

WSR 24-04-008
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF COMMERCE
 (Digital Equity Forum)
 [Filed January 25, 2024, 9:47 a.m.]

The digital equity forum has a meeting in March 2024. Further meeting schedules will be decided upon soon.

Date	Time	Location
Thursday, March 21, 2024	3:00 - 4:30 p.m.	Virtual meeting via Zoom https://wastatecommerce.zoom.us/j/84332089262?pwd=ZFICTmZ2WFQ3dEk1czlBZkU2bjFsZz09 , Meeting ID 843 3208 9262, Passcode 377475; One-tap mobile +12532158782,,84332089262#,,,,*377475# US (Tacoma), +12133388477,,84332089262#,,,,*377475# US (Los Angeles). Dial by your location +1 253 215 8782 US (Tacoma), +1 213 338 8477 US (Los Angeles), +1 971 247 1195 US (Portland).

If you need further information, contact Lisa Heaton, Washington State Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, email lisa.heaton@commerce.wa.gov, phone 360-725-3014.

WSR 24-04-009

NOTICE OF PUBLIC MEETINGS

OLYMPIC COLLEGE

[Filed January 25, 2024, 1:20 p.m.]

Pursuant to RCW 42.30.075, the board of trustees of Olympic College (OC), District Three, desires to change the date of the following regular meeting:

From: February 20, 2024, OC Poulsbo Campus, 1000 Olympic College Place N.W., Building P1 - Room 221, Poulsbo, WA 98370.

To: February 27, 2024, OC Poulsbo Campus, 1000 Olympic College Place N.W., Building P1 - Room 221, Poulsbo, WA 98370.

The reason for the change is a lack of quorum due to trustees scheduled to attend an achieving the dream conference on or about February 20, 2024. The February 27, 2024, meeting will be a regular meeting.

If you need further information, contact Erin Pohl, 1600 Chester Avenue, Bremerton, WA 98337, 360-475-7131, epohl@olympic.edu.

WSR 24-04-010
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD
 [Filed January 25, 2024, 3:03 p.m.]

Following is the schedule of regular meetings for the Washington state investment board (board) for 2024.

Date	Time	Location
February 15, 2024	9:30 a.m.	2100 Evergreen Park Drive S.W., Olympia, WA 98502*
April 18, 2024	9:30 a.m.	2100 Evergreen Park Drive S.W., Olympia, WA 98502*
June 20, 2024	9:30 a.m.	2100 Evergreen Park Drive S.W., Olympia, WA 98502*
July 16-18, 2024	TBD	TBD
September 19, 2024	9:30 a.m.	2100 Evergreen Park Drive S.W., Olympia, WA 98502*
November 21, 2024	9:30 a.m.	2100 Evergreen Park Drive S.W., Olympia, WA 98502*
December 12-13, 2024	9:30 a.m.	2100 Evergreen Park Drive S.W., Olympia, WA 98502*

**Meetings are planned to be hybrid with in-person and virtual attendance by board members. Up-to-date meeting information, including virtual meeting links, can be found at www.sib.wa.gov.*

If you need further information, contact Stacy Conway, Washington State Investment Board, P.O. Box 40916, Olympia, WA 98504-0916, phone 360-956-4612, email Stacy.Conway@sib.wa.gov, or website www.sib.wa.gov.

WSR 24-04-014

DEPARTMENT OF ECOLOGY

[Filed January 26, 2024, 12:30 p.m.]

**Washington's Underground Storage Tank (UST) Program:
Tank Fee Increase in 2025**

Washington's UST fees will increase on July 1, 2025, from \$228.58 to \$243.21 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 24-04-017

HEALTH CARE AUTHORITY

[Filed January 27, 2024, 9:41 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 24-0018 Income Limit Increase for the Medicare Savings Program for Qualified Medicare Beneficiaries.

Effective Date: April 1, 2024.

Description: The health care authority (HCA) intends to submit SPA 24-0018 in order to increase the income limit for two of the medicare savings programs (MSPs), qualified medicare beneficiary (QMB), and qualified individual (QI-1). MSPs help with medicare copays, deductibles, and monthly premiums for qualified recipients. In SPA 24-0018, HCA will increase the federal poverty limit (FPL) of QMB from 100 percent to 110 percent FPL and increase the FPL of QI-1 from 135 percent FPL to 138 percent. Increasing the income limit for medicare savings programs will allow more low-income medicare recipients to qualify and bring more federal resources, such as the low-income subsidy (LIS) drug benefit, to more needy individuals. The result allows individuals to keep more of their income for other necessary things, reduces administrative burden, and puts more federal money into our local economy.

SPA 24-0018 is expected to have no effect on the annual aggregate expenditures/reimbursement/payment for services.

SPA 24-0018 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: Ariel Pyrtek, Office of Medicaid Eligibility Policy, 626 8th Avenue S.E., Olympia, WA 98504, phone 360-725-1343, TRS 711, fax 360-664-2186, email Ariel.Pyrtek@hca.wa.gov.

WSR 24-04-025
RULES COORDINATOR
GAMBLING COMMISSION
[Filed January 29, 2024, 1:38 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington State Gambling Commission is Adam Amorine, P.O. Box 42400, Olympia, WA 98504, phone 360-486-3473, email rules.coordinator@wsgc.wa.gov.

Tina Griffin
Director

WSR 24-04-026

AGENDA

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed January 29, 2024, 1:55 p.m.]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [24-05](#) issue of the Register.

WSR 24-04-027

AGENDA

DEPARTMENT OF

CHILDREN, YOUTH, AND FAMILIES

[Filed January 29, 2024, 3:52 p.m.]

Following is the department of children, youth, and families (DCYF) semi-annual rule-making agenda for January 1 through June 30, 2024. This agenda will be published in the Washington State Register as required in RCW 34.05.314 and distributed to interested parties. It is also available on the DCYF rule-making web page.

This agenda represents DCYF rule making that is anticipated or currently under development. There may be additional rule-making activities needed to implement legislative actions, comply with federal mandates, or meet unforeseen circumstances.

**Semi-Annual Rule-Making Agenda
January 1 - June 30, 2024**

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
110-15-0005 110-15-0015 110-15-0024 110-15-0045 110-15-0075	Working Connections and Seasonal Child Care (WCCC): Expanding eligibility to people working in licensed child care centers and licensed family homes, specialty and therapeutic court participants, and undocumented children. This rule making will also establish eligibility for families with a parent participating in a state-registered apprenticeship with income less than 85 percent of the state median income who, within the last year, were approved for WCCC.	23-19-077 Filed 9/19/23		24-02-064 Filed 12/29/23
Chapter 110-16	Family, Friends, and Neighbors (FFN): Clarify requirements for FFN providers providing care for children getting services through the working connections child care subsidy program.	Anticipated		
Chapter 110-85	Relative Guardianship Assistance: Establishing new rules for eligibility, application, and program standards consistent with 42 U.S.C. 673 to ensure relative guardianship subsidy payments comply with guidelines for expenditure of federal grant monies. Rules will clarify the application process, program standards, and the process for adjudicating denied applications.	20-15-092 Filed 7/15/20		
Chapter 110-145	Group Care: Amending group care rules to be more developmentally and culturally appropriate and flexible to meet individual youth's needs. Additionally, the project will allow DCYF to best determine how these licensing WAC can better accommodate the most relevant and beneficial programming and settings as possible, all while maintaining minimum health and safety standards. WAC changes will be made using negotiated rule making.	Exempt	Anticipating CR-105	
Chapter 110-148 Chapter 110-300	Licensing: Allowing a family home to be licensed for both foster care and child care.	22-09-054 Filed 4/18/22		
110-148-1326	Foster Care Licensing: Amending rules to give DCYF the authority to issue child-specific licenses to an Indian child's family or extended family member with children in the custody of an Indian tribe or the tribe's child placing agency, per SB 5683.	23-18-013 Filed 8/24/23		

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
Chapter 110-300 Chapter 110-301	Child Care and Early Learning Programs: Rule making as a result of a petition for training requirements for health and safety, such as CPR and first aid.	23-17-105 Filed 8/16/23		
110-425-0030 110-425-0080	Early Childhood Education and Assistance Program (ECEAP): Creating an agreed-upon definition of an Indian child that will be used for ECEAP enrollment.	Anticipated		

Brenda Villarreal
Rules Coordinator

WSR 24-04-029

AGENDA

DEPARTMENT OF ECOLOGY

[Filed January 30, 2024, 9:26 a.m.]

Pursuant to RCW 34.05.314, following is the department of ecology's rule agenda for January through June 2024.

If you have any questions, please contact Katie Wolt, phone 360-407-6998, email Katie.wolt@ecy.wa.gov.

