

WSR 21-07-018
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 5, 2021, 12:32 p.m.]

Subject of Possible Rule Making: WAC 181-85-033, clock hours for national board maintenance of certification.

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: Professional educator standards board currently has policy allowing for clock hour for the National Board for Professional Teaching Standards (NBPTS) national board renewal process. NBPTS is transitioning from a renewal process to a maintenance of certification process. Rules are being considered allowing for clock hours for the maintenance of certification process.

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-867-8424, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 3, 2021
Maren Johnson
Rules Coordinator

WSR 21-07-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)
[Filed March 8, 2021, 10:37 a.m.]

Subject of Possible Rule Making: WAC 246-817-581 Novel coronavirus disease 2019 vaccination delegation. The dental quality assurance commission (commission) is considering permanent rule making allowing dentists to delegate administration of novel coronavirus disease 2019 (COVID-19) vaccination to licensed dental hygienists with close supervision and demonstration of competency.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.29.050 and 18.32.0365.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In response to the COVID-19 pandemic, dentists are among the essential health providers who can safely administer vaccinations and help address this public health emergency. Mass vaccination across the state takes cooperation and coordination across the entire health system. Dentists and delegated dental hygienists can increase capacity for priority populations who may not otherwise be connected to the traditional health care system during the pandemic. Increased capacity of health care workers administering the COVID-19 vaccine will help Washington end this pandemic. Allowing delegation of COVID-19 vaccination to dental hygienists also assists dentists by reducing their workload to effectively continue providing dental care to patients.

On January 7, 2021, the commission approved emergency rule making for COVID-19 vaccination delegation. The commission intends for the emergency rule to be in place until the permanent rule is adopted.

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 Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4893, fax 360-236-2901, TTY 711, email jennifer.santiago@doh.wa.gov [jennifer.santiago@doh.wa.gov], website www.doh.wa.gov/dental, dental@doh.wa.gov.

Additional comments: Interested parties may sign up for the program's interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. All rule-making notices will be emailed via GovDelivery. Rule development will take place in open public meetings prior to a formal rule proposal and comment period.

March 8, 2021
Trina Crawford
Executive Director

WSR 21-07-023
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed March 8, 2021, 1:18 p.m.]

Subject of Possible Rule Making: Adding new sections to chapter 182-513 WAC, Client not in own home—Institutional medical; and chapter 182-515 WAC, Alternate living—Institutional medical; 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 creating new sections in chapters 182-513 and 182-515 WAC to create presumptive eligibility for long-term care in home when a client is discharged home from an acute care hospital or state hospital diversion. 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: Washington state department of social and health services; 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, Rulemaking Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email brian.jensen@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Paige Lewis, Program Questions, P.O. Box 45534, Olympia, WA 98504-5534, phone 360-725-0757, fax 360-586-9727, TRS 711, email paige.lewis@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

March 8, 2021
Wendy Barcus
Rules Coordinator

WSR 21-07-029

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF COMMERCE

[Filed March 9, 2021, 8:24 a.m.]

Subject of Possible Rule Making: Lowering dust wipe clearance standards for floors and window sills, and updating what are "common areas" in child occupied facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70A.420 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Environmental Protection Agency (EPA) increased the federal requirement for clearance standards effective January 6, 2020. The department is required to implement these rule changes to be at-least-as-effective as the federal requirements. The department will also clarify what is included in the existing definition of common areas in-child occupied facilities for abatement purposes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: EPA.

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 Devin Proctor, P.O. Box 4252, Olympia, WA 98504, phone 360-725-2999, fax 360-586-8440, email devin.proctor@commerce.wa.gov, website commerce.wa.gov.

March 9, 2021
Amber Siefer
Rules Coordinator

WSR 21-07-035
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed March 10, 2021, 8:04 a.m.]

