hall 223 1:00 - 5:00 p.m.	Board work session
	EWU Cheney Campus Hargreaves Hall 223 5:00 - 7:00 p.m.	Dinner
Friday May 10, 2019	EWU Cheney Campus Tawanka 215 B&C 8:30 a.m. - Noon	Committee of the whole
	Tawanka 215 A Noon - 1:00 p.m.	Executive session lunch
	Tawanka 215 B&C 1:00 - 3:00 p.m.	Board meeting
Thursday June 27, 2019	EWU Cheney Campus Showalter Hall Room 201 11:00 a.m. - 12:00 p.m.	Telephonic meeting
Thursday July 11, 2019	Northern Quest Casino Chief Victor Board Room 100 North Hayford Road Airway Heights, WA 99001 11:00 a.m. - 5:00 p.m.	BOT retreat

Date	Location and Time	Meeting
	Northern Quest Casino Masselow's Private Dining Room 100 North Hayford Road Airway Heights, WA 99001 5:30 - 7:00 p.m.	Dinner
Friday July 12, 2019	Northern Quest Casino Chief Victor Board Room 100 North Hayford Road Airway Heights, WA 99001 7:00 a.m. - 12:00 p.m.	BOT retreat
Friday September 6, 2019	EWU Cheney Campus Tawanka Hall 215 B&C 1:00 - 2:00 p.m.	Special board meeting
Thursday October 3, 2019	EWU Cheney Campus Hargreaves Hall 223 10:00 a.m. - 5:00 p.m.	Board work session
	EWU Cheney Campus Hargreaves Hall 223 5:00 - 7:00 p.m.	Dinner
Friday October 4, 2019	EWU Cheney Campus Tawanka 215 B&C 8:30 - 11:15 a.m.	Committee of the whole
	Tawanka 215 A 11:15 a.m. - 12:30 p.m.	Executive session lunch
	Tawanka 215 B&C 12:30 - 1:30 p.m.	Board meeting
Thursday December 5, 2019	EWU Cheney Campus Hargreaves Hall 223 1:00 - 5:00 p.m.	Board work session
	EWU Cheney Campus Hargreaves Hall 223 5:00 - 7:00 p.m.	Dinner
Friday December 6, 2019	EWU Cheney Campus Tawanka 215 B&C 8:30 - 11:30 a.m.  Tawanka 215 A 11:30 a.m. - 1:00 p.m.  Tawanka 215 B&C 1:00 - 3:00 p.m.	Committee of the whole  Executive session lunch Board meeting

up-to-date. However, the council reserves the right to change or amend agendas at the meeting.

**2019 Council Meeting Schedule**  
Approved by the Council December 6, 2018

Meeting Date	Location
Thursday February 7, 2019 (possibly 1/2 day)	Department of Health Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501 <i>(alternative tribal location TBD)</i>
Thursday May 2, 2019	Asia Pacific Cultural Center 4851 South Tacoma Way Tacoma, WA 98409
Thursday September 5, 2019	Washington State University Everett Room 101 915 North Broadway Everett, WA 98201
Thursday December 5, 2019	Department of Health Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501

Start time is 9:30 a.m. unless otherwise specified. Time and locations subject to change as needed. See the board of health web site and the health disparities council web site for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4110, fax 360-236-4088, email [melanie.hisaw@sboh.wa.gov](mailto:melanie.hisaw@sboh.wa.gov), web [www.healthequity.wa.gov](http://www.healthequity.wa.gov).

Please be advised the governor's interagency council on health disparities is required to comply with the Public Records Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

**WSR 19-18-045**

**NOTICE OF PUBLIC MEETINGS  
STATE BOARD OF HEALTH**

(Governor's Interagency Council on Health Disparities)  
[Filed August 29, 2019, 11:34 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the revised schedule of regular meetings for the governor's interagency council on health disparities, for the year 2019. The council's meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the council's web site (see below). Every attempt is made to ensure that the agenda is

**WSR 19-18-046**

**POLICY STATEMENT  
DEPARTMENT OF HEALTH**

[Filed August 30, 2019, 8:16 a.m.]

