

WSR 09-16-004
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2009-10—Filed July 22, 2009, 2:06 p.m.]

Subject of Possible Rule Making: The Washington Health Care Discount Plan Organization Act (section 18, chapter 175, Laws of 2009) require the licensing of discount plan organizations through the office of insurance commissioner. Standards will be developed to implement the licensing, reporting, and record-keeping requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, section 18, chapter 175, Laws of 2009.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: New rules will be developed to implement chapter 175, Laws of 2009 (SSB 5480). This legislation created the Washington Health Care Discount Plan Organization Act with an effective date of July 26, 2009. The legislation gives the insurance commissioner the authority to adopt rules to establish the application process to obtain a discount plan organization license and to establish reporting and record-keeping requirements.

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

Process for Developing New Rule: Send written comments by September 1, 2009, to Donna Dorris, P.O. Box 40258, Olympia, WA 98504-0258, Donnad@oic.wa.gov.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Donna Dorris, P.O. Box 40258, Olympia, WA 98504-0258, e-mail Donnad@oic.wa.gov, phone (360) 725-7040, fax (360) 586-3109.

July 22, 2009
 Mike Kreidler
 Insurance Commissioner

WSR 09-16-011
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed July 23, 2009, 9:41 a.m.]

Subject of Possible Rule Making: Unemployment insurance tax rate for employers delinquent on taxes or reports, WAC 192-320-035.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.29.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: HB 1338 (chapter 83, Laws of 2009) provides for the commissioner to define by rule when late unemployment insurance reports, taxes, penalties, or interest may be disregarded for purposes of the tax rate. The commissioner has issued an emergency rule amending WAC 192-320-035 to implement this. This rule-making process will consider whether to adopt the rule on a permanent basis.

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 agency will consult with stakeholders in the development of this rule. Individuals interested in participating in this rule-making process should contact the department at the address listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insurance Division, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, e-mail jmyers@esd.wa.gov, fax (360) 902-9799.

July 21, 2009
 Paul Trause
 Deputy Commissioner
 for Karen T. Lee
 Commissioner

WSR 09-16-025
PREPROPOSAL STATEMENT OF INQUIRY
COMMUNITY COLLEGES
OF SPOKANE

[Filed July 27, 2009, 8:49 a.m.]

Subject of Possible Rule Making: Repeal of WAC 132Q-07-030 Outside speakers and 132Q-07-040 Distribution of materials.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On June 16, 2009, the board of trustees of Washington State Community College District 17 (Community Colleges of Spokane (CCS)) directed administration to repeal WAC 132Q-07-030 Outside speakers and 132Q-07-040 Distribution of materials, because a preliminary injunction prohibiting their enforcement was issued on April 29, 2009, by Judge Edward F. Shea in the *Sheeran vs. Shea First Amendment Rights* suit filed in United States District Court, Eastern District of Washington.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The CCS board of trustees took this action in its open public meeting on June 16, 2009. Questions may be directed to Anne Tucker, Public Information Officer, Community Colleges of Spokane, P.O. Box 6000, Mailstop 1009, Spokane, WA 99217-6000, phone (509) 434-5109, e-mail atucker@ccs.spokane.edu.

July 21, 2009
 Anne Tucker
 District Public
 Information Officer

WSR 09-16-026
PREPROPOSAL STATEMENT OF INQUIRY
COMMUNITY COLLEGES
OF SPOKANE

[Filed July 27, 2009, 8:49 a.m.]

Subject of Possible Rule Making: Amendment to WAC 132Q-03-242 Discrimination.

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: On June 16, 2009, the board of trustees of Washington Community College District 17 (Community Colleges of Spokane (CCS)) directed administration to amend WAC 132Q-30-242 Discrimination, based on the recommendation made by the Washington state attorney general's office in light of litigation regarding first amendment rights.

