

WSR 24-14-003

PREPROPOSAL STATEMENT OF INQUIRY

SECRETARY OF STATE

[Filed June 20, 2024, 3:50 p.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:
RCW 29A.04.611, 34.05.330, 42.17A.005.

Reasons Why Rules on this Subject may be Needed and What They
Might Accomplish: The secretary of state received a rule-making peti-
tion under RCW 34.05.240 seeking to amend WAC 434-208-130. Amendment
of this regulation could change the criteria for recognition of minor
political parties for purposes of RCW 42.17A.005.

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: Negotiated rule making.

Interested parties can participate in the decision to adopt the
new rule and formulation of the proposed rule before publication by
contacting Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone
360-902-4172, fax 360-664-4619, email dave.piersma@sos.wa.gov, website
sos.wa.gov/elections; or Victoria Donahue, P.O. Box 40229, Olympia, WA
98504, phone 360-725-5788, fax 360-664-4619, email
victoria.donahue@sos.wa.gov, website sos.wa.gov/elections.

June 20, 2024
Amanda Doyle
Chief of Staff

WSR 24-14-004

PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed June 20, 2024, 4:10 p.m.]

Subject of Possible Rule Making: Amending WAC 192-320-070 What conditions apply for relief of benefit charges due to a voluntary quit? (RCW 50.29.021.)

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.12.042, 50.29.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 50.29.021 has been updated numerous times by the legislature, and WAC 192-320-070 contains language from prior versions of the statute. The list of voluntary quits in the rule should be updated to reflect the current list of good cause reasons for quitting employment under RCW 50.20.050, and the rule needs to be updated to align with the current benefit charging structure in RCW 50.29.021.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The employment security department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephanie Frazee, P.O. Box 9046, phone 425-465-0313, fax 844-652-7096, TTY relay 711, email stephanie.frazee@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/>.

June 20, 2024
Joy Adams, Director
Employment System Policy and Integrity

WSR 24-14-010

PREPROPOSAL STATEMENT OF INQUIRY
CHARTER SCHOOL COMMISSION

[Filed June 21, 2024, 3:08 p.m.]

Subject of Possible Rule Making: Chapter 108-50 WAC, Pronouns; and chapter 108-40 WAC, Renewals.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.710.070, 28A.710.100, 28A.710.170, 28A.710.190, 28A.710.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Portions of chapter 108-50 WAC are being modified for pronoun usage. In addition, the charter school commission (commission) proposes to update WAC 108-40-090 in order to clarify existing language.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Both the state board of education and the office of the superintendent of public instruction regulate areas that may be impacted by these rules. The commission will solicit input from these agencies.

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 Charmaine McCladdie, 1068 Washington Street S.E., Olympia, WA 98501, phone 360-725-5511, email charterschoolinfo@k12.wa.us, website www.charterschool.wa.gov.

June 21, 2024
Charmaine McCladdie
Executive Assistant

WSR 24-14-018
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed June 24, 2024, 1:27 p.m.]

Subject of Possible Rule Making: Chapter 16-390 WAC, Fruit and vegetable inspection fees and other charges. The department of agriculture (department) is considering rule making to increase program fees and revise the fee structure to more accurately reflect the scope of services provided including, but not limited to, adding fees for services that are not specifically identified in current rule.

The department may also consider revising the language to increase clarity and readability and to conform with current industry practices and needs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.17.030, [15.17].140, [15.17].150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 15.17.150 authorizes the department to establish fees that are necessary to recover the costs of providing inspection, certification, or other requested services. Based on a recent budget review, it was determined that some of the current fees are not fully recovering the cost of providing services.

Increasing some of the program fees is necessary for the program to maintain financial stability while continuing to provide services described and provided for in chapter 15.17 RCW.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rachel Furth, Management Analyst 5, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-764-9931, fax 360-902-2085, TTY 800-833-6388, email RFurth@agr.wa.gov, website <https://agr.wa.gov/LawsRules/Rulemaking>; or Robert Newell, Program Manager, 21 North 1st Avenue, Yakima, WA 98902, phone 509-952-6737, fax 509-575-2537, TTY 800-833-6388, email rnewell@agr.wa.gov, website <https://agr.wa.gov/services/inspections-and-investigations/inspections/fruit-and-vegetable>.