Subject of Possible Rule Making: The employment security department (ESD) is engaging in rule making regarding whether the emergency rules adopted during the COVID-19 response should be made permanent. The emergency rules cover submission of petitions for judicial review, backdating reopened claims, waiting week waivers, and combined wage claims.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to ESD.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In February of 2021, Governor Inslee proclaimed a state of emergency in Washington regarding COVID-19. The department filed a series of emergency rules in order to support the state's emergency response. The department is now seeking input from the public regarding which of those emergency rules should be made permanent.

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 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 Josh Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay 711, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/benefits>.

March 10, 2021
Dan Zeitlin
Policy Director
Employment Security

WSR 21-07-066
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed March 16, 2021, 11:59 a.m.]

Subject of Possible Rule Making: WAC 182-503-0535 Washington apple health—Citizenship and immigration status.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 42.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending this section to align with the Consolidated Appropriations Act, 2021 (Sec. 208) which restored eligibility for medicaid benefits for individuals from the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services via state plan amendment.

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 Michael Williams, Rulemaking Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email michael.williams@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Ariel Pyrtek, P.O. Box 33022, Olympia, WA 98504-3022, phone 360-725-1919, fax 360-586-9727, TRS 711, email ariel.pyrtek@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

March 16, 2021
Wendy Barcus
Rules Coordinator

WSR 21-07-080
PREPROPOSAL STATEMENT OF INQUIRY
SEATTLE COLLEGES

[Filed March 17, 2021, 3:00 p.m.]

Subject of Possible Rule Making: Chapter 132F-162 WAC, Library regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 28B.50.090(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amend WAC to be in compliance with HB 2513 and RCW 28B.10.293 stating colleges can no longer withhold transcripts for any purposes system-wide.

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 Kurt Buttleman, 1500 Harvard Avenue, Seattle, WA 98122, phone 206-934-4111, email kurt.buttleman@seattlecolleges.edu.

March 17, 2021
Kurt R. Buttleman
Vice Chancellor for Academic
and Student Success

WSR 21-07-084

PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed March 18, 2021, 9:17 a.m.]

Subject of Possible Rule Making: Adjusting the hours unemployment claimants must be available for work in order to be eligible for unemployment benefits and updating factors used to determine suitable work.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department (ESD). RCW 50.12.042 provides specific rule-making authority regarding the requirement that unemployment claimants be able to work, available for work, and actively seek work. RCW 50.20.100 provides rule-making authority to determine what factors are used to determine suitable work.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under current rules, unemployment claimants must be available for work during all the usual hours and days of the week customary for their occupation. This requirement can be unobtainable for some claimants who work in 24/7 professions, especially those claimants who have family caregiving responsibilities. Rule making is necessary to set a more obtainable standard. Additionally, rule making is necessary to include shifts of employment as a factor used to determine suitable work, consistent with Unemployment Insurance Program Letter No. 41-98.

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: The proposed rule will be shared with stakeholders as identified through the standard rule-making process. ESD will solicit input and consider all comments in the development of the final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Josh Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay 711, email rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/benefits>.

March 18, 2021
Daniel Zeitlin
Employment System
Policy Director

WSR 21-07-086
PREPROPOSAL STATEMENT OF INQUIRY
CLARK COLLEGE

[Filed March 18, 2021, 1:11 p.m.]

Subject of Possible Rule Making: Parking and traffic rules and regulations, chapter 132N-156 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 35.05 RCW; and RCW 28B.50.140(10).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 132N-156 WAC needs to be revised to reflect recent changes in Clark College's internal policies and procedures, organizational structure, and management of parking, traffic regulations, fees, and fines.

Process for Developing New Rule: Standard rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bob Williamson, Vice President of Administrative Services, 1933 Ft. Vancouver Way, Vancouver, WA 98663, phone 360-992-2123, fax 360-992-2884, TTY video phone 360-991-0901, email bwilliamson@clark.edu, website clark.edu.

