

WSR 19-20-026

**PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE**

[Filed September 23, 2019, 12:39 p.m.]

Subject of Possible Rule Making: Elections.

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sheryl Moss, P.O. Box 40229, Olympia, WA 98504, phone 360-902-4146, fax 360-664-4619, email sheryl.moss@sos.wa.gov, web site vote.wa.gov; or Lisa Tuerk, P.O. Box 40229, Olympia, WA 98504, phone 360-902-4167, fax 360-664-4619, email lisa.tuerk@sos.wa.gov, web site vote.wa.gov.

September 23, 2019
Mark Neary
Assistant Secretary of State

WSR 19-20-051

**PREPROPOSAL STATEMENT OF INQUIRY
BATES TECHNICAL COLLEGE**

[Filed September 25, 2019, 4:41 p.m.]

Subject of Possible Rule Making: Repealing chapter 495A-132 WAC, Financial aid.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW and RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Content in this current WAC is operational information and not needed as a WAC.

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

Process for Developing New Rule: This is an existing WAC and is being repealed.

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.

September 25, 2019
Dr. Jean Hernandez
Special Assistant
to the President

WSR 19-20-050

**PREPROPOSAL STATEMENT OF INQUIRY
BATES TECHNICAL COLLEGE**

[Filed September 25, 2019, 4:40 p.m.]

Subject of Possible Rule Making: Repealing chapter 495A-131 WAC, Scholarships.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW and RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Content in this current WAC is operational information and not needed as a WAC.

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

Process for Developing New Rule: This is an existing WAC and is being repealed.

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.

September 25, 2019
Dr. Jean Hernandez
Special Assistant
to the President

WSR 19-20-052

**PREPROPOSAL STATEMENT OF INQUIRY
BATES TECHNICAL COLLEGE**

[Filed September 25, 2019, 4:43 p.m.]

Subject of Possible Rule Making: Amending chapter 495A-141 WAC, Parking and traffic regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(10).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Content in this current WAC is being updated and aligned with current regulations.

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

Process for Developing New Rule: This is an existing WAC and is being amended and updated.

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.

September 25, 2019
Dr. Jean Hernandez
Special Assistant
to the President

WSR 19-20-053**PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT**

[Filed September 26, 2019, 7:12 a.m.]

Subject of Possible Rule Making: Establishing an alternative procedure for appealing default decisions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department. RCW 50.32.060 provides authority for rule making for hearings and appeals. RCW 34.05.440 provides rule-making authority for establishing time limits for filing motions to vacate default orders.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Creating a more efficient review process allows for appeals to be handled in a more timely manner.

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

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Josh Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay 711, email Rules@esd.wa.gov, web site <https://esd.wa.gov/newsroom/rulemaking/benefits>.

September 26, 2019
Dan Zeitlin
Employment Security
Policy Director

WSR 19-20-055**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed September 26, 2019, 8:57 a.m.]

Subject of Possible Rule Making: Chapters 246-809, 246-810 and 246-811 WAC, the department of health (department) is considering amending and adding new sections to existing behavioral health professions' rules to implement licensure requirements addressed in ESHB 1768 and 2SHB 1907. The department is also considering adopting a new chapter of rules to establish licensure requirements for a co-occurring disorder specialist enhancement to certain behavioral health professions as required by statute. The following behavior[al] health professions may be affected: Substance use disorder professionals, certain agency affiliated counselors, mental health counselors, advanced social work-

ers, independent clinical social workers, marriage and family therapists, and psychologists.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1768 (chapter 444, Laws of 2019), 2SHB 1907 (chapter 446, Laws of 2019); RCW 18.205.060, 18.225.040, 18.19.050, 43.70.110, and 43.70.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is necessary to implement requirements established during the 2019 legislative session in ESHB 1768 and 2SHB 1907. The statute and subsequent rule making is intended to increase the mental health professional workforce in Washington state. To implement new laws the department is considering: Creating a co-occurring disorder specialist enhancement to certain behavioral health professionals as required by statute, including a fee for the enhancement; changing titles in chapter 246-811 WAC of [from] chemical dependency professional to substance use disorder specialist, and other technical corrections; adjusting requirements to become a clinical supervisor of applicants as well as clinical supervision requirements for the applicants to become licensed; and setting the time limit for agency affiliated counselor applicants to complete licensure requirements while beginning employment at a state agency.

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

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting James Chaney, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-236-2831, fax 360-236-2901, TTY 360-833-6388 or 711, email james.chaney@doh.wa.gov.