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

Process for Developing New Rule: Specific language will be deleted as directed by the Washington state attorney general's office to ensure compliance with recent federal court rulings regarding constitutionality.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The CCS board of trustees took this action in its open public meeting on June 16, 2009. Questions or comments may be directed to Anne Tucker, Public Information Officer, Community Colleges of Spokane, P.O. Box 6000, Mailstop 1009, Spokane, WA 99217-6000, phone (509) 434-5109, e-mail atucker@ccs.spokane.edu.

July 21, 2009
 Anne Tucker
 District Public
 Information Officer

WSR 09-16-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed July 27, 2009, 9:25 a.m.]

Subject of Possible Rule Making: Chapter 308-56A WAC, Certificates of title—Motor vehicles, etc., specifically WAC 308-56A-040 Name and address—Change of address.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required to allow address changes from approved sources other than the registered owner of the vehicle.

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 licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Dale R. Brown, Management Analyst, Vehicle Services, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail DBROWN@dol.wa.gov.

July 27, 2009
 Walt Fahrer
 Rules Coordinator

WSR 09-16-029
PREPROPOSAL STATEMENT OF INQUIRY
HIGHER EDUCATION
COORDINATING BOARD

[Filed July 27, 2009, 12:27 p.m.]

Subject of Possible Rule Making: Creation of rules for the college bound scholarship program (ESSB 5098).

Statutes Authorizing the Agency to Adopt Rules on this Subject: [No information supplied by agency.]

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to clarify the law before the first class enters college in 2012. Specifically, the rules will address issues such as student eligibility, the application process, awarding of the scholarship, residency requirements, length of time the student may use the scholarship, and deadlines.

Process for Developing New Rule: A committee will be convened from interested parties and stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Beth Ahlstrom, 917 Lakeridge Way S.W., P.O. Box 43430, Olympia, WA 98504-3430.

July 21, 2009
 Beth Ahlstrom
 Program Associate
 College Bound Scholarship

WSR 09-16-041
PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION

[Filed July 28, 2009, 9:59 a.m.]

Subject of Possible Rule Making: Title 390 WAC, amending WAC 390-05-400 as prescribed in RCW 42.17-690.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370, 42.17.645, and 42.17.690.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The public disclosure commission will consider amending WAC 390-05-400 to adjust

contribution limits for inflation [in] accordance with RCW 42.17.645 and 42.17.690.

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 commission is expected to discuss and possibly approve draft language on the above referenced rule topics at its meeting on September 24, 2009. A formal public hearing is expected in December 2009.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Assistant Director Doug Ellis, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, (360) 664-2735, toll free 1-877-601-2828, e-mail dellis@pdc.wa.gov.

July 28, 2009
Douglas J. Ellis
Assistant Director

WSR 09-16-042

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed July 28, 2009, 10:00 a.m.]

Subject of Possible Rule Making: New WAC 390-12-051 designed to provide guidance to the public disclosure commission (PDC) filers during an extended local or statewide emergency event impacting agency operations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The PDC will consider a new rule to develop emergency procedures in the event agency operations are significantly impacted by a pandemic flu or other extended emergency and address what may occur in the event a statewide or local emergency interferes with timely filing of PDC reports.

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 commission is expected to discuss and possibly approve draft language on the above referenced rule topics at its meeting on August 27, 2009, or September 24, 2009. A formal public hearing is expected in December 2009.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Assistant Director Doug Ellis, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, (360) 664-2735, toll free 1-877-601-2828, e-mail dellis@pdc.wa.gov.

July 28, 2009
Douglas J. Ellis
Assistant Director

WSR 09-16-043

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed July 28, 2009, 10:00 a.m.]

Subject of Possible Rule Making: Chapter 390-14 WAC, Access to public records and WAC 390-13-010 Optional format for requests for lists of individuals.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370(1), 42.56.100, and 42.56.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The public disclosure commission will consider (1) amendments to rules concerning access to public records and consider new model rules developed by the office of the attorney general and (2) repeal of WAC 390-13-010 since authority for the development of model rules is under the office of the attorney general pursuant to chapter 42.56 RCW.