**Rule Agenda
January 2024 - June 2024**

Admin. Order Number	WAC Chapter	Date of Filing CR-101	Date of Filing CR-102	Date of Filing CR-103	Rule-Making Lead
Open Rule Making					
23-02	Chapter 173-446 WAC, allowance price containment reserve (APCR)	June 8, 2023	September 7, 2023	Est. February 2024	Nikki Harris
23-02	Chapter 173-446 WAC, APCR emergency rule	N/A	N/A	CR-103E filed January 4, 2024	Nikki Harris
22-15	Chapter 173-408 WAC, Landfill methane emissions	December 8, 2022	October 30, 2023	Est. April 2024	Bill Flagg
22-02	Chapter 173-305 WAC, Hazardous waste planning fees	September 14, 2022; withdrawn October 13, 2023; refiled November 22, 2023	Est. Summer 2024	Winter 2025	Megan Hillyard
23-03	Cannabis lab accreditation (new rule), chapter 173-055 WAC,	June 21, 2023	Est. March 2024	Est. June 2024	Ryan Zboralski
20-02	Chapter 173-445 WAC, Greenhouse gas assessment for projects	April 30, 2020	TBD	TBD	Diane Butorac and Fran Sant
23-01	Electricity markets, chapters 173-446 and 173-441 WAC	June 12, 2023	Est. February 27, 2024	TBD	Gopika Patwa
22-01	Chapter 173-135 WAC, Pasco basin —Groundwater subarea	July 12, 2022	Est. 2025	TBD	Caroline Mellor, Office of Columbia River
22-18	Climate Commitment Act expenditure reporting, chapter 173-446B WAC	May 25, 2023	Est. April 2024	TBD	Harrison Ashby
22-13	Chapter 363-116 WAC, Tug escort	February 22, 2023	Est. Summer 2025	TBD	Brittany Flittner, Board of Pilotage
22-14	Chapters 317-50 and 173-187 WAC, Certificate of financial responsibility	April 17, 2023	January 19, 2024	Est. June 13, 2024	Diana Davis
22-04	Chapter 173-201A WAC, Aquatic life toxics criteria	June 22, 2022	Est. February 14, 2024	Est. April 2024	Marla Koberstein
22-05	Chapter 173-201A WAC, natural conditions	September 27, 2022	Est. April 2024	Est. Summer 2024	Marla Koberstein
23-07	Safer products Washington 1.5	December 8, 2023	TBD	TBD	Stacey Callaway
23-10	Chapter 173-424 WAC, clean fuel standards	December 18, 2023	TBD	TBD	Adam Saul
23-04	Chapter 173-446 WAC, offsets	September 12, 2023	Est. November 2024	TBD	Nikki Harris
23-06	Water resources chapter update	November 1, 2023	Est. October 2024	TBD	Caroline Mellor
Exploratory Rule Making					
17-03	Chapter 173-340 WAC, Model Toxics Control Act, cleanup	N/A	N/A	N/A	Clint Stanovsky
xx-xx	Chapter 173-460 WAC, Controls for new sources of toxic air pollutants	On hold	N/A	N/A	Caitlin Cannon
On Hold Rule Making					
19-01	Chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington (variances)	June 12, 2019	TBD	TBD	Marla Koberstein
15-12	Chapter 173-333 WAC, Chemical action plans (formerly persistent bioaccumulative toxins)	October 12, 2015	On hold	On hold	Cheryl Niemi

Admin. Order Number	WAC Chapter	Date of Filing CR-101	Date of Filing CR-102	Date of Filing CR-103	Rule-Making Lead
15-11	Chapter 173-331 WAC, Vehicle battery recycling program	December 2, 2015	On hold	On hold	Chery Sullivan
05-03	Chapter 173-525 WAC, Grays Elochoman instream resources protection and water management program, WRIA 25	March 2, 2005	4/19/10 Continuance filed 6/16/10; expired 11/1/10; on hold	On hold	Dave Christensen
05-04	Chapter 173-526 WAC, Cowlitz instream resources protection and water management program, WRIA 26	March 2, 2005	4/19/10 Continuance filed 6/16/10; expired 11/1/10; on hold	On hold	Dave Christensen
05-02	Chapter 173-503A WAC, Samish River subbasin instream resources protection program, lower and upper Skagit water resources inventory area (WRIAs 3 and 4)	February 15, 2005	On hold indefinitely	On hold indefinitely	Dave Christensen

WSR 24-04-036

AGENDA

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

[Filed January 30, 2024, 3:31 p.m.]

Following is the department of social and health services (department) semi-annual rule-making agenda for January 1 - June 30, 2024. This agenda will be published in the Washington State Register as required in RCW 34.05.314 and distributed to interested parties. It is also available online at <https://www.dshs.wa.gov/office-of-the-secretary/dshs-semi-annual-rule-making-agenda>.

This report represents department rules under development at this time. There may be additional rule-making activity as the department responds to legislative actions, complies with federal mandates, or meets unforeseen circumstances.

**Semi-Annual Rule-Making Agenda
January 1 - June 30, 2024**

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
Aging and Disability Services Administration					
Home and Community Services Division					
	388-71-0503, 388-106-0010, 388-106-0060, 388-115-0516	The department is planning to amend WAC to support the passage of SB 5866, an act relating to medicaid long-term services and supports eligibility determinations being completed by federally recognized Indian tribes. The department is planning to amend the following WAC: What definitions apply to WAC 388-71-0500 through 388-71-05640?, What definitions apply to this chapter?, Who must perform the assessment?, and What are the responsibilities of the consumer directed employer when providing care to a client?; and other related rules as required.	WSR 22-13-116 Filed 6/16/2022		
	388-112A-0081, 388-71-0876, 388-71-0992, 388-112A-0081	When must long-term care workers (LTCWs) who were working or hired during the COVID-19 public health emergency complete training, including required specialty training?; and When must long-term care workers who were working or hired during the COVID-19 public health emergency complete training, including required specialty training? The department is requiring that LTCWs complete training and certification by certain dates in response to the COVID-19 public health emergency. The department divided the group of LTCWs into cohorts based on the employee's date of hire or rehire. The rule requires each cohort to complete the requirements by deadlines in rule with the "oldest" LTCWs having the first deadline and then working through the groups chronologically. The department is extending the deadline of the first cohort by folding them into the second cohort deadline. WAC 388-71-0992 and 388-112A-0081 were added later for permanent process.	WSR 23-11-075 Filed 5/17/2023	WSR 23-18-069 Filed 9/1/2023	WSR 23-23-126 Filed 11/16/2023 WSR 23-16-019 Filed 7/20/2023 WSR 23-09-052 Filed 4/17/2023 WSR 23-04-055 Filed 1/27/2023 WSR 22-22-043 Filed 10/26/2022

