

**WSR 08-04-016**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**GROWTH MANAGEMENT**  
**HEARINGS BOARDS**

[Filed January 25, 2008, 10:11 a.m.]

Subject of Possible Rule Making: Adoption of rule pertaining to special meetings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 36.70A.270(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 36.70A.270(9) provides for an annual meeting of the three hearings boards. WAC 242-02-076 provides that this annual meeting shall occur in October and additionally provides for a semi-annual meeting in April. The boards have determined that matters may arise which require a joint meeting of the boards in addition to meetings currently addressed in the RCW and WAC. The adoption of a special meetings rule would address this need.

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 the Boards' Rules Coordinator, Julie Ainsworth-Taylor, 800 Fifth Avenue, Suite 2356, Seattle, WA 98104, phone (206) 389-2625, e-mail Juliet@cps.gmhb.wa.gov. Meeting of the joint boards in April of 2008 (date/time to be posted on boards' web site www.gmhb.wa.gov).

January 25, 2008  
 James J. McNamara  
 Chair, Rules Committee

**WSR 08-04-026**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SOUTHWEST CLEAN**  
**AIR AGENCY**

[Filed January 29, 2008, 8:45 a.m.]

Subject of Possible Rule Making: SWCAA 400 General Regulations for Air Pollution Sources - all sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141 and 70.94.152.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule changes are intended to correct minor typographical errors, update program definitions, amend statutory emission standards, incorporate revisions made in associated state regulations, update adoption by reference of federal regulations, and revise public notice requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA 400 is substantially similar to chapter 173-400 WAC as administered by the department of ecology. The proposed rule changes also incorporate by reference updated federal regulations promulgated by the Environmental Protection Agency (EPA). Recent changes in the state rule and the associated federal regulations will be incorporated into SWCAA 400. None of the proposed rule changes conflict or

differ substantially from the associated state and federal regulations.

Process for Developing New Rule: The proposed rule revisions are being developed through internal agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wess Safford, 11815 N.E. 99th Street, Suite 1294, Vancouver, WA 98682-2454, phone (360) 574-3058, ext. 26, e-mail wess@swcleanair.org.

January 23, 2008  
 Robert D. Elliott  
 Executive Director

**WSR 08-04-030**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF ACCOUNTANCY**

[Filed January 30, 2008, 7:14 a.m.]

Subject of Possible Rule Making: WAC 4-25-530 Fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.105(3), 18.04.065.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The CPA examination providers, the American Institute of Certified Public Accountants (AICPA) and the National Association of State Boards of Accountancy (NASBA) have notified the board of a forthcoming increase of all CPA exam fees. As a result of these fee increases the board's contract provider (for application intake and education processing) will also experience cost increases. The board must therefore increase the fees it charges for the administration of the CPA examination to adequately pay all costs.

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 Richard C. Sweeney, CPA, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 586-0163, fax (360) 664-9190, e-mail webmaster@cpaboard.wa.gov.

January 30, 2008  
 Richard C. Sweeney  
 Executive Director

**WSR 08-04-066**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CRIMINAL JUSTICE**  
**TRAINING COMMISSION**

[Filed February 1, 2008, 11:29 a.m.]

Subject of Possible Rule Making: Eligibility and standards required to attend the Basic Law Enforcement Equivalency Academy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080 and 43.101.085.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule establishing the standards for entry into the Basic Law Enforcement Equivalency Academy need to be updated based upon language that is no longer applicable because of changes to RCW addressing the requirement for peace officer certification. Language is added that defines the requirements a person must meet to attend the equivalency academy and differentiates between an officer who attends for educational purposes versus an officer who must attend to gain peace officer certification as a condition of continued employment. The rule change will also set limitations to the break in law enforcement service that an officer may have and still be eligible for peace officer certification by completing the equivalency academy. The criminal justice training commission (CJTC) does not set standards for EVOC operation, the state patrol does. Therefore, language that requires EVOC training for equivalency applicants has been removed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Only the CJTC regulates this rule.