March 18, 2021
Bob Williamson

WSR 21-07-091
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
CORRECTIONS OMBUDS

[Filed March 19, 2021, 11:13 a.m.]

Subject of Possible Rule Making: Office of the corrections ombuds (OCO) public records rules and procedures for processing public records requests under the Public Records Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: OCO is required per RCW 42.56.040 to publish rules related to public records procedures.

Process for Developing New Rule: OCO welcomes the public to take part in developing the rules. Anyone interested should contact Joanna Carns at the address identified below. At a later date, OCO will file a proposed rule making (CR-102) with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent 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 Joanna Carns, 2700 Evergreen Parkway N.W., Olympia, WA 98505, phone 360-764-3168, email Joanna.carns@gov.wa.gov, website oco.wa.gov.

March 19, 2021
Joanna Carns
Director

WSR 21-07-095
PREPROPOSAL STATEMENT OF INQUIRY
CLARK COLLEGE

[Filed March 19, 2021, 4:23 p.m.]

Subject of Possible Rule Making: Revise WAC 132N-122-010 to remove the word "Transcripts" in order to comply with HB [2SHB] 2513.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; and RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring Clark College in compliance with Washington state HB [2SHB] 2513.

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

Process for Developing New Rule: Modification to existing rule based on legislative act1 [action].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bob Williamson, 1933 Fort Vancouver Way, Vancouver, WA 98663, phone 360-992-2123, fax 360-992-2884, TTY 360-991-0901, email bwilliamson@clark.edu, website clark.edu.

March 19, 2021
Bob Williamson
Special Projects Administrator

WSR 21-07-102
PREPROPOSAL STATEMENT OF INQUIRY
LOWER COLUMBIA COLLEGE

[Filed March 22, 2021, 11:24 a.m.]

Subject of Possible Rule Making: Chapter 132M-113 WAC, Access to student records; and chapter 132M-160 WAC, Admission, registration, graduation, repeal and replace with college policy and procedures as they are duplicative of college polices, state board for community and technical college rules, and federal laws.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Family Education Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g); 34 C.F.R. 99 Family Education Rights and Privacy [Act]; WAC 131-12-010, state board for community and technical colleges; chapter 28B.15 RCW, College and university fees; RCW 28B.15.605 Refunds or cancellation of fees; RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules need to be repealed because they are duplicative of college polices, state board for community and technical college rules, and federal laws.

Process for Developing New Rule: Normal rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sue Orchard, 1600 Maple Street, Longview, WA 98632, phone 360-442-2301, fax 360-442-2129, email sorchard@lowercolumbia.edu, website <https://lowercolumbia.edu/disclosure/rulemaking.php>; or Kendra Sprague, 1600 Maple Street, P.O. Box 3010, Longview, WA 98632, phone 360-442-2121, fax 360-442-2129, TTY 800-833-6388, email ksprague@lowercolumbia.edu, website <https://lowercolumbia.edu/disclosure/rulemaking.php>.

March 18, 2021
Kendra Sprague
Vice President of Foundation
HR and Legal Affairs

**WSR 21-07-111
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed March 23, 2021, 8:26 a.m.]

Subject of Possible Rule Making: WAC 392-550-040 Truancy, in alternative learning experience (ALE).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.232.010 and 28A.232.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Office of superintendent of public instruction (OSPI) is initiating permanent rule making to reflect emergency adjustments made to WAC 392-550-040 concerning the ALE truancy process. Emergency rules were implemented for the 2020-21 school year due to the ongoing COVID-19 pandemic, and the requirement of many school districts to shift their instructional models, either completely or partially, in order to ensure the safety of their students, staff, and communities.

Process for Developing New Rule: Early solicitation of feedback and recommendations regarding new or amended rules, and consideration of the comments and recommendations in the course of drafting rules. OSPI will follow the process for establishing a definition of student absence from school as prescribed in RCW 28A.300.046 (1)(a).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anissa Sharratt, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-4954, TTY 360-664-3631, email anissa.sharratt@k12.wa.us, website k12.wa.us.