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	388-106-0336	The intent is to amend WAC 388-106-0336 to add a new service, community stability supports, under the residential support waiver. Minor language changes may also be made for consistency in service language.	WSR 23-05-081 Filed 2/14/2023	WSR 24-03-086 Filed 1/17/2024	
	388-112A-0613, 388-71-0992	The department is providing an extended time for LTCWs to complete continuing education (CE) requirements in response to the COVID-19 public health emergency; granting 12 hours of on-the-job training CE. A set deadline of 120 days after the gubernatorial waivers to complete any other CE that may become due while the waivers were in place.			WSR 23-13-091 Filed 6/20/2023 WSR 23-06-023 Filed 2/22/2023
	Chapters 388-71, 388-112A, 388-115 WAC	Amend in response to E2SHB 1694 (chapter 424, Laws of 2023), dealing with date of hire reset, additional family relationships related to LTCW training and CE.	WSR 23-15-074 Filed 7/17/2023	WSR 23-23-043 Filed 11/6/2023	WSR 23-23-055 Filed 11/8/2023 WSR 23-16-033 Filed 7/21/2023
	388-112A-0080	The department is planning to amend Who is required to complete the seventy-hour long-term care worker basic training and by when? This section relates to adult family home administrator training certification. During the course of this rule making, we may amend other related rules as required.	WSR 23-16-088 Filed 7/31/2023		
	388-112A-0800	The department is planning to amend What is residential care administrator training?, and other related rules as may be required.	WSR 23-17-025 Filed 8/8/2023	WSR 23-23-143 Filed 11/20/2023	
	388-71-0971, 388-71-0990, 388-71-0991	The department is considering amendments related to CE requirements that must be verified by an employer when an LTCW is hired.	WSR 23-24-018 Filed 11/28/2023		
	Chapter 388-106 WAC	New WAC sections relating to the civil transitions program WAC. These 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.	WSR 23-24-046 Filed 11/30/2023		
	388-112A-0118	What documentation is required for completion of each training?; other rules related to documentation of facility orientation.	WSR 24-03-107 Filed 1/18/2024		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	Chapter 388-106 WAC	The department is considering adding new sections to implement a state-funded guardianship, conservatorship, and alternative arrangements assistance program. The rules will describe the program requirements including, but not limited to, eligibility criteria, application process, payment details, administrative appeals, and overpayments. During this rule making, the department may make additional changes necessary to improve the program requirements, provide clarity, and add or amend other related rules as may be necessary	WSR 24-04-015		
Management Services Division					
No rule-making activity at this time.					
Residential Care Services Division					
	Chapter 388-97 WAC	The department is proposing to add new, repeal, and amend sections in chapter 388-97 WAC, Nursing homes, related to tuberculosis (TB) screening.	WSR 19-18-051 Filed 8/30/2019		
	Chapter 388-107 WAC	The department is planning to add new, repeal, and amend sections in licensing requirements for enhanced services facilities, related to TB screening.	WSR 19-18-059 Filed 9/3/2019		
	Chapter 388-76 WAC	The department is planning to add new, repeal, and amend sections in adult family home minimum licensing requirements, related to TB screening.	WSR 19-18-061 Filed 9/3/2019		
	Chapter 388-78A WAC	The department is planning to add new, repeal, and amend sections in assisted living facility licensing rules, related to TB screening.	WSR 19-18-062 Filed 9/3/2019		
	388-76-10265, 388-76-10285, 388-76-10290(1), 388-78A-2480(1), 388-78A-2484, 388-78A-2485(1), 388-101D-0650(1), 388-101D-0660(3), 388-107-0460(1), 388-107-0490	The department is temporarily repealing or amending WAC to assure [ensure] long-term care programs are not significantly impeded during the hiring process due to inability to access TB testing required as a part of the hiring process. *COVID-19*	WSR 20-16-069 Filed 7/29/2020		WSR 22-07-004 Filed 3/3/2022 WSR 21-23-015 Filed 11/5/2021 WSR 21-15-113 Filed 7/21/2021 WSR 21-07-109 Filed 3/23/2021 WSR 20-24-060 Filed 11/24/2020 WSR 20-16-102 Filed 7/31/2020 WSR 20-09-009 Filed 4/2/2020
	Chapter 388-107 WAC	The department is considering adding a new section in licensing requirements for enhanced services facilities, and amending other related rules as may be necessary to implement ESHB 1120 (chapter 203, Laws of 2021).	WSR 21-17-121 Filed 8/17/2021		
	Chapter 388-78A WAC	The department is considering adding a new section in assisted living facility licensing rules, and amending other related rules as may be necessary to implement ESHB 1120 (chapter 203, Laws of 2021).	WSR 21-17-123 Filed 8/17/2021		
	Chapter 388-76 WAC	The department is considering adding a new section in adult family home minimum licensing requirements, and amending other related rules as may be necessary to implement ESHB 1120 (chapter 203, Laws of 2021).	WSR 21-18-001 Filed 8/18/2021		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	388-97-0140	The department is amending to waive and suspend the requirement for nursing homes to suspend transfers and discharges pending the outcome of a resident appeal of the nursing home transfer or discharge decision. The COVID-19 pandemic continues to require more rapid transfers and discharges than the rule permits. This emergency rule waives the requirement for nursing homes to suspend transfers and discharges pending the outcome of a resident appeal hearing and improves resident safety by allowing faster grouping of COVID-19 positive residents in one facility or grouping asymptomatic residents together. This helps expedite infection control processes and maximizes the availability of nursing home beds. Also WAC 388-97-0120 and 388-97-0130.	WSR 22-08-060 Filed 4/4/2022		WSR 23-07-108 Filed 3/20/2023 WSR 22-23-155 Filed 11/22/2022 WSR 22-16-063 Filed 7/29/2022 WSR 22-08-062 Filed 4/4/2022 WSR 22-01-072 Filed 12/10/2021 WSR 21-24-069 Filed 11/30/2021
	Chapters 388-76, 388-78A, 388-97, 388-107 WAC	The department is considering amending specific sections to [implement] SHB 1218. The department may amend other related rules as necessary. The department is considering amending the rules to adopt requirements for providers to publicly post stop placement orders, adopt requirements for providers to create and maintain resident rosters as well as responding to requests from ombuds for roster information, incorporate new definition of resident representative, and replace the phrase "his or her" with appropriate gender-neutral terms.	WSR 22-04-046 Filed 1/26/2022		
	Chapters 388-76, 388-78A, 388-97, 388-107 WAC	The department is considering amending specific sections to [implement] SHB 1218. The department may amend other related rules as necessary to meet the legislative intent of SHB 1218. The department is considering amending the rules to add requirements related to facility communication system, resident access to communications, and facility responsiveness to outside communications, comprehensive disaster preparedness plans and related policies and procedures, equipment for a range of potential hazards, emergencies, and disasters, visitation of essential support persons, and resident's rights to a safe and healthy environment.	WSR 22-04-047 Filed 1/26/2022		
	Chapter 388-76 WAC	The department is considering amending adult family home minimum licensing requirements to address a process gap that occurs when residents transfer or discharge from adult family homes and prescription medications for those residents continue to be filled by pharmacies. These filled prescriptions may not be returned to the pharmacy and are subject to diversion and misuse by others. The department may amend other related rules as appropriate.	WSR 22-23-041 Filed 11/8/2022		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	Chapter 388-76 WAC	The department is considering amending the following section in adult family home minimum licensing requirements: WAC 388-76-10750 Safely [Safety] and maintenance. The intent is to provide clarity about access to hand sanitizer in compliance with infection control, safety, and maintenance regulations in adult family homes. Homes must meet infection control requirements while also ensuring resident safety. The department may amend other related rules as appropriate.	WSR 22-24-012 Filed 11/29/2022		
	Chapter 388-97 WAC	Combining former WSR 20-17-005, 20-17-133, 20-19-009, 20-21-034, and 21-11-061. Nursing homes - post pandemic, WAC 388-97-0300, 388-97-0920, 388-97-1000, 388-97-1020, 388-97-1260, 388-97-1380, 388-97-1580, 388-97-1740, 388-97-1760, 388-97-2400 and new sections to show what was in place during the COVID-19 pandemic.		WSR 24-01-015 Filed 12/7/2023 WSR 23-06-063 Filed 2/28/2023	
	Chapters 388-76, 388-78A, 388-97, 388-107 WAC	The department is considering amending the following rules, adding a new section, and amending other sections as needed regarding death with dignity (DWD), including labeling, documentation, and storage of resident medications, specifically related to the DWD Act.	WSR 23-08-038 Filed 3/29/2023		
	388-76-10315	The department is considering amending Resident record—Required. The intent is to help the regulated community comply with the rule by providing clear language about long-term care ombuds access to resident records. The department may amend other related rules as appropriate.	WSR 23-09-049 Filed 4/17/2023		
	388-101-3020; Chapter 388-101 WAC	The department is considering amending compliance and adding a new section as necessary to make clear compliance and reporting requirements in the event of an outbreak of a communicable disease or suspected food poisoning, and other related rules as may be required.	WSR 23-13-042 Filed 6/13/2023		
	388-76-10031	The department is considering amending License requirements—Seven or eight bed adult family homes—Licensure, to clarify requirements for adult family homes (homes) wishing to increase capacity to seven or eight beds when the home serves only residents who do not require assistance with evacuation and the home does not have a residential sprinkler system. The department may amend other related rules as necessary.	WSR 23-17-056 Filed 8/11/2023		
	388-76-10780	The department is considering amending toilets and bathing facilities to clarify requirements for homes licensed after August 1, 2023, that have a licensed capacity of more than five. The department may amend other related rules as necessary.	WSR 23-17-058 Filed 8/11/2023		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	Chapter 388-76 WAC	The department is considering adding new, repealing, and amending existing sections in adult family home minimum licensing requirements; chapter 388-78A WAC, Assisted living facility licensing rules; chapter 388-97 WAC, Nursing homes; chapter 388-107 WAC, Licensing requirements for enhanced services facilities; and other related rules as may be required.	WSR 23-21-034 Filed 10/6/2023		
Long-Term Services and Supports Trust Program (WA Cares)					
	New chapter in Title 388 WAC	The department is creating rules in a new chapter for WA Cares. This rule making will address the assessment and service delivery process for beneficiaries and other related rules as appropriate.	WSR 24-04-030 Filed 1/30/2024		
	New chapter in Title 388 WAC	The department is creating rules in a new chapter for WA Cares. This rule making will address general provisions, approved services, and other related rules as appropriate.	WSR 24-04-031 Filed 1/30/2024		
	New chapter in Title 388 WAC	The department is creating rules for WA Cares. This rule making will address the intake and application process for beneficiaries and other related rules as appropriate.	WSR 24-04-032 Filed 1/30/2024		
	New chapter in Title 388 WAC	The department is creating rules for WA Cares. This rule making will address provider registration and other related rules as appropriate.	WSR 24-04-033 Filed 1/30/2024		
Behavioral Health Administration					
	Chapter 388-880 WAC	The department may also amend other related sections as may be necessary. WAC haven't been updated since 2013 and the department has decided to change the name of the treatment program from "sexual predator program" to "sex offense treatment program."	WSR 23-15-035 Filed 7/11/2023		
Developmental Disabilities Administration (DDA)					
	Chapter 388-833 WAC	Chapter 388-833 WAC and other related rules as may be required.	WSR 23-05-048 Filed 2/9/2023		
	388-825-335, 388-825-615, 388-825-620	DDA is enacting these amendments on an emergency basis to align with SB 5252 (2023) and FBI background check requirements.	WSR 23-14-038 Filed 6/26/2023	WSR 23-20-108 Filed 10/3/2023	WSR 23-22-008 Filed 10/19/2023 WSR 23-14-032 Filed 6/26/2023
	388-825-206	The department is planning to repeal WAC 388-825-206 and other related rules as may be required.	WSR 23-20-054 Filed 9/28/2023		
	388-850-020, 388-850-025, 388-850-035, 388-850-045	Chapter 388-850 WAC and other related rules as may be required. DDA is planning to amend these rules to increase the percentage of a county's allocated funds for county administrative expenses; remove text that duplicates requirements dictated by statute; and update the distribution formula and other outdated service names and processes. During the course of this review, the department may make additional changes that are necessary to improve clarity or update policy.	WSR 23-20-065 Filed 9/29/2023	WSR 24-03-051 Filed 1/10/2024	
	New chapter in Title 388 WAC	New chapter within DDA's portion of Title 388 WAC; rules will establish the process for certifying DDA providers not otherwise certified by residential care services.	WSR 23-23-133 Filed 11/17/2023		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	388-825-058, 388-825-082, 388-825-083, 388-828-9000, 388-828-9140; Chapter 388-832 WAC; 388-845-0220, 388-845-0500, 388-845-0505, 388-845-0510, 388-845-2010	DDA is considering amending rules from these chapters and other related rules as may be required in order to update lists of available services, their names, descriptions, limits, and qualified providers, and to increase the individual and family service award amounts.	WSR 24-02-034 Filed 12/26/2023		
	Chapter 388-826 WAC	Chapter 388-826 WAC and other related rules as may be required.	WSR 24-02-088 Filed 1/3/2024		
	Chapter 388-829 WAC	DDA is enacting these changes on an emergency basis to require providers in the scope to complete the skills demonstration portion of CPR training in person. The department is also proceeding with permanent adoption and may amend other related rules as may be required.	WSR 24-04-019 Filed 1/29/2024		WSR 24-04-018 Filed 1/29/2024
Economic Services Administration					
Community Services Division					
	388-412-0040	Can I get my benefits replaced?, to issue replacement benefits to households whose cash benefits were either cloned or skimmed between March 1, 2022, and December 31, 2022. Loss in benefits must be reported to and verified by the department no later than March 31, 2023, and the department will provide a one-time replacement of no more than \$300.	WSR 23-10-018 Filed 4/25/2023		WSR 23-02-011 Filed 12/22/2022
	388-400-0005	The department is planning to amend Who is eligible for temporary assistance for needy families?, and other rules as may be required.	WSR 23-10-032 Filed 4/27/2023		
	388-310-1600	The department is planning to amend WorkFirst sanctions, and other related rules as appropriate. Amendments will support implementation of 2SHB 1447 (chapter 418, Laws of 2023), which adds good cause reason for failure to participate in WorkFirst activities when the recipient is experiencing a hardship as defined by department rule.	WSR 23-13-025 Filed 6/9/2023	WSR 23-23-147 Filed 11/20/2023	WSR 24-04-028 Filed 1/30/2024 WSR 23-23-093 Filed 11/14/2023 WSR 23-16-012 Filed 7/19/2023
	388-447-0001, 388-449-0001	The department is planning to amend What are the disability requirements for the aged, blind, or disabled program?, What are the incapacity requirements for referral to the housing and essential needs program?, and other related rules as may be required.	WSR 23-16-126 Filed 8/1/2023	WSR 24-03-151 Filed 1/23/2024 WSR 23-21-078 Filed 10/16/2023	

