

WSR 21-03-009
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed January 8, 2021, 8:26 a.m.]

Subject of Possible Rule Making: The department is planning to adopt WAC 388-437-0015 Good cause extension of Social Security number requirement for basic food applicants during COVID-19, and adopt or amend other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The adoption of WAC 388-437-0015 will address basic food Social Security number requirements as needed under the indefinite conditions of the coronavirus (COVID-19) pandemic.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Services (FNS), enforces the provisions of the federal Supplemental Nutrition Assistance Program as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

Process for Developing New Rule: The department of social and health services (DSHS) welcomes the public to take part in developing 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 Carolyn Horlor, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-764-0676, fax 360-725-4904, email Carolyn.Horlor@dshs.wa.gov.

January 5, 2021
Katherine I. Vasquez
Rules Coordinator

WSR 21-03-011
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed January 8, 2021, 8:56 a.m.]

Subject of Possible Rule Making: WAC 246-976-580 and 246-976-700, trauma designation process and trauma service standards—Criteria for minimum and maximum distribution of trauma services. The department of health (department) is considering amending the rules to establish clear requirements and criteria for assessing needs for trauma centers and determining minimum and maximum hospital and health care facilities in the state.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.168.050, 70.168.60 [70.168.060], and 70.168.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 70.168.060(4) tasked the department with establishing the minimum and maximum number (min/max) of hospitals and health care facilities that may provide designated trauma care services across the state of Washington and within each emergency medical services and trauma care planning and service region. These designations are based upon approved regional emergency medical services and trauma care plans. RCW 70.168.100 then tasked each trauma care region to establish the number and level of facilities to be designated which are consistent with state standards and based upon availability of resources and the distribution of trauma within the region.

Since the trauma system's inception, there has not been a review of the process or criteria by which the trauma care regions and department make min/max decisions. The first established criteria have not been formalized in rule and have been used in varying degrees by trauma care regions. As the trauma system matures, trauma centers have expressed interest in applying for level I trauma designation and there is currently no process or criteria in place to objectively evaluate the need and impact of additional trauma centers.

Developing a criteria to determine the need for new trauma centers will help ensure that Washingtonians have optimal access to trauma care services while helping to maintain a healthy system that balances access with other important considerations, such as maintenance of subspecialty volume and patient outcomes.

Chapter 70.168 RCW tasks the department with establishing the number of trauma centers, as operationalized in the trauma care regional planning, which is reviewed and approved by the emergency medical systems and trauma care steering committee as part of the state planning process. Including the intent of this statute in rule would create a formalized, enforceable process across Washington state, and convening a group of subject matter experts to inform on the criteria will best serve our unique state system needs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate this subject.

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 Anthony W. Bledsoe, P.O. Box 47853, Olympia, WA 98504-7853, phone 360-236-2871, fax 360-236-2830, TTY 711, email anthony.bledsoe@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties may participate in the development of draft rules prior to a formal proposal by joining the

interested parties list (GovDelivery) by contacting Tony Bledsoe,
trauma designation program administrator, at
Anthony.Bledsoe@doh.wa.gov.

January 7, 2021
Jessica Todorovich
Chief of Staff
for Umair A. Shah, MD, MPH
Secretary

WSR 21-03-027

PREPROPOSAL STATEMENT OF INQUIRY

PIERCE COLLEGE

[Filed January 12, 2021, 9:56 a.m.]

Subject of Possible Rule Making: Pierce College is engaging in proposed rule making to update the student conduct code chapter 132K-135 WAC as well as adopting emergency rules which were submitted previously.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pierce College is engaging in the rule-making process to maintain compliance with federal and state law as well as to update language and procedures to ensure due process for students and clear processes and procedures for the college.

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: Revised draft of student conduct code will be presented to the following entities for comment: Student governance bodies, learning council, student advancement council, assistant attorney general, cabinet, and board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Julie Draper Davis, 9401 Farwest Drive S.W., Lakewood, WA 98498, phone 253-912-2331, jdraperdavis@pierce.ctc.edu; or Marie Harris, 9401 Farwest Drive S.W., Lakewood, WA 98498, phone 253-864-3104, email mharris@pierce.ctc.edu.

January 8, 2021
Michele Johnson
Chancellor

WSR 21-03-029

PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed January 12, 2021, 12:53 p.m.]

