

# Washington State Register

September 19, 2001

OLYMPIA, WASHINGTON

ISSUE 01-18



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## CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: the 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (360) 786-6697.

## REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

## CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of September 2001 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

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# WASHINGTON STATE REGISTER

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### WASHINGTON STATE REGISTER

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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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# STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

## 1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following eight sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **EXPEDITED RULE MAKING**-includes the full text of the rule being proposed using the expedited rule-making process. Expedited rule makings are not consistently filed and may not appear in every issue of the register.
- (d) **PERMANENT**-includes the full text of permanently adopted rules.
- (e) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (f) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (g) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (h) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. Each filing is listed under the agency name and then describes the subject matter, type of filing and the WSR number. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

## 2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
  - (i) underlined material is new material;
  - (ii) ~~deleted material is ((lined out between double parentheses))~~;
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

## 3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

## 4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

## 5. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

2001-2002

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>	Expedited Adoption <sup>4</sup>
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS			
For Inclusion in -	File no later than 12:00 noon -			Count 20 days from -	For hearing on or after	First Agency Adoption Date
01 - 13	May 23, 01	Jun 6, 01	Jun 20, 01	Jul 5, 01	Jul 25, 01	N/A
01 - 14	Jun 7, 01	Jun 21, 01	Jul 5, 01	Jul 19, 01	Aug 8, 01	N/A
01 - 15	Jun 20, 01	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 21, 01	N/A
01 - 16	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 15, 01	Sep 4, 01	Oct 2, 01
01 - 17	Jul 25, 01	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 25, 01	Oct 23, 01
01 - 18	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 9, 01	Nov 6, 01
01 - 19	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 23, 01	Nov 20, 01
01 - 20	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 17, 01	Nov 6, 01	Dec 4, 01
01 - 21	Sep 26, 01	Oct 10, 01	Oct 24, 01	Nov 7, 01	Nov 27, 01	Dec 26, 01
01 - 22	Oct 10, 01	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 11, 01	Jan 8, 02
01 - 23	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 25, 01	Jan 23, 02
01 - 24	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 19, 01	Jan 8, 02	Feb 5, 02
02 - 01	Nov 21, 01	Dec 5, 01	Dec 19, 01	Jan 2, 02	Jan 22, 02	Feb 20, 02
02 - 02	Dec 5, 01	Dec 19, 01	Jan 2, 02	Jan 16, 02	Feb 5, 02	Mar 5, 02
02 - 03	Dec 26, 01	Jan 9, 02	Jan 23, 02	Feb 6, 02	Feb 26, 02	Mar 26, 02
02 - 04	Jan 9, 02	Jan 23, 02	Feb 6, 02	Feb 20, 02	Mar 12, 02	Apr 9, 02
02 - 05	Jan 23, 02	Feb 6, 02	Feb 20, 02	Mar 6, 02	Mar 26, 02	Apr 23, 02
02 - 06	Feb 6, 02	Feb 20, 02	Mar 6, 02	Mar 20, 02	Apr 9, 02	May 7, 02
02 - 07	Feb 20, 02	Mar 6, 02	Mar 20, 02	Apr 3, 02	Apr 23, 02	May 21, 02
02 - 08	Mar 6, 02	Mar 20, 02	Apr 3, 02	Apr 17, 02	May 7, 02	Jun 4, 02
02 - 09	Mar 20, 02	Apr 3, 02	Apr 17, 02	May 1, 02	May 21, 02	Jun 18, 02
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02 - 11	Apr 24, 02	May 8, 02	May 22, 02	Jun 5, 02	Jun 25, 02	Jul 23, 02
02 - 12	May 8, 02	May 22, 02	Jun 5, 02	Jun 19, 02	Jul 9, 02	Aug 6, 02
02 - 13	May 22, 02	Jun 5, 02	Jun 19, 02	Jul 3, 02	Jul 23, 02	Aug 20, 02
02 - 14	Jun 5, 02	Jun 19, 02	Jul 3, 02	Jul 17, 02	Aug 6, 02	Sep 4, 02
02 - 15	Jun 26, 02	Jul 10, 02	Jul 24, 02	Aug 7, 02	Aug 27, 02	Sep 24, 02
02 - 16	Jul 10, 02	Jul 24, 02	Aug 7, 02	Aug 21, 02	Sep 10, 02	Oct 8, 02
02 - 17	Jul 24, 02	Aug 7, 02	Aug 21, 02	Sep 4, 02	Sep 24, 02	Oct 22, 02
02 - 18	Aug 7, 02	Aug 21, 02	Sep 4, 02	Sep 18, 02	Oct 8, 02	Nov 5, 02
02 - 19	Aug 21, 02	Sep 4, 02	Sep 18, 02	Oct 2, 02	Oct 22, 02	Nov 19, 02
02 - 20	Sep 4, 02	Sep 18, 02	Oct 2, 02	Oct 16, 02	Nov 5, 02	Dec 3, 02
02 - 21	Sep 25, 02	Oct 9, 02	Oct 23, 02	Nov 6, 02	Nov 26, 02	Dec 24, 02
02 - 22	Oct 9, 02	Oct 23, 02	Nov 6, 02	Nov 20, 02	Dec 10, 02	Jan 7, 03
02 - 23	Oct 23, 02	Nov 6, 02	Nov 20, 02	Dec 4, 02	Dec 24, 02	Jan 21, 03
02 - 24	Nov 6, 02	Nov 20, 02	Dec 4, 02	Dec 18, 02	Jan 7, 03	Feb 4, 03

<sup>1</sup> All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

<sup>2</sup> A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup> At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

<sup>4</sup> A minimum of forty-five days is required between the distribution date of the Register giving notice of the expedited adoption and the agency adoption date. No hearing is required, but the public may file written objections. See RCW 34.05.230 and 1.12.040.

## **REGULATORY FAIRNESS ACT**

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

### **Small Business Economic Impact Statements (SBEIS)**

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

### **Mitigation**

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

### **When is an SBEIS Required?**

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

### **When is an SBEIS Not Required?**

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.



**WSR 01-18-008****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF REVENUE**

[Filed August 22, 2001, 4:06 p.m.]

Subject of Possible Rule Making: Amendatory section WAC 458-16-165 Conditions under which nonprofit organizations, associations, or corporations may obtain a property tax exemption.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.36.865.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-16-165 explains the conditions and requirements (provided in RCW 84.36.-805 and 84.36.840) that apply to certain property tax exemptions available to nonprofit organizations, associations, or corporations. This rule needs updating to incorporate changes to the underlying statutes since the rule was last adopted.

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

Process for Developing New Rule: Modified negotiated rule making.

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 mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of anticipated changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Kim M. Qually, Counsel, Department of Revenue, Legislation and Policy Division, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6113, fax (360) 664-0693, e-mail kimq@dor.wa.gov.

Location and Date of Public Meeting: Capital Plaza Building, 1025 Union Avenue S.E., 4th Floor, Large Conference Room, Olympia, WA, on September 25, 2001, at 10 a.m.

Assistant for Persons with Disabilities: Contact Barb Vane no later than ten days before the hearing date, TDD 1-800-451-7985 or (360) 570-6182.

August 22, 2001

Claire Hesselholt, Rules Manager  
Legislation and Policy Division

**WSR 01-18-009****PREPROPOSAL STATEMENT OF INQUIRY  
FOREST PRACTICES BOARD**

[Filed August 22, 2001, 4:18 p.m.]

Subject of Possible Rule Making: Forest riparian easement program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The legislature directed the Forest Practices Board to adopt rules consistent with the provisions in SHB 2105. Chapter 76.13 RCW directs the Forest Practices Board to adopt rules for the forestry riparian easement program.

Authority for changing, amending or additional forest practices rules are granted under RCW 76.09.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Forest Practices Board is considering changes to the forestry riparian easement program to implement legislative changes in SHB 2105. The changes would make a previously exempt group of small forest landowners eligible for a new state program that pays landowners to protect streamside trees. Landowners could also choose whether the assessed values of their streamside timber is based upon market prices the date they submitted their forest practices application or the date they began timber harvesting. The assessment determines how much compensation a landowner receives. The changes would also allow reimbursement of the cost of preparing and recording the easement and all business, occupation, and real estate excise taxes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Forest Practices Board is charged with establishing rules to protect the state's public resources while maintaining a viable forest products industry. The Department of Natural Resources administers the forestry riparian easement program.

Process for Developing New Rule: The small forest landowner advisory committee will be involved in the development of the rule following the guidelines in RCW 76.13.110(4).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patricia Anderson, Rules Coordinator, Forest Practices Board, Department of Natural Resources, Forest Practices Division, 1111 Washington Street, 4th Floor, P.O. Box 47012, Olympia, WA 98504-4701, fax (360) 902-1428, e-mail forest.practicesboard@wadnr.wa.gov.

August 20, 2001

Pat McElroy

Executive Director of  
Regulatory Programs

**WSR 01-18-023****PREPROPOSAL STATEMENT OF INQUIRY  
LOTTERY COMMISSION**

[Filed August 27, 2001, 9:35 a.m.]

Subject of Possible Rule Making: Procedural rules, chapter 315-20 WAC, removal of lottery terminal when license is suspended or revoked.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Lottery policy requires removal of a terminal when a license is suspended or revoked. This amendment to WAC 315-20-010 will clarify this policy in the lottery's rules.

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 Mary Jane Ferguson, Rules Coordinator, at (360) 664-4833, fax (360) 586-6586, P.O. Box 43025, Olympia, WA 98504-3025, with any comments or questions regarding this statement of intent.

August 24, 2001  
Mary Jane Ferguson  
Rules Coordinator

### WSR 01-18-026

#### PREPROPOSAL STATEMENT OF INQUIRY

#### CLARK COLLEGE

[Filed August 27, 2001, 3:37 p.m.]

Subject of Possible Rule Making: Chapter 132N-150 WAC, College facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 28B.50.140 (7), (13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In order to facilitate the public's use of college facilities, rules are necessary to provide for the safety of students, the public, and college employees, and to protect the college's (state) investment in these facilities. The existing rules (chapter 132N-144 WAC) are out of date, inaccurate, and incomplete. They need to be rescinded and replaced with chapter 132N-150 WAC.

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 Mr. Tony Birch, Vice-President, Administrative Services, Clark College, 1800 East McLoughlin Boulevard, Vancouver, WA 98663-3598, phone (360) 992-2123, fax (360) 992-2884.

August 16, 2001  
Tana L. Hasart  
President

### WSR 01-18-038

#### PREPROPOSAL STATEMENT OF INQUIRY

#### OFFICE OF THE

#### INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2001-08—Filed August 28, 2001, 3:42 p.m.]

Subject of Possible Rule Making: Holding Company Act for health care service contractors and health maintenance organizations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.44.050, 48.46.200, and section 16, chapter 179, Laws of 2001 (SHB 1792).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 179, Laws of 2001, requires health care service contractors and health maintenance organizations to submit and file certain information

with the insurance commissioner. This proposed rule will set forth the instructions, methods and forms by which this information will be filed with the insurance commissioner and further implement chapter 179, Laws of 2001.

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, by contacting Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, fax (360) 664-2782, e-mail Kacyb@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 Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, fax (360) 664-2782, e-mail Kacyb@oic.wa.gov.

August 28, 2001  
Mike Kreidler  
Insurance Commissioner

### WSR 01-18-040

#### PREPROPOSAL STATEMENT OF INQUIRY

#### DEPARTMENT OF REVENUE

[Filed August 28, 2001, 3:49 p.m.]

Subject of Possible Rule Making: WAC 458-40-660 Timber excise tax—Stumpage value tables.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300 and 84.33.096.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The law (RCW 84.33.091) requires that the stumpage value tables be revised every six months. The stumpage values are established by the department so that timber harvesters are apprised of the timber values on which the timber excise tax is calculated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington State Department of Natural Resources both regulate forest practices, they are not involved in valuation for purposes of taxation. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but there should be no need to involve them in the valuation revisions provided in this rule.

Process for Developing New Rule: Modified negotiated rule making.

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 mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Ed Ratcliffe, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6126, fax (360) 664-0693, e-mail edr@dor.wa.gov.

Location and Date of Public Meeting: Department of Revenue, Conference Room, Target Place Building No. 4,

2735 Harrison Avenue N.W., Olympia, WA, on October 15, 2001, at 10 a.m.

Assistance for Persons with Disabilities: Contact Barb Vane no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6182.

August 28, 2001  
Claire Hesselholt, Rules Manager  
Legislation and Policy Division

#### WSR 01-18-044

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 01-09—Filed August 29, 2001, 1:19 p.m.]

Subject of Possible Rule Making: Amendment to chapter 173-224 WAC, Wastewater discharge permit fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 90.48.465 Water pollution control.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology is proposing to amend the existing rule that will increase annual permit fees for fiscal years 2003 and 2004 as well as create a new permit fee category for aquatic pesticide control applicants. The fee increase will allow ecology to continue operation of the wastewater discharge permit program. RCW 90.48.465 Water pollution control requires annual fees be paid by all permit holders who have wastewater discharge permit coverage. A federal court ruling determined aquatic pesticide applicants need wastewater permit coverage. The new fee category will cover the cost for the permit coverage.

Process for Developing New Rule: Ecology uses a water quality partnership to provide guidance on various issues, one of which concerns amendments to the permit fee regulation. This partnership consists of industrial permit holders, municipal permit holders, government entities, environmental groups, etc. They are aware of these proposals. Permit holders will be notified directly of the proposed rule amendments. Public meetings will be advertised through direct mailings to permit holders and interested parties on ecology mailing lists, newspapers and radio.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bev Poston, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6425, fax (360) 407-6426, e-mail bpos461@ecy.wa.gov.

August 27, 2001  
Megan White, P.E.  
Program Manager

#### WSR 01-18-045

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

(Medical Assistance Administration)

[Filed August 29, 2001, 3:34 p.m.]

Subject of Possible Rule Making: Chapter 388-475 WAC, a new Medicaid program is being developed. It will be called healthcare for workers with disabilities (HWD). The HWD program recognizes the employment potential of people with disabilities and represents Washington state's response to the landmark "Ticket to Work" legislation passed by congress in 1999.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.08.090, 74.09.500, and 74.09.510, Section 1902 (a)(10)(A)(ii) of the Social Security Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This adoption is necessary to comply with federal requirements to ensure continued federal financial participation and to reflect policy contained in our Medicaid state plan. Eligibility and cost-sharing requirements described in these rules reflect appropriations funded in the Washington state operating budget (SB 6153).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: MAA will coordinate this effort with all other affected agencies, including but not limited to AASA, ESA, the Washington Department of Veteran Affairs, and the Centers for Medicare and Medicaid Services. They will be furnished copies of all material drafted during this process for their review, input and comments, and will be invited to participate in meetings regarding the development of these rules. Whenever possible, announcements of opportunities to collaborate will be published in the Washington State Register and posted on agency Internet pages.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this proposed WAC amendment. Draft material and information about how to participate are available by contacting the DSHS representative identified below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephen Kozak, Medicaid Buy-In Program Coordinator, Medical Assistance Administration, Mail-stop 45534, Olympia, WA 98504-5534, phone (360) 725-1321, fax (360) 664-0910, e-mail KOZAKSJ@dshs.wa.gov, TDD 1-800-848-5429.

August 29, 2001  
Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**WSR 01-18-046**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 29, 2001, 3:35 p.m.]

Subject of Possible Rule Making: WAC 388-513-1301 Definitions related to long-term care (LTC) services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.575.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This amendment will repeal the definitions of "annuity" and "life estate" and add a reference to the new WAC on trusts, annuities, and life estates which includes definition of these terms. It will also clarify definitions and add a definition of "participation."

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 invites the interested public to review and provide input on the draft language of this WAC. Draft material and information about how to participate are available by contacting the DSHS representative identified below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Beth Ingram, Program Manager, Medical Assistance Administration, Mailstop 45534, Olympia, WA 98504-5534, phone (360) 725-1327, fax (360) 664-0910, TDD 1-800-848-5429, e-mail INGRAMB@dshs.wa.gov.

August 29, 2001  
Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**WSR 01-18-053**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Adult Services Administration)

[Filed August 30, 2001, 3:50 p.m.]

Subject of Possible Rule Making: WAC 388-76-765.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040 and chapter 43.20A RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Structural fire safety requirements have been incorporated into the UBC and WAC 51-40-310. This amendment will facilitate sole source for fire safety structural requirements and maintain other fire safety requirements for adult family homes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This amendment will remove DSHS from regulating structural requirements. Structural requirements will be regulated by building officials at the local level.

Process for Developing New Rule: Negotiated rule making, meetings will be held with all stakeholder and other

interested parties. DSHS welcomes the public to take part in developing the rule(s). Anyone interested in participating should contact the staff person indicated below. After the rule(s) is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy 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 Chuck Foster, DSHS/AASA/RCS, 640 Woodland Square Loop S.E., P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2587, e-mail fostec@dshs.wa.gov, fax (360) 438-7903.

August 30, 2001  
Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**WSR 01-18-070**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed September 4, 2001, 1:29 p.m.]

Subject of Possible Rule Making: Commercial marine fish fishing rules and closed areas.

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: The department will consider further conservation rules, including establishing marine protected areas for rockfish recovery. Additional harvest restrictions may be needed for dogfish and six-gill shark. Forage fish harvest rules may need adjustment to protect spawning stocks. These rules will help recovery of marine fish species in Puget Sound and coastal waters.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will coordinate state bottom fish rules with the National Marine Fisheries Service ground fish rules.

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 Lew Atkins, Assistant Director, Fish Program, 600 Capitol Way North, Olympia; WA 98504-1091, (360) 902-2651. Contact by October 23, 2001, expected proposal filing October 24, 2001.

September 4, 2001  
Evan Jacoby  
Rules Coordinator

**WSR 01-18-071****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed September 4, 2001, 1:32 p.m.]

Subject of Possible Rule Making: Rules regarding tribal hunting boundaries.

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: The department is implementing a negotiated southern boundary of the ceded lands under the Medicine Creek Treaty.

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 Phil Anderson, Special Assistant, Intergovernmental Policy Group, 600 Capitol Way North, Olympia, WA 98505-1091, (360) 902-2720. Contact by October 23, 2001, expected proposal filing October 24, 2001.

September 4, 2001

Evan Jacoby

Rules Coordinator

**WSR 01-18-074****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed September 4, 2001, 3:20 p.m.]

Subject of Possible Rule Making: Bald eagle habitat rules; downlist bald eagle from threatened to sensitive; eliminate public meeting requirements from listing procedure; private lands wildlife management areas and seasons; and public safety cougar pursuit period.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.655, 77.12.020, 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To change the bald eagle from threatened to sensitive to reflect improved status; change the bald eagle habitat rules to coincide with the downlisting of the bald eagle and update outdated information in the WAC; increase public safety posed by one or more cougar; and establish hunting seasons for private land wildlife management areas for recreation.

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 Dave Brittell, Assistant Director, Wildlife Program, 600 Capitol Way North, Olympia, WA 98501-

1091, (360) 902-2504. Contact by October 12, 2001, rule proposal filing expected to be October 24, 2001.

September 4, 2001

Evan Jacoby

Rules Coordinator

**WSR 01-18-075****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed September 4, 2001, 3:20 p.m.]

Subject of Possible Rule Making: Aquaculture disease control rules.

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: The department will update its procedures for aquaculture disease control, in response to increased potential for introduced pathogens. Definitions need to be clarified and increased reporting will reduce the potential for transmission of diseases. The department will propose a fee schedule to offset current examination and transfer permit issuance costs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will coordinate aquaculture disease control rules with the Department of Agriculture.

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 Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2651. Contact by October 23, 2001, expected rule filing October 24, 2001.

September 4, 2001

Evan Jacoby

Rules Coordinator

**WSR 01-18-076****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed September 4, 2001, 3:21 p.m.]

Subject of Possible Rule Making: Recreational fishing rules.

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: Each year the department sets recreational fishing seasons, catch limits, gear restrictions, and closed areas based on conservation needs, harvestable potential, and in consideration of reduction of gear conflicts. This year is a major rule cycle, in which both public and governmental interests are asked to comment and pro-

vide suggestions. These rules will provide recreational fishing opportunity and provide resource protection.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Harvest rules are coordinated with the United States Fish and Wildlife, the National Marine Fisheries Service, and the Washington State Department of Health.

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 Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2651. Contact by October 23, 2001, expected rule filing October 24, 2001.

September 4, 2001  
Evan Jacoby  
Rules Coordinator

**WSR 01-18-094**

**PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Order 01-05—Filed September 5, 2001, 11:19 a.m.]

Subject of Possible Rule Making: Revise WAC 182-08-095 to allow only one membership in PEBB coverage per eligible member as assumed in the 2001-2003 biennial budget and in accordance with the August 7, 2001, vote of the PEBB board to eliminate dual enrollment in PEBB-sponsored medical and dental coverage by eligible PEBB members.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To implement the change to WAC 182-08-095 voted on by the PEBB board at the August 7, 2001, meeting.

Process for Developing New Rule: Public hearings and stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, Health Care Authority, 676 Woodland Square Loop S.E., Olympia, WA 98504-2684, phone (360) 923-2642, fax (360) 923-2602.

September 5, 2001  
Melodie H. Bankers  
Rules Coordinator

**WSR 01-18-095**

**PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Order 01-04—Filed September 5, 2001, 11:19 a.m.]

Subject of Possible Rule Making: Revise WAC 182-12-119 to include surviving spouse and dependent children of emergency service personnel killed in the line of duty.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule is being amended to reflect statutory changes to RCW 41.05.011 enacted by the 2001 legislature.

Process for Developing New Rule: Stakeholding and public meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, Health Care Authority, 676 Woodland Square Loop S.E., Olympia, WA 98504-2684, phone (360) 923-2642, fax (360) 923-2602.

September 5, 2001  
Melodie H. Bankers  
Rules Coordinator

**WSR 01-18-096**

**PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

[Order 01-06—Filed September 5, 2001, 11:20 a.m.]

Subject of Possible Rule Making: Revise chapter 182-08 WAC to include eligibility for the employer contribution toward benefits for eligible employees and their eligible dependent(s) during periods of active military service that have a duration of less than thirty-one days.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule is being amended to reflect statutory changes to RCW 73.16.051 enacted by the 2001 legislature.

Process for Developing New Rule: Stakeholding and public meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Scott, Health Care Authority, 676 Woodland Square Loop S.E., Olympia, WA 98504-2684, phone (360) 923-2642, fax (360) 923-2602.

September 5, 2001  
Melodie H. Bankers  
Rules Coordinator

**WSR 01-18-024**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Children's Administration)  
 [Filed August 27, 2001, 11:28 a.m.]

The Children's Administration is withdrawing WAC 388-148-0495 and 388-148-0675 from WSR 01-12-101, filed on June 6, 2001.

Brian Lindgren, Manager  
 Rules and Policies Assistance Unit

**WSR 01-18-029**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed August 28, 2001, 3:11 p.m.]

The proposed rule-making notice filed with the code reviser on February 21, 2001, filing WSR 01-05-132, is hereby withdrawn. The proposal to amend the Washington Strawberry Commission marketing order did not receive the required assent by the strawberry producers as provided for under chapter 15.65 RCW.

James M. Jesernig  
 Director

**WSR 01-18-033**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Aging and Adult Services Administration)  
 [Filed August 28, 2001, 3:29 p.m.]

**Original Notice.**

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Medicaid rates for contracted home and community residential care services, WAC 388-105-0005.

Purpose: To update the Medicaid payment rates for the July 1, 2001, increases enacted by the legislature in ESSB 6153.

Statutory Authority for Adoption: Section 206, chapter 7, Laws of 2001.

Statute Being Implemented: Section 206, chapter 7, Laws of 2001.

Summary: Updates Medicaid four level payment rates for contracted adult family home (AFH), adult residential care (ARC), and enhanced adult residential care (EARC). In the 2001 Appropriations Act, the legislature authorized a 2.1% vendor rate increase. Also, the legislature authorized an increase in all long-term care rates to support increasing wages for long-term care workers receiving low wages.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patricia Hague, 640 Woodland Square Loop S.E., Lacey, WA 98503, (360) 725-2447.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: To codify increases to Medicaid payment rates that were effective July 1, 2001, for contracted adult family home (AFH), adult residential care (ARC), and enhanced adult residential care (EARC). The July 1, 2001, increases enacted by the legislature in ESSB 6153 now chapter 7, Laws of 2001. The legislature authorized a 2.1% vendor rate increase and an increase in all long-term care rates to support increasing wages for long-term care workers receiving low wages. The adoption will codify the rate increases.

Proposal Changes the Following Existing Rules: Updates Medicaid four level payment rates for contracted adult family home (AFH), adult residential care (ARC), and enhanced adult residential care (EARC). In the 2001 Appropriations Act, the legislature authorized a 2.1% vendor rate increase.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed revision to chapter 388-105 WAC is exempt from a small business economic impact statement under RCW 19.85.025(2) and 34.05.310 (4)(f), rules that set or adjust fees or rates pursuant to legislative standards.

RCW 34.05.328 does not apply to this rule adoption. Under RCW 34.05.328 (5)(b)(vi), rules that set or adjust fees or rates pursuant to legislative standards are exempt from RCW 34.05.328. The revision to chapter 388-105 WAC is to codify increases in Medicaid payment rates for residential care facilities pursuant to ESSB 6153 now chapter 7, Laws of 2001.

Hearing Location: Blake Office Park (East) (behind Tokyo Bento Restaurant), Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503, on October 9, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by October 1, 2001, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 9, 2001.

Date of Intended Adoption: No sooner than October 10, 2001.

August 22, 2001

Brian H. Lindgren, Manager  
 Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 01-14-056, filed 6/29/01, effective 7/30/01)

**WAC 388-105-0005 What are the daily Medicaid payment rates for contracted adult family home (AFH), adult residential care (ARC), and enhanced adult residential care (EARC) services?** For contracted AFH, ARC, and EARC services, the department pays the following daily rates for care of a Medicaid resident:

PROPOSED

Four level payment system rates for AFHs, ARCs, & EARCs			
Care Levels	Non-metropolitan	Metropolitan*	King Co.
Level 1	\$((42.41)) <u>44.94</u>	\$((41.19)) <u>43.68</u>	\$((41.19)) <u>43.68</u>
Level 2	\$((45.06)) <u>47.84</u>	\$((47.24)) <u>50.05</u>	\$((52.49)) <u>55.42</u>
Level 3	\$((52.26)) <u>55.40</u>	\$((54.64)) <u>57.80</u>	\$((60.65)) <u>63.96</u>
Level 4	\$((63.09)) <u>66.66</u>	\$((66.89)) <u>70.52</u>	\$((72.90)) <u>76.67</u>

\*Benton, Clark, Franklin, Island, Kitsap, Pierce, Snohomish, Spokane, Thurston, Whatcom, and Yakima Counties.

**WSR 01-18-034**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)

[Filed August 28, 2001, 3:31 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 388-450-0190 How does the department figure my shelter cost income deduction for food assistance?, 388-450-0195 Utility allowances for food assistance programs, and 388-478-0060 What are my income limits for food assistance?

Purpose: Changes the excess shelter deduction to \$354 for new applications and recertifications for food assistance that occur on or after March 1, 2001. Updates the standard utility allowance based on an assistance unit's size. Also updates the gross and net income limits, maximum allotments, and 165% of poverty levels based on the number of eligible assistance unit members.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.510.

Statute Being Implemented: RCW 74.08.090 and 74.04.510.

Summary: The USDA Food and Nutrition Service mandates these changes in standards used to determine food assistance benefit levels.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, DEAP, (360) 413-3232.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 C.F.R., Chapter II, Part 273.

Explanation of Rule, its Purpose, and Anticipated Effects: Changes the excess shelter deductions to \$354 for new applications and recertifications for food assistance that occur on or after March 1, 2001. Updates the standard utility allowance based on an assistance unit's size. Also updates

the gross and net income limits, maximum allotment, and 165% of poverty level based on the number of eligible assistance unit members.

Proposal Changes the Following Existing Rules: The USDA Food and Nutrition Service mandates these changes in standards used to determine food assistance benefit levels.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. These rule changes do not meet the definition of significant legislative rules.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 9, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson, by October 1, 2001, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensFH@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 9, 2001.

Date of Intended Adoption: No sooner than October 10, 2001.

August 23, 2001

Brian H. Lindgren, Manager  
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-06-030, filed 3/2/01, effective 4/2/01)

**WAC 388-450-0190 How does the department figure my shelter cost income deduction for food assistance?**

~~(((1) To figure))~~ The department calculates your shelter cost income deduction ~~((for food assistance, the department first adds up what))~~ as follows:

- (1) First, we add up the amounts your assistance unit (AU) ~~((is responsible to))~~ must pay each month for shelter. We do not count any overdue amounts, late fees, penalties(;) or any amount((s)) you pay ahead of time as an allowable cost. ~~((Your))~~ We count the following expenses as an allowable shelter cost((s include your)):
  - (a) Ongoing rent, lease, and mortgage payments;
  - (b) Property taxes;
  - (c) Homeowner's insurance for the building only;
  - (d) Utility allowance your AU is eligible for under WAC 388-450-0195;
  - (e) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;
  - (f) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:
    - (i) AU intends to return to the home;
    - (ii) AU has current occupants who are not claiming the shelter costs for food assistance purposes; and
    - (iii) AU's home is not being leased or rented during your AU's absence.

PROPOSED

(2) Second, we subtract ~~((from your AU's gross income))~~ all deductions your AU is eligible for under WAC 388-450-0185(1) through (5) from your AU's gross income. The result is your AU's net income.

(3) Finally, we subtract ~~((from your AU's total shelter costs))~~ one-half of your AU's net income from your AU's total shelter costs. The result is your excess shelter ~~((cost income deduction. The deduction your AU will get is))~~ costs. Your AU's shelter cost deduction is the excess shelter costs:

(a) Up to a maximum of three hundred dollars if no one in your AU is elderly or disabled and you were found eligible for benefits prior to March 1, 2001; or

(b) Up to a maximum of three hundred ~~((forty))~~ fifty-four dollars if no one in your AU is elderly or disabled and you were found eligible for benefits or were recertified for benefits either on or after March 1, 2001; or

(c) The entire amount if someone in your AU is elderly or disabled, even if the amount ~~((exceeds))~~ is over three hundred ~~((forty))~~ fifty-four dollars.

**AMENDATORY SECTION** (Amending WSR 00-22-065, filed 10/27/00, effective 11/1/00)

**WAC 388-450-0195 Utility allowances for food assistance programs.** (1) For food assistance programs, "utilities" include the following:

- (a) Heating and cooking fuel;
- (b) Cooling and electricity;
- (c) Water and sewerage;
- (d) Garbage and trash collection; and
- (e) Basic telephone service.