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	388-60B-0015, 388-60B-0025, 388-60B-0120, 388-60B-0125, 388-60B-0315, 388-60B-0325, 388-60B-0345, 388-60B-0500	The department is planning to amend What definitions apply to this chapter?, What is the purpose of this chapter?, Facility requirements—What facility requirements must a program meet for the space where domestic violence intervention assessments or treatment services are provided?, Quality management—What are the minimum treatment outcomes for participants and how must a program measure staff and treatment effectiveness?, Group treatment—What standards must programs follow regarding the provision of group treatment?, Victim safety—What steps must programs take in order to help increase victim safety?, Participant requirements—What must the program require of participants accepted into a domestic violence intervention treatment program?, On-site reviews and plans of correction—How does the department review certified programs for compliance with the regulations of this chapter?, and other rules as may be required.	WSR 23-18-016 Filed 8/25/2023		
	388-444-0030, 388-444-0035	The department is amending Are able-bodied adults without dependents (ABAWD) subject to additional work requirements and time limits to be eligible for basic food? and Who is exempt from ABAWD time limits and minimum work requirements? Adoption of these emergency amendments is necessary to comply with federal regulatory changes under the Fiscal Responsibility Act of 2023, effective September 1, 2023.	WSR 23-18-018 Filed 8/25/2023	WSR 24-02-045 Filed 12/27/2023	WSR 24-01-133 Filed 12/19/2023 WSR 23-18-017 Filed 8/25/2023
	388-450-0185, 388-450-0190, 388-450-0195, 388-478-0060	The department is adopting emergency amendments to What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?, How does the department figure my shelter cost income deduction for basic food?, Does the department use my utility costs when calculating my basic food or WASHCAP benefits?, and What are the income limits and maximum benefit amounts for basic food? The department is concurrently proceeding with the permanent rule-making process.	WSR 23-22-053 Filed 10/25/2023 WSR 23-20-073 Filed 9/29/2023	WSR 24-01-092 Filed 12/18/2023	WSR 24-03-150 Filed 1/23/2024 WSR 23-20-061 Filed 9/28/2023
	388-412-0025, 388-450-0162, 388-450-0200, 388-450-0225, 388-473-0010, 388-473-0040, 388-473-0050, 388-473-0070, 388-473-0080, 388-478-0050	WAC 388-412-0025, 388-450-0162, 388-450-0165, 388-450-0200, 388-450-0225, 388-455-0015, 388-473-0010, 388-473-0020, 388-473-0040, 388-473-0050, 388-473-0060, two new sections, and WAC 388-478-0050 ongoing additional requirements.	WSR 23-20-093 Filed 10/2/2023	WSR 24-02-046 Filed 12/27/2023	
	388-478-0055	The department is planning to amend How much do I get from my state supplemental payments? and other related rules as appropriate.	WSR 23-24-068 Filed 12/4/2023	WSR 24-03-123 Filed 1/19/2024	WSR 24-02-041 Filed 12/27/2023
	388-436-0065	The department is proposing to amend WAC 388-436-0065 What is the pandemic emergency assistance fund (PEAF)?		CR-105 WSR 24-01-066 Filed 12/13/2023	

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 Filings	CR-103E Filings
	388-439-0020, 388-439-0025	The department is adopting amendments to the following WAC sections to more accurately align pandemic EBT (P-EBT) program rules with federal regulations: Eligibility for pandemic EBT benefits for children under age six, and Eligibility for pandemic EBT benefits during the 2023 summer period.	WSR 24-01-094 Filed 12/18/2023		WSR 24-01-090 Filed 12/18/2023
	388-478-0015	The department is planning to amend Need standards for cash assistance, and other related rules as may be required.	WSR 24-02-035 Filed 12/26/2023		
	388-408-0020, 388-450-0050, 388-450-0105, 388-450-0106, 388-450-0112, 388-450-0113, 388-450-0115, 388-450-0116, 388-450-0120, 388-450-0130, 388-450-0137, 388-450-0138, 388-450-0170, 388-450-0177, 388-450-0178, 388-478-0035	The department is amending these and other related rules as may be required. Effective August 1, 2024, planned amendments will incorporate changes to earned income disregards for cash assistance programs, per 2SHB 1447 (chapter 418, Laws of 2023).	WSR 24-02-043 Filed 12/27/2023		
	388-416-0005, 388-418-0011	The department is adopting emergency amendments to the following WAC sections: How long can I get basic food? and What is a mid-certification review, and do I have to complete one in order to keep receiving benefits? These amendments are necessary to comply with the approved federal waiver for the elderly simplified application project, extending the basic food certification period from 12 months to 36 months for households where all members are age 60 or older and/or disabled adults with no earned income.	WSR 24-02-044 Filed 12/27/2023		WSR 24-02-040 Filed 12/27/2023
	388-449-0015	What medical evidence do I need to provide?, and other related rules as may be required.	WSR 24-03-108 Filed 1/18/2024		
	388-437-0001	The department is proposing to amend WAC 388-437-0001 Disaster food stamp program.			
Division of Child Support					
No rule-making activity at this time.					
Executive					
Office of the Secretary					
	388-02-0020, 388-02-0085	The department is considering amending What does good cause mean?, 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. During this rule making, the department may make additional changes that are necessary to improve clarity.	WSR 23-24-017 Filed 11/28/2023	WSR 24-03-124 Filed 1/19/2024	

Katherine Vasquez
Rules Coordinator

WSR 24-04-037

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF HEALTH

(Chiropractic Quality Assurance Commission)

[Filed January 30, 2024, 3:58 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is a notice to report dates and location for the 2024 meetings for the department of health (DOH), chiropractic quality assurance commission (commission) regular business meetings. The commission 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 email subscription and the DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the commission reserves the right to change or amend agendas at the meeting.

Date	Time	Locations
March 14, 2024	9:00 a.m.	Department of Health TC2 166 and 167 111 Israel Road S.E. Tumwater, WA 98501 This meeting will be held hybrid with physical and remote access.
May 9, 2024	9:00 a.m.	Department of Health TC1 Room 163 111 Israel Road S.E. Tumwater, WA 98501 This meeting will be held hybrid with physical and remote access.
July 11, 2024	9:00 a.m.	Department of Labor and Industries Conference Center Rooms S117/S118 7273 Linderson Way S.W. Tumwater, WA 98501 This meeting will be held hybrid with physical and remote access.
September 20, 2024	9:00 a.m.	Department of Labor and Industries Conference Center Rooms S117/S118 7273 Linderson Way S.W. Tumwater, WA 98501 This meeting will be held hybrid with physical and remote access.
September 21, 2024	9:00 a.m.	TBD
November 14, 2024	9:00 a.m.	Department of Labor and Industries Conference Center Auditorium 7273 Linderson Way S.W. Tumwater, WA 98501 This meeting will be held hybrid with physical and remote access.

For additional information, please contact DOH, Chiropractic Quality Assurance Commission, P.O. Box 47858, Olympia, WA 98504-7858, phone 360-236-2822, email CQAC@doh.wa.gov, web www.doh.wa.gov/CQAC, subscription <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

Please be advised the commission 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 commission, including personal information, may ultimately be subject to disclosure as a public record.

WSR 24-04-038

NOTICE OF PUBLIC MEETINGS

HEALTH CARE AUTHORITY

(Pharmacy and Therapeutics Drug Utilization Review Committee)

[Filed January 30, 2024, 4:14 p.m.]

**2024 Meeting Schedule
Revised January 30, 2024**

Date	Time	Location
February 28, 2024	9:00 a.m. - 4:00 p.m.	Webinar*
April 17, 2024	9:00 a.m. - 4:00 p.m.	Webinar*
June 26, 2024	9:00 a.m. - 4:00 p.m.	Webinar*
August 14, 2024	9:00 a.m. - 4:00 p.m.	Webinar*
October 16, 2024	9:00 a.m. - 4:00 p.m.	Webinar*
December 11, 2024	9:00 a.m. - 4:00 p.m.	Webinar*

*Webinar registration link and meeting materials will be posted to the health care authority website 30 days prior to the meeting date, <https://www.hca.wa.gov/about-hca/prescription-drug-program/meetings-and-materials>.

Meeting announcements will also be sent out through GovDelivery to stakeholders 30 days prior to the meeting date. Interested parties can sign up at <https://public.govdelivery.com/accounts/WAHCA/subscriber/new>.

For further assistance, please contact Nonye Connor, 360-725-2044, nonye.connor@hca.wa.gov.

WSR 24-04-039

RULES COORDINATOR

DEPARTMENT OF REVENUE

[Filed January 30, 2024, 4:49 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Department of Revenue is Brenton Madison, Interpretations and Technical Advice Division, 6400 Linderson Way S.W., Tumwater, WA, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1583, email BrentonM@dor.wa.gov, fax 360-534-1606.

Brenton Madison
Senior Policy Manager
Rules Coordinator

WSR 24-04-040

AGENDA

EMPLOYMENT SECURITY DEPARTMENT

[Filed January 31, 2024, 9:27 a.m.]

Semi-Annual Rule-Making Agenda
January - July 2024

The employment security department (ESD) prepares a semi-annual rule-making agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is published in the Washington State Register.

ESD encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments on rules. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WAESD/subscriber/new>.

Additional rule-making information is available on the ESD website at <https://esd.wa.gov/newsroom/rulemaking>.

