

**WSR 21-15-002**

**AGENDA**

**ATTORNEY GENERAL'S OFFICE**

[Filed July 7, 2021, 2:49 p.m.]

**Semi-Annual Rule-Making Agenda  
July 1 through December 31, 2021**

This is the office of the attorney general's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314. The office may have additional rule making as conditions warrant.

Should you have questions about this rule-making agenda, please contact Elaine Ganga, Rules Coordinator, P.O. Box 40100, Olympia, WA 98504-0100, 360-753-9672, elaine.ganga@atg.wa.gov. Additional contact information for particular rules is provided below.

There is no rule making anticipated at this time.

Elaine Ganga  
Rules Coordinator

**WSR 21-15-020**

**NOTICE OF PUBLIC MEETINGS**

**CRIMINAL JUSTICE**

**TRAINING COMMISSION**

[Filed July 9, 2021, 12:40 p.m.]

**2021 Commission Meeting Schedule - Revised**

The meetings will be held virtually and/or at Washington state criminal justice training commission (WSCJTC) located at 19010 1st Avenue South, Burien, WA 98148. The agendas posted prior to each meeting will indicate whether in-person attendance is authorized and if so, detail the room number.

Date	Time	Location
Wednesday January 27, 2021	10:00 a.m.	Virtual meeting
Wednesday March 10, 2021	10:00 a.m.	WSCJTC or virtual meeting
Wednesday June 9, 2021	10:00 a.m.	WSCJTC or virtual meeting
Wednesday June 30, 2021	9:30 a.m.	WSCJTC
Tuesday July 13, 2021	6:00 p.m.	Virtual meeting
Wednesday September 8, 2021	10:00 a.m.	WSCJTC or virtual meeting
Wednesday December 8, 2021	10:00 a.m.	WSCJTC or virtual meeting

If you have questions, please call Monica Alexander at 206-835-7372.

**WSR 21-15-024**

**AGENDA**

**PROFESSIONAL EDUCATOR**

**STANDARDS BOARD**

[Filed July 12, 2021, 10:49 a.m.]

**Title 181 WAC**

**Semi-Annual Rule-Making Agenda for  
July 2021 to January 2022**

Listed below is the professional educator standards board (PESB), Title 181 WAC, semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that we have under active development and rules that the agency anticipates beginning action on during the next six months.

Current information on our rule-making activity is available on our website. As circumstances warrant, there may be additional rule-making activity not on this agenda. That information will be posted on our website.

If you have questions about this agenda, Maren Johnson's email address is maren.johnson@k12.wa.us and phone is 360-867-8424.

WAC Citation	Subject Matter of Rule	Activity
181-78A	Program standards for school counselor and school psychologist preparation programs.	CR-102 anticipated July 2021. CR-103P anticipated September 2021.
181-79A	Nonsubstantive update clarifying and reorganizing WAC for issues of abuse and emotional or behavioral distress in students.	CR-103P [anticipated] July 2021.
181-82A-207, 181-82A-208, 181-82A-210, and 181-82A-212	Rule making to reflect recommendations from the educator professional growth workgroup on specialty endorsements.	CR-102 anticipated July 2021. CR-103P anticipated September 2021.
181-82-127	Standards for educational interpreters for the deaf.	CR-102 anticipated July 2021. CR-103P anticipated September 2021.
181-77, 181-77A, 181-78A, 181-79A, and 181-85	Changes to certificate renewal related to HB 1426, including requirements on equity-based school practices, educational leadership, and government to government relations. Changes to residency, professional, and career level benchmarks for educators. Clarification and technical changes regarding existing policy for educator certificate renewal and reissuance.	CR-103P anticipated July 2021.
181-85-033	Activity-based clock hours for mentoring and National Board Maintenance of Certification.	CR-103P anticipated July 2021.

