

**WSR 23-24-016**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF HEALTH**

[Filed November 28, 2023, 12:37 p.m.]

Subject of Possible Rule Making: Chapter 246-650 WAC, Newborn screening. The Washington state board of health (board) is considering adding Guanidinoacetate methyltransferase deficiency (GAMT) and Arginase 1 deficiency (ARG1-D) to the list of mandatory conditions for newborn screening conducted by the department of health (department).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.83.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board has the authority under RCW 70.83.050 to define and adopt rules for screening Washington-born infants for hereditary conditions. WAC 246-650-010 defines the conditions, and WAC 246-650-020 lists the conditions for which all Washington-born newborns are to be screened. GAMT deficiency and ARG1-D are rare inherited metabolic conditions that can result in severe disability and in some cases death if not detected and treated early. Early diagnosis of GAMT deficiency and ARG1-D through newborn screening is essential to save lives and to improve the quality of life for impacted infants and their families.

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 use a collaborative rule-making approach in developing the proposed rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Molly Dinardo, P.O. Box 47990, Olympia, WA 98504-7790, phone 564-669-3455, fax 360-236-4088, TTY 711, email [molly.dinardo@sboh.wa.gov](mailto:molly.dinardo@sboh.wa.gov).

Additional comments: To be added to the listserv for notifications regarding this rule making, email [Molly.Dinardo@sboh.wa.gov](mailto:Molly.Dinardo@sboh.wa.gov) with the subject line "Newborn Screening - GAMT & ARG1-D."

November 28, 2023  
Michelle A. Davis  
Executive Director

**WSR 23-24-017**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Office of the Secretary)  
[Filed November 28, 2023, 2:12 p.m.]

Subject of Possible Rule Making: The department is considering amending WAC 388-02-0020 What does good cause mean?, 388-02-0085 Do you have a right to a hearing?, and other related rules as may be required to incorporate "good cause" provisions of RCW 74.08.080 (2) (a) into the general hearing rules of the board of appeals at the department of social and health services (DSHS). During this rule making, the department may make additional changes that are necessary to improve clarity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.220, 43.17.060, 43.20A.075, and 74.08.080(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: "Good cause" for late-filed hearing requests in public assistance cases is not further defined in agency regulations, only in the statute that went in to effect on July 1, 2023. This rule making would bring that definition into the agency rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Chapter 10-08 WAC, Office of administrative hearings (OAH) model rules of procedure. OAH has not reported any request for, or intent to pursue, rule making pertaining to RCW 74.08.080(2).

Process for Developing New Rule: 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 Marc Lampson, P.O. Box 45803, Olympia, WA 98504, phone 360-664-6092, fax 360-664-6185, TTY 711 relay service, email [marcus.lampson@dshs.wa.gov](mailto:marcus.lampson@dshs.wa.gov).

November 28, 2023  
Katherine I. Vasquez  
Rules Coordinator

**WSR 23-24-018**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Long-Term Support Administration)  
[Filed November 28, 2023, 2:13 p.m.]

Subject of Possible Rule Making: The department of social and health services (department) is considering amendments to WAC 388-71-0971, 388-71-0990, and 388-71-0991 related to continuing education (CE) requirements that must be verified by an employer when a long-term care worker is hired.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.120, 71A.12.040, 74.39A.009, 74.39A.070, and 74.39A.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules on this subject are needed due to current confusion around what CE must be verified by an employer when hiring a long-term care worker. This confusion creates a potential barrier to maintaining the workforce.

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 welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, the department will file a proposal with the office of the code reviser. 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 Dave Chappell, 4450 10th Avenue S.E., Lacey, WA 98504-5600, phone 360-725-2516, TTY 1-800-833-6388, email david.chappell@dshs.wa.gov.

November 28, 2023  
Katherine I. Vasquez  
Rules Coordinator

**WSR 23-24-025  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed November 28, 2023, 5:07 p.m.]

The Washington state department of fish and wildlife is withdrawing preproposal statement of inquiry, WSR 21-01-052, filed on December 8, 2020.