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment Insurance Benefits	192-220-070	Correcting an outdated cross-reference.	N/A	CR-105 filed on November 13, 2023, as WSR 23-23-080	To be determined
Unemployment Insurance Benefits	192-170-010, 192-270-065, 192-320-078	Concerning the impacts on claimants and employers of wildfires and other types of disasters.	Filed October 3, 2023, as WSR 23-20-111	CR-102 filed December 11, 2023, as WSR 24-01-036	To be determined
Unemployment Insurance Benefits	New 192-03-010	Concerning allocation of payments across agency programs; unemployment insurance, paid family and medical leave, and long-term services and supports trust (WA Cares fund).	Filed November 13, 2023, as WSR 23-23-076	To be determined	To be determined
Unemployment Insurance Benefits	192-150-055	Implementing HB [ESHB] 1106 (2023).	Filed May 25, 2023, as WSR 23-12-017	Filed September 6, 2023, as WSR 23-19-005	To be determined
Unemployment Insurance Benefits	New 192-320-XXX	Implementing HB [SHB] 1570 (2023).	Filed May 15, 2023, as WSR 23-11-067	To be determined	To be determined
Paid Family and Medical Leave	To be determined	Implementing SHB 1570 (2023) regarding transportation Network Companies.	Filed May 17, 2023, as WSR 23-11-081	To be determined	To be determined
Paid Family and Medical Leave	To be determined	Clarifying under which circumstances leave can be taken for placement of a child and outlining which precedential decisions will be made available to the public.	Filed October 3, 2023, as WSR 23-20-110	To be determined	To be determined
Long-Term Services and Supports Trust (WA Cares Fund)	To be determined	Clarifying "qualified individual" status, the definition of "year," and other rules as necessary.	To be determined	To be determined	To be determined

ESD is responsible for initiating rule making to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for informational purposes only and any dates noted herein are planning estimates that are subject to change. Additional rule making can occur in addition to what is listed on the agenda.

This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual rules or rule-making notices filed with the office of the code reviser and published in the Washington State Register.

The rule-making process can appear complex. ESD has outlined the process on its website to help constituents understand and become involved, <https://www.esd.wa.gov/newsroom/rulemaking-process>. If you have additional questions, please contact the ESD rules coordinator, Janette Benham, 360-790-6583, or email rules@esd.wa.gov.

WSR 24-04-041
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
SALMON COMMISSION

[Filed January 31, 2024, 9:50 a.m.]

2024 Meeting Schedule

On **Saturday, February 3, 2024, at 10 a.m.**, at Ag Association Management, 6601 West Deschutes Avenue, Suite C-2, Kennewick, WA 99336; or virtually at <https://us02web.zoom.us/j/85104562074?pwd=b1BSV3N6TGFlaFozZytHak04Z0JWQT09>.

On **Saturday, September 28, at 10 a.m.**, at Ag Association Management, 6601 West Deschutes Avenue, Suite C-2, Kennewick, WA 99336; or virtually at <https://us02web.zoom.us/j/84969780312?pwd=Z1Q0LzBhQkhxMWdjVTFZQWxEL2t1Zz09>.

For more information, please call 509-585-5460 or email mjohnson@agmgt.com.

WSR 24-04-043

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

[Filed January 31, 2024, 12:37 p.m.]

This memo serves as notice that the department of health (department), in consultation with the Washington state board of nursing (board), is rescinding an interpretive statement for WAC 246-840-4659, which was filed on December 21, 2018, and published as WSR 19-02-019.

The department is rescinding this interpretive statement because a permanent rule has been adopted in its place. The board engaged in rule making to clarify the application of the advanced practice pain management rules in nursing homes and long-term acute care hospitals and incorporated the interpretive statement into permanent rule. The proposed rule was adopted by the board in a rule hearing on May 12, 2023. The permanent rule was filed on June 29, 2023, as WSR 23-14-082.

Individuals requiring information on this rule should contact Jessilyn Dagum, policy analyst, at 360-236-3538 or WABONRules@doh.wa.gov.

WSR 24-04-044

AGENDA

**DEPARTMENT OF
ENTERPRISE SERVICES**

[Filed January 31, 2024, 1:14 p.m.]

Following is the department of enterprise services' (DES) semi-annual rules development agenda. This list identifies rules that DES has under active development and rules that DES anticipates starting some rule-making action on during the next six months.

This agenda also is available on our rule-making website. We update rule-making information on our website as rule-making progresses. If we start rule-making activities not listed on this agenda or stop listed rule-making activities, we immediately post that information to our rule-making website and inform interested and known affected parties.

If you have questions about this agenda, contact Jack Zeigler, jack.zeigler@des.wa.gov.

**Semi-Annual Rule-Making Agenda
January 1 to June 30, 2024**

WAC Citation	Purpose of Rule Making	Current Activity/Approximate Filing Date
Chapter 200-330 WAC, Small works roster	<p>The 2023 legislature passed E2SB [2SSB] 5268, Efficiency and equity in public works contracting, to increase equity in public works contracting by helping small, minority, women, and veteran-owned businesses secure public works contracts. Key elements of the bill:</p> <ul style="list-style-type: none"> • Establish a statewide works roster and a small business certification program. • Align financial public works contracting thresholds throughout the state. • Add a direct contracting option. • Require DES to create public works bid templates for state agencies with public work authority. <p>Rule making is needed to align the current rules with the bill.</p>	<p>The proposed rules public comment period ended January 12, 2024. We anticipate filing a permanent rule-making order (CR-103P) in February 2024.</p>

Jack Zeigler
Rules and Policy Manager

WSR 24-04-045

AGENDA

DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed January 31, 2024, 1:40 p.m.]

SEMI-ANNUAL RULE-MAKING AGENDA

January - June 2024

This is the semi-annual rule-making agenda from the department of retirement systems for publication in the Washington State Register pursuant to RCW 34.05.314.

As conditions warrant, additional rule-making activity may occur beyond what is listed on this agenda. For questions, please contact Bianca Stoner, Rules Coordinator, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7291, email bianca.stoner@drs.wa.gov.

WAC Citations	Subject Matter/Rule Purpose	Current Activity and Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103)
415-02-170 415-02-173	Making further revisions to recent retiree return to work rules.	WSR 24-02-074	TBD	TBD
Revisions to 415-106-500 New 415-106-490 415-106-510 415-106-520 415-106-530 415-106-540 415-106-550 415-106-560	Public safety employees' retirement system (PSERS) disability benefits: To support the implementation of HB 1669 from the 2022 legislative session regarding PSERS disability benefits.	WSR 23-21-109	TBD	TBD
415-104-4801	Medical insurance premium reimbursement: To provide further clarification regarding reimbursement of medical premiums for law enforcement officers' and firefighters' (LEOFF) Plan 2 members who are catastrophically disabled in the line of duty.	WSR 23-20-126	TBD	TBD
TBD	Holiday leave bank cash-out: To provide clarification regarding employers reporting cash-outs from holiday leave banks.	WSR 23-20-113	TBD	TBD
TBD	Similar compensated relationship; clarifying the definition of "similar compensated relationship" as it applies to retirees who are returning to work.	WSR 23-17-155	TBD	TBD
415-106-110	PSERS membership for public safety telecommunicators (HB 1055), which passed during the 2023 legislative session.	WSR 23-11-136	TBD	TBD
415-104-111 415-104-215 415-104-482	LEOFF Plan 1 and 2 benefit enhancements and taxation: To support the implementation of SHB 1701 and SB [SSB] 5791 from the 2022 legislative session, which add benefit enhancements to LEOFF Plan 1 and 2. In addition, the rule will bring WAC language into alignment with Internal Revenue Service (IRS) taxation requirements.	WSR 23-05-087	TBD	TBD

WAC Citations	Subject Matter/Rule Purpose	Current Activity and Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103)
415-112-140 415-110-685	Purchasing service credit, substitute teachers and school employees: Making necessary changes so that Plan 3 members of the teachers' retirement system (TRS) and the school employees' retirement system who are substitute teachers or school employees can submit requests to purchase service credit by phone or email.	WSR 24-03-117	TBD	TBD
415-501-410 415-501-450	SECURE Act 2.0 deferred compensation deferral dates: Making necessary changes to implement deferred compensation deferral dates under the federal SECURE Act 2.0.	WSR 24-03-132	TBD	TBD
415-700-010	Higher education retirement plan (HERP) supplemental benefit fund: Revising WAC 415-700-010 to specify the process that will occur when the pension funding council, in consultation with the state actuary, determines that the higher education retirement plan supplemental benefit funds contain sufficient funding to allow benefit payments.	TBD	TBD	TBD
New 415-112-640	TRS Plan 2 and 3 disability benefits: To clarify TRS Plan 2 and 3 disability retirement benefits, including eligibility and application requirements.	WSR 21-12-098 Filed 6/2/2021	TBD	TBD
415-02-380	Nonspousal survivor benefit option: To comply with IRS regulations governing nonspousal survivor benefits from a retirement plan.	WSR 21-04-142 Filed 2/3/2021	TBD	TBD

Bianca Stoner
Rules Coordinator

WSR 24-04-046

AGENDA

ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE

[Filed January 31, 2024, 2:09 p.m.]

Following is the environmental and land use hearings office's (ELUHO) semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that ELUHO has under active development and rules that ELUHO anticipates starting some rule-making action on during the next six months.

This agenda is also available on our rule-making website. We update rule-making information on our website as rule making progresses. If we start rule-making activities not listed on this agenda or stop listed rule-making activities, we immediately post that information to our rule-making website and inform interested and known affected parties.

If you have questions about this agenda, please contact rules coordinator, Jamie Merly, at jamie.merly@eluhwa.gov.

Semi-Annual Rule-Making Agenda

February 1 - July 30, 2024

(Note: All proposals are related to board hearings.)