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

Process for Developing New Rule: The commission is expected to discuss and possibly approve draft language on the above referenced rule topics at its meeting on October 22, 2009. A formal public hearing is expected in January 2010.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Assistant Director Doug Ellis, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, (360) 664-2735, toll free 1-877-601-2828, e-mail dellis@pdc.wa.gov.

July 28, 2009
Douglas J. Ellis
Assistant Director

WSR 09-16-044

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed July 28, 2009, 10:01 a.m.]

Subject of Possible Rule Making: Title 390 WAC, amending WAC 390-19-020 Electronic filing—Mandatory filing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The public disclosure commission (PDC) will consider amending WAC 390-19-020 to allow for electronic filing of PDC forms C-1 Registration statement for candidates and C-1pc Registration statement for political committees.

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 commission is expected to discuss and possibly approve draft language on the above referenced rule topics at its meeting on October 22, 2009. A formal public hearing is expected in January 2010.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Assistant Director Doug Ellis, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, (360) 664-2735, toll free 1-877-601-2828, e-mail dellis@pdc.wa.gov.

July 28, 2009
Douglas J. Ellis
Assistant Director

WSR 09-16-051

**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed July 28, 2009, 2:32 p.m.]

Subject of Possible Rule Making: Card game wager limits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from the Recreational Gaming Association (RGA), an industry group that represents card rooms in Washington state, requesting that the wager limits for the game of Texas Hold'em be set at \$250.

Currently, wager limits are set at \$40 for poker games, with the exception of a specific "all in wager" in the game of Texas Hold'em, which was increased to \$500, effective July 1, 2009. An all in wager is defined as a player wagering all of their remaining chips on the current hand. Unfortunately, after the rule passed staff identified a problem that would be created in the wagering structure for Texas Hold'em games. The change allows "all in" wagers, only, to exceed the \$40 poker wagering limit. The rule does not allow players to make call or matching wagers exceeding the \$40 limit. At their August meeting, the commission will be discussing a staff proposed rule change to remove the wording that allows higher wagering limits for "all in" wagers in Texas Hold'em poker games. This will put the limit for all poker wagers back to \$40. The RGA has proposed the rule change mentioned above as an alternative to staff's proposal to remove the \$500 "all in" wager for Texas Hold'em.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Mark Harris, Assistant Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3579; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] August 14, 2009, at the Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, (253) 858-1111 [858-1111]; on September 11, 2009, at the Mirabeau Park Hotel, 110 North Sullivan Road, Spokane, WA 99037,

(509) 924-9000; and on October 9, 2009, at the Clarion Hotel, 1507 North First Street, Yakima, WA 98901, (509) 248-7850.

July 28, 2009
Susan Arland
Rules Coordinator

WSR 09-16-068

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed July 30, 2009, 1:11 p.m.]

Subject of Possible Rule Making: Amend the definition of a commercial vineyard in the pesticide rules, chapters 16-228, 16-230, 16-231, and 16-232 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 17.21, 15.58 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current definition of a commercial vineyard does not include properties that both grow their own grapes and use these grapes for their own winery. The rules using this definition specify the restrictions on aerial application of pesticides in eastern Washington.

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

Process for Developing New Rule: Stakeholder communication.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Laurie Mauerman, Washington State Department of Agriculture, Pesticide Management Division, P.O. Box 42560, Olympia, WA 98504-2560, e-mail lmauerman@agr.wa.gov.

July 30, 2009
Bob Arrington
Assistant Director

WSR 09-16-080

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

(Aging and Disability Services Administration)

[Filed July 31, 2009, 12:14 p.m.]

Subject of Possible Rule Making: The department is amending sections in 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 department is revising WAC 388-106-1200 through 388-106-1230, respite care services, to add language regarding the new tailored caregiver assessment and referral (TCARE) process.