Scott Bird  
Rules Coordinator

**WSR 23-24-027**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed November 29, 2023, 8:26 a.m.]

Subject of Possible Rule Making: Dockets TV-210535 and TV-210812. The purpose of this rule making is to consider revisions to chapter 480-15 WAC concerning the regulation of household goods carriers operating in Washington state. Specifically, this rule making is targeted at reviewing and considering revisions to WAC 480-15-490 which describes tariffs and rates in general and the requirement that the utilities and transportation commission (UTC) set minimum and maximum rates carriers may charge. WAC 480-15-020, specifically the definition of "supplemental estimate," is also a possible subject of this rule making.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040 and 81.80.130. RCW 81.80.130 provides that UTC "make, fix, alter, and amend, just, fair, reasonable, minimum, maximum, or minimum and maximum, rates, charges, classifications, rules, and regulations for all common carriers."

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: UTC seeks to consider whether it should revise WAC 480-15-490 given changes in the household goods carrier industry that impacts the current state of economic regulation of intrastate household goods carriers in Washington state.

UTC currently regulates approximately 270 household goods carriers in Washington state. Given the reports of increased competitiveness of the household goods carrier industry, UTC aims to investigate and determine the degree of competitiveness of this industry in Washington state and whether that degree of competitiveness justifies alternative economic regulation than what the current rules permit. Regulated entities indicate that the current economic regulation has made reacting to and meeting rapidly changing fuel, labor, and supplies costs difficult while still providing widespread service to the public. This rule making seeks to investigate these concerns to determine whether the current economic regulation structure is inhibiting household goods carriers from adequately serving the public in light of changing costs of operation.

This rule making seeks to determine if the industry is at a competitive point where less stringent economic regulation is appropriate and plausible. This rule making seeks to explore alternative economic regulatory frameworks that may be more appropriate in regulating this industry.

In commission Order 06/04, in Dockets TV-210535 and TV-210812, at page 9, paragraph 41, UTC waived "the application of the definition of 'supplemental estimate' contained in WAC 480-15-020 until that rule can be amended to mirror the definition of 'supplemental estimate' contained in WAC 480-15-630." This rule making seeks to address that order and consider changes accordingly.

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: UTC utilizes a collaborative rule-making process that includes stakeholder workshops, formal comments, and draft rules.

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

contacting Mathew Perkinson, Acting Executive Director and Secretary,  
P.O. Box 47250, Olympia, WA 98504-7250, phone 360-701-1612, fax  
360-586-1150, website [www.utc.wa.gov](http://www.utc.wa.gov).

November 29, 2023  
Mathew Perkinson  
Acting Executive Director and Secretary

**WSR 23-24-045**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed November 30, 2023, 1:08 p.m.]

Subject of Possible Rule Making: WAC 181-79A-117 Uniform expiration date.

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: This rule change would update uniform expiration date policy to allow for improved customer service for educators seeking certificate renewal.

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 Jisu Ryu, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6275, email rulespesb@k12.wa.us, website [www.pesb.wa.gov](http://www.pesb.wa.gov).

November 30, 2023  
Michael Nguyen  
Rules Coordinator

**WSR 23-24-046**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Long-Term Support Administration)  
[Filed November 30, 2023, 3:30 p.m.]

**Subject of Possible Rule Making:** The department of social and health services (department) is adding new sections to chapter 388-106 WAC relating to the civil transitions program WAC. These WAC sections include WAC 388-106-2000 through 388-106-2050 based on ESB [E2SSB] 5440 (chapter 453, Laws of 2023) provisions. The department may adopt or amend other related rules as may be required to implement provisions of ESB [E2SSB] 5440. The rules provide conditional services for individuals who are referred by the behavioral health administration who have been found not functionally and financially eligible for long-term support services. During this rule making, the department may make additional changes necessary to improve the program requirements and provide clarity.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 74.08.090 and 74.09.520.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The legislature passed ESB [E2SSB] 5440 (chapter 453, Laws of 2023) that addressed timely competency evaluations and restoration services for individuals experiencing behavioral health disorders consistent with the *Trueblood* settlement. Section 13 of the bill requires aging and long-term support administration (AL TSA) and developmental disabilities administration to provide services for individuals that have been found by the court to be not competent and not restorative to stand trial due to a diagnosis of dementia, traumatic brain injury, or intellectual or developmental disability. AL TSA is to provide services whether the individual is financially or functionally eligible for services. These services will allow individuals to access services that they would not otherwise be able to access through long-term services and supports if not eligible.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** Health care authority.