June 24, 2024
Jessica Allenton
Assistant Director

WSR 24-14-020

PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY

[Filed June 24, 2024, 1:39 p.m.]

Subject of Possible Rule Making: Chapter 172-125 WAC, Discrimination and Title IX violations by students.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is a new chapter intended to address complaints against Eastern Washington University students for discrimination, discriminatory harassment, interpersonal violence, and sexual misconduct. It is intended to comply with relevant federal laws, such as Title VI, Title IX, and the Americans with Disabilities Act. It is also intended to provide a more comprehensive and succinct description of how these situations are handled, rather than having these provisions contained within the broader student conduct code, chapter 172-121 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: These changes are being made to comply with regulations issued by the United States Department of Education.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Annika Scharosch, 211 Tawanka Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu, website <https://inside.ewu.edu/policies/>.

June 24, 2024
Annika Scharosch
Associate Vice President

WSR 24-14-034
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed June 25, 2024, 2:50 p.m.]

Subject of Possible Rule Making: WAC 110-15-0215 Infant enhancement rate, 110-15-0249 Nonstandard hours bonus, and other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; RCW 43.216.020, 43.216.065; ESSB 5950, section 229, chapter 376, Laws of 2024.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The early learning division is revising the infant enhancement rate and nonstandard hours bonus rate to align with legislative requirements by July 1, 2024. Emergency rule making is required to meet the legislated July 1, 2024, deadlines for these WAC revisions.

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: 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 Christin James, Olympia, WA 98501, phone 360-688-0479, email christin.james@dcyf.wa.gov, website dcyf.wa.gov; or Michael Williams, 1500 Jefferson Street S.E., Olympia, WA 98501, phone 360-688-0195, email michael.williams2@dcyf.wa.gov, website www.dcyf.wa.gov.

June 25, 2024
Brenda Villarreal
Rules Coordinator

WSR 24-14-037
PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC EMPLOYMENT
RELATIONS COMMISSION

[Filed June 25, 2024, 4:44 p.m.]

Subject of Possible Rule Making: Rules to implement chapter 98, Laws of 2024, which require the public employment relations commission to adopt rules to allow for the use of electronic signatures for showing of interest cards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 1, chapter 98, Laws of 2024.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing agency rules concerning showing of interest cards and the card check process do not allow for the use of electronic signatures.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dario de la Rosa, 112 Henry Street, Suite 300, phone 360-570-7300, fax 360-570-7334, email info@perc.wa.gov, website www.perc.wa.gov.

June 25, 2024
Dario de la Rosa
Rules Coordinator

WSR 24-14-053
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed June 26, 2024, 4:55 p.m.]

Subject of Possible Rule Making: Early learning division (ELD) child care subsidy is revising WAC 110-15-0005 Eligibility, 110-15-0045 Approved activities for applicants and consumers not participating in WorkFirst, 110-15-0065 Calculation of income, 110-15-0075 Determining income eligibility and copayment amounts, and other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; RCW 43.216.020, 43.216.065; SHB 1945, section 1, chapter 225, Laws of 2024; 2SHB 2124, section 4, chapter 282, Laws of 2024.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The substitute house bills require the ELD to implement changes regarding the eligibility requirement for child care and food assistance. These laws also require the ELD to implement changes that allow individuals utilizing birth to three early childhood education and assistance program and early head start programs as an approved activity for eligibility. These WAC revisions are necessary to comply with the November 1, 2024, legislative requirements.

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: 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 Christin James, Olympia, WA 98501, phone 360-688-0479, email christin.james@dcyf.wa.gov, website dcyf.wa.gov [www.dcyf.wa.gov]; or Michael Williams, 1500 Jefferson Street S.E., Olympia, WA 98501, phone 360-688-0195, email michael.williams2@dcyf.wa.gov, website www.dcyf.wa.gov.