Gloriann Robinson  
Rules Coordinator

WAC Citation	Subject Matter of Rule	Activity
181-78A-231, 181-78A-232, 181-78A-340, and 181-80-010	WAC amendments relating to HB 1028 eliminating the edTPA as a requirement for program completion.	CR-103P anticipated July 2021.
181-86-145 and 181-86-150	Clarification regarding changing the level of discipline in the educator certificate discipline appeals process.	CR-102 anticipated July 2021. CR-103P anticipated September 2021.
181-78A-100	Adding a curriculum and instruction component to the preparation program review process, emphasizing review of cultural competency, diversity, equity, and inclusion standards, SEL standards, and inTASC standards.	CR-103P anticipated July 2021.
181-79A-257	Nonsubstantive clarifications to rule on out-of-state candidates, clarifying that holding or having held a teacher or educational staff associate certificate is required for a principal certificate.	CR-105 anticipated July 2021.
181-79A-130	Increase in certificate fees for teachers, administrators, and educational staff associates. This certificate fee increase would not impact paraeducators.	CR-101 anticipated July 2021. CR-102 anticipated October 2021. CR-103P anticipated November 2021.
181-78A-100	Adds program review model for the PESB program standards applicable to school counselor and school psychologist preparation programs. Clarifies language.	CR-101 anticipated July 2021. CR-102 anticipated September 2021. CR-103P anticipated November 2021.

Maren Johnson  
Rules Coordinator

**WSR 21-15-026**  
**DEPARTMENT OF AGRICULTURE**  
[Filed July 12, 2021, 11:49 a.m.]

**2021 QUARTERLY REPORT ON RULE MAKING ACTIVITIES**  
**Petitions Received**

The following information is being sent to you in order to implement RCW 1.08.112 (1)(g) and WAC 1-21-180. The Washington state department of agriculture received no petitions for rule making during the second quarter of 2021.

Date	Requestor	Subject
<b>1ST QUARTER (JANUARY THROUGH MARCH)</b>		
3/15/2021	Mark and Lynette McMillan	Amending tuberculosis requirement in Mexican cattle imported for rodeos in WAC 16-54-085.
<b>2ND QUARTER (APRIL THROUGH JUNE)</b>		
	None.	

Miscellaneous

**WSR 21-15-029**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**

[Filed July 12, 2021, 4:43 p.m.]

The following dates and locations list the meeting schedule for the transportation improvement board.

DATE	CITY
January 27-28, 2022	Olympia
March 24-25, 2022	Vancouver (2020 obligation)
May 19-20, 2022*1	Tri-Cities
September 22-23, 2022	Spokane
November 17-18, 2022*2	Bellingham/Mt. Vernon

- \*1 Meeting date moved to THIRD Thursday and Friday of month due to Memorial Day.
- \*2 Meeting date moved to THIRD Thursday and Friday of month due to Thanksgiving.

Please contact Kelsey Davis at 586-1146 or [kelsey@tib.wa.gov](mailto:kelsey@tib.wa.gov) if you need additional information.

**WSR 21-15-034**  
**NOTICE OF PUBLIC MEETINGS**  
**REDISTRICTING COMMISSION**

[Filed July 13, 2021, 10:43 a.m.]

The Washington state redistricting commission has changed the following regular meeting:

From: August 15, 2021, at 7:00-9:00 p.m., Zoom.  
To: August 16, 2021, at 7:00-9:00 p.m., Zoom.

If you need further information contact Lisa McLean, Executive Director, P.O. Box 40948, Olympia, WA 98504-0948, 360-524-4390, [lisa.mclean@redistricting.wa.gov](mailto:lisa.mclean@redistricting.wa.gov), <http://redistricting.wa.gov/>.

**WSR 21-15-044**  
**INTERPRETIVE AND POLICY STATEMENT**  
**DEPARTMENT OF ECOLOGY**

[Filed July 14, 2021, 10:30 a.m.]

**Notice of Interpretive and Policy Statement**

Under chapter 42.56 RCW, ecology maintains an index that includes interpretive and policy statements issued by the agency. Under RCW 34.05.230, we are filing notice in the Washington State Register about these statements.

