WSR 26-05-002
PREPROPOSAL STATEMENT OF INQUIRY
PIERCE COLLEGE
[Filed February 4, 2026, 4:15 p.m.]

Subject of Possible Rule Making: Pierce College is engaging in the proposed rule-making process to establish a use of district facilities policy.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pierce College is engaging with the rule-making process to create processes and procedures regarding usage of facilities across the district.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Proposed language will be presented to college shared governance councils for comment, as well as reviewed and approved by the assistant attorney general, cabinet, and board of trustees.

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

February 3, 2026
Julie A. White
Chancellor and CEO

WSR 26-05-003
PREPROPOSAL STATEMENT OF INQUIRY
PIERCE COLLEGE
[Filed February 4, 2026, 4:16 p.m.]

Subject of Possible Rule Making: Pierce College is engaging in the proposed rule-making process to establish a smoking policy.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pierce College is engaging with the rule-making process to create processes and procedures regarding smoking on the campus.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Proposed language will be presented to college shared governance councils for comment, as well as reviewed and approved by the assistant attorney general, cabinet, and board of trustees.

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

February 3, 2026
Julie A. White
Chancellor and CEO

WSR 26-05-007
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE
SCHOOL FOR THE BLIND
[Filed February 5, 2026, 11:22 a.m.]

Subject of Possible Rule Making: Student code of conduct and student disciplinary procedures amendments to comply with current federal regulations for Title IX of the Education Amendments of 1972 (Title IX).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.010(16) and 72.40.022(15); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring the Washington state school for the blind's (school) student conduct code, chapter 72-120 WAC, into compliance with the current federal regulations for Title IX that specify how recipients of federal financial assistance covered by Title IX must respond to allegations of sexual harassment consistent with Title IX's prohibition against sex discrimination.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education; Washington office of superintendent of public instruction.

Process for Developing New Rule: The school will provide public notice of this rule making through filings in the Washington State Register. During a public comment period, the school will also seek comment: (1) As to be described in the anticipated rule-making proposal form (CR-102); (2) from persons who have requested notice of school rule making; and (3) from persons who attend 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 Pam Parker, Interim Superintendent, 2214 East 13th Street, Vancouver, WA 98661, phone 360-947-3301, fax 360-737-2120, email pam.parker@wssb.wa.gov, website www.wssb.wa.gov.

February 5, 2026
Pam Parker
Interim Superintendent

WSR 26-05-016
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION
[Filed February 6, 2026, 3:19 p.m.]

Subject of Possible Rule Making: WAC 260-49-070 Distribution of source market fees.

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: The Washington horse racing commission may need to consider adjusting the source market fee distribution due to the decline in revenue from parimutuel wagering that has affected agency projections for the 2025-2027 biennium.

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 Amanda Benton, 6326 Martin Way, Suite 209, Olympia, WA 98516, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email Amanda.benton@whrc.wa.gov, website www.whrc.wa.gov.

February 6, 2026
Amanda Benton
Executive Secretary

WSR 26-05-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES
[Filed February 9, 2026, 8:56 a.m.]

Subject of Possible Rule Making: Chapter 110-50 WAC, Child welfare, will be creating new WAC 110-50-0375 Legal basis for the child welfare housing assistance program, 110-50-0380 Purpose, 110-50-0385 Definitions, 110-50-0390 Administering and accessing the child welfare housing assistance program, and 110-50-0395 Child welfare housing assistance program reporting requirements; and other related WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.802.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The partnership, prevention, and services division is adding rules to chapter 110-50 WAC, Child welfare, to establish formal procedures for the implementation of the child welfare housing assistance program, as required by RCW 74.13.802.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: 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 Jess Mayrer, phone 360-706-3570, email Jess.Mayrer@dcyf.wa.gov, website www.dcyf.wa.gov; or Colleen Kremin, email Colleen.Kremin@dcyf.wa.gov, website www.dcyf.wa.gov.

February 9, 2026
Brenda Villarreal
Rules Coordinator

WSR 26-05-023
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed February 10, 2026, 8:16 a.m.]

Subject of Possible Rule Making: Administration of anesthetic agents for dental procedures by a dental therapist. The department of health (department) is considering establishing a new section in chapter 246-819 WAC to implement general requirements for dental therapists to administer sedation. The department may consider amendments to other relevant licensure requirement rule sections in chapter 246-819 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.265.800 and 43.70.280.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 18.265 RCW establishes the new profession of dental therapy and authorizes the department to adopt rules in order to implement this statute. Dental therapists are mid-level providers who work in collaboration with a licensed dentist. The rules for licensed dentists who administer anesthetic agents are found in chapter 246-817 WAC. While developing the dental therapy rules, it was communicated by an interested party that a similar section on administering anesthetic agents would need to be added to the dental therapy rules to keep the requirements consistent with the dental anesthetic rule. It was agreed that this rule making would begin after chapter 246-819 WAC was officially adopted, which occurred on October 31, 2025.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will work with the Washington state health care authority (HCA) to ensure rule making does not conflict with current HCA billing requirements. The department will coordinate rule making with impacted agencies, interested parties, and partners when appropriate.