March 23, 2021
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 21-07-113
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed March 23, 2021, 8:35 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance; and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 2022 Classification and reporting rule making: Classification development's goal is to implement clear rule writing to ensure staff and customers can easily understand and apply the workers' compensation insurance classification and reporting rules. Classification development studied some subclassifications for potential reduction in numbers; and reviewed classification and reporting rules for improvement and clarification.

The purpose of this rule making is not to make substantive changes to how employers are classified and amendments will not impact employer rates.

As part of this rule making, the department of labor and industries (L&I) also intends to review these chapters for need, clarity, and consistency to make changes where possible to reduce the regulatory burden on employers insured with the State Fund.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local or federal agency regulates this subject.

Process for Developing New Rule: L&I will solicit input from the business community by way of the internet. L&I will use input to formulate proposed changes to the existing rules and advise customers of future rule making by the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jo Anne Attwood, P.O. Box 44148, Olympia, WA 98504-4148, phone 360-902-4777, fax 360-902-4988, email JoAnne.Attwood@Lni.wa.gov, website www.Lni.wa.gov/rulemaking-activity.

March 23, 2021
Joel Sacks
Director

WSR 21-07-114

PREPROPOSAL STATEMENT OF INQUIRY
TRANSPORTATION COMMISSION

[Filed March 23, 2021, 10:14 a.m.]

Subject of Possible Rule Making: State Route (SR) 520 bridge toll rates, fees, and policies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.030, 47.56.795, 47.56.850, and 47.56.870.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Per RCW 47.56.870, the Washington state transportation commission (WSTC) as the state tolling authority must consider toll rates that will help maintain travel time, speed, and reliability on the SR 520 corridor, and must set and adjust toll rates and policies to generate revenue sufficient and necessary to cover costs and obligations described in RCW 47.56.830 and 47.56.850. Toll rates must also be set to meet requirements contained in the SR 520 master bond resolution. Per RCW 47.56.795, the WSTC is also authorized to assess system-wide administrative fees as appropriate for toll collection processes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Other agencies that regulate this subject are the Washington state department of transportation as the operator of the tolled facilities, and the office of the state treasurer who oversees the financing of tolled facilities. The WSTC works closely, and coordinates with both agencies in developing toll setting proposals and carrying out the rule-making process for making toll adjustments.

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 Transportation Commission, P.O. Box 47308, Olympia, WA 98504-7308, phone 360-705-7070, fax 360-705-6802, email transc@wst.wa.gov, website <http://www.wstc.wa.gov>.

March 22, 2021
Reema Griffith
Executive Director

WSR 21-07-115
PREPROPOSAL STATEMENT OF INQUIRY
TRANSPORTATION COMMISSION
[Filed March 23, 2021, 10:16 a.m.]

Subject of Possible Rule Making: State Route (SR) 99 tunnel toll rates, fees, and policies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.030, 47.56.795, 47.56.850, and 47.56.862.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Per RCW 47.56.862, the Washington state transportation commission (WSTC), as the state tolling authority shall set a variable schedule of toll rates to maintain travel time, speed, and reliability on this facility and to generate the necessary revenue sufficient to meet the redemption of bonds, to meet the obligations of the tolling authority under RCW 47.56.850, and interest payments on bonds and for those costs that are eligible under RCW 47.56.820. Therefore, in order to meet these requirements in state law, WSTC will review and, as necessary, adjust SR 99 tunnel toll rates, fees and policies. Per RCW 47.56.795, WSTC is also authorized to assess system-wide administrative fees as appropriate for toll collection processes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Other agencies that regulate this subject are the Washington state department of transportation as the operator of the tolled facilities, and the office of the state treasurer who oversees the financing of tolled facilities. WSTC works closely, and coordinates with both agencies in developing toll setting proposals and carrying out the rule-making process for making toll adjustments.