June 26, 2024
Brenda Villarreal
Rules Coordinator

WSR 24-14-056
PREPROPOSAL STATEMENT OF INQUIRY
HIGHLINE COLLEGE

[Filed June 27, 2024, 9:05 a.m.]

Subject of Possible Rule Making: New WAC 132I-126-060, 132I-127-505, 132I-127-515, 132I-127-525, 132I-127-535, 132I-127-545, 132I-127-555, 132I-127-565, 132I-127-575 and 132I-127-585; repealing WAC 132I-126-400, 132I-126-410, 132I-126-420, 132I-126-430, 132I-126-505, 132I-126-515, 132I-126-525, 132I-126-535, 132I-126-545, 132I-126-555, 132I-126-565, 132I-126-575 and 132I-126-585; and amending WAC 132I-126-010, 132I-126-030, 132I-126-040, 132I-126-050, 132I-126-100, 132I-126-125, 132I-126-200, 132I-126-220, 132I-126-230, 132I-126-240, 132I-126-260, 132I-126-270, 132I-126-280, 132I-126-290, 132I-126-300, and 132I-126-350.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Campus Sex Crimes Prevention Act (§ 1601 of the Victims of Trafficking and Violence Protection Act of 2000): P.L. 106-386 (Title VI); Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and Violence Against Women Act: 20 U.S.C. § 1092(f); Title IX of the Education Amendment of 1972: 20 U.S.C. §§ 1681-1688; Title VII of the Civil Rights Act of 1964: 42 U.S.C. §§ 2000e-2000e-17.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Highline College is required by the United States Department of Education (USDOE) to comply with the recently adopted Title IX regulations, which will take effect on August 1, 2024. This is set forth in regulations published by USDOE on April 29, 2024. Regulations can be found here <https://www.govinfo.gov/content/pkg/FR-2024-04-29/pdf/2024-07915.pdf>.

Process for Developing New Rule: Pilot rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Isabelle Wroblewski, Mailstop 6-7, P.O. Box 98000, 2400 South 240th Street, Des Moines, WA 98198, phone 206-592-3354, email iwroblewski@highline.edu, website <https://studentservices.highline.edu/student-conduct/>; or Danielle Slota, Mailstop 12-120, P.O. Box 98000, 2400 South 240th Street, Des Moines, WA 98198, phone 206-592-3600, email dslota@highline.edu, website <https://www.highline.edu/about-us/our-president/>.

June 27, 2024
Isabelle Wroblewski
Associate Director of Community
Standards and Student Conduct

WSR 24-14-059
PREPROPOSAL STATEMENT OF INQUIRY
NOXIOUS WEED
CONTROL BOARD

[Filed June 27, 2024, 9:43 a.m.]

Subject of Possible Rule Making: Chapter 16-750 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject:
RCW 17.10.010, 17.10.070, 17.10.080, 17.10.350.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state noxious weed control board (board) is charged with updating the state noxious weed list on an annual basis to ensure it accurately reflects the noxious weed control priorities and noxious weed distribution, as well as updating its bylaws that are codified in chapter 16-750 WAC. The board may also consider other updates to chapter 16-750 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agency regulates this subject. Federal agencies are subject to federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: The board annually solicits proposed changes to the noxious weed list from county weed boards, weed districts, state agencies, federal agencies, interest groups, and the general public. The noxious weed committee of the board (which includes representation from the Washington Native Plant Society, county weed boards, the nursery industry, and several scientific advisors) meets at least twice to review and research these suggestions. A public hearing is scheduled, and a press release and information regarding the proposed changes are widely distributed to newspapers.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Fee, 1111 Washington Street S.E., phone 360-561-4428, fax 360-902-2094, TTY 800-833-6388, email mfee@agr.wa.gov, website www.nwcb.wa.gov.

June 27, 2024
Mary Fee
Executive Secretary

WSR 24-14-064
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 27, 2024, 1:24 p.m.]

