

**WSR 13-04-019****PREPROPOSAL STATEMENT OF INQUIRY  
HORSE RACING COMMISSION**

[Filed January 28, 2013, 7:25 a.m.]

Subject of Possible Rule Making: WAC 260-08-005  
Horse racing commission—Composition—Duties.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: To update the number of  
commissioners to comply with RCW 67.16.012.

Other Federal and State Agencies that Regulate this Sub-  
ject and the Process Coordinating the Rule with These Agen-  
cies: None.

Process for Developing New Rule: Negotiated rule  
making.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before pub-  
lication by contacting Douglas L. Moore, Deputy Executive  
Secretary, Washington Horse Racing Commission, 6326  
Martin Way, Suite 209, Olympia, WA 98516-5578, phone  
(360) 459-6462, fax (360) 459-6461, doug.moore@whrc.  
state.wa.us.

January 2, 2013

Douglas L. Moore

Deputy Executive Secretary

**WSR 13-04-020****PREPROPOSAL STATEMENT OF INQUIRY  
HORSE RACING COMMISSION**

[Filed January 28, 2013, 10:44 a.m.]

Subject of Possible Rule Making: WAC 260-14-050.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: To allow the commission  
member that is the breeder to have ownership interest in a  
racehorse competing in the state.

Other Federal and State Agencies that Regulate this Sub-  
ject and the Process Coordinating the Rule with These Agen-  
cies: None.

Process for Developing New Rule: Negotiated rule  
making.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before pub-  
lication by contacting Douglas L. Moore, Deputy Executive  
Secretary, Washington Horse Racing Commission, 6326  
Martin Way, Suite 209, Olympia, WA 98516-5578, phone  
(360) 459-6462, fax (360) 459-6461, doug.moore@whrc.  
state.wa.us.

January 28, 2013

Douglas L. Moore

Deputy Executive Secretary

**WSR 13-04-028****PREPROPOSAL STATEMENT OF INQUIRY  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed January 29, 2013, 4:34 p.m.]

Subject of Possible Rule Making: WAC 392-122-423  
and 392-122-424, full-day kindergarten program.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 28A.150.290(1).

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: WAC 392-122-423 and 392-  
122-424 require updating to address the following:

- Update the eligibility determination for schools to  
qualify for state funded full-day kindergarten pro-  
grams.
- Update the funding process for state funded full-day  
kindergarten programs.

Process for Developing New Rule: Early solicitation of  
public comments and recommendations respecting new,  
amended, or repealed rules, and consideration of the com-  
ments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before pub-  
lication by contacting Becky McLean, OSPI Enrollment  
Supervisor, Old Capitol Building, P.O. Box 47200, Olympia,  
WA, (360) 725-6306.

January 29, 2013

Randy Dorn

Superintendent of

Public Instruction

**WSR 13-04-029****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF ECOLOGY**

[Order 12-04—Filed January 30, 2013, 10:24 a.m.]

Subject of Possible Rule Making: Solid fuel burning  
devices (chapter 173-433 WAC) helps to reduce wood smoke  
emission levels in Washington state to help meet national  
ambient air quality standards. Ecology is starting this rule  
making to update this outdated rule. The focus of this rule  
making is to:

- Incorporate statutory language that changed trigger  
levels for calling burn bans in areas of fine particu-  
late nonattainment or areas at risk for fine particu-  
late nonattainment.
- Align the rule with other statutory changes.
- Meet Environmental Protection Agency (EPA)  
requirements.
- Help in Washington's efforts to improve air quality  
in areas affected by pollution from woodstoves.
- Include housekeeping-type changes to the rule iden-  
tified during rule making.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: Chapter 70.94 RCW provides sufficient authority to

adopt rule changes. At a minimum, sections 473 and 477 authorize ecology to amend the rule.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology must update chapter 173-433 WAC to align this chapter with changes in state laws. Ecology is updating the rule now because EPA requires us to update this rule to be consistent with state law before they will approve Washington's maintenance plan and redesignation request for the Tacoma-Pierce County nonattainment area. The maintenance plan and redesignation request are related to a large portion of Pierce County that was designated a nonattainment area in 2009. If EPA cannot approve a redesignation request for the Tacoma-Pierce County nonattainment area, then additional stricter federal requirements, including economic constraints, will be imposed on the area.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of natural resources, department of health, EPA, Benton Clean Air Agency, Northwest Clean Air Agency, Olympic Region Clean Air Agency, Puget Sound Clean Air Agency, Southwest Clean Air Agency, Spokane Regional Clean Air Agency, Yakima Regional Clean Air Agency, and local governments. We will keep the agencies informed throughout our rule-development process through e-mail notifications, public notices, web postings, and public meetings.