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 the 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.

July 31, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-16-092

PREPROPOSAL STATEMENT OF INQUIRY

HEALTH CARE AUTHORITY

(Community Health Services)

[Order 09-03—Filed August 3, 2009, 2:59 p.m.]

Subject of Possible Rule Making: The health care authority plans to amend WAC 182-20-600 Community health care collaborative program, 182-20-610 Administration, 182-20-620 Application process, to reflect changes pursuant to SSB 5360, chapter 299, Laws of 2009.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.160, 41.05.220, and 41.05.230.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendment of rules is needed to incorporate changes made by 2009 legislation. Rules are expected to clarify the administration of the collaborative program, define eligibility requirements, and set parameters for grant funding for this program.

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 Jan Ward Olmstead, CCHC Grant Manager, 676 Woodland Square Loop S.E., P.O. Box 42721, Lacey, WA 98504-2721, phone (360) 923-2803, fax (360) 923-2835, Jan.Olmstead@hca.wa.gov.

August 3, 2009
Jason Siems
Rules Coordinator

WSR 09-16-101

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed August 4, 2009, 12:02 p.m.]

Subject of Possible Rule Making: The department is considering clarifying and simplifying amendments to the following: WAC 388-76-10035 License requirements—Multiple family home providers, 388-76-10036 License requirements—Multiple adult family home management, 388-76-10040 License requirements—Qualified person must live-in or be on-site, 388-76-10090 Application—Entity application, 388-76-10105 Application—Change of ownership, 388-76-10110 Application—Change of location or address, 388-76-10185 Employment—Certain conviction history—Permitted, 388-76-10200 Adult family home—Staff—Availability—Contact information, 388-76-10415 Food services, 388-76-10505 Specialty care—Admitting and retaining residents, 388-76-10550 Resident rights—Adult family home staffing—Notification required, 388-76-10860 Fire drill plan and procedures for emergency evacuation—Required, 388-76-10950 Remedies—History and actions by individuals, 388-76-10970 Remedies—Specific—Condition(s) on license, 388-76-10975 Remedies—Specific—Civil penalties, 388-76-10985 Remedies—May extend to multiple homes, 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: The purpose of amending these rules is to consider consolidating terms to simplify the rules and for clarity.

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; 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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maureen Lally, 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 Lallyma@dshs.wa.gov. Draft section language will be posted on ADSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax. Interested parties and stakeholders can participate by accessing and commenting on the draft proposed rule language at <http://>

www.aasa.dshs.wa.gov/professional/afh.htm through e-mail, fax or direct contact with the program manager.

August 4, 2009

Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 09-16-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed August 4, 2009, 12:05 p.m.]

Subject of Possible Rule Making: The community services division, economic services administration, is proposing to amend WAC 388-408-0020 When am I not allowed to be in a TANF or SFA assistance unit?, to clarify that adoptive children are always to be included in such units, as per WAC 388-408-0015, regardless of adoption support received.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, WAC 388-408-0020 appears to contradict or at least confuse the rule stated in WAC 388-408-0015, creating uncertainly [uncertainty] among eligibility staff about which rule to follow. The community services division is proposing to streamline the policy and plain talk the WAC to make it easier to understand.

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 Tom Berry, Policy Analyst/Program Manager, Community Services Division, ESA, 712 Pear Street S.E., Olympia, WA 98504-5470, phone (360) 725-4617, fax (360) 725-4905, e-mail berrytj@dshs.wa.gov [berrytj@dshs.wa.gov].

August 4, 2009

Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 09-16-103
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed August 4, 2009, 12:08 p.m.]

Subject of Possible Rule Making: The community services division, economic services administration, is proposing to revise WAC 388-422-0005 What happens to my child,

spousal and medical support when I get public assistance?, to clarify the effective date of assignment of child support rights, and related matters.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.20.330.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current WAC language leads to confusion on the part of field staff. We will propose some simple changes to clarify the intent of the policy and support the assignment policy under RCW 74.20.330.