**NOTICE OF ADOPTION OF A POLICY STATEMENT**

Title of Policy Statement: Screening Health Care Workers for Tuberculosis in Department of Health Licensed Residential Treatment Facilities, Hospitals, and Ambulatory Surgical Facilities. Number: CHS-08-26-19.

Issuing Entity: Department of health.

Subject Matter: New guidelines on screening health care workers for tuberculosis in department of health licensed residential treatment facilities, hospitals, and ambulatory surgical facilities.

Effective Date: August 26, 2019.

Contact Person: Julie Tomaro, facilities program manager, Julie.Tomaro@doh.wa.gov, 360-236-2937; or John Hilger, facilities program manager, John.Hilger@doh.wa.gov, 360-236-2929.

### WSR 19-18-054

#### NOTICE OF PUBLIC MEETINGS PUBLIC WORKS BOARD

[Filed August 30, 2019, 1:34 p.m.]

#### Notice of 2019 Business Meeting Date Cancellation

#### NOTICE OF PUBLIC MEETINGS FOR 2019

The public works board will be holding regularly scheduled business meetings on the following dates at 9:00 a.m.:

January 4, 2019	
February 21, 2019	
March 1, 2019	
April 5, 2019	
May 3, 2019	CANCELLED
June 7, 2018 [2019]	
July 5, 2019	Rescheduled to July 12, 2019
August 2, 2019	
September 6, 2019	CANCELLED
October 3-4, 2019	Board retreat
November 1, 2019	
December 6, 2019	

All meetings are held at the Department of Commerce, 1011 Plum Street S.E., Olympia, WA 98506, unless noted otherwise. All meeting materials and information can be found on our web site [www.pwb.wa.gov](http://www.pwb.wa.gov).

Please contact the public works board at 360-725-2744 for any further information.

### WSR 19-18-057

#### NOTICE OF PUBLIC MEETINGS WALLA WALLA COMMUNITY COLLEGE

[Filed September 3, 2019, 7:33 a.m.]

The Walla Walla Community College board of trustees has changed the time of the following regular meeting:

From: 1:00 p.m., September 18, 2019.

To: 11:00 a.m., September 18, 2019.

If you need further information, please contact Jerri Ramsey, 500 Tausick Way, Walla Walla, WA 99362, phone 509-527-4274, email [jerri.ramsey@wwcc.edu](mailto:jerri.ramsey@wwcc.edu), [www.wwcc.edu](http://www.wwcc.edu).

### WSR 19-18-058

#### POLICY STATEMENT HEALTH CARE AUTHORITY (School Employees Benefits Board)

[Filed September 3, 2019, 7:45 a.m.]

#### Notice of School Employees Benefits Board (SEBB) Program Administrative Policy Statements

The following is a list of administrative policies published by the SEBB program. These policies are effective October 1, 2019.

You can download the complete policy statements at <https://www.hca.wa.gov/employee-retiree-benefits/rules-and-policies/sebb-rules-and-policies>.

The following policies were created to support the SEBB program:

**Policy 11-1: Providing a notice to a school employee and a SEBB organization.** To clarify the requirements of an employer-to-employee and employee-to-employer notice, as stated in RCW 41.05.009(2) and 41.05.740 (6)(d) and (e).

**Policy 12-1: Determining the first day of school for SEBB organizations.** This policy applies when a SEBB organization is determining the first day of school for the upcoming school year.

**Policy 19-1: Termination due to loss of eligibility or enrollment error.** This policy applies whenever coverage for a subscriber or a subscriber's dependent is terminated due to loss of eligibility, or because a subscriber or dependent was enrolled when they were not eligible for coverage.

**Addendum 19-1A: Termination due to loss of eligibility or enrollment error: School employee and dependent of school employee.**

**Addendum 19-1B: Termination due to loss of eligibility or nonpayment: Self-pay subscriber and dependent of self-pay subscriber.**

**Policy 31-1: Verifying dependent eligibility before enrollment.** This policy clarifies which documents the SEBB program considers valid for dependent verification and identifies which accounts are included in the dependent verification process. Although some subscriber accounts are not included in the process, the SEBB program reserves the right to review a dependent's eligibility at any time.