To obtain copies of these items, please:

- Copy and paste the web address (URL) from the table following into a web browser to view and download or;

- Submit an email records request to ecology's public records officer at [PublicRecordsOfficer@ecy.wa.gov](mailto:PublicRecordsOfficer@ecy.wa.gov) following the instructions on the public records requests web page at <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>.

New Statements:

Title of Interpretive/Policy Statement	Web Link (if applicable)
AQP-POL-2021 Data Center Permitting	
AQP-GUI-2019 AERMOD APP Review	
AQP-GUI-2020 Simplified approach to AER-SCREEN	
AQP-POL-2020 How to Apply 460 Standards	
AQP-POL-2019 Cancer Risk	
AQP-POL-2019 60-day preliminary determination	
AQP-POL-2019 Evaluating Equipment Replacement	
AQP-POL-2019 Evaluating Modification	

**WSR 21-15-048**

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed July 14, 2021, 12:10 p.m.]

**NOTICE OF PUBLIC HEARING**

**SCHOOL DISTRICT ACCOUNTING MANUAL (WAC 392-123-010)  
EDUCATIONAL SERVICE DISTRICT ACCOUNTING MANUAL (WAC 392-125-010)**

**Public Hearing/Written Comments:** A public hearing will be held to adopt changes relating to the accounting manual for school districts and the educational service district accounting manual, in accordance with WAC 392-123-010 and 392-125-010, respectively, will be held on **August 4, 2021, at 10:30 a.m.**, via Zoom.

Register in advance for this meeting (*link*) [no URL provided]. *After registering, you will receive a confirmation email with information about joining the meeting.*

Written comments may be submitted by August 4, 2021, 5:00 p.m. Submit written comments to Office of Superintendent of Public Instruction, ATTN: Paul Stone, School Apportionment and Financial Services, email [Paul.Stone@k12.wa.us](mailto:Paul.Stone@k12.wa.us), P.O. Box 47200, Olympia, WA 98504-7200.

Chris P. S. Reykdal  
State Superintendent  
of Public Instruction

**WSR 21-15-053**

**NOTICE OF PUBLIC MEETINGS  
STATE INVESTMENT BOARD**

[Filed July 15, 2021, 8:28 a.m.]

The following is a correction to the date and location of a 2021 regular meeting of the Washington state investment board (WSIB).

Original Date	Time	Location
July 20-22, 2021	1:00 p.m.	To be determined
Revised Date	Revised Time	Revised Location
July 21, 2021	9:00 a.m.	Webex

\*Public access will be available via teleconference. Details can be found on the WSIB website at [www.sib.wa.gov](http://www.sib.wa.gov).

If you need further information contact Stacy Conway by regular mail at WSIB, P.O. Box 40916, Olympia, WA 98504-0916, phone 360-956-4612, email [Stacy.Conway@sib.wa.gov](mailto:Stacy.Conway@sib.wa.gov), or website [www.sib.wa.gov](http://www.sib.wa.gov).

**WSR 21-15-062**

**INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

[Filed July 15, 2021, 2:59 p.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Economic Services Administration  
Division of Child Support (DCS)**

Document Title: DCS Administrative Policy 1.26: Teleworking From Home.

Subject: AP 1.26.

Effective Date: July 14, 2021.

Document Description: DCS administrative policy explains procedures that are in place to provide clear guidance to DCS employees regarding teleworking from home.

To receive a copy of the interpretive or policy statements, contact Rachel Shaddox, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5073, TDD/TTY 800-833-6384, fax 360-664-5342, email [Rachel.Shaddox@dshs.wa.gov](mailto:Rachel.Shaddox@dshs.wa.gov), website <http://www.dshs.wa.gov/dcs/>.

**WSR 21-15-064****AGENDA****PUBLIC DISCLOSURE COMMISSION**

[Filed July 15, 2021, 3:19 p.m.]