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 Tom Berry, Policy Analyst/Program Manager, Community Services Division, ESA, 712 Pear Street S.E., Olympia, WA 98504-5470, phone (360) 725-4617, fax (360) 725-4905, e-mail berrytj@dshs.wa.gov.

August 4, 2009

Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 09-16-104
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Children's Administration)
[Filed August 4, 2009, 12:12 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-165-140 Child care for child protective services (CPS) and child welfare services (CWS).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031 (as amended by chapter 235, Laws of 2009), 74.04.050, and chapter 26.44 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amended rule will be in compliance with children's administration's revised and updated child care subsidy program to minimize impact on direct services and implement fiscal policy and practice efficiencies.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Children's administration will consult with representatives from the department of early learning.

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 Michael Luque, Department of Social and Health Services, Permanency/Placement Services, P.O. Box 45710, Olympia, WA 98504-5710, phone (360) 902-7986, fax (360) 902-7903, e-mail lumi300@dshs.wa.gov.

August 4, 2009

Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 09-16-105

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)
[Filed August 4, 2009, 12:15 p.m.]

Subject of Possible Rule Making: Amending WAC 388-27-0275 When does the department review an adoptions support agreement?, by deleting subsection (1)(a).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031 (as amended by chapter 235, Laws of 2009), 74.04.050, and chapter 26.44 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amended rule will be in compliance with new law amending RCW 74.13.118 eliminating the requirement for the adoption support program to do reviews every five years.

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 Lonnie Locke, Department of Social and Health Services, Permanency/Placement Services, P.O. Box 45710, Olympia, WA 98504-5710, phone (360) 902-7932, fax (360) 902-7903, e-mail lolo300@dshs.wa.gov.

August 4, 2009

Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 09-16-111

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 4, 2009, 1:19 p.m.]

Subject of Possible Rule Making: Chapter 296-200A WAC, Contractor certificate of registration.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.27 RCW and chapter 432, Laws of 2009 (SHB 1555).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is a result [of] SHB 1555, which passed the 2009 legislature. The legislation amended the contractor registration law to require contractors maintain a list of subcontractors on the jobsite. The rules need to be updated in order to reflect the recent changes.

The program may also:

- Clarify and add the definitions. For example, review the tree removal specialty.
- Clarify assignment of saving must be deposited in a banking institution that has branches within the state of Washington.
- Review current processes for cost-saving opportunities.

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 these rules 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. Public hearings will be held after the proposal is filed.

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.

August 4, 2009

Judy Schurke
Director

WSR 09-16-112

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 4, 2009, 1:22 p.m.]

Subject of Possible Rule Making: Chapter 296-65 WAC, Asbestos removal and encapsulation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, and chapter 564, Laws of 2009 (ESHB 1244).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As approved by the 2009 legislature, the purpose of this rule making is to adjust the fees set forth in WAC 296-65-025 Fees, for the division of occupational safety and health's asbestos program. If these fees are increased, this will be the first fee increase since the program began in 1985. This fee increase will ensure the department's ability to continue the asbestos program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known to regulate worker safety and health for 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 or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jamie Scibelli, Administrative Regulations Analyst, Department of Labor and Industries, Division of Occupational Safety and Health (DOSH), P.O. Box 44620, Olympia, WA 98504-4620, e-mail scij235@lni.wa.gov, phone (360) 902-4568, fax (360) 902-5619.

August 4, 2009
Judy Schurke
Director

WSR 09-16-115

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 4, 2009, 1:46 p.m.]

Subject of Possible Rule Making: Revision to employer reporting rules for contractors who bid public works jobs and have retainage withheld. Rules will contemplate necessary forms and reporting requirements that must be met in order for the retainage to be returned promptly to the contractor.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 60.28.040, and chapter 432, Laws of 2009 (SHB 1555).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules will be established as a result of SHB 1555 passed in the 2009 legislative session which permits the department of labor and industries to access public works' retainage amounts to insure payment of premiums due to the department.

