

WSR 23-06-001

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF HEALTH

(Dispensing Optician Examining Committee)

[Filed February 15, 2023, 12:11 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the revised schedule of regular meetings for the department of health (DOH), dispensing optician examining committee (committee) for the year 2023. The committee meetings are open to the public, and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via GovDelivery and the DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the committee reserves the right to change or amend agendas at the meeting.

Date	Time	Location
May 19, 2023	9:00 a.m.	TBD
September 25, 2023	9:00 a.m.	TBD

If you need further information, please contact Kristina Bell, Program Manager, DOH, Dispensing Optician Program, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4841, fax 360-236-2901, email Kristina.bell@doh.wa.gov, web www.doh.wa.gov.

Please be advised the committee is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the committee, including personal information, may ultimately be subject to disclosure as a public record.

WSR 23-06-003

AGENDA

PUBLIC DISCLOSURE COMMISSION

[Filed February 15, 2023, 5:09 p.m.]

The Administrative Procedure Act requires state agencies to prepare a biannual rules development agenda that includes the issues under consideration for rule making for the upcoming six-month period. RCW 34.05.314. Agendas are published in the State Register at the end of January and July each year. Staff proposes the following rule-making agenda for the period from January through July 2023:

- Update campaign reporting for digital political advertising (chapter 390-16 WAC). Over the last few years, the commission has reviewed and analyzed the policy and mechanisms for improving disclosure in the evolving area of digital political advertising. A product of this work was the adoption of rules earlier this year updating the requirements for commercial advertisers to maintain records of the digital political advertising they sell. Another step in this work is focusing on the detail of campaign reporting of expenditures on political advertising. The commission will consider making improvements in disclosure requirements for campaigns to report on political advertising and other activities.
- Adjustments to the inflationary index for lobbying reporting (chapter 390-20 WAC). Under RCW 42.17A.125, the commission must periodically consider revising the values set for contribution limits, reporting thresholds, and code values, in reference to any economic changes reflected by the inflationary index. Such revisions must be adopted in rules. The period for consideration is between every two and five years. The commission initiated rule making for making inflationary adjustments, which has focused on reporting values and contribution limits for election campaigns. The adjustments for lobbying activities were held out of that rule making so that those changes would not be made during a lobbying reporting period. Once the campaign adjustments are made, the commission will turn its focus on adjusting the lobbying category. The current values in law will be evaluated and considered for possible adjustments in rule.

Action Requested: Staff requests the commission adopt the attached rules development agenda for publication in the Washington State Register.

WSR 23-06-008

NOTICE OF PUBLIC MEETINGS
CLEMENCY AND PARDONS BOARD

[Filed February 16, 2023, 1:04 p.m.]

Continuance of the Hearing Calendar for
Friday, February 17, 2023

The Washington state clemency and pardons board hereby gives notice they will be hearing the remaining portion of the petition for commutation for the following individual starting at **3:00 p.m.**

Petitioner:	County of Conviction:	Relief Requested:
Macas, Minviluz Dulano	King	Commutation

Livestream link to watch hearing <https://www.tvw.org/watch/?clientID=9375922947&eventID=2023021117>.

WSR 23-06-009

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF LICENSING

[Filed February 16, 2023, 2:16 p.m.]

**2023 Advisory Board Meetings
Real Estate Commission**

Date	Location	Start Time
May 18, 2023	Virtual	10:00 a.m.
August 17, 2023	Virtual	10:00 a.m.
November 16, 2023	Virtual	10:00 a.m.

[Contact:] Sandra Schaefer, business and professions division,
Washington state department of licensing, email
DOLBPDOutreach@dol.wa.gov.

WSR 23-06-011

NOTICE OF PUBLIC MEETINGS

ANDY HILL CANCER

RESEARCH ENDOWMENT BOARD

[Filed February 16, 2023, 4:19 p.m.]

The Andy Hill Cancer Research Endowment board submits an update to the May 24, 2023, board meeting. The following physical location needs to be added to the meeting and the Zoom option needs to be removed. This meeting has been changed to in-person only at Washington Park Arboretum, Wisteria Hall (adjacent to the Visitors Center), 2300 Arboretum Drive East, Seattle, WA 98112.