Rules Development Agenda for  
July 2021 through January 2022

- Procedures for full commission and brief enforcement proceedings, chapter 390-37 WAC. The current enforcement rules should be evaluated for possible improvements to the processes of determining the authority and penalties in brief enforcement proceedings, and the review and reconsideration of initial and full commission decisions.
- Commercial advertiser rules regarding digital political advertising, WAC 390-18-150. The development of rules related to digital advertising would continue the work of the public disclosure commission over the past two years analyzing the digital advertising market and how best to serve the public interest in transparency of political advertising through digital media.

Sean Flynn  
General Counsel

**WSR 21-15-068****POLICY STATEMENT****DEPARTMENT OF HEALTH**

[Filed July 16, 2021, 8:24 a.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy Statement: Electronic Signatures for Counseling Disclosure Statements during the COVID-19 Declared Emergency. Policy Number: BH-052620.1.

Issuing Entity: Department of health (department).

Subject Matter: Clarifying the department's position on using electronic signatures for counseling disclosure statements. The department has extended the policy allowing use of electronic signatures until ninety days after the end of the COVID-19 declared emergency.

Effective Date: July 1, 2021.

Contact Person: U. James Chaney, Executive Director, [ulysses.chaney@doh.wa.gov](mailto:ulysses.chaney@doh.wa.gov), 360-236-2831.

**WSR 21-15-069****POLICY STATEMENT****DEPARTMENT OF HEALTH**

[Filed July 16, 2021, 10:36 a.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy Statement: Simulation and Clinical Training for Respiratory Care Practitioners during the COVID-19 Declared Emergency. Policy Number: RCP-21-01.

Issuing Entity: Department of health (department).

Subject Matter: Clarifying the department's position on respiratory care practitioners using simulations to meet

required clinical hours during the COVID-19 declared emergency and the subsequent one hundred eighty-day period.

Effective Date: July 1, 2021.

Contact Person: U. James Chaney, Executive Director, Respiratory Therapists, [james.chaney@doh.wa.gov](mailto:james.chaney@doh.wa.gov), 360-236-2831.

**WSR 21-15-076****POLICY STATEMENT****DEPARTMENT OF HEALTH**

[Filed July 16, 2021, 1:48 p.m.]

**NOTICE OF ADOPTION OF A POLICY STATEMENT**

Title of Policy Statement: Simulation Use and Clinical Training for Medical Assistants-Certified. Policy Number: PS21-01.

Issuing Entity: Department of health (department).

Subject Matter: Clarifying the department's position on medical assistants-certified use of simulation to meet required clinical hours.

Effective Date: July 1, 2021.

Contact Person: Renee Fullerton, Executive Director, 360-236-2850, [medical.assistants@doh.wa.gov](mailto:medical.assistants@doh.wa.gov).

**WSR 21-15-077****POLICY STATEMENT****DEPARTMENT OF HEALTH**

[Filed July 16, 2021, 1:54 p.m.]

**Notice of Interpretive or Policy Statement**

This memo serves as notice that the department of health (department) is withdrawing the policy statement Simulation and Clinical Training for Respiratory Care Practitioners and Medical Assistants - Certified during the COVID-19 Declared Emergency. Policy Number: PS-050120, which was filed May 1, 2020, and published in WSR 20-10-063.

The department is withdrawing this policy statement because it is being replaced by two new policy statements that separate the respiratory care practitioners from the medical assistants-certified.

Individuals seeking further information on this should contact James Chaney, executive director, respiratory therapists at 360-236-2831 or Renee Fullerton, executive director, medical assistants at 360-236-2850.

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 21-15-079**

**NOTICE OF PUBLIC MEETINGS  
HEALTH CARE AUTHORITY  
(Public Employees Benefits Board)**  
[Filed July 16, 2021, 2:26 p.m.]

**2022 Public Employees Benefits Board (PEBB)  
Meeting Schedule**

PEBB meetings will be held at the Health Care Authority, Sue Crystal Center, Rooms A & B, 626 8th Avenue S.E., Olympia, WA 98501.