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

Process for Developing New Rule: Labor and industries will solicit input from the business community by way of direct mailings, the internet, and/or informal public meetings. Labor and industries will use this input to formulate proposed changes to the existing rules and advise customers of future rule making by direct mailing and/or the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Labor and industries will send letters and e-mails with proposals on possible rule changes to affected stakeholders. Stakeholders are encouraged to participate in the process and can obtain information on our process at the employer services web site www.lni.wa.gov/insuranceservices/employerservices. Comments can be submitted by mail to Bill Moomau, P.O. Box 44148, Olympia, WA 98504-

4148, electronically at moom235@lni.wa.gov, by calling (360) 902-4774, or by fax (360) 902-4729.

August 4, 2009
Judy Schurke
Director

WSR 09-16-118

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed August 4, 2009, 2:45 p.m.]

Subject of Possible Rule Making: WAC 246-310-XXX, creating new section to establish rules for hospital acute care bed methodology.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.38.135, 43.70.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, the certificate of need (CoN) program uses the state health plan (SHP) of 1987 to provide guidance in determining the acute care bed need for hospitals. The SHP method has never been adopted into rule. Some parts of this method may no longer reflect current best practices. Updating and adopting an acute care bed need method into rule will: (1) Reflect best practices, (2) provide clear guidance for applicants and reviewers alike, and (3) ensure consistency, predictability, and fairness in CoN decisions.

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 John Hilger, Rules Coordinator, Health Professions and Facilities, 310 Israel Road S.E., Tumwater, WA 98501-7852, e-mail john.hilger@doh.wa.gov, phone (360) 236-2929, fax (360) 236-2901. The department will notify all licensees and organizations who have expressed an interest in rule-making activities. Interested parties may also submit written comments for consideration.

August 4, 2009
Mary C. Selecky
Secretary

WSR 09-16-127

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed August 5, 2009, 8:47 a.m.]

Subject of Possible Rule Making: Recreational fishing rules for 2010/2011.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Fish and shellfish populations are in a constant state of flux. These rules will tailor recreational fishing opportunities and conservation efforts to existing and projected fish and shellfish populations. This will ensure healthy stocks in the future and will balance fishing and shellfishing opportunity with conservation needs. These rules also will allow the department to resolve house-keeping matters.

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 Lori Preuss, WDFW Enforcement, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155, e-mail Lori.Preuss@dfw.wa.gov. Contact by September 21, 2009. Expected proposal filing on or after September 23, 2009.

August 5, 2009

Lori Preuss
Rules Coordinator

WSR 09-16-130

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2009-11—Filed August 5, 2009,
9:18 a.m.]

Subject of Possible Rule Making: Reinsurance-intermediary broker and manager licensing and reporting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.94.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Licensed reinsurance intermediary brokers and managers do not always promptly inform the commissioner of changes in the information that was contained in their original application for licensing and are unclear on what changes must be reported. Under this rule making, the commissioner will consider options that will provide clarity as to the information that must be submitted and when it must be submitted. Additionally, the original rule used the session law citations and the proposed rule will amend these citations to the current RCW citations.

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 sending written comments by September 14, 2009, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, fax (360) 586-3109, e-mail JimT@oic.wa.gov.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Tompkins, P.O. Box 40258, Olym-

pia, WA 98504-0258, fax (360) 586-3109, e-mail JimT@oic.wa.gov.

August 5, 2009

Mike Kreidler
Insurance Commissioner

WSR 09-16-131

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2009-12—Filed August 5, 2009,
9:18 a.m.]