Additional comments: Rule development will take place in open public meetings prior to a formal rule proposal and comment period. All rule-making notices will be mailed via GovDelivery to various behavioral health professions lists. Notices for this rule making will be the same regardless of the GovDelivery list it will be sent to. To receive notices, interested persons may sign up for any or all of the lists mentioned here. Please go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Health Professions." From there you may check the box next to one or more of the follow professions: Agency affiliated counselor, board of psychology, certified counselors/certified advisers, licensed counselors.

September 26, 2019
John Wiesman, DrPH, MPH
Secretary

WSR 19-20-076**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed September 27, 2019, 10:13 a.m.]

Subject of Possible Rule Making: WAC 246-933-990 Veterinarian fees and renewal cycle and 246-935-990 Veter-

inary technician fees and renewal cycle, the department of health is considering adding a fee to provide access to the University of Washington's health science library online clinical resources, a web portal referred to as "HEAL-WA." The fee would implement SB 5000 (chapter 140, Laws of 2019) which added veterinarians and veterinary technicians to the list of health profession licensees participating in HEAL-WA. The department will also consider reducing fees for duplication and verification services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.112, 43.70.250, 43.70.280; and SB 5000 (chapter 140, Laws of 2019).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As dictated by statute, rule making is required to establish the HEAL-WA fee for veterinarians and veterinary technicians. The HEAL-WA web portal supports public health by providing the participating practitioners with access to the latest evidence based health care information. Having access to current, peer reviewed, clinical information improves a practitioner's ability to respond to patient questions, develop treatment plans, and deliver quality care to their patients. Fee reductions for duplication and verification of a license is part of the department's effort to standardize these fees across health professional licenses given the amount and type of work to issue such licenses is the same.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeff Wise, Department of Health, P.O. Box 47850, Tumwater, WA 98504-7850, phone 360-236-4987, TTY 360-833-6388 or 711, email jeff.wise@doh.wa.gov.

Additional comments: Interested parties can join the GovDelivery list to get information on participating in the process by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. Notices will be emailed through the veterinary and veterinary technician GovDelivery system, and interested parties list. Stakeholders will be invited to participate at a public hearing. Formal invitation for public comment will be sent via GovDelivery and posted on the department of health's rules comments web site.

September 25, 2019
 Jessica Todorovich
 Chief of Staff
 for John Wiesman, DrPH, MPH
 Secretary

WSR 19-20-080

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed September 27, 2019, 3:26 p.m.]

Subject of Possible Rule Making: WAC 182-513-1205 Determining eligibility for noninstitutional coverage in an alternate living facility (ALF); and other related rules as appropriate.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending WAC 182-513-1205 to change "department-contracted" to "medicaid-contracted" when referring to alternative living facilities. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jason Crabbe, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-9563, fax 360-586-9727, telecommunication relay services (TRS) 711, email jason.crabbe@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking; or Stephen Kozak, P.O. Box 45534, Olympia, WA 98504-5534, phone 360-725-1343, fax 360-586-9727, TRS 711, email stephen.kozak@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

September 27, 2019
 Wendy Barcus
 Rules Coordinator

WSR 19-20-095

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed October 1, 2019, 10:12 a.m.]

Subject of Possible Rule Making: Chapter 246-803 WAC, acupuncture and Eastern medicine practitioner, the department of health (department) is considering establishing a new section of rule for continuing education requirements, changing the reference to East Asian to acupuncture and Eastern medicine; and other housekeeping changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.06.160 and SHB 1865 (chapter 308, Laws of 2019).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is necessary to implement SHB 1865. The bill requires changing references to East Asian medicine to acupuncture and Eastern medicine. The bill also repeals laws related to the approval of applications and requiring examination fees, and the application of the chapter to previously registered acupuncture assis-

tants. The department will consider repealing existing sections of rule since the statutory authority has been repealed. Finally, the bill requires the department to adopt rules for continuing education for acupuncturists.

The department is considering creating a new section of rule for continuing education, changing references to East Asian medicine to acupuncture and Eastern medicine, repealing sections of rule the department no longer has the authority to enforce, and other housekeeping changes.

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

Process for Developing New Rule: 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 Vicki Brown, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4865, fax 360-236-2901, TTY 360-833-6388 or 711, email vicki.brown@doh.wa.gov, web site www.doh.wa.gov.

Additional comments: Interested parties can join the GovDelivery list to get information on participating in the process by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

September 30, 2019
Jessica Todorovich
Chief of Staff
for John Wiesman, DrPH, MPH
Secretary

WSR 19-20-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed October 1, 2019, 10:47 a.m.]