Process for Developing New Rule: This rule making is to amend an existing rule. During the rule-making process, ecology will share draft language and seek input from stakeholders. Ecology expects to hold a stakeholder meeting in late spring or early summer where we will share our draft rule language. Ecology will distribute rule-making information to mailing and e-mail distribution lists. The air quality program rule-making web page will post details on the stakeholder meeting and opportunities for involvement. Ecology will hold at least one public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The interested parties can participate in the stakeholder meeting, contact ecology staff directly, and participate in the formal comment period. Interested parties can access more information on this rule making by contacting the ecology staff member listed below or accessing the ecology web site at <http://www.ecy.wa.gov/laws-rules/index.html> or the air quality program web site at [http://www.ecy.wa.gov/programs/air/rules/rules\\_laws.html](http://www.ecy.wa.gov/programs/air/rules/rules_laws.html).

*Until March 15, 2013, contact* Margo Thompson, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, [margo.thompson@ecy.wa.gov](mailto:margo.thompson@ecy.wa.gov), (360) 407-6827.

*After March 15, 2013, contact* Richelle Perez at [richelle.perez@ecy.wa.gov](mailto:richelle.perez@ecy.wa.gov), (360) 407-7528.

January 30, 2013  
Stu Clark  
Air Quality  
Program Manager

### WSR 13-04-030

#### PREPROPOSAL STATEMENT OF INQUIRY

#### OLYMPIC COLLEGE

[Filed January 30, 2013, 10:28 a.m.]

Subject of Possible Rule Making: Withholding services for outstanding debts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B50 [28B.50] RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes will bring chapter 132-122 [132C-122] WAC up-to-date and consistent with current practices.

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

Process for Developing New Rule: Review by president's cabinet and the board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thomas Oliver, Olympic College, Rules Coordinator, (360) 475-7502 or [toliver@olympic.edu](mailto:toliver@olympic.edu), to provide comments on this rule.

January 30, 2013

Thomas Oliver  
Rules Coordinator

### WSR 13-04-035

#### WITHDRAWAL OF

#### PREPROPOSAL STATEMENT OF INQUIRY

#### DEPARTMENT OF ECOLOGY

[Filed January 31, 2013, 9:14 a.m.]

The department of ecology withdraws WSR 08-16-117 filed August 5, 2008, WAC 173-26-070(2) Adoption of shoreline master programs by rule—Department action.

Ecology is required by statute to adopt updated shoreline master programs (SMPs) for local governments who do not meet time limits set forth in RCW 90.58.080. Ecology started this rule-making because Spokane County's locally adopted SMP update was past due. Since that time, the county worked in close collaboration with ecology and interested parties to make necessary changes to their SMP. On January 8, 2013, ecology formally approved the Spokane County SMP, which completed the required comprehensive SMP update process. Therefore, rule making is no longer necessary.

Gordon White  
Program Manager  
Shorelands and Environmental  
Assistance Program

**WSR 13-04-062****PREPROPOSAL STATEMENT OF INQUIRY  
GAMBLING COMMISSION**

[Filed February 1, 2013, 1:59 p.m.]

Subject of Possible Rule Making: Applicants for a license and substantial interest holders.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is looking into a rule amendment to clarify which applicants and substantial interest holders will be required to submit fingerprints so staff may conduct criminal history background checks to determine if they qualify to be involved in gambling activities.

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, Susan Newer, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: [Meetings on] February 14 or 15, 2013, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit [www.wsgc.wa.gov](http://www.wsgc.wa.gov) on February 1 to confirm meeting location and start time; on March 14 or 15, 2013, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit [www.wsgc.wa.gov](http://www.wsgc.wa.gov) on March 1 to confirm meeting location and start time; and on April 11 or 12, 2013, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit [www.wsgc.wa.gov](http://www.wsgc.wa.gov) on April 1 to confirm meeting location and start time.

February 1, 2013  
Susan Newer  
Rules Coordinator

**WSR 13-04-064****PREPROPOSAL STATEMENT OF INQUIRY  
GAMBLING COMMISSION**

[Filed February 1, 2013, 2:30 p.m.]

Subject of Possible Rule Making: Licensee[s] that use the two part payment plan to pay their licensing fees.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is reviewing a rule that allows licensees to pay their gambling licensing fees using a "two-part payment plan."