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 Kitty Einert, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4843, TTY 711, email kitty.einert@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit doh.wa.gov. To subscribe to GovDelivery, please visit doh.wa.gov and select the button titled "Sign up for Updates From DOH" at the bottom of the page. After signing in, select "Health Systems Quality Assurance," "Health Professions," "Dental List," "Dental Therapist," and "Dental Hygiene Examining Committee." You may also check the box next to one or more of the other professions listed to receive information related to that specific profession.

February 9, 2026
Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health

WSR 26-05-029
PREPROPOSAL STATEMENT OF INQUIRY
CENTER FOR DEAF AND
HARD OF HEARING YOUTH
[Filed February 11, 2026, 9:24 a.m.]

Subject of Possible Rule Making: The purpose of this possible rule making is to adopt a permanent rule that implements the state legislature's Public Records Act (PRA) requirement and provide the necessary findings so that the center for deaf and hard of hearing youth (agency) may use the amended statutory default fee schedule that became effective July 23, 2017, and waive copy fees under the listed circumstances. The additional purpose of the rule is to continue to explain procedures for payment for copies. The agency intends to repeal its permanent rule WAC 148-276-090, a copying fees rule adopted under prior PRA statutes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.010(16), 72.42.041(2), 72.40.0191 (12) and (17), 42.56.040, 42.56.070, 42.56.100, and 42.56.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: PRA is chapter 42.56 RCW. RCW 42.56.120 requires that if an agency uses the law's statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The agency is not calculating actual costs for copying records because to do so would be unduly burdensome. The agency intends to adopt the rule on a permanent basis so it can use the statutory default copy fee schedule. In addition, RCW 42.56.120 allows an agency to waive any charge assessed for a public record pursuant to agency rule. The agency intends to enact a permanent rule to address waiver of charges assessed for a public record. The agency intends to continue to explain the procedures for payment for copies. Finally, the agency intends to repeal WAC 148-276-090, its copying fees rule originally adopted under former chapter 42.17 RCW, because that rule is outdated.

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 be proposing a permanent rule and repealing a current rule consistent with RCW 42.56.120. The agency will provide public notice of this rule making through filings in the Washington State Register. During a public comment period, the agency will also seek comment: (1) As to be described in the anticipated rule-making proposal form (CR-102); (2) from persons who requested notice of agency rule making; and (3) from persons who attend 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 Erica Rader, 611 Grand Boulevard, Vancouver, WA 98661, phone 360-418-0401, fax 360-696-6291, email erica.rader@cdhy.wa.gov, website www.cdhy.wa.gov.

February 11, 2026
Shauna Bilyeu
Executive Director

WSR 26-05-031
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
[Filed February 11, 2026, 10:28 a.m.]

Subject of Possible Rule Making: New WAC 182-543-6100 Urological and incontinence supplies, 182-543-5500 Medical supplies and related services, and 182-543-9000 General reimbursement; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021 and 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (agency) is planning to move urological and incontinence supplies from WAC 182-543-5500 into a new [sub]section under WAC 182-543-6100. This change aligns with the agency's move to contracted provider reimbursement for these supplies. During this review, the agency may identify additional related changes that improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Valerie Freudenstein, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-5128, fax 360-586-9727, telecommunication relay services (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Katherine Ruiz, Program Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0983, fax 360-586-9727, TRS 711, email hcaapplehealthclinicalpolicy@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

February 11, 2026
Wendy Barcus
Rules Coordinator

WSR 26-05-034
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION
[Filed February 11, 2026, 11:53 a.m.]

Subject of Possible Rule Making: The Washington state department of transportation (WSDOT) is proposing to amend WAC 468-16-130 pertaining to classes of work for contractors prequalified to perform highway construction.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.01.101, 47.28.030, and 47.28.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WSDOT has determined that there are two additional types of work in which we would like to establish contractor experience to ensure that contractors have the necessary experience, organization, and technical qualifications to perform the proposed contract. The new classifications are high friction surface treatment and movable bridge construction. Establishing the new classifications to qualify contractors under will ensure that these types of contracts are performed by qualified vendors in the future.

Process for Developing New Rule: Agency study; and WSDOT welcomes you to participate in the rule-making process. If you are interested, please contact the staff person identified below. When we file a proposal with the office of the code reviser you will be sent this proposal and given an opportunity to comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jenna Kemp, P.O. Box 47360, Olympia, WA 98504-7360, phone 360-888-7045, fax 360-705-6810, email kempj@wsdot.wa.gov, website https://wsdot.wa.gov/business-wsdot/contracts.