**Policy 31-2: Use of premium surcharge help sheet and spousal plan calculator tools.** This policy provides direction when a SEBB program subscriber enrolled in SEBB medical is determining if a premium surcharge will be applied for a spouse or state registered domestic partner enrolled in SEBB medical.

**Policy 33-1: Verifying legal union's residency status.** This policy clarifies which documents the SEBB program considers valid for establishing state residency for subscribers who are in a legal union as defined in RCW 26.04.260 that is substantially equivalent to marriage in Washington state.

**Policy 36-1: Certifying eligibility for a dependent child with a disability who is age 26 or older.** This policy applies whenever a subscriber requests to enroll or continue enrollment for a dependent child with a disability who is age twenty-six or older on their SEBB program subscriber account.

**Policy 37-1: Certifying eligibility for an extended dependent child.** This policy applies when a subscriber submits the required forms to enroll an extended dependent child in the subscriber's SEBB benefits.

**Policy 56-1: Continuation coverage reinstatement for subscribers with mental or physical impairment or incapacitation.** This policy applies whenever a subscriber (or another party acting on behalf of the subscriber) requests reinstatement of continuation coverage due to nonpayment of premiums, or applicable premium surcharges, for reason of mental or physical impairment or incapacitation.

This policy establishes the methodology the SEBB program will use to make a determination of mental or physical impairment or incapacitation for the purpose of reinstatement of coverage terminated due to nonpayment of premiums, or applicable premium surcharges.

This policy provides timing requirements for requesting reinstatement due to nonpayment of premiums, or applicable premium surcharges, for reason of mental or physical impairment or incapacity.

**Policy 56-2: Election period tolling for applicants with mental or physical impairment or incapacitation.** This policy applies whenever an applicant (or another party acting on behalf of the applicant) requests tolling of the continuation coverage, new employee eligibility, annual open enrollment, or special open enrollment election period, for reason of mental or physical impairment or incapacitation.

This policy establishes the methodology that the SEBB program will use to make a determination of mental or physical impairment or incapacitation for the purpose of tolling the election period of continuation coverage, new employee eligibility, annual open enrollment, or special open enrollment.

This policy provides timing requirements to request tolling of the election period for reason of mental or physical impairment or incapacity.

**Policy 60-1: Required appeals related documents when the SEBB program conducts a brief adjudicative proceeding.** This policy clarifies what particular documents are required from a SEBB organization or third-party administrator when the SEBB program is conducting a brief adjudicative proceeding at the request of one of its school employees or subscribers.

**Policy 91-1: Requesting a reasonable alternative for completing wellness incentive program requirements or avoiding the tobacco use premium surcharge.** This policy applies when a subscriber who is eligible to participate in the SEBB wellness incentive program is seeking a reasonable alternative to a wellness incentive program requirement in order to receive a wellness incentive.

This policy also applies when an enrollee on a SEBB medical plan is seeking a reasonable alternative so that a subscriber can avoid paying the tobacco use premium surcharge as described in WAC 182-30-050 (1)(c)(iii).

**Policy 91-2: Tobacco as it relates to religious or ceremonial use.** This policy applies whenever a SEBB program subscriber is attesting to an enrolled member's tobacco use status. The purpose of the policy is to clarify the exception for the religious or ceremonial use of tobacco.

**Policy 91-3: Washington wellness worksite designation program incentive requirements.** This policy provides a set of requirements for SEBB organizations to use when offering wellness incentives under the Washington wellness worksite designation program.

To receive a hard copy of the policy statements, contact Rob Parkman, P.O. Box 42684, [Olympia,] WA 98504-2684 or 360-725-0883.

**WSR 19-18-063**

**NOTICE OF PUBLIC MEETINGS**

**YAKIMA VALLEY**

**COMMUNITY COLLEGE**

[Filed September 3, 2019, 9:33 a.m.]