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 Transportation Commission, P.O. Box 47308, Olympia, WA 98504-7308, phone 360-705-7070, fax 360-705-6802, email transc@wstc.wa.gov, website <http://www.wstc.wa.gov/> [<http://www.wstc.wa.gov/>].

March 22, 2021
Reema Griffith
Executive Director

WSR 21-07-116
PREPROPOSAL STATEMENT OF INQUIRY
TRANSPORTATION COMMISSION
[Filed March 23, 2021, 10:16 a.m.]

Subject of Possible Rule Making: State Route (SR) 16 Tacoma Narrows Bridge toll rates, fees, and policies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.46.100, 47.46.105, 47.56.030, 47.56.240, and 47.56.795.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Per RCW 47.46.100(3), the Washington state transportation commission (WSTC) shall set toll rates to be sufficient to meet maintenance and operations costs, insurance costs, make repayments to the motor vehicle fund, and make principal and interest payments on the debt. In order to meet the requirements in state law, WSTC will review and possibly adjust Tacoma Narrows Bridge toll rates, fees and policies. Per RCW 47.56.795, WSTC is also authorized to assess system-wide administrative fees as appropriate for toll collection processes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Other agencies that regulate this subject are the Washington state department of transportation as the operator of the tolled facilities, and the office of the state treasurer who oversees the financing of tolled facilities. WSTC works closely, and coordinates with both agencies in developing toll setting proposals and carrying out the rule-making process for making toll adjustments.

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 Transportation Commission, P.O. Box 47308 Olympia, WA 98504-7308, phone 360-705-7070, fax 360-705-6802, email transc@wstc.wa.gov, website <http://www.wstc.wa.gov>.

March 22, 2021
Reema Griffith
Executive Director

**WSR 21-07-124
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed March 23, 2021, 2:21 p.m.]

The economic services administration requests the withdrawal Pre-proposal statement of inquiry notice filed as WSR 20-22-077 on November 3, 2020 (WAC 388-412-0025), regarding electronic benefit transfer account benefits.

Katherine I. Vasquez
Rules Coordinator

WSR 21-07-125
PREPROPOSAL STATEMENT OF INQUIRY
TRANSPORTATION COMMISSION

[Filed March 23, 2021, 2:22 p.m.]

Subject of Possible Rule Making: WAC 468-300-010, 468-300-020, and 468-300-040.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.030, 47.60.315.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As required by law, the transportation commission is reviewing the need to adjust ferry fares for 2021-2023.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The other agency that regulates this subject is the Washington state department of transportation (WSDOT) as the operator of the ferry system. The Washington state transportation commission works closely, and coordinates with WSDOT in developing fare setting proposals, and for carrying out the rule-making process for making ferry fare adjustments.

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 Mr. Ray Deardorf, Senior Planning Manager, WSDOT Ferries Division, 2901 Third Avenue, Suite 500, Seattle, WA 98121-3014, phone 206-515-3491, fax 206-515-3499, email deardorf@wsdot.wa.gov; or Carl See, Transportation Commission, P.O. Box 47308, Olympia, WA 98504, phone 360-705-7070, email transc@wstc.wa.gov, website <http://www.wstc.wa.gov>.

March 23, 2021
Reema Griffith
Executive Director

WSR 21-07-128
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed March 23, 2021, 3:01 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-412-0025 How do I receive my benefits?, and 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, and 7 C.F.R. 274.2.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments will align with federal rule and update policy regarding access to benefits for single-person households incarcerated over thirty days.

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 Service (FNS) enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) 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.

The state legislature authorizes the department to administer SNAP and food assistance programs for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

Department of social and health services (DSHS) incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

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 Angela Aikins, Lead Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4784, fax 360-725-4904, email angela.aikins@dshs.wa.gov.

