

WSR 20-08-006
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed March 19, 2020, 3:32 p.m.]

The aging and long-term support administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 20-04-071 on February 3, 2020, (WAC 388-71-0115) regarding adult protective services investigations.

Katherine I. Vasquez
Rules Coordinator

WSR 20-08-009
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 10:41 a.m.]

Subject of Possible Rule Making: Chapters 181-78A and 181-77A WAC, review of career and technical education (CTE) educator preparation programs.

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: Currently chapter 181-78A WAC includes processes for all program[s] except CTE B&I and CTE administrator preparation programs. Current efforts in the CTE program review work group are developing recommendations for this policy.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

February 25, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-010
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 10:43 a.m.]

Subject of Possible Rule Making: Chapters 181-78A and 181-77A WAC, career and technical education (CTE) educator preparation.

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: Proposing to add a minimum requirement for the number of hours that candidates in CTE business and industry and CTE administration programs must engage in supervised clinical practice experiences.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 16, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-011
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:02 p.m.]

Subject of Possible Rule Making: Title 181 WAC, educator certification.

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: Address issues from the field and develop a coherent policy around educator certification.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-012
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:06 p.m.]

Subject of Possible Rule Making: Title 181 WAC, review requirements for educator preparation.

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: Address issues from the field and develop a coherent policy around educator preparation.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-013
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:09 p.m.]

Subject of Possible Rule Making: Chapter 181-79A, 181-78A, and 181-80 WAC, emergency certificate and other approaches to addressing challenges in meeting certification 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: P-12 schools are now closed. Assessment centers are now closed, so candidates are unable to complete assessments. This WAC amendment would be a consideration of possible ways to address these challenges in completing certification requirements.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-014
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:11 p.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, consideration of waivers of clinical practice and coursework

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: P-12 schools are closed, and many higher education institutions are operating at a reduced capacity or online. This WAC amendment would allow preparation programs to review a candidate's previous experience, and then waive or reduce in length the clinical practice or coursework if they determine the candidate has the required knowledge and skills.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-015
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:12 p.m.]

Subject of Possible Rule Making: Chapter 181-77, 181-79A, and 181-85 WAC, certificate renewal during closures of schools, and when limited number of clock hour providers are offering professional learning.

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: Schools are closed and limited numbers of clock hour providers are offering professional learning. This makes it very challenging for educators to accrue the required continuing education to renew their certificates. This WAC amendment would consider a one-time extension of certificate expiration dates.

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: Agency study.

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

lication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

February 25, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-016
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:12 p.m.]

Subject of Possible Rule Making: Chapter 181-85 WAC, eligibility of organizations to serve as clock hour providers.

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: The eligibility of organizations to serve as clock hour providers needs to be reviewed, particularly to consider allowing all approved preparation programs to serve as clock hour providers.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-017
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:13 p.m.]

Subject of Possible Rule Making: Chapter 181-82 WAC, special education preendorsement waivers.

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: Currently, preendorsement waivers are issued based on a certain number of credits obtained by a candidate. As some preparation programs issue credits, and others issue clock hours, it is necessary to review the criteria for issuing preendorsement waivers.

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

WSR 20-08-018
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 20, 2020, 1:15 p.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, consideration of waivers of clinical practice and coursework.

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: P-12 schools are closed, and many higher education institutions are operating at a reduced capacity or online. This WAC amendment would allow preparation programs to review a candidate's previous experience, and then waive or reduce in length the clinical practice or coursework if they determine the candidate has the required knowledge and skills.

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: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 20, 2020
Maren Johnson
Rules Coordinator

WSR 20-08-058
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Developmental Disabilities
Administration)

[Filed March 25, 2020, 3:24 p.m.]

Subject of Possible Rule Making: The department is planning to amend chapter 388-828 WAC and other related rules as may be required.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is planning to amend chapter 388-828 WAC to implement the consumer-directed employment program and align with changes being made to modernize the comprehensive assessment reporting evaluation (CARE) system. 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.