(2) The department uses the amounts below if you have utility costs separate from your rent or mortgage payment.

We add your utility allowance to your rent or mortgage payment to determine your total shelter costs. We use total shelter costs to determine your food assistance benefits.

(3) If you have heating or cooling costs, you get a standard utility allowance (SUA) that depends on your assistance unit's size.

Assistance Unit (AU) Size	Utility Allowance
1	\$ <del>((230))</del> <u>249</u>
2	\$ <del>((237))</del> <u>256</u>
3	\$ <del>((244))</del> <u>264</u>
4	\$ <del>((251))</del> <u>271</u>
5	\$ <del>((258))</del> <u>279</u>
6 or more	\$ <del>((265))</del> <u>287</u>

(4) If your AU does not qualify For the SUA and you have utility costs other than telephone costs, you get a limited utility allowance (LUA) of one hundred ~~((eighty-five))~~ ninety-eight dollars.

(5) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of ~~((thirty-one))~~ thirty-three dollars.

**AMENDATORY SECTION** (Amending WSR 00-23-013, filed 11/3/00, effective 12/4/00)

**WAC 388-478-0060 What are my income limits for food assistance?** ~~((So long as))~~ If your assistance unit (AU) meets all other eligibility requirements for food assistance ~~((benefits))~~, your AU must have income at or below the limits in column (B) and (C) to get food assistance, unless you meet one of the exceptions listed below:

**EFFECTIVE 10-1-~~((2000))~~ 2001**

Column A <del>((Household-Size))</del> <u>Number of Eligible AU Members</u>	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$ <del>((905))</del> <u>931</u>	\$ <del>((696))</del> <u>716</u>	\$ <del>((130))</del> <u>135</u>	\$ <del>((1,149))</del> <u>1,182</u>
2	<del>((1,219))</del> <u>1,258</u>	<del>((938))</del> <u>968</u>	<del>((238))</del> <u>248</u>	<del>((1,547))</del> <u>1,597</u>
3	<del>((1,533))</del> <u>1,585</u>	<del>((1,180))</del> <u>1,220</u>	<del>((341))</del> <u>356</u>	<del>((1,946))</del> <u>2,012</u>
4	<del>((1,848))</del> <u>1,913</u>	<del>((1,421))</del> <u>1,471</u>	<del>((434))</del> <u>452</u>	<del>((2,345))</del> <u>2,427</u>
5	<del>((2,162))</del> <u>2,240</u>	<del>((1,663))</del> <u>1,723</u>	<del>((515))</del> <u>537</u>	<del>((2,744))</del> <u>2,843</u>
6	<del>((2,476))</del> <u>2,567</u>	<del>((1,905))</del> <u>1,975</u>	<del>((618))</del> <u>644</u>	<del>((3,142))</del> <u>3,258</u>
7	<del>((2,790))</del> <u>2,894</u>	<del>((2,146))</del> <u>2,226</u>	<del>((683))</del> <u>712</u>	<del>((3,541))</del> <u>3,673</u>
8	<del>((3,104))</del> <u>3,221</u>	<del>((2,388))</del> <u>2,478</u>	<del>((781))</del> <u>814</u>	<del>((3,940))</del> <u>4,088</u>
9	<del>((3,419))</del> <u>3,549</u>	<del>((2,630))</del> <u>2,730</u>	<del>((879))</del> <u>916</u>	<del>((4,339))</del> <u>4,504</u>

	10	<del>((3,734))</del>	<del>((2,872))</del>	<del>((977))</del>	<del>((4,738))</del>
		<u>3,877</u>	<u>2,982</u>	<u>1,018</u>	<u>4,920</u>
Each Additional Member		<del>+((315))</del>	<del>+((242))</del>	<del>+((98))</del>	<del>+((399))</del>
		<u>328</u>	<u>252</u>	<u>102</u>	<u>416</u>

Exceptions:

(1) If your AU is categorically eligible as ~~((defined in))~~ under WAC 388-414-0001, your ~~((income will))~~ AU does not have to ~~((be below))~~ meet the gross or net income standards in columns (B) and (C) ~~((to decide if you are eligible))~~. However, we ~~((with))~~ do budget ~~((the))~~ your AU's income to decide the amount of food assistance your AU will receive.

(2) If your AU includes a member who is sixty years of age or older or has a disability, your income must be at or below the limit in column (C) only.

(3) If you are sixty years of age or older and ~~((are unable to purchase and prepare))~~ cannot buy and cook your own meals because of a permanent disability, we will use column (E) to ~~((determine))~~ decide if you can be a separate ~~((food assistance unit))~~ AU.

(4) If your AU has zero income ~~((you will receive))~~, your benefits are the maximum allotment ~~((amount))~~ in column (D), based on ~~((your household size in column (D)))~~ the number of eligible members in your AU.

**WSR 01-18-035**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 [Filed August 28, 2001, 3:34 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 388-408-0034 What is an assistance unit for food assistance?, 388-408-0035 Who is in my assistance unit for food assistance?, 388-408-0040 How does living in an institution affect my eligibility for food assistance?, 388-408-0045 Am I eligible for food assistance if I live in a shelter for battered women and children?, 388-408-0050 Does the department consider me homeless for food assistance benefits?, and 388-450-0140 How does the income of an ineligible assistance unit member affect my eligibility and benefits for food assistance?

Purpose: Creates new WAC to define what a food assistance unit is. Clarifies who can be in a food assistance unit. Summarizes how being homeless, living in an institution, or living in a shelter for battered women and children affects food assistance eligibility. Clarifies how the income of an ineligible assistance unit member affects food assistance eligibility and benefits.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510.

Summary: Defines what a food assistance unit is in new WAC 388-408-0034. Clarifies text of existing rules.

Reasons Supporting Proposal: These changes reflect federal law changes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, DEAP, (360) 413-3232.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 C.F.R., Chapter II, Part 273.

Explanation of Rule, its Purpose, and Anticipated Effects: Defines what a food assistance unit is in new WAC 388-408-0034. Clarifies text of existing rules. These changes are mandated by federal law.

Proposal Changes the Following Existing Rules: Creates new WAC to define what a food assistance unit is. Clarifies who can be in a food assistance unit. Summarizes how being homeless, living in an institution, or living in a shelter for battered women and children affects food assistance eligibility. Clarifies how the income of an ineligible assistance unit member affects food assistance eligibility and benefits.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Small businesses are not impacted by these rule changes.

RCW 34.05.328 does not apply to this rule adoption. These changes do not meet the definition of significant legislative rules.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 9, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by October 1, 2001, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 9, 2001.

Date of Intended Adoption: No sooner than October 10, 2001.

August 23, 2001  
 Brian H. Lindgren, Manager  
 Rules and Policies Assistance Unit

NEW SECTION

**WAC 388-408-0034 What is an assistance unit for food assistance?** For all sections of this chapter:

"We" means the department of social and health services;

"You" means the person applying for or receiving benefits from the department;

"Assistance unit" or "AU" is the group of people who live together and whose income and resources we count to decide if you are eligible for benefits and the amount of benefits you get.

"Boarder" means a person who:

PROPOSED

(1) We decide pays a reasonable amount for lodging and meals; or

(2) Is in foster care.

**"Live-in attendant"** means a person who lives in the home and provides medical, housekeeping, childcare, or similar personal services an AU member needs because:

(1) A member is aged, incapacitated, or disabled;

(2) A member of the AU is ill; or

(3) A minor child in the AU needs childcare.

**"Parent"** means a natural, step, or adoptive parent. A stepparent is not a parent to a child if the marriage to the child's natural parent ends due to divorce or death.

A person who lives with you pays a **"reasonable amount"** for meals if:

(1) You provide two or more meals a day and they pay at least the maximum allotment under WAC 388-478-0060 for their AU size; or

(2) You provide one meal a day and they pay at least two-thirds the maximum allotment under WAC 388-478-0060 for their AU size.

**"Roomer"** means a person who pays for lodging, but not meals;

A person has a **"separate residence"** from an AU if they have separate living, cooking, and sanitation facilities.

**"Spouse"** means your husband or wife through a legally recognized marriage.

**AMENDATORY SECTION** (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-408-0035 Who is in my assistance unit(s) for food assistance((s))?** (1) For food assistance, a ((household is:

(a) A person living alone;

(b) A group of people living together who purchase or prepare meals together;

(c) A group of people living together who are required to be one household because of the relationship to each other as described in subsection (2) of this section; or

(d) An elderly person with permanent disabilities who is unable to prepare meals. The combined income of all others living in the residence (excluding the spouse) cannot exceed the one hundred sixty five percent standard under WAC 388-478-0060. The person's spouse must be included in the food assistance household.

(2) The following people living together must be one household even if they purchase and prepare meals separately:

(a) Spouses which means persons who are legally married or who present themselves as husband and wife to the community, friends and relatives;

(b) Parents and their children under twenty two years of age regardless of the child's marital status; and

(c) Children under eighteen years of age and the adult who the child is living with when the adult is not the child's parent. When a minor child lives with an adult who is not the child's parent, the child is considered to be under parental control unless the child receives in their own name:

(i) A TANF grant; or

(ii) Gross income equal to or exceeding the TANF grant standard in WAC 388-478-0020(2).

(3) A household member who is absent from the household a full issuance month, is not eligible for benefits with that household.

(4) The following persons living in the residence are not household members and if eligible may be a separate food assistance household:

(a) Roomers who are persons that pay for lodging but not meals;

(b) Others who purchase and prepare meals separately from the household; or

(c) Live-in attendants regardless of purchase and prepare arrangements.

(5) The following persons living in the residence are not household members and are not eligible for food assistance as a separate household:

(a) Ineligible students; and

(b) Persons eighteen to fifty years old without dependents who are no longer eligible for benefits as specified in chapter 388-444 WAC.

(6) A person who is living in the residence and is not a household member as described in subsection (4) and (5), is not included when household size, income eligibility, and benefit level are determined for the food assistance unit.

(7) A boarder is a person who:

(a) Is paying a reasonable amount for lodging and meals as determined by the department; or

(b) Is in foster care.

(8) A client can exclude a boarder at the client's request. If excluded, the boarder cannot be a separate food assistance household. Residents of licensed for-profit boarding homes are not eligible for benefits.

(9) The following household members are ineligible for food assistance and are considered ineligible members:

(a) Those disqualified for:

(i) Intentional program violation (IPV) as specified in WAC 388-446-0015;

(ii) Noncompliance with work requirements as specified in WAC 388-444-0055; or

(iii) Failure to provide SSN as specified in WAC 388-476-0005;

(b) Those who fail to sign the application attesting to citizenship or alien status or immigrants not eligible because of alien status;

(c) Fleeing felons as specified in WAC 388-442-0010(1); or

(d) Those convicted of drug felonies as described under WAC 388-442-0010(2).

(10) A person who is living in the residence and is an ineligible household member is not included when household size and benefit level is determined)) person must be in your assistance unit (AU) if they:

(a) Live in the same home as you; and

(b) Usually purchase and prepare food with you.

(2) If the following people live with you, they must be in your AU even if you do not usually purchase and prepare food together:

(a) Your spouse;

(b) Your parents if you are under age twenty-two (even if you are married);

(c) Your children under age twenty-two;

(d) A child under age eighteen who doesn't live with their parent unless the child:

(i) Is emancipated;

(ii) Gets a TANF grant in their own name; or

(iii) Gets income in their own name of at least the TANF payment standard under WAC 388-478-0020(2) before taxes or other withholdings.

(e) Someone not listed in (a) through (d) above if:

(i) You provide meals for them; and

(ii) They pay less than a reasonable amount for meals.

(3) Anyone who must be in your AU under subsection (2) or (3) is an ineligible AU member if they:

(a) Are disqualified for an intentional program violation (IPV) under WAC 388-446-0015;

(b) Did not meet ABAWD work requirements under WAC 388-444-0030.

(c) Did not meet work requirements under WAC 388-444-0055;

(d) Did not provide a social security number under WAC 388-476-0005;

(e) Did not meet the citizenship or alien status requirements under chapter 388-424 WAC;

(f) Are fleeing a felony charge or violating a condition of parole or probation under WAC 388-442-0010;

(g) Are disqualified for a drug-related felony under 388-442-0010.

(4) If your AU has an ineligible member:

(a) We count the ineligible member's income to the AU under WAC 388-450-0140;

(b) We count all the ineligible members resources to the AU; and

(c) We do not use the ineligible member to determine the AU's size for the maximum income amount or allotment under WAC 388-478-0060.

(5) If the following people live in the same home as you, you can choose if we include them in the AU:

(a) A permanently disabled person who is age sixty or over and cannot make their own meals if the total income of everyone else in the home (not counting the elderly and disabled person's spouse) is not more than the one hundred sixty-five percent standard under WAC 388-478-0060;

(b) A boarder. If you do not include a boarder in your AU, the boarder cannot get food assistance in a separate AU;

(c) A person placed in your home for foster care. If you do not include this person in your AU, they cannot get food assistance in a separate AU;

(d) Roomers; or

(e) Live-in attendants even if they purchase and prepare food with you.

(6) If someone in your AU is out of your home for a full issuance month, they are not eligible for benefits as a part of your AU.

(7) The following people who live in your home are not members of your AU. If they are eligible for food assistance, they may be a separate AU:

(a) Someone who usually purchases and prepares meals separately from your AU if they are not required to be in your AU; or

(b) Someone who lives in a separate residence.

(8) A student who is ineligible for food assistance under WAC 388-482-0005 is not a member of the AU.

**AMENDATORY SECTION** (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-408-0040** ~~((Residents of))~~ **How does living in an institution((s)) affect my eligibility for food assistance?** (1) For food assistance, an "institution" means a place where people live that provides residents more than half of three meals daily as a part of their normal services.

(2) Most residents of institutions are not eligible for food assistance ((benefits)). ~~((Residents of the following institutions may be eligible))~~

(3) If you live in one of the following institutions, you may be eligible for food assistance even if the institution provides the majority of meals:

(a) Federally subsidized housing for the elderly;

(b) Qualified drug and alcohol treatment centers when an employee of the treatment center is the authorized representative;

(c) Qualified group homes for persons with disabilities;

(d) A shelter for battered women and children when the resident left the home that included the abuser; or

(e) Nonprofit shelters for the homeless. ~~((Homeless clients may use food stamps to purchase prepared meals from meal providers for the homeless.~~

~~((2))~~ (4) A qualified group home is a nonprofit residential facility that:

(a) Houses sixteen or fewer persons with disabilities as defined under WAC 388-400-0040(6); and

(b) Is certified by the division of developmental disabilities (DDD).

~~((3))~~ (5) Elderly or disabled ~~((household members and))~~ individuals and their spouses may use food ~~((stamps to purchase))~~ assistance benefits to buy meals from the following ~~((when approved by))~~ if FNS has approved them to accept food assistance benefits:

(a) Communal dining facility; or

(b) Nonprofit meal delivery service.

(6) If you are homeless, you may use your food assistance benefits to buy prepared meals from meal providers for the homeless.

**AMENDATORY SECTION** (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-408-0045** **Am I eligible for food assistance if I live in a shelter((s)) for battered women and children((r))?** (1) ~~((Persons living))~~ You may be eligible for food assistance if you live in a shelter for battered women and children ~~((may receive food assistance.~~

(2) ~~A shelter resident who left a food assistance household that included the abuser:~~

~~(a) Is certified as a separate household;~~

~~(b) May receive an additional allotment even when the resident already received benefits with the abuser; and~~

~~(e) Are certified on the basis of:~~

- ~~(i) Income and resources to which they have access; and  
(ii) Expenses for which they are responsible).~~

~~(2) If you live in a shelter for battered women and children and you left an assistance unit (AU) that included the abuser, we certify you a separate AU for food assistance:~~

~~(a) You may get additional amount of food assistance benefits even if you received benefits with the abuser.~~

~~(b) The department will decide your eligibility and benefits based on:~~

- ~~(i) The income and resources you have access to; and  
(ii) The expenses you are responsible for.~~

**AMENDATORY SECTION** (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-408-0050 Does the department consider me homeless ((status)) for food assistance((r)) benefits? ((A client is considered)) The department considers you as homeless ((when they)) if you do not have a regular nighttime residence or when ((they)) you stay primarily in a:**

(1) Supervised shelter that provides temporary living or sleeping quarters;

(2) Halfway house ((providing)) that provides a temporary residence for persons going into or coming out of an institution;

(3) Residence of another person that is temporary and the client has lived there for ninety days or less; or

(4) A place not usually used as sleeping quarters for humans.

**AMENDATORY SECTION** (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

**WAC 388-450-0140 How does the income of an ineligible assistance unit member((s—)) affect my eligibility and benefits for food assistance((r))?** ~~(((1) When a food assistance household contains a person who is disqualified for intentional program violation or failure to meet work requirements as provided in chapter 388-444 WAC, all income of the disqualified person is included as part of the entire household's income:~~

~~(a) The standard deduction and allowable deductions for earned income, medical costs, dependent care, and excess shelter costs are applied; and~~

~~(b) The household's benefits are not increased as a result of the exclusion of the disqualified person.~~

~~(2) When a household contains a person who is ineligible due to alien status, felon status as described in WAC 388-442-0010, failure to sign the application attesting to citizenship or alien status, or who has been disqualified for refusal to obtain or provide a Social Security number:~~

~~(a) The income of the ineligible person is prorated among all household members. The ineligible person's share is excluded, and the remainder is counted as income to the eligible household members;~~

~~(b) Apply the twenty percent earned income disregard to the ineligible person's earned income attributed to the household; and~~

~~(e) Divide the portion of the household's allowable shelter expenses evenly among all members of the household, when the ineligible members have income.~~

~~(3) The ineligible or disqualified household member is not counted when determining the household's size for purposes of:~~

~~(a) Comparing the household's total monthly income to the income eligibility standards; and~~

~~(b) Computing benefits)) The department decides who must be in your assistance unit (AU) under WAC 388-408-0035. If someone who is in your AU is an ineligible AU member, we decide how this affects your AU's eligibility and benefits as follows:~~

~~(1) We do not count the ineligible member to determine your AU size for the gross monthly income limit, net monthly income limit, or maximum allotment under WAC 388-478-0060.~~

~~(2) If the AU member is ineligible because they are disqualified for an intentional program violation (IPV), they failed to meet work requirements under chapter 388-444 WAC, or they are ineligible felons under WAC 388-442-0010:~~

~~(a) We count all of the ineligible member's gross income as a part of your AU's income; and~~

~~(b) We count all of the ineligible member's allowable expenses as part of your AU's expenses.~~

~~(3) If the AU member is ineligible because they are an ineligible ABAWD under WAC 388-444-0030, ineligible due to their alien status, they failed to sign the application to state their citizenship or alien status, or they refuse to get or provide us a Social Security number:~~

~~(a) We prorate the ineligible member's gross income by:~~

~~(i) Dividing the ineligible member's income by the total number of people in the AU;~~

~~(ii) Subtracting the ineligible member's share of the income; and~~

~~(iii) Counting the remaining income to the other members of the AU; and~~

~~(iv) Allowing the twenty percent earned income deduction for the ineligible member's countable earned income.~~

~~(b) We prorate the ineligible member's expenses by:~~

~~(i) Dividing the ineligible member's allowable expenses by the total number of people in the AU;~~

~~(ii) Subtracting the ineligible member's share of the expenses; and~~

~~(iii) Counting the remaining expenses to the other members of the AU.~~

**WSR 01-18-042  
PROPOSED RULES  
BUILDING CODE COUNCIL**

[Filed August 29, 2001, 8:38 a.m.]

Continuance of WSR 01-16-120, 01-16-121, and 01-16-122.

Preproposal statement of inquiry was filed as WSR 01-11-071 and 01-11-072.

Title of Rule: Amendment of chapter 51-11 WAC, Washington State Energy Code; adoption of chapters 51-56

and 51-57 WAC (adoption and amendment of the 2000 Uniform Plumbing Code published by IAPMO) and repeal of chapters 51-46 and 51-47 WAC (1997 Edition); and amendment of WAC 51-04-040, policies and procedures for state-wide and local amendments, reconsideration.

Purpose: Change of location for October 12 public hearing for these three rules.

Name of Agency Personnel Responsible for Drafting and Implementation: Tim Nogler, P.O. Box 48350, Olympia, WA 98504-8350, (360) 725-2966; and Enforcement: Local jurisdictions.

Name of Proponent: Washington State Building Code Council, governmental.

Hearing Location: Spokane City Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on September 14, 2001, at 9 a.m.; and at the SeaTac Radisson Hotel, 17001 Pacific Highway South, SeaTac, WA, on October 12, 2001, at 1 p.m.

Assistance for Persons with Disabilities: Contact Patti Thorn by September 1, 2001, (360) 725-2966, TDD (360) 753-2200.

Submit Written Comments to: Jim Lewis, Chairman, State Building Code Council, P.O. Box 48350, Olympia, WA 98504-8350, fax (360) 586-9383, by October 12, 2001.

Date of Intended Adoption: November 9, 2001.

August 27, 2001

Tim Nogler  
for James M. Lewis  
Council Chair

#### WSR 01-18-047

#### PROPOSED RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed August 29, 2001, 3:38 p.m.]

#### Original Notice.

Preproposal statement of inquiry was filed as WSR 00-19-053.

Title of Rule: Chapter 388-880 WAC, Sexual predator program—Special commitment—Escorted leave and chapter 388-881 WAC, Sexual predator program—External oversight.

Purpose: Changes and additions implement Laws of 1999 and Laws of 2001.

Statutory Authority for Adoption: Chapter 44, Laws of 2000, ESSB 6151 and SSB 5122, Laws of 2001.

Statute Being Implemented: Chapter 71.09 RCW.

Summary: Changes adopt definitions and procedures in new legislation, expand requirements for treatment planning and set new requirements for records retention, professional standards, and program oversight.

Reasons Supporting Proposal: Changes respond to law, codify standards, and provide assurance of program quality.

Name of Agency Personnel Responsible for Drafting: Lee E. Mosley, Policy Analyst, #205, Building 24, P.O. Box 88450-0646, Steilacoom, WA 98388, (253) 879-7917, fax

(253) 761-7529; Implementation: Vince Gollogly, Clinical Director, P.O. Box 88450, Steilacoom, WA 98388-0646, (253) 589-6210 and Bonni Parker, Associate Superintendent, P.O. Box 88450, Steilacoom, WA 98388-0646, (253) 589-6219; and Enforcement: Mark Seling, Superintendent, P.O. Box 88450, Steilacoom, WA 98388, (253) 761-7537.

Name of Proponent: The Special Commitment Center (SCC), Department of Social and Health Services, Health and Rehabilitative Services Administration, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule governs the operation of the Special Commitment Center, which houses and treats violent sex offenders civilly committed under chapter 71.09 RCW. Rule amendments comply with law, enhance operations.

Proposal Changes the Following Existing Rules: Changes to the rule more clearly specify sex offender treatment planning, both for committed persons and for detainees. New sections regulate records retention and access. A new part (chapter 388-881 WAC) places existing professional standards and program oversight mechanisms in rule. Other changes reflect amendments to existing law passed by the legislature in 2001.

The effect of these changes will be to bring portions of chapter 388-880 WAC congruent with acts of 2001 and to place a foundation, in rule, of oversight mechanisms and professional standards.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Adoption will result in no economic impact to small businesses.

RCW 34.05.328 does not apply to this rule adoption. While this rule is significant, the only portions having an impact outside the agency are made due to legislative action, and do not qualify under RCW 34.05.328. The remainder of the changes are internal regulatory enhancements. Except for portions of rule changed by reason of new legislation, residents of the SCC and their families will see minimal change - and no new burden - as a result, since the planning, records access, oversight mechanisms, and professional standards are presently in force under program policy.

Hearing Location: Blake Office Park (East), Rose Room, 4500 10th Avenue S.E., Lacey, WA 98504, on October 23, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by October 15, 2001, phone (360) 664-6097, TTY (360) 664-6178.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 23, 2001.

Date of Intended Adoption: No sooner than October 24, 2001.

August 29, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 01-19 issue of the Register.

**WSR 01-18-048****WITHDRAWAL OF PROPOSED RULES  
BOARD OF  
PILOTAGE COMMISSIONERS**

[Filed August 30, 2001, 8:57 a.m.]

Pursuant to board action following a public hearing on August 9, 2001, regarding proposed amendments to WAC 363-116-185 Tariffs, and pilotage rates for the Grays Harbor Pilotage District, the Board of Pilotage Commissioners hereby withdraws the proposed rule-making notice (CR-102) that was filed on July 5, 2001, as WSR 01-14-087.

The board considered the request for 50% tariff increase but took action to not adopt the proposal.

Peggy Larson  
Administrator

**WSR 01-18-066****WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

(By the Code Reviser's Office)

[Filed September 4, 2001, 10:54 a.m.]

WAC 232-12-142, proposed by the Department of Fish and Wildlife in WSR 01-05-111 appearing in issue 01-05 of the State Register, which was distributed on March 7, 2001, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 01-18-067****WITHDRAWAL OF PROPOSED RULES  
EMPLOYMENT SECURITY DEPARTMENT**

(By the Code Reviser's Office)

[Filed September 4, 2001, 10:55 a.m.]

WAC 192-16-021, 192-150-060, 192-170-050, 192-180-012 and 192-320-075, proposed by the Employment Security Department in WSR 01-05-117 appearing in issue 01-05 of the State Register, which was distributed on March 7, 2001, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 01-18-068****WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

(By the Code Reviser's Office)

[Filed September 4, 2001, 10:56 a.m.]

WAC 220-95-034, proposed by the Department of Fish and Wildlife in WSR 01-05-120 appearing in issue 01-05 of the State Register, which was distributed on March 7, 2001, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 01-18-069****PROPOSED RULES  
HIGHER EDUCATION  
COORDINATING BOARD**

[Filed September 4, 2001, 11:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-15-076.

Title of Rule: Title 250 WAC, Washington scholars.

Purpose: Incorporate procedures to ensure that student nominations received in each legislative district will be sufficient to ensure the selection of a full complement of recipients (three Washington scholars and one Washington scholars-alternate in each legislative district) in the program annually.

Statutory Authority for Adoption: Chapter 28B.80 RCW.

Statute Being Implemented: RCW 28A.600.140 through 28A.600.150 and chapter 28B.80 RCW.

Summary: Establishes the parameters and procedures in which the Higher Education Coordinating Board (HECB) shall seek additional nominations in order to fully award three Washington scholars and one Washington scholars-alternate in each of the state's legislative districts.

Reasons Supporting Proposal: Current language provides only that high school principals [are] to nominate the top one percent of the graduating senior class, and that the HECB shall select three Washington scholars and one Washington scholars-alternate in each legislative district. Nominations are not always sufficient to select the full complement of scholars statewide. The revised language provides an avenue for the HECB to fully award the appropriate number of scholars required by statute.

Name of Agency Personnel Responsible for Drafting, Implement and Enforcement: Ann M. Lee and John Klacik, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504, (360) 753-7843.

Name of Proponent: Educational Services Division, Higher Education Coordinating Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Current WAC language provides only that high school principals [are] to nominate the top one percent of the graduating senior class, and that the HECB shall select three Washington scholars and one Washington scholars-alternate in each legislative district. Initial nominations received for each legislative district are not always sufficient to select the full complement of scholars statewide. The revised language provides an avenue for the HECB to fully award the appropriate number of scholars required by statute.

Proposal Changes the Following Existing Rules: Formalizes procedures in WAC that clarifies legislative intent and current practice to ensure that student nominations received in each legislative district will be sufficient to ensure the selection of a full complement of recipients (three Washington scholars and one Washington scholars-alternate in each legislative district) in the program annually.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Third Floor Conference Room, Higher Education Coordinating Board, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430, on Tuesday, October 9, 2001, at 9:30 a.m. to noon.

Assistance for Persons with Disabilities: Contact John Klacik or Ann Lee by Monday, October 8, 2001, TDD (360) 753-7809.

Submit Written Comments to: John Klacik, Associate Director of Student Financial Aid, or Ann M. Lee, Program Manager, Scholarships, c/o Higher Education Coordinating Board, fax (360) 704-6243, or (360) 704-6251, e-mail <annl@hecb.wa.gov> or <johnk@hecb.wa.gov>, by October 9, 2001.

Date of Intended Adoption: December 12, 2001.

August 31, 2001

John Klacik

Associate Director for  
Student Financial Aid

**AMENDATORY SECTION** (Amending WSR 00-08-081, filed 4/4/00, effective 5/5/00)

**WAC 250-66-030 Nomination and selection of Washington state scholars.** (1) Number of students to be nominated.

(a) Each principal of a public or private approved Washington high school is encouraged to nominate one percent of the senior class (twelfth grade) based on the October 1 enrollment count of the previous year.

(b) In the event that fewer than four nominations are anticipated in any one legislative district, the board shall seek additional nominations of students meeting eligibility criteria for that district from the high schools located in, and/or in legislative districts adjacent to, that legislative district.

(2) Selection committee.

(a) Following the receipt of ((aH)) the nomination forms, the higher education coordinating board shall convene a selection committee which shall have members representing public and private secondary and postsecondary education institutions, state agencies, and private sector associations.

This selection committee shall review all nominations based upon selection criteria that shall include, but not be limited to, academic excellence, leadership ability, and community contributions.

(b) Conditioned upon when the anticipated nomination shortfall is recognized, as defined in subsection (1)(b) of this section, the additional nominations received may undergo review with the general nomination pool or, separately, as soon thereafter as practicable and in a manner consistent with regular committee procedure and selection criteria.

(3) Selection. The Washington scholars selection committee shall designate three Washington scholars and one Washington scholars-alternate in each legislative district from among the population of graduating high school seniors nominated for the award.

Recipients shall be identified by a ranking of nominees within each legislative district in descending order according to the final, aggregate numeric scores assigned to each individual in the review process. The three individuals achieving the highest scores in each legislative district shall be named to the Washington scholars award, and the individual receiving the fourth highest score in each legislative district shall be named to the Washington scholars-alternate award.

(4) Notification. After the final selections have been made, the higher education coordinating board shall notify the students so designated, their high school principals, the legislators of their respective districts, and the governor.

(5) Certificates and awards ceremony.

(a) The board, in conjunction with the governor's office, shall prepare appropriate certificates of recognition to be presented to the Washington state scholars recipients and Washington scholars-alternate recipients.

(b) An awards ceremony on behalf of the three students named to the Washington state scholars award in each legislative district shall be planned annually, at an appropriate time and place, by the board in cooperation with the Washington association of secondary school principals.