Subject of Possible Rule Making: Chapter 51-50 WAC, specifically addressing section 1615, chapter 16.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To better address the dangers to the built environment and its inhabitants inherent with a tsunami.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of natural resources (DNR). The state building code council in a combined effort with DNR met regularly in a technical advisory group to compile the most accurate data.

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 Stoyan Bumbalov, Managing Director, P.O. Box 41449, Olympia, WA 98504-1149, phone 360-407-9277, email Stoyan.bumbalov.des.wa.gov [Stoyan.bumbalov@des.wa.gov], website www.sbcc.wa.gov.

January 8, 2021
Diane Glenn
Chair

WSR 21-03-031

**PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY**

[Filed January 12, 2021, 2:20 p.m.]

Subject of Possible Rule Making: Chapter 172-121 WAC, Student conduct code.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update Eastern Washington University's student conduct code to revise what constitutes a violation of the student conduct code, students' rights during the process, and the procedures for a brief hearing.

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 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/>.

January 12, 2021
Annika Scharosch
Associate Vice President

WSR 21-03-032

**PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY**

[Filed January 12, 2021, 2:24 p.m.]

Subject of Possible Rule Making: Chapter 172-108 WAC, Adjudicative proceedings.

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: Add a new section outlining the process for appealing a decision to reduce, suspend, or not renew athletic scholarships.

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 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/>.

January 12, 2021

Annika Scharosch

Associate Vice President

WSR 21-03-042
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed January 14, 2021, 8:10 a.m.]

Subject of Possible Rule Making: WAC 388-101D-0200 and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is considering amending WAC 388-101D-0200 and adding new sections to chapter 388-101D WAC regarding suspending and terminating a client's residential services. During the course of this review, the department may make additional changes that are necessary to improve clarity or update policy.

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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, fax 360-407-0955, TTY 1-800-833-6388, email chantelle.diaz@dshs.wa.gov.

January 13, 2021
Katherine I. Vasquez
Rules Coordinator

WSR 21-03-043
PREPROPOSAL STATEMENT OF INQUIRY
BELLEVUE COLLEGE

[Filed January 14, 2021, 9:21 a.m.]

Subject of Possible Rule Making: Chapter 132H-140 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; and RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Bellevue College plans to update the current facilities usage rules with the intention to remove and/or update outdated information.

Process for Developing New Rule: Changes to the existing policy and on this topic will be presented to the campus community for feedback and a virtual public meeting will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nadescha Bunje, 3000 Landerholm Circle S.E., phone 425-564-5669, TTY 425-564-6189, email nadescha.bunje@bellevuecollege.edu, website <https://www.bellevuecollege.edu/>.

January 14, 2021
Tracy Biga MacLean
Associate Director

WSR 21-03-049

PREPROPOSAL STATEMENT OF INQUIRY

UNIVERSITY OF WASHINGTON

[Filed January 14, 2021, 3:18 p.m.]

Subject of Possible Rule Making: Chapter 478-116 WAC, Parking and traffic rules of the University of Washington, Seattle.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.560 and 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The University of Washington is considering amending the parking and traffic rules in order to update and clarify sections of this chapter.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Lechtanski, Box 351210, Seattle, WA 98195-1210, phone 206-543-9219, email rules@uw.edu, website <https://www.washington.edu/rules/>.

January 14, 2021
Barbara Lechtanski
Director of the University
Policy and Rules Office
and Washington State
Rules Coordinator for UW

WSR 21-03-054
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed January 15, 2021, 8:01 a.m.]

Subject of Possible Rule Making: WAC 458-61A-1001 Graduated real estate excise tax rates—Exceptions to graduated rates—Disregarded transactions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.45.010, 82.45.060, and 82.45.235.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department anticipates adopting a new rule to explain the real estate excise tax graduated rates provided in RCW 82.45.060, as well as to explain the exceptions to the application of graduated tax rates, which are covered in RCW 82.45.060(3). The rule would also explain circumstances under which the department will disregard the form of a transaction per RCW 82.45.235.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brenton M. 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 by mail or email and should be directed to Brenton M. Madison using one of the contact methods above. Written and oral comments will be accepted at the public meeting on February 16, 2021, at 10:00 a.m., telephonic/internet public meeting only. Contact Keith Dacus at KeithD@dor.wa.gov [f]or dial-in/login information.