January 26, 2022 (board retreat)	9:00 a.m. - 4:00 p.m.
March 10, 2022	9:00 a.m. - 2:00 p.m.
April 14, 2022	9:00 a.m. - 2:00 p.m.
May 12, 2022	9:00 a.m. - 2:00 p.m.
June 9, 2022	9:00 a.m. - 2:00 p.m.
June 30, 2022	9:00 a.m. - 2:00 p.m.
July 14, 2022	9:00 a.m. - 2:00 p.m.
July 20, 2022	9:00 a.m. - 2:00 p.m.
July 27, 2022	9:00 a.m. - 2:00 p.m.

If you are a person with a disability and need a special accommodation, please contact Connie Bergener at 360-725-0856.

**WSR 21-15-080**

**NOTICE OF PUBLIC MEETINGS  
HEALTH CARE AUTHORITY  
(School Employees Benefits Board)**  
[Filed July 16, 2021, 2:29 p.m.]

**2022 School Employees Benefits Board (SEBB)  
Meeting Schedule**

SEBB meetings will be held at the Health Care Authority, Sue Crystal Center, Rooms A & B, 626 8th Avenue S.E., Olympia, WA 98501.

January 27, 2022	9:00 a.m. - 4:00 p.m.
March 3, 2022	9:00 a.m. - 2:00 p.m.
April 7, 2022	9:00 a.m. - 2:00 p.m.
May 5, 2022	9:00 a.m. - 2:00 p.m.
June 2, 2022	9:00 a.m. - 2:00 p.m.
June 23, 2022	9:00 a.m. - 2:00 p.m.
July 7, 2022	9:00 a.m. - 2:00 p.m.
July 21, 2022	9:00 a.m. - 2:00 p.m.
July 28, 2022	9:00 a.m. - 2:00 p.m.

\*Meeting times are tentative.

If you are a person with a disability and need a special accommodation, please contact Connie Bergener at 360-725-0856.

**WSR 21-15-086**

**NOTICE OF PUBLIC MEETINGS  
GAMBLING COMMISSION**  
[Filed July 19, 2021, 1:26 p.m.]

The Washington state gambling commission has changed the following regular meeting:

From: September 9, 2021.

To: August 27, 2021.

If you need further information contact Julie Anderson at 360-486-3453 or by email at [julie.anderson@wsgc.wa.gov](mailto:julie.anderson@wsgc.wa.gov). You can find more information on our agency website at [www.wsgc.wa.gov](http://www.wsgc.wa.gov).

**WSR 21-15-087**

**DEPARTMENT OF ECOLOGY**  
[Filed July 19, 2021, 3:01 p.m.]

Washington department of ecology is conducting a triennial review of Washington surface water quality standards (chapter 173-201A WAC) until September 16, 2021. During this review, we are accepting feedback on any changes we should consider to the water quality standards for Washington and our draft work plan for the next three years. We will hold a workshop and public hearing to talk about our draft plan and listen to your feedback.

**What is a Triennial Review?** Section 303 (c)(1) of the federal Clean Water Act requires we regularly hold public hearings to review state water quality standards and, as appropriate, adopt new or modified standards. The triennial review is not a rule making, instead this effort helps inform what rule makings and other actions we should consider for the next three years.

**Documents for Review:** You can view our draft work plan and other related materials on ecology's water quality standards webpage, at <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-standards/Updates-to-the-standards>.

**How to comment:** We are accepting comments until September 16, 2021.

You can provide comments in the following ways:

Online: Send us comments using our eComments form (preferred method) at <https://wq.ecology.commentinput.com/?id=R5TkH>.

By mail: Marla Koberstein, Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504-7600.

During the online public hearing: September 9, 2021 at 1:30 p.m. Register for the hearing at <https://watech.webex.com/watech/onstage/g.php?MTID=ec66f9a302c5f4c72d027bcc7ec8070cc>.