(6) Receipt of award. Washington state scholars and Washington scholars-alternates shall be deemed to have received their awards effective the date of notification. This is in contrast to the receipt of award benefits which may accrue to Washington state scholars and Washington scholars-alternates recipients in the form of tuition and fee waivers and grants, and which shall be deemed to be received by the individual recipients on a term-by-term basis at the time the award benefit is used for undergraduate coursework.

**WSR 01-18-072**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
[Filed September 4, 2001, 1:37 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-04-027.

Title of Rule: WAC 415-10-020 Definitions, 415-108-445 What compensation can be reported?, 415-108-466 Do I

receive reportable compensation for union leave?, 415-108-480 Vehicles—Does the value of my use of an employer vehicle qualify as compensation earnable?, 415-108-679 Purpose and scope of eligibility rules, and 415-111-100 To whom does this chapter apply?

Purpose: These rules are necessary to implement the public employees' retirement system plan 3. DRS is also converting as much language as possible to "plain English."

Other Identifying Information: Unless specifically noted, substantive changes are required by ESSB 6530 (chapter 247, Laws of 2000). Sections of the Internal Revenue Code, 26 U.S.C., may also apply. *Note: Additional PERS Plan 3 changes will be made in separate filings.*

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.26.030, 41.32-.010, 41.35.010, 41.40.010, 41.40.175, 41.40.710, 41.40.805, 43.43.120, and chapter 41.45 RCW.

Reasons Supporting Proposal: These rules are necessary to implement the public employees' retirement system plan 3.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: Jack Bryant, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7193.

Name of Proponent: Department of Retirement Systems, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Each rule is being amended to implement ESSB 6530 (2000). At the same time, the department is attempting to improve the clarity of each rule.

Proposal Changes the Following Existing Rules: WAC 415-10-020, adds PERS Plan 3 (and SERS); revises language to make more clear.

WAC 415-108-445, adds PERS Plan 3 and completely revises language to make more clear.

WAC 415-108-466, adds PERS Plan 3; revises language to make more clear.

WAC 415-108-480, adds PERS Plan 3 and completely revises language to make more clear.

WAC 415-108-679, adds PERS Plan 3; revises language to make more clear.

WAC 415-111-100, adds PERS Plan 3; revises language to make more clear.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments have no effect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, 6835 Capitol Boulevard, Boardroom, Tumwater, WA, on December 4, 2001, at 10:00 a.m.; and at the Department of Social and Health Services, Spokane Valley CSO, Lunchroom, 8517 East Trent, Spokane, WA, on December 6, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possi-

ble, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Merryk@drs.wa.gov, fax (360) 753-3166 by 5:00 p.m. on December 6, 2001.

Date of Intended Adoption: No sooner than December 7, 2001.

August 31, 2001

Merry A. Kogut  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 00-22-049, filed 10/27/00, effective 11/27/00)

**WAC 415-10-020 Definitions.** As used in this chapter:

(1) ~~((2))~~ **Average earnings**~~((2))~~ means:

(a) In PERS Plan 1, TRS Plan 1 or WSPRS Plan 1: The average of your two highest consecutive years of compensation as of the date of your service credit purchase ~~((if you are purchasing service credit in PERS Plan 1, TRS Plan 1 or WSPRS;))~~.

(b) In Plan 2 or Plan 3: The average of your five highest consecutive years of compensation as of the date of your service credit purchase ~~((if you are purchasing service credit in Plan 2 or Plan 3))~~.

(c) In LEOFF Plan 1: The basic salary attached to your position at the date of your service credit purchase ~~((if you are purchasing service credit in LEOFF Plan 1))~~.

(2) **Factors:**

(a) "Factor 1" means the actuarial cost factor calculated by the state actuary and adopted by the department. The actual factor used varies depending upon the time between the date of payment and the projected date of retirement. Generally, the longer the gap between date of payment and date of retirement the lower the factor.

~~((3))~~ (b) "Factor 2" is the actuarial factor calculated by the state actuary based upon demographic differences between the membership of the different retirement systems. Those factors are: .00788 (PERS Plan 1); .00698 (TRS Plan 1); and .00908 (WSPRS Plan 1).

~~((4))~~ (c) "Factor 3" means the interest factor calculated by the state actuary and adopted by the department. This factor is used only when the service credit purchase lowers the projected retirement age and is based upon the higher cost to the system of the earlier retirement.

~~((5))~~ (3) **LEOFF**~~((2))~~ means the law enforcement officers' and fire fighters' retirement system established under chapter 41.26 RCW.

~~((6))~~ (4) **PERS**~~((2))~~ means the public employees' retirement system established under chapter 41.40 RCW.

~~((7))~~ "Plan 1" means the retirement system plan that includes persons who established membership before October 1, 1977. PERS and LEOFF are divided into Plan 1 and Plan 2. TRS is divided into Plan 1, Plan 2 and Plan 3. WSPRS has only one plan.

(8) "Plan 2" means the retirement system plan that includes persons who established membership on or after October 1, 1977. PERS and LEOFF are divided into Plan 1

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and Plan 2. TRS is divided into Plan 1, Plan 2 and Plan 3. SERS is divided into Plan 2 and Plan 3. WSPRS has only one plan.

(9) "Plan 3" means the teachers' retirement system Plan 3 established by RCW 41.32.831 and the school employees' retirement system Plan 3 established by RCW 41.35.600.

~~((10) ")~~ (5) SERS means the school employees' retirement system established under chapter 41.35 RCW.

(6) Service credit being purchased(") means the number of service credit months or service credit years you are purchasing.

~~((11) ")~~ (7) TRS(") means the teachers' retirement system established under chapter ~~((s))~~ 41.32 ~~((and 41.34))~~ RCW.

~~((12) ")~~ (8) WSPRS(") means the Washington state patrol retirement system established under chapter 43.43 RCW.

~~((13) ")~~ (9) Years of earlier retirement(") equals the number of years or fractions of years you will be able to retire earlier as a result of your purchase of service credit.

~~((14) ")~~ (10) Years of service(") equals the total anticipated years of service you will have accrued at retirement, including the additional service credit you purchase under this section.

~~((15) "SERS" means the school employees' retirement system established under chapters 41.34 and 41.35 RCW.)~~

AMENDATORY SECTION (Amending WSR 98-09-059, filed 4/17/98, effective 5/18/98)

**WAC 415-108-445 What compensation can be reported?** ~~((In order for payments to be subject to retirement system contributions and included in the calculation of a member's retirement benefit, those payments must meet the definition of compensation earnable in RCW 41.40.010(8).~~

~~(1) **Payments for personal services rendered.** To determine whether a payment meets this definition and can be reported, ask the following questions:~~

~~(a) Was the payment earned as a salary or wage for personal services rendered during a fiscal year? If the answer is no, the payment is not reportable. If the answer is yes, ask question (b).~~

~~(b) Was the payment paid by an employer to an employee? If the answer is no, the payment is not reportable. If the answer is yes, report the payment.~~

~~(2) **Payments included that are not for personal services rendered.** The legislature has included certain specific payments within the definition of compensation earnable even though those payments are not for personal services rendered by the employee to the employer. (See WAC 415-108-464 through 415-108-469.)~~

~~(3) **Reportable compensation is earned when the service is rendered, rather than when payment is made.**~~

**Example:** If a member works during June but does not receive payment for the work until July, the reportable compensation was earned during June and must be reported to the department as June earnings.

~~(4) **Salary characterizations are based upon the nature of the payment.** A payment is reportable compensation if it meets the criteria of subsection (1) or (2) of this section. The name given to the payment or the document authorizing it is not controlling in determining whether the payment is reportable compensation. The department determines whether a payment is reportable compensation by considering:~~

~~(a) What the payment is for; and~~

~~(b) Whether the reason for the payment brings it within the statutory definition of compensation earnable.~~

**Example:** ~~A payment conditioned upon retirement is not reportable compensation. Attaching the label "longevity" to the payment does not change the fact that the payment is conditioned on retirement. Such a payment is not for services rendered and will not be counted as reportable compensation despite being identified by the employer as a longevity payment.~~

~~(5) **Differences in reportable compensation between plans.** WAC 415-108-445 through 415-108-488 define reportable compensation for each of the two PERS plans. "Compensation earnable" is defined in very similar terms for both PERS Plan I and PERS Plan II. The characterization of payments as reportable compensation or not reportable compensation in WAC 415-108-455 through 415-108-488 is the same for both PERS Plan I and PERS Plan II except as specifically noted.)~~ (1) **Compensation earnable:**

(a) Compensation earnable must meet the definition in RCW 41.40.010(8) and:

(i) Be earned as a salary or wage for personal services provided during a fiscal year and paid by an employer to an employee; or

(ii) Qualify as compensation earnable under WAC 415-108-464 through 415-108-470.

(b) The department determines whether payments to an employee are compensation earnable based on the nature, not the name, of the payment. The department considers the reason for the payment and whether the reason brings the payment within the statutory definition of compensation earnable.

**Example:** "Longevity pay" conditioned on retirement is not for services provided and is therefore not reportable compensation.

(c) "Compensation earnable" is defined in very similar terms for all three PERS plans. Any differences among plans are specifically noted in WAC 415-108-443 through 415-108-488.

(2) **Reportable compensation:**

(a) Reportable compensation is the compensation paid by an employer to an employee that the employer must report to the department.

(b) An employer must report all compensation earnable of an employee, as defined by RCW 41.40.010(8) and WAC 415-108-445(1) to the department.

(c) An employer must report compensation for the month in which it was earned. Compensation is earned when the service is provided, rather than when payment is made.

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Example: A member is paid in July for work performed during June. The employer must report the compensation to the department as "June earnings."

AMENDATORY SECTION (Amending WSR 98-09-059, filed 4/17/98, effective 5/18/98)

**WAC 415-108-466 Do I receive reportable compensation for union leave?** If ((a member)) you take((s)) an authorized leave of absence to serve as an elected official of a labor organization and ((the)) your employer pays ((the member)) you while you are on leave subject to reimbursement from the union, ((the person's)) your pay qualifies as reportable compensation provided that all the conditions of RCW 41.40.175 (Plan ((H)) 1) ((or)), RCW 41.40.710 (Plan ((H)) 2), or RCW 41.40.805 (Plan 3) as appropriate, are met.

AMENDATORY SECTION (Amending WSR 95-22-006, filed 10/18/95, effective 11/18/95)

**WAC 415-108-480 Vehicles—Does the value of my use of an employer vehicle qualify as compensation earnable?** ((1) **PERS Plan 1 members:**

~~(a) If you use an employer vehicle solely in connection with your employer's business, your use of the vehicle does not qualify as compensation earnable. Use of an employer provided vehicle only qualifies as compensation earnable to the extent that you use it for personal, rather than business, purposes. Your use of an employer vehicle does not qualify as compensation earnable if:~~

~~(i) You use the vehicle solely in connection with your employer's business; or~~

~~(ii) Your employer has an established policy prohibiting you from using the vehicle for any purpose other than in connection with your employer's business.~~

~~(b) The department presumes that any employer provided vehicle is used solely in connection with your employer's business and does not qualify as compensation earnable.~~

~~(c) A portion of your use of an employer provided vehicle may qualify as compensation earnable. In order for any portion of your use of an employer vehicle to qualify as compensation earnable, your employer must either:~~

~~(i) Report your personal use of the vehicle to the Internal Revenue Service (IRS) as income; or~~

~~(ii) Maintain monthly records reflecting your personal use of the vehicle.~~

~~(d) Your personal use of an employer vehicle qualifies as compensation earnable if your employer reports your use to the IRS as taxable income. Your employer may report your personal use of an employer vehicle to the Internal Revenue Service (IRS) as taxable income as provided under the Internal Revenue Code (I.R.C.). See I.R.C. Section 61 and Treas. Reg. Section 1.61-21. If so, the department will consider the amount reported to the IRS as compensation earnable.~~

~~(e) Your personal use of an employer vehicle qualifies as compensation earnable to the extent your employer documents your personal use of the vehicle. If your employer does not report your use of an employer vehicle to~~

~~the IRS as income, your use of the vehicle may qualify as compensation earnable if your employer maintains monthly contemporaneous records detailing your personal use of the vehicle. Your employer records must reflect all of the following:~~

~~(i) Whether your employer authorized you to have the vehicle for personal use, including commuting;~~

~~(ii) Whether you used the vehicle for commuting and, if so, the distance you normally commuted on a daily basis during the month;~~

~~(iii) The dates, if any, on which you used the vehicle for other personal purposes, including the miles you drove the vehicle on each personal trip and your itinerary for each trip;~~

~~(iv) The total number of miles you drove the vehicle during the month; and~~

~~(v) The percentage of the total miles you drove the car during the month for personal use, including commuting.~~

~~(f) Your employer must report as compensation earnable an amount based on your personal use of the vehicle. If your employer maintains records documenting your personal use of the vehicle as provided in (e) of this subsection, your employer must report to the department as monthly compensation earnable the lesser of the following amounts:~~

~~(i) Monthly Fair Market Lease Value of the Vehicle~~

~~\*~~

~~Percentage of Personal Use of the Vehicle During the Month;~~

~~or~~

~~(ii) Miles of Personal Use~~

~~\*~~

~~IRS Mileage Rate~~

~~"IRS mileage rate" means the mileage rate adopted by the Internal Revenue Service for use by taxpayers in computing the value of the use of a vehicle.) (1) PERS Plan 1 members:~~

~~(a) Use of an employer vehicle for business purposes does not qualify as compensation earnable. If your employer's established policy prohibits the use of an employer vehicle for nonbusiness uses, all use of the vehicle will be deemed business use.~~

~~(b) Use of an employer vehicle for nonbusiness purposes qualifies as compensation earnable if:~~

~~(i) Your employer reports your personal use of the vehicle to the IRS as taxable income under IRC Section 61 and Treas. Reg. Section 1.61-21; or~~

~~(ii) Your employer maintains monthly records of your personal use. These records must contain:~~

~~(A) Your employer's authorization of your personal use;~~

~~(B) The distance normally commuted each day during the month, if you use the vehicle to commute;~~

~~(C) The dates, mileage, and itinerary of each personal trip other than a commute trip;~~

~~(D) Your total mileage for the month; and~~

~~(E) The ratio of personal mileage to total mileage, expressed as a percent.~~

~~(c) The department presumes that your use of an employer vehicle is solely for business purposes. If you used~~

an employer vehicle for personal use, your employer must report the value of this use as compensation earnable on a monthly basis. Monthly compensation earnable is the lesser of the following:

(i) Fair Market Lease Value x Percentage of Personal Use

(ii) Miles of Personal Use x IRS Mileage Rate.

The IRS Mileage Rate is the mileage rate adopted by the Internal Revenue Service for use by taxpayers in computing the value of the use of a vehicle.

(2) **PERS Plan ((H)) 2 and 3 members.** If you are a ((PERS Plan H)) member of PERS Plan 2 or 3, you are not entitled to count any of the value of an employer-provided vehicle as compensation earnable.

**AMENDATORY SECTION** (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

**WAC 415-108-679 Purpose and scope of eligibility rules.** WAC 415-108-680 through 415-108-728 codify the department's existing interpretation of statutes (~~and existing administrative practice~~) regarding eligibility for membership in ((PERS Plan I and Plan II. The department has applied and will apply these rules to determine eligibility for service occurring prior to effective dates of these sections)) all three PERS plans.

**AMENDATORY SECTION** (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

**WAC 415-111-100 ((Application of chapter.)) To whom does this chapter apply?** This chapter applies only to members of Plan 3 retirement systems created under chapters 41.32 (TRS) (~~and~~), 41.35 (SERS) and 41.40 (PERS) RCW.

**WSR 01-18-082  
PROPOSED RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed September 5, 2001, 9:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-14-084.

Title of Rule: Medical aid rules. New WAC 296-23A-0221, 296-23A-0700, 296-23A-0710, 296-23A-0720, 296-23A-0730, 296-23A-0740, 296-23A-0750, 296-23A-0770 and 296-23A-0780; and amending WAC 296-23A-0220.

Purpose: The purpose of the proposed rule changes is to allow the department to implement an outpatient prospective payment system (OPPS) in order to better manage outpatient expenditures, improve consistency of payment policies, improve consistency between payment levels and actual costs of service, establish greater uniformity between state agencies regarding reimbursement methodologies, allow for greater analysis and prediction of utilization and costs, and allow for rate adjustments to be based on more consistent and applicable data.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030, 51.36.080, 51.36.085.

Statute Being Implemented: RCW 51.36.080 and 51.36.085.

Summary: This WAC revises the current POAC payment methodology used to determine reimbursement for hospital outpatient services provided in a hospital setting. The WAC implements an outpatient prospective payment system (OPPS) based upon the center for Medicare and Medicaid services' current OPPS.

Reasons Supporting Proposal: Enhances the payment methodology used to reimburse providers for outpatient services.

Name of Agency Personnel Responsible for Drafting: James King, Tumwater, (360) 902-4244; Implementation and Enforcement: Doug Connell, Tumwater, (360) 902-4209.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-23A-0700 through 296-23A-0780 revises the payment methodology used to determine reimbursement for outpatient services provided in a hospital setting. The current method is to reimburse outpatient hospital services using the percent of allowed charges. The WAC implements an outpatient prospective payment system (OPPS) based upon the center for Medicare and Medicaid services' current OPPS. The purpose of the proposed rule changes is to allow the department to implement an outpatient prospective payment system (OPPS) in order to better manage outpatient expenditures, improve consistency of payment policies, create a better relationship between payment levels and actual costs of service, establish greater uniformity between state agencies regarding reimbursement methodologies, allow for greater analysis and prediction of utilization and costs, and allow for rate adjustments to be based on more consistent and applicable data. The effects of the new rule will be a smaller increase in the outpatient payments over time, better control of outpatient services' costs, and a readjustment of payment levels to hospitals.

Proposal Changes the Following Existing Rules: Existing WAC 296-23A-0220 How does the department or self-insurer pay for hospital outpatient services?, is being amended to become consistent with proposed WAC 296-23A-0700 through 296-23A-0780, by adding language concerning the outpatient prospective payment system.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendments to chapter 296-23A WAC will primarily have impact on hospital-based outpatient services. The agency will still pay for services to the injured worker, but will do so on a blended rate consistent with the cost to provide such care. The department believes that the proposed additions to chapter 296-23A WAC will impact only large hospitals (those with more than fifty employees) and that, therefore, an SBEIS is not required.

RCW 34.05.328 applies to this rule adoption. This is a significant legislative rule and requires completion of the rule-making criteria analysis.

Hearing Location: Department of Labor and Industries, 7273 Linderson Way S.W., Tumwater, WA, on October 11, 2001, at 2:00 p.m.

Date of Intended Adoption: November 29, 2001.

September 5, 2001

Gary Moore  
Director

Assistance for Persons with Disabilities: Jim King, Senior Health Policy Analyst, fax (360) 902-4249, e-mail kinp235@lni.wa.gov, TDD 1-800-833-6388.

Submit Written Comments to: Jim King, Department of Labor and Industries, P.O. Box 44321, Olympia, WA 98504-4321 or fax (ten pages or less) (360) 902-4249, e-mail kinp235@lni.wa.gov.

**AMENDATORY SECTION** (Amending WSR 00-06-027, filed 2/24/00, effective 3/26/00)

**WAC 296-23A-0220** How does the department ((or self-insurer)) pay for hospital outpatient services? The department ((or self-insurer)) will pay for hospital outpatient services according to the following table:

PROPOSED

<i>((Hospital Type or Location</i>	<i>Do percent of allowed charges (POAC) payment methods apply?</i>	<i>Does the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology and physical therapy services?</i>
Children's Hospitals	Yes, paid 100% of allowed charges	Yes
Chronic Pain Management Program	Exempt, paid per department agreement	Exempt, paid per department agreement
Health Maintenance Organizations	Yes, paid 100% of allowed charges	Yes
Military	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
Veterans Administration	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
State psychiatric facility	Yes, paid 100% of allowed charges	Yes
Washington rural (Peer Group A)	Yes, applies to hospital outpatient services except radiology, laboratory, pathology and physical therapy	Yes
All other Washington hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology and physical therapy	Yes))

<i>Hospital Type or Service Location</i>	<i>Does the Ambulatory Payment Classification System apply?</i>	<i>Do percent of allowed charges (POAC) payment methods apply?</i>	<i>Do the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology, occupational therapy, and physical therapy services?</i>
Children's hospitals	No	Yes, paid 100% of allowed charges	Yes
Chronic Pain Management Program	No	Exempt, paid per department agreement	Exempt, paid per department agreement
Health Maintenance Organizations	Yes, paid statewide average per APC rate	Yes, applies to certain hospital outpatient services excluded from OPSS except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
Military	No	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
Veterans Administration	No	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
State psychiatric facility	No	Yes, paid 100% of allowed charges	Yes

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<u>Other psychiatric hospitals</u>	<u>No</u>	<u>Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy</u>	<u>Yes</u>
<u>Rehabilitation hospitals</u>	<u>No</u>	<u>Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy</u>	<u>Yes</u>
<u>Cancer hospitals</u>	<u>No</u>	<u>Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy</u>	<u>Yes</u>
<u>Washington rural (Peer Group 1)</u>	<u>No</u>	<u>Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy</u>	<u>Yes</u>
<u>All other Washington hospitals</u>	<u>Yes</u>	<u>Yes, applies to certain hospital outpatient services excluded from OPPS except radiology, laboratory, pathology, occupational therapy, and physical therapy</u>	<u>Yes</u>

Hospitals are reimbursed only for the technical component of rates listed in the fee schedules, for outpatient radiology, pathology and laboratory services.

*See chapter 296-23 WAC for rules on radiology, pathology, laboratory, physical therapy, occupational therapy, and work hardening services.*

*See WAC 296-23A-700 for rules on prospective payment system for hospital outpatient services.*

*See WAC 296-20-132 and 296-20-135 for information on the conversion factor used for certain hospital outpatient services.*

**NEW SECTION**

**WAC 296-23A-0221 How does the self-insurer pay for hospital outpatient services?** The self-insurer will pay for hospital outpatient services according to the following table:

<i>Hospital Type or Service Location</i>	<i>Do percent of allowed charges (POAC) payment methods apply?</i>	<i>Do the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology, occupational therapy, and physical therapy services?</i>
Children's hospitals	Yes, paid 100% of allowed charges	Yes
Chronic Pain Management Program	Not Applicable	Not Applicable
Health Maintenance Organizations	Yes, paid 100% allowed charges.	Yes
Military	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
Veterans Administration	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
State psychiatric facility	Yes, paid 100% of allowed charges	Yes
Other psychiatric hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes

PROPOSED

Rehabilitation hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
Cancer hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
Washington rural (Peer Group 1)	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
All other Washington hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes

Hospitals are reimbursed only for the technical component of rates listed in the fee schedules, for outpatient radiology, pathology and laboratory services.

See chapter 296-23 WAC for rules on radiology, pathology, laboratory, physical therapy, occupational therapy, and work hardening services.

See WAC 296-23A-700 for rules on the prospective payment system for hospital outpatient services.

See WAC 296-20-132 and 296-20-135 for information on the conversion factor used for certain hospital outpatient services.

**PART 4 - AMBULATORY PAYMENT CLASSIFICATION PAYMENT METHODS AND POLICIES**

NEW SECTION

**WAC 296-23A-0700** What is the "ambulatory payment classification" (APC) payment system? The APC outpatient prospective payment system (OPPS) is a reimbursement method that categorizes outpatient visits into groups according to the clinical characteristics, the typical resource use, and the costs associated with the diagnoses and the procedures performed. The groups are called Ambulatory Payment Classifications (APCs). The department uses the Centers for Medicare and Medicaid Services' (CMS) Prospective Payment System for Hospital Outpatient Department Services to pay some hospitals for covered outpatient services provided to injured workers. The department will utilize CMS' current outpatient code editor to categorize outpatient visits.

The payment system methodology uses CMS' outpatient prospective payment system's relative weight factor for each APC group and a blend of statewide and hospital-specific rates for each APC.

For a complete description of CMS' Prospective Payment System for Hospital Outpatient Department Services see 42 CFR, Chapter IV, Part 419, et al.

NEW SECTION

**WAC 296-23A-0710 Definitions.** "Alternate outpatient payment." A payment for proper and necessary services calculated using a method other than the APC method, such as the outpatient hospital rate or fee schedule.

"Ambulatory payment classification (APC) bill." An outpatient bill for hospital services that are grouped and paid using APCs.

"Ambulatory payment classification (APC) weight." The relative value assigned to each APC by CMS. For information on calculating the APC weights, please see 42 CFR, Chapter IV, Part 419, et al. Medicare Program; Prospective Payment System for Hospital Outpatient Services.

"Ambulatory payment classification (APC)." A grouping for outpatient visits which are similar both clinically and in the resources used.

"Ambulatory surgery centers (ASCs)." Ambulatory surgery centers as defined by the department. ASCs are excluded from the APC payment system.

"Blended rate." The dollar amount used to determine APC payments. It is calculated by adding a defined percentage of the hospital-specific rate and a defined percentage of the statewide rate.

"Bundling." Including the costs of supplies and certain other items with the costs of APCs. Bundled services will not be paid separately.

"Cancer hospitals." Freestanding hospitals specializing in the treatment of individuals who have a neoplasm diagnosis.

"Children's hospitals." Freestanding hospitals specializing in the treatment of individuals less than fourteen years of age.

"CMS." Centers for Medicare and Medicaid Services, formerly the Health Care Financing Administration (HCFA).

"Correct coding initiative." A process to encourage hospitals to code the most appropriate diagnosis and procedure for the services rendered.

"Critical access hospitals." Critical access hospitals as defined by the department of health.

"Current procedural terminology (CPT)." A systematic listing of descriptive terms and identifying codes for

reporting medical services, procedures, interventions performed by physicians; the American Medical Association (AMA) publishes it annually.

**"Discount factor."** The percentage applied to additional significant procedures when a claim has multiple significant procedures or when the same procedure is performed multiple times.

**"Exempt services."** Services and hospitals that have been identified by CMS and/or L&I as exempt from the APC-based payment system.

**"Health care financing administration's common procedure coding system (HCPCS)."** Medicare's procedure coding system, which consists of Level 1 CPT Codes, Level 2 National Codes, and Level 3 Local Codes.

**"Incidental services."** Proper and necessary services that are integral to the delivery of the significant procedure or medical visit and are not separately reimbursable.

**"Inpatient only procedures."** Certain procedures designated by CMS as being of sufficient resource intensity that an inpatient setting is always required.

**"Modifier."** A two-digit alphabetic and/or numeric identifier that is added to the procedure code to indicate the type of service performed. Modifiers add clarification to procedures and can affect payment. Modifiers are listed in the current CPT and HCPCS manuals.

**"Non-APC services."** Services specifically excluded by CMS or by L&I from APC payment.

**"Out-of-state hospitals."** Any hospital not physically located within the state of Washington.

**"Outpatient code editor."** A prepayment analysis program designed to exclude certain diagnostic and procedure codes from being classified within the APC payment system.

**"Outpatient prospective payment system (OPPS)."** A payment system that groups hospital outpatient visits into APCs and multiplies the relative weight factor by the OPSS conversion rate to determine the appropriate payment.

**"Outpatient services."** Proper and necessary health-care services and treatment ordinarily furnished by a hospital in which the injured worker is not admitted as an inpatient.

**"Outpatient."** A patient who receives proper and necessary health-care services or supplies in a hospital-type setting but is not admitted as an inpatient.

**"Partial hospitalization."** Mental health services provided in an inpatient setting without the traditional inpatient overnight stay.

**"Pediatric services."** Proper and necessary health-care services and treatment ordinarily furnished by a hospital in which the injured worker is under the age of fourteen.

**"Peer group."** Categories of hospitals adopted by the department of health for rate setting purposes. The categories are:

- Group 1 - Usually rural hospitals.
- Group 2 - Usually urban hospitals without a medical education program.
- Group 3 - Hospitals with a medical education program.

**"Psychiatric hospitals."** Freestanding hospitals specializing in the treatment of individuals with a mental health disease.

**"Rehabilitation hospitals."** Freestanding hospitals specializing in the treatment of individuals in need of rehabilitative services.

**"Related encounters or related services."** Multiple encounters which are:

- Provided within the same window of service; and
- By the same provider (hospital).

**"Single visit."** A single visit includes all related services that are combined for reimbursement when they occur with the same hospital during the window of service.

**"Special programs."** Programs specifically designated by the department.

**"Transitional pass-through."** Certain drugs, devices and biologicals, as identified by CMS that are entitled to a specified payment until CMS assigns and reimburses them under their own APC.

**"Window of service."** A single date of service. All services associated with the visit for that date constitute a single visit, even when those services are provided on different days.

## NEW SECTION

**WAC 296-23A-0720 How does the department calculate the hospital-specific per APC rate used for paying outpatient services under the outpatient prospective payment system (OPPS)?** (1) OPSS payment rates are calculated with a formula that blends a hospital-specific rate and a statewide rate. Each hospital's historic labor and industries' reimbursement level in combination with the department's statewide payments will determine payment rates.

(2) For the statewide rate, the department:

(a) Determines the total number of APC procedures that the department paid the covered hospitals. The relative weights for all of these APCs are summed.

(b) Determines the total dollar amount the department paid for those APCs.

(c) Determines the total dollar amount the department paid as outlier payments.

(d) Subtracts the total outlier payments in (c) of this subsection from the total dollar amount in (b) of this subsection and then divides the adjusted dollar amount by the APC relative weight total from (a) of this subsection.

$$\frac{(\text{Sum of APC payments} - \text{Sum of outlier payments})}{\text{Sum of APC relative weights}} = \text{Statewide rate}$$

(3) For the hospital-specific rate, the department:

(a) Segregates all the APCs for each hospital and totals the relative weights for each hospital.

(b) Determines the total dollar amount the department historically paid each hospital for those APCs.

(c) Determines the total dollar amount the department historically paid each hospital as an outlier payment for those APCs.

(d) Subtracts the total hospital-specific outlier payments in (c) of this subsection from the total hospital-specific APC payments in (b) of this subsection and then divides the hospital's adjusted dollar amount by the hospital-specific APC relative weight total from (a) of this subsection.

PROPOSED

(Sum of hospital-specific APC payment - Sum of hospital-specific outlier payments)/Sum of the hospital-specific APC relative weights = Hospital-specific rate

(4) The final per APC rate paid to a hospital is a blended combination of the hospital-specific and statewide rates.

#### NEW SECTION

**WAC 296-23A-0730 How does the department determine the APC relative weights?** The relative weight for each APC is the current relative weight listed by CMS for the corresponding APC.