February 11, 2026
Sam Wilson, Director
Business Support Services

WSR 26-05-043
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed February 12, 2026, 9:10 a.m.]

Subject of Possible Rule Making: Amend and/or add new sections to chapter 392-141 WAC, Transportation—State allocation for operations; chapter 392-142 WAC, Transportation—Replacement and depreciation allocation; chapter 392-143 WAC, Transportation—Specifications for school buses; chapter 392-144 WAC, School bus driver qualifications; and chapter 392-145 WAC, Transportation—Operation rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: E2SHB 1368 (chapter 345, Laws of 2024); ESSB 5009 (chapter 372, Laws of 2025); RCW 28A.150.290, 28A.160.210, and 46.61.380.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making concerning student transportation to align with E2SHB 1368 (2024) related to the total cost of ownership for zero emission school buses and diesel school buses. The rule making would also align with ESSB 5009 (2025), which relates to the transportation of students in a Washington state patrol-inspected school vehicle other than a school bus; adding vehicles other than school buses to the student transportation allocation reporting system formula; and changes to school bus categories, specifications, depreciation, and driver training requirements. Additionally, amendments to school bus driver qualifications would clarify procedures and provide additional guidance to school districts and school bus drivers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of ecology and Washington state patrol.

Process for Developing New Rule: Early solicitation of feedback and recommendations concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patti Enbody, Director, Student Transportation, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6122, TTY 360-664-3631, email STrulechange@k12.wa.us, website ospi.k12.wa.us.

February 12, 2026
Chris P.S. Reykdal
State Superintendent of Public Instruction

WSR 26-05-049
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
[Filed February 12, 2026, 2:48 p.m.]

Subject of Possible Rule Making: New WAC 182-52-0100 Prescription drug affordability board—Upper payment limits; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.405.050, 41.05.021, and 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To implement the prescription drug affordability board (board) methodology for setting upper payment limits for prescription drugs the board has determined have led, or will lead to, excess costs based on its affordability review as required in RCW 70.405.050. During this review, the health care authority (agency) may identify additional related changes that improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Valerie Freudenstein, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-5128, fax 360-586-9727, telecommunication relay services (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Simon Borumand, Program Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1044, fax 360-586-9727, TRS 711, email simon.borumand@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

February 12, 2026
Wendy Barcus
Rules Coordinator

WSR 26-05-050
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
[Filed February 12, 2026, 2:53 p.m.]

Subject of Possible Rule Making: WAC 182-565-0310 Definitions, 182-565-0340 Discharge, and 182-565-0370 Duration of services; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021 and 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (agency) is amending these rules to remove short-term post-hospitalization housing from the medical respite program definition, as this housing is separate from medical respite. Medical respite is short-term recovery/rehabilitation for a client's acute medical condition. The housing applies to other health-related social needs services that only provide room and board such as rent/temporary housing that is included per demonstration period. Additionally, the cap of six months of utilization will be per rolling 12-month period for the medical respite program as this aligns with the Centers for Medicare and Medicaid Services (CMS) guidance. During this review, the agency may identify additional related changes that improve clarity or update policy.

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

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Valerie Freudenstein, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-5128, fax 360-586-9727, telecommunication relay services (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Rob McDonough, Program Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-5135, fax 360-586-9727, TRS 711, email rob.mcdonough@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

February 12, 2026
Wendy Barcus
Rules Coordinator

WSR 26-05-063
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed February 17, 2026, 8:20 a.m.]

Subject of Possible Rule Making: Pregnancy-related accommodations, also known as the Healthy Starts Act. Creating a new chapter under Title 296 WAC, Department of labor and industries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: E2SSB 5217, chapter 379, Laws of 2025, codified under chapter 49.92 RCW, Pregnancy-related accommodations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries (L&I) was directed by the legislature to develop rules to implement and enforce the updates to Washington's pregnancy-related accommodation law enacted under 2025's E2SSB 5217. Currently, Washington's pregnancy-related accommodation law applies to employers with 15 or more employees and is enforced by the Washington attorney general's office. When the updates under 2025's E2SSB 5217/chapter 49.92 RCW go into effect on January 1, 2027, the law will apply to all employers in the state with enforcement transferring to L&I. The bill also includes requirements related to pay for travel and break time for employees to express milk. L&I is directed to investigate complaints and take enforcement actions, including assessing penalties and other amounts owed to employees. Before taking enforcement action, the bill requires L&I contact employers and attempt in good faith to reach agreement on reasonable accommodation or interim accommodations before issuing any citation or order.