WSR 23-06-012

NOTICE OF PUBLIC MEETINGS

ANDY HILL CANCER

RESEARCH ENDOWMENT BOARD

[Filed February 16, 2023, 4:22 p.m.]

The Andy Hill Cancer Research Endowment (CARE) board submits a meeting addition. A CARE board special meeting has been scheduled for May 3, 2023, from 9:30 to 11:00 a.m. (PST). Following is the physical location as well as the virtual link for this meeting: Swedish Cultural Center, 1920 Dexter Avenue North, Board Room (top level), Seattle, WA 98109; Zoom link <https://zoom.us/j/85123587173>, Passcode 623421, Meeting ID 851 2358 7173.

WSR 23-06-013

HEALTH CARE AUTHORITY

[Filed February 16, 2023, 4:27 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0014 Oral Health Connections Pilot Extension.

Effective Date: February 18, 2023.

Description: The health care authority (HCA) intends to submit SPA 23-0014 to make the following changes to the oral health connections pilot project:

- This SPA will extend the three-year pilot that began January 1, 2019, through December 31, 2023.
- Change the age range for pregnant clients from age 21 through 64 to ages 16 and older.
- Change the age range for diabetic clients from ages 21 through 64 to ages 21 and older.
- Clients who are eligible for both medicaid and medicare (dual eligibles) will now be able to participate.

The pilot will continue to be conducted in the same three pilot counties: Cowlitz, Spokane, and Thurston counties.

SPA 23-0014 is expected to increase the annual aggregate reimbursement/payment for some select dental services. Providers participating in the oral health connections pilot project will be paid an enhanced reimbursement of 55 percent above published rates for the select services.

SPA 23-0014 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Pixie Needham, RDH, MPA, Apple Health Dental Program (CQCT), 626 8th Avenue S.W., Olympia, WA 98504-5506, phone 360-725-9967, TTY 711, fax 360-725-1328, email pixie.needham@hca.wa.gov.

WSR 23-06-014

HEALTH CARE AUTHORITY

[Filed February 16, 2023, 4:27 p.m.]

NOTICE

Title or Subject: Supplemental Notice for Ground Emergency Medical Transportation (GEMT) Medicaid State Plan Amendment (SPA) 22-0035 - now 23-0009.

Effective Date: July 1, 2023.

Description: The health care authority (HCA) previously filed notice of the intent to submit SPA 22-0035 to remove from allowable costs the costs associated with treatment by eligible GEMT providers that do not result in a transport under WSR 22-23-007. This change is a result of communications from the Centers for Medicare and Medicaid Services (CMS). During subsequent communications, CMS advised HCA to also amend the following:

- The definition of "dry run" in order to differentiate between treatment without transport and responses where there is no patient at the scene.
- The definition of "treat and refer" in order to clearly identify costs that may be eligible for inclusion in the cost calculation methodology.
- A change to the cost calculation methodology in order to accurately identify the average cost per service for participating providers.

As a result, HCA intends to submit SPA 23-0009 to incorporate CMS's requirements into the GEMT section of the medicaid state plan.

SPA 22-0035 was expected to decrease the annual aggregate reimbursement for participating GEMT providers. SPA 23-0009 is expected to decrease the annual aggregate reimbursement for participating GEMT providers. HCA does not currently have the data to provide an estimate of the amount of the anticipated decrease. The total reimbursement will not exceed the cost of providing transportation services, excluding the costs of responses that do not result in a transport.

SPA 23-0009 is in the development process. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA when it becomes available or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Abigail Cole, Section Manager, Hospital Finance and Drug Rebate, FSD, P.O. Box 45510, Olympia, WA 98504-5510, phone 360-725-1835, TRS 711, email abby.cole@hca.wa.gov, website <https://www.hca.wa.gov/billers-providers-partners/program-information-providers/ground-emergency-medical-transportation-gemt>.