#### NEW SECTION

**WAC 296-23A-0740 How does the department calculate payments for covered outpatient services through the outpatient prospective payment system (OPPS)?** (1) Billed services that are reimbursed by the OPSS are grouped into one or more APCs using the outpatient code editor software.

(2) Additional payment may be made for services classified by CMS as transitional pass-through.

(3) Incidental services are grouped within an APC and are not paid separately.

(4) The OPSS APC payment method uses an APC relative weight for each classification group (APC) and the current hospital-specific blended rate to determine the APC payment for an individual service.

(5) For each additional APC listed on a single claim for services, the payment is calculated with the same formula and then discounted. L&I follows all discounting policies used by CMS for the Medicare Prospective Payment System for Hospital Outpatient Department Services.

(6) APC payment for each APC = (APC relative weight x hospital-specific blended rate) \* discount factor (if applicable) x units (if applicable).

(7) The total payment on an APC claim is determined mathematically as follows:

(a) Sum of APC payments for each APC +

(b) Additional payment for each transitional pass-through (if applicable) +

(c) Additional outlier payment (if applicable).

(8) L&I follows all billing policies used by CMS for the Medicare Prospective Payment System for Hospital Outpatient Department Services with respect to:

(a) Billing of units of service;

(b) Outlier claims;

(c) Use of modifiers;

(d) Distinguishing between single and multiple visits during a span of time and reporting a single visit on one claim, but multiple visits with unrelated medical conditions on multiple claims; and

(e) For paying terminated procedures based on services actually provided and documented in the medical record, and properly indicated by the hospital through the CPT codes and modifiers submitted on the claim.

#### NEW SECTION

**WAC 296-23A-0750 What exclusions and exceptions apply to ambulatory-payment-classification (APC) payments for hospital services?** (1) Peer Group 1 (rural) hospitals as identified by the Washington state department of health (DOH).

(2) Critical access hospitals as identified by the Washington state department of health (DOH).

(3) All out-of-state hospitals.

(4) Military/veterans hospitals.

(5) Psychiatric hospitals.

(6) Rehabilitation hospitals.

(7) Cancer hospitals.

(8) Children's hospitals.

(9) Ambulatory surgery centers.

(10) Any outpatient service identified by CMS as being a non-APC service.

(11) Any inpatient-only procedures as identified by CMS.

(12) Any APCs identified by the department as a non-APC service.

#### NEW SECTION

**WAC 296-23A-0770 How will excluded outpatient services and hospitals be paid?** Services excluded from APC-payment, if deemed appropriate for reimbursement, will be reimbursed using an alternate outpatient payment method, such as a specific fee schedule and/or using the hospital-specific or the statewide average percent of allowed charges (POAC).

#### NEW SECTION

**WAC 296-23A-0780 What information needs to be submitted for the hospital to be paid for outpatient services?** Each claim for services must include the required elements as described within the current *L&I Hospital Billing and Administrative Guidelines*.

**WSR 01-18-084**

**PROPOSED RULES**

**PUGET SOUND**

**CLEAN AIR AGENCY**

[Filed September 5, 2001, 9:53 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule: Delete Regulation I, Section 4.02, and amend Regulation I, Sections 5.07 and 7.07.

Purpose: To remove an outdated section of our regulations that has been superseded by chapter 173-425 WAC, Outdoor burning. To adjust the reporting thresholds for the registration and operating permit fees.

Other Identifying Information: Section 4.02 pertains to burning of storm or flood-related debris, Section 5.07 per-

tains to registration fees, and Section 7.07 pertains to operating permit fees.

Statutory Authority for Adoption: Chapter 70.94 RCW. Statute Being Implemented: RCW 70.94.141.

Summary: This proposal will remove the burning of storm or flood-related debris section, which has been superseded by chapter 173-425 WAC, Outdoor burning, and will adjust the registration and operating permit fee thresholds.

Reasons Supporting Proposal: The burning of storm or flood-related debris section is no longer applicable, and should be deleted. The registration and operating permit fee thresholds need to be adjusted.

Name of Agency Personnel Responsible for Drafting and Enforcement: Jim Nolan, 110 Union Street, #500, Seattle, WA 98101, (206) 689-4053; Implementation: Dave Kircher, 110 Union Street, #500, Seattle, WA 98101, (206) 689-4050.

Name of Proponent: Puget Sound Clean Air Agency, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The state implementation plan will be updated to reflect the Article 5 amendments.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal will remove a section from our regulations that is no longer needed, and make adjustments to the reporting thresholds for the registration and operating permit fees.

Proposal Changes the Following Existing Rules: This proposal will remove a section on outdoor burning that is no longer relevant. This proposal will also adjust the fee thresholds for the registration and operating permit programs.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Puget Sound Clean Air Agency, 110 Union Street, Suite 500, Seattle, WA 98101, on October 11, 2001, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact agency receptionist, (206) 689-4010 by October 4, 2001, TDD (800) 833-6388, or (800) 833-6385 (Braille).

Submit Written Comments to: Dennis McLerran, Puget Sound Clean Air Agency, 110 Union Street, Suite 500, Seattle, WA 98101, fax (206) 343-7522, by October 1, 2001.

Date of Intended Adoption: October 11, 2001.

September 4, 2001

James Nolan

Director - Compliance

**REPEALER**

**REGULATION I SECTION 4.02 BURNING OF STORM OR FLOOD-RELATED DEBRIS**

**AMENDATORY SECTION**

**REGULATION I SECTION 5.07 REGISTRATION FEES**

(a) The Agency shall levy annual fees as set forth in Section 5.07(c) below for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the program. Registration fees do not apply to sources subject to Article 7 of Regulation I.

(b) Upon assessment by the Agency, registration fees are due and payable within 30 days. They shall be deemed delinquent if not fully paid within 90 days.

(c) Annual registration fees are assessed either by the emission reporting thresholds or, if below emission thresholds, by the primary Standard Industrial Classification (SIC) of the source:

(1) Emission reporting sources under Section 5.05(d) that equal or exceed any of the emission thresholds in this paragraph shall be charged an annual registration fee of \$1,200 plus an additional emission rate fee of:

\$20 for each ton of CO when the CO emissions are equal to or exceed ~~25~~ ((100)) tons in the previous calendar year, and

\$40 for each ton of NOx when the NOx emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of PM10 when the PM10 emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of SOx when the SOx emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of VOC when the VOC emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of HAP when the facility total HAP emissions are equal to or exceed 6 tons in the previous calendar year or when any single individual HAP emissions are equal to or exceed 2 tons in the previous calendar year.

(2) Emission reporting sources under Section 5.05(d) that equal or exceed any of the emission thresholds in this paragraph shall be charged the annual registration fee of \$2,500 plus an additional emission rate fee of:

\$20 for each ton of CO when the CO emissions are equal to or exceed ~~50~~ ((200)) tons in the previous calendar year, and

\$40 for each ton of NOx when the NOx emissions are equal to or exceed 50 tons in the previous calendar year, and

\$40 for each ton of PM10 when the PM10 emissions are equal to or exceed 50 tons in the previous calendar year, and

\$40 for each ton of SOx when the SOx emissions are equal to or exceed 50 tons in the previous calendar year, and

\$40 for each ton of VOC when the VOC emissions are equal to or exceed 50 tons in the previous calendar year, and

\$40 for each ton of HAP when the facility total HAP emissions are equal to or exceed 12 tons in the previous calendar year or when any single individual HAP emissions are equal to or exceed ~~5~~ ((4)) tons in the previous calendar year.

(3) Automobile body repair and painting (SIC = 7532, NAICS = 811121)

without EnviroStar rating of 4 or 5 stars . . . . . \$250  
with EnviroStar rating of 4 or 5 stars . . . . . \$50

(4) Perchloroethylene dry-cleaning plants, except rug cleaning (SIC = 7216, NAICS = 812322)  
vented . . . . . \$500

PROPOSED

unvented . . . . . \$50  
 (5) Gasoline service stations with gasoline annual throughput during the last calendar year (as certified at the time of annual fee payment) of:  
 (i) more than 1,200,000 gallons . . . . . \$400  
 (ii) 840,001 to 1,200,000 gallons in Kitsap County \$250  
 (iii) 600,001 to 1,200,000 gallons in King, Pierce, or Snohomish County . . . . . \$250  
 (iv) 600,001 to 840,000 gallons in Kitsap County . \$150  
 (v) 200,000 to 600,000 gallons . . . . . \$150  
 (vi) less than 200,000 gallons . . . . . \$100  
 (6) Sources having 10 or more full-time employees at the facility site (as certified at the time of annual fee payment) and requiring registration under Section 5.03 in the following North American Industry Classification System (NAICS) codes (*North American Industry Classification System Manual*, U.S. Executive Office of the President, Office of Management and Budget, 1997) or Standard Industrial Classification (SIC) codes (*Standard Industrial Classification Manual*, Executive Office of the President, Office of Management and Budget, 1987) shall be charged an annual registration fee of \$1,200:

NAICS	SIC	NAICS Description
212312	1422	Crushed and Broken Limestone Mining and Quarrying
212319	1429	Other Crushed and Broken Stone Mining and Quarrying
212321	1442	Construction Sand and Gravel Mining
212322	1446	Industrial Sand Mining
221122	4911	Electric Power Distribution
22132	4952	Sewage Treatment Facilities
23411	1611	Highway and Street Construction
311421	2035	Fruit and Vegetable Canning
311613	2077	Rendering and Meat Byproduct Processing
311999	2099	All Other Miscellaneous Food Manufacturing
321114	2491	Wood Preservation
324121	2951	Asphalt Paving Mixture and Block Manufacturing
324122	2952	Asphalt Shingle and Coating Materials Manufacturing
325311	2873	Nitrogenous Fertilizer Manufacturing
325314	2875	Fertilizer (Mixing Only) Manufacturing
325412	2834	Pharmaceutical Preparation Manufacturing
325612	2842	Polish and Other Sanitation Good Manufacturing
32591	2893	Printing Ink Manufacturing
326291	3061	Rubber Product Manufacturing for Mechanical Use

327211	3211	Flat Glass Manufacturing
32731	3241	Cement Manufacturing
32732	3273	Ready-Mix Concrete Manufacturing
32739	3272	Other Concrete Product Manufacturing
32742	3275	Gypsum Product Manufacturing
32791	3291	Abrasive Product Manufacturing
327992	3295	Ground or Treated Mineral and Earth Manufacturing
327999	3292, 3299	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing
331111	3312	Iron and Steel Mills
331222	3315	Steel Wire Drawing
331312	3334	Primary Aluminum Production
331492	3341	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
331511	3321	Iron Foundries
331512	3324	Steel Investment Foundries
331513	3325	Steel Foundries (except Investment)
331524	3365	Aluminum Foundries (except Die-Casting)
331525	3366	Copper Foundries (except Die-Casting)
331528	3369	Other Nonferrous Foundries (except Die-Casting)
332811	3398	Metal Heat Treating
332812	3479	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
332813	3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
333414	3433	Heating Equipment (except Warm Air Furnaces) Manufacturing
333999	3599	All Other Miscellaneous General Purpose Machinery Manufacturing
334413	3674	Semiconductor and Related Device Manufacturing
334418	3679	Printed Circuit Assembly (Electronic Assembly) Manufacturing
335312	7694	Motor and Generator Manufacturing
336611	3731	Ship Building and Repairing
42251	5153	Grain and Field Bean Wholesalers
42269	5169	Other Chemical and Allied Products Wholesalers
48691	4613	Pipeline Transportation of Refined Petroleum Products
48821	4013	Support Activities for Rail Transportation
562111	4953	Solid Waste Collection

PROPOSED

62221	8063	Psychiatric and Substance Abuse Hospitals	322211	2653	Corrugated and Solid Fiber Box Manufacturing
62231	8069	Specialty (except Psychiatric and Substance Abuse) Hospitals	322212	2657	Folding Paperboard Box Manufacturing
81391	8611	Business Associations	322213	2652	Setup Paperboard Box Manufacturing
			322231	2675	Die-Cut Paper and Paperboard Office Supplies Manufacturing
			32311	2759	Printing
			323110	2752	Commercial Lithographic Printing
			325188	2819	All Other Basic Inorganic Chemical Manufacturing
			325199	2869	All Other Basic Organic Chemical Manufacturing
			325211	2821	Plastics Material and Resin Manufacturing
			32551	2851	Paint and Coating Manufacturing
			326112	2671	Unsupported Plastics Packaging Film and Sheet Manufacturing
			326199	3089	All Other Plastics Product Manufacturing
			326212	7534	Tire Retreading
			327331	3271	Concrete Block and Brick Manufacturing
			332112	3463	Nonferrous Forging
			332116	3469	Metal Stamping
			332312	3441, 3449	Fabricated Structural Metal Manufacturing
			332322	3444	Sheet Metal Work Manufacturing
			332323	3446	Ornamental and Architectural Metal Work Manufacturing
			33242	3443	Metal Tank (Heavy Gauge) Manufacturing
			332618	3496	Other Fabricated Wire Product Manufacturing
			332993	3483	Ammunition (except Small Arms) Manufacturing
			332996	3498	Fabricated Pipe and Pipe Fitting Manufacturing
			332999	3499	All Other Miscellaneous Fabricated Metal Product Manufacturing
			333294	3556	Food Product Machinery Manufacturing
			333515	3545	Cutting Tool and Machine Tool Accessory Manufacturing
			333994	3567	Industrial Process Furnace and Oven Manufacturing
			334111	3571	Electronic Computer Manufacturing
			33422	3663	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing
NAICS	SIC	NAICS Description			
115112	0711	Soil Preparation, Planting, and Cultivating			
212325	1459	Clay and Ceramic and Refractory Minerals Mining			
22132	4952	Sewage Treatment Facilities			
22133	4961	Steam and Air-Conditioning Supply			
23321	1521	Single-Family Housing Construction			
23499	1629	All Other Heavy Construction			
23531	1731	Electrical Contractors			
311111	2047	Dog and Cat Food Manufacturing			
311119	2048	Other Animal Food Manufacturing			
311211	2041	Flour Milling			
311422	2032	Specialty Canning			
311612	2013	Meat Processed from Carcasses			
311711	2091	Seafood Canning			
311821	2052	Cookie and Cracker Manufacturing			
311822	2045	Flour Mixes and Dough Manufacturing from Purchased Flour			
311823	2098	Dry Pasta Manufacturing			
311919	2096	Other Snack Food Manufacturing			
31192	2095	Coffee and Tea Manufacturing			
312111	2086	Soft Drink Manufacturing			
31212	2082	Breweries			
321113	2421, 2429	Sawmills			
321213	2439	Engineered Wood Member (except Truss) Manufacturing			
321219	2493	Reconstituted Wood Product Manufacturing			
32191	2431	Millwork			
321912	2426	Cut Stock, Resawing Lumber, and Planing			
32192	2441, 2448	Wood Container and Pallet Manufacturing			
321992	2452	Prefabricated Wood Building Manufacturing			
32213	2631	Paperboard Mills			

(7) Other sources having 10 or more full-time employees at the facility site (as certified at the time of annual fee payment) and requiring registration under Section 5.03 in the following North American Industry Classification System (NAICS) codes or Standard Industrial Classification (SIC) codes shall be charged an annual registration fee of \$600:

PROPOSED

PROPOSED

334412	3672	Bare Printed Circuit Board Manufacturing	51111	2711	Newspaper Publishers
			51112	2721	Periodical Publishers
334513	3823	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	51113	2731	Book Publishers
			51421	7374	Data Processing Services
			53111	6513	Lessors of Residential Buildings and Dwellings
334518	3873	Watch, Clock, and Part Manufacturing	54171	8731	Research and Development in the Physical, Engineering, and Life Sciences
335129	3648	Other Lighting Equipment Manufacturing			
335228	3639	Other Major Household Appliance Manufacturing	56121	8744	Facilities Support Services
			61131	8221	Colleges, Universities, and Professional Schools
335911	3691	Storage Battery Manufacturing			
335999	3629	All Other Miscellaneous Electrical Equipment and Component Manufacturing	62211	8062	General Medical and Surgical Hospitals
			62431	8331	Vocational Rehabilitation Services
336211	3713	Motor Vehicle Body Manufacturing	712190	8422	Nature Parks and Other Similar Institutions
336411	3721	Aircraft Manufacturing			
336413	3728	Other Aircraft Parts and Auxiliary Equipment Manufacturing	81221	7261	Funeral Homes and Funeral Services
			81222	7261	Cemeteries and Crematories
33651	3743	Railroad Rolling Stock Manufacturing	812331	7219	Linen Supply
33711	2434	Wood Kitchen Cabinet and Countertop Manufacturing	812332	7218	Industrial Launderers
			922120	9221	Police Protection
337122	5712	Nonupholstered Wood Household Furniture Manufacturing	92214	9223	Correctional Institutions
			92811	9711	National Security
42132	5032	Brick, Stone, and Related Construction Material Wholesalers			
42151	5051	Metal Service Centers and Offices			
42169	5065	Other Electronic Parts and Equipment Wholesalers			
42193	5093	Recyclable Material Wholesalers			
42261	5162	Plastics Materials and Basic Forms and Shapes Wholesalers			
42271	5171	Petroleum Bulk Stations and Terminals			
422720	5172	Petroleum and Petroleum Products Wholesalers (except Bulk Stations and Terminals)			
42299	5199	Other Miscellaneous Nondurable Goods Wholesalers			
44419	5039	Other Building Material Dealers			
454312	5984	Liquefied Petroleum Gas (Bottled Gas) Dealers			
481111	4512	Scheduled Passenger Air Transportation			
48411	4212	General Freight Trucking, Local			
48819	4581	Other Support Activities for Air Transportation	NAICS	SIC	NAICS Description
			32411	2911	Petroleum Refineries
48832	4491	Marine Cargo Handling	32731	3241	Cement Manufacturing
48833	4492	Navigational Services to Shipping	331111	3312	Iron and Steel Mills
48849	4173	Other Support Activities for Road Transportation	336411	3721	Aircraft Manufacturing
			336413	3728	Other Aircraft Parts and Auxiliary Equipment Manufacturing
49312	4222	Refrigerated Warehousing and Storage			

(8) All other sources, not listed above in Sections (1) through (7), requiring registration under Section 5.03, shall be charged an annual registration fee of \$300.

**AMENDATORY SECTION**

**REGULATION I SECTION 7.07 OPERATING PERMIT FEES**

(a) The Agency shall levy annual operating permit fees as set forth in Section 7.07(b) below to cover the cost of administering the operating permit program.

(b) Upon assessment by the Agency, the following operating permit fees are due and payable within 30 days. They shall be deemed delinquent if not fully paid within 90 days.

(1) Facility Fees:

(i) Operating permit sources with the following North American Industry Classification System (NAICS) codes (*North American Industry Classification System Manual*, U.S. Executive Office of the President, Office of Management and Budget, 1997) or Standard Industrial Classification (SIC) codes:

NAICS	SIC	NAICS Description
32411	2911	Petroleum Refineries
32731	3241	Cement Manufacturing
331111	3312	Iron and Steel Mills
336411	3721	Aircraft Manufacturing
336413	3728	Other Aircraft Parts and Auxiliary Equipment Manufacturing

92811 9711 National Security  
 ..... \$25,000  
 (ii) Operating permit sources with the following  
 NAICS/SIC codes:

NAICS	SIC	NAICS Description
23521	1721	Painting and Wall Covering Contractors
311812	2051	Commercial Bakeries
321114	2491	Wood Preservation
32191	2431	Millwork
321999	2499	All Other Miscellaneous Wood Product Manufacturing
322222	2672	Coated and Laminated Paper Manufacturing
32614	3086	Polystyrene Foam Product Manufacturing
32615	3086	Urethane and Other Foam Product (except Polystyrene) Manufacturing
327121	3251	Brick and Structural Clay Tile Manufacturing
332313	3443	Plate Work Manufacturing
332996	3498	Fabricated Pipe and Pipe Fitting Manufacturing
333415	3585	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing
33711	2434	Wood Kitchen Cabinet and Counter-top Manufacturing
81142	7641	Reupholstery and Furniture Repair

..... \$5,000  
 (iii) Operating permit sources with NAICS/SIC codes other than listed above ..... \$10,000

(2) Additional emission rate fees shall be paid in addition to the annual operating permit fees of Section 7.07 (b)(1):

\$20 for each ton of CO when the CO emissions are equal to or exceed ~~25~~ (~~100~~) tons in the previous calendar year, and

\$40 for each ton of NOx when the NOx emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of PM10 when the PM10 emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of SOx when the SOx emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of VOC when the VOC emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of HAP when the facility total HAP emissions are equal to or exceed 6 tons in the previous calendar year or when any single individual HAP emissions are equal to or exceed 2 tons in the previous calendar year.

(c) In addition to the fees under Sections 7.07 (b)(1) and (b)(2) above, the Agency shall, on a source-by-source basis, levy the following fees:

(1) \$250 (~~(\$500)~~) for administrative permit amendments, and

(2) for minor permit modifications, a fee equal to 10% of the annual operating permit fee, not to exceed \$5,000, and

(3) for the issuance, significant modification, or renewal of an operating permit, a fee equal to 20% of the annual operating permit fee, not to exceed \$10,000, and

(4) to cover the cost of public involvement under WAC 173-401-800, and

(5) to cover the cost incurred by the Washington State Department of Health in enforcing 40 CFR Part 61, Subpart I and Chapter 246-247 WAC.

(d) In addition to the fees described under Sections 7.07 (b) and (c) above, the Agency shall collect and transfer to the Washington State Department of Ecology a surcharge established by the Department of Ecology under WAC 173-401 to cover the Department of Ecology's program development and oversight costs.

(e) Continued payment to the Agency of the annual operating permit fee maintains the operating permit and the status of the source as an operating facility.

**WSR 01-18-088**  
**PROPOSED RULES**  
**WASHINGTON STATE PATROL**  
 [Filed September 5, 2001, 10:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-11-117.

Title of Rule: Chapter 204-36 WAC, Authorized emergency vehicle permits.

Purpose: To update and clarify the WAC.

Statutory Authority for Adoption: RCW 46.37.005 and 46.37.194.

Summary: This WAC chapter contains emergency vehicle permitting rules. These new proposed amendments will clarify the rules governing the permit procedures.

Reasons Supporting Proposal: These new proposed amendments will clarify the rules governing the permit procedures.

Name of Agency Personnel Responsible for Drafting: Ms. Carol Morton, P.O. Box 42614, Olympia, WA 98504, (360) 753-3697; Implementation: Ms. Christine Fox, P.O. Box 42614, Olympia, WA 98504, (360) 753-3697; and Enforcement: Captain Frederick Fakkema, P.O. Box 42614, Olympia, WA 98504, (360) 753-0306.

Name of Proponent: Washington State Patrol Equipment and Standards Section, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Approve of the amendment.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Any person or company who wishes to have a vehicle registered as an authorized emergency vehicle must apply to the WSP for this classification. Amended language clarifies the process.

Proposal does not change existing rules.

PROPOSED

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not needed.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: General Administration Building, WSP Commercial Vehicle, Conference Room, 210 11th Avenue S.W., Olympia, WA 98504, on October 10, 2001, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Mr. Mike Palios by October 8, 2001, TDD (360) 536-4270, or (360) 753-5966.

Submit Written Comments to: Ms. Christine Fox, P.O. Box 42614, Olympia, WA 98504, fax (360) 586-8233, by October 8, 2001.

Date of Intended Adoption: October 10, 2001.

September 4, 2001

Ronal W. Serpas

Chief

AMENDATORY SECTION (Amending WSR 90-07-034, filed 3/15/90, effective 4/15/90)

**WAC 204-36-030 Permit requirements.** (1) Any person, firm, corporation or municipal corporation desiring to have a vehicle registered as an authorized emergency vehicle pursuant to RCW 46.37.194 shall apply for such classification to the state patrol on forms provided by the patrol.

(2) The applicant shall furnish the following information to the patrol:

(a) A description of the specific geographic area in which the vehicle shall be used as an authorized emergency vehicle.

(b) A description of the vehicle, to include, year, make, model, VIN, license number, and registered owner.

(c) A description of the specific purposes for which the vehicle shall be used as an authorized emergency vehicle, funeral escorts, fire response, or other (describe in detail).

~~((e))~~ (d) An explanation of the nature and scope of the duties, responsibilities and authority of the vehicle operator which necessitate the ((vehicle's registration as)) need for vehicle to have an authorized emergency vehicle permit.

~~((d))~~ (e) A description of the emergency equipment to be used if the permit is granted.

~~((e))~~ (f) A listing of the names, addresses, birthdates, operator's license numbers and other identifying data as may be prescribed on the application form by the patrol, of all persons who will use the vehicle as an authorized emergency vehicle, and a completed applicant fingerprint card.

~~((f))~~ (g) Certification from each jurisdiction identified in (a) of this subsection that the vehicle is to be used as described. Such certification shall be by:

(i) The chief law enforcement officer if the applicant is a law enforcement or security officer, or has funeral home, coroner, ambulance or other nonfire related duties.

(ii) The fire chief if the vehicle is to be used for firefighting purposes.

The certification shall state that a need exists in the jurisdiction for the vehicle to be used as described and that the certifier knows of no reason why the application should be denied.

Note: If the person making application is the chief law enforcement officer or the fire chief of the jurisdiction, certification must be made by the chief executive officer of the political subdivision of the jurisdiction.

Upon satisfactory application the patrol may issue an emergency vehicle permit or permits which, when carried as required, are valid until expiration or cancellation as prescribed in WAC 204-36-070.

AMENDATORY SECTION (Amending WSR 90-07-034, filed 3/15/90, effective 4/15/90)

**WAC 204-36-040 Permit limitations.** (1) A vehicle registered by the patrol shall not be used as an authorized emergency vehicle except as follows:

(a) Only by the operators named in the original or amended application.

(b) Only with the equipment described in the original or amended application.

(c) Only within the geographic area described in the original or amended application.

(d) Only for the purposes set forth in the original or amended application.

(e) If being used for escort services, may be used only for funeral escorts.

(2) If an authorized emergency vehicle is used for private purposes, or for purposes in an area or by an operator other than as set forth in the application, all emergency equipment which is exposed to public view shall be covered with an opaque hood, and shall not be operated during such period of time.

(3) The issuance of an emergency vehicle permit does not relieve the driver ~~((ef))~~ from the ((responsibility for using due care)) duty to drive with regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his disregard for the safety of others and ((caution in the operation of the)) does not grant police authority to the operators of said vehicle. ~~((The))~~ Any inappropriate or misuse of authorized emergency vehicles may result in criminal or civil liability as well as cancellation of the emergency vehicle permit.

AMENDATORY SECTION (Amending WSR 90-07-034, filed 3/15/90, effective 4/15/90)

**WAC 204-36-060 Procedure.** (1) If the patrol approves the application, it shall first issue a certificate of approval which shall be valid for thirty days, during which time the emergency equipment may be installed. After installation of the emergency equipment, the applicant shall bring the vehicle to a district or detachment office of the Washington state patrol to be examined to determine if it is of an approved type. A Washington state patrol officer shall certify the results of this examination on a form prescribed and provided by the patrol and the applicant shall file the form with the State Patrol, E.S.R. ~~((Section))~~ Unit, General Administration Building, ((Mailstop AS 12, Olympia, Washington 98504)) P.O. Box 42614, Olympia, WA 98504-2614. Upon receipt of such certification, the patrol shall issue a permit, which shall expire one year from the date of issuance thereof.

PROPOSED

PROPOSED

(2) The patrol may refuse to approve the application, certificate or permit or in the case of an application which lists multiple operators may refuse to approve any single operator if the applicant/operator has been convicted of a felony during the ten years preceding the date of the application provided the felony for which the applicant was convicted directly relates to the specific occupation, trade, vocation, or business for which the certificate or permit is sought.

(3) The certificate of approval and when issued, the permit, including all endorsements for change of conditions as provided in WAC 204-36-030, shall be carried in the authorized emergency vehicle at all times, and shall be displayed on request to any law enforcement officer.

**WSR 01-18-089**  
**PROPOSED RULES**  
**WASHINGTON STATE PATROL**  
[Filed September 5, 2001, 10:45 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-11-116.

Title of Rule: Chapter 204-91A WAC, Towing business.

Purpose: To update and clarify the WAC and add some necessary changes in the wording.

Statutory Authority for Adoption: RCW 46.37.005, 46.55.050, and 46.55.115.

Summary: This WAC chapter contains the tow truck business rules. The purpose of the rules is to regulate the towing industry. The anticipated effect of the amendments will clarify hearing procedures for applicants, business hours, storage, and add some necessary changes in wording.

Reasons Supporting Proposal: Will clarify hearing procedures for applicants, business hours, storage, and add some necessary changes in wording.

Name of Agency Personnel Responsible for Drafting: Ms. Carol Morton, P.O. Box 42614, Olympia, WA 98504, (360) 753-3697; Implementation: Ms. Christine Fox, P.O. Box 42614, Olympia, WA 98504, (360) 753-3697; and Enforcement: Commander John Batiste, P.O. Box 42600, Olympia, WA 98504, (360) 586-2340.

Name of Proponent: Tow Truck Industry, private.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Approve of the amendment.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This WAC chapter contains the tow truck business rules. The purpose of the rules is to regulate the towing industry. The anticipated effect of the amendments will clarify hearing procedures for applicants, business hours, storage, and add some necessary changes in wording.

Proposal Changes the Following Existing Rules: Answering services may not be used during normal business hours. Tows must be registered to and belong to the particular tow business called and assigned to that tow zone only. Applications for letter of appointment will not be considered unless operator can demonstrate two years minimum registra-

tion as a tow truck operator. Allows for letter of appointment to be revoked if applicant/partner/employee misrepresented or concealed facts in obtaining appointment letters within the last ten years, violated any state or federal statute regulating the tow industry, or has been convicted of a Class A felony in the last ten years. If revoked, operators may only reapply once a year. Tow operators may not remove or damage any vehicle parts permanently affixed to vehicles. Vehicles stored over twelve hours on a given day within the twenty-four hour clock shall constitute a full day's storage. Vehicles stored for less than twelve hours shall be charged for twelve hours of storage. All tow trucks must carry a minimum three gallon bucket for debris. Class B trucks must carry a minimum of one hundred feet of 7/16 inch continuous length XIP wire rope. New definition for Class B tow truck. Tow service may not be solicited on the public roadways. Operators shall wear work vests of highly visible materials.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business impact made from amendments.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: General Administration Building Auditorium, 210 11th Avenue S.W., Olympia, WA 98504, on October 24, 2001, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Mr. Mike Palios by October 22, 2001, TDD (253) 536-4270 or (360) 753-5966.