Following is the schedule of regular meetings for Yakima Valley College (YVC) for 2019-2020:

<b>Date</b>	<b>Time</b>	<b>Location</b>
<b>2019</b>		
Thursday, August 8, 2019	4:30 p.m.	King Room HUB Yakima Campus CANCELLED
Thursday, September 12, 2019	4:30 p.m.	King Room HUB Yakima Campus
Thursday, October 10, 2019	4:30 p.m.	King Room HUB Yakima Campus
<b>Wednesday, November 6, 2019</b>	4:30 p.m.	King Room HUB Yakima Campus date change
December 12, 2019	4:30 p.m.	King Room HUB Yakima Campus CANCELLED
<b>2020</b>		
Thursday, January 9, 2020	4:30 p.m.	King Room HUB Yakima Campus
<b>Wednesday, February 5, 2020</b>	4:30 p.m.	King Room HUB Yakima Campus date change
Thursday, March 12, 2020	4:30 p.m.	King Room HUB Yakima Campus
Thursday, April 9, 2020	4:30 p.m.	Library Meeting Room Grandview Campus

Date	Time	Location
Friday, May 15, 2020	4:30 p.m.	King Room HUB Yakima Campus date change
Thursday, June 11, 2020	4:30 p.m.	King Room HUB Yakima Campus
Thursday, July 9, 2020	4:30 p.m.	King Room HUB Yakima Campus CANCELLED
Thursday, August 13, 2020	4:30 p.m.	King Room HUB Yakima Campus CANCELLED
Thursday, September 10, 2020	4:30 p.m.	King Room HUB Yakima Campus
Thursday, October 8, 2020	4:30 p.m.	King Room HUB Yakima Campus
Thursday, November 12, 2020	4:30 p.m.	King Room HUB Yakima Campus
Thursday, December 10, 2019 [2020]	4:30 p.m.	King Room HUB Yakima Campus CANCELLED

The Yakima campus is located at South 16th Avenue and Nob Hill Boulevard in the city of Yakima, Washington. The Grandview campus is at 500 West Main Street, Grandview, WA.

If you need further information, contact the President's Office, YVC, P.O. Box 22520, Yakima, WA 98907, 509-574-4635.

**WSR 19-18-064**  
**NOTICE OF PUBLIC MEETINGS**  
**TACOMA COMMUNITY COLLEGE**  
 [Filed September 3, 2019, 9:54 a.m.]

All meetings scheduled for the second Wednesday of the month and held in Building #12, Room 120, College Room, unless otherwise noted.

**Board of Trustees Meeting Schedule**  
**2019 - 2020**

Month	Day	Time	Comments
September 9, 2019	Monday	3:00	Study session
September 9, 2019	Monday	4:00	Board meeting
October 9, 2019	Wednesday	3:00	Study session
October 9, 2019	Wednesday	4:00	Board meeting

Month	Day	Time	Comments
November 20, 2019	Wednesday	4:00	Board meeting
December 11, 2019	Wednesday	4:00	Board meeting
January 8, 2020	Wednesday	4:00	Board meeting
January 17, 2020	Friday	8:00-2:00	Winter board retreat
February 19, 2020	Wednesday	4:00	Board meeting
March 11, 2020	Wednesday	3:00	Tenure board meeting
March 11, 2020	Wednesday	4:00	Board meeting
April 8, 2020	Wednesday	4:00	Board meeting - Gig Harbor campus
May 20, 2020	Wednesday	3:00	Ellen Pinto board meeting
May 20, 2020	Wednesday	4:00	Board meeting
June 10, 2020	Wednesday	3:00	Study session (budget)
June 10, 2020	Wednesday	4:00	Board meeting
June 13, 2020	Saturday	8:00-4:00	Commencement
June 26, 2020	Friday	8:00-4:00	Summer board retreat
July	Wednesday	4:00	Board meeting (if needed)
August	Wednesday	4:00	Board meeting (if needed)
September 9, 2020	Wednesday	4:00	Study session
September 9, 2020	Wednesday	4:00	Board meeting
October 14, 2020	Wednesday	4:00	Board meeting
November 18, 2020	Wednesday	4:00	Board meeting
December 9, 2020	Wednesday	4:00	Board meeting