Process for Developing New Rule: This rule will be placed before the commission for discussion. It was discussed at the annual sheriffs and chiefs meeting in May 2007, and will be before the commission in March 2008.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Doug Blair, CJTC Deputy Director of Operations, 19010 1st Avenue South, Burien, WA 98148, (206) 835-7354, dblair@cjtc.state.wa.us; or Lt. Debbie Mealy, BLEA Commander, 19010 1st Avenue South, Burien, WA 98148, (206) 835-7331, dmealy@cjtc.state.wa.us.

February 1, 2008

Cheryl A. Price

Accreditation and

Performance Analysis Manager

### WSR 08-04-070

#### PREPROPOSAL STATEMENT OF INQUIRY

#### DEPARTMENT OF

#### FINANCIAL INSTITUTIONS

[Filed February 4, 2008, 10:27 a.m.]

Subject of Possible Rule Making: Regulating check cashers, check sellers, and small loan lenders licensed under chapter 31.45 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 31.45.030, 31.45.050, 31.45.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing rules on annual reporting must be amended to implement chapter 31.45 RCW.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Treasury Department of the United States. Department staff is determining check casher and seller reporting

duties under federal law to ensure there are no conflicts between federal responsibilities and the contemplated rules.

Process for Developing New Rule: Negotiated rule making. Through negotiated rule making, the department will seek input from stakeholders concerning these proposed rules. The division may also discuss any proposed rules with other interested parties or regulatory agencies.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Elizabeth Stancil, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, (360) 902-8786, estancil@dfi.wa.gov.

February 4, 2008

Deborah Bortner, Director

Division of Consumer Services

### WSR 08-04-075

#### PREPROPOSAL STATEMENT OF INQUIRY

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed February 4, 2008, 3:11 p.m.]

Subject of Possible Rule Making: The division of employment and assistance programs is proposing to amend WAC 388-418-0020 How does the department determine the date a change affects my benefits?, to comply with the governor's plain talk initiative. The department is also proposing to clarify the effective date when a change causes an increase in benefits and clarify when a change causes a specific effective date.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule change is needed to clarify the effective date of changes under subsection (5) shall never be in the month that the change is reported, to explain when to implement changes under subsection (11)(b) and to comply with the governor's plain talk initiative.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bill Callahan, Program Manager, Division of Employment and Assistance Programs, P.O. Box

45470, Olympia, WA 98504-5470, phone (360) 725-4619,  
fax (360) 493-3493, e-mail callalw@dshs.wa.gov.

February 4, 2008  
Stephanie E. Schiller  
Rules Coordinator

**WSR 08-04-076**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed February 4, 2008, 3:11 p.m.]

Subject of Possible Rule Making: The department is amending chapter 388-106 WAC, Long-term care services.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The medicare/medicaid integration project (MMIP) that has been available to dual eligible clients living in King or Pierce County will be phased out during 2008. This rule making amends and repeals sections in chapter 388-106 WAC to remove references to MMIP.

Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing these rules. Draft material and information about how to participate may be obtained from the department representative listed below. At a later date, DSHS will file the proposed rules with the office of code reviser with a notice of proposed rule making and send the proposal to everyone currently on the mailing list and anyone else 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 Tiffany Sevruck, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2538, fax (360) 438-8633, TTY (360) 493-2637, e-mail sevruta@dshs.wa.gov.

February 4, 2008  
Stephanie E. Schiller  
Rules Coordinator

**WSR 08-04-077**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed February 4, 2008, 3:12 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-561-0200 Annuities and adopting new WAC 388-561-0201 Annuities purchased on or after October 1, 2008, and other rules as appropriate. (This is the proposed

effective date of the new WAC. The title of the WAC may change if the adoption date is different.)

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, 74.09.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are necessary to meet the requirements of section 6012 of the Deficit Reduction Act (DRA) of 2005. Section 6012 added new requirements to Title XIX of the Social Security Act pertaining to the treatment of annuities. WAC 388-561-0200 is being amended to include the new requirements of the DRA, clarify language, and update WAC references.

The department is creating WAC 388-561-0201 for new rules regarding annuities purchased on or after the effective date of the WAC.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information on 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 Lori Rolley, Home and Community Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2271, fax (360) 407-7582, e-mail rollej@dshs.wa.gov.