Submit Written Comments to: Ms. Christine Fox, Washington State Patrol, P.O. Box 42614, Olympia, WA 98504, fax (360) 586-8233, by October 22, 2001.

Date of Intended Adoption: October 24, 2001.

September 4, 2001

Ronal W. Serpas  
Chief

AMENDATORY SECTION (Amending WSR 94-18-083, filed 9/2/94, effective 10/3/94)

**WAC 204-91A-010 Authority.** This chapter is adopted pursuant to RCW 46.37.005, 46.55.050, and ((46-61-567)) 46.55.115 which require rules, regulations and equipment standards for tow trucks be made and to provide for the removal from the highway of disabled, abandoned, or damaged motor vehicles, or the removal of vehicles when the driver is intoxicated or otherwise incompetent.

AMENDATORY SECTION (Amending WSR 94-18-083, filed 9/2/94, effective 10/3/94)

**WAC 204-91A-030 Definitions.** The following definitions shall apply throughout this chapter:

- (1) "Patrol" means the Washington state patrol as defined in RCW 43.43.010.
- (2) "Chief" means the chief of the Washington state patrol or designee.
- (3) "Department" means the Washington state department of licensing.
- (4) "Director" means the director of the department of licensing.

(5) "Tow truck permit" means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(6) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles, or in the disposal of abandoned vehicles.

(7) "Tow truck" means a motor vehicle that is equipped for and used in the business of towing or otherwise transporting other vehicles with specific equipment approved by the state patrol.

(8) "Tow truck number" means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(9) "Tow truck service" means the towing, moving, transporting, or impounding of vehicles, together with personal effects and cargo, by a registered tow truck operator utilizing equipment approved by the patrol.

(10) "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(11) "Place of business" means a building which the registered tow truck operator occupies, either continuously or at regular times, where tow business books and records are kept and tow business is transacted in each assigned tow zone.

(12) "Vehicle storage area" means the approved yard/buildings (primary and secondary) where stored vehicles are kept. The storage areas and fencing will comply with the requirements as established by the department and all local zoning rules and regulations. Both primary and secondary storage areas must be physically located within tow zone assigned to the operator.

(13) "Special event" means any event which causes an unusually large number of impounded vehicles and/or tow calls in a short period of time and is so declared by the district commander or designee.

(14) "Special event storage area" means an area used for temporarily storing vehicles impounded/towed from special events. Approval for such areas shall be obtained from the department, the patrol, and appropriate city and county jurisdictions.

(15) "District commander" means the commanding officer of an area established by the Washington state patrol.

(16) "Inspector" means a commissioned officer of the Washington state patrol who has been designated as a tow truck inspector by the patrol.

(17) "Tow zone" means that specific geographical area designated by the district commander for the removal of vehicles as defined in Title 46 RCW and this chapter.

(18) "Section" means the section designated by the chief of the Washington state patrol to coordinate the tow truck inspection program, maintain tow truck files, and issue letters of appointment.

(19) "Letter of appointment" means a letter issued by the section that authorizes a registered tow truck operator to tow and store vehicles on a rotational or contractual basis, in a specific area, for the Washington state patrol. ~~(Effective October 15, 1989,)~~ The letter of appointment must have an attached valid contractual agreement listing the maximum

rates that will be charged by the operator for services provided as a result of state patrol originated calls.

(20) "Initial tow" means services provided as a result of an original call, on a particular vehicle, that the tow operator receives from the patrol as a result of contract or rotational call list.

(21) "Secondary tow" means towing services from an operator's storage facility or place of business, to another location designated by the owner/agent of a vehicle that was initially towed as a result of call from the patrol.

(22) "Letter of contractual agreement" means the document, attached to the letter of appointment, that specifies the maximum tow rates that may be charged for services provided as a result of state patrol originated calls.

**AMENDATORY SECTION** (Amending WSR 97-08-021, filed 3/25/97, effective 4/25/97)

**WAC 204-91A-060 Application for letter of appointment.** (1) An application for a letter of appointment will not be considered or approved ~~((until the applicant is qualified as a licensed and registered tow truck operator))~~ unless the operator/owner of the towing company can demonstrate that he/she has been a registered tow truck operator for a minimum of two years prior to the date of application with at least one approved "A" or "B" class tow truck. Additional trucks are optional.

Note: An exception may be made if an operator desires a letter of appointment for class "C" tows only. In such situations, only a class "C" truck is required.

Upon request, the section shall advise the applicant of the contents of the department's regulations and of the standards established for the issuance of a letter of appointment.

(2) An application for a letter of appointment to provide towing service for the patrol shall be filed by the applicant with the local state patrol district office on a form prescribed by the patrol. The state patrol may refuse to approve or may revoke a letter of appointment/contract if the applicant, partner, or any employee ~~((has been convicted of any class "A" felony, or has within the last ten years been convicted of any lesser felony involving assault, sexual abuse, or theft as defined in RCW 9A.56.030))~~ within the last ten years has misrepresented or concealed a fact in obtaining a letter of appointment, violated any state or federal statute or rule regulating the tow industry, or in the last ten years been convicted of any class "A" felony or in the last ten years been convicted of any lesser felony involving assault, sexual abuse, or theft as defined in the criminal code under which the conviction would have been a felony in the state of Washington at the time of conviction. In the case of a partnership, each partner shall apply on the form prescribed. In the case of a corporation, the patrol may require that each of the present and any subsequent officers, managers, and stockholders holding ten percent or more of the total issued and outstanding stock of the applicant corporation complete an application form. A signed "letter of contractual agreement" listing the maximum tow rates to be charged for services resulting from state patrol originated calls will be attached to the application.

(3) Only one application per year to tow on the Washington state patrol rotational tow list will be accepted and considered for an applicant who has had their previous application denied or had their letter/contract of appointment revoked. The year shall run from the date of application denial or the date of the letter of appointment's revocation.

(4) The district commander or designee shall complete tow zone portion of the form. He/she will enter "approved" or "disapproved" and will sign the form next to the zone designation. The application and "letter of contractual agreement" will be forwarded to the section.

((4)) (5) The application form will be assigned a docket number, by the section, which shall be its permanent identification number for all matters relating to appointments, granted or denied, and any other correspondence with the section thereafter.

((5)) (6) The filing of an application for a letter of appointment does not in itself authorize the operator to provide towing services pursuant to this chapter until a letter of appointment has been issued by the section. However, nothing herein shall prohibit the patrol from calling the towing business upon the specific request of a person responsible for a vehicle or his agent.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

**WAC 204-91A-090 Hearing procedure.** ~~((The provisions of chapter 1-08 WAC shall govern the conduct of any hearing held pursuant to this chapter.))~~ Pursuant to RCW 34.05.482 through 34.05.494, the patrol will use brief adjudicative proceedings where not violative of the law and where protection of the public interest does not require the patrol to give notice and an opportunity to participate to persons other than the parties. The brief adjudicative proceedings may include: Denial of application for a letter of appointment, suspension, or revocation of letter of appointment. The burden of proof in any hearing before the chief shall be on the applicant seeking a letter of appointment, or the person or agency seeking the suspension or revocation of a letter of appointment, or other action by the chief. The chief, after having heard and considered all pertinent evidence, or if the hearing is conducted by an administrative law judge, after having considered a record of a hearing conducted by an administrative law judge duly appointed pursuant to chapter 34.12 RCW, shall make written findings of facts and conclusions based on evidence presented. Oral proceedings shall be recorded on tape and such tape shall become part of the hearing record.

AMENDATORY SECTION (Amending WSR 89-21-044, filed 10/13/89, effective 11/13/89)

**WAC 204-91A-120 Business office hours and records.** Business hours for purposes of inspection of records, place of business, and towing equipment shall be 8 a.m. to 5 p.m., excluding weekends and holidays.

(1) When an operator is not open for business and does not have personnel present at the place of business, the operator shall post a clearly visible telephone number at the busi-

ness location for the purpose of advising the public how to make contact for the release of vehicles or personal property.

The operator will have personnel at the place of business during business hours to answer phone calls. Phones may not be forwarded to an answering service during normal business hours, with the exception of the lunch hour. Lunch hours will be posted and will be consistent on a monthly basis.

(2) The operator shall maintain personnel who can be contacted twenty-four hours a day to release impounded vehicles within a thirty-minute period of time.

(3) All billing invoices shall be consecutively numbered and shall contain the following information:

- (a) Date of service and tow truck operator's name.
- (b) Time of departure in response to the call.
- (c) Time service completed.
- (d) Class of tow truck.

(e) If the towing call is for a Washington state patrol request, another police agency, a private impound, or the result of a private citizen request.

- (f) All fees for service shall be itemized.
- (g) The date and time the vehicle was released.

Note: Yard cards containing the above information may be used for internal control of vehicles by the operator until the vehicle is released, sold, or otherwise disposed of. Yard cards shall be supplemental to, and shall not replace the invoice required above.

A copy of the invoice shall be filed by invoice number at the business location and a copy of any voided invoice shall be retained in this same file. Another copy of the invoice shall be included with the transaction file items identified in RCW 46.55.150.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

**WAC 204-91A-130 Personal property handling procedures.** All personal belongings and contents in the vehicle and not permanently attached, shall be kept intact, and shall be returned to the vehicle's owner or agent during normal business hours upon request and presentation of a driver's license or other sufficient identification. Personal property not being held for evidence purposes by the impounding agency, shall be released to the vehicle's owner or agent by the tow operator without charge, upon demand, during normal business hours of 8:00 a.m. to 5:00 p.m. except for weekends and legal holidays. Release procedures will also follow guidelines as set forth in chapter 308-61 WAC and chapter 46.55 RCW.

(1) The items of personal property which the state patrol will not accept in response to RCW 46.55.090 include but are not limited to the following:

- (a) Tire chains;
- (b) Spare tire/wheels;
- (c) Used auto parts and/or accessories;
- (d) Seat covers;
- (e) Fuel containers;
- (f) Jacks, lug wrenches;
- (g) Radios, stereos, and other items attached to the vehicle by bolts, screws, or some other manner which incorporates them to the vehicle shall remain with the vehicle;

- (h) Refuse;
  - (i) Trash;
  - (j) Garbage;
  - (k) Open alcohol containers;
  - (l) Soiled or mildewed clothing, shoes, blankets, tarps, etc., having no actual value;
  - (m) Miscellaneous unofficial papers and other items having no actual value.
- (2) Items which must be turned over to the patrol and inventoried include but are not limited to:
- (a) Money;
  - (b) Wallets or purses;
  - (c) Bank or check books;
  - (d) Bank or credit cards;
  - (e) Official identification cards, operator's license, or passports;
  - (f) Jewelry items;
  - (g) Firearms and any type weapon;
  - (h) Contraband and/or controlled substances;
  - (i) Stocks, bonds, money orders, bank certificates, travelers checks, postage stamps, food stamps, etc.;
  - (j) Other items of obvious value.
- (3) The tow operator shall not remove or damage any vehicle parts permanently affixed to the vehicle, i.e., trunk locks or door locks.

**AMENDATORY SECTION** (Amending WSR 97-08-021, filed 3/25/97, effective 4/25/97)

**WAC 204-91A-140 Fees.** (1) All towing fees shall be based on a flat, hourly rate only and shall apply without regard for the hour of day, day of the week or whether the service was performed on a Saturday, Sunday, or holiday. The hourly rate for each class of truck shall be the only charge for services performed for initial tows and secondary tows performed during business hours. Charges for secondary tows performed during nonbusiness hours, on weekends or holidays, if different from the hourly rate, shall be negotiated and agreed upon with the vehicle owner/agent before the tow is made.

(2) The chief of the state patrol shall, prior to October 15 of each year, establish maximum hourly towing rates for each class of tow truck and maximum daily storage rates that tow operators may charge for services performed as a result of state patrol calls. The maximum rates shall be determined after consulting with members of the towing industry, review of current private towing rates, and such other economic factors as the chief may deem appropriate.

When signed by the chief (or his/her designee) and the tow operator, a contractual agreement to charge no more than the maximum rates shall become part of the operator's letter of appointment. The tow operator may, however, adopt a rate schedule charging less than the maximum rates established by the chief.

The hourly rate shall:

- (a) Be the only basis used to compute total charges for towing services.
- (b) Apply when the call is made by the state patrol, for whatever reason, including but not limited to accidents, incidents, disableds, and impound requests.

(c) Include all ancillary activities such as, but not limited to, removal of glass and debris from the roadway and any other area referred to as the "scene or incident," necessary winching, dolly service, drive line removal, installing chains on the tow truck, installation of portable lights, vehicle hookup for towing or transporting, tire replacement (on vehicle to be towed) and standby time.

(d) Be considered to include one person (the driver) per truck. Any charges for additional labor and/or ancillary vehicles (trailers, pickups, etc.), for removing debris, cargo, etc., must have prior authorization from the legal or registered owner/agent, or a member of the patrol at the scene.

(e) Be computed from the actual time the truck departs in response to a call until it returns to the starting location or it begins responding to another call minus any down time.\* The hourly rate shall be applied to the resulting net time and, after the first hour, shall be rounded to the nearest fifteen minutes. The operator may charge the hourly rate for the first hour or any portion thereof. After the first hour, no more than one-quarter of the hourly rate may be charged for each fifteen minutes of tow or service work performed.

\*Down time includes coffee or meal breaks, personal errands by the operator, and/or any mechanical failure on the truck or equipment.

(3) The basic storage fee:

(a) Shall be calculated on a twenty-four-hour basis clock and shall be charged to the nearest half day from the time the vehicle arrived at the secure storage area. Vehicles stored over twelve hours on any given day within the twenty-four-hour clock shall constitute a full day's storage. Vehicles stored for less than twelve hours on any give day, shall be charged for twelve hours of storage; and

(b) Shall be the same for all three and four-wheel vehicles less than twenty feet in length; and

(c) For vehicles or combinations exceeding twenty feet, the storage fee shall be computed by multiplying each twenty feet of vehicle length, or any portion thereof, by the basic storage fee;

(d) For two-wheel motorcycles shall be one-half the basic storage fee for three and four-wheel vehicles.

(4) After hours release fee. If an operator or employee is already present, for other reasons, at the storage facility after business hours when a customer arrives, the vehicle and/or property shall be released as if it were during business hours. No "after hours fee" may be assessed. If the operator or employee is called to the place of business specifically for the purpose of releasing the vehicle and/or property, an "after hours fee," equivalent to one-half of the maximum Class "A" hourly rate, may be assessed.

(5) Any tow operator who charges the general public (i.e., private citizens) rates lower than those identified in the contractual agreement for services listed below shall charge the same lower rate for similar services performed as a result of state patrol originated calls.

- (a) Roadside mechanical service, including fuel transfer, tire and belt changes, etc.;
- (b) Disabled vehicle tow/transportation;
- (c) Storage;
- (d) After hours release fees.

Any such price requirement shall not be imposed for unoccupied vehicle situations in which the owner/operator

has had no prior contact with either the state patrol or the tow operator.

**AMENDATORY SECTION** (Amending WSR 94-18-083, filed 9/2/94, effective 10/3/94)

**WAC 204-91A-170 Minimum tow truck equipment standards.** All tow/recovery trucks used by a registered tow operator for public or private impounds or in response to patrol requests shall meet the minimum standards as listed in this section.

Note: Equipment standards will be effective one year from the date of adoption.

**(1) Minimum standards:**

(a) All equipment used in conjunction with the tow truck winching system shall have a working load limit at least twenty-five percent more than the working load limit of the wire rope being used. All equipment shall comply with the Washington safety and health administration (WSHA) regulation if applicable.

Note: Industry standards set the working load limit of wire rope at 1/5 of its nominal or breaking strength.

(b) Each wire rope shall be capable of being fully extended from and fully wound onto its drum.

Note: OSHA (1410.179(h)(2)(iii)) requires no less than two wraps of rope remain on drum when rope is "fully extended." This is to ensure the full load never bears on the rope to drum connection.

(c) All wire rope shall be 6 X 19 or 6 X 37 classification graded "extra improved plow steel" (XIP).

Notes: Documentation from the supplier must be kept on file showing the type of wire rope installed and the date of installation for each truck.

6 X 19 wire rope classification includes wire ropes with six strands having wire combinations from fifteen through twenty-six wires per strand but not more than twelve outer wires in each strand.

6 X 37 wire rope classification includes wire ropes with six strands having wire combinations from twenty-seven through forty-nine wires per strand but not more than eighteen outer wires in each strand.

(d) All wire rope shall be in good working order. The following industry standards for **out-of-service** criteria shall apply:

(i) No more than six randomly distributed broken wires in one rope lay, or more than three broken wires in one strand in one rope lay.

(ii) Excessive abrasion causing the loss of more than one-third the original diameter of an outside individual wire.

(iii) Evidence of rope deterioration from corrosion.

(iv) Kinking, crushing, or other damage that results in detrimental distortion of the rope structure.

(v) Any evidence of heat damage.

(vi) Any marked reduction in diameter either along the entire main length or in one section.

(vii) Unlaying or opening up of a tucked splice.

(viii) Core protrusion along the entire length.

(ix) End attachments that are cracked, deformed, worn, or loosened.

Note: Hooks must be replaced if the throat opening has increased beyond manufacturer recommendations, the load bearing point

has been worn by ten percent, or the hook is twisted by more than ten degrees.

(x) Any indication of strand or wire slippage in end attachments.

(xi) More than one broken wire in the vicinity of fittings.

(e) Wire rope end connections shall be swaged or, if clamped, shall have a minimum of three forged clamps spaced a minimum of six rope diameters apart and attached with the base or saddle of the clamp against the longer or "live" end of the cable. The "U" bolt will be placed over the short or "dead" end of the rope and will be of the proper size for the cable being clamped.

Note: Wire rope clamps must be installed and torqued per manufacturer specifications.

(f) All wire rope related equipment, sheaves, etc., must conform to the diameter of the wire rope being used or to the original tow truck equipment manufacturer specifications.

(g) All winching equipment, snatch blocks, etc., shall have permanently affixed durable factory identification, stating working load limit (WLL). If this identification has been removed or is no longer readable, it is criteria for placing the item out-of-service. Equipment may be reinspected by a recognized recertification company. If the equipment is acceptable, it may be reidentified with a working load limit (WLL) and a recertification company identifier.

(h) All block and tackle equipment used in the winching system which shows signs of permanent deformation, significant wear or damage is criteria for placing the item out-of-service.

(i) All "J" hook chain assemblies must only be used with a sling lift system and be grade "7" chain or better.

(j) Safety chains must only be used for the securing of vehicles to the truck. Must be minimum grade "4" chain or meet the original manufacturer's recommendations and be permanently attached to the truck.

(k) Comply with legal lighting, equipment, and license requirements.

(l) Portable tail, stop, and turn signal lights for vehicles being towed.

(m) Have department of licensing registration and truck numbers painted or permanently affixed to both sides of the truck. Have firm's name, city of address, and phone number permanently affixed to both sides of the vehicle. Letters must be a minimum of three inches high with one-half inch strokes.

(n) Have a revolving/intermittent red light with three hundred sixty degrees visibility. May also be equipped with flashing amber and/or white lights which may be used in conjunction with the red lamps. Must also be equipped with a warning light visible from the driver seat which is energized when the red revolving light or flashing amber lights are activated.

(o) Have a broom, minimum twelve inches wide, handle four feet long.

(p) Have a scoop type shovel, minimum seven inches wide, overall length minimum three feet long and a minimum of a three-gallon bucket for debris.

(q) Be maintained in a reasonably clean condition.

(r) Have two tempered steel pinch bars or equivalent devices, one tapered and one flattened; one at least three feet

long and one at least four feet long, with a minimum diameter of three-quarters of an inch.

(s) Have a two-way radio or mobile telephone system capable of communicating with a base station. A citizen band radio does not suffice. A mobile telephone system is acceptable if:

(i) The equipment is of a recognized and established manufacture and is properly installed.

(ii) The equipment is in proper working order and functions correctly throughout the assigned tow areas.

(iii) The equipment does not utilize a siren to signal incoming calls.

(iv) The equipment is used in a correct and lawful manner.

(t) Have one 20 BC rated or two 10 BC rated fire extinguishers.

(u) Axle weight must comply with the requirements of RCW 46.37.351.

(2) **Class "A" tow trucks:** Trucks that are capable of towing and recovery of passenger cars, pickup trucks, small trailers, or equivalent vehicles. Class "A" tow trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) A ten thousand minimum manufacturer's gross vehicle weight rating.

(b) Dual tires on the rear axle.

(c) A minimum of one hundred feet of three-eighths inch continuous length XIP wire rope on each drum, measured from the point of attachment at the drum to the hook.

(d) A minimum six-ton boom rating with single or dual booms. Dual winches to control a minimum of two service drums.

(e) A minimum of two snatch blocks.

(f) A tow sling or other comparable device made of material and used in such manner so as to protect vehicles being towed or recovered.

(g) A portable dolly or its equivalent for hauling vehicles that are not otherwise towable.

(h) If equipped with a wheel lift system, it must have a fully extended working load rating of at least three thousand pounds and a seven thousand pound tow rated capacity.

(i) A minimum of one ten-foot or two five-foot recovery chains used in the winching system and must be minimum grade "7" chain with matching fittings.

(3) **Class "B" tow trucks:** Trucks that are capable of towing and/or recovery of medium size trucks, trailers, motor homes, or equivalent vehicles. Class "B" tow trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) Seventeen thousand pounds minimum manufacturer's gross vehicle rating.

(b) Minimum ten-ton boom rating, single or dual booms, with two independent winches and drums.

(c) A minimum of one hundred (~~(fifty)~~) feet of seven-sixteenths inch continuous length XIP wire rope on each drum, measured from points of attachment at the drum to the hook.

(d) Minimum of four standard release tools (caging stud assemblies).

(e) A minimum of two snatch blocks.

(f) A tow sling or other comparable device made of material and used in such manner so as to protect vehicles being towed or recovered.

(g) A portable dolly or its equivalent for hauling vehicles that are not otherwise towable when the class B tow truck is being used for class A tows.

(h) If equipped with a wheel lift system, it must have a fully extended working load limit of at least six thousand pounds and a twenty thousand pound tow rated capacity when operating as a class B truck. May be equipped with a three thousand pound fully extended working load wheel lift system with a seven thousand pound tow rated capacity if operating as a class A truck.

(i) A minimum of one ten-foot or two five-foot recovery chains used in the winching system and must be grade "8" chain with matching fittings.

(4) Class B\*\* trucks are rated at 30,000 GVWR (or more) with air brakes. Class B\*\* trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have a minimum of one hundred fifty feet of seven-sixteenths inch continuous length XIP wire rope on each drum, measured from points of attachment at the drum to the hook.

Class B\*\* trucks shall also meet the requirements of subsection (3)(b), (d), (e), (f), (g), (h), and (i) of this section.

(5) **Class "C" tow trucks and class "C" rotator trucks:** Are trucks that are capable of towing and/or recovery of large trucks, trailers, buses, motor homes, or similar vehicles. Class "C" trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) A forty thousand pound manufacturer's gross vehicle weight rating or equivalent.

(b) Tandem rear axle truck chassis (both drive axles).

(c) A minimum of twenty-five-ton boom rating with single or dual booms. Dual winches to control a minimum of two service drums.

(d) A minimum of one hundred fifty feet of nine-sixteenths inch continuous length XIP wire rope on each drum measured from the point of attachment at the drum to the hook.

(e) Air brakes and a system capable of supplying air to towed vehicles.

(f) A minimum of four standard release tools (caging stud assemblies).

(g) If equipped with a wheel lift system, it must have a fully extended working load limit of at least twelve thousand pounds.

(h) A minimum of one ten-foot or two five-foot recovery chains used in the winching system and must be grade "8" chain with matching fittings.

(i) A tow sling or other comparable device used in such a manner as to protect the vehicle being towed or recovered.

(j) A minimum of two snatch blocks.

~~((5))~~ (6) **Class "D" tow trucks:** Trucks that are equipped for and primarily used as "wheel lift" trucks.

Class "D" trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) A wheel lift assemble with a fully extended manufacturer's working load limit of three thousand pounds and a seven thousand pound tow rated capacity.

(b) One winch and drum with one hundred feet of three-eighths inch XIP wire rope meeting class "A" requirements.

(c) One snatch block.

(d) A minimum of one five-foot recovery chain for use in the winching system and must be a minimum of grade "7" chain with matching fittings.

~~((6))~~ (7) **Class "E" tow trucks:** Trucks that are primarily designed and intended to transport other vehicles by loading the vehicle entirely onto the truck. These vehicles may be a flatbed, slide back, tilt bed, or rail design truck. Class "E" trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) Four securing devices with a minimum working load limit of three thousand nine hundred pounds. The devices may be chain (minimum grade "4"), wire rope, nylon strap, or steel strap. The tie downs shall be attached to the axle or frame member of the transported vehicle both front and rear. All ends shall be secured to the truck bed or rail in a manner that will prevent movement of the transported vehicle. Factory style "T" hook tie-downs may also be used (front and rear).

(b) One snatch block.

(c) Dual tires on the rear axle.

(d) If used in a towing mode (as opposed to carrying), a sling, tow bar, and/or wheel lift assembly can be used and must have a manufacturers' rating appropriate to the vehicle being towed.

(e) Additional minimum requirements include:

- (i) Gross vehicle weight rating 14,500
- (ii) Purchased tonnage 14,500
- (iii) Winch rating 4 ton
- (vi) XIP wire rope 50 feet 3/8 inch
- (v) One five-foot chain use in the winching system and must be a minimum of grade "7" chain with matching fittings.
- (v) Car carrier (bed) 17 feet

Note: Bed may be shorter in a collapsed mode, but must be capable of telescoping to a minimum of seventeen feet.

~~((7))~~ (8) **Class "S" tow/recovery trucks:** Tow/recovery trucks that cannot meet the requirements of class "A," "B," "C," "D," or "E" and are not eligible for appropriate waiver as outlined in WAC 204-91A-070(4), may be approved as class "S" (special).

To have a truck designated as class "S" the tow operator must submit a request for approval through the district commander to the section. The written request shall indicate why the truck is needed, what it will be used for, its size, purchased tonnage (if appropriate), capability, and the equipment carried or used with the truck. Gross vehicle weight rating of the class "S" truck will determine the appropriate equipment required.

If the district commander approves the request, the request will be forwarded with recommendations for equipment and/or operation instructions or limitations to the patrol for review and final approval. If approval is granted, the

equipment shall be inspected as outlined in WAC 204-91A-040 with reports forwarded in the normal manner.

Note: If the provisions of this section require a change in classification for a previously approved tow truck, such change may be made upon the next annual reinspection. In any case, all tow trucks shall be correctly classified within one year of adoption of these rules.

AMENDATORY SECTION (Amending WSR 94-18-083, filed 9/2/94, effective 10/3/94)

**WAC 204-91A-180 Vehicle towing/operator qualifications, restrictions, and requirements.** In addition to the requirements contained in WAC 204-91A-170, tow truck operators appointed pursuant to this chapter shall conform to all laws and administrative rules pertaining to the tow industry and shall observe the following practices and procedures:

(1) When called by the patrol, the tow truck operator will dispatch a tow truck, from within the assigned zone, within five minutes during normal business hours. Tow trucks must be registered to and belong to the particular tow business that is called and assigned to that tow zone only. If the officer at the scene deems it necessary, additional assistance may be authorized from a registered tow truck operator outside of the tow zone.

(2) Tow trucks dispatched at the request of the patrol after normal business hours will be on the move within the assigned zone within fifteen minutes after receiving the call.

(3) The tow truck that is dispatched will arrive at the stated location within a reasonable time considering distance, traffic, and weather conditions.

(4) If for any reason a tow operator is unable to dispatch a tow truck within the stated time or if the dispatched truck will be delayed for any reason, the operator shall so advise the patrol stating the reason and estimated time of arrival. In the event the tow truck fails to arrive at the scene within a reasonable time, the patrol will contact another tow operator to respond to the scene and will cancel the original tow.

(5) A tow operator on rotation who is unable to dispatch or arrive within the times stated in subsections (1), (2), (3), and (4) of this section will forfeit his turn and be placed at the bottom of the rotation list as if he had responded.

(6) Consistent refusal or failure of the appointee to respond to calls from the patrol for towing services and/or to provide the requested services may result in the suspension or revocation of the tow operator's letter of appointment.

(7) The tow operator shall advise the appropriate patrol office when the tow company is temporarily unavailable to respond to rotational calls with a class "A," "B," or "C" tow truck. Unavailability may occur due to conditions such as, but not limited to, other tow truck commitments, tow truck disabled and/or under repair, unforeseen driver shortage due to illness, etc. The period of unavailability may last less than an hour or much longer. The tow operator will give the reason for unavailability and approximately when the company will be available to respond to calls.

The tow company will be removed from the rotational list and will not be called until the operator advises the patrol that the company is once again able to respond to calls with an "A," "B," or "C" class truck. In all such cases, the tow company will resume its normal position on the rotational list

without regard to any missed calls or its position prior to being unavailable.

(8) The tow operator will advise the patrol whenever a private call is received for a tow with circumstances that indicate that the tow is for a vehicle which has been involved in an accident, incident, or equipment breakdown on the public roadway. The tow operator also will advise the patrol of all private calls to motor vehicle accidents on private property resulting in bodily injury or death.

(9) The tow operator will notify the patrol before moving any vehicle involved in an accident on a public highway under the jurisdiction of the patrol as defined in the motor vehicle code, Title 46 RCW, or where it appears that the driver of the vehicle to be moved is under the influence of intoxicants or drugs, or is otherwise incapacitated.

A tow operator shall not solicit tow services by patrolling the public roadways searching for disabled vehicles or vehicles involved in a traffic accident.

(10) When the patrol is in charge of an accident scene or other such incident, a tow operator shall not respond to such scene unless his services have been specifically requested by the patrol, the driver/owner, or his agent.

(11) The tow operator shall be available, or will ensure that specific employees are available, twenty-four hours a day for the purpose of receiving calls or arranging for the release of vehicles. Business hours will be posted conspicuously at the operator's place of business so they can be seen during business hours and nonbusiness hours. A copy will also be sent to the section and patrol district commander of the district in which the tow operator does business. Changes of business hours will be sent to the department, the section, and the patrol district commander ten days before their effective date.

(12) The tow operator will notify the appropriate patrol office of the release of stored vehicles within five working days after the release of such vehicle. Notification to the patrol will be made in such a manner as prescribed by the section commander.

(13) The operator shall post a current copy of tow and storage rates, on a form approved by the department and the patrol, in the following locations:

(a) At the entrance to the place of business, in a conspicuous location, plainly visible and readable by members of the public, whether the business is open or closed. If, in order to meet this requirement, the rate sheets must be placed in a location, exposed to the elements, they shall be protected so as to remain legible.

