

**WSR 20-09-018**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**

[Filed April 6, 2020, 10:57 a.m.]

The department of licensing, business and professions division, public protection support services program requests the withdrawal of the preproposal statement of inquiry for chapter 308-17 WAC, Private investigative agencies and private investigators, filed as WSR 19-07-067 on March 19, 2019.

This serves as the official notification of rule withdrawal.

Damon Monroe  
 Rules Coordinator

**WSR 20-09-019**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**

[Filed April 6, 2020, 10:58 a.m.]

The department of licensing, business and professions division, public protection support services program requests the withdrawal of the preproposal statement of inquiry for chapter 308-18 WAC, Private security guard companies and private security guards, filed as WSR 19-07-068 on March 19, 2019.

This serves as the official notification of rule withdrawal.

Damon Monroe  
 Rules Coordinator

**WSR 20-09-020**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**

[Filed April 6, 2020, 10:59 a.m.]

The department of licensing, business and professions division, public protection support services program requests the withdrawal of the preproposal statement of inquiry for chapter 308-19 WAC, Bail bond agencies and bail bond agents, filed as WSR 19-07-072 on March 19, 2019.

This serves as the official notification of rule withdrawal.

Damon Monroe  
 Rules Coordinator

**WSR 20-09-035**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed April 7, 2020, 1:45 p.m.]

The economic services administration requests the withdrawal of preproposal statement of inquiry notice filed as WSR 19-10-050 on April 29, 2019 (WAC 388-412-0025), regarding electronic benefit transfer.

Katherine I. Vasquez  
 Rules Coordinator

**WSR 20-09-045**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed April 8, 2020, 9:17 a.m.]

Subject of Possible Rule Making: Postretirement employment during a period of emergency.

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 suspend hourly limits on postretirement employment during a period of emergency proclaimed by the governor under RCW 43.06.010(12).

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/](http://www.drs.wa.gov/rules/).

April 8, 2020  
 Jilene Siegel  
 Rules Coordinator

**WSR 20-09-056**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed April 9, 2020, 4:41 p.m.]

Subject of Possible Rule Making: The department is considering rule changes that will affect hunting contests.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.020, and 77.12.-047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We are evaluating existing rules to address concerns that some of our public have raised about hunting contests and how they are currently administered.

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, fax 360-902-2162, email Rules.Coordinator@dfw.wa.gov, website wdfw.wa.gov.

April 9, 2020  
Michele K. Culver  
Rules Coordinator

**WSR 20-09-092**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed April 15, 2020, 10:43 a.m.]

Subject of Possible Rule Making: WAC 363-116-0751 Qualifications for pilot applicants.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is considering changes to the qualifications for pilot applicants to be more inclusive of sea service that demonstrates essential qualities necessary for piloting.

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 board will be considering recommendations from the board's trainee evaluation committee and will be discussing them at regular public board meetings. Stakeholder comments are welcome. Upon further review and consideration of recommended revisions, a public hearing will be scheduled to consider the proposed new rule pursuant to the formal notice requirements.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jaimie C. Bever, 2901 3rd Avenue, Suite 500, Seattle, WA 98121, phone 206-515-3887, fax 206-515-3906, email BeverJ@wsdot.wa.gov, website www.pilotage.wa.gov.

April 15, 2020  
Jaimie C. Bever  
Executive Director

**WSR 20-09-104**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CASCADIA COLLEGE**

[Filed April 16, 2020, 1:11 p.m.]

Subject of Possible Rule Making: Cascadia College intends to adopt rules relating to the use of campus facilities

by campus and noncampus groups for engaging in free speech and other expressive activities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140 and Administrative Procedure Act (APA), chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to provide for the use of campus facilities by campus and non-campus groups for expressive activities, subject to reasonable time, place, and manner limitations.

Process for Developing New Rule: Internal campus review, APA notice and public comment procedures, final approval by the college's board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting M. Lily Allen, Rules Coordinator, Office of the President, 18345 Campus Way N.E., Bothell, WA 98011, phone 425-352-8265, email lallen@cascadia.edu.

April 16, 2020  
M. Lily Allen  
Rules Coordinator  
Executive Assistant to President

**WSR 20-09-107**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EASTERN WASHINGTON UNIVERSITY**

[Filed April 16, 2020, 1:51 p.m.]