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, Susan Newer, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: [Meetings on] February 14 or 15, 2013, at the Com-

fort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit [www.wsgc.wa.gov](http://www.wsgc.wa.gov) on February 1 to confirm meeting location and start time; on March 14 or 15, 2013, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit [www.wsgc.wa.gov](http://www.wsgc.wa.gov) on March 1 to confirm meeting location and start time; and on April 11 or 12, 2013, Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit [www.wsgc.wa.gov](http://www.wsgc.wa.gov) on April 1 to confirm meeting location and start time.

February 1, 2013  
Susan Newer  
Rules Coordinator

**WSR 13-04-071****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE**

[Filed February 4, 2013, 9:25 a.m.]

Subject of Possible Rule Making: Chapter 16-324 WAC rules for the certification of seed potatoes. The agency is considering amending the certification requirements for seed potatoes as a result of a petition submitted by the Washington seed potato commission.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.14.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Seed potato certification is an effective means of controlling systemic diseases/pests such as virus diseases in commercial potato crops. As a vegetatively propagated annual crop, potatoes tend to accumulate viruses that eventually affect production and quality. Washington commercial potato growers rely on certified seed to minimize the effects of these pests. Although the certification system has been in place for decades, the pressure from diseases is constantly changing. Current certification practices are no longer adequate to control diseases/pests of concern. Changes to the existing certification requirements are necessary to protect the Washington seed potato crop from harmful pathogens and will also bring the program more into harmony with adjoining states.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary A. Martin Toohey, Assistant Director, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail [mtoohey@agr.wa.gov](mailto:mtoohey@agr.wa.gov); or Tom Wessels, Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia,

WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094, e-mail twessels@agr.wa.gov.

February 4, 2013  
Mary A. Martin Toohey  
Assistant Director

**WSR 13-04-072**

**PREPROPOSAL STATEMENT OF INQUIRY  
CENTRALIA COLLEGE**

[Filed February 4, 2013, 10:13 a.m.]

Subject of Possible Rule Making: Update WACs related to Use of facilities—Smoking and expressive speech, as well as updating addresses, hours of operation and emergency notification system.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The college is in the process of updating its internal policy and procedures consistent with changes in governance structure, campus safety - emergency notification system, smoking, expressive speech and updating of addresses and hours.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No coordination needed.

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 Julie D. Ledford, J.D., Vice-President for Human Resources and Legal Affairs, 600 Centralia College Boulevard, Centralia, WA 98531, phone (360) 736-9391, ext. 285, fax (360) 330-7501.

February 4, 2013  
Dr. James M. Walton  
President

**WSR 13-04-074**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
EARLY LEARNING**

[Filed February 4, 2013, 11:13 a.m.]

Subject of Possible Rule Making: Early support for infants and toddlers (ESIT), adopting a new chapter of Title 170 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.215.020, 43.215.060, chapter 43.215 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is creating regulations which would regulate Washington state early intervention programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: As appropriate, the department of early learning (DEL) will coordinate development of these rules with the state department of health, the office of superintendent of public

instruction, and the Department of Education, Office of Special Education Programs.

Process for Developing New Rule: To the extent practicable, DEL intends to seek public input during the rule drafting and development process. At a later date, DEL will file proposed rules (more than one proposed rule-making notice may be filed), hold a public hearing or hearings, and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals and organizations wishing to receive draft and proposed materials may join a DEL rules mailing list by contacting the DEL rules coordinator at Rules@del.wa.gov, phone (360) 407-1971, fax (360) 586-0533, or writing DEL Rules Coordinator, Department of Early Learning, P.O. Box 40972, Olympia, WA 98504-0972.

February 4, 2013  
Elizabeth M. Hyde  
Director

**WSR 13-04-075**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

(Dental Quality Assurance Commission)

[Filed February 4, 2013, 1:31 p.m.]

Subject of Possible Rule Making: WAC 246-817-450 Definitions and 246-817-460 Sexual misconduct, amending to include dental assistants and expanded function dental auxiliaries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.260.120 and 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently registered dental assistants and licensed expanded function dental auxiliaries do not have rules defining sexual misconduct, however licensed dentists do. Without rules, practitioners do not know the standards to which they are held and any disciplinary action may be inconsistent. Amendments to the existing rules for dentists on sexual misconduct may be necessary to establish clear definitions for sexual misconduct by all dental professionals. This will help ensure public safety. The existing sexual misconduct rules were established in 2006 prior to the creation of registered dental assistants and licensed expanded function dental auxiliaries in 2008.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Health, Dental Quality Assurance Commission, Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, (360) 236-4893, jennifer.santiago@doh.wa.gov. Interested stakeholders [stakeholders] may sign up for the dental commission's listserv at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=dental-qac&A=1>. All rule-making notices will be e-mailed to the dental commission's

interested parties list (listserv) and appropriate state associations.