(b) Inside the business location, where business is commonly transacted. The rate sheets shall be posted in such manner as to be clearly and plainly visible and readable at all times by customers of the business.

(c) A copy of the current rates will be sent to the department, the section, and the patrol district commander of the district in which the tow operator has applied for a letter of appointment. Notice of any change(s) in service rates will be forwarded to the department, the section, and the district commander of the area ten days before the effective date of the changes. Charges made for towing services arising from calls initiated by the patrol shall be consistent with current

posted towing rates and shall be based only upon services listed on the prescribed form.

(d) In the event that an operator has only a class "B" truck and utilizes it for class "A" and "B" type tows, the operator shall file a rate sheet that specifies the rates charged for the different types of tows.

Whenever any operator utilizes a larger truck than the towed vehicle warrants, the operator shall charge fees based on the size of the towed vehicle not the size of the truck used.

Example: A class "C" truck is used, at the operator's discretion, to tow a class "B" size vehicle. The fees charged shall be those for a class "B" truck NOT a class "C."

(14) Charges made for towing services arising from calls initiated by the patrol shall not exceed the maximum rates established by the chief.

(15) Unless other arrangements are made with commissioned patrol personnel at the scene, all impounded vehicles shall be taken to the tow operators nearest approved storage location.

(16) The tow operator will maintain, for three years, records on towed and released vehicles which were towed at the request of the patrol. This record will include, but not be limited to:

(a) An itemized receipt of all charges for the services provided.

(b) An inventory sheet or copy thereof made out by the trooper at the scene of the tow and signed by the operator.

(c) All other records required by the department.

Such records will be available for inspection by the patrol during normal business hours at the operator's place of business.

(17) The tow operator will sign an inventory sheet made out by the patrol officer at the scene.

(18) Tow operators will obtain and maintain current registration as a licensed tow truck operator pursuant to RCW 46.55.020.

(19) Tow operators shall perform towing tasks competently. The standard of competence shall be that quality of work which is accepted as efficient and effective within the towing industry.

(20) No tow operator, employee, or agent shall misappropriate, wrongfully convert to his/her own use, or abuse property belonging to another and entrusted to his/her care or storage.

(21) Tow truck operators will use emergency lights to warn other motorists only when at the scene of accidents, disabled vehicles, and/or recoveries. Such lighting shall not be used when traveling to or from the scene.

Tow truck operators whose duties are performed in areas and under circumstances where they are exposed to the danger of moving vehicles shall wear work vests of highly visible materials, or equivalent distinguishing apparel as outlined in department of labor and industries, WAC 296-155-200(5).

(22) Tow truck operators shall be responsible for cleaning accident/incident scenes of all vehicle glass and debris.

(23) Specific operating restrictions and/or requirements, by truck class, are as follows:

(a) The standard air brake release tools (caging stud assemblies) required to be carried in the class "B" and "C" trucks shall be used, whenever necessary, to preserve poten-

tial evidence involving brake equipment or adjustment settings. When an operator is attempting to move a vehicle equipped with locked spring parking brakes that cannot be released by external air supply, the caging assemblies shall be used to release the brake tension. Under no circumstances shall the towed vehicle's brake assemblies or adjustments be moved or disturbed in any way that will prevent later determination of the preaccident or incident settings.

(b) Class "B" trucks in excess of twenty-three thousand pounds gross vehicle weight rating need not carry dollies when towing or recovering heavy vehicles.

(c) Class "D," "E," and "S" trucks shall not be used to respond to initial calls unless specifically authorized by patrol personnel at the scene or by local written policy approved by the district commander.

(d) Class "E" trucks shall:

(i) Have, when used for multiple vehicle towing/recovery (one on bed, one in tow) from the same location, all invoice charges evenly divided between the vehicles so transported;

(ii) Not be operated in excess of either gross vehicle weight rating or purchased tonnage weight limits;

(iii) Be required to carry its portable lights only when used in a towing mode.

(24) Whenever a "special event or overflow" storage lot is approved by the department, the patrol and appropriate city/county jurisdictions, the operator shall maintain personnel at the lot twenty-four hours per day for security and vehicle and/or personal property release. If necessary, reimbursement for such labor shall be part of the contract for the "special event" if appropriate or by amended storage rates with a waiver of the ten-day rate change notice requirement approved by the department and the patrol.

At the conclusion of a "special event or overflow" situation, all vehicles not reclaimed by the owner shall be towed to the operator's regular storage facility and processed in the normal fashion. No additional fee shall be charged for towing the vehicle from the overflow lot to the regular facility.

(25) All work performed by the operator and/or employee shall be in the most professional and expeditious manner. All invoices and other required forms shall be completed accurately and promptly.

(26) Tow operators shall, when required by the patrol or the department, cause to be displayed on each approved truck, decals indicating truck class, patrol district, and/or assigned tow zone.

**WSR 01-18-090**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 [Filed September 5, 2001, 11:02 a.m.]

The Economic Services Administration is withdrawing WSR 01-16-139.

Brian Lindgren, Manager  
 Rules and Policies Assistance Unit

**WSR 01-18-091**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 [Filed September 5, 2001, 11:04 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-08-088.

Title of Rule: WAC 388-492-0010 WASHCAP definitions, 388-492-0020 What is WASHCAP?, 388-492-0030 Who can get WASHCAP?, 388-492-0040 Can I choose whether I get WASHCAP or regular food assistance?, 388-492-0050 How do I apply for WASHCAP benefits?, 388-492-0060 How do I get my WASHCAP benefits?, 388-492-0070 How are my WASHCAP benefits calculated?, 388-492-0080 Where do I report changes?, 388-492-0090 How often does my WASHCAP case need to be reviewed?, 388-492-0100 How is my eligibility for WASHCAP reviewed?, 388-492-0110 What happens if my WASHCAP benefits end?, 388-492-0120 What happens to my WASHCAP benefits if I am disqualified?, and 388-492-0130 What can I do if I disagree with a decision the department made about my WASHCAP benefits?

Purpose: Create a simplified food assistance program for certain Washington state residents who receive supplemental security income (SSI) benefits from Social Security Administration.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090.

Statute Being Implemented: RCW 74.04.500, 74.04.510, 74.08.090.

Summary: See Purpose above.

Reasons Supporting Proposal: The food stamp program is a complex program with many verification requirements that sometimes create barriers to accessing benefits for clients in need. The United States Department of Agriculture, Food and Nutrition Service (FNS) now allows states to have a simplified application process for certain clients who receive SSI. The Washington Combined Application Project (WASHCAP) creates a simplified food stamp program for this population.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, Division of Employment and Assistance Programs, P.O. Box 45480, Olympia, WA 98504-5480, (360) 413-3232.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-492-0010 WASHCAP definitions, 388-492-0020 What is WASHCAP?, 388-492-0030 Who can get WASHCAP?, 388-492-0040 Can I choose whether I get WASHCAP or regular food assistance?, 388-492-0050 How do I apply for WASHCAP benefits?, 388-492-0060 How do I get my WASHCAP benefits?, 388-492-0070 How are my WASHCAP benefits calculated?, 388-492-0080 Where do I report changes?, 388-492-0090 How often does my WASHCAP case need to be reviewed?, 388-492-0100 How is my

eligibility for WASHCAP reviewed?, 388-492-0110 What happens if my WASHCAP benefits end?, 388-492-0120 What happens to my WASHCAP benefits if I am disqualified?, and 388-492-0130 What can I do if I disagree with a decision the department made about my WASHCAP benefits?

**Proposal Changes the Following Existing Rules:** This proposal creates a simplified food assistance program for certain Washington state residents who receive supplemental security income (SSI) benefits from Social Security Administration.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes as a result of these rules do not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. These rules do not meet the definition of significant legislative rule.

**Hearing Location:** Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 9, 2001, at 10:00 a.m.

**Assistance for Persons with Disabilities:** Contact Fred Swenson by October 1, 2001, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

**Submit Written Comments to:** Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 9, 2001.

**Date of Intended Adoption:** No earlier than October 10, 2001.

August 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

## Chapter 388-492 WAC

### WASHINGTON COMBINED APPLICATION PROJECT

#### NEW SECTION

**WAC 388-492-0010 Washington combined application project (WASHCAP) definitions. "Assistance unit" (AU)** — A person who gets SSI, meets the definition of living arrangement "A," has no earned income, and states that they buy and cook food on their own.

**"Centralized unit"** — The unit that handles all WASHCAP cases for the state except for cases that get services from Home and community service office (HCS). The centralized unit or HCS office processes new applications for WASHCAP benefits and handles current WASHCAP cases.

**"Date of application"** — The date SSA approves SSI.

**"Date of first issuance"** — The date food assistance benefits begin. WASHCAP benefits begin the first of the month after the month SSA authorizes on-going SSI benefits through ACES and SDX. We do not consider a retroactive payment as an on-going benefit.

**"Pure SSI household"** — Every member of the assistance unit is eligible for SSI on their own behalf.

**"SSA"** — Social Security Administration. A federal agency that issues all SSA and SSI cash benefits.

**"SSI"** — Supplemental Security Income. The SSA federal cash grant program for aged, blind or disabled clients.

**"WASHCAP"** — Washington combined application project. A simplified food assistance program that automatically opens food assistance benefits for certain SSI clients.

#### NEW SECTION

**WAC 388-492-0020 What is WASHCAP?** WASHCAP stands for the Washington combined application project. WASHCAP is a simplified food assistance program for clients that get SSI from SSA and meet some other basic requirements:

(1) If you live in Washington state and get SSI, SSA asks you if you want to get food assistance benefits. If you meet the requirements of WAC 388-492-0030, you will get your food assistance benefits through WASHCAP.

(2) If you are eligible for WASHCAP, SSA electronically sends us the information we need to open your benefits. You do not have to go to your local community services office to apply for food assistance benefits.

(3) If you want food assistance benefits right away, you must apply for regular food assistance benefits at your local community services office.

(4) While you get WASHCAP benefits, you must report all changes to SSA. SSA automatically shares your information with us.

#### NEW SECTION

**WAC 388-492-0030 Who can get WASHCAP? (1)** When you apply for food assistance, you can get WASHCAP benefits when you are eighteen years of age or older and:

(a) Get at least one dollar federal SSI benefits from SSA. We do not consider the state supplement as federal SSI benefits;

(b) Live alone or SSA considers you as a single household;

(c) Buy and cook your food separately from others you live with;

(d) Do not have any earned income; and

(e) If you live in an institution, SSA expects you to be there for less than ninety days.

(2) You are not eligible for WASHCAP if:

(a) You live in an institution for ninety days or longer;

(b) SSA expects you to live in an institution for ninety days or longer;

(c) SSA tells us you have earned income for more than three months in a row; or

(d) You are under age twenty-two and you live in the same home as your parents.

#### NEW SECTION

**WAC 388-492-0040 Can I choose whether I get WASHCAP or regular food assistance?** You can choose to have regular food assistance benefits instead of WASHCAP when:

(1) Your shelter costs are more than four hundred eighty dollars a month. We count the following items as a shelter cost:

- (a) Rent or mortgage;
  - (b) Taxes;
  - (c) Homeowner's insurance (for the building only);
  - (d) Mandatory homeowner's association or condo fees;
- and
- (e) Basic utilities such as heat, water, garbage, and local phone service.
- (2) Your out-of-pocket medical expenses are more than thirty-five dollars a month; or
- (3) You would get more benefits from being in the regular food assistance program.

#### NEW SECTION

**WAC 388-492-0050 How do I apply for WASHCAP benefits?** (1) You apply for WASHCAP at SSA when you apply for SSI. If you want food assistance, your SSA worker will ask you to complete a one-page application for WASHCAP when you have your SSI interview.

(2) If you are eligible for WASHCAP benefits, your benefits will start the first of the month after the month you start getting on-going SSI benefits.

(3) If you need food assistance in five days or less, you must apply for expedited service at the local CSO or HCS office. SSA may also take your application.

(4) If you want food assistance before you get SSI, you must apply for regular food assistance at:

- (a) SSA;
- (b) Your local community services office (CSO); or
- (c) Your local home and community services (HCS) office if you get long-term care services.

(5) If you get regular food assistance, you will still get these benefits:

- (a) Through the end of your certification period; or
  - (b) Until you are approved for WASHCAP benefits.
- (6) If your regular food assistance ends before you are eligible for WASHCAP, you must reapply for these benefits.
- (7) If you get regular food assistance and you become eligible for WASHCAP, we will automatically change your benefits to WASHCAP.

#### NEW SECTION

**WAC 388-492-0060 How do I get my WASHCAP benefits?** (1) If you are eligible for WASHCAP, you will get your food assistance benefits through electronic benefits transfer (EBT).

(2) The department issues your EBT food assistance benefits according to WAC 388-412-0025.

#### NEW SECTION

**WAC 388-492-0070 How are my WASHCAP benefits calculated?** We calculate your WASHCAP benefits as follows:

- (1) We begin with your gross income. (Social Security tells us how much income you have.)
- (2) We subtract a standard deduction of one hundred thirty-four dollars to get your countable income.
- (3) We figure your shelter cost as follows:

(a) If Social Security tells us you pay two hundred ninety dollars or more a month for shelter, we use three hundred dollars as your shelter cost; or

(b) If Social Security tells us you pay less than two hundred ninety dollars a month for shelter, we use one hundred forty-four dollars as your shelter cost; and

(c) If you have utility costs separate from your rent or mortgage we add the current standard utility allowance under WAC 388-450-0195 to determine your total shelter cost.

(4) We figure your shelter deduction by subtracting one half of your countable income from your shelter cost.

(5) We figure your net WASHCAP income by subtracting your shelter deduction from your countable income.

(6) We figure your WASHCAP benefits (allotment) by:

(a) Multiplying your net WASHCAP income by thirty percent and rounding up to the next whole dollar; and

(b) Subtracting the result from the maximum allotment under WAC 388-478-0060.

(c) If you are eligible for WASHCAP, your assistance unit will get at least ten dollars food benefits each month.

#### NEW SECTION

**WAC 388-492-0080 Where do I report changes?** You report all changes to Social Security according to their reporting requirements. Social Security reports changes to your worker.

#### NEW SECTION

**WAC 388-492-0090 How often does my WASHCAP case need to be reviewed?** Your certification period is the amount of time your AU is eligible for WASHCAP benefits. We certify WASHCAP for up to twenty-four months.

#### NEW SECTION

**WAC 388-492-0100 How is my eligibility for WASHCAP reviewed?** (1) If SSA reviews your SSI eligibility, they will also complete your review for WASHCAP benefits. SSA sends us this information electronically.

(2) If SSA does not review your SSI eligibility, we will mail you a one-page application two months before your WASHCAP benefits end. You must complete and return this application to the WASHCAP unit or your local HCS office.

(3) We do WASHCAP reviews by mail.

(4) If we get your completed one-page application after your WASHCAP benefits end, we will reopen your benefits back to the first of the month if:

(a) We get your application form within thirty days from the end of your certification period; and

(b) You are still eligible for WASHCAP.

(5) If you are no longer eligible for WASHCAP benefits, we will decide if you are eligible for regular food assistance. We may ask you to give us more information or verification if we cannot make a decision with the information we have.

(6) If we get your completed one-page application form more than thirty days after your benefits end, we will open your WASHCAP benefits the first of the next month after you turn in your application and SSA shows you are eligible for WASHCAP in their system.

(7) If you want regular food assistance while you are waiting for WASHCAP benefits, you must apply for these benefits.

#### NEW SECTION

**WAC 388-492-0110 What happens if my WASHCAP benefits end?** (1) If your WASHCAP benefits end because you did not have the review required under WAC 388-492-0100, you must finish the required review or apply for food assistance benefits at your local office.

(2) If your WASHCAP benefits end because you are disqualified for food assistance under WAC 388-400-0040, you are not eligible for regular food assistance. If you get medical assistance, we will send your medical assistance case to your local office.

(3) If your WASHCAP benefits end because SSA stopped your SSI benefits:

(a) We will send you an application for regular food assistance and information about what you must verify in order to get benefits.

(b) You will still receive the same medical benefits until we decide what medical programs you are eligible for under WAC 388-418-0025.

(c) When we get your completed application, we will interview you over the phone. If we need more information to decide if you are eligible, we will tell you what we need.

(d) After we decide if you are eligible for regular food assistance, we will send your case to the local office.

(4) If your WASHCAP benefits end for any other reason:

(a) We will send you an application for regular food assistance along with:

(i) The address of your local office; and

(ii) Information about what you must verify in order to get benefits.

(b) If you get medical assistance, we will send your medical assistance case to the local office;

(c) For the office to decide if you are eligible for food assistance, you must:

(i) Finish the application process for food assistance under chapter 388-406 WAC; and

(ii) Have an interview for food assistance under WAC 388-452-0005.

#### NEW SECTION

**WAC 388-492-0120 What happens to my WASHCAP benefits if I am disqualified?** (1) If you are disqualified from receiving SSI for any reason, you will not be able to get WASHCAP food benefits. See WAC 388-492-0030, Who can get WASHCAP?

(2) If you are disqualified from receiving food assistance for any reason, you will not get WASHCAP food benefits. See WAC 388-400-0040(9) for persons disqualified.

#### NEW SECTION

**WAC 388-492-0130 What can I do if I disagree with a decision the department made about my WASHCAP benefits?** (1) If you disagree with a decision about your benefits, you may ask for a fair hearing.

(2) You can ask for a hearing by contacting the central unit, home community service office or any responsible department or office of administrative hearings employee.

(3) See chapter 388-08 WAC for information on the fair hearing process.

#### **WSR 01-18-093**

#### **PROPOSED RULES**

#### **DEPARTMENT OF REVENUE**

[Filed September 5, 2001, 11:09 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-05-074.

Title of Rule: Amendatory Sections: WAC 458-30-200 Definitions, 458-30-275 Continuing classification upon sale or transfer of ownership—Actions of landowner and county officials to be taken prior to recording a conveyance of classified land, 458-30-285 Withdrawal from classification, 458-30-295 Removal of classification, 458-30-300 Additional tax—Withdrawal or removal from classification, 458-30-305 Due date of additional tax, ((~~applicable~~)) interest, and penalty upon withdrawal or removal, 458-30-310 County recording authority—County financial authority—Duties, and 458-30-325 Transfer between classifications—Application for reclassification.

Repeal Sections: WAC 458-30-315 County financial authority—Duties and 458-30-350 Reclassification of lands classified under chapter 84.34 RCW prior to 1973.

Purpose: These rules explain the terms used in the current use or open space taxation program, codified as chapter 84.34 RCW. The rules describe the procedures used to withdraw or remove land from current use classification, to reclassify land into a different current use classification, and duties of county auditors and treasurers relative to classified current use land.

Statutory Authority for Adoption: RCW 84.34.141.

Statute Being Implemented: RCW 84.34.070, 84.34-080, and 84.34.108.

Summary: WAC 458-30-200 defines the terms used to administer the open space program. WAC 458-30-275 explains what occurs when classified land is sold or transferred. WAC 458-30-285 explains the process to withdraw land from current use classification. WAC 458-30-295 lists the actions that trigger removal of land from classification and the removal process. WAC 458-30-300 explains the financial consequences of withdrawing or removing land from classification. It also explains the additional tax, interest, and penalty imposed when land loses its classified status and the events that are exempt from these charges. WAC 458-30-305 explains when these charges are due and the consequences of failure to timely pay these charges. WAC 458-30-310 describes the duties of the county auditor. WAC 458-30-315 outlines the duties of the county treasurer. WAC 458-30-325 explains the procedure used to reclassify land within the open space program. WAC 458-30-350 describes how land classified prior to July 16, 1973 is to be handled for classification purposes.

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Reasons Supporting Proposal: To incorporate recent legislation (chapters 249 and 305, Laws of 2001, chapters 139 and 233, Laws of 1999, 1st sp. sess.), and to clarify existing practices and procedures in the administration of the current use program.

Name of Agency Personnel Responsible for Drafting: Kim Qually, 1025 Union Avenue S.E., Suite #400, Olympia, WA, (360) 570-6113; Implementation and Enforcement: Sandy Guilfoil, 1025 Union Avenue S.E., Suite #200, Olympia, WA, (360) 570-5860.

Name of Proponent: Department of Revenue, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These rules describe the procedures used to withdraw or remove land from current use classification, to reclassify land into different current use classification, and the duties of county auditors and treasurers relative to classified current use land. The department proposes to revise WAC 458-30-200, 458-30-275, 458-30-285, 458-30-305 and 458-30-325 to clarify existing practices and procedures in the administration of the current use program. In particular, the proposed revision of WAC 458-30-200 consolidates definitions of terms previously scattered throughout chapter 458-30 WAC. Also, WAC 458-30-305 is being revised to clearly identify the date upon which additional property taxes are due when land is removed from classification. WAC 458-30-325 is to be amended to clarify the reclassification process.

RCW 84.34.108 has been amended by the legislature several times within the past three years. Laws of 1999, chapters 139 and 233, 1st sp. sess., chapter 4, amended this statute to add clarifying language regarding the real estate excise tax affidavit under which no back taxes are collected when land is withdrawn or removed from current use classification. This statute was also amended in chapters 249 and 305, Laws of 2001. There are now two additional exceptions. WAC 458-30-295 and 458-30-300 are being amended to reflect these statutory changes and to clarify removal and withdrawal procedures.

WAC 458-30-310 describes the duties of the county auditor. WAC 458-30-315 outlines the duties of the county treasurer. WAC 458-30-310 and 458-30-315 are being consolidated into WAC 458-30-310 because the duties of the two local offices overlap and are somewhat interdependent. WAC 458-30-315 will be repealed.

WAC 458-30-350 declares that land classified prior to July 16, 1973, meeting the criteria contained in chapter 84.34 RCW is to be reclassified under the provisions of the Open Space Taxation Act, commonly referred to as the current use program. The rule is being repealed because it merely reiterates RCW 84.34.150.

Proposal Changes the Following Existing Rules: As described above, the department proposes to revise eight rules and repeal two rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rules and the proposed amendments do not impose any requirements or

burdens upon small businesses that are not already specifically required by statute.

RCW 34.05.328 does not apply to this rule adoption. These rules are interpretive rules as defined by RCW 34.05.328.

Hearing Location: Capital Plaza Building, 1025 Union Avenue S.E., 4th Floor Large Conference Room, Olympia, WA, on Thursday, October 11, 2001, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Barb Vane no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6182.

Submit Written Comments to: Kim Qually, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, by October 10, 2001, e-mail kimq@dor.wa.gov.

Date of Intended Adoption: October 18, 2001.

September 5, 2001

Claire Hesselholt, Rules Manager  
Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-200 Definitions.** (1) **Introduction.** This ((~~section~~)) rule provides definitions for the terms used throughout chapter 458-30 WAC. The terms listed in this ((~~section~~)) rule are intended to act in concert with each other as appropriate, and with other definitions as they appear in the several ((~~sections~~)) rules of this chapter.

(2) **Definitions.** For purposes of chapter 458-30 WAC, the following definitions apply:

(a) "Additional tax" means the ((~~tax~~)) additional property taxes that will be collected when classification is withdrawn or removed from land ((~~that is~~)) classified ((~~according to the provisions of~~)) under chapter 84.34 RCW.

(b) "Affidavit" means the real estate excise tax affidavit required by chapter 82.45 RCW and chapter 458-61 WAC. ((~~See WAC 458-30-275 for a more detailed definition.~~)) The affidavit will be prescribed by the department and furnished to county treasurers. This form is used by landowners to report sales or transfers of classified land. The owner or transferor and the purchaser or transferee, or agents of each, must sign the affidavit under penalty of perjury.

(c) "Agreement" means an agreement executed between an owner and the granting authority regarding the classification of land ((~~in accordance with~~)) as either open space or timber land under chapter 84.34 RCW.

(d) "Applicant" means the owner who submits an application for classification of land ((~~in accordance with~~)) under chapter 84.34 RCW.

(e) "Application" means an application for classification of land ((~~in accordance with~~)) under chapter 84.34 RCW.

(f) "Approval" means a determination by the granting authority that ((~~the~~)) land qualifies for classification under chapter 84.34 RCW.

(g) "Appurtenance" refers to something used with, and related to or dependent upon another thing; that is, something that belongs to something else, an adjunct. The thing appurtenant is strictly necessary and essential to the proper use and enjoyment of the land, as well as useful or necessary for car-

rying out the purposes for which the land was classified under chapter 84.34 RCW.

(i) In terms of farm and agricultural land, an appurtenance is something used for a particular sort of farm and ~~((the thing))~~ is widely and routinely used in the operation of the commercial agricultural enterprise.

(ii) For example, an appurtenance may be an outhouse, barn, or tool shed attached to or adjoining a dwelling or it may be equipment used for a particular purpose or task, such as tools, instruments, or ~~((clothing))~~ machinery.

(h) "Aquaculture" means the growing and harvesting of marine or fresh water flora or fauna in a soil or water medium for commercial agricultural ~~((purposes))~~ activities.

(i) "Assessor" means the county assessor or any agency or person who is authorized to act on behalf of the assessor.

(j) "Assessment year" means the year ~~((when))~~ in which the property is listed and valued by the assessor and precedes the year ~~((when))~~ in which the ~~((tax is))~~ taxes on the property are due and payable.

(k) "Change in use" means a direct action taken by an owner that actually changes the use of, or has started changing the use of, classified land to a use that is not in compliance with the conditions of the agreement executed between the owner and the granting authority or to a use that is otherwise not in compliance with the provisions of chapter 84.34 RCW (see WAC 458-30-295).

(l) "Classified land" means a parcel(s) of land that has been approved by the appropriate granting authority for taxation under chapter 84.34 RCW.

(m) "Commercial agricultural ~~((purposes))~~ activities" means the use of land on a continuous and regular basis, prior to and subsequent to application for classification, that demonstrates that the owner or lessee intends to obtain through lawful means, a monetary profit from cash income received by:

(i) Raising, harvesting, and selling lawful crops;

(ii) Feeding, breeding, managing, and selling of livestock, poultry, fur-bearing animals, or honey bees, or any products thereof;

(iii) Dairying or selling of dairy products;

(iv) Animal husbandry;

(v) Aquaculture;

(vi) Horticulture;

(vii) Participating in a government-funded crop reduction or acreage set-aside program; or

(viii) Cultivating Christmas trees or short-rotation hardwoods on land that has been prepared by intensive cultivation and tilling, such as by plowing or turning over the soil, and on which all unwanted plant growth is controlled continuously for the exclusive purpose of ~~((raising))~~ growing such trees.

(n) "Contiguous" means land that adjoins other land ~~((that is))~~ owned by the same owner or held under the same ownership. Land that is an integral part of a farming operation is considered contiguous even though the land may be separated by a public road, railroad, right of way, or waterway.

(o) "County financial authority" and "financial authority" mean the ~~((county))~~ treasurer or any agency or person charged with the responsibility of billing and collecting property taxes.

(p) "County legislative authority" means the county commission, council, or other ~~((county))~~ legislative body.

(q) "County recording authority" means the ~~((county))~~ auditor or any agency or person charged with the recording of documents.

(r) "Current" and "currently" means as of the date on which property is to be listed and valued by the assessor.

(s) "Current use value" means the taxable value of a parcel of land placed on the assessment rolls following its classification under ~~((the provisions of))~~ chapter 84.34 RCW.

(t) "Department" means the department of revenue.

(u) "Farm woodlot" means an area of land within a parcel(s) of classified farm and agricultural land that is used in a manner compatible with commercial agricultural ~~((purposes))~~ activities including, but not limited to, the growing and cutting of trees for the use of the owner or the sheltering of livestock.

(v) "Granting authority" means the appropriate agency or official ~~((who))~~ that acts on an application for classification ~~((in accordance with the provisions of))~~ under chapter 84.34 RCW. The granting authority for:

(i) Open space classification under RCW 84.34.020(1) and 84.34.037 is the county legislative authority. However, for applications within an incorporated area of a county, the granting authority is made up of three members of the county legislative body and three members of the city legislative body in the county in which the land is located;

(ii) Farm and agricultural classification under RCW 84.34.020(2) and 84.34.035 is the assessor or the assessor's designee; and

(iii) Timber land classification under RCW 84.34.020(3) and 84.34.041 is the county legislative authority. However, for applications within an incorporated area of a county, the granting authority is made up of three members of the county legislative body and three members of the city legislative body in the county in which the land is located.

(w) "Gross income" means cash income derived from commercial agricultural ~~((purposes))~~ activities, including payments received from the United States Department of Agriculture for participating in a crop reduction or acreage set-aside program when such payments are based on the productive capacity of the land. The term shall not include the following:

(i) The value of any products produced on the land and consumed by the owner or lessee;

(ii) Cash income derived from leases for the use of the land for ~~((other than commercial))~~ noncommercial agricultural ~~((purposes))~~ activities; or

(iii) Payments for soil conservation programs.

(x) "Incidental use" means a use of land classified as farm and agricultural land that is compatible with commercial agricultural ~~((purposes))~~ activities if it does not exceed twenty percent of the classified land. An incidental use may include, but is not limited to, wetland preservation, a gravel pit, a farm woodlot, or a produce stand.

(y) "Integral" means that which is central to or inherent in the use or operation of classified farm and agricultural land for commercial agricultural ~~((purposes))~~ activities.

(z) "Interest" means the amount of applicable interest upon additional tax.

(aa) "Net cash rental" means the earning or productive capacity of farm and agricultural land less the production costs customarily or typically paid by an owner or landlord. See WAC 458-30-260 for a more detailed explanation.

~~((aa))~~ (bb) "Notice of continuance" means the notice signed when land classified under chapter 84.34 RCW is sold or transferred if the new owner of the land intends to continue the classified use of the land and elects to have the land remain classified under chapter 84.34 RCW. This notice is part of the real estate excise tax affidavit or may be a separate document prepared by the department and attached to this affidavit.

(cc) "Owner" means:

(i) Any person(s) having a fee interest in a parcel of land, ~~((except when the land is subject to a real estate contract));~~ ~~((and))~~ or

(ii) The contract vendee when the land is subject to a real estate contract.

~~((bb))~~ (dd) "Parcel of land" means a property identified as such on the assessment roll. For purposes of chapter 84.34 RCW and this WAC chapter, a parcel shall not include any land area not owned by the applicant including, but not limited to, a public road, right of way, railroad, or waterway.

~~((ee))~~ (ee) "Penalty" means ~~((an))~~ the amount due when land is removed from classification ~~((in accordance with))~~ under chapter 84.34 RCW. The amount of the penalty is equal to twenty percent of the additional tax and ~~((applicable))~~ interest calculated ~~((according to the provisions of))~~ in accordance with RCW 84.34.080 or 84.34.108.