WSR 23-06-015

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF HEALTH

(Dispensing Optician Examining Committee)

[Filed February 17, 2023, 7:57 a.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), following is the **REVISED** schedule of regular meetings for the department of health (DOH), dispensing optician examining committee (committee) for the year 2023. The committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via GovDelivery and the DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the committee reserves the right to change or amend agendas at the meeting.

Date	Time	Location
September 25, 2023	9:00 a.m.	TBD

If you need further information, please contact Kristina Bell, Program Manager, DOH, dispensing optician program, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4841, fax 360-236-2901, email Kristina.bell@doh.wa.gov, web www.doh.wa.gov.

Please be advised the committee is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the committee, including personal information, may ultimately be subject to disclosure as a public record.

WSR 23-06-018
NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD

[Filed February 17, 2023, 9:54 a.m.]

COUNTY ROAD ADMINISTRATION BOARD

MEETING NOTICE: April 13, 2023
County Road Administration Board
2404 Chandler Court S.W., Suite 240
Olympia, WA 98502
Zoom attendance available
1:30 to 5:00 p.m.
Possible executive session

MEETING NOTICE: April 14, 2023
County Road Administration Board
2404 Chandler Court S.W., Suite 240
Olympia, WA 98502
Zoom attendance available
8:30 a.m. to noon
Possible executive session

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Jason Bergquist at 360-753-5989.

Hearing and speech impaired persons call 1-800-833-6384.

For questions, please call 360-753-5989.

WSR 23-06-020

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

[Filed February 20, 2023, 9:36 a.m.]

The following is the schedule of regular meetings for the Washington State University (WSU) - Pullman Technology Fees Committee for academic year 2023-24.

Date	Time	Location
March 7, 2023	4:00 - 8:00 p.m.	Lighty Room 405, WSU, Pullman, WA https://wsu.zoom.us/j/99344235378? pwd=OUtydWhJWHd2Yyt0QUFaUklIZG5RZz09
March 8, 2023	4:00 - 5:00 p.m.	Lighty Room 405, WSU, Pullman, WA https://wsu.zoom.us/j/99344235378? pwd=OUtydWhJWHd2Yyt0QUFaUklIZG5RZz09
March 20, 2023	4:00 - 8:00 p.m.	Lighty Room 405, WSU, Pullman, WA https://wsu.zoom.us/j/93953321169? pwd=Zmd4R2wrZDIUTzN2SjQveURjekpBQT09

If you need further information, contact Axis Zarcone, Office of Student Affairs, WSU, P.O. Box 641066, Pullman, WA 99164-1066, 509-335-4531, 509-335-7070, axis.zarcone@wsu.edu, <https://studentaffairs.wsu.edu>.

WSR 23-06-033

NOTICE OF PUBLIC MEETINGS

CENTER FOR DEAF AND

HARD OF HEARING YOUTH

[Filed February 23, 2023, 9:34 a.m.]

The Washington Center for Deaf and Hard of Hearing Youth board of trustees is cancelling the February 24, 2023, board meeting due to extreme weather.

WSR 23-06-034

DEPARTMENT OF ECOLOGY

[Filed February 23, 2023, 11:05 a.m.]

**Washington's Underground Storage Tank (UST) Program:
Tank Fee Increase in 2024**

Washington's UST fees will increase on July 1, 2024, from \$215.07 to \$228.58 per tank.

As required by law, the fiscal growth factor was used to determine the amount of fee increase. The fiscal growth factor is calculated and adopted by the economic and revenue forecast council using the average growth in state personal income for the previous 10 fiscal years.

More information on the UST fee increase can be found on the Washington department of ecology's UST program web page, <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Underground-storage-tanks>.

WSR 23-06-036

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed February 23, 2023, 2:07 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy statement: Continuing Education Requirements impacts caused by COVID-19 Response. Policy Number: OB 20-01.1.

Issuing Entity: Board of optometry.

Subject Matter: Addressing the impact COVID-19 response measures have had on licensed optometrists with regard to meeting continuing education requirements up to May 11, 2023, when the federal declared emergency is set to end.