**Process for Developing New Rule:** Collaborative; the department welcomes the public to take part in developing the rules. Anyone interested should contact the staff persons identified below. At a later date, the department 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 Phyllis Moffatte-Clark, P.O. Box 45600, Olympia, WA 98504, phone 360-764-0481, email Phyllis.Moffatte-Clark@dshs.wa.gov; or Latisha De Lay, P.O. Box 45600, Olympia, WA 98504, phone 206-503-4432.

November 30, 2023  
Katherine I. Vasquez  
Rules Coordinator



**WSR 23-24-064  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Filed December 4, 2023, 9:41 a.m.]

The health care authority (HCA) requests withdrawal of the pre-proposal statement of inquiry filed as WSR 23-23-184 on November 22, 2023, and distributed in the 23-23 State Register. HCA is correcting the WAC numbers being revised and will refile the CR-101.

Wendy Barcus  
Rules Coordinator

**WSR 23-24-065**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed December 4, 2023, 10:11 a.m.]

Subject of Possible Rule Making: WAC 182-532-530 Family planning only programs—Covered services, 182-532-550 Family planning only programs—Payment limitations, 182-532-560 Family planning only programs—Documentation requirements; other related rules as appropriate.

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 health care authority (agency) is amending this rule to expand screening and preventative services for certain sexually transmitted infections during a client visit focused on family planning. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy. (This filing replaces the CR-101 filed as WSR 23-23-184, which contained some incorrect rule citations, and is withdrawn under WSR 23-24-064.)

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 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, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email [melinda.froud@hca.wa.gov](mailto:melinda.froud@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Andrea Estes, Program Questions, P.O. Box 45502, Olympia, WA 98504-5502, phone 360-725-1652, fax 360-586-9727, TRS 711, email [andrea.estes@hca.wa.gov](mailto:andrea.estes@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

December 4, 2023  
Wendy Barcus  
Rules Coordinator

**WSR 23-24-068**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed December 4, 2023, 1:11 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-478-0055 How much do I get from my state supplemental payments (SSP)? and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 74.08A.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Federal law (C.F.R. 20 § 416.2095 through § 416.2099) requires DSHS to maintain a minimum threshold of state spending towards supplemental security income state supplement payment benefits each calendar year in order to continue to draw down federal medicaid funds. DSHS may propose modifying rules in order to stay within available state funds to support this spending requirement. As needed, planned amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

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

Process for Developing New Rule: 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 Gary Fryer, P.O. Box 45470, Olympia, WA 98504-5470, phone 253-720-5306, fax 360-725-4905, email gary.fryer@dshs.wa.gov.

December 4, 2023  
Katherine I. Vasquez  
Rules Coordinator

**WSR 23-24-080**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed December 5, 2023, 9:57 a.m.]

Subject of Possible Rule Making: Medical aid rules updates regarding rate setting for most professional health care services for injured workers. These updates may also impact rates for health care services provided to crime victims. WAC 296-20-135 Conversion factors, 296-23-220 Physical therapy rules, and 296-23-230 Occupational therapy rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020 and 51.04.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rules describe elements used in the process of updating the maximum allowable payments for most professional health care services. These elements are set in rule in order to follow the established methodologies of the department of labor and industries (L&I) and maintain consistency with the health care authority (HCA) and medicaid purchasing administration. Specifically, any proposed rule changes will consider the following:

- WAC 296-20-135: Updating the conversion factors used by L&I for calculating reimbursement rates for most professional health care and anesthesia services. Updating the conversion factors to correspond to changes in the medical procedure codes, relative value units, and anesthesia base units. These changes would enable L&I to continue a reimbursement methodology consistent with other state agencies. Cost-of-living adjustments may be incorporated into the changes in the conversion factors.
- WAC 296-23-220 and 296-23-230: Updating the maximum daily reimbursement level for physical and occupational therapy services so L&I may, if necessary, give cost-of-living adjustments to affected providers.