WAC Citation	Purpose of Rule Making	Current Activity/ Approximate Filing Date
Pollution Control Hearings Board		
Chapter 371-08	Clarify the process for the sealing of cases containing confidential information to reduce confusion to case parties.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Chapter 371-08	Provide requirements for the filing of exhibits, reducing confusion to case parties.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Chapter 371-08	Clarify the term "jurisdiction" to reduce confusion about the board's statutory authority and subject matter jurisdiction.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Shorelines Hearings Board		
Chapter 461-08	Clarify the process for the sealing of cases containing confidential information to reduce confusion to case parties.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Chapter 461-08	Provide requirements for the filing of exhibits, reducing confusion to case parties.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Chapter 461-08	Clarify the term "jurisdiction" to reduce confusion about the board's statutory authority and subject matter jurisdiction.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Growth Management Hearings Board		
242-03-720	Amend rule to clarify that the board shall dismiss based upon a stipulated motion.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.
Chapter 242-03	Clarify the term "jurisdiction" to reduce confusion about the board's statutory authority and subject matter jurisdiction.	We anticipate filing a notice of proposed rule making (CR-102) in June 2024.

Dominga Soliz
Executive Director

WSR 24-04-047

AGENDA

DEPARTMENT OF REVENUE

[Filed January 31, 2024, 2:34 p.m.]

**Semi-Annual Rule-Making Agenda
(January 1 - June 30, 2024)**

Following is the department of revenue's (department) semi-annual rule-making agenda for publication in the Washington State Register. This list identifies rules the department is currently working on and rules the department anticipates working on during the next six months.

The department's rule-making agenda is also available on its website. The information on the site is continually updated as the department files rule-making notices, or otherwise adds or deletes rules that it anticipates some action over the next six months, including rules added or deleted as a result of resource allocation, legislation, court decisions, or changes in rule-making priorities.

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-13501 Timber harvest operations	Tiffany Do	CR-101 filed 3/1/2023 WSR 23-06-074	Anticipate CR-102 in 1st quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-61A-201 Real estate excise tax—Gifts	Darius Massoudi	CR-101 filed 9/28/2023 WSR 23-20-060	Anticipate CR-102 in 1st quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-29A-200 Leasehold excise tax— Taxable rent and contract rent	Ryan Becklean	CR-101 filed 5/13/2022 WSR 22-11-048	CR-102 filed 4/26/2023 WSR 23-10-027	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-20-19402 Single factor receipts apportionment—Generally	Adam Becker	CR-101 filed 10/26/2021 WSR 21-22-032	CR-102 filed 12/6/2023 WSR 23-24-096	Anticipate adoption in 1st quarter of 2024	General updates
WAC 458-20-136 Manufacturing, processing for hire, fabricating	Matthew Largent	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-281 Petroleum product tax	Brett Granneman	N/A	CR-105 filed 1/24/2024 WSR 24-03-166	Anticipate adoption in 1st quarter of 2024	Recognize 2023 legislation
WAC 458-20-13601 Manufacturers and processors for hire—Sales and use tax exemptions for machinery and equipment	Matthew Largent	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-27901 New exemptions on sales/leases of alternative fuel passenger vehicles	Leslie Mullin	Anticipate CR-101 in 2nd quarter of 2024	Anticipate CR-102 in 3rd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	Recognize 2019 legislation
WAC 458-20-XXX New exemptions on clean alternative fuel commercial vehicles	Leslie Mullin	Anticipate CR-101 in 2nd quarter of 2024	Anticipate CR-102 in 3rd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	Recognize 2019 legislation
WAC 458-20-19401	Patrick Watkins	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	Recognize Wayfair decision of 2018 and 2019 legislation
WAC 458-20-15503	Tim Danforth	Anticipate CR-101 and public meeting in 2nd quarter of 2024	Anticipate CR-102 in 3rd quarter of 2024	Anticipate adoption in 4th quarter of 2024	General updates
WAC 458-20-252 Hazardous substance tax	Darius Massoudi	CR-101 filed 1/16/2024 WSR 24-03-078	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-171 Building, repairing or improving streets, roads, etc., which are owned by a municipal corporation or political subdivision of the state or by the United States and which are used primarily for foot or vehicular traffic	Darius Massoudi	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-20-263 Exemptions from retail sales and use taxes for qualifying electric generating systems using renewable energy sources	Perry Stern	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-221 Collection of use tax by retailers and selling agents	Patrick Watkins	Filed CR-101 10/2/2018 WSR 18-20-098 Anticipate second CR-101 filing and additional public meeting in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-193 Interstate sales of tangible personal property	Patrick Watkins	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-17802 Collection of use tax by county auditors and department of licensing— Measure of tax	Ryan Becklean	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-182 Warehouse businesses	Perry Stern	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-20-XXX Warehouse and grain elevators tax remittance	Perry Stern	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-20-100 Informal administrative reviews	Chelsea Brenegan	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-20-230 Statutory limitations on assessments	Chelsea Brenegan	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	General updates
WAC 458-14-127 Reconvened boards— Authority	Leslie Mullin	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates and to recognize legislation
WAC 458-16-080 Improvements to single family dwellings— Definitions—Exemption— Limitation—Appeal rights	Leslie Mullin	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 2nd quarter of 2024	Recognize 2021 legislation
WAC 458-16-266 Homeownership development	Leslie Mullin	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	Recognize 2020 legislation
WAC 458-20-141 Duplicating activities and mailing bureaus	Patrick Watkins	Anticipate CR-101 in 2nd quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-233 Tax liability of medical and hospital service bureaus and associations and similar health care organizations	Darius Massoudi	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates
WAC 458-20-262 Retail sales and use tax exemptions for agricultural employee housing	Perry Stern	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	Recognize 2021 legislation
WAC 458-19-085 Refunds— Procedures—Applicable limits	Leslie Mullin	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates and to recognize legislation

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-19-550 State levy—Apportionment between cities	Leslie Mullin	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate adoption in 3rd quarter of 2024	General updates

Rules Requiring Periodic Updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-18-220 Rates of interest	Leslie Mullin	N/A	Anticipate CR-105 in 4th quarter of 2024	Anticipate adoption in 4th quarter of 2024	Annual updates
WAC 458-20-23801 Watercraft excise tax—Watercraft depreciation schedule	Ryan Becklean	Anticipate CR-101 in 2nd quarter of 2024	Anticipate CR-102 in 3rd quarter of 2024	Anticipate CR-103P in 3rd quarter of 2024	Annual updates
WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component	Leslie Mullin	N/A	Anticipate CR-105 in 4th quarter of 2024	Anticipate adoption in 4th quarter of 2024	Annual updates
WAC 458-30-590 Rates of inflation—Publication—Interest rate—Calculation	Leslie Mullin	N/A	Anticipate CR-105 in 4th quarter of 2024	Anticipate adoption in 4th quarter of 2024	Annual updates
WAC 458-40-540 Timber excise tax—Forest land values	Tiffany Do	Anticipate CR-101 in 3rd quarter of 2024	Anticipate CR-102 in 4th quarter of 2024	Anticipate CR-103P in 4th quarter of 2024	Annual updates
WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments	Tiffany Do	Anticipate CR-101 in 1st quarter of 2024	Anticipate CR-102 in 2nd quarter of 2024	Anticipate CR-103P in 2nd quarter of 2024	Semi-annual updates that are effective January 1st and July 1st of each year

WSR 24-04-050
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed January 31, 2024, 2:42 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: Policy Clarification Memo (PCM) 24-001: Canada Joins the 2007 Hague Convention on Child Support.

Subject: Canada Joins the 2007 Hague Convention on Child Support.
Effective Date: January 25, 2024.

Document Description: This policy explains that on October 27, 2023, Canada became party to the Convention of November 23, 2007, on the International Recovery of Child Support and Other Forms of Family Maintenance (Hague Convention, or the convention). The convention comes into effect for the provinces of Ontario and Manitoba on February 1, 2024. The convention comes into effect for British Columbia on March 1, 2024.

To receive a copy of the interpretive or policy statements, contact Kirsten Turner, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5178, TDD/TTY 800-833-6384, fax 360-664-5342, email Kirsten.Turner@dshs.wa.gov, website <http://www.dshs.wa.gov/dcs/>.

WSR 24-04-052

AGENDA

DEPARTMENT OF COMMERCE

[Filed January 31, 2024, 3:01 p.m.]

Following is the department of commerce (commerce) semi-annual rules development agenda for publication in the Washington State Register, pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

Please contact Amanda Hathaway if you have questions at amanda.hathaway@commerce.wa.gov or 360-789-0843.

Semi-Annual Rule-Making Agenda
January through June 2024

Division	WAC Citation	Subject Matter/Purpose of Rule	Current Activity/Approximate Filing Date
OEDC	Chapter 43.365 RCW and HB [ESHB] 1914	1. Define terms used in HB [ESHB] 1914: <ul style="list-style-type: none"> • Total actual investment. • Marginalized community. • Family wage jobs with benefits. 2. Establish baseline for "changes in Washington's share of the film employment market."	Currently, commerce is working with Filmworks conducting industry research and stakeholder engagement. Proposed timeline: CR-101: Filed September 2023 CR-102: Filed October 2023 Earliest public hearing: November 2023 CR-103: First quarter 2024
ED	Chapter 194-50 WAC	Rule making to implement SB 5722 (2022) which expands the Clean Buildings Act and requires commerce to develop a building performance standard for a new tier of buildings.	CR-101: Filed fall 2022 (allows the buildings team time to do workshops and stakeholdering). CR-102: Filed in September 2023 CR-103: The small business economic impact statement will all be completed and filed in fourth quarter 2023.
ED	Chapter 365-175 WAC Chapter 43.330 RCW (HB [SHB] 1250, 2023)	Rule making to implement a new low-income home rehabilitation grant program in chapter 43.330 RCW to award funding from the low-income home rehabilitation account created in RCW 43.330.488.	Currently, commerce is reviewing the requirements in HB [SHB] 1250 and planning for a prolonged stakeholder engagement period to satisfy the environmental justice assessment requirements in the HEAL Act. Proposed timeline: CR-101: Filed in August 2023 CR-102: Filed in December 2023 Earliest public hearing: January 2024 CR-103: First quarter 2024
ED	WAC 194-24-151, 194-24-200, 194-24-187	Update appliance standards for air purifiers, residential ventilating fans, and electric vehicle supply equipment per new federal energy start standards.	Commerce filed the CR-102 and draft rules on November 22, 2023, and is holding a public hearing on January 22, 2024. Commerce plans to file the CR-103 and final rules by the end of January 2024 for final adoption date of mid-February.
LGD	Chapter 365-196 WAC	To incorporate recently enacted legislation for housing, urban growth areas, and the rural element in chapter 365-196 WAC. This includes changes in how local government plans for affordable housing, increases in residential density, accessory dwelling units, tiny housing, design review, local project review, urban growth area swaps, and infill development in limited areas of more intensive rural development.	CR-101: Filed June 2023 CR-102: Spring 2024 CR-103: Fall 2024
LGD	Chapters 365-196, 365-199, 365-190, 365-195 WAC	To create and update rules associated with ESSHB [E2SHB] 1181 (2023) adding a climate element to comprehensive plans under RCW 36.70A.040. HB [E2SHB] 1181 creates a new regulatory requirement for commerce and requires commerce to update the WAC by December 2025.	CR-101: Filing in January 2024 CR-102: TBD CR-103: TBD

WSR 24-04-054

NOTICE OF PUBLIC MEETINGS

SEED POTATO COMMISSION

[Filed January 31, 2024, 3:54 p.m.]