Subject of Possible Rule Making: Revising chapter 172-144 WAC, Outstanding financial obligations to the university.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions are needed to comply with 2SHB 2513, prohibiting the practice of transcript withholding and limiting the practice of registration holds at institutions of higher education as debt collection practices and to update current practices.

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 Joseph Fuxa, 211A Tawanka Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-7496, fax 509-359-2874, email jfuxa@ewu.edu, website <https://inside.ewu.edu/policies/>.

April 16, 2020  
Joseph Fuxa  
Policy and Compliance Manager

**WSR 20-09-111****PREPROPOSAL STATEMENT OF INQUIRY  
EMPLOYMENT SECURITY DEPARTMENT**

[Filed April 16, 2020, 5:26 p.m.]

Subject of Possible Rule Making: The passage of HB [SHB] 2614 in the 2020 legislative session requires the department to engage in rule making in order to implement the bill. This preproposal statement of inquiry includes, but is not limited to, rules related to the waiting period, conditional waivers, program eligibility (family members), appeals, exemptions from "employment," subpoena authority, and damages.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.05.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The employment security department (ESD) must implement HB [SHB] 2614 as directed by the legislature. As part of that implementation, this rule making seeks to provide clear and usable guidance for the public regarding program operations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal agencies and no other state agencies regulate this program as it is a new state entitlement with authority granted solely to ESD.

Process for Developing New Rule: The draft rules will be shared with the public, stakeholders, and the program's advisory committee. The department will solicit input from all involved parties and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting April Amundson, 640 Woodland Square Loop S.E., Lacey, WA 68503, phone 360-485-2816, Teresa Eckstein, State EO Officer, TTY 771 [711] or 360-902-9354, email Rules@esd.wa.gov.

April 16, 2020  
April Amundson  
Policy and Rules Manager  
for Paid Family and Medical Leave

**WSR 20-09-112****PREPROPOSAL STATEMENT OF INQUIRY  
EMPLOYMENT SECURITY DEPARTMENT**

[Filed April 16, 2020, 5:27 p.m.]

Subject of Possible Rule Making: Continuing to implement the paid family and medical leave (PFML) program (Title 50A RCW) requires updating existing rules and promulgating new rules to ensure clarity and make necessary changes as we discover programmatic needs. This preproposal statement of inquiry includes, but is not limited to, adding a definition of "placement," establishing proration guidelines, and clarifying employee identification standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50A.05.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making focuses on definitions for the PFML program.

Statute limits the ability for an employee to take bonding leave for the birth or placement of a child, but does not offer a definition of the term "placement." Establishing a definition of that term will clarify eligibility requirements.

The department is not legally permitted to pay benefits for a period of time in which the employee did not apply for paid family or medical leave. This results in the need to prorate an employee's benefit in the first and last weeks of an employee's approved duration of leave to prevent payment for a period of time in which the employee either did not apply or is not approved.

Current department policy requires the establishment of an employee's claim year in all cases where the employee has worked the requisite eight hundred twenty hours in the state. Pursuant to WAC 192-610-010, this would include instances where an employee was unable to adequately establish their identity. The department intends to change this requirement so that an employee who is unable to adequately establish their identity does not trigger the establishment of a claim year, even if the [pre]requisite eight hundred twenty hours have been worked.

The department recognizes the need for clear and usable guidance for ongoing programmatic operations. These rules will contribute to that guidance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal agencies and no other state agencies regulate this program as it is a new state entitlement with authority granted solely to the employment security department.

Process for Developing New Rule: The draft rules will be shared with the public, stakeholders, and the program's advisory committee. The department will solicit input from all involved parties and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting April Amundson, 640 Woodland Square Loop S.E., Lacey, WA 68503, phone 360-485-2816, Teresa Eckstein, State EO Officer, TTY 771 [711] or 360-902-9354, email Rules@esd.wa.gov.

April 16, 2020  
April Amundson  
Policy and Rules Manager  
for Paid Family and Medical Leave

**WSR 20-09-114****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF CORRECTIONS**

[Filed April 17, 2020, 9:46 a.m.]