January 15, 2021
Atif Aziz
Rules Coordinator

WSR 21-03-056

PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed January 15, 2021, 10:27 a.m.]

Subject of Possible Rule Making: (1) WAC 51-50-008 building code, modify effective date; (2) WAC 51-51-008 residential code, modify effective date; (3) WAC 51-52-008 mechanical code, modify effective date; (4) WAC 51-54-008 fire code, modify effective date; and (5) WAC 51-56-008 plumbing code, modify effective date.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To address the impacts of COVID-19 on code implementation.

Process for Developing New Rule: Stakeholder petition to the state building code council.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stoyan Bumbalov, P.O. Box 41449, Olympia, WA 98504-1449, phone 360-407-9277, email sbcc@des.wa.gov, website sbcc.wa.gov.

January 8, 2021
Diane Glenn
Chair

WSR 21-03-059

PREPROPOSAL STATEMENT OF INQUIRY

WHATCOM COMMUNITY COLLEGE

[Filed January 15, 2021, 4:24 p.m.]

Subject of Possible Rule Making: Chapter 132U-300 WAC, Discrimination and harassment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; and RCW 28B.50.140(13); 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Whatcom Community College is required by the United States Department of Education (DOE) to comply with the recently adopted Title IX regulations, which took effect on August 14, 2020. The college filed emergency rule chapter 132U-305 WAC to meet these requirements. Adoption of this rule will make the emergency rule permanent, with some changes. The new Title IX regulations require substantial updates to investigative procedures, as well as changes to definitions of key terms. These changes required the creation of a new policy, along with removing Title IX from the student code of conduct (chapter 132U-126 WAC) and discrimination and harassment policy (chapter 132U-300 WAC) in order to meet the strict jurisdictional guidelines present in the new regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DOE Office of Civil Rights; we are following guideline[s] published by their [the] Office of Civil Rights. Office of the attorney general of the state of Washington; regular meetings and communication with assigned assistant attorney general. Washington state human rights commission; following all published public accommodation guidelines.

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 Barbara Nolze, Whatcom Community College Rules Coordinator, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, phone 360-383-3077, email b nolze@whatcom.edu; or Benjamin Reed, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, phone 360-383-3074, email breed@whatcom.edu.

January 15, 2021

Barbara Nolze

Administrative Assistant to the
Vice President for Student Services

WSR 21-03-060

PREPROPOSAL STATEMENT OF INQUIRY

WHATCOM COMMUNITY COLLEGE

[Filed January 15, 2021, 4:24 p.m.]

Subject of Possible Rule Making: Chapter 132U-305 WAC, Title IX supplemental procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; and RCW 28B.50.140(13); 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Whatcom Community College is required by the United States Department of Education (DOE) to comply with the recently adopted Title IX regulations, which took effect on August 14, 2020. The college filed emergency rule chapter 132U-305 WAC to meet these requirements. Adoption of this rule will make the emergency rule permanent, with some changes. The new Title IX regulations require substantial updates to investigative procedures, as well as changes to definitions of key terms. These changes required the creation of a new policy, along with removing Title IX from the student code of conduct (chapter 132U-126 WAC) and discrimination and harassment policy (chapter 132U-300 WAC) in order to meet the strict jurisdictional guidelines present in the new regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DOE Office of Civil Rights; we are following guideline[s] published by their [the] Office of Civil Rights. Office of the attorney general of the state of Washington; regular meetings and communication with assigned assistant attorney general. Washington state human rights commission; following all published public accommodation guidelines.

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 Barbara Nolze, Whatcom Community College Rules Coordinator, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, phone 360-383-3077, email b nolze@whatcom.edu; or Benjamin Reed, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, phone 360-383-3074, email breed@whatcom.edu.

January 15, 2021

Barbara Nolze

Administrative Assistant to the
Vice President for Student Services

WSR 21-03-061

PREPROPOSAL STATEMENT OF INQUIRY

WHATCOM COMMUNITY COLLEGE

[Filed January 15, 2021, 4:26 p.m.]