**WSR 19-18-067**  
**NOTICE OF APPEAL**  
**OFFICE OF THE GOVERNOR**  
 [Filed September 3, 2019, 12:41 p.m.]  
**NOTICE OF APPEAL**  
**RCW 34.05.330(3)**

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On August 30, 2019, the Governor's Office received an appeal from Paul P. Carkeek relating to the Washington State Veterinary Board of Governors' denial of a petition to repeal or amend WAC 246-933-340.

DATE: September 3, 2019

Taylor Wonhoff  
 Deputy General Counsel  
 to the Governor



**WSR 19-18-078**

**NOTICE OF PUBLIC MEETINGS  
BATES TECHNICAL COLLEGE**

[Filed September 3, 2019, 2:42 p.m.]

Bates Technical College has changed the following regular meeting:

From: Board of trustee[s] meeting, October 21, 2019.

To: Board retreat, October 24-25, 2019.

If you need further information contact Brenda Carter, 1101 South Yakima Avenue, Tacoma, WA, 253-680-7100, [bcarter@batestech.edu](mailto:bcarter@batestech.edu).

**WSR 19-18-079**

**NOTICE OF PUBLIC MEETINGS  
WOMEN'S COMMISSION**

[Filed September 3, 2019, 3:33 p.m.]

The Washington state women's commission (WSWC) will be holding their 2019 meeting in the following dates, times, and locations:

January 28, 2019	12:00 to 5:00 p.m.	Olympia
March 23, 2019	12:00 to 5:00 p.m.	Vancouver
May 1, 2019	12:00 to 5:00 p.m.	Tacoma
July 14, 2019	12:00 to 5:00 p.m.	Spokane
October 8, 2019	12:00 to 5:00 p.m.	Seattle

WSWC schedules all public meetings at barrier free sites. Persons who need special assistance may contact Marie Vela, executive assistant, at [marie.vela@wswc.wa.gov](mailto:marie.vela@wswc.wa.gov) or 360-902-8015. TTY/TDD users should contact WSWC via the Washington relay service at 711 or 1-800-833-6388.

**WSR 19-18-091**

**NOTICE OF PUBLIC MEETINGS  
WOMEN'S COMMISSION**

[Filed September 4, 2019, 10:15 a.m.]

The Washington state women's commission (WSWC) has updated their October 2019, meeting time and location from October 8, 2019, 12:00 to 5:00 p.m., Seattle, and changed to October 15, 2019, 10:45 a.m. to 6:30 p.m., Schwabe Williamson & Wyatt, 1420 Fifth Avenue, Floor 34, Seattle, WA 98101.

WSWC schedules all public meetings at barrier free sites. The WSWC meetings are fragrance free.

Persons who need special assistance may contact Marie Vela, executive assistant, at [marie.vela@wswc.wa.gov](mailto:marie.vela@wswc.wa.gov) or 360-902-8015.

TTY/TDD users should contact WSWC via the Washington relay service at 711 or 1-800-833-6388.

**WSR 19-18-093**

**DEPARTMENT OF ECOLOGY**

[Filed September 4, 2019, 10:25 a.m.]

**PUBLIC NOTICE**

**Announcing for Review and Comment: Draft *Zostera japonica* (*Z. japonica*) Management on Commercial Clam Beds in Willapa Bay General Permit**

The Washington state department of ecology (ecology) proposes to reissue the *Z. japonica* management on commercial clam beds in Willapa Bay national pollutant discharge elimination system (NPDES) and state waste discharge general permit (permit). The permit was last modified on April 5, 2017, and expired on May 2, 2019. The new draft permit and fact sheet, which explains the technical basis for the permit, are available for review and public comment from September 18, 2019, until 11:59 p.m. on November 4, 2019. Ecology will host informational workshops and public hearings on the draft permit.