This rule making will implement E2SSB 5217/chapter 49.92 RCW, including processes for the investigation of complaint and enforcement, appeals of citations issued, and the collection of civil penalties and other amounts owed. L&I's enforcement of these requirements must be at least equal to enforcement of the minimum wage. L&I intends to create a new chapter in Title 296 WAC for the rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: L&I will coordinate with the Washington state office of the attorney general to transition complaint and enforcement processes by the date required in E2SSB 5217. In addition, the United States Equal Employment Opportunity Commission (EEOC) enforces federal laws that protect applicants and employees that are pregnant. Any needed coordination will be done by L&I through review of EEOC regulations and guidance.

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 the rules are proposed by providing written comments or giving oral 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 Angela MacNeil, L&I, Division of Labor Standards, Health Care Labor Standards, P.O. Box 44510, Olympia, WA 98504-4510, phone 253-970-9305, fax 360-902-5300, email ESRules@Lni.wa.gov.

Additional comments: For more information on L&I rule making, visit the rule-making activity web page at http://www.lni.wa.gov/rulemaking-activity.

February 17, 2026

Joel Sacks
Director

WSR 26-05-068
PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE
[Filed February 17, 2026, 11:28 a.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: It is necessary to update WAC to reflect legislative changes and to update and clarify procedures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: 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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone 360-902-4172, fax 360-664-4619, email dave.piersma@sos.wa.gov, website sos.wa.gov/elections; or Victoria Donahue, P.O. Box 40229, Olympia, WA 98504, phone 360-725-5788, fax 360-664-4619, email victoria.donahue@sos.wa.gov, website sos.wa.gov/elections.

February 17, 2026
Amanda Doyle
Chief of Staff

WSR 26-05-076
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed February 17, 2026, 3:48 p.m.]

Subject of Possible Rule Making: Veterinarian and veterinary technician licensure fees. The department of health (department), in consultation with the veterinary board of governors (board), is considering rule amendments to WAC 246-933-990 and 246-935-990. Amendments may include removing the jurisprudence (JP) exam fee for veterinarians and veterinary technicians, adding the Washington physicians health program (WPHP) impaired practitioner surcharge to initial licensure for veterinarians, and updating fees to cover program's operating costs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.92.047, 43.70.110, 43.70.250, and 43.70.280.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: JP exam fee: In June 2025, the board adopted amendments to WAC 246-933-250 and 246-935-070 removing the JP exam as a requirement for initial licensure for veterinarians and veterinary technicians. A new section was added to each chapter requiring licensees to successfully complete a board-approved training in the Washington state laws respective to their profession, after initial licensure and prior to their first renewal. Prior to the adoption of the rule amendments, the JP exam rule was administered by mailing a hard copy of the exam to the applicant and having them return it to be graded by the credentialing staff. A fee was assessed to cover the cost of credentialing staff's time spent grading the exam. The exam is now online and automatically graded; therefore, a fee is not needed to cover staff time to grade the exam. To align with the board's recent rule changes, the department is considering the removal of the JP exam fee in WAC 246-933-990 and 246-935-990.

Impaired practitioner surcharge: As required by RCW 18.92.047, the board contracts with WPHP to implement and operate an impaired practitioner program. Contracts with WPHP are financed by a surcharge applied to the veterinarian's license. Currently, WAC 246-933-990 only provides for collection of the WPHP surcharge on license renewal. To adequately fund the board's contract with WPHP, the department is considering adding the surcharge to initial licensure as allowed by RCW 18.92.047.

Licensing fees: RCW 43.70.250 requires that licensing fees cover regulatory program expenses which necessitates the program to be self-funding. An update to licensing fees may be needed to adequately fund the program's operating expenses.

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 Poppy Budrow, P.O. Box 47852, Olympia, WA 98504-7852, phone 564-669-0026, TTY 711, email poppy.budrow@doh.wa.gov or veterinary@doh.wa.gov, website https://doh.wa.gov; or Heather Cantrell, P.O. Box 47850, Olympia, WA 98504-7850, TTY 711, email HSQAfeerules@doh.wa.gov.

Additional comments: Notices will be emailed through the program's GovDelivery interested parties list. Interested parties may participate in the development of draft rules prior to a formal pro-

posal by joining the department's interested parties list (GovDelivery), attending workshops, and providing input on draft and proposed materials. To find out more about our rule making and to be included on the interested parties list, please follow these steps: (1) Go to doh.wa.gov; (2) click on the "Sign up for Updates from DOH" button on the bottom of the page; (3) enter your contact information; (4) click "Submit"; (5) under the subscription preferences, check the box that says "Health Systems Quality Assurance"; (6) check the box that says "Health Professions"; and (7) check the box that says "Veterinary Board of Governors" and then click "Submit."

February 17, 2026
Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health