March 23, 2021
Katherine I. Vasquez
Rules Coordinator

WSR 21-07-129

PREPROPOSAL STATEMENT OF INQUIRY

BUILDING CODE COUNCIL

[Filed March 23, 2021, 3:05 p.m.]

Subject of Possible Rule Making: Chapter 51-11C WAC, adoption and amendment of the 2021 Washington State Energy Code, Commercial.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27A.025, 19.27A.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27A.025, to evaluate revisions made to the codes by the national model code committees, and to consider proposals for statewide code amendments. Additionally, RCW 19.27A.160 directs the council to adopt energy codes that incrementally move towards achieving a seventy percent net energy consumption compared to the 2006 Washington State Energy Code. The estimated effective date of the 2021 codes is July 1, 2023.

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: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Krista Braaksma, P.O. Box 41449, phone 360-407-9278, fax 360-586-9088, email krista.braaksma@des.wa.gov, website www.sbcc.wa.gov.

March 22, 2021
Diane Glenn
Council Chair

WSR 21-07-134
PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed March 23, 2021, 4:40 p.m.]

Subject of Possible Rule Making: Chapter 51-50 WAC, adoption and amendment of the 2021 International Building Code.

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: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to evaluate revisions made to the codes by the national model code organizations, and to consider proposals for state-wide code amendments. The estimated effective date of the 2021 codes is July 1, 2023.

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: Stakeholder and subject expert technical advisory group review.

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

March 22, 2021
Diane Glenn
Chair

WSR 21-07-137

PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL

[Filed March 24, 2021, 7:49 a.m.]

Subject of Possible Rule Making: Chapter 51-54A WAC, amendment of the 2021 International Fire Code.

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: The state building code council regularly reviews the Washington state building code, as outlined in chapter 51-04 WAC and RCW 19.27.074, to evaluate revisions made to the codes by the national model code organizations, and to consider proposals for state-wide code amendments. The estimated effective date of the 2021 codes is July 1, 2023.

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: Stakeholder and subject expert technical advisory group review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ray Shipman, Code Specialist, P.O. Box 41449, Olympia, WA 98504-1449, phone 360-407-8047, email Ray.Shipman@des.wa.gov, website www.sbcc.wa.gov.

March 22, 2021
Diane Glenn
Chair

WSR 21-07-139
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed March 24, 2021, 8:16 a.m.]

Subject of Possible Rule Making: Deferred compensation program (DCP) and Plan 3 distribution options, revising and clarifying distribution options for DCP and Plan 3 customers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To ensure department of retirement systems customers understand their distribution options from their defined contribution (Plan 3) or DCP accounts, with the addition of new options permitted by the federal SECURE and CARES Acts, and the removal of direct purchases of commercial annuities.

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 Jilene Siegel, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7291, TTY 711, email Rules@drs.wa.gov, website www.drs.wa.gov/rules/.

March 24, 2021
Jilene Siegel
Rules Coordinator

WSR 21-07-145

PREPROPOSAL STATEMENT OF INQUIRY

CHARTER SCHOOL COMMISSION

[Filed March 24, 2021, 9:34 a.m.]

Subject of Possible Rule Making: General administrative and procedural rule changes in chapters 108-30 and 108-40 WAC.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission proposes to update procedural and administrative rule changes in order to clarify existing language and timelines and provide more detailed information about standards set out by the commission in adopted policies.

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

Process for Developing New Rule: Agency study; and the commission will solicit comments on these rules from SBE, OSPI, charter schools, and other interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amanda Martinez, 1068 Washington Street S.E., phone 360-725-5511, email charterschoolinfo@k12.wa.us, website www.charterschool.wa.gov.

March 24, 2021
Amanda Martinez
Executive Assistant
Rules Coordinator

WSR 21-07-146
PREPROPOSAL STATEMENT OF INQUIRY
CHARTER SCHOOL COMMISSION

[Filed March 24, 2021, 9:39 a.m.]