Subject of Possible Rule Making: Background checks.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.97.020, 43.43.830 through 43.43.838, 43.216.525, 43.216.555, and 74.15.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are necessary to implement chapter 9.97 RCW, which directs the department of children, youth, and families (DCYF) to adopt rules that (1) explain when certificates of restoration of opportunity (CROP) will be included in criminal history record reports, qualifying letters, or other assessments during a background check, and (2) under what circumstances a CROP will not apply.

The department also intends to update rules that clarify certain criminal convictions that (1) may disqualify an individual from being licensed, contracted, certified, or authorized to have unsupervised access to children, or (2) trigger further review to determine the applicant's character, suitability, and competence to have unsupervised access to children.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Health and Human Services (HHS)

requires certain individuals to undergo background checks in order to participate in federally funded programs administered by DCYF. DCYF will consult with HHS staff during rule development.

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 Chris Parvin, P.O. Box 40975, Olympia, WA 98504-0975, phone 360-407-5501, email chris.parvin@dcyf.wa.gov, web site dcyf.wa.gov.

October 1, 2019
Brenda Villarreal
Rules Coordinator

WSR 19-20-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)
[Filed October 1, 2019, 11:20 a.m.]

Subject of Possible Rule Making: Changes under consideration to the boiler rules in chapter 296-104 WAC, Board of boiler rules—Substantive.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.79 RCW, Boilers and unfired pressure vessels.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of boiler rules and department of labor and industries are considering changes that would update and clarify existing rules and increase fees in chapter 296-104 WAC. The board reviews the rules on a regular basis to ensure the rules are consistent with national safety standards for boilers and unfired pressure vessels, and industry practice. The changes under consideration include:

- Reorganizing requirements for *control and limit devices* and *fuel controls* for power, low-pressure, and heating boilers and HLW potable water heaters;
- Clarifying that an emergency stop switch must be installed for HLW potable hot water heaters with a heating input greater than 400,000 BTU; and
- Converting existing policies requiring entities repairing or altering boilers or pressure vessels to send a controlled copy of a quality control manual to the department prior to starting work, and to send a checklist and certain forms to the department within forty-five days of the date the work is completed, into rules.

The changes under consideration also increase fees by the fiscal growth factor of 5.08 percent. This is the office of financial management's maximum allowable fiscal growth rate for fiscal year 2020. A fee increase is necessary to cover the program's operating expenses for inspections and other program public safety activities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other federal and/or state agencies regulating this subject that require coordination of the rules.

Process for Developing New Rule: The board of boiler rules reviews and approves all rule changes. Interested parties can participate in the adoption process for the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after changes are proposed, by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@Lni.wa.gov, web site www.Lni.wa.gov.

October 1, 2019
Terry Chapin, Chair
Board of Boiler Rules

WSR 19-20-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 1, 2019, 11:20 a.m.]

Subject of Possible Rule Making: Chapter 246-828 WAC, Hearing and speech, the department of health (department), in consultation with the board of hearing and speech (board) is considering amending WAC 246-828-025, 246-828-290, and creating a new section(s) to implement ESB 5210 (chapter 183, Laws of 2019) addressing consumer notification. The department may also consider making technical changes or changes to improve clarity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESB 5210 (chapter 183, Laws of 2019).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department, in consultation with the board is considering amending WAC 246-828-025, 246-828-290, and creating a new section(s) to implement ESB 5210 (chapter 183, Laws of 2019) addressing consumer notification. The federal Americans with Disabilities Act of 1990 was amended in 2010 to require assistive listening systems in places of public assembly, served by a public address system, to be hearing aid compatible. By requiring patient notification, the legislature intends to increase consumer awareness of benefits and uses of the different types of hearing instruments and their associated technologies, including compatibility with assistive listening systems. This could benefit the six hundred fifty thousand Washington state residents who have been diagnosed with hearing loss.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brad Burnham, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2985, fax 360-

236-2901, TTY 360-833-6388 or 711, email brad.burnham@doh.wa.gov, web site www.doh.wa.gov.

Additional comments: Interested parties can join the GovDelivery list to get information on participating in the process by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

September 30, 2019
Jessica Todorovich
Chief of Staff
for John Wiesman, DrPh, MPH
Secretary

WSR 19-20-101
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 1, 2019, 11:20 a.m.]

Subject of Possible Rule Making: Review of the electrical rules to consider changes in chapter 296-46B WAC, Electrical safety standards, administration, and installation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 19.28 RCW, Electricians and electrical installations, including RCW 19.28.031 and 19.28.251.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries' (L&I) electrical program is reviewing the electrical rules in chapter 296-46B WAC and new safety codes from the 2020 edition of the National Fire Protection Agency (NFPA) 70, the National Electrical Code (NEC). The purpose of this review is to consider changes to the 2020 NEC safety codes, update and clarify existing rules, and make house-keeping and other rule changes. The 2020 NEC (NFPA 70-2020) is replacing the current 2017 NEC (NFPA 70-2017) standards, effective July 1, 2020.