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

Process for Developing New Rule: L&I notifies external stakeholders through the GovDelivery system on updates to conversion factors and to the physical and occupational therapy maximum daily reimbursement level. L&I coordinates these updates with HCA, the medicaid purchasing administration, and the Centers for Medicare and Medicaid Services to ensure consistent health care purchasing policies when possible. The proposed changes will be presented to the advisory groups, published via the GovDelivery service, and publicized in a letter to interested persons. Parties interested in this rule may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Megan Lemon, L&I, Health Services Analysis, P.O. Box 44322, Olympia, WA 98504-4322, phone 360-902-5161, fax 360-902-4249, email Megan.Lemon@lni.wa.gov, website <https://www.lni.wa.gov/rulemaking-activity>.

December 5, 2023

Joel Sacks  
Director

**WSR 23-24-083**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed December 5, 2023, 11:29 a.m.]

Subject of Possible Rule Making: WAC 182-550-5700 Hospital reports and audits; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 42 C.F.R. Part 447, Subpart C, § 447.253(g); RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (agency) is revising this rule to remove subsection (4)(a) and (b) and revise the language to match 42 C.F.R. Part 447, Subpart C, Payment for Inpatient Hospital and Long-Term Care Facility Services, § 447.253(g) Other requirements. 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: The Center for Medicare and Medicaid 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 Valerie Freudenstein, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication relay services (TRS) 711, email [valerie.freudenstein@hca.wa.gov](mailto:valerie.freudenstein@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Abby Cole, Program Questions, 626 8th Avenue S.E., Olympia, WA 98504, phone 360-725-1835, fax 360-586-9727, TRS 711, email [abby.cole@hca.wa.gov](mailto:abby.cole@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

December 5, 2023  
Wendy Barcus  
Rules Coordinator

WSR 23-24-097  
PREPROPOSAL STATEMENT OF INQUIRY  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

[Filed December 6, 2023, 9:22 a.m.]

Subject of Possible Rule Making: Replace the term "emergency expulsion" with the term "emergency removal" in the context of student discipline: WAC 392-190-048 Access to course offerings—Student discipline and corrective action, 392-400-025 Definitions, 392-400-110 Discipline policies and procedures—Development, review, and distribution, 392-400-330 Classroom exclusions—Conditions and limitations, 392-400-510 Emergency expulsions—Conditions and limitations, 392-400-515 Emergency expulsions—Notice to student and parents, 392-400-520 Emergency expulsions—Optional conference with principal, 392-400-525 Emergency expulsions—Appeal, 392-400-530 Emergency expulsions—Reviews and reconsideration, 392-400-610 Educational services during suspension, expulsion, or emergency expulsion, 392-401-020 Excused absences, and 392-401-040 Student absences—General requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.300.046, 28A.600.015, 28A.600.020, 28A.600.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making to replace the term "emergency expulsion" with the term "emergency removal" in the context of student discipline. Legislative mandates under HB [SHB] 1207 (2023) formalize these changes under chapters 28A.300 and 28A.600 RCW, and rule making will allow for consistent use of terminology under WAC.

Process for Developing New Rule: Early solicitation of feedback and recommendations concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Briana Kelly, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 564-200-2068, TTY 360-664-3631, email [briana.kelly@k12.wa.us](mailto:briana.kelly@k12.wa.us), website [ospi.k12.wa.us](http://ospi.k12.wa.us); or Ella DeVerse, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6068, TTY 360-664-3631, email [ella.deverse@k12.wa.us](mailto:ella.deverse@k12.wa.us), website [ospi.k12.wa.us](http://ospi.k12.wa.us).