Participate by phone (audio only): 1-415-655-0001, Access code: 177 634 4488.

The hearing will begin with a short presentation on our surface water quality standards and draft work plan, after which we will answer questions. Following the presentation, we will begin the formal hearing, where you can provide formal comment. The hearing will conclude once everyone who wants to comment has had the opportunity to do so.

Hearings offered via online webinar allow individuals to participate via computer or mobile device. *Ecology is not currently offering in-person sessions due to COVID-19 safety concerns.*

**Next steps:** After the close of comment period, we will provide a responsiveness summary and final work plan, which we will submit to the Environmental Protection Agency for review. We will post these documents on our water quality standards webpage, at <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-standards/Updates-to-the-standards>.

**Questions:** Please contact Marla Koberstein, at [swqs@ecy.wa.gov](mailto:swqs@ecy.wa.gov), or 360-407-6413 for any questions.

Contact: Carl Backen, 7273 Linderson Way S.W., Tumwater, WA 98501, Mailstop 4510, 360-902-5552, [Carl.Backen@Lni.wa.gov](mailto:Carl.Backen@Lni.wa.gov).

Tracy West  
Rules Coordinator

**WSR 21-15-088**  
**POLICY STATEMENT**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed July 19, 2021, 4:14 p.m.]

**Notice of Policy Statements**

Under RCW 34.05.230, enclosed are statements regarding one new policy and one amended policy, issued by the department of labor and industries (L&I) fraud prevention and labor standards division.

If you have any questions or need additional information, please contact Tracy West, rules coordinator, at 360-902-6954.

Title: Policy ES.A.14 - *Minimum Wage Act - Employment Relationships*.

Date Issued: July 19, 2021.

Description: The new policy addresses what constitutes an employment relationship for the purposes of Washington's Minimum Wage Act. The policy provides interpretative guidance and clarification beyond the applicable statutes and rules. The guidance in this policy will help employers and employees understand who is an employer and who is liable for providing employees with their entitlements under the Minimum Wage Act.

Contact: Carl Backen, 7273 Linderson Way S.W., Tumwater, WA 98501, Mailstop 4510, 360-902-5552, [Carl.Backen@Lni.wa.gov](mailto:Carl.Backen@Lni.wa.gov).

Title: Policy ES.C.2 - *Hours Worked*.

Date Issued: July 19, 2021.

Description: The amended policy addresses what time is considered hours worked under state wage and hour law. The updates in this policy include greater clarity on travel time, on-call time, and other specific scenarios. The amended policy also signals that L&I intends to realign with the United States Department of Labor when evaluating internship relationships. The guidance in this policy will help employers understand what time spent by an employee must be considered hours worked and therefore subject to all the rights and protections granted by the state's Minimum Wage Act and Industrial Welfare Act.

**WSR 21-15-097**  
**NOTICE OF PUBLIC MEETINGS**  
**CENTRALIA COLLEGE**  
[Filed July 20, 2021, 8:30 a.m.]

**BOARD OF TRUSTEES**  
**Meeting Schedule for 2022**

DATE	TIME	LOCATION
Thursday January 13, 2022	3:00 p.m.	College Boardroom
Thursday February 10, 2022	3:00 p.m.	College Boardroom
Thursday March 10, 2022	3:00 p.m.	College Boardroom
Thursday April 14, 2022	3:00 p.m.	Centralia Col- lege East
Thursday May 12, 2022	3:00 p.m.	College Boardroom
Thursday June 9, 2022	3:00 p.m.	College Boardroom
Thursday August 11, 2022	3:00 p.m.	College Boardroom
Thursday September 8, 2022	3:00 p.m.	College Boardroom
President's contract		
Thursday October 13, 2022	3:00 p.m.	College Boardroom
Thursday November 10, 2022	3:00 p.m.	College Boardroom
Thursday December 8, 2022	3:00 p.m.	College Boardroom

**WSR 21-15-101**  
**HEALTH CARE AUTHORITY**  
(Health Technology Clinical Committee)  
[Filed July 20, 2021, 9:56 a.m.]