Subject of Possible Rule Making: WAC 182-538-110 The grievance and appeal system and agency administrative hearing for managed care organization (MCO) enrollees; 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 align it with applicable federal government regulations and simplify the managed care organization (MCO) appeal process by removing the requirement that the MCO confirm an oral appeal in writing and removing the requirement that the MCO acknowledge receipt of each appeal in writing. During this review, the agency may identify additional related changes that are required to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Health and Human Services, Centers 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 Brian Jensen, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunications relay service (TRS) 711, email brian.jensen@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Jodie Arneson, Program Questions, P.O. Box 45506, Olympia, WA 98504-5506, phone 360-725-1410, fax 360-586-9727, TRS 711, email Jodie.arneson@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

June 27, 2024
Wendy Barcus
Rules Coordinator

WSR 24-14-066
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 27, 2024, 2:33 p.m.]

Subject of Possible Rule Making: WAC 182-561-0500 Service tiers; and 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 correct the number of service hours identified in the eligibility criteria for Tier 4 and Tier 5 community behavioral health support services. 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 department of social and health services.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunications relay service (TRS) 711, email melinda.froud@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Rebecca Carrell, Program Questions, P.O. Box 45534, Olympia, WA 98504-5534, phone 360-725-5707, fax 360-586-9727, TRS 711, email Rebecca.carrrell@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

June 27, 2024
Wendy Barcus
Rules Coordinator

WSR 24-14-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed June 28, 2024, 9:22 a.m.]

Subject of Possible Rule Making: WAC 388-96-738 What default case mix group and weight must the department use for case mix grouping when there is no minimum data set resident assessment for a nursing facility resident?, and other related sections as are necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.46.571 and 74.46.800(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Centers for Medicare and Medicaid [Services] has discontinued the resource utilization group (RUG) data set and replaced it with the patient-driven payment model (PDPM). Washington is transitioning from RUGs to PDPM for the purpose of adjusting the nursing facility medicaid rate by acuity. WAC 388-96-738 addresses how to weigh certain situations with incomplete data and references specific RUG groups. These references need to be updated to reflect the usage of PDPM.

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 of social and health services (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 Elizabeth Pashley, P.O. Box 45600, Olympia, WA 98504, phone 360-995-2807, fax 360-725-2641, TTY 360-493-2637, email Elizabeth.Pashley@dshs.wa.gov, website <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management>.

June 28, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-14-076
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 28, 2024, 9:55 a.m.]

Subject of Possible Rule Making: WAC 182-52-0050 Prescription drug affordability board—Data and confidentiality; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1508, section 2 (2)(a), chapter 80, Laws of 2024, SHB 1105, section 1(1), chapter 171, Laws of 2024; RCW 41.05.021, 41.05.160, chapter 70.405 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (agency) is amending this rule to add language about data sharing between the prescription drug affordability board and the health care cost transparency board to align with ESHB 1508, section 2 (2)(a), chapter 80, Laws of 2024. Additionally, the agency may add a new section regarding a time frame of 30 days for public comment prior to the board setting an upper payment limit to align with SHB 1105, section 1(1), chapter 171, Laws of 2024. 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 Centers 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, telecommunications relay service (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Mike Neuenschwander, Program Questions, P.O. Box 42716, Olympia, WA 98504, phone 360-725-0944, fax 360-586-9727, TRS 711, email mike.neuenschwander@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

June 28, 2024
Wendy Barcus
Rules Coordinator

WSR 24-14-086
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed June 28, 2024, 1:54 p.m.]

Subject of Possible Rule Making: The department of social and health services (department) is planning to amend WAC 388-71-0523, 388-71-0839, 388-71-0880, 388-71-0888, 388-71-0971, 388-71-0977, 388-71-0991, 388-71-1001, 388-115-0523, and to repeal 388-71-0990. The purpose of these changes include: Compliance with SB 5811 passed during the 2024 legislative session, clarification of continuing education requirements related to the date of hire, acknowledgment of the interstate nurse licensure compact related to training requirements, and combining WAC 388-71-0990 and 388-71-0991 into a single section.