**Purpose of the Permit:** In Willapa Bay only, for commercial clam growers and their pesticide applicator that decide to use an herbicide to manage *Z. japonica* on their commercial clam beds, the permit regulates the discharge of the aquatic labeled herbicide imazamox. State and Federal water quality laws do not allow the discharge of pollutants to waters of the state without permit coverage. The herbicide imazamox allowed for use in the permit is a pollutant and therefore requires a discharge permit before application to waters of the state of Washington. The permit covers all *Z. japonica* management activities that result in a discharge of imazamox and marker dyes from treatment of commercial clam beds to surface waters of the state of Washington. Coverage under the general permit will be available to pesticide applicators licensed by the Washington state department of agriculture with an aquatic endorsement and their sponsor (the commercial clam bed owner or manager) who plan to use imazamox to control *Z. japonica* on commercial clam beds in Willapa Bay. Ecology issues general permits in place of a series of individual permits when the permitted activities are similar.

**Copies of the Draft Permit and Fact Sheet:** The draft *Z. japonica* permit and fact sheet will be available online by the end of the day on September 18, 2019, at <https://ecology.wa.gov/zjaponicapermit>. You may also request copies of these documents from Jon Jennings, at [jonathan.jennings@ecy.wa.gov](mailto:jonathan.jennings@ecy.wa.gov), or 360-407-6283.

**Submitting Written Comments:** Ecology will accept written comments on the draft permit and fact sheet from September 18, 2019, until 11:59 p.m. on November 4, 2019. Ecology prefers you submit comments online via the eComment form on the permit web page. Comments should reference specific permit text when possible. All comments must be postmarked or submitted online no later than November 4, 2019. You may submit written comments:

- Online via the eComment form: <http://ws.ecology.commentinput.com/?id=gAE9x> (preferred method), or
- By mail: Jon Jennings, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696.

**Public Workshops and Hearings:** Ecology will host two public workshops and hearings on the draft permit. At the workshop, ecology will explain the draft permit and answer questions. The hearing will provide the opportunity for the public to provide formal oral testimony and submit written comments on the draft permit. Oral testimony will receive the same consideration as written comments. The public hearing will begin immediately following each workshop and will conclude when testimony is complete. The workshops and hearings will [be] held on these dates/times: On October 21, 2019, starting at 1:00 p.m., webinar, register for the webinar at <https://watech.webex.com/watech/onstage/g.php?MTID=e4a06c196920a5bc8be9b7762dc8b9e6>; and on October 22, 2019, starting at 1:00 p.m., at the Willapa Harbor Community Center, 916 West First Street, South Bend, WA 98586.

**Reissuing the Permit:** After ecology receives and considers all public comments, we will make a final decision on permit reissuance. If public comments cause a substantial change in the permit conditions from the original draft permit, another public notice of draft and comment period may ensue. Ecology expects to make a final decision on whether to reissue the general permit in early 2020.

**Ecology Contact:** Jon Jennings, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone 360-407-6283, email [jonathan.jennings@ecy.wa.gov](mailto:jonathan.jennings@ecy.wa.gov).

**Assistance for Persons with Disabilities:** To request Americans with Disabilities Act accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

**En Español:** Para información en español, por favor comuníquese con Gustavo Ordóñez al 360-407-6619.

### WSR 19-18-099

#### NOTICE OF PUBLIC MEETINGS

#### OFFICE OF

#### PUBLIC DEFENSE

[Filed September 4, 2019, 11:50 a.m.]

The Washington state office of public defense (OPD) advisory committee has changed the following regular meeting:

From: Thursday, September 12, 2019.

To: Thursday, October 24, 2019.

The meeting will begin at 9:30 a.m. and a draft agenda will be posted at [www.opd.wa.gov](http://www.opd.wa.gov) one business day prior to the meeting. The meeting will be held at Perkins Coie Law Firm, 1201 3rd Avenue, Seattle, WA 98101.

Contact OPD at 360-586-3164, extension 114 if you have questions.