Subject of Possible Rule Making: Licensing of life settlement providers and brokers, financial responsibility requirements of life settlement providers, and annual reporting of life settlement providers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, sections 3, 7, 13 and 20, chapter 104, Laws of 2009.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Life Settlements Act (chapter 104, Laws of 2009) was enacted by the 2009 legislature. The act repeals the existing sections in chapter 48.97 RCW on viatical settlements and replaces them with new sections on life settlements. Under this rule making, the commissioner will consider options that will set forth: The licensing requirements for life settlement providers and brokers, the financial responsibility of life settlement providers, and annual reporting requirements of life settlement providers.

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

Process for Developing New Rule: Submit written comments by September 14, 2009, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@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 by contacting Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

August 5, 2009

Mike Kreidler
Insurance Commissioner

WSR 09-16-132

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2009-13—Filed August 5, 2009,
9:20 a.m.]

Subject of Possible Rule Making: Contract and rate filing of life settlement providers and brokers, standards for

evaluating reasonableness of payments by life settlement providers, disclosure forms, and a verification of coverage form.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, sections 3, 7, 13 and 20, chapter 104, Laws of 2009.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Life Settlements Act (chapter 104, Laws of 2009) was enacted by the 2009 legislature. The act repeals the existing sections in chapter 48.97 RCW on viatical settlements and replaces them with new sections on life settlements. Under this rule making, the commissioner will consider options that will set forth: Contract and rate filing requirements for life settlement providers and brokers, standards for evaluating the reasonableness of payments by life settlement providers, and required forms.

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

Process for Developing New Rule: Submit written comments by September 14, 2009, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@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 Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

August 5, 2009

Mike Kreidler

Insurance Commissioner

WSR 09-16-133

PREPROPOSAL STATEMENT OF INQUIRY

OFFICE OF

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2009-14—Filed August 5, 2009, 9:21 a.m.]

Subject of Possible Rule Making: Licensing of life settlement providers and brokers, financial responsibility requirements of life settlement providers, annual reporting of life settlement providers, contract and rate filing of life settlement providers and brokers, standards for evaluating reasonableness of payments, disclosure forms, and verification of coverage form.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, sections 3, 7, 13 and 20, chapter 104, Laws of 2009.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Life Settlements Act (chapter 104, Laws of 2009) was enacted by the 2009 legislature. The act repeals the existing sections in chapter 48.97 RCW on viatical settlements and replaces them with new sections on life settlements. Under this rule making, the commissioner will consider options that will set forth: The licensing requirements for life settlement providers and brokers, the financial responsibility and annual reporting requirements of life settlement providers, contract and rate

filing requirements for life settlement providers and brokers, standards for evaluating the reasonableness of payments, and required forms.

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

Process for Developing New Rule: Submit written comments by September 14, 2009, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@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 Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

August 5, 2009

Mike Kreidler

Insurance Commissioner

WSR 09-16-134

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF FISH AND WILDLIFE

[Filed August 5, 2009, 9:25 a.m.]

Subject of Possible Rule Making: WAC 220-20-010 and other rules related to fishing and shellfishing by persons with a disability and their designated harvesters.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Some hatcheries and other fishing and shellfishing areas are closed to persons with a disability and their designated harvesters because access is not adequate for these people. These rules will remedy the issue.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Justice (DOJ) and the Americans with Disabilities Act (ADA). The Washington department of fish and wildlife (WDFW) works closely with DOJ to ensure that hunting, fishing, and shellfish opportunities throughout the state are in compliance with ADA requirements and 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 Lori Preuss, WDFW Enforcement, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155, e-mail Lori.Preuss@dfw.wa.gov. Contact by September 21, 2009. Expected proposal filing on or after September 23, 2009.

August 5, 2009

Lori Preuss

Rules Coordinator

WSR 09-16-139**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 09-05—Filed August 5, 2009, 11:12 a.m.]