~~((dd))~~ (ff) "Planning authority" means the local government agency empowered by the appropriate legislative authority to develop policies and proposals relating to land use.

~~((ee))~~ (gg) "Primary use" means the existing use of a parcel or parcels of land so prevalent that when the characteristic use of the land is evaluated a conflicting or nonrelated use ~~((is))~~ appears to be very limited or excluded.

~~((ff))~~ (hh) "Qualification of land" means the approval of an application for classification of land by ~~((the))~~ a granting authority in accordance with ~~((the provisions of))~~ chapter 84.34 RCW.

~~((gg))~~ (ii) "Rating system" means a public benefit rating system adopted for ~~((the))~~ classified open space ~~((classification))~~ land according to RCW 84.34.055.

~~((hh))~~ (jj) "Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to ~~((another))~~ a different classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as ~~((either timber or))~~ open space land under ~~((the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW))~~ RCW 84.34.020(1).

(kk) "Removal" means land classified under chapter 84.34 RCW is removed from classification by the assessor either because the owner requests removal or because the land is no longer being used for the purpose for which it was granted classification.

~~((ii))~~ (ll) "Sale of ownership" means the conveyance of the ownership of a parcel of land in exchange for ~~((a))~~ valuable consideration.

~~((jj))~~ (mm) "Tax year" means the year when property tax is due and payable.

~~((kk))~~ (nn) "Timber management plan" means the plan filed with the county legislative authority or ~~((with))~~ the assessor when classified timber land is sold or transferred ~~((that))~~. It is synonymous with a "forest management plan" and details an owner's plan regarding the management of classified timber land including, but not limited to, the planting, growing and/or harvesting of ~~((forest crops))~~ timber. Some of the elements of such a plan are set forth in WAC 458-30-232.

~~((hh))~~ (oo) "Transfer" means the conveyance of the ownership of a parcel of land without an exchange of valuable consideration and may include situations where classified land is donated to an owner, corporation, partnership, or limited liability corporation.

~~((mm))~~ (pp) "True and fair value" is the value of a parcel of land placed on the assessment rolls at its highest and best use without regard to its current use. The term also refers to market value, that is, the amount of money a buyer of property willing, but not obligated to buy ~~((purchaser))~~ would pay a seller of property willing ~~((;))~~ but not obligated to sell, ~~((owner for the property))~~ taking into consideration all uses to which the property is adapted and might reasonably be applied.

(qq) "Withdrawal" or "withdrawn" means action taken by the owner of land classified under chapter 84.34 RCW in filing a notice of request to withdraw the land from classification under the current use program in compliance with RCW 84.34.070. Once land has been classified under chapter 84.34 RCW, it shall remain so classified for at least ten years from the date of classification. At any time after eight years of the initial ten-year classification period have elapsed, the owner may file a notice of request to withdraw all or a portion of the land from classification with the assessor of the county in which the land is located. Land is withdrawn from classification as a result of a voluntary act by the owner.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-275 Continuing classification upon sale or transfer of ownership of classified land—Actions of landowner and county officials to be taken prior to recording a conveyance of classified land.** (1) **Introduction.** ~~((When land classified under chapter 84.34 RCW is sold or transferred certain procedures must be followed if the new owner wishes to keep the land in its present classified status. This section explains the required procedures and forms.~~

(2) **Definitions.** For purposes of this section, the following definitions apply:

(a) "Affidavit" means the real estate excise tax affidavit that the department prescribes and furnishes to county treasurers for use by the owner in reporting sales and/or transfers of classified land. The form will require the signature, under the penalty of perjury, of the owner and purchaser or trans-

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ferree or agents of each. See chapter 82.45 RCW and chapter 458-61 WAC for more specific details.

(b) "Notice of continuance" means the notice signed when land classified as open space, farm and agricultural, or timber land under the provisions of chapter 84.34 RCW is sold or transferred and when the new owner of the classified land wishes to have the land remain classified under the provisions of chapter 84.34 RCW. This notice may be either part of the real estate excise tax affidavit or a separate document created by the department.

(c) "Owner" means any person or persons having a fee interest in a parcel of land, except when the land is subject to a real estate contract and the vendee when the land is subject to a real estate contract. For purposes of this section, the owner or owners of classified land must all sign the notice of classification continuance and/or real estate excise tax affidavit.

(3) **General requirements.** When a parcel(s) of land classified as open space, farm and agricultural, or timber land under chapter 84.34 RCW is sold or transferred and the new owner wishes to keep the land in its classified status, the new owner must:

(a) Sign a notice of classification continuance that is part of a real estate tax affidavit. (See subsection (8) of this section for a discussion regarding this affidavit); and

(b) Provide the assessor with a signed statement that explains how the owner will use the parcel(s) of land so as to continue its eligibility for classification under the provisions of chapter 84.34 RCW; and

(c) Sign a separate notice of continuance prepared by the department if the county has decided that it will require new owners to submit such a form.

(4) **Assessor's duties and authority related to sale or transfers.** When land classified under chapter 84.34 RCW is in the process of being sold or transferred, the new owner must sign a notice of continuance and the statement described in subsection (3) of this section if he or she wishes the land to remain classified. This notice of continuance and signed statement shall be presented to the assessor who must determine if the land will continue to be used in a manner approved for classified status or if the land will not be used in a manner consistent with the current use program. The assessor shall be allowed a reasonable amount of time to determine whether the classified use of the land will be continued by the new owner.

(a) Upon receipt of the notice of classification continuance, the assessor may require the new owner to submit additional information including, but not limited to, the types of data listed in WAC 458-30-270.

(b) Within fifteen calendar days of receiving the notice of classification continuance, the signed statement, and all requested information, the assessor shall determine whether the land qualifies for continued classification as of the date of conveyance.

(c) The assessor may consult with the granting authority to determine if the land will qualify for continued classification. The assessor and/or the granting authority may ask the owner to submit additional information and pertinent data to ensure that the land will continue to be used for a classified use:

(d) No instrument of conveyance may be filed with the county auditor or recorded unless:

(i) The assessor has determined that the land will be used for current use purposes and can continue to be classified within the current use program;

(ii) If the land is no longer eligible to be classified within the current use program, the seller or transferor has paid the additional tax, applicable interest, and penalty;

(iii) The land will be removed from classification and the removal results solely from one of the exceptions listed in RCW 84.34.108(5) to the imposition of additional tax, applicable interest, and penalty. See also WAC 458-30-300 that implements this statute; or

(iv) In the case of a sale, a completed real estate excise tax affidavit has been submitted to the treasurer of the county in which the classified land is located. To be complete the real estate excise tax affidavit must indicate whether the land is classified under the provisions of chapter 84.34 RCW.

(e) If land must be removed from classification because it was sold or transferred as a result of any of the occurrences or actions listed in RCW 84.34.108(5), the assessor shall:

(i) Follow the standard procedures set forth in WAC 458-30-295 and 458-30-300 for removing the land from classification;

(ii) Notify the county treasurer and the seller or transferor that no additional tax, applicable interest, or penalty are due as a result of the sale or transfer because RCW 84.34.108(5) specifically exempts the transaction from the imposition of additional tax, applicable interest, and penalty; and

(iii) In the case of land acquired for conservation purposes by any of the entities listed in RCW 84.34.108 (5)(f), inform the new owner or transferee that if the land ceases to be used for the purposes enumerated in RCW 84.34.210 or 64.04.130, the additional tax, applicable interest, and penalty will be due.

(5) **Timber land.** When a parcel(s) of classified timber land is sold or transferred, the new owner must submit a timber management plan to the assessor in order to continue the classification, in addition to the general requirements listed in subsection (3) of this section. The assessor shall send a copy of the timber management plan to the county legislative authority of the county in which the classified land is located. WAC 458-30-232 contains a list of the types of additional information an assessor may require the new owner to submit so that the assessor can determine if the land will continue to be used to grow and harvest forest crops for commercial purposes.

(6) **Farm and agricultural land.** When a parcel(s) of classified farm and agricultural land is sold or transferred, the new owner must comply with the general requirements set forth in subsection (3) of this section. The size of the parcel(s) of farm and agricultural land sold or transferred will determine whether any additional requirements must also be satisfied. A parcel(s) of land that is less than twenty acres must produce a specified amount of income to remain classified as farm and agricultural land. After all required information is submitted, the assessor shall determine whether the land qualifies for continued classification.

(a) Twenty acres or more. If the parcel(s) sold or transferred is twenty acres or more, the new owner must satisfy the general requirements listed in subsection (3) of this section.

(b) Less than twenty acres. In a sale or transfer involving less than twenty acres, the new owner will be required to comply with the general requirements of subsection (3) of this section and may be asked to provide gross income data relating to the productivity of the farm or agricultural operation for three of the past five years. This information regarding the earning or productive capacity of the classified land will be used to determine if the land meets the income criteria listed in chapter 84.34 RCW and this WAC chapter.

(i) Minimum income limits are set forth in RCW 84.34.020 (2)(b)(i) and (ii) for parcels that are at least five but less than twenty acres in size and in RCW 84.34.020 (2)(c)(i) and (ii) for parcels that are less than five acres in size. Any sale or transfer of classified land, except to a surviving spouse, subject to these income limits. See WAC 458-30-210(3) and 458-30-317 for further information and details.

(ii) If, after January 1, 1993, classified land is sold by an owner who applied for and was granted classification prior to January 1, 1993, to a new owner, the minimum income requirements specified in RCW 84.34.020 (2)(b)(ii) and (c)(ii) will be deferred for a period of three years. The new owner must meet these minimum income limits at least once during the three calendar years immediately following the sale or transfer of the classified farm and agricultural land. For example, if classification was granted in 1978 to a fifteen acre parcel that produced a gross income of one hundred thirty dollars per acre per year and the land is sold on April 15, 1993, the minimum income requirements will be deferred until 1996. By the end of 1996, the new owner must provide proof that the parcel produced two hundred dollars per acre at least one year during the three year period between 1993 and 1996. If the land has produced a gross income of two hundred dollars per acre the land will remain classified as farm and agricultural land. If the land has not produced this amount at least once during this three year period, the land shall be removed from classification and the owner will be required to pay an additional tax, interest, and penalty.

(iii) If, after January 1, 1993, classified land is sold by an owner who applied for and was granted classification after January 1, 1993, the assessor will review the information regarding the productivity of the land for three out of the past five years to determine whether the minimum income limits set forth in RCW 84.34.020 (2)(b)(ii) or (c)(ii) have been met. For example, if a ten acre parcel was granted classification on May 1, 1993, and it is sold on February 23, 1994, the assessor will ask the seller and/or buyer of the classified land to provide information about the earning or production capacity of the land for at least the five calendar years preceding the sale (i.e., 1989 through 1993). To retain the current use classification, the land must have produced a minimum of two hundred dollars per acre per year at least three out of the five calendar years preceding the date of sale.

(e) Segregation of land. In a sale or transfer involving a land segregation, the owner of the newly created parcel(s), and the owner of the parcel(s) of land from which the segregated land was taken must comply with the requirements of

(a) or (b) of this subsection before the assessor determines if the land qualifies for continued classification.

(7) **New owner's warranty.** The new owner, upon signing the notice of continuance, warrants that future use of the land will conform to the provisions of chapter 84.34 RCW and this WAC chapter.

(8) **Real estate excise tax.** Under the provisions of chapter 82.45 RCW whenever real property is sold or transferred an excise tax is imposed; the amount of this tax is related to the selling price of the real property. Real estate excise tax is due at the time of sale. This tax is paid to and collected by the treasurer of the county where the real property is located.

(a) The seller or the buyer, or the agent of either, of the real property must pay the excise tax and must submit a signed real estate excise tax affidavit to the treasurer of the county where the real property is located.

(b) When the ownership of classified land is sold or transferred to a new owner who intends to continue classification of the land under the provisions of chapter 84.34 RCW, the new owner must make a notation of this intent on the affidavit.

(c) No instrument of sale or conveyance evidencing a sale subject to the real estate excise tax may be accepted by the county auditor for filing or recording until a stamp is affixed to the affidavit by the treasurer that shows the tax has been paid. The county treasurer shall not stamp the instrument of sale or conveyance unless the assessor has determined that the classified use of the land will be continued or that the additional tax, interest, and/or penalty required under RCW 84.34.080 and 84.34.108, except as exempted under RCW 84.34.070 or 84.34.108(5), have been collected.) If land classified under chapter 84.34 RCW is sold or transferred and the new owner wants to retain the classified status of the land, certain procedures must be followed before the conveyance may be recorded or filed. This rule explains the necessary procedures and required forms.

**(2) General requirements - new owner elects to have the land remain classified.** The county recording authority shall not accept an instrument conveying ownership of land classified under chapter 84.34 RCW unless certain conditions are satisfied. When land classified under chapter 84.34 RCW is sold or transferred and the new owner elects to have the land retain its classified status, prior to recording or filing the conveyance, the new owner or the new owner's agent must:

(a) Sign the notice of continuance that is part of the real estate excise tax (REET) affidavit or sign a separate notice of continuance. (Subsection (9) of this rule contains an explanation about REET.) Both the REET affidavit and the notice of continuance are forms prepared by the department of revenue and supplied to the counties. Both forms are available from the department by sending a written request to:

Department of Revenue

Taxpayer Services

P.O. Box 47478

Olympia, WA 98504-7478.

A copy of the notice of continuance may be obtained from the county assessor or it may be downloaded from the internet at <http://dor.wa.gov/index.asp> under property tax, "forms." A copy of the REET affidavit may be obtained from the county

treasurer. If the classified land is owned by multiple owners, all owners or their agent(s) must sign the notice of continuance on the affidavit or the separate notice of continuance; and

(b) Provide the assessor with a signed statement that explains how the new owner intends to use the classified land and any other information the assessor deems necessary to determine whether the land will continue to be eligible for classification under chapter 84.34 RCW. (See RCW 84.34.121 and WAC 458-30-270.)

**(3) Required duties of the assessor before a conveyance of classified land may be filed or recorded.** The new owner must supply the assessor with the information outlined in subsection (2) of this rule if the new owner elects to have the land remain classified under chapter 84.34 RCW.

(a) After receiving all required documentation, the assessor is allowed up to fifteen calendar days to determine whether the land should retain its classified status or whether the land should be removed from classification as of the date of conveyance.

(b) To make this determination, the assessor may, but is not required to, consult with the county legislative authority if the land is classified as either open space or timber land or a combination of the county and city legislative bodies if the classified open space land is within an incorporated part of the county. Both the assessor and the granting authority may require the new owner to submit additional information about the use of the classified land after the sale or transfer is complete. This information will be used to determine whether the land should remain classified under chapter 84.34 RCW.

**(4) When may a county recording authority accept an instrument conveying ownership of classified land?** A county recording authority shall not accept an instrument of conveyance regarding the sale or transfer of land classified under chapter 84.34 RCW for filing or recording until the new owner signs a notice of continuance and the assessor determines that the land will or will not continue to qualify for classification. If the assessor decides that the land must be removed from classification, the assessor will note that the land does not qualify for continuance on the REET affidavit and begin the removal procedures set forth in WAC 458-30-295.

(a) If the new owner signs the notice of continuance and the assessor agrees that the land should remain classified, the assessor checks the box on the REET affidavit that the land qualifies for continued classified current use status. The completed affidavit is then presented to the county recording authority so that it may record or file the conveyance. A completed REET affidavit includes a stamp, placed on it by the treasurer, indicating that any REET or additional tax, interest, and penalty owed as a result of the sale or transfer has been paid. (See subsection (9) of this rule for a more detailed explanation of the real estate excise tax.)

(b) If the assessor decides that the land must be removed or the owner submits a written request to remove the land from classification, the assessor will check the appropriate box on the REET affidavit that the land does not qualify for continuance, sign the REET affidavit, and begin the removal procedures set forth in WAC 458-30-295.

**(5) Land removed from classification with no back taxes imposed.** If the removal results solely from one of the circumstances or actions listed in RCW 84.34.108(6), no additional tax, interest, or penalty is imposed. The assessor shall:

(a) Follow the procedures set forth in WAC 458-30-295 and 458-30-300 for removing land from classification;

(b) Notify the treasurer and the seller or transferor that no additional tax, interest, or penalty will be imposed; and

(c) If the land is acquired for conservation purposes by any of the entities listed in RCW 84.34.108 (6)(f), inform the new owner that a lien equal to the amount of additional tax, interest, and penalty has been placed on the land, even though the additional tax, interest, and penalty will not be collected at this time. This lien becomes due and payable if and when the land ceases to be used for one of the purposes outlined in RCW 64.04.130 or 84.34.210.

**(6) Sales or transfers of timber land.** When a parcel(s) of classified timber land is sold or transferred, the new owner must submit a timber management plan to the assessor and comply with the general requirements listed in subsection (2) of this rule to retain the land's classified status. The assessor sends a copy of the timber management plan to the granting authority of the county in which the classified land is located. WAC 458-30-232 contains a list of the types of additional information an assessor may require the new owner to submit to enable the assessor to determine whether the land will be used to grow and harvest timber for commercial purposes.

**(7) Sales or transfers of farm and agricultural land.** When a parcel(s) of classified farm and agricultural land is sold or transferred, the new owner must comply with the general requirements listed in subsection (2) of this rule. The size of the classified land dictates whether any additional requirements must also be satisfied. After all required information is submitted, the assessor determines whether the land qualifies for continued classification.

(a) If the classified land sold or transferred is twenty acres or more, the new owner must satisfy the general requirements listed in subsection (2) of this rule.

(b) If the sale or transfer involves less than twenty contiguous acres, the new owner will be required to comply with the general requirements of subsection (2) of this rule and the seller or buyer may be asked to provide gross income data relating to the productivity of the farm or agricultural operation for three of the past five years. This income data is used to determine whether the land meets the income production requirements listed in RCW 84.34.020 (2)(b) and (c) for classification. However, if the income data is unavailable but the new owner is willing to sign the notice of continuance and accept the responsibility for any additional tax and interest owed for prior years that will be due if the land is later found to be ineligible for continued classification, the classified status of the land will continue until the assessor determines that the use of the land has changed or has not produced the requisite minimum income.

(i) RCW 84.34.020 (2)(b) and (c) set forth the minimum income production requirements for classified farm and agricultural land of less than twenty acres. Any sale or transfer of classified land is subject to these income limits. However, the income production requirements will not be examined

when classified land is being transferred to a surviving spouse, but such land is subject to the same production requirements that were applicable before the spouse's death. For example, a sixteen acre parcel of classified farm and agricultural land, which was classified in 1998, is still required to produce a minimum of two hundred dollars per acre per year even though the assessor is not required to review the income production data at the time of sale or transfer.

(ii) Sale or transfer of land classified prior to January 1, 1993. As of January 1, 1993, the legislature imposed higher income production requirements on classified farm and agricultural land of less than twenty acres. When land classified prior to January 1, 1993, is sold or transferred to a new owner, the higher minimum income requirements set forth in RCW 84.34.020 (2)(b)(ii) and (c)(ii) will be deferred for a period of three years. The new owner is required to produce either two hundred dollars per acre per year if the parcel is five acres or more or fifteen hundred dollars per year if the parcel is less than five acres at least once during the three calendar years immediately following the sale or transfer. For example, if classification was granted in 1978 to a fifteen acre parcel that produced a gross income of one hundred thirty dollars per acre per year until it was sold on April 15, 1999, the minimum income requirements will be deferred until 2002. By the end of 2002, the new owner must show that the parcel produced two hundred dollars per acre at least one year during the three-year period between 2000 and 2002. If the land produced a gross income of two hundred dollars per acre, the land remains classified as farm and agricultural land. If the land failed to produce this amount at least once during this three-year period, the land will be removed from classification and the owner will be required to pay additional tax, interest, and penalty.

(iii) Sale or transfer of land classified after January 1, 1993. The higher minimum income production requirements of RCW 84.34.020 (2)(b)(ii) and (c)(ii) apply to all land classified after January 1, 1993. When such land is sold or transferred, the assessor may ask the seller or buyer to provide gross income data relating to the productivity of the farm or agricultural operation for three of the past five years. This information will be used to determine whether the land should retain its status as classified farm and agricultural land. For example, a ten acre parcel that was classified as farm and agricultural land on May 1, 1995, is sold on February 23, 2001. The assessor asks the seller of the classified land to provide information about the income the land produced during the five calendar years preceding the sale (i.e., 1995 through 2000). To retain the farm and agricultural classification, the land must have produced a minimum income of two hundred dollars per acre per year at least three of the five calendar years preceding the date of sale. However, if the income data is unavailable but the new owner is willing to sign the notice of continuance and accept the responsibility for any additional tax and interest owed for prior years that will be due if the land is later found to be ineligible for continued classification, the classified status of the land will continue until the assessor determines that the use of the land has changed or has not produced the requisite minimum income.

(c) Segregation of land. If the sale or transfer of classified land involves a segregation, the owner of the newly cre-

ated parcel(s) and the owner of the parcel from which the land was segregated must comply with the requirements for classification, including the production of minimum income, to enable the assessor to continue the classified status of the land.

(8) New owner's acknowledgement. The new owner, by signing the notice of continuance, acknowledges that future use of the land must conform to the provisions of chapter 84.34 RCW.

(9) Real estate excise tax (REET). An excise tax is generally imposed in accordance with chapter 82.45 RCW whenever real property is sold or transferred. The amount of this tax is based upon the selling price of the real property. Real estate excise tax is due at the time of sale. This tax is paid to and collected by the treasurer of the county in which the real property is located. (See RCW 82.45.010 for a listing of transactions that are not considered a sale or transfer upon which REET is imposed.)

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-285 Withdrawal from classification.** (1) Introduction. RCW 84.34.070(1) states that once land has been classified under chapter 84.34 RCW, it must remain so classified for a minimum of ten years from the date of classification. The land will remain classified until and unless the owner submits to the assessor a notice of request for withdrawal of all or a portion of the land from classification. After a request to withdraw classification is received, the assessor is required to make a series of determinations. This ((section)) rule explains the procedures the assessor must follow upon receipt of a request for withdrawal.

(2) ((Definition. For purposes of this section, the following definition applies: "Withdrawal" or "withdrawn" occurs when the owner of land classified under the provisions of chapter 84.34 RCW has filed a notice of request to withdraw all or a portion of the land from classification. In order to qualify for withdrawal, the parcel(s) of land must have been classified for a minimum of ten years and the owner must have filed a notice of request to withdraw with the assessor at least two years prior to the assessment year when the parcel will be valued at the assessed value as determined in accordance with the county's approved revaluation cycle. Land is withdrawn from classified status by a voluntary act of the owner.

(3) Complete or partial)) Withdrawal process. Land ((that has been)) classified under chapter 84.34 RCW must be applied to the classified use and remain in its classified status for at least ten years from the date of classification. During the ninth or later year of classification, ((if)) the owner ((decides)) may request to have all or a portion of the land withdrawn from the current use program ((he or she)). The owner must submit a written request to withdraw classification to the assessor of the county in which the land is located. The land will be withdrawn from classification two assessment years after the request to withdraw is received.

(a) A parcel of land may be withdrawn from classification in whole or in part. See RCW 84.34.070(1).

(b) The additional tax and ~~((applicable))~~ interest ~~((set forth in))~~ imposed by RCW 84.34.108 are due when land is withdrawn from classification if the land has been classified under chapter 84.34 RCW for a minimum of ten assessment years. ~~((When))~~ If a request to withdraw classification ~~((has been))~~ is received by the assessor's office and an intervening act causes the current use classification to be removed before the two assessment years have elapsed, the penalty described in RCW 84.34.108 ~~((3))~~ (4)(c) is also due. However, if the removal is a result of one of the circumstances ~~((set forth))~~ listed in RCW 84.34.108~~((5))~~ (6) no additional tax, interest, or penalty will be imposed. (See WAC 458-30-300.)

~~((4))~~ (c) Within seven days of receiving a notice to withdraw classification, the assessor forwards a copy of this notice to the legislative body that approved the initial application for classification.

(d) A request to withdraw classification may be revoked by the owner at any time before the land is actually withdrawn from classification.

(3) Procedure for partial withdrawal. RCW 84.34.-070 allows an owner to withdraw all or only a portion of the land from classification as long as the owner submits a notice of request for withdrawal two assessment years in advance of the effective date of the withdrawal. If only a portion of the classified land is to be withdrawn from classification, the remaining parcel must ~~((meet))~~ satisfy the same requirements the entire parcel was required to meet when the land was originally granted classification unless ~~((the remaining parcel has))~~ different criteria are required by statute. For example, if ~~((a thirty acre parcel of land was previously classified as farm and agricultural land and))~~ the owner ~~((now))~~ of a thirty acre parcel of classified farm and agricultural land wishes to withdraw fifteen acres, ~~((the land that remains classified))~~ the remaining fifteen acres must meet the income production requirements ~~((set forth))~~ listed in RCW 84.34.020 (2)(b)(i) or (ii) to remain classified even though the thirty acre parcel was not required to meet any minimum income production requirements under RCW 84.34.020 (2)(a).

(a) The assessor may ask the owner of the ~~((remaining))~~ parcel ~~((of))~~ that will remain classified ~~((land))~~ to submit information relevant to its continuing eligibility ~~((of the land))~~ under chapter 84.34 RCW. See WAC 458-30-270 for more details ~~((about such a request))~~ for the types of information that may be requested.

(b) If the parcel is classified ~~((as))~~ farm and agricultural land, the assessor ~~((shall))~~ will verify that the remaining portion meets the requirements of RCW 84.34.020(2) ~~((and this WAC chapter))~~.

(c) If the parcel is classified ~~((as))~~ open space or timber land, the assessor ~~((shall))~~ will consult with the granting authority before determining whether the remaining portion meets the requirements of RCW 84.34.020 (1) ~~((and))~~ or (3) ~~((and this WAC chapter))~~. The granting authority may ask the owner to submit ~~((pertinent))~~ any data that it considers necessary to assist it in making this determination.

(d) The assessor may segregate the portion of land from which classification is being withdrawn for valuation and taxation purposes.

~~((5))~~ (4) **Date of withdrawal and notice to owner.** ~~((According to))~~ RCW 84.34.070(1) requires the assessor

~~((shall))~~ to withdraw land from classification when two assessment years have elapsed following receipt of the owner's request to withdraw ~~((classification))~~. In other words, land ~~((shall be))~~ is withdrawn from classification as of January 1st of the third assessment year after the request to withdraw classification is received by the assessor's office.

(a) Method for counting assessment years. The year in which the request to withdraw is received ~~((shall))~~ counts as the first assessment year; the second assessment year ~~((shall))~~ begins on January 1 of the year immediately following the year in which the request ~~((was))~~ is received; and the third assessment year ~~((shall))~~ begins on January 1 of the following year. (For example, if a request to withdraw classification is received on November 1, ~~((1995))~~ 1999, the first assessment year is ~~((1995))~~ 1999, the second assessment year is ~~((1996))~~ 2000, and the third assessment year is ~~((1997))~~ 2001. The land is withdrawn from classification as of January 1, ~~((1997))~~ 2001.)

(b) Notice to owner. No later than thirty days after withdrawing the land from classification, the assessor ~~((shall))~~ must notify the owner in writing that classification has been withdrawn ~~((from the parcel(s)))~~.

(c) Valuation of land withdrawn from classification. When land has been withdrawn from classification, it shall be placed on the assessment roll at ~~((the assessed))~~ its true and fair value ~~((as))~~ determined in accordance with the county's approved revaluation ~~((cycle))~~ plan.

(d) Example. An application for classification as open space land was submitted in April ~~((1980))~~ 1990 and approved effective assessment year ~~((1981))~~ 1991. In ~~((1989))~~ 1999, the owner submits a notice of request to withdraw all the land from classification. The assessor ~~((shall))~~ withdraws the land from classification as of January 1, ~~((1991))~~ 2001, which is the third assessment year after the request to withdraw ~~((classification))~~ was received ~~((the land value shall be the assessed value as determined in accordance with the county's approved revaluation cycle on January 1 of assessment year 1991))~~. This land is placed on the assessment roll at its true and fair value as of January 1, 2001, in accordance with the county's approved revaluation plan.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-295 Removal of classification.** (1) **Introduction.** ~~((This section discusses the occurrences that may cause land to be removed from classification and the actions taken by an assessor relative to a removal. Classified land may be removed if it is no longer used for the purpose for which classification was granted or if the owner has sought reclassification of the land and the land does not meet the criteria for classification under chapter 84.34 or 84.33 RCW.))~~ This rule discusses the circumstances that may cause land to be removed from classification and the actions an assessor takes to remove the land, in whole or in part, from classification under chapter 84.34 RCW.

(2) ~~((Definitions. For purposes of this section, the following definitions apply:~~

(a) "Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed

from one classification to another classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as either timber or open space land under the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW.

(b) "Removal" means that all or a portion of land classified under the provisions on chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in subsection (4) of this section.

(3) **General requirement - removal process.** If land classified under chapter 84.34 RCW is applied to a use other than the one for which classification is granted, the owner (shall) must notify the assessor of the change in use within (thirty) sixty days of the change. (An) If the new use of the land does not qualify for classification under chapter 84.34 RCW, the land must be removed from classification and, in most cases, additional (property) tax, (applicable) interest, and a penalty (shall be) are imposed (upon the land when it is removed from classification due to this change in use). Land may be totally or partially removed from classification depending on the reason(s) for the removal. See WAC 458-30-300 for details about the additional tax, interest, and (for) penalty imposed when land is removed.

(4) Actions (3) **Circumstances that cause removal of land from classification.** When any of the following actions occur, the assessor shall remove all or a portion of the land from classification (all or a portion of the parcel):

(a) Receipt of a written notice from the owner directing (removal of) the assessor to remove the land from classification;

(b) Sale or transfer of the land to an owner that makes the land exempt from (paying) property taxes, except a transfer (that resulted) resulting from a default in loan payments made to or secured by a governmental agency that intends to or is required by law or regulation to resell the land for the same use as before;

(c) Any change in use that occurs after a request to withdraw classification is made (in accordance with the provisions of WAC 458-30-285) under RCW 84.34.070 and before the actual withdrawal of the classification occurs;

(d) Sale or transfer of (all or a portion of) classified land to a new owner who is (not exempt from paying) required to pay property (taxes) tax and who (has not signed a) does not sign the notice of classification continuance, except a transfer to an owner who is an heir or devisee of a deceased owner;

(e) Failure of an owner to respond to a request from the assessor for data (pursuant to WAC 458-30-270) regarding the use of the land, productivity of typical crops, and similar information pertinent to continued classification and assess-

ment of the land (see RCW 84.34.121 and WAC 458-30-270);

(f) (When the owner has sought a reclassification of the land because the land no longer meets the criteria of the classification under which it is classified or the owner has decided to change the use of the classified land thereby requiring a change in classification and the land does not meet the requirements of the new classification; or

(g) A determination by) The assessor denies an owner's request for reclassification and the land no longer meets the criteria under which it was originally classified; or

(g) The assessor determines, based on field inspections, analysis of income and expense data, or any other reasonable evidence, that (all or a portion of) the (parcel(s) of) land no longer meets the criteria for classification under chapter 84.34 RCW.