March 25, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-08-070

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**
(Washington Medical Commission)

[Filed March 26, 2020, 11:17 a.m.]

Subject of Possible Rule Making: WAC 246-918-801 (physician assistants) Exclusions and 246-919-851 (physicians) Exclusions. The Washington medical commission (commission) is considering amendments to expand the types of patients who are exempt from certain provisions of rule when being prescribed opioid drugs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.71.017, 18.130.050, 18.71A.800, and 18.71A.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of the commission's rule making for ESHB 1427, enacted in 2017 and codified as RCW 18.71.800, the commission received comments that adhering to the opioid prescribing rules for patients admitted to long-term acute care (LTAC) and nursing homes, is onerous. Specifically, the rules require a history and physical as well as a check of the prescription monitoring program (PMP) be completed prior to prescribing opioids. It has been stated that patients transferred to LTACs and nursing homes had a history and physical while in the previous facility and

that practitioners in LTACs and nursing homes can rely on that assessment.

Inpatient hospital patients are currently exempt from the opioid prescribing rules. The commission recognizes that patients in LTACs and nursing homes are similarly situated to hospital patients receiving inpatient treatment.

Since the rules related to ESHB 1427 became effective January 1, 2019, the commission has continued to receive comments related to LTAC and nursing home patients. To address this issue, the commission filed an interpretive statement: "Exempting Patients in Nursing Homes and Long-Term Acute Care Hospital from the Opioid Prescribing Rules." While the interpretive statement has helped to curb the comments and concerns from prescribers, the commission feels this important exemption should be in rule. Furthermore, this could allow us the [to] rescind the interpretive statement.

The commission has also received a comment regarding patients in Residential Habilitation Centers (RHC) that they are also similarly situated to LTAC and nursing home patients. As such, the commission may also consider exempting patients in RHCs.

Adding these exemptions could accomplish several things. First, it may allow patients in LTACs and nursing homes to receive the necessary care in an efficient manner. The practitioners would not need to perform a duplicative history and physical or PMP check. Second, it would allow the commission to rescind their interpretive statement and physicians and physician assistants could rely on the rule.

This rule would meet the intent of the APA by moving the commission's interpretive statement to rule.

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 Amelia Boyd, Program Manager, P.O. Box 47866, Olympia, WA 98504-7866, phone 360-236-2727, TTY 711, email amelia.boyd@wmc.wa.gov, website wmc.wa.gov.

Additional comments: To join the interested parties email list, please visit https://public.govdelivery.com/accounts/WADOH/subscriber/new?topic_id=WADOH_153.

March 25, 2020
Melanie de Leon
Executive Director

WSR 20-08-073

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**
(Occupational Therapy Practice Board)

[Filed March 26, 2020, 1:23 p.m.]

Subject of Possible Rule Making: WAC 246-847-125 Applicants currently licensed in other states or territories, the occupational therapy practice board (board) is opening rules

to consider clarifying and modernizing the requirements for applicants that are licensed in another state and seeking Washington licensure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.59.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently the rules require that an out of state applicant submit thirty hours of continued competency for the two previous years. However, applicants that are licensed in another state and recently graduated (less than two years ago) have not had time to complete this requirement. This holds them to a more stringent standard. This rule making aims to clarify and modernize the rules for the benefit of applicants and the public.

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 Kathy Weed, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4883, fax 360-236-2901, TTY 711, email kathy.weed@doh.wa.gov.

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. Rule-making notices will be emailed via GovDelivery.

March 26, 2020
Sunny Anderson, OT
Chair

WSR 20-08-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed March 30, 2020, 10:26 a.m.]

Subject of Possible Rule Making: The department is planning to create a new chapter in Title 388 WAC and amend sections in chapters 388-71, 388-106, 388-113, and 388-114 WAC, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.39A.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering making amendments to sections in chapters 388-71, 388-106, 388-113, and 388-114 WAC, and is also considering creating a new chapter in Title 388 WAC as a reference for the individual providers employed by the consumer directed employer (CDE). The department is planning these changes based on the implementation of the CDE and the change from individual providers contracted with the department to individual providers employed by the consumer directed employer as a result of the passage of SB [ESSB] 6199 in 2018.