Subject of Possible Rule Making: Amend chapter 173-152 WAC, Water rights, through water rights administration, amend criteria to determine the order to process water permit and change applications. Develop information requirements for submitting applications for priority processing. Enhance rule language to include management and organization of the Columbia River program. Amend language for watershed assessments to complement existing statutes and current needs. Amend the criteria for priority processing to meet current legislative intent and water management.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.21A.064(9) and 43.27A.090(11).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule amendment will better define water resources work organization and management based on current statutes. It will bring the rule into compliance with numerous statutory changes over the past ten years yet maintain the agency compliance with the Washington state supreme court decision in *Hillis v. Department of Ecology*, 131 Wn.2d 373, 932 P.2d 139.

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 the allocation and appropriation of water. The department will be coordinating the development of this rule with the state department of health, fish and wildlife, and commerce.

Process for Developing New Rule: This is an amendment to chapter 173-152 WAC, Water rights. The process includes open house sessions [and] will be held statewide before the rule amendment is filed with the office of the code reviser. After filing, public hearings will be held in the same locations as the open house sessions for continuity of communication efforts on this amendment. Ecology plans to involve local interest groups with one-on-one meetings and use paid advertisements to notify the public. Ecology will use all these public activities to clearly explain the updated rule and amended sections to interested parties. Additionally, the agency's goal is to educate the public on water rights and why the rule needs to be amended. We plan to actively seek public input on the proposed rule amended language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Janet Rajala, Department of Ecology, 4601 North Monroe Street, Spokane, WA 99205-1295, phone (509) 329-3421, e-mail jaca461@ecy.wa.gov.

August 5, 2009
Kenneth O. Slattery
Program Manager

WSR 09-16-141**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed August 5, 2009, 11:31 a.m.]

Subject of Possible Rule Making: Chapter 246-225A WAC, Radiation safety and diagnostic imaging quality standards for dental facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.98.050 State radiation control agency and 70.98.080 Rules and regulations—Licensing requirements and procedure—Notice of license application—Objections—Notice upon granting of license—Registration of sources of ionizing radiation—Exemptions from registration or licensing.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amending chapter 246-225A WAC to add criteria for use of hand-held dental X-ray equipment, modify weekly quality assurance testing, add film/screen requirements, and eliminate some safelight requirements. Other proposed changes would be editorial for clarification and consistency of existing requirements. By establishing criteria for the use of hand-held X-ray units, many dentists will have the ability to serve special needs populations who might otherwise not be adequately served. These changes would help promote better patient care in Washington without posing a higher risk of harm to the operator or patient.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other agencies in this state that regulate X-ray.

Process for Developing New Rule: This rule-making process will be a collaborative effort with our regulated community, the Washington State Dental Association, and other stakeholders. We propose to establish a technical advisory group to provide recommendations to the department for rule development.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Andrew H. Thatcher, X-Ray Program Manager, e-mail andrew.thatcher@doh.wa.gov, phone (360) 236-3231, fax (360) 236-2266, or P.O. Box 47827, Olympia, WA 98504-7827.

August 5, 2009
Mary C. Selecky
Secretary

WSR 09-16-143**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed August 5, 2009, 11:45 a.m.]

Subject of Possible Rule Making: Approval criteria and process for multi-district online learning providers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 5410, chapter 542, Laws of 2009.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To formally codify the criteria and process used by the office of superintendent of public instruction (OSPI) for approval of multi-district online providers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: OSPI will work in collaboration with the state board of education on the proposed rules for approval criteria and process for multi-district online learning providers.

Process for Developing New Rule: Other [no further information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Martin Mueller, Assistant Superintendent, Student Support, OSPI, P.O. Box 47200, Olympia, WA 98504, phone (360) 725-6050, fax (360) 664-3575, e-mail Martin.Mueller@k12.wa.us. An advisory committee required by SSB 5410 will provide input as well as OSPI-initiated meetings with interested parties. At least one formal public hearing will be held to inform the rule adoption decision.

July 31, 2009
Randy I. Dorn
State Superintendent
of Public Instruction