Subject of Possible Rule Making: Chapter 137-30 WAC, eligibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 72.01.090 and 72.09.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ensure that rules are consistent with current department of corrections policy and practices.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mark Kucza, Senior Administrator, P.O. Box 41114, phone 360-725-8369, email makucza@DOC1.WA.GOV, website www.doc.wa.gov; or Jennifer D. Williams, P.O. Box 41114, Olympia, WA 98504-1114, phone 360-725-8364, email jennifer.williams1@doc1.wa.gov, website www.doc.wa.gov.

April 17, 2020  
Stephen Sinclair  
Secretary

**WSR 20-09-115**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SECRETARY OF STATE**

[Filed April 17, 2020, 9:51 a.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, website 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, website vote.wa.gov.

April 17, 2020  
Mark Neary  
Assistant Secretary of State

**WSR 20-09-116**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**  
(Public Employees Benefits Board)

[Admin #2020-03—Filed April 17, 2020, 2:49 p.m.]

Subject of Possible Rule Making: Multiple sections within chapter 182-08 WAC, PEBB, Procedures; chapter 182-12 WAC, PEBB, Eligible and noneligible employees;

and chapter 182-16 WAC, PEBB, Appeals practice and procedure.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The authority is reviewing multiple sections within chapters 182-08, 182-12, and 182-16 WAC to support the PEBB program.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email Barbara.Scott@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email Rob.Parkman@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

April 17, 2020  
Wendy Barcus  
Rules Coordinator

**WSR 20-09-117**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**  
(Public Employees Benefits Board)  
[Admin #2020-01—Filed April 17, 2020, 2:50 p.m.]

Subject of Possible Rule Making: WAC 182-08-197 When must a newly eligible employee, or an employee who regains eligibility for the employer contribution, elect public employees benefits board (PEBB) benefits and complete required forms?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, PEBB Policy Resolution 2020-04.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority is considering amending the enrollment rule and clarifying benefits to support the PEBB program within WAC 182-08-197.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email Barbara.Scott@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email Rob.Parkman@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

April 17, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-118

**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**  
(Public Employees Benefits Board)

[Admin #2020-02—Filed April 17, 2020, 2:51 p.m.]

Subject of Possible Rule Making: Medicare advantage prescription drug plan enrollment and eligibility rules within WAC 182-12-171, 182-12-180, 182-12-200, 182-12-205, 182-12-211, and 182-12-265.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, PEBB Policy Resolution 2020-05.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority is considering amending the enrollment and eligibility rules to support the PEBB program within WAC 182-12-171, 182-12-180, 182-12-200, 182-12-205, 182-12-211, and 182-12-265.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email Barbara.Scott@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email Rob.Parkman@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

April 17, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-119

**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**  
(School Employees Benefits Board)

[Admin #2020-04—Filed April 17, 2020, 2:53 p.m.]

Subject of Possible Rule Making: Multiple sections within chapter 182-30 WAC, SEBB, Procedures; chapter 182-31 WAC, SEBB, Eligible school employees; and chapter 182-32 WAC, SEBB Appeals practice and procedure.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The authority is reviewing multiple sections within chapters 182-30, 182-31, and 182-32 WAC to support the SEBB program.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email Barbara.Scott@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email Rob.Parkman@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

April 17, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-120

**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**  
(School Employees Benefits Board)

[Admin #2020-03—Filed April 17, 2020, 2:54 p.m.]

Subject of Possible Rule Making: WAC 182-30-060 How do school employees benefits board (SEBB) organizations and contracted vendors correct enrollment errors?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, SEBB Policy Resolution 2020-06.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority is considering amending the enrollment rule to support the SEBB program within WAC 182-30-060.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email [Barbara.Scott@hca.wa.gov](mailto:Barbara.Scott@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email [Rob.Parkman@hca.wa.gov](mailto:Rob.Parkman@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

April 17, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-121

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(School Employees Benefits Board)

[Admin #2020-02—Filed April 17, 2020, 2:54 p.m.]