Other changes necessary for implementation of SB 5811 and changes and corrections related to numerical representation, consistency, and inclusive language may also be included.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.88B.010, 18.88B.041, 74.08.090, 74.39A.076, 74.39A.341; and chapter 18.80 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to law related to training and continuing education affect all long-term care workers. Rules must be changed in response to, and in compliance with, the new laws including SB 5811 and the interstate nurse licensure compact. Other edits related to clarity, grammar, and consistency are also included along with the combining of two very similar sections.

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. The department invites interested parties to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dave Chappell, Program Manager, P.O. Box 45600, Olympia, WA 98504, phone 360-725-2516, email david.chappell@dshs.wa.gov.

June 25, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-14-087

PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed June 28, 2024, 2:59 p.m.]

Subject of Possible Rule Making: WAC 181-79A-244 educator certificate renewal requirements.

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: Update certificate renewal requirements to align with recent legislation.

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 Michael Nguyen, 600 Washington Street S.E., Olympia, WA 98504, phone 360-489-4471, email rulespesb@k12.wa.us, website www.pesb.wa.gov.

June 28, 2024
Michael Nguyen
Rules Coordinator

WSR 24-14-090
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed June 27, 2024, 1:05 p.m.]

Subject of Possible Rule Making: WAC 458-20-23801 Watercraft excise tax—Watercraft depreciation schedule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.01.060(2) and 82.32.300.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 82.49.040 requires the department of revenue (department) to prepare a depreciation schedule (at minimum annually) for use in the determination of fair market value for watercrafts, which is the basis for measuring the watercraft excise tax. The purpose of this rule-making effort is to evaluate the watercraft depreciation table values in WAC 458-20-23801. The department will propose amendments to the watercraft depreciation schedule if watercraft valuation, sales, and registration data indicate an adjustment to a table value(s) is necessary, as required by RCW 82.49.040. The department will also solicit comments and feedback from external stakeholders regarding the proposed watercraft depreciation schedule.

The department plans to share any proposed amendments to the watercraft depreciation schedule in advance of the public meeting and discuss any proposed amendments during the public meeting.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of licensing (DOL) uses the watercraft depreciation schedule to bill and collect the watercraft excise tax from registered watercraft owners. The department uses data from DOL concerning watercraft sales and registrations to consider whether any adjustments are necessary to the table.

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brenton Madison, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1583, fax 360-534-1606, TTY 800-833-6384, email Brentonm@dor.wa.gov, website dor.wa.gov.

Additional comments: Written comments may be submitted to Brenton Madison using one of the contact methods above. Written and oral comments will be accepted at the public meeting on Tuesday, August 6, 2024, at 10:00 a.m., telephonic/internet meeting only. Contact Cathy Holder at CathyH@dor.wa.gov for dial-in/login information.

June 27, 2024
Brenton Madison
Rules Coordinator

WSR 24-14-093
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed July 1, 2024, 8:30 a.m.]

Subject of Possible Rule Making: WAC 182-502-0005 Core provider agreement (CPA), 182-502-0006 Enrollment for nonbilling individual providers, 182-502-0010 When the medicaid agency enrolls, 182-502-0012 When the medicaid agency does not enroll, 182-502-0040 Termination of a provider—For convenience, 182-502-0050 Provider dispute of an agency action, and 182-502-0100 General conditions of payment; 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 reorganizing rules related to enrollment and payment into proper sections, adding clarity, and removing the reconsideration process. WAC 182-502-0012 is being revised to reflect that if the agency denies a request for enrollment, there is no longer a reconsideration process, but the provider can reapply. WAC 182-502-0040 is being revised to reflect that terminations for convenience are the agency's final decision and there is no reconsideration process. 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 Centers 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, telecommunications relay service (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Pooji Tran, Program Questions, P.O. Box 42716, Olympia, WA 98504, phone 360-725-1192, fax 360-586-9727, TRS 711, email Pooji.tran@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

July 1, 2024
Wendy Barcus
Rules Coordinator

WSR 24-14-095
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed July 1, 2024, 9:27 a.m.]