Subject of Possible Rule Making: Chapter 132U-126 WAC, Student rights and responsibilities policy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; and RCW 28B.50.140(13); 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Whatcom Community College is required by the United States Department of Education (DOE) to comply with the recently adopted Title IX regulations, which took effect on August 14, 2020. The college filed emergency rule chapter 132U-305 WAC to meet these requirements. Adoption of this rule will make the emergency rule permanent, with some changes. The new Title IX regulations require substantial updates to investigative procedures, as well as changes to definitions of key terms. These changes required the creation of a new policy, along with removing Title IX from the student code of conduct (chapter 132U-126 WAC) and discrimination and harassment policy (chapter 132U-300 WAC) in order to meet the strict jurisdictional guidelines present in the new regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DOE Office of Civil Rights; we are following guideline[s] published by their [the] Office of Civil Rights. Office of the attorney general of the state of Washington; regular meetings and communication with assigned assistant attorney general. Washington state human rights commission; following all published public accommodation guidelines.

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 Barbara Nolze, Whatcom Community College Rules Coordinator, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, phone 360-383-3077, email bnolze@whatcom.edu; or Benjamin Reed, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, phone 360-383-3074, email breed@whatcom.edu.

January 15, 2021

Barbara Nolze

Administrative Assistant to the
Vice President for Student Services

WSR 21-03-068
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed January 19, 2021, 10:42 a.m.]

Subject of Possible Rule Making: WAC 182-509-0365 MAGI income—Self-employment income, 182-509-0370 MAGI income—How self-employment income is counted, 182-509-0375 MAGI income—Lump sums; 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 agency is amending these rules to align with the Internal Revenue Code and to make other updates. 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 social and health services staff are invited to participate in rule drafting and in responding to public comment.

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, Rulemaking Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication[s] relay service 711, email melinda.froud@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Mark Westenhaver, Program Questions, P.O. Box 45534, Olympia, WA 98504-5534, phone 360-725-1324, fax 360-586-9727, TRS 711, email mark.westenhaver@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

January 19, 2021
Wendy Barcus
Rules Coordinator

WSR 21-03-069
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed January 19, 2021, 10:46 a.m.]

Subject of Possible Rule Making: WAC 182-513-1100 Definitions related to long-term services and supports (LTSS), 182-513-1215 Community first choice (CFC)—Eligibility, 182-513-1220 Community first choice (CFC)—Spousal impoverishment protections for noninstitutional Washington Apple health clients, 182-513-1235 Roads to community living (RCL), 182-513-1660 Medicaid alternative care (MAC) and tailored supports for older adults (TSOA)—Spousal impoverishment; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, Consolidated Appropriations Act of 2021, H.R. 133, Division CC, Title II, Sec. 204 (b) (1) (A) and Sec. 205.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising these sections as allowed in the Consolidated Appropriations Act of 2021 extension of spousal impoverishment protections and updating the time frame for institutionalization for RCL from ninety days to sixty days. 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 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 Valerie Freudenstein, Rulemaking Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, TRS 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Stephen Kozak, Program Questions, phone 360-725-1343, fax 360-586-9727, telecommunication[s] relay service 711, email Stephen.kozak@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

January 19, 2021
Wendy Barcus
Rules Coordinator

WSR 21-03-077
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed January 19, 2021, 3:00 p.m.]

Subject of Possible Rule Making: Chapter 296-05 WAC, Apprenticeship rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 49.04 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries (L&I) with approval of the Washington state apprenticeship and training council (WSATC) is considering allowing the use of special meetings to consider records and enter final orders following adjudication processes. ESHB 1817 (2019) requires owners of petroleum refining or petrochemical manufacturing facilities to use a skilled and trained workforce when contracting for construction, alteration, demolition, installation, repair, or maintenance work. A skilled and trained workforce means a workforce where all the workers are either registered apprentices in a WSATC approved apprenticeship program or skilled journeypersons as defined by the statute. WSATC is currently limited to adjudicating and issuing final orders at four regularly scheduled meetings. Not only does this delay the decision for programs and make it more difficult to comply with the law, but also the WSATC may not have enough time at the regularly scheduled meeting to conduct all needed business and address these adjudicated matters. There is an emergency rule in place to address issues raised while implementing ESHB 1817 because of delays caused by adjudication of denied programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United State Department of Labor, Office of Apprenticeship, Employer and Labor Services, which has federal apprenticeship oversight responsibility, will be provided a copy of the proposed rules.