Subject of Possible Rule Making: WAC 182-30-130  
What are the requirements for a SEBB organization engaging in local negotiations regarding SEBB benefits eligibility criteria?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, SEBB Policy Resolution 2020-04.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority is considering amending the eligibility rules to support the SEBB program within WAC 182-30-130.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email [Barbara.Scott@hca.wa.gov](mailto:Barbara.Scott@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email [Rob.Parkman@hca.wa.gov](mailto:Rob.Parkman@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

April 17, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-122

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(School Employees Benefits Board)

[Admin #2020-01—Filed April 17, 2020, 2:55 p.m.]

Subject of Possible Rule Making: WAC 182-31-040  
How do school employees establish eligibility for the employer contribution toward SEBB benefits and when do SEBB benefits coverage begin?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, SEBB Policy Resolutions 2020-01, 2020-02, and 2020-05.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority is considering amending the eligibility rules and making clarification to this rule to support the SEBB program within WAC 182-31-040.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0830, fax 360-586-9727, telecommunication relay services (TRS) 711, email [Barbara.Scott@hca.wa.gov](mailto:Barbara.Scott@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Rob Parkman, P.O. Box 43684, Olympia, WA 98504-2684, phone 360-725-0883, fax 360-586-9727, TRS 711, email [Rob.Parkman@hca.wa.gov](mailto:Rob.Parkman@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

April 17, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-124

#### WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed April 20, 2020, 11:58 a.m.]

The Washington department of fish and wildlife is withdrawing WSR 17-23-023 filed on November 6, 2017; WSR 17-17-085 filed on August 16, 2017; WSR 17-13-047 filed on June 14, 2017; WSR 17-04-102 filed on February 1, 2017;

WSR 16-01-189 filed on December 23, 2015; WSR 15-20-116 filed on October 7, 2015; WSR 15-13-042 filed on June 9, 2015; WSR 15-03-090 filed on January 21, 2015; WSR 15-01-156 filed on December 23, 2014; WSR 14-17-119 filed on August 20, 2014; WSR 14-20-120 filed on October 1, 2014; WSR 14-14-112 filed on July 1, 2014; WSR 14-11-100 filed on May 21, 2014; WSR 13-23-107 filed on November 20, 2013; WSR 13-23-106 filed on November 20, 2013; WSR 13-20-128 filed on October 2, 2013; WSR 13-20-100 filed on October 1, 2013; WSR 13-18-079 filed on September 4, 2013; WSR 11-16-076 filed on August 1, 2011; WSR 11-10-090 filed on May 4, 2011; WSR 10-13-121 filed on June 22, 2010; WSR 10-22-044 [10-22-004] filed on October 20, 2010; WSR 10-22-003 filed on October 20, 2010; and WSR 10-02-074 filed on January 6, 2010.

Michele K. Culver  
Rules Coordinator

### WSR 20-09-130

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed April 21, 2020, 10:02 a.m.]

Subject of Possible Rule Making: New behavioral health rule or rules to be added under Title 182 WAC; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 71.05.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency intends to develop rules regarding the right of involuntarily detained/committed individuals to refuse antipsychotic medication as required by RCW 71.05.215. 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: Department of health.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud (Rulemaking Questions), 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, website www.hca.wa.gov/about-hca/rulemaking; or David Reed (Program Questions), P.O. Box 42730, Olympia, WA 98504-2730, phone 360-725-9419, fax 360-586-9727, TRS 711, email david.reed@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

April 21, 2020  
Wendy Barcus  
Rules Coordinator

### WSR 20-09-132

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Washington Medical Commission)

[Filed April 21, 2020, 10:33 a.m.]

Subject of Possible Rule Making: Chapter 246-919 WAC, allopathic physicians; and chapter 246-918 WAC, allopathic physician assistants. The Washington medical commission (commission) is considering creating new rule sections to regulate the use of stem cell therapy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.71.017 and 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission has received complaints from licensees, stakeholders, and the public about the use of stem cells. The complaints have been regarding the advertising related to stem cell therapy, practitioners using non-FDA approved stem cell therapy, as well as concerns stem cell therapy not being within a practitioner's scope of practice. Regulating the use of stem cell therapy would place the commission in an active patient safety role. Rule making would provide clarity around this emerging medical technology and procedure to help avoid potential discipline and increase patient safety. New sections being considered will potentially benefit the public's health by ensuring participating providers are informed and regulated by current national industry and best practice standards.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Drug Administration, the commission will reference their regulations when drafting the rules.

