

WSR 22-02-011
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed December 23, 2021, 3:23 p.m.]

Subject of Possible Rule Making: WAC 182-513-1105 Personal needs allowance and room and board standards in a medical institution and alternate living facility; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 74.09.340.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending WAC 182-513-1105 to remove stated dollar amounts for certain personal needs allowances and replace them with a reference to the current Washington apple health income and resource standards chart located at www.hca.wa.gov/health-care-services-supports/program-standard-income-and-resources. During this review, the health care authority may identify additional related changes that are required 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 social and health services.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brian Jensen, Rulemaking Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email brian.jensen@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Paige Lewis, Program Questions, P.O. Box 45534, Olympia, WA 98504-5534, phone 360-725-0757, fax 360-586-9727, TRS 711, email Paige.lewis@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

December 23, 2021.
Wendy Barcus
Rules Coordinator

WSR 22-02-015
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed December 27, 2021, 12:56 p.m.]

Subject of Possible Rule Making: Chapter 246-945 WAC, rules pertaining to medication assistance and the settings in which medication assistance occurs. The pharmacy quality assurance commission (commission) and department of health (department) are filing jointly to consider adopting new rules to reinstate rules on medication assistance as permitted under chapter 69.41 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005, 69.41.010(15), and 69.41.075.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission completed a nearly three-year process in July 2020 to update and consolidate all rules under its authority, resulting in the creation of chapter 246-945 WAC. Although this process included extensive work with interested parties, it was brought to the commission's attention, once the new chapter was published, that the repeal of chapter 246-888 WAC resulted in unintended disruptions for medication assistance in the community-based and in-home care settings permitted under chapter 69.41 RCW.

Medication assistance under chapter 69.41 RCW lacks the detail needed to develop and implement training, policies, procedures, and regulations. RCW 69.41.010(15) does not provide the level of specificity needed by the broad range of entities charged with implementation and oversight of community-based or in-home care settings and requires that "such other means" of medication assistance are established in rule by the department. The commission also has rules on patient-owned medications (WAC 246-945-440), but they do not apply to community-based and in-home care settings and do not adequately cover the concerns communicated to the commission by the impacted parties.

The commission and the department will consider adopting rules to provide further definitions for terms used such as "enabler," and establish those "other means of medication assistance as defined by rule adopted by the department." These rules are intended to help impacted individuals retain their independence and live in the least restrictive setting, such as their own home, longer by providing means and guidance for medication assistance.

Emergency rules pertaining to this issue are currently in effect under WSR 21-23-098, filed November 17, 2021. The emergency rules have been in effect since July 20, 2021, with the filing of WSR 21-15-108. The commission and the department intend to keep emergency rules in effect until permanent rules are formalized as necessary.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state department of social and health services believes additional specificity is needed by the entities that are charged with implementation and oversight. Medication assistance under chapter 69.41 RCW lacks the detail needed to develop and implement training, policies, procedures, and regulations.

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 Joshua Munroe, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2987, fax 360-236-2321, TTY 711, email PharmacyRules@doh.wa.gov.

Additional comments: Rule development takes place in open public meetings prior to a formal rule proposal and comment period. All rule-making notices are mailed via GovDelivery. To receive notices, interested persons may sign up by going to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing up, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions," then check the boxes next to either "Pharmacy Commission Meeting and Agenda" and/or "Pharmacy Commission Newsletter."

December 27, 2021
Teri Ferreira, RPh
Pharmacy Quality Assurance Chair
and Kristin Peterson, JD
Deputy Secretary
Policy and Planning

WSR 22-02-036

**PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY**

[Filed December 29, 2021, 3:37 p.m.]

Subject of Possible Rule Making: Chapter 172-90 WAC, Student academic integrity.

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: Update and clarify procedures for academic integrity cases. Simplify the process for adjudicating cases that may result in potential suspensions or expulsions.