This memo serves as notice that the department of health (department) is withdrawing a CR-101 impacting chapter 246-827 WAC, Medical assistants—Various provisions, which was filed October 3, 2023, published as WSR 23-20-118.

The department has decided to withdraw this CR-101 and will file a new CR-101 on chapter 246-827 WAC to align the scope of the CR-101 as necessary to implement recent legislation from the 2024 legislative session affecting chapter 246-827 WAC.

ESSB 5983 (chapter 248, Laws of 2024) impacts existing WAC 246-827-0010 Definitions, and 246-827-0240 Medical assistant—Certified medication administration. The department was also considering adopting new WAC 246-827-0340 Medical assistant—Registered medication administration, to implement this bill. Because ESHB 1073 (chapter 134, Laws of 2023) and ESSB 5983 affect the same sections of rule, the department has decided to withdraw the current CR-101 to increase its scope to implement both pieces of legislation.

Individuals requiring information on this rule should contact Becky McElhiney, program manager, phone 360-236-4766 or email becky.mcelhiney@doh.wa.gov.

Tami M. Thompson
Regulatory Affairs Manager

WSR 24-14-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed July 1, 2024, 9:33 a.m.]

Subject of Possible Rule Making: Medical assistant medication administration requirements and apprenticeship programs. The department of health (department) is considering rule amendments to WAC 246-827-0010, 246-827-0200, and 246-827-0240 to align with statutes updated by ESHB 1073 (chapter 134, Laws of 2023) and ESSB 5983 (chapter 248, Laws of 2024), and ensure that the rules are current and align with best practices. The department will also consider adding new WAC 246-827-0340 to address the medication administration requirements for the medical assistant-registered credential.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.360.030; ESHB 1073 (chapter 134, Laws of 2023), and ESSB 5983 (chapter 248, Laws of 2024).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1073 updated supervision requirements and the scope of practice for medical assistants. The department is considering amendments to medical assistant rules to align with the updates from ESHB 1073 and establish requirements for medication administration by a medical assistant-registered (MA-R) credential. ESHB 1073 significantly expanded the scope of practice for the MA-R credential, specifically medication administration. A new rule section is necessary to provide guidance regarding routes and supervision levels related to these tasks.

ESSB 5983 lowered the supervision level required for the medical assistant-certified (MA-C) credential and the MA-R credential to provide treatment for known or suspected syphilis infections from "immediate or direct visual" supervision to "telemedicine" supervision. The department is considering amendments to WAC 246-827-0240 and adding new WAC 246-827-0340 to update and align medical administration supervision levels regarding syphilis treatment set by the changes from ESSB 5983.

Additionally, the department is considering updating the MA-C training and certification requirements to expand the types of apprenticeship programs accepted to meet the training requirements. This would allow experienced medical assistants to more easily enter the Washington 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: 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 Becky McElhiney, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4766, fax 360-236-2901, TTY 711, email medical.assistants@doh.wa.gov.

Additional Comments: All notices will be sent to the public through department distribution lists. Interested parties can join the distribution lists at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

July 1, 2024
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

WSR 24-14-109
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Behavioral Health Administration)
[Filed July 1, 2024, 12:38 p.m.]

Subject of Possible Rule Making: Chapter 388-881 WAC, Sexual predator program—External oversight, and possible other sections this chapter and in chapter 388-880 WAC as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.09.800.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of social and health services (DSHS) is updating and clarifying rules as it relates to the special commitment center. As the program progresses and changes, this includes the oversight required of the program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This currently only affects DSHS, behavioral health administration, and the special commitment center.

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 Christina Wells, phone 253-363-0274, email christina.wells2@dshs.wa.gov.