February 4, 2008  
Stephanie E. Schiller  
Rules Coordinator

**WSR 08-04-083**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed February 5, 2008, 11:07 a.m.]

Subject of Possible Rule Making: WAC 296-127-018 Coverage and exemptions of workers involved in the production and delivery of gravel, concrete, asphalt, or similar materials.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 39.12 RCW and RCW 43.22.270.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the last decade the prevailing wage program has seen a number of court decisions identify the extent to which prevailing wages are required to be paid for the work of incorporation and delivery of material on public projects. In particular, the recent Silverstreak case (2007), after nine years of court action, clarified the delivery and incorporation of fill material via belly dump and end-dump trucks. In addition, a series of other published cases (Heller, Superior Asphalt 1 & 2) provided coverage for the oiling of machinery and the delivery and incorporation of asphalt respectively. In July 1999, one department policy pertaining to the delivery of wet concrete exempts certain types of delivery and incorporation from prevailing wage coverage. As a result, the coverage of this type of work is

treated differently from other delivery and incorporation work. This policy was developed in response to an unpublished court case (Holyrod 1999) as was put in place prior to the rulings of the court on Silverstreak, and Superior Asphalt.

It is the department's intention, through the rule process, to clarify the coverage of delivery services and make the coverage of work and payment of wages consistent with the direction from the courts, thereby ensuring that the intent of the statute [statute] of providing prevailed wages for workers is maintained and that business do not encounter unanticipated costs due to a lack of understanding on coverage requirements.

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

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail [yous235@lni.wa.gov](mailto:yous235@lni.wa.gov).

February 5, 2008

Judy Schurke  
Director

#### WSR 08-04-087

### PREPROPOSAL STATEMENT OF INQUIRY UTILITIES AND TRANSPORTATION COMMISSION

[Docket UE-080111—Filed February 5, 2008, 12:03 p.m.]

Subject of Possible Rule Making: The subject of this inquiry is to develop proposed rules to implement the requirements of RCW 80.80.060 regarding electrical company compliance with the greenhouse gases emissions performance standard contained in RCW 80.80.040. The commission is required in RCW 80.80.060 (5), (7) to adopt rules addressing commission review of electrical company applications requesting commission determinations regarding whether long-term financial commitments for baseload generation comply with the greenhouse gases emissions performance standard.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.80.060 (5), (8) and (9).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On May 3, 2007, the governor signed ESSB 6001, chapter 307, Laws of 2007, with the title Climate change—Mitigating impacts. The law became effective July 22, 2007, and is codified at chapter 80.80 RCW. RCW 80.80.060 requires the Washington utilities and transportation commission to adopt rules:

(a) To provide that the schedule for a proceeding under this subsection [5] takes into account both (a) the needs of the parties to the proposed resource acquisition or power purchase agreement for timely decisions that allow transactions to be completed; and (b) the procedural rights to be provided to parties in chapter 34.05 RCW (part IV), including intervention, discovery, briefing, and hearing (RCW 80.80.060 (5)), and

(b) For the enforcement of this section [060] with respect to electrical companies and adopt procedural rules for approving costs incurred by an electrical company under subsection (4) of this section (RCW 80.80.060(8)).

RCW 80.80.060(9) requires that the commission adopt its rules by December 31, 2008.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of ecology and the energy facility site evaluation council are required to adopt rules to implement and enforce the greenhouse gases performance standard by June 30, 2008. *RCW 80.80.040(10)*. The commission has participated in these rule-making processes.

Process for Developing New Rule: Agency study; and the commission will ask for initial written comments, and may provide the opportunity for participation in workshop-style sessions as well as opportunities for additional comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, by 5:00 p.m., Monday, March 31, 2008.

**WRITTEN COMMENTS:** Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than **March 31, 2008**.

Electronic copies. The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by e-mail to the commission's records center at [records@wutc.wa.gov](mailto:records@wutc.wa.gov). Please include:

- The docket number of this proceeding (UE-080111).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at [www.utc.wa.gov/080111](http://www.utc.wa.gov/080111). If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule mak-

ing, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the Commission's Records Center at (360) 664-1234, (2) e-mail the commission at <records@utc.wa.gov>, or (3) mail written comments to the address above to the attention of Carole J. Washburn, Secretary. When contacting the commission, please refer to Docket UE-080111 to ensure that you are placed on the appropriate service list. Questions may be addressed to Dick Byers, (360) 664-1209, or e-mail at dbyers@utc.wa.gov.