The health technology clinical committee reached a final coverage decision for the following technology at their July 9, 2021, public meeting:

Sacroiliac joint fusion rereview      Decision No: 20210618A

All documents related to this evidence assessment, including the final coverage decision, is available on the

health technology assessment program website [www.hca.wa.gov/about-hca/health-technology-assessment](http://www.hca.wa.gov/about-hca/health-technology-assessment).

For further information contact Christine Masters, Program Specialist, WA - Health Technology Assessment, P.O. Box 626, 8th Avenue S.E., Olympia, WA 98504-2712, desk 360-725-5126, [christine.masters@hca.wa.gov](mailto:christine.masters@hca.wa.gov).

**WSR 21-15-107  
AGENDA  
OFFICE OF THE  
INSURANCE COMMISSIONER**

[Filed July 20, 2021, 1:25 p.m.]

**Semi-Annual Rule Development Agenda  
July 2021**

The commissioner has initiated rule making on the following rules. This list is current as of July 20, 2021. There may be additional rule-making activity not included on this agenda and all information referenced is subject to change. For the most up-to-date information, visit our rule-making website <https://www.insurance.wa.gov/legislation-and-rulemaking>.

For questions, please contact Bryon Welch, rules coordinator@oic.wa.gov or 360-725-7037.

Summary	Statutory Authority	Potentially Impacted WAC	Status
Resident adjuster continuing education requirements (R 2021-03)	RCW 48.02.060, 48.17.005, 48.17.150.	WAC 284-17-200, 284-17-220, 284-17-222, 284-17-224, 284-17-273, 284-17-278, 284-17-292.	CR-101 WSR 21-13-135 filed 6/22/2021
Prohibiting the depreciation of labor on property claims (R 2021-04)	RCW 48.02.060, 48.27.020, 48.18.120.	WAC 284-20-010.	CR-101 WSR 21-13-134 filed 6/22/2021
Reinsurance agreements (R 2021-05)	RCW 48.02.060, 48.12.480; sections 2 and 4, chapter 138, Laws of 2021 (SB 5048).	WAC 284-12-53902, 284-13-53903, 284-13-536, 284-13-538, 284-13-539, 284-13-53901, 284-13-540, 284-13-59509.	CR-101 WSR 21-13-133 filed 6/22/2021
Telemedicine and audio-only telemedicine services (R 2021-07)	Section 2, chapter 157, Laws of 2021, codified at RCW 48.43.735(9).	To be determined.	CR-101 WSR 21-13-132 filed 6/22/2021
Temporarily prohibiting the use of credit history on some personal lines (R 2021-07)	RCW 48.02.060, 48.18.480, 48.19.020, 48.19.035, 48.19.080.	WAC 284-24A-050 and 284-24A-090.	CR-101 WSR 21-13-131 filed 6/22/2021