Effective Date: October 28, 2022.

Contact Person: Lorelei Walker, P.O. Box 47852, Olympia, WA 98504-7852, 360-236-4947, Lorelei.Walker@doh.wa.gov.

WSR 23-06-038

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed February 23, 2023, 2:34 p.m.]

This memo serves as notice that the department of health (department) is withdrawing the policy statement for temporary worker housing (TWH) - Monitoring COVID-19 symptomatic or positive occupants by medical assistants, which was filed November 6, 2020, and published as WSR 20-23-015.

The department is withdrawing this policy statement because it was issued in response to the COVID-19 pandemic and resulting declared state of emergency. The medical assistant program worked with the temporary worker housing program to issue this policy statement, which was tied to TWH emergency rule WSR 22-19-055. The emergency rule expired January 14, 2023, and thus renders this policy statement invalid after that date.

Individuals requiring information on this rule should contact Becky McElhiney, program manager, at 360-236-4766.

WSR 23-06-042
NOTICE OF PUBLIC MEETINGS
WINE COMMISSION
[Filed February 23, 2023, 4:27 p.m.]

2023 Washington State Wine Board
Meeting Schedule
As of February 10, 2023

Thursday, March 2, 2023	9:00 a.m. - 12:00 p.m.	Wine Commission Office 1201 Western Avenue Suite 405 Seattle, WA (plus Zoom option)
Friday, April 21, 2023 (moved from April 14)	9:00 a.m. - 5:00 p.m.	Chateau Ste. Michelle with Microsoft Teams option
Friday, May 12, 2023	9:00 a.m. - 12:00 p.m.	Wine Commission Office 1201 Western Avenue Suite 405 Seattle, WA (plus Zoom option)
Friday, June 16, 2023	9:00 a.m. - 12:00 p.m.	Walter Clore Wine and Culinary Center Prosser
Friday, August 18, 2023	9:00 a.m. - 12:00 p.m.	Chateau Ste. Michelle with Microsoft Teams option
Friday, November 17, 2023	9:00 a.m. - 12:00 p.m.	Walter Clore Wine and Culinary Center Prosser

WSR 23-06-048

HEALTH CARE AUTHORITY

[Filed February 25, 2023, 3:05 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0003 Behavioral and Community Health Aides - Supplemental Notice to Add Dental Health Aides.

Effective Date: Anticipated early to mid-2023.

Description: The health care authority (HCA) previously published notice under WSR 22-23-111 of the intent to submit medicaid SPA 23-0003 to establish two new provider types in the medicaid state plan: Community health aides/practitioners and behavioral health aides/practitioners. HCA intends to also add dental health aides as a new provider type in SPA 23-0003.

As stated previously, this SPA is expected to increase the annual aggregate payment as it introduces new provider types to be reimbursed by medicaid. However, because these are new provider types, HCA has no data upon which to estimate a financial impact at this time.

SPA 23-0003 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Lena Nachand, Office of Tribal Affairs, 626 8th Avenue S.E., Olympia, WA 98501, phone 360-622-1237, TRS 711, email lena.nachand@hca.wa.gov, website <https://www.hca.wa.gov/about-hca/who-we-are/tribal-relations>.

WSR 23-06-049

HEALTH CARE AUTHORITY

[Filed February 27, 2023, 8:04 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 23-0015
Collaborative Care Payment Rate Description Update.

Effective Date: March 1, 2023.

Description: The health care authority (HCA) intends to submit SPA 23-0015 to update the description of the payment rate for collaborative care services. Currently, the description reads as follows:

Collaborative care services are delivered under the collaborative care model (CoCM). Payment rates for CoCM are based on the 2016 medicare rates for integrated behavioral health services and are effective for dates of service on and after July 4, 2018.

HCA intends to remove the specific dates in the description to eliminate the necessity of updating the description when those dates change. The proposed description reads as follows:

Collaborative care services are delivered under the CoCM. Payment rates for CoCM are based on medicare rates.

SPA 23-0015 is expected to have no effect on the aggregate payments/expenditures for this service.