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](https://public.govdelivery.com/accounts/WADOH/subscriber/new?topic_id=WADOH_153).

April 20, 2020  
Melanie de Leon  
Executive Director

### WSR 20-09-134

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed April 21, 2020, 11:30 a.m.]

Subject of Possible Rule Making: The community services division is planning to amend WAC 388-444-0015 How can the basic food employment and training (BF E&T) program help me find work?, 388-444-0025 What expenses

will the department pay to help me participate in BF E&T?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.04.535, 74.08.090, 74.08A.120, 74.08A.903, 7 U.S.C. 2015 (d)(1), and 7 C.F.R. § 273.7.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes proposed under this filing will clarify and better align rule language with current federal regulations.

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

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

Department of social and health services (DSHS) incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington Basic Food program,

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff persons 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 Bessie Williams, BFET Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4936, fax 360-725-4905, email Bessie.williams@dshs.wa.gov; or Felicia Talbott, BFET Program Manager, Economic Services Administration, Community Service Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4653, fax 360-725-4905, email Felicia.Talbott@dshs.wa.gov.

April 21, 2020  
Katherine I. Vasquez  
Rules Coordinator

## WSR 20-09-137

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

[Filed April 21, 2020, 2:19 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-400-0055 Who is eligible for the pregnant women assistance (PWA) program?, 388-400-0060 Who is eligible for aged, blind or disabled (ABD) cash assistance?, 388-400-0070 Who is eligible for referral to the housing and essential needs (HEN) program?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments planned under this filing will expand ABD and HEN referral program eligibility to individuals released to home monitoring or detention, aligning with rules governing other public assistance programs including basic food and temporary assistance for needy families and supporting reduced recidivism by assisting incarcerated individuals' successful reentry into communities. Additional amendments are planned to implement recent state legislation extending a referral to the HEN program for PWA program recipients.

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

Process for Developing New Rule: The department of social and health services (DSHS) welcomes the public to take part in developing 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 Daisha Gomillion, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4781, fax 360-725-4904, email daisha.gomillion@dshs.wa.gov.

April 21, 2020  
Katherine I. Vasquez  
Rules Coordinator



**WSR 20-09-148**

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

[Filed April 22, 2020, 9:06 a.m.]

Subject of Possible Rule Making: Service of process by certified mail under chapter 388-14A WAC and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.110, 34.05.220, 74.08.090, 74.20A.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Due to the ongoing national and state emergency relating to COVID-19, the United States Postal Service (USPS) has made temporary changes to its certified mail signature gathering procedures to limit direct contact with recipients. The planned rule will clarify that these temporary procedures employed by USPS are acceptable for purposes of certified mail service if the USPS makes this change on a permanent basis.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USPS based on certified mail delivery procedures and other guidance.

Process for Developing New Rule: The division of child support (DCS) engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Brady Horenstein at the DSHS DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at <https://www.dshs.wa.gov/esa/division-child-support> or on the DSHS economic services administration's policy review website, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>. Rule-making forms and draft rules may also be found on the DSHS filings and rules page at <https://www.dshs.wa.gov/sesa/rpau/filings-and-rulings>.

DSHS/DCS encourages the public to take part in developing rules. After the rules are drafted, DSHS will file a copy with the office of the code reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and to anyone else 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 Brady Horenstein, DCS, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone 360-664-5291, fax 360-664-5342, TTY 1-800-833-6384, email [HorenBJ@dshs.wa.gov](mailto:HorenBJ@dshs.wa.gov).

April 21, 2020  
Katherine I. Vasquez  
Rules Coordinator

**WSR 20-09-150**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Developmental Disabilities Administration)**

[Filed April 22, 2020, 11:29 a.m.]

Subject of Possible Rule Making: Chapter 388-826 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; chapter 71A.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is planning to amend chapter 388-826 WAC to align with recent amendments to chapter 74.13 RCW regarding "out-of-home services," currently referred to as "voluntary placement services" in chapter 388-826 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of children, youth, and families.

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](mailto:Chantelle.Diaz@dshs.wa.gov).

April 21, 2020  
Katherine I. Vasquez  
Rules Coordinator