Summary	Statutory Authority	Potentially Impacted WAC	Status
Using respectful language (R 2021-08)	RCW 48.02.060.	WAC 284-50-330.	CR-101 WSR 21-14-062 filed 7/2/2021
Administrative hearings (R 2021-09)	RCW 48.02.060 (3)(a), 34.05.220 (1)(a), 34.05.250, 34.05.446(2).	WAC 284-02-070(2).	CR-101 WSR 21-14-063 filed 7/2/2021
Title agent county declarations (R 2021-10)	RCW 48.02.060(3) and 48.29.005.	WAC 284-29-130.	CR-101 WSR 21-14-064 filed 7/2/2021
Actuarial designations (R 2021-11)	RCW 48.02.060, 48.05.073, 48.05.383.	WAC 284-07-060.	CR-101 WSR 21-14-065 filed 7/2/2021
Captive insurance (R 2021-12)	Section 6, chapter 281, Laws of 2021; and RCW 48.02.060 (3)(a).	To be determined.	CR-101 WSR 21-14-075 filed 7/6/2021
Student health plans (R 2021-13)	RCW 48.02.060; and chapter 53, Laws of 2021 (HB 1009).	WAC 284-43-7210, 284-43-7220, 284-43-7250.	CR-101 WSR 21-14-096 filed 7/7/2021
Health insurance discrimination and gender affirming treatment (R 2021-14)	RCW 48.02.060, 48.43.515; and chapter 280, Laws of 2021.	To be determined.	CR-101 WSR 21-14-095 filed 7/7/2021
FAIR plan committee members (R 2021-15)	RCW 48.02.060, 48.01.030, 48.18.480	WAC 284-19-140, 284-19-150.	CR-101 WSR 21-14-076 filed 7/6/2021
Implementation of E2SHB 1477 and consolidated health care rule making (R 2021-16)	RCW 48.02.060, 48.43.515, 48.44.050, 48.46.200; and chapter 302, Laws of 2021.	WAC 284-170-280.	CR-101 WSR 21-14-094 filed 7/7/2021
Health care sharing ministries (R 2021-17)	RCW 48.02.060, 48.17.005, 48.15.015.	To be determined.	CR-101 WSR 21-14-097 filed 7/7/2021
Washington state health insurance pool (R 2021-18)	RCW 48.41.170 and 48.02.060.	To be determined.	CR-101 WSR 21-15-096 filed 7/20/2021
Emergency rule: Temporarily prohibiting the use of credit history (R 2021-19)	RCW 48.02.060, 48.18.480, 48.19.020, 48.19.035, 48.19.080.	WAC 284-24A-088 and 284-24A-089.	CR-103E WSR 21-15-058 filed 7/15/2021

Other Possible Rule-Making Topics: In addition to the rules referenced above, the commissioner continues his effort

to update and clarify code, as well as implement recent legislation. A potential list of subjects that may be considered for future rule making include or may include:

- Adjuster issues.
- Annuity marketing and disclosure requirements.
- Audited financial statements.
- Barriers to patient care access resulting from contracting practices.
- Coordination of benefits.
- Dental insurance practices.
- Discontinuation and renewal of health plan coverage.
- Discrimination in health care plan design.
- Electronic filing of state specific reporting.
- Electronic notices and document delivery of insurance products.
- Essential health benefits.
- Fixing outdates [outdated] references.
- Health care coverage in general.
- Health care coverage specific to dependents and incapacitated children.
- Implementation credits.
- Implementation of state legislation or reform.
- Implementation of federal legislation or reform.
- Licensing requirements.
- Life and disability issues.
- Market stabilization.
- Medical parity.
- Minimum valuation standards.
- NAIC model act implementation.
- Pharmacy formulary tiers.
- Pharmacy exceptions, substitutions and appeals process.
- Pediatric dental.
- Prelicensing insurance education.
- Producer issues.
- Producer commissions.
- Property and casualty issues.
- Ride-sharing insurance coverage.
- Summary of health insurance benefits coverage.
- Surprise billing.
- Rating variables.
- Title insurance records.

Mike Kreidler  
Insurance Commissioner

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**WSR 21-15-125**  
**RULES COORDINATOR**  
**CLARK COLLEGE**  
[Filed July 21, 2021, 10:58 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for Clark College is Galina Burley, 1933 Fort Vancouver Way, Vancouver, WA 98663, phone 360-992-2123, email GBurley@clark.edu.

G. Burley, MPA  
Executive Vice President  
of Operations

**WSR 21-15-121**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed July 21, 2021, 10:12 a.m.]

**CHANGE OF REGULAR MEETING**

The board of trustees of Washington state community college District 17 (Community Colleges of Spokane) has changed the following regular meeting:

From: Tuesday, August 17, 2021.

To: This meeting has been cancelled.

If you need further information contact Courtney Taylor, Community Colleges of Spokane, 501 North Riverpoint Bou-