July 1, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-14-118
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Office of the Secretary)
[Filed July 2, 2024, 10:44 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is considering amending WAC 388-02-0217 When do ALJs conduct the hearing and enter the hearing decision as an initial order or a final order? and other related rules as may be required to clarify the general hearing rules of the board of appeals at DSHS. During this rule making, DSHS may make additional changes that are necessary to improve clarity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.220, 34.05.220(4), 43.17.060, and 43.20A.075.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Cases involving food assistance may concern eligibility, disqualification, or overpayments. Amending this rule will clarify that in all food assistance overpayment cases, administrative law judges will enter initial orders and, if necessary, a review judge with the DSHS board of appeals will enter final orders in those same cases.

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 WAC 388-02-0217

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 360-664-6187, TTY 711 relay service, email marcus.lampson@dshs.wa.gov.

July 2, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-14-134
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed July 2, 2024, 3:48 p.m.]

Subject of Possible Rule Making: WAC 182-115-0100 Certified peer counselor—General, 182-115-0200 Certified peer counselor—Application, training, examination, and authority approval; 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) intends to update these rules as authorized in 2SSB 5555 (68th legislature, 2023 regular session), creating the profession of certified peer specialists. 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: Department of health.

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, telecommunications relay service (TRS) 711, email melinda.froud@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Maureen Bailey, Program Questions, P.O. Box 55543, Olympia, WA 98504-5534 [5543], phone 360-725-9997, fax 360-586-9727, TRS 711, email Maureen.bailey@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

July 2, 2024
Wendy Barcus
Rules Coordinator

WSR 24-14-135
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed July 2, 2024, 3:52 p.m.]

Subject of Possible Rule Making: WAC 182-504-0015 Washington apple health—Certification periods for categorically needy programs, 182-505-0225 Children's Washington apple health with premiums—Calculation and determination of premium amount; 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 WAC 182-504-0015 and 182-505-0225 so that the agency does not terminate children's health insurance program (CHIP) coverage for nonpayment of premiums during a child's continuous eligibility period and does not condition or delay enrollment on payment of unpaid premiums. The agency made these changes via emergency rule effective July 2, 2024, filed under WSR 24-14-119. The purpose of this rule making is to make those changes permanent. During this review, the agency may identify additional related changes that are required to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Health and Human Services Centers 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 Brian Jensen, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunications relay service (TRS) 711, email brian.jensen@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Emily Good, Program Questions, P.O. Box 42722, Olympia, WA 98504-2722, phone 360-725-0920, fax 360-586-9727, TRS 711, email Emily.Good@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

July 2, 2024
Wendy Barcus
Rules Coordinator

WSR 24-14-138
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION
[Filed July 3, 2024, 8:14 a.m.]

Subject of Possible Rule Making: RCW 39.33.015 Transfer, lease, disposal of public property for affordable housing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.33.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 39.33.015(3) requires rules for the disposition of property for public benefit purposes.

Leasing Regulation: The department of transportation (WSDOT) may enter into lease agreements with public, private, and nongovernmental bodies, allowing them to construct and operate affordable housing on land under the jurisdiction of WSDOT for less than fair economic rent if the following conditions are met:

1. The leased premises is not presently needed for highway purposes.

2. The leased premises is used for housing for low-income and very low-income households as defined in RCW 43.63A.510, and related facilities that support the goals of affordable housing development in providing economic and social stability for low-income persons.

3. The lessee pays all appraisal costs, debt services, and any other liabilities to WSDOT for the processing and execution of the lease.

4. The leased premises is subject to the provisions and requirements of zoning ordinances of political subdivisions of government.

5. The use of the leased premises is consistent with existing locally adopted comprehensive plans as described in RCW 36.70A.070.

6. The lease terminates if the tenant fails to use the premises for affordable housing.

7. The lease authorizes WSDOT to terminate the lease if the premises is needed for a highway purpose.

8. The lease provides that prior to termination, the tenant agrees, if so directed by WSDOT, to restore the premises to its condition prior to tenant's occupancy, reasonable wear and tear excepted. This work is to be done at tenant's expense to the satisfaction of WSDOT. In the event the tenant fails to restore premises upon termination, WSDOT may restore the premises as it deems appropriate and at the tenant's expense.