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: The department of social and health services (DSHS) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2495, fax 360-438-8633, TTY 1-800-833-6388, email angel.sullivan@dshs.wa.gov.

March 30, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-08-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed March 30, 2020, 11:28 a.m.]

Subject of Possible Rule Making: The department is considering changes to its grazing program regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.037, 77.12.204, and 77.12.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department's grazing rules are outdated and inconsistent with the fish and wildlife commission's policy on grazing. The proposed rule changes would:

- Clarify that grazing permits are consistent with the Washington department of fish and wildlife (WDFW) mission and management objectives.
- Clarify where commission review and approval is and is not required for new and renewed grazing permits.
- Clarify that each grazing permit will include a livestock grazing management plan except for temporary permits where grazing is allowed for less than a total of fourteen days.

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, P.O. Box 43200, Olympia, WA 98504-3200, phone 360-902-2515, email wildthing@dfw.wa.gov, website wdfw.wa.gov.

March 30, 2020

Michele K. Culver
Rules Coordinator

WSR 20-08-101
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed March 30, 2020, 12:00 p.m.]

Subject of Possible Rule Making: The department of social and health services, aging and long-term support administration, is considering amending WAC 388-97-0001 Definitions, 388-97-1090 Direct care hours, and other related rules as may be required to implement EHB 1564 (chapter 301, Laws of 2019).

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 of social and health services (DSHS) is considering amending WAC 388-97-0001 and 388-97-1090 to implement EHB 1564 (chapter 301, Laws of 2019). The bill revised the definition of "direct care staff" to establish the methodology for calculating the hours per day minimum staffing standard. The department will consider amending the staffing language in WAC 388-97-0001 and 388-97-1090 to include when the director of nursing services hours must be included or excluded in calculating the minimum staffing standard.

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: DSHS will use a collaborative rule-making process to develop and receive comments on draft rules. Draft material and information about how to participate in the rule-making process may be obtained from the DSHS 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 509-209-3088, fax 360-725-3224, email lisa.herke@dshs.wa.gov.

March 30, 2020
Katherine I. Vasquez
Rules Coordinator

WAC 388-76-10000 Definitions, 388-76-10030 License capacity, 388-76-10037 License requirements—Multiple adult family homes—Additional homes, 388-76-10055 Application—Generally, 388-76-10192 Liability insurance required—Commercial general liability insurance or business liability insurance coverage, 388-76-10700 Building official—Inspection and approval, 388-76-11050 Management agreements—General, 388-76-11055 Management agreements—Adult family home, 388-76-11060 Terms of the management agreement, 388-76-11065 Management agreements—Department review, and 388-76-11070 Management agreements—Resident funds. The department is also considering creating new rule sections related to applying for a capacity increase, and may amend other related rules as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is necessary to incorporate ESHB 1023, 2020 regular session, into the rules. This passed legislation allows certain adult family home providers to increase their capacity from six residents to eight. This rule making is also intended to address challenges that the adult family home industry is facing with complying with the liability insurance requirements in the current rules, and to clarify use, implementation, and enforcement of management agreements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate this subject.

Process for Developing New Rule: Consistent with RCW 70.128.040 (2)(a), the department will consult with all divisions and administrations within the department serving the various populations living in adult family homes for the purpose of assisting the department in developing rules and standards appropriate to the different needs and capacities of the various populations served by adult family homes. In addition, the department will notify all stakeholders of the opportunity to participate in development, review, and comment on draft rules regarding their form and content prior to proposing rules for adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Libby Wagner, 20425 72nd Avenue South, Kent, WA 98032, phone 253-234-6061, email WagneE@dshs.wa.gov.

March 31, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-08-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed March 31, 2020, 10:51 a.m.]

Subject of Possible Rule Making: The department is considering amending the following sections in chapter 388-76 WAC, Adult family home minimum licensing requirements:

WSR 20-08-111
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed March 31, 2020, 12:15 p.m.]