Process for Developing New Rule: The department will develop the rule language with input from WSATC and other interested parties. Interested parties may participate in the decision to adopt the amended rules and formulation of the rules before publication by contacting the individual below. The public may also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment period.

For more information on this rule making, visit L&I's rule-making activity website at <https://www.lni.wa.gov/rulemaking-activity/> or contact the individual below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Beverly Clark, L&I, Fraud Prevention and Labor Standards Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6272, fax 360-902-5292, email Beverly.Clark@Lni.wa.gov, website <https://www.lni.wa.gov/rulemaking-activity/>.

January 19, 2021
Joel Sacks
Director

WSR 21-03-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed January 20, 2021, 9:47 a.m.]

Subject of Possible Rule Making: WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096, 82.32.300, and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The department anticipates amending WAC 458-40-660 to provide valuations for the second half of 2021.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington state department of natural resources both regulate forest practices, neither is involved in valuation for taxation purposes. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but it is not necessary to involve them in the valuation revisions provided in this rule.

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 Jennifer Arnold, P.O. Box 47453, Tumwater, WA 98504, phone 360-534-1574, fax 360-534-1606, TTY 800-833-6384, email JenniferA@dor.wa.gov.

Additional comments: A preliminary draft of possible rule changes will be available upon request shortly before the public meeting. Written comments may be submitted by mail or email and should be directed to Jennifer Arnold using one of the contact methods above. Written and oral comments will be accepted at the public meeting on April 20, 2021, at 10:00 a.m., telephonic meeting only. Contact Keith Dacus at KeithD@dor.wa.gov for dial-in information.

January 20, 2021
Atif Aziz
Rules Coordinator

WSR 21-03-092
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed January 20, 2021, 10:00 a.m.]

Subject of Possible Rule Making: The state board of education (SBE) is reviewing chapter 180-111 WAC, Waiver of certain requirements in response to novel coronavirus, to implement recently passed legislation, make changes as necessary to align rule to current policy or practice, correct references to law, improve readability of the rule, or make other changes identified during the review.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.195.010, 28A.230.090, 28A.150.220(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SBE is reviewing chapter 180-111 WAC to make changes as necessary to implement recently passed legislation, align rule to current policy or practice, correct references to law, improve readability of the rule, or make other changes identified during the review of the WAC chapter.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of superintendent of public instruction.

Process for Developing New Rule: SBE will seek feedback on the rule making from partner agencies and educational advocacy organizations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Parker Teed, 600 Washington Street S.E., Olympia, WA 98504, phone 360-742-4037, fax 360-753-6712, email rulescoordinatorSBE@k12.wa.us, website www.sbe.wa.gov; or J. Lee Schultz, 600 Washington Street S.E., Olympia, WA 98504, phone 360-742-4585, fax 360-753-6712, email rulescoordinatorSBE@k12.wa.us, website www.sbe.wa.gov.

January 20, 2021
Randy Spaulding
Executive Director

WSR 21-03-093
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed January 20, 2021, 10:01 a.m.]

Subject of Possible Rule Making: The state board of education (SBE) is reviewing chapter 180-51 WAC, High school graduation requirements, to implement recently passed legislation, make changes as necessary to align rule to current policy or practice, correct references to law, improve readability of the rule, or make other changes identified during the review.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.230.090, 28A.150.220(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of its routine review of SBE rules, SBE is reviewing chapter 180-51 WAC to make changes as necessary to implement recently passed legislation, align rule to current policy or practice, correct references to law, improve readability of the rule, or make other changes identified during the review of the WAC chapter.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of superintendent of public instruction.

Process for Developing New Rule: SBE will seek feedback on the rule making from partner agencies and educational advocacy organizations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Parker Teed, 600 Washington Street S.E., Olympia, WA 98504, phone 360-742-4037, fax 360-753-6712, email rulescoordinatorSBE@k12.wa.us, website www.sbe.wa.gov; or J. Lee Schultz, 600 Washington Street S.E., Olympia, WA 98504, phone 360-742-4585, fax 360-753-6712, email rulescoordinatorSBE@k12.wa.us, website www.sbe.wa.gov.

January 20, 2021
Randy Spaulding
Executive Director