Disposal Regulation: WSDOT may transfer real property to public, private, and nongovernmental bodies at less than fair market value for the construction and operation of affordable housing if the following conditions are met:

1. The property is no longer required for transportation purposes.

2. The property is used for housing for low-income and very low-income households as defined in RCW 43.63A.510, and related facilities that support the goals of affordable housing development in providing economic and social stability for low-income persons.

3. Consideration includes appraisal costs, debt services, all closing costs, and any other liabilities to WSDOT.

4. The use of the property is consistent with existing locally adopted comprehensive plans as described in RCW 36.70A.070.

5. The transfer is executed with a quitclaim deed.

6. The deed contains a covenant or other requirement that the property shall be used for the designated public benefit purpose.

7. The deed contains remedies that apply if the grantee fails to use the property for the designated purpose or ceases to use it for such purpose. Such remedies shall include clauses reverting title to WSDOT or the payment of fair market value.

WSDOT must comply with RCW 39.33.020 Disposal of surplus property—Hearing—Notice. Before disposing of surplus property with an estimated value of more than \$50,000, the state or a political subdivision shall hold a public hearing in the county where the property or the greatest portion thereof is located. At least 10 days, but not more than 25 days, prior to the hearing, there shall be published a public notice of reasonable size in display advertising form, setting forth the date, time, and place of the hearing at least once in a newspaper of general circulation in the area where the property is located. A news release pertaining to the hearing shall be disseminated among printed and electronic media in the area where the property is located. If real property is involved, the public notice and news release shall identify the property using a description which can easily be understood by the public. If the surplus is real property, the public notice and news release shall also describe the proposed use of the lands involved. If there is a failure to substantially comply with the procedures set forth in this section, then the sale, transfer, exchange, lease, or other disposal shall be subject to being declared invalid by a court. Any such suit must be brought within one year from the date of the disposal agreement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Highway Administration (FHWA); WSDOT will coordinate through the FHWA liaison.

Process for Developing New Rule: WSDOT is developing this rule in response to the requirements of RCW 39.33.015.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Robin Curl, P.O. Box 47338, Olympia, WA 98504-7338, phone 360-705-6968, TTY 711, email robin.curl@wsdot.wa.gov, website <https://wsdot.wa.gov/business-wsdot/real-estate-services>.

July 3, 2024
Sam Wilson, Director
Business Support Services

WSR 24-14-139

PREPROPOSAL STATEMENT OF INQUIRY

WASHINGTON STATE UNIVERSITY

[Filed July 3, 2024, 8:33 a.m.]

Subject of Possible Rule Making: Washington State University (WSU) is updating the rules regarding standards of conduct for students, chapter 504-26 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments modify, clarify, and update WSU's rules regarding standards of conduct for students.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Policies, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, email prf.forms@wsu.edu, website <http://policies.wsu.edu/prf/index/wac/>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will also be an opportunity to provide written comments to the proposed rules.

July 3, 2024

Deborah L. Bartlett, Director
Office of Policies, Records, and Forms
and University Rules Coordinator

WSR 24-14-141
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed July 3, 2024, 9:08 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-492-0070 How are my WASHCAP food benefits calculated?, 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, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments will maintain alignment between Washington combined application project (WASHCAP) rules and federal requirements. As a means of maintaining cost neutrality, the United States Department of Agriculture's Food and Nutrition Service (USDA/FNS) periodically adjusts WASHCAP program standards.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DSHS coordinates with USDA/FNS in administering the WASHCAP demonstration project. Planned amendments to this rule are in response to correspondence from USDA/FNS requiring adjustment to WASHCAP program standards.

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 Alexis Miller, P.O. Box 45470, Olympia, WA 98504-5470, phone 253-579-3144, email alexis.a.miller@dshs.wa.gov.

July 3, 2024
Katherine I. Vasquez
Rules Coordinator