Subject of Possible Rule Making: The community services division is planning to amend WAC 388-310-1300 Community jobs, 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, 74.08.090, and 74.08A.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes planned under this filing will strike an inoperative section of the rule to better align with statutory authority.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Amendments will be developed in consultation with the employment security department, which administers unemployment insurance, and the Washington state department of commerce, which administers community jobs and career jump activities.

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 Tarimah Williams, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-628-7407, fax 360-725-4905, email Thomatx@dshs.wa.gov; or Jake Deskins, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4369, fax 360-725-4905, email DeskiJ@dshs.wa.gov.

March 31, 2020
 Katherine I. Vasquez
 Rules Coordinator

WSR 20-08-116
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Behavioral Health Administration)

[Filed March 31, 2020, 3:31 p.m.]

Subject of Possible Rule Making: The department is planning to amend chapter 388-878 WAC to develop rules for the conditions of participation in the outpatient competency restoration program, within the framework of the forensic mental health care system. This rule making will include

but not be limited to detailing the eligibility requirements for a person to receive outpatient competency restoration, medication management, or regular urinalysis testing for defendants with substance use disorders. The department may add new rules or amend other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 10.77.086, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are necessary to implement ESSB [E2SSB] 5444 (chapter 326, Laws of 2019).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The healthcare authority will be a partner in the development and promulgation of these rules.

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 Teva Weissman, 1115 Washington Street N.E., Mailstop 45525, Olympia, WA 98501, phone 360-902-7637, email teva.weissman@dshs.wa.gov.

March 31, 2020
 Katherine I. Vasquez
 Rules Coordinator

WSR 20-08-129
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed April 1, 2020, 8:38 a.m.]

Subject of Possible Rule Making: The COVID-19 unemployment account (sections 3, 4, 5 of EHB 2965 (chapter 7, Laws of 2020)).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department (ESD). Section 5 of EHB 2965 (chapter 7, Laws of 2020) also directs ESD to establish rules relating to the COVID-19 unemployment account.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In the most recent legislative session, the legislature passed EHB 2965 (chapter 7, Laws of 2020), which appropriates funds into the COVID-19 unemployment account for the purposes of reducing specified benefit charges to eligible employers. Rules are necessary in order to establish which employers are eligible to apply for benefit charge reduction, which benefit charges are eligible to be reduced, and the process for how employers can apply for benefit charge reduction.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agen-

cies: 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, website <https://esd.wa.gov/newsroom/rule-making/benefits>.

April 1, 2020

Dan Zeitlin

Employment Security Policy Director

WSR 20-08-131

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

RETIREMENT SYSTEMS

[Filed April 1, 2020, 8:51 a.m.]

Subject of Possible Rule Making: Definition of salary for the Washington state patrol retirement system.

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 97, Laws of 2020 (SB 6218), modifying the definition of salary for Washington state patrol retirement system Plan 1 members who entered the system on or after July 1, 2001, to include lump sum payments for holiday pay and unused vacation leave for the purpose of calculating pension benefits.

Process for Developing New Rule: Agency study.

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

April 1, 2020

Jilene Siegel

Rules Coordinator

WSR 20-08-134

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed April 1, 2020, 11:39 a.m.]

Subject of Possible Rule Making: WAC 308-56A-460 Destroyed or wrecked vehicle—Reporting—Rebuilt.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.12.600.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A change to the rule is required to comply with RCW 46.12.600. The market value threshold amount is only referenced in WAC 308-56A-460 (3), therefore must be amended to ensure mandatory reporting is accurate according to state law.

Subsection (3), What is the current market value threshold amount?, needs to be amended to eight thousand ten dollars.

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 licensing (DOL) welcomes the public to take part in developing rules. DOL will file a proposal with the office of the code reviser with a notice of proposed rule making, which will be available upon request.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brandon Giddens, P.O. Box 9037, Olympia, WA 98501-9037, phone 360-902-3879, email bgiddens@dol.wa.gov.

April 1, 2020

Damon Monroe

Rules Coordinator