February 4, 2013  
Blake T. Maresh  
Executive Director

**WSR 13-04-083**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF REVENUE**

[Filed February 5, 2013, 1:12 p.m.]

Subject of Possible Rule Making: WAC 458-20-10101 (Rule 10101) Business license service handling fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.02.030 and 19.02.075.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 19.02.075 provides that the department of revenue (department) must collect a handling fee on each business license service (BLS) application and renewal application filing. The statute requires that the department set the amount of the handling fees by rule.

Rule 10101 establishes these handling fees at \$15 for the application filing, and \$9 for the renewal application filing.

RCW 19.02.075 also authorizes the department to increase the application and renewal application handling fees for the purpose of making improvements in the master license service program, including improvements in technology and customer services, expanded access, and infrastructure.

The department is considering rule making to increase both the application and the renewal application fees for purposes of improving BLS technology and infrastructure. These fees cannot exceed the statutory maximum of \$19 for each application filing, and \$11 for each renewal application filing.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by e-mail to Marilou@dor.wa.gov or to Marilou Rickert, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453. Please submit any written comments by March 5, 2013.

February 5, 2013  
Alan R. Lynn  
Rules Coordinator

**WSR 13-04-087**

**PREPROPOSAL STATEMENT OF INQUIRY  
OFFICE OF  
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2013-05—Filed February 6, 2013, 8:22 a.m.]

Subject of Possible Rule Making: Responding electronically to the office of the insurance commissioner regarding consumer complaints.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.44.050, and 48.46.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 284-30-360 and 284-30-650 require insurers, health care service contractors, and health maintenance organizations to respond in writing to the insurance commissioner regarding consumer complaints. The commissioner will consider amending those WACs to require the response to be in an electronic format. This would allow these entities to transmit private information electronically in a secure method rather than by the use of "snail mail." It is anticipated that using an electronic method will reduce the processing time for handling the complaints.

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 March 22, 2013, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail rulescoordinator@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, rulescoordinator@oic.wa.gov, fax (360) 586-3109.

February 6, 2013  
Mike Kreidler  
Insurance Commissioner

**WSR 13-04-089**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Aging and Disability Services Administration)**

[Filed February 6, 2013, 9:41 a.m.]

Subject of Possible Rule Making: WAC 388-96-738 What default case mix group and weight must the department use for case mix grouping when there is no minimum data set resident assessment for a nursing facility resident?, 388-96-739 How will the department determine which resident assessments are medicaid resident assessments?, and other sections as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.46.431(9).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department adopted case mix 3.0 per the direction of the legislature in RCW 74.46.-

485. Many rules require updating to be in line with case mix 3.0.

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 Elizabeth Pashley, phone (360) 725-2447, fax (360) 725-2641, TTY 1-877-905-0454, e-mail Elizabeth.Pashley@dshs.wa.gov.

February 5, 2013  
Katherine I. Vasquez  
Rules Coordinator

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 Bob Thibodeau, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4905, e-mail thiborl@dshs.wa.gov.

January 30, 2013  
Katherine I. Vasquez  
Rules Coordinator

#### WSR 13-04-091

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

[Filed February 6, 2013, 9:48 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-482-0005 How does being a student impact my eligibility for the Washington Basic Food program? and other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The community services division (CSD) is proposing to amend WAC 388-482-0005 to remove references to the food stamp employment and training program and replace it with the Basic Food employment and training. CSD will also use this opportunity to edit rule language to provide more clarity of student status as it relates to Basic Food eligibility and improve accuracy in the Basic Food program.

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 develop rules that are consistent with the act, federal regulations, FNS administrative notices, and interim guidance.

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

#### WSR 13-04-092

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**  
(Aging and Disability Services)

[Filed February 6, 2013, 9:49 a.m.]

Subject of Possible Rule Making: The department is considering amending chapter 388-78A WAC to change the term "boarding home" to "assisted living facility" throughout the chapter in compliance with SHB 2056 passed in the 2011-2012 legislative session.

The scope of this rule making is limited to the terminology change from "boarding home" to "assisted living facility."

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with SHB 2056 to change the term "boarding home" to "assisted living facility."

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. 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 Judy Johnson, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail johnsjm1@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.

January 28, 2013  
Katherine I. Vasquez  
Rules Coordinator