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 Annika Scharosch, 211 Tawanka Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu, website <https://inside.ewu.edu/policies/>.

December 29, 2021

Annika Scharosch
Associate Vice President

WSR 22-02-037

PREPROPOSAL STATEMENT OF INQUIRY

EASTERN WASHINGTON UNIVERSITY

[Filed December 29, 2021, 3:55 p.m.]

Subject of Possible Rule Making: Chapter 172-64 WAC, Alcohol policy at Eastern Washington 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: Modify the university's rules for possession and consumption of alcohol on campus to allow for certain academic activities where alcohol tasting is part of the class curriculum.

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 Annika Scharosch, 211 Tawanka Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu, website <https://inside.ewu.edu/policies/>.

December 29, 2021

Annika Scharosch

Associate Vice President

WSR 22-02-043
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed December 30, 2021, 12:50 p.m.]

Subject of Possible Rule Making: Chapters 181-78A and 181-79A WAC, pandemic response for educator preparation program flexibility. 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: Communities continue to experience a public health crisis related to the outbreak of the novel coronavirus, COVID-19. Many educator preparation programs face ongoing challenges related to this public health situation. These proposed rule changes would extend existing pandemic supports that address these challenges for educator preparation programs.

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 Sophia Keskey, 600 Washington Street S.E., Olympia, WA 98504, phone 360-890-5814, email Sophia.keskey@k12.wa.us, website www.pesb.wa.gov.

December 30, 2021
Sophia Keskey
Rules Coordinator

WSR 22-02-053
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed January 4, 2022, 7:56 a.m.]

Subject of Possible Rule Making: Chapters 139-01, 139-03, 139-05, 139-06, 139-07, 139-09, and 139-10 WAC; and other WAC sections as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SB [E2SSB] 5051 (2021) requires the Washington state criminal justice training commission to undertake rule making to comply with the laws set forth in SB [E2SSB] 5051. The rule making will accomplish compliance with new law. This WAC update may also include general updates and revisions.

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 Derek Zable, 19010 1st Avenue South, Burien, WA 98148, phone 253-835-7350, email dzable@cjtc.wa.gov.

January 4, 2022
Derek Zable
Records Manager

WSR 22-02-055
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed January 4, 2022, 8:20 a.m.]

Subject of Possible Rule Making: Safety and health discrimination protections (ESHB 1097): Chapter 296-360 WAC, Discrimination.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries (L&I) is initiating this rule making in response to ESHB 1097, an act relating to increasing worker protections. The rule making will change the requirement to file a complaint of a discriminatory act from 30 to 90 days, expands the definition of discrimination, and establishes the division of occupational safety and health's (DOSH) ability to penalize an employer for discriminating against one of their employees. This rule making will also address changes in how complaints will be resolved with final orders. Under ESHB 1097, L&I now has the authority to issue administrative orders related to discrimination differing from the current process which has proceedings go to superior court if a matter is not settled.

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: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Josefina Magana, L&I, DOSH, P.O. Box 44620, Olympia, WA 98504-4620, phone 360-902-4233, fax 360-902-5619, email Josefina.Magana@Lni.wa.gov, website <https://www.lni.wa.gov/rulemaking-activity/>.

January 4, 2022
Joel Sacks
Director

WSR 22-02-060
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed January 4, 2022, 10:52 a.m.]

Subject of Possible Rule Making: Chapter 51-56 WAC, Adoption and amendment of the 2021 Uniform Plumbing Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to evaluate revisions made to the Uniform Plumbing Code, and to consider proposals for statewide code amendments. The estimated effective date of the 2021 codes is July 1, 2023.

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: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ray Shipman, Code Specialist, 1500 Jefferson Street S.E., Olympia, WA 98504-1449, phone 360-407-8047, email Ray.Shipman@des.wa.gov, website www.sbcc.wa.gov.

January 4, 2022
Andrew S. Klein
Chair