(i) Example 1. During an on-site inspection (of a parcel of classified farm and agricultural land), the assessor discovers that (the) classified farm and agricultural land (is no longer being used for commercial agricultural purposes because the five-acre parcel) has been paved over and is (currently being) used as a parking lot for school buses.

(ii) Example 2. Based on information released at a public meeting of the county planning commission, the assessor learns that an owner of classified timber land has harvested all (forest crops) timber from the (classified) land, the land has been platted, public services such as roads, sewers, and domestic water supply have (all) been made available to the platted land, and (at least six) houses have been built on the (classified timber) land. This information has led the assessor to conclude that the use of the land has changed or that the land no longer meets the criteria for classification as timber land.

(iii) (4) Procedure when an assessor discovers a change in use. If the assessor determines that the land is not being used for a classified use, the assessor must notify the owner in writing regarding this determination (, but) and may not remove the land from classification until the owner has had an opportunity to respond to the assessor's determination.

(iv) (a) The owner must respond, in writing, to the assessor's inquiry about the use of the classified land no later than thirty calendar days following the date (this) the assessor's inquiry was (mailed) postmarked or given to the owner.

(v) (b) If the parcel (of land) in question is classified (as) open space land or timber land, the assessor may ask, but is not required to ask, the granting authority to provide reasonable assistance in determining whether the classified land continues to meet the criteria for classification. The granting authority shall provide this assistance within thirty days of receiving the assessor's request for assistance (see RCW 84.34.108(1)).

(c) Unless the owner demonstrates to the assessor that the classified use of the land has not changed, the assessor will remove the land from classification and impose additional tax, interest, and penalty from the date of the change in use.

**(5) Procedure for partial removal.** If the use of only a portion of the classified land has changed and it no longer

qualifies for classification under chapter 84.34 RCW, the assessor will remove the nonqualifying portion of the classified land. The remaining parcel must satisfy the same requirements the entire parcel was required to meet when the land was originally granted classification unless different criteria are required by statute because of the reduced size of the land that remains classified.

(a) The assessor may ask the owner of the parcel that will remain classified to submit information relevant to its continuing eligibility under chapter 84.34 RCW. See WAC 458-30-270 for more details.

(b) If the parcel is classified farm and agricultural land, the assessor will verify that the remaining portion meets the requirements of RCW 84.34.020(2).

(c) If the parcel is classified open space or timber land, the assessor will consult with the granting authority before determining whether the remaining portion meets the requirements of RCW 84.34.020 (1) or (3). The granting authority and assessor may ask the owner to submit pertinent data for this determination.

(d) The assessor may segregate the portion of land from which classification is being removed for valuation and taxation purposes.

~~((5))~~ (6) Transactions that do not cause land to be removed from classification. Land cannot be removed from classification solely because of:

(a) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or

(b) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

(7) Notice to owner. Within thirty days ~~((after))~~ of the removal ~~((of all or a portion))~~ of ~~((the))~~ land from classification, the assessor ~~((shall))~~ must notify the owner in writing of the reason(s) for ~~((the))~~ removal.

~~((6))~~ (8) Right of appeal. The seller, transferor, or owner of classified land may appeal the removal ~~((of land))~~ from classification to the board of equalization of the county in which the land is located. The appeal must be filed within thirty calendar days ~~((following))~~ (or up to sixty days if such a time limit has been adopted by the county legislative authority) of the date the notice of removal was mailed by the assessor or given to the owner, or on or before July 1st of the year of removal, whichever is later (RCW 84.40.038).

~~((7))~~ (9) Assessor's duty after removal. Unless the removal is reversed on appeal, the assessor ~~((shall revalue the previously classified land by consulting the existing assessment rolls that contain both the current use and the true and fair value of the land. After the effective date of the removal, the assessor will list only the true and fair value of the land on the assessment roll))~~ places the land on the assessment roll at its true and fair value determined in accordance with the county's approved revaluation plan. The value on the date of removal is the true and fair value as of January 1st of the year of removal. The assessment roll ~~((with))~~ lists both the assessed ~~((valuation))~~ value of the land before and after the removal of classification. Taxes ~~((will be))~~ for the current tax year are prorated according to the portion of the year to which each assessed ~~((valuation))~~ value applies.

~~((8))~~ (10) Possible segregation after removal. If only a portion of the land is being removed from classification, the assessor ~~((may))~~ must segregate the affected portion for valuation and tax purposes.

~~((9) Penalties)~~ (11) Additional tax, interest, and penalty are due when land is removed. The additional tax, ~~((applicable))~~ interest, and penalty ~~((set forth in))~~ imposed by RCW 84.34.080 and 84.34.108 ~~((will be))~~ are due when land is removed from classification unless the removal is the result ~~((of))~~ of one of the exempt circumstances or transactions ~~((exempt under that statute))~~ listed in RCW 84.34.108(6). (See WAC 458-30-300.)

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-300 Additional tax—Withdrawal or removal from classification. (1) Introduction.** ~~((When land is withdrawn or removed from classification an additional tax and applicable interest are due. A penalty is also due when land is removed. This section explains how the additional tax, applicable interest, and, if appropriate, penalty are calculated. It also sets forth the situations under which no additional tax, applicable interest, and/or penalty are due if land is withdrawn or removed from classification. The provisions of RCW 84.34.108 and 84.34.070(2) are outlined in this section.~~

**(2) Definitions.** For purposes of this section, the following definitions apply:

~~((a))~~ "Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to another classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. The process of reclassification is a voluntary act taken on the part of an owner of classified land when the land must either be removed from classification or transferred to another classification to remain eligible under chapter 84.34 or 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as either timber or open space land under the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW.

~~((b))~~ "Removal" means that all or a portion of land classified under the provisions of chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from the current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in WAC 458-30-295.

~~((c))~~ "Withdrawal" or "withdrawn" occurs when the owner of land classified under the provisions of chapter 84.34 RCW has filed a notice of request to withdraw all or a portion of the land from classification. In order to qualify for withdrawal, the parcel(s) of land must have been classified for a minimum of ten years and the owner must have filed a notice of request to withdraw with the assessor at least two years prior to the

assessment year when the parcel will be valued at the assessed value as determined in accordance with the county's approved revaluation cycle. Land is withdrawn from classified status by a voluntary act of the owner.

**(3) Duties of assessor and county treasurer.** When land is withdrawn from classification the assessor shall compute an additional tax and applicable interest and when land is removed from classification the assessor shall compute an additional tax, applicable interest, and penalty. As soon as possible after determining that the land is to be withdrawn or removed from classification, the assessor shall compute the amount of the additional tax, applicable interest, and, if appropriate, penalty, except as provided in subsection (6) of this section. The county treasurer shall mail a notice to the owner regarding the additional tax, applicable interest, and penalty due and the date on which the total amount is due. The additional tax, applicable interest, and penalty shall be due and payable to the county treasurer thirty days after the notice is mailed to the owner.

**(4) Amount of additional tax, applicable interest, and penalty.** The amount of additional tax, applicable interest, and penalty shall be determined as follows:

(a) The amount of additional tax shall be equal to the difference between the property tax that was levied on the land based on its classified current use value and the tax that would have been levied on its true and fair value for the seven tax years preceding the withdrawal or removal, in addition to the portion of the tax year when the withdrawal or removal takes place;

(b) The amount of applicable interest shall be equal to the interest on the amount of additional tax determined under (a) of this subsection at the statutory rate, specified in RCW 84.56.020, charged on delinquent property taxes starting from the date the tax could have been paid without interest to the date the additional tax is paid; and

(c) The amount of penalty shall be twenty percent of the additional tax and applicable interest; that is, twenty percent of the total amount computed in (a) and (b) of this subsection. A penalty is not imposed when:

(i) The land has been classified for at least ten years at the time of declassification and the owner has given the assessor a request to withdraw classification two years in advance of the date the classified land will be withdrawn, in accordance with RCW 84.34.070; or

(ii) The change in use was the result of one of the circumstances listed in RCW 84.34.108(5). See subsection (6) of this section for a detailed list of these circumstances.

**(5) Failure to sign notice of continuance.** If a new owner fails to sign the notice of classification continuance when classified land is sold or transferred, an additional tax, applicable interest, and penalty shall be calculated according to subsection (4) of this section.

**(6) Exceptions — no additional tax, applicable interest, or penalty are due.** When all or a portion of classified land is withdrawn or removed from classification, no additional tax, applicable interest, or penalty shall be imposed if the withdrawal or removal is the result of one or more of the following circumstances:

(a) Transfer to a governmental entity in exchange for other land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain or the sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of this power, said entity having manifested its intent to exercise the power of eminent domain in writing or by other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property;

(d) Official action by an agency of the state of Washington or by the county or city in which the land is located disallowing the current use of classified land. For the purposes of this section, "official action" may include, but is not limited to, city ordinances, zoning restrictions, Growth Management Act, Shoreline Protection Act, and Environmental Protection Act(s);

(e) Transfer of land to a church when the land would qualify for property tax exemption pursuant to RCW 84.36.020. The conditions set forth in RCW 84.36.020 shall only apply to the affected parcel of land and shall not relieve any portion not so affected from the potential tax liability;

(f) Acquisition of property interests by public agencies or private organizations qualified under RCW 84.34.210 or 64.04.130 for the purposes specified therein. See subsection (7) of this section for a listing of these agencies, organizations, and purposes. However, when the property interests are not used for the purposes enumerated in these statutes, the additional tax, applicable interest, and penalty specified in subsection (4) of this section shall be imposed;

(g) Removal of land that was granted classification as farm and agricultural land under RCW 84.34.020 (2)(d) because the principal residence of the farm operator or owner and/or housing for farm and agricultural employees was situated on it; or

(h) The result of one of the following changes in classification:

(i) Reclassification from farm and agricultural land under RCW 84.34.020(2) to timber land under RCW 84.34.020(3), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(ii) Reclassification from timber land under RCW 84.34.020(3) to farm and agricultural land under RCW 84.34.020(2), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(iii) Reclassification from open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) to farm and agricultural land under RCW 84.34.020(2) if the land was previously classified as farm and agricultural land; or

(iv) Reclassification from forest land under chapter 84.33 RCW to open space land under RCW 84.34.020(1).

**(7) Land acquired by agencies or organizations qualified under RCW 84.34.210 or 64.04.130.** If the purpose for acquiring classified land is to protect, preserve, maintain, improve, restore, limit the future use of, or conserve the land for open space purposes and otherwise conserve the land for public use or enjoyment and the classified land is acquired by any of the following entities, no additional tax, applicable interest, or penalty are due as long as the property is used for one of the purposes listed in this subsection:

(a) State agency;

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- (b) Federal agency;
- (c) County;
- (d) City;
- (e) Town;
- (f) Metropolitan park district;
- (g) Metropolitan municipal corporation;
- (h) Nonprofit historic preservation corporation as defined in RCW 64.04.130; or
- (i) Nonprofit nature conservancy corporation or association as defined in RCW 84.34.250.

~~(8) Removal of classification from land that was previously classified or designated forest land under chapter 84.33 RCW. Land that was previously classified or designated as forest land under chapter 84.33 RCW may be reclassified under RCW 84.34.020. If the current use classification is subsequently removed before the land has been classified for at least ten assessment years under chapter 84.34 RCW, a combination of compensating tax and additional tax shall be due. RCW 84.33.145 explains the way in which these taxes are calculated.))~~ This rule outlines the withdrawal and removal procedures, events that trigger removal, and how to calculate the additional property tax ("additional tax"), interest, and penalty that may be imposed because land is withdrawn or removed from classification. When land is withdrawn or removed additional tax and interest are due. A twenty percent penalty is also due when land is removed from classification (see RCW 84.34.108 and 84.34.070(2)).

(2) Duties of assessor and treasurer. As soon as possible after deciding to remove land from classification, the assessor must give the owner written notice of the intent to remove the land and give the owner an opportunity to be heard.

(a) Within thirty days of removing land from classification, the assessor notifies the owner, in writing, about the reasons for the removal. The owner, seller, or transferor may appeal the removal to the county board of equalization.

(b) Unless the removal is reversed on appeal, the assessor revalues the affected land with reference to its full market value on the date of removal from classification. The assessment roll will list the assessed value of the land before and after the removal from classification. Taxes will be allocated to the part of the year to which each assessed value applies; that is, current use and true and fair value.

(c) The assessor computes the amount of additional tax, interest, and penalty, unless the removal is the result of one of the circumstances listed in subsection (5) of this rule.

(d) The assessor notifies the treasurer of the amount of additional tax, interest, and penalty due.

(e) The treasurer mails or gives the owner written notice about the amount of the additional tax, interest, and, if required, penalty due and the date on which the total amount must be paid.

(f) The total amount is due and payable to the treasurer thirty days after the owner is notified of the amount of additional tax, interest, and penalty due.

(3) Amount of additional tax, interest, and penalty. The amount of additional tax, interest, and penalty will be determined as follows:

(a) The amount of additional tax is equal to the difference between the property tax paid on the land because of its classified status and the property tax that would have been

paid on the land based on its true and fair value for the seven tax years preceding the withdrawal or removal. And in the case of a removal, the taxes owed for the balance of the current tax year;

(b) The amount of interest, calculated at the same statutory rate charged on delinquent property taxes specified in RCW 84.56.020, is based upon the amount of additional tax determined under (a) of this subsection, starting from the date the additional tax could have been paid without interest until the date the tax is paid; and

(c) A penalty amounting to twenty percent of the additional tax and interest; that is, twenty percent of the total amount computed in (a) and (b) of this subsection. A penalty is not imposed when:

(i) The land has been classified for at least ten years at the time it is withdrawn from classification and the owner submitted a request to withdraw classification to the assessor at least two assessment years prior to the date the land is withdrawn from classification; or

(ii) The use of the land has changed and the change in use was the result of one of the circumstances listed in RCW 84.34.108(6). See subsection (5) of this rule for a detailed list of these circumstances.

(4) Failure to sign notice of continuance. Land will be removed from current use classification if a new owner fails to sign the notice of continuance when the classified land is sold or transferred. Additional tax, interest, and penalty will be imposed in accordance with RCW 84.34.108(4) because of this removal. A notice of continuance is not required when classified land is transferred to a new owner who is the heir or devisee of a deceased owner and the new owner wishes to continue classified use (see RCW 84.34.108 (1)(c)). If the heir or devisee elects not to continue classified use, the land will be removed from classification and additional tax, interest, and penalty are due.

(5) Exceptions. No additional tax, interest, or penalty will be imposed if the withdrawal or removal from classification was the result of one or more of the following circumstances:

(a) Transfer to a governmental entity in exchange for other land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain or the sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of this power. This entity must have declared its intent to exercise the power of eminent domain in writing or by some other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than an act of the landowner changing the use of the property;

(d) Official action by an agency of the state of Washington or by the county or city in which the land is located disallowing the current use of classified land. For the purposes of this rule, "official action" includes: City ordinances, zoning restrictions, Growth Management Act, Shoreline Protection Act, and Environmental Protection Act;

(e) Transfer of land to a church when the land would qualify for a property tax exemption under RCW 84.36.020. Only the land that would qualify for exemption under RCW 84.36.020 is included within this exception. Additional tax,

interest, and, if appropriate, the penalty will be assessed upon the remainder of the land withdrawn or removed from classification;

(f) Acquisition of property interests by public agencies or private organizations qualified under RCW 84.34.210 or 64.04.130 for the conservation purposes specified therein. See subsection (6) of this rule for a listing of these agencies, organizations, and purposes. However, when the property interests are no longer used for one of the purposes enumerated in RCW 84.34.210 or 64.04.130, additional tax, interest, and penalty will be imposed on the owner of the property at that time;

(g) Removal of land granted classification as farm and agricultural land under RCW 84.34.020 (2)(d) because the principal residence of the farm operator or owner and/or housing for farm and agricultural employees was situated on it. This exception applies only to the land upon which the housing is located even if this portion of the agricultural enterprise has not been allocated a separate parcel number for assessment and tax purposes;

(h) Removal of classification after a statutory exemption is enacted that would exempt the land from property tax and the landowner submits a written request to the assessor to remove the land from classification. This exception applies only to newly enacted exemptions that would cause classified land to go from taxable to exempt status. For example, in 1999 the legislature created a new property tax exemption for property used for agricultural research and education programs. Subsequently, the owner of such land requests removal of the land from classification, no additional tax, interest or penalty are imposed because of this new property tax exemption authorized by RCW 84.36.570.

(i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(j) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040;

(k) The sale or transfer of land within two years of the death of an owner with at least a fifty percent interest in the land by the heir or devisee if the land has been continuously assessed and valued as classified or designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993. The date of death shown on the death certificate begins the two-year period for sale or transfer;

(l) The sale or transfer of classified land between July 22, 2001, and July 22, 2003, and the sale or transfer takes place within two years of the death of an owner with at least a fifty percent interest in the land if:

(i) The deceased owner died after January 1, 1991;

(ii) The heir or devisee of the deceased owner is selling or transferring the land; and

(iii) The land has been continuously assessed and valued as classified land under chapter 84.34 RCW or classified or designated forest land under chapter 84.33 RCW since 1993. The date of death shown on the death certificate begins the two-year period for sale or transfer; or

(m) The result of one of the following changes in classification:

(i) Reclassification from farm and agricultural land under RCW 84.34.020(2) to: Timber land under RCW

84.34.020(3), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(ii) Reclassification from timber land under RCW 84.34.020(3) to: Farm and agricultural land under RCW 84.34.020(2), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(iii) Reclassification from open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) to farm and agricultural land under RCW 84.34.020(2) if the land was previously classified as farm and agricultural land; or

(iv) Reclassification from forest land under chapter 84.33 RCW to open space land under RCW 84.34.020(1).

**(6) Land acquired by agencies or organizations qualified under RCW 84.34.210 or 64.04.130.** If the purpose for acquiring classified land is to protect, preserve, maintain, improve, restore, limit the future use of, or conserve the land for public use or enjoyment and the classified land is acquired by any of the following entities, no additional tax, interest, or penalty will be imposed as long as the property is used for one of these purposes:

(a) State agency;

(b) Federal agency;

(c) County;

(d) City;

(e) Town;

(f) Metropolitan park district (see RCW 35.61.010);

(g) Metropolitan municipal corporation (see RCW 35.58.020);

(h) Nonprofit historic preservation corporation as defined in RCW 64.04.130; or

(i) Nonprofit nature conservancy corporation or association as defined in RCW 84.34.250.

**(7) Removal of classification from land that was previously classified or designated forest land under chapter 84.33 RCW.** Land that was previously classified or designated as forest land under chapter 84.33 RCW may be reclassified under chapter 84.34 RCW. If such land is subsequently removed from the current use program before the land has been classified under chapter 84.34 RCW for at least ten assessment years, a combination of compensating tax imposed under chapter 84.33 RCW and additional tax, interest, and penalty imposed under chapter 84.34 RCW is due. RCW 84.33.145 explains the way in which these taxes are to be calculated.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-305 Due date of additional tax, ((applicable)) interest, and penalty upon withdrawal or removal.**

(1) **Introduction.** This ((section)) rule specifies the date upon which the additional tax, ((applicable)) interest, and, if appropriate, penalty are due when land is withdrawn or removed from classification under chapter 84.34 RCW. This ((section)) rule also explains the consequences of failure to timely pay these charges.

(2) **(Definitions.** For purposes of this section, the following definitions apply:

(a) "Removal" means that all or a portion of land classified under the provisions of chapter 84.34 RCW must be

removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from the current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in WAC 458-30-295.

(b) "Withdrawal" or "withdrawn" occurs when the owner of land classified under the provisions of chapter 84.34 RCW has filed a notice of request to withdraw all or a portion of the land from classification. In order to qualify for withdrawal, the parcel(s) of land must have been classified for a minimum of ten years and the owner must have filed a notice of request to withdraw with the assessor at least two years prior to the assessment year when the parcel will be valued at the assessed value as determined in accordance with the county's approved revaluation cycle. Land is withdrawn from classified status by a voluntary act of the owner.

(3) **Result of a sale or transfer.** If a parcel of land is withdrawn or removed from classification because of a sale or transfer, the additional tax, applicable interest, and penalty, if owed, are due and payable at the time of the sale or transfer.

(4)) **General rule - (~~withdrawal or removal due to all other circumstances~~) payable within thirty days of removal or withdrawal.** (~~Except for a sale or transfer, the additional tax, applicable interest, and penalty, if owed, are due no later than thirty days after the date the county treasurer mails the written notice to the owner regarding the amounts owed. This notice shall also state the date upon which the amounts owed are due~~) No later than thirty days after the date the treasurer mails or gives the owner written notice that the land will be removed from classification with the amount of additional tax, interest, and penalty due, the total amount owing must be paid, except in the case of a sale or transfer. The notice must list the amount of additional tax, interest, and penalty owed, as well as the date on which the total amount must be paid.

(~~(5))~~) (3) **Exception to general rule - payable on date of sale or transfer.** If classified land is to be removed because of a sale or transfer, additional tax, interest, and penalty, if owed, must be paid at the time of sale or transfer.

(4) **Failure to timely pay - delinquency.** Any additional tax, (~~applicable~~) interest, or penalty that is unpaid on its due date is delinquent. Interest (~~shall be~~) is charged on the total amount due at the same rate (~~as~~) that is applied by law to delinquent property taxes (see RCW 84.56.020). Interest accrues from the date (~~of the delinquency~~) the amount was due until the date the total amount is paid in full.

(~~(6))~~) (5) **Additional tax, (~~applicable~~) interest, and penalty constitute a lien.** When land is withdrawn or removed from classification (~~is withdrawn or removed from a parcel of land~~), the amount of additional tax, (~~applicable~~) interest, and (~~of~~) penalty (~~shall~~) becomes a lien on the (~~parcel of~~) land (~~as of~~) that attaches on the date of withdrawal or removal.

(a) This lien (~~shall have~~) has priority to and (~~shall~~) must be fully paid and satisfied before any recognition,

mortgage, judgment, debt, obligation, or responsibility to or with which (~~this~~) the land may become charged or liable.

(b) The lien may be foreclosed at the same time and in the same manner (~~provided by law for foreclosure of~~) as liens for delinquent real property taxes (~~as set forth in~~) are foreclosed under RCW 84.64.050.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-310 County recording authority—County financial authority—Duties.** (1) **Introduction.** This (~~section~~) rule explains the conditions under which documents conveying ownership of land classified under chapter 84.34 RCW will be accepted by the county recording authority (~~under the provisions of chapter 84.34 RCW~~). It also describes the duties of the treasurer in the withdrawal and removal processes.

(2) **County recording authority—Limited documents may be accepted.** The county recording authority (~~shall~~), usually the auditor, will not (~~accept for recording~~) record any instrument of conveyance involving (~~a parcel of~~) land classified (~~according to~~) under chapter 84.34 RCW unless:

(a) Any required additional tax, (~~applicable~~) interest, and (~~of~~) penalty has been paid to the treasurer and the treasurer has affixed a stamp on the REET affidavit showing this payment;

(b) The notice of continuance on or attached to the (~~real estate excise tax~~) REET affidavit is signed by the new owner or transferee, the assessor agrees that the land should remain classified, and the assessor checks the box on the REET affidavit that the land qualifies for continued classified current use status; or

(c) The land is to be removed from classification (~~and the removal results solely from~~) because of one of the exceptions listed in RCW 84.34.108(~~(5) to the imposition of~~) (6) and is exempt from additional tax, (~~applicable~~) interest, and penalty. (~~See also WAC 458-30-300 that implements this statute.~~)

(3) **Treasurer's duties.** The treasurer has a number of responsibilities relative to land classified under chapter 84.34 RCW and to land that is to be withdrawn or removed from classification.

(a) **Withdrawal.** Upon receipt of a request for withdrawal from classification, the assessor prepares a statement listing the amount of additional tax and interest due as a result of the withdrawal, the date on which this sum must be paid, and the effective date of the withdrawal. The assessor sends a copy of this statement to the treasurer's office. The treasurer's office collects the total amount of additional tax and interest listed on the date specified.

(b) **Removal.** As soon as possible after determining that land must be removed from classification, the assessor prepares a notice of removal of classification and statement containing additional tax, interest, and penalty calculations. This notice and statement lists the reason(s) for removing the land from classification and the assessor's calculations of the total amount of additional tax, interest, and penalty due. The assessor sends or gives a copy of this notice and statement to

the treasurer's office and to the taxpayer. The treasurer's office collects the total amount due on the date specified.

(c) Collection and distribution. The additional tax, interest, and, if any, penalty imposed under RCW 84.34.080 or 84.34.108 must be paid in full to the treasurer's office thirty days after the date the statement was mailed or given to the owner. When classified land is sold or transferred and real estate excise tax must be paid, the treasurer will affix a stamp on the REET affidavit as proof that the REET and additional tax, interest, and if any, penalty have been paid so the conveyance may be recorded. The additional tax collected is distributed to taxing districts in the same manner as current taxes applicable to the land are distributed. The treasurer distributes the interest and penalty collected to the county's current expense fund.

(d) The treasurer treats any additional tax, interest, and penalty not paid on the due date as delinquent property taxes.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-325 Transfers between classifications—Application for reclassification.** (1) **Introduction.** This (section) rule discusses the process (by which classified) used when land is reclassified (under another) into a different classification ((of) under chapter 84.34 ((RCW)) or ((under chapter)) 84.33 RCW.

(2) ~~((Definitions. For purposes of this section the following definitions apply:~~

(a) ~~"Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to another classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. The process of reclassification is a voluntary act taken on the part of an owner of classified land when the land must either be removed from classification or transferred to another classification to remain eligible under chapter 84.34 RCW or 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as either timber or open space land under the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW.~~

(b) ~~"Removal" means that all or a portion of land classified under the provisions on chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from the current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in WAC 458-30-295.~~

(3)) **General information - when reclassification is required.** ~~((When the current use program was revised in 1992, the statutes were changed to allow a transfer or reclassification)) In 1992, the legislature created an opportunity for owners of classified land to change the classification under which their land is classified under chapter 84.34 RCW or designated under chapter 84.33 RCW. The name given to~~

this process is "reclassification." It is now possible to switch between the different classifications of chapter 84.34 RCW and forest land under chapter 84.33 RCW. The following circumstances may cause an owner of classified land to seek reclassification ~~((to be sought)):~~

(a) The classified land is no longer being used for the purpose for which it was granted classification;

(b) The owner or new owner of classified land has decided to change the use of classified land;

(c) The classified land no longer meets the requirements of the classification under which it was ~~((granted classification)) originally classified; for example, farm and agricultural land that ~~((does not)) no longer produces the minimum income required by RCW 84.34.020 (2)(b) and (c) must either be reclassified or removed from the current use program;~~~~

(d) The new owner is an heir or devisee of a deceased owner who held classified land and the new owner either does not choose to meet or cannot meet the requirements of the classification under which ~~((it)) the land was ~~((granted classification)) originally classified; or~~~~

(e) The assessor has determined ~~((that)) the classified land is no longer eligible under the existing classification and the land must either be reclassified or removed from ~~((classification)) the current use program.~~~~

~~((4)) (3) **Reclassification process if land is subject to removal.** Within thirty days of receiving notice from the assessor that ~~((the)) classified land is to be removed from the current use program, the owner must submit an application for reclassification ~~((to)) into another classification under chapter 84.34 or 84.33 RCW if the owner elects to have the land remain classified. The removal notice ~~((shall)) must include a statement ~~((that informs)) informing the owner of the classified land ~~((that he or she may seek)) about the reclassification option. If ~~((the)) an application for reclassification is submitted within thirty days, the ~~((classified)) land ~~((shall)) is not ~~((be)) removed from classification until the application for reclassification is approved or denied.~~~~~~~~~~~~~~~~~~~~

~~((5)) (4) **Reclassification ~~((when)) process if an owner seeks change of classification.~~** An owner of classified land ~~((classified under 84.34 RCW)) may seek ~~((reclassification of that)) to have the land reclassified under a different current use classification under chapter 84.34 RCW or may seek ~~((classification or)) designation as forest land under chapter 84.33 RCW. ~~((The owner of classified land may seek reclassification because of a desire to change the use of the classified land or because he or she does not want to meet or cannot meet the requirements of the classification under which the land is currently classified.))~~~~~~~~~~

(a) ~~If an owner elects to have land reclassified, the owner must submit an application for reclassification to the assessor of the county in which the land is located. This ~~((form shall)) application form will be ~~((designed)) prepared by the department and supplied to ~~((county)) assessors or it may be obtained on the internet at <http://dor.wa.gov/index.asp> under property tax, "forms."~~~~~~~~

(b) Within seven days of ~~((receipt of)) receiving this request, the assessor ~~((shall)) must forward a copy of ~~((this)) the application for reclassification to the appropriate granting authority ~~((see the definition of "granting authority" in WAC~~~~~~~~

458-30-200 for more details). The assessor ~~((shall))~~ retains a copy of all applications for reclassification.

~~((The status of classified land for which))~~ When an application for reclassification is ~~((sought shall))~~ submitted, the classified status of the land is not ~~((be))~~ changed until the application ~~((for reclassification))~~ is approved or denied.

~~((6))~~ (5) Application procedure. An application for reclassification ~~((shall be handled))~~ is processed in the same manner as an initial application for classification, which may include payment of an application fee if the county requires one. All classification requirements of RCW 84.34.035 for farm and agricultural land, RCW 84.34.037 for open space land, RCW 84.34.041 for timber land, and chapter 84.33 RCW for forest land must be satisfied in order to reclassify land. (These requirements are also described in WAC 458-30-225, 458-30-230, 458-30-232, 458-30-242, and chapter 458-40 WAC.)

~~((When evaluating an application for reclassification, the granting authority will follow the same procedures it has for processing an initial application for classification under chapter 84.34 or))~~ The granting authority must process an application for reclassification in the same manner as it processes an initial application for classification under chapter 84.34 RCW or for designation as forest land under chapter 84.33 RCW.

(b) An application for reclassification may be approved or denied, in whole or in part.

(i) The granting authority ~~((shall))~~ must notify the applicant in writing of the extent to which the application for reclassification is approved or denied.

(ii) The