#### NOTICE

**TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING**—The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the Records Center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket UE-080111, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket UE-080111, and the words "Please keep me on the mailing list" to <records@utc.wa.gov>. Please note that all information in the mailings will be accessible through the commission's Internet web site at <http://www.utc.wa.gov/080111>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

February 5, 2008  
Carole J. Washburn  
Executive Secretary

#### WSR 08-04-092

#### PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 5, 2008, 1:49 p.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

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 pub-

lication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, [nasue.nishida@k12.wa.us](mailto:nasue.nishida@k12.wa.us) or [pesb@k12.wa.us](mailto:pesb@k12.wa.us). Rule changes are conducted at regular board meetings of the professional educator standards board (PESB). Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 4, 2008

Nasue Nishida

Policy and Research Analyst

#### WSR 08-04-106

#### PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2008-05—Filed February 6, 2008, 9:18 a.m.]

Subject of Possible Rule Making: Requirements for electronic holding company filings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.31B.040, and 48.31C.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Domestic insurers and carriers are required to file their financial statements and other reports electronically to the office of insurance commissioner (OIC) as required by WAC 284-07-050 and 284-07-070. These financial statements and other reports are available to the public through the OIC web site. Currently, domestic insurers and carriers and some foreign insurers and carriers are required to file various holding company filings and reports under chapters 48.31B and 48.31C RCW with the OIC in paper format. Paper documents require additional handling and are more difficult to make publicly assessable [accessible]. Electronic filings would replace the paper filings received by the OIC and promote information transparency to agency records by making the information available to the public from the OIC web site.

The commissioner will consider extending the electronic filings requirements to holding company filings and reports by developing the means and procedures for insurers and carriers to file these documents.

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; and by submitting written comments by March 26, 2008, to Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, e-mail [Kacys@oic.wa.gov](mailto:Kacys@oic.wa.gov), fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40258, Olympia,

WA 98504-0258, e-mail [Kacys@oic.wa.gov](mailto:Kacys@oic.wa.gov), fax (360) 586-3109.

February 6, 2008  
Mike Kreidler  
Insurance Commissioner

<http://www.aasa.dshs.wa.gov/professional/afh.htm> through e-mail, fax or direct contact with the program manager and/or through contacts with members of the statutorily established adult family home advisory committee.

February 6, 2008  
Stephanie E. Schiller  
Rules Coordinator

**WSR 08-04-109**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed February 6, 2008, 9:53 a.m.]

Subject of Possible Rule Making: The department is amending WAC 388-76-10000 Definitions, 388-76-10230 Pets, 388-76-10235 Guardianship, 388-76-10330 Resident assessment, 388-76-10355 Negotiated care plan, 388-76-10650 Medical devices, 388-76-10725 Electronic monitoring equipment—Resident requested use, 388-76-10775 Temperature and ventilation, 388-76-10840 Emergency food supply, 388-76-10845 Emergency drinking water supply, 388-76-10870 Resident evacuation capability levels—Identification required, and 388-76-10995 Notice, hearing rights, and effective dates relating to imposition of remedies; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify requirements and make grammatical and technical corrections.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of administrative hearings provides administrative hearings for providers contesting decisions by the department to impose a remedy; Certified Professional Guardian Board - Supreme Court is responsible for training/continuing education, certifying and disciplining certified professional guardians. These groups will be asked to comment on drafts of proposed rule changes that might affect relevant subjects.

Process for Developing New Rule: Negotiated rule making; and 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. The department intends to follow the negotiated rule-making process as required by statute once the exclusive representative of adult family home licensees is certified.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Roger A. Woodside, Program Manager, DSHS, Residential Care Services, Aging and Disability Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3204, fax (360) 438-7903, TTY (877) 905-0454, e-mail [woodsra@dshs.wa.gov](mailto:woodsra@dshs.wa.gov). Interested parties and stakeholders can participate by accessing and commenting on the draft proposed rule language at