MEETING SCHEDULE

The Washington seed potato commission will hold the following meetings in fiscal year 2024.

September 7, 2024	Ag Central 204 Hawley Street Lynden, WA
December 7, 2024	Ag Central 204 Hawley Street Lynden, WA
March 7, 2025	Ag Central 204 Hawley Street Lynden, WA
June 6, 2025	Ag Central 204 Hawley Street Lynden, WA

For more information, please contact Henry Bierlink at 360-354-1337 or henry@waseedpotato.com

WSR 24-04-055

NOTICE OF PUBLIC MEETINGS

RED RASPBERRY COMMISSION

[Filed January 31, 2024, 3:55 p.m.]

2024 MEETING SCHEDULE

The Washington red raspberry commission will hold the following meetings in 2024. Each meeting begins at 1:00 p.m., with the exception of the annual meeting, which begins at 8:00 a.m. There will be a virtual option for all but the annual meeting.

January 17	Washington Red Raspberry Commission Office 204 Hawley Street Lynden, WA
April 10	Washington Red Raspberry Commission Office 204 Hawley Street Lynden, WA
September 4	Washington Red Raspberry Commission Office 204 Hawley Street Lynden, WA
October 30	Washington Red Raspberry Commission Office 204 Hawley Street Lynden, WA
December 5 Annual meeting	N.W. Washington Fairgrounds Lynden, WA

For more information, please contact Henry Bierlink at 360-354-8767 or henry@red-raspberry.org.

WSR 24-04-057

AGENDA

DEPARTMENT OF
NATURAL RESOURCES

[Filed January 31, 2024, 5:39 p.m.]

Rules Development Agenda
January - July 2024

WAC CHAPTER OR SECTION	PURPOSE OF RULE BEING DEVELOPED OR AMENDED
New rule	Regarding trespass violations
Amendment to 332-30	Regarding finfish net pen aquaculture
Amendment to 332-08-215 and 332-08-225	Update position titles and region address
Amendment to 332-130-080	Revise the requirement for reporting relative accuracy on the land survey map being recorded

WSR 24-04-067

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed February 1, 2024, 1:27 p.m.]

Prevailing Rate of Wage Publication

Pursuant to RCW 39.12.015, 39.12.020, and WAC 296-127-011, on February 1, 2024, the industrial statistician will determine and publish on the internet the statewide prevailing rates of wage. These rates become effective 30 days from publication on March 2, 2024.

This publication also includes updates to three trades as a result of a wage and hour survey:

- (1) Residential plumbers and pipefitters.
- (2) Residential refrigeration and air conditioning mechanics.
- (3) Residential sprinkler fitters (fire protection).

For more information on prevailing wage or a copy of the rates, please visit our website at <https://lni.wa.gov/licensing-permits/public-works-projects/prevailing-wage-rates/> or call 360-902-5335.

Maggie Leland
Rules Coordinator

WSR 24-04-069

HEALTH CARE AUTHORITY

[Filed February 2, 2024, 9:36 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 24-0012 Add Substance Use Disorder Professionals and Associates.

Effective Date: July 1, 2024.

Description: The health care authority (HCA) intends to submit SPA 24-0012 to add substance use disorder professionals (SUDPs) and mental health therapists/social workers licensed as associates to section 6.d *Other Licensed Practitioners* of the medicaid state plan. Currently, SUDPs may provide services only through behavioral health agencies (BHAs) per section 13.d *Rehabilitative Services* of the medicaid state plan. SUDP services are not reimbursed by medicaid in other non-BHA settings. This SPA will allow these provider types to be reimbursed for services provided to medicaid enrollees in other practice settings. Additionally, adding licensed mental health counselor associates, licensed marriage and family associates, licensed independent clinical social workers associates, and advanced social worker associates as medicaid providers will allow them to provide and bill for services that are within their scope of practice while under appropriate supervision.

HCA expects SPA 24-0012 could potentially increase annual aggregate expenditures/payments for fiscal year 2026 for SUDPs up to \$702,362 for services provided by SUDPs in settings other than BHAs.

HCA expects SPA 24-0012 could potentially increase annual aggregate expenditures/payments for fiscal year 2026 up to \$596,152 for services provided by licensed mental health counselor associates, licensed marriage and family associates, licensed independent clinical social worker associates, and advanced social worker associates.

A draft of SPA 24-0012 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy or submit comments, you may 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). Please submit comments no later than March 4, 2024.

CONTACT: Yvonne Keller, Adult Services, 626 8th Avenue S.E., Olympia, WA 98504, TRS 711, email yvonne.keller@hca.wa.gov.

WSR 24-04-072

AGENDA

NOXIOUS WEED CONTROL BOARD

[Filed February 2, 2024, 11:21 a.m.]

Following is the state noxious weed control board's (board) semi-annual rules development agenda for the period of January 1 through June 30, 2024. This document is being sent in compliance with RCW 34.05.314.

The board may undertake additional rule-making activity as conditions warrant. If you have any questions, please contact Mary Fee at 360-902-2053 or MFee@agr.wa.gov.

Semi-Annual Rules Agenda
January 1 - June 30, 2024
P.O. Box 42560
Olympia, WA 98504-2560

WAC Number	Rule Title	Agency Contact	CR-101	Tentative Timeline CR-102	CR-103	Subject of Rule Making
16-750	State noxious weed list and schedule of monetary penalties	Mary Fee Executive Secretary Phone 360-902-2053	June	September	November	Possible changes to the noxious weed lists and state weed board bylaws.

Mary Fee
Executive Secretary

WSR 24-04-074

NOTICE OF PUBLIC MEETINGS

BIG BEND

COMMUNITY COLLEGE

[Filed February 2, 2024, 12:35 p.m.]

This notice is in accordance with RCW 42.30.075 that the board of trustees [meeting] for Big Bend Community College, District No. 18, originally noticed in WSR 23-22-006 as Thursday, March 14, 2024, has been moved to March 21, 2024.

If you have questions, please feel free to call.

WSR 24-04-079

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed February 5, 2024, 9:34 a.m.]

This memo serves as notice that the department of health (department) is rescinding policy statement OHSC DM-1.1 Standards for donor human milk. This statement was originally filed on December 22, 2022, as WSR 23-02-005.

This policy statement provided guidance to donor milk banks and insurance carriers consistent with RCW 43.70.645 until the department adopted permanent rules. The policy statement served as the milk bank safety standards established by the department for inpatient use for the purpose of RCW 43.70.645 and 48.43.815, clarified and added a definition addressing donor human milk obtained from a milk bank for the purposes of ensuring inclusion of donor milk provided by remunerated donors and ensuring inclusive language use.

The department is rescinding this policy statement because it is superseded by permanent rules that were adopted August 22, 2023, filed as WSR 23-17-149 with an effective date of September 22, 2023, making the policy statement obsolete.

Individuals requiring information on this should contact Me'kyel Bailey, lead policy advisor, email mekyel.bailey@doh.wa.gov, or phone 360-754-9161.

WSR 24-04-080
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
(Pullman Service and Activities Fees Committee)
[Filed February 5, 2024, 9:51 a.m.]

The following is the schedule of regular meetings for the Washington State University (WSU), Pullman Service and Activities Fees Committee for academic year 2024-25:

Date	Time	Location
March 5, 2024	4:30 - 8:00 p.m.	CUB Senate Room 204, WSU, Pullman, WA https://wsu.zoom.us/j/96477766027? pwd=ZWg5cHBBUlQ0RkdaRHhaNjIldDdVcydz09
March 7, 2024	4:30 - 8:00 p.m.	CUB Butch's Den, WSU, Pullman, WA https://wsu.zoom.us/j/99837867864? pwd=aVBuNWc5eHREdXJKdUg5WHlaSGNHdz09
March 19, 2024	4:00 - 6:00 p.m.	CUB Senate Room 204, WSU, Pullman, WA https://wsu.zoom.us/j/95696449933? pwd=a0ZjcTF3VXcxYVdnSDIvTk12c216QT09
March 21, 2024	4:00 - 8:00 p.m.	CUB Senate Room 204, WSU, Pullman, WA https://wsu.zoom.us/j/99404937440? pwd=YzFHbG9lWUhmY1NlMUpIMDgrSEErDz09
March 22, 2024	4:00 - 8:00 p.m.	CUB Senate Room 204, WSU, Pullman, WA https://wsu.zoom.us/j/92488728325? pwd=bVl4Tk5BUlJDMzBLM0I4VXhwZGZBZz09

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

WSR 24-04-081

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

(Global Operations and Leadership Development)

[Filed February 5, 2024, 10:43 a.m.]