A draft of SPA 23-0015 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Stefanie Slakey, Cost Reimbursement Analyst, 626 8th Avenue S.W., Olympia, WA 98504-5506, phone 360-725-1243, TTY 711, email Stefanie.slakey@hca.wa.gov.

WSR 23-06-070

DEPARTMENT OF ECOLOGY

[Filed March 1, 2023, 7:46 a.m.]

**Interpretive Statement on Subdivision State
Environmental Policy Act (SEPA) Exemptions**

Program Name: Shorelands and Environmental Assistance.

Date Issued: March 1, 2023.

References: WAC 197-11-800 (1) and (6); chapter 58.17 RCW.

Purpose: To clarify SEPA review is not required for exempt minor new construction proposals under WAC 197-11-800(1) that also include a subdivision of land.

Application: This policy applies to SEPA exempt proposals for minor new construction in WAC 197-11-800(1) also requiring subdivision of land under chapter 58.17 RCW. This interpretive statement clarifies that the subdivision of land should not require an otherwise exempt proposal to undergo SEPA review.

Rationale: The SEPA rules in WAC 197-11-800(1) establish exemptions from SEPA for minor new construction proposals. The exemptions apply to "all licenses" for minor new construction. Subdivision of land under chapter 58.17 RCW is included within the definition of "license" in the SEPA rules (WAC 197-11-760). This subdivision activity is exempt from SEPA review if the proposed number of units is equal to or less than the level in the minor new construction exemption thresholds in WAC 197-11-800(1).

The minor new construction exemptions in WAC 197-11-800(1) also include four circumstances when the exemptions do not apply. These exceptions to the exemptions include any proposal for a "land use decision that is not exempt under WAC 197-11-800(6)." WAC 197-11-800(6) specifies that "the following land use decisions shall be exempt: (a) Land use decisions for exempt projects, except that rezones must comply with (c)." WAC 197-11-800 (6)(d) also lists "approval of short plats or short subdivisions" as exempt from SEPA review.

WAC 197-11-800 (1) and (6) are unclear because the former exempts subdivisions qualifying as minor new construction from SEPA review, while the latter implies that only short plats or short subdivisions are exempt. However, short plats and short subdivisions are not the only type of land use decision included in "all licenses" necessary for the minor new construction exemptions in WAC 197-11-800(1).

To clarify, any proposal (with a subdivision) that qualifies as minor new construction under WAC 197-11-800(1) is SEPA exempt. WAC 197-11-800 (6)(d) exempts subdivisions that are not affiliated with exempt minor construction proposals. Both exemptions apply unless a proposal requires a rezone under WAC 197-11-800 (6)(c).

Note: In determining exemptions from SEPA, lead agencies should make sure proposals are defined clearly to include all parts of the proposal - see WAC 197-11-060(3). For the minor new construction exemptions in WAC 197-11-800 (1) and (2), the circumstances when the exemptions do not apply should also be noted, including when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
- (iii) Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
- (iv) Requires a land use rezone decision that is not exempt under WAC 197-11-800(6).

In addition, in WAC 197-11-908, cities and counties may elect for certain exemptions to not apply in critical areas, including the minor new construction exemptions in WAC 197-11-800 (1) and (2).

Americans with Disabilities Act (ADA) Accessibility: To request an ADA accommodation, contact ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For relay service or TTY call 711 or 877-833-6341.

WSR 23-06-077

DEPARTMENT OF ECOLOGY

[Filed March 1, 2023, 11:04 a.m.]

**Washington's Underground Storage Tank (UST) Program:
Tank Fee Increase in 2024**

Washington's underground storage tank fees will increase on July 1, 2024, from \$216.09 to \$228.58 per tank.

As required by law, the fiscal growth factor was used to determine the amount of fee increase. The fiscal growth factor is calculated and adopted by the economic and revenue forecast council using the average growth in state personal income for the previous 10 fiscal years.

More information on the UST fee increase can be found on the Washington department of ecology's UST program web page <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Underground-storage-tanks>.