The electrical rules are reviewed every three years, or each code cycle, to ensure the rules are consistent with national electrical safety standards and industry practice. The review process provides Washington's electrical stakeholders the opportunity to review the existing rules, submit proposals for changes to the rules, and provide recommendations to the department regarding adoption of the rules, prior to NEC implementation.

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

Process for Developing New Rule: Interested parties can participate in the decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. All rule proposals will be reviewed by a technical advisory committee (TAC) and the electrical board.

L&I is seeking input from interested parties to be used in the formulation of the proposed electrical rules. Interested parties may submit rule proposals for changes to the rules

from 12:01 a.m., October 10, 2019, to 11:59 p.m., November 15, 2019.

The department is also appointing a general TAC made up of experts and interested group representatives to review and make recommendations on proposals from the electrical industry. Interested parties may submit an application to become a TAC member and participate in the rules development process from October 10, 2019, to November 15, 2019.

For more information on this rule making, visit the L&I website at <http://www.lni.wa.gov/TradesLicensing/Electrical/LawRulePol/RuleDev/default.asp> or contact the individual below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, L&I, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@Lni.wa.gov, web site www.Lni.wa.gov.

October 1, 2019
Joel Sacks
Director

WSR 19-20-103
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed October 1, 2019, 12:58 p.m.]

The department of children, youth, and families requests to withdraw WSR 19-16-057, Background checks, filed on July 30, 2019.

Please contact Brenda Villarreal at 360-902-7956 if you have any questions or need anything further.

Brenda Villarreal
Rules Coordinator

WSR 19-20-104
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed October 1, 2019, 1:48 p.m.]

Subject of Possible Rule Making: WAC 392-140-970 through 392-140-976, Finance—Special allocations—Salary bonus for teachers; and other certificated instructional staff who hold current certification by the national board.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1) and 28A.405.415.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering revising rules regarding administration of the salary bonus for teachers and other certificated instructional staff who hold current certification by the national board for professional teaching standards.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ross Bunda, OSPI, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6308, TTY 360-664-3631, email ross.bunda@k12.wa.us, web site k12.wa.us.

October 1, 2019
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 19-20-106
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 1, 2019, 3:59 p.m.]

Subject of Possible Rule Making: New section within chapter 182-550 WAC, Hospital services; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, and chapter 74.60 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency intends to establish rules for the hospital safety net assessment program. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The 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 rule writer identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud (Rule Writer), P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication relay services (TRS) 711, email melinda.froud@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking; or Clinton Fridley (Program Questions), P.O. Box 45510, Olympia, WA 98504-5510, phone 360-725-1577, fax 360-586-9727, TRS 711, email clinton.fridley@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

October 1, 2019
Wendy Barcus
Rules Coordinator

WSR 19-20-108
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 2, 2019, 8:26 a.m.]

Subject of Possible Rule Making: WAC 182-546-5100 Nonemergency transportation (NEMT)—Definitions, 182-546-5550 NEMT—Exclusions and limitations, 182-546-5900 NEMT—Meals, lodging, escort/guardian, 182-546-6200 NEMT—Reimbursement, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160; 42 C.F.R. 431.53 and 440.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising these sections to clarify services in accordance with 42 C.F.R. 431.53 and 440.170. Specifically, the agency is considering:

(1) Revising the definition of "extended stay" to mean a period of time spanning thirty consecutive days, revising the definition of "short stay" to mean a period of time spanning twenty-nine days, and adding a definition for service animal;

(2) Revising WAC 182-546-5550 (exclusion and limitations) to include substance use disorder;

(3) Revising where NEMT is not provided;

(4) Clarifying that NEMT for clients in the program of all-inclusive care for elderly (PACE) program is the responsibility of the PACE contractor and is not provided through brokers;

(5) Adding a requirement that brokers may not authorize payment for alcohol, cannabis, or other nonfood items;

(6) Clarifying that for short stays, the cost of meals may not exceed the state per diem rate;

(7) Revising the requirement that receipts for mileage, fuel, parking, bridge tolls, or ferry fees must be itemized.

During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The 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 publication by contacting Valerie Smith, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication relay services (TRS) 711, email valerie.smith@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking; or James Walters, P.O. Box 45530, Olympia, WA 98504-5530, phone 360-725-1721, fax 360-586-9727, TRS 711, email james.walters@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

October 2, 2019
Wendy Barcus
Rules Coordinator