Subject of Possible Rule Making: Charter public school age exception to uniform kindergarten entry requirement.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission proposes to adopt rules regarding the standards and expectations set for a charter public school in Washington state wanting to implement transitional kindergarten and/or early entrance to kindergarten.

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

Process for Developing New Rule: Agency study; and the commission will solicit comments on these rules from SBE, OSPI, charter schools, and other interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amanda Martinez, 1068 Washington Street S.E., phone 360-725-5511, email charterschoolinfo@k12.wa.us, website www.charterschool.wa.gov.

March 24, 2021
Amanda Martinez
Executive Assistant
Rules Coordinator

WSR 21-07-147
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 24, 2021, 10:41 a.m.]

Subject of Possible Rule Making: Title 181 WAC, professional educator standards board rules for certificate renewal and in-service educator professional learning.

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: These rules would reflect state policy on certificate renewal and in-service educator professional learning, and would add coherence to certificate renewal across roles.

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-867-8424, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 23, 2021
Maren Johnson
Rules Coordinator

WSR 21-07-148
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 24, 2021, 10:42 a.m.]

Subject of Possible Rule Making: Title 181 WAC, assessment and educator preparation policy.

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: Professional educator standards board sets rules on assessment and educator preparation policy. Rule amendments would lead to greater coherence with other areas of state policy.

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-867-8424, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 23, 2021
Maren Johnson
Rules Coordinator

WSR 21-07-149
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 24, 2021, 10:43 a.m.]

Subject of Possible Rule Making: Title 181 WAC, educator preparation program standards and review.

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: Professional educator standards board sets rules for educator preparation program standards and review. Amending these rules would lead to greater coherence with other areas of state policy.

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-867-8424, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

March 23, 2021
Maren Johnson
Rules Coordinator

WSR 21-07-151
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed March 24, 2021, 11:30 a.m.]

Subject of Possible Rule Making: The state board of education adopted rules on chapter 180-16 WAC that required the state board of education to revisit rules on instructional hours by its regularly scheduled July 2021 board meeting and this rule making initiates the rule-making process for that review. The state board of education is proposing amendments to chapter 180-16 WAC to make changes as necessary to align rule to current policy or practice, correct references to law, implement recently passed legislation, improve readability of the rule, and make other changes identified during the review of the WAC chapter. The state board of education is responding to emergent COVID-19 issues in the education system with this rule making on instructional hours, the school day, and basic education compliance reporting. The state board of education is also considering rule making to allow districts continuity of operations of delivery of basic education in emergency situations that threaten public health and welfare or limit the ability to hold in-person instruction so that they may continue to deliver instructional hours through modalities other than in-person education during disruptions that limit the ability to hold in-person instruction.

The state board of education is proposing amendments to chapter 180-90 WAC to allow for schools on an individual basis to offer instruction online as needed to address health and safety concerns of students and staff, make changes as necessary to align rule to current policy or practice, correct references to law, implement recently passed legislation, improve readability of the rule, and make other changes identified during the review of the WAC chapter.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.220(7), 28A.195.010, and 28A.195.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 28A.150.220(7) states that the state board of education shall adopt rules to implement and ensure compliance with program requirements of basic education. To ensure that basic education can be delivered during emergency situations that threaten public health and welfare or disrupt, the state board of education is engaging in rule making so districts can count modalities of delivering instruction other than in-person delivery during disruptions. RCW 28A.195.040 states that the state board of education has the authority to make rules and regulations that establish the terms and conditions for allowing private schools to maintain their approval status when private schools are unable to fulfill the requirement of a full school year of one hundred eighty days or the annual average total instructional hour offering imposed by RCW 28A.195.010 due to a significant disruption resulting from an emergency. The COVID-19 pandemic has caused significant disruption.

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: [No information supplied].

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 parker.teed@k12.wa.us,
website www.sbe.wa.gov.

March 24, 2021
Randy Spaulding
Executive Director