December 6, 2023  
Chris P. S. Reykdal  
State Superintendent of Public Instruction

**WSR 23-24-098**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed December 6, 2023, 9:24 a.m.]

Subject of Possible Rule Making: Chapter 392-136 WAC, Finance—Conversion of accumulated sick leave; and chapter 392-136A WAC, Finance—Shared leave.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.310.490, 28A.400.210, 28A.400.380.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making to reflect changes under HB 2739 (2020) in order to align shared leave provisions for school district and educational service district employees with those for state employees. Additionally, potential rule changes to the employee attendance incentive program for school district and educational service district employees will be reviewed to ensure consistency with that for state employees.

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: Early solicitation of feedback and recommendations concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting T.J. Kelly, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6301, TTY 360-664-3631, email Thomas.Kelly@k12.wa.us, website [ospi.k12.wa.us](http://ospi.k12.wa.us).

December 6, 2023  
Christ P. S. Reykdal  
State Superintendent of Public Instruction



**WSR 23-24-101**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Board of Physical Therapy)  
[Filed December 6, 2023, 11:21 a.m.]

Subject of Possible Rule Making: Review of initial license and endorsement requirements for physical therapists and physical therapist assistants. The board of physical therapy (board) is considering amendments to the following rules to update initial licensure and endorsement requirements in consideration of 2SHB 1724, (chapter 425, Laws of 2023): WAC 246-915-030 Examination, 246-915-039 Initial eligibility and application requirements, 246-915-040 Licensure by endorsement, 246-915-085 Continuing competency, and 246-915-120 Foreign educated applicants. The board will also consider making general updates to the licensing and endorsement process, examine the jurisprudence examination requirement, and review for housekeeping changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.74.023, 43.70.040, 18.130.040, 18.130.077; and 2SHB 1724.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Section 8 of 2SHB 1724 requires boards and commissions to waive any examination requirements in an effort to expedite the licensing process for applicants who meet the requirements under 2SHB 1724. The board will review the initial licensure and endorsement requirements to bring them into alignment with 2SHB 1724, and review the current license requirements for consistency and relevancy. The board will consider additional housekeeping updates.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Allyson McIver, P.O. Box 47852, Olympia, WA 98504-7582 [7852], phone 360-236-2878, TTY 711, email [physical.therapy@doh.wa.gov](mailto:physical.therapy@doh.wa.gov).

Additional comments: Interested parties can participate in the drafting of the proposed rules. The board will be conducting rules workshops with interested parties and subject matter experts. The board will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit [www.doh.wa.gov](http://www.doh.wa.gov). To subscribe to GovDelivery for rule-making notices, please visit [www.doh.wa.gov](http://www.doh.wa.gov), select the "Sign up for Updates from DOH" button at the bottom of the page, select "Health Professions," and then "Physical Therapy Program." You may also check the box next to one or more of the other professions listed to receive information related to that specific profession.

December 4, 2023  
Kathryn Dale, PT, DSc, Chair  
Physical Therapy Board

**WSR 23-24-102**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 23-17—Filed December 6, 2023, 11:51 a.m.]

Subject of Possible Rule Making: The department of fish and wild-  
life (department) is considering updates to beach designations (oyster  
drill restricted areas) according to shellfish pest status.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 77.04.012, 77.04.055, 77.12.047, and 77.60.070.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The department must maintain updated shellfish re-  
stricted areas to prevent the spread of pest infestations harmful to  
shellfish.

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 voicemail comments, call 855-925-2801 and enter #5486 for  
project code, TTY 1-800-833-6388 or 711, email  
2024oysterdrill@publicinput.com, website [https://publicinput.com/  
2024oysterdrill](https://publicinput.com/2024oysterdrill); or Katy Davis, Shellfish and Seaweed Health Unit  
Lead, 375 Hudson Street, Port Townsend, WA 98368, phone 360-302-3030  
ext. 301, fax 360-302-3030, email [katherine.davis@dfw.wa.gov](mailto:katherine.davis@dfw.wa.gov).

Additional comments: Title VI/ADA compliance coordinator, phone  
360-902-2349, TTY 1-800-833-6388 or 711, email [Title6@dfw.wa.gov](mailto:Title6@dfw.wa.gov).

December 6, 2023  
Scott Bird  
Rules Coordinator