Following is a notice of change in the date of the regular meeting for the board of directors of Global Operations and Leadership Development, a nonprofit corporation affiliated with Washington State University (WSU). The time and location changes are noted below.

Old Meeting Date and Time	New Meeting Date	Time	Location
Tuesday, March 19, 2024, at 9:00 a.m.	Tuesday, March 26, 2024	10:00 a.m.	French Administration Building, Room 422B, WSU, Pullman Campus; and/or via Zoom as needed. Zoom link to be made available.

If you need further information, contact Bethany Loomis, P.O Box 641045, Pullman, WA 99164-1045, bethany.loomis@wsu.edu.

**WSR 24-04-083
PUBLIC RECORDS OFFICER
LIQUOR AND CANNABIS
BOARD**

[Filed February 5, 2024, 1:29 p.m.]

Pursuant to RCW 42.56.580, the public records officer for the Washington State Liquor and Cannabis Board is Samina M. Mays, 1025 South Union Avenue S.E., Olympia, WA 98504-3090, phone 360-791-6033, Samina.Mays@lcb.wa.gov.

Samina M. Mays
Public Records Manager
Finance Division

WSR 24-04-085
RULES COORDINATOR
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed February 5, 2024, 4:38 p.m.]

The Washington utilities and transportation commission hereby names Stacey Brewster as its rules coordinator, replacing Paige Doyle.

Please direct any questions to Stacey Brewster at 360-664-1149 or email stacey.brewster@utc.wa.gov.

Jeff Killip
Executive Director and Secretary

WSR 24-04-088
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF ECOLOGY
 [Filed February 6, 2024, 9:06 a.m.]

Notice of Interpretive and Policy Statements

Under chapter 42.56 RCW, the department of ecology (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 below 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 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	Last Revision
Air Quality Local Partner Woodsmoke Reduction Grant Funding Guidelines 2023-25	https://apps.ecology.wa.gov/publications/SummaryPages/2302054.html	June 2023
Water Banking Pilot Grants, 2023-2025 Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2311006.html	August 2023
Washington State Volkswagen Federal Settlement Grant Program: Air Quality VW Electric Vehicle Charging Level 2: Charge Where You Are Grant Announcement and Grant Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2302099.html	September 2023
Washington State Volkswagen Federal Settlement Grant Program: Grant Announcement and Grant Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2302071.html	August 2023
Washington Clean Diesel Program Ecology's Zero Emission School Bus Grant Program 2023-2025	https://apps.ecology.wa.gov/publications/SummaryPages/2302095.html	August 2023
State Fiscal Year 2025 Funding Guidelines Water Quality Combined Funding Program	https://apps.ecology.wa.gov/publications/SummaryPages/2310020.html	July 2023
Pilot Competitive Drought Planning and Preparedness Grants, 2024	https://apps.ecology.wa.gov/publications/SummaryPages/2311019.html	December 2023
Air Quality Prevent Nonattainment Grants: 2023-2025 Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2302083.html	June 2023
Air Quality VW Diesel to Zero Emission Refuse Vehicle, Street Sweeper, PCHE, and Freight Switcher (AQVWZEV) Grant Application Instructions 2023-25	https://apps.ecology.wa.gov/publications/SummaryPages/2302084.html	August 2023
Aquatic Invasive Plant Funding Grant Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2310039.html	October 2023
Clean Diesel Electric School Bus Grant Application Instructions	https://apps.ecology.wa.gov/publications/SummaryPages/2302108.html	October 2023
Direct Implementation Fund 2023 Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2310009.html	February 2023
EAGL Application Instructions - Local Solid Waste Financial Assistance Grants - 2023-25	https://apps.ecology.wa.gov/publications/SummaryPages/2307017.html	April 2023
EAGL Application Instructions - Public Participation Grants - 2023-25	https://apps.ecology.wa.gov/publications/SummaryPages/2307029.html	April 2023
Ecology's DERA FY 2023-2024: Fuel Cell Transit Buses and Electric Yard Trucks Grans [Grant] Announcement and Grant Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2302106.html	September 2023

Title of Interpretive/Policy Statement	Web Link	Last Revision
Equipment Grant Funding Guidelines: 2023-2025	https://apps.ecology.wa.gov/publications/SummaryPages/2308016.html	September 2023
Freshwater Algae Grant Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2310038.html	October 2023
Funding Program Guidelines - Local Solid Waste - Financial Assistance - 2023-25	https://apps.ecology.wa.gov/publications/SummaryPages/2307018.html	October 2023
Funding Program Guidelines - Public Participation Grants - 2023-2025 Biennium	https://apps.ecology.wa.gov/publications/SummaryPages/2307002.html	April 2023
Spills Coastal Protection Fund (CPF) Grant Program - 2023 Funding Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2308004.html	March 2023
2023 Clean Water State Revolving Fund Emergency Funding Program Guidelines	https://apps.ecology.wa.gov/publications/SummaryPages/2310037.html	September 2023

Rescind:

Title of Interpretive/Policy Statement
2017-19 Community Litter Cleanup Program: Guidelines and Application Instructions (January 2017)
2019-2021 Local Solid Waste Financial Assistance Guidelines (May 2020)
2019-2021 Public Participation Grants Program Guidelines (March 2019)
2020-2021 Waste Reduction & Recycling Education Program Guidelines (April 2020)
2021 Drought Response Grant Funding Guidance - Chapter 173-167 WAC (July 2021)
2021-2023 Prevent Nonattainment (PNA) Grant Funding Application
2022 Clean Water State Revolving Fund Emergency Funding Program Guidelines (December 2021)
2022-23 Waste Reduction and Recycling Education Grants - Funding Guidelines (October 2021)
Air Quality Local Partner Woodsmoke Reduction Grant Funding Guidelines 2021-23 (July 2021)
Air Quality Prevent Nonattainment Competitive Grants: 2021-23 Funding Guidelines (October 2021)
Clean Diesel Program 2022-2023: Clean School Bus Grant Application Instructions (June 2022)
Clean Diesel Program 2022-2023: Clean Diesel Grant Application Instructions (July 2021)
Community Litter Cleanup Program: 2019-2021 Guidelines and Application Instructions (January 2019)
Drought Response Grant Funding Guidance (June 2019)
Funding Guidelines 2017-2019 Biennium: Oil Spill and Hazardous Materials Response and Firefighting Equipment (September 2017)
Grant Proposal Requirements and Guidelines: Coastal Protection Fund Resource Damage Assessment (September 2017)
National Estuary Program Watershed Protection & Restoration Grant Program Addendum to the 2015 Solicitation for Proposals to Target Riparian Protection in Agricultural Landscapes of the Puget Sound Basin (July 2018)
National Estuary Program Watershed Protection & Restoration Grant Program: Grant Guidelines for the 2015 Solicitation for Proposals (December 2015)
Program Guidelines Waste Reduction & Recycling Education (Revised July 2019)
Program Guidelines: Local Solid Waste Financial Assistance (January 2018)
Puget Sound Nutrient Reduction Grant Program Applicant Prep Tool (September 2021)
Shoreline Master Program Periodic Review Grants - 2021-23 Funding Guidelines (May 2021)
Shoreline Master Program Periodic Review Grants Funding Guidelines (Revised March 2018)
Shoreline Master Program Periodic Review Grants: 2019-21 Funding Guidelines (July 2019)
Spills Coastal Protection Fund Grant Program 2021 Funding Guidelines (January 2021)
State Fiscal Year 2022 Draft Water Quality Funding Offer List and Intended Use Plan (January 2021)
Terry Husseman Account (THA) Grants - 2019 Funding Guidelines (December 2018)
Terry Husseman Account (THA) Grants - 2020 Funding Guidelines (December 2019)
Terry Husseman Account (THA) Grants - Funding Guidelines (Revised June 2017)
Tribal Carbon Offset Assistance Grant Program: 2022-23 (June 2022)
Tribal Consultation Grants for Climate Commitment Act Funding Decisions (June 2022)

Title of Interpretive/Policy Statement
Washington State Clean Diesel Program: Ecology's Clean School Bus Grant Program 2022-2023 Grants Announcement and Grant Guidelines (June 2022)
Washington State Local Partner Core Operations Grant Funding Guidelines 2021-23 (July 2021)
Washington State Volkswagen Settlement Grants Announcement of Funds Available and Grant Guidelines to Purchase and Install Electric Vehicle Charging Infrastructure at State and Local Government-Owned Facilities (November 2019)
Waste Reduction and Recycling Education Grant Program Guidelines (May 2018)

Revisions needed:

Title of Interpretive/Policy Statement	Issue/Revision Needed
2022-23 SFY NEP Stormwater Strategic Initiative Funding Guidelines (September 2022)	Broken link in index - link is 2022-23 SFY NEP Stormwater Strategic Initiative Funding Guidelines [contact agency for link]
Funding guidelines Floodplains by Design 2019-2021 Biennium (May 2021)	Index typo - last revision is October 2017

WSR 24-04-092

HEALTH CARE AUTHORITY

[Filed February 6, 2024, 4:39 p.m.]

NOTICE

Title or Subject: Children and youth behavioral health work group (CYBHWG).

Date(s):

CYBHWG Meetings	
April 9	1 to 4 p.m.
May 2	1 to 4 p.m.
June 6	10 a.m. to 4 p.m.
July 11	1 to 4 p.m.
August 8	1 to 4 p.m.
September 5	9 a.m. to 3 p.m.
October 14	9 a.m. to 3 p.m.
November 12	1 to 4 p.m.

Description: 2024 scheduled meetings for CYBHWG.

To receive a Zoom invite, contact cybhwg@hca.wa.gov.

Meeting agenda and materials will be available 24 hours in advance of the meeting on the CYBHWG website.

For additional information, contact Cindi Wiek and Rachel Burke, Children's Behavioral Health, P.O. Box 42730, Olympia, WA 98501, phone 360-870-0494, TRS 711, 1-800-848-5429, email cybhwg@hca.wa.gov, website Children and Youth Behavioral Health Work Group (CYBHWG) | Washington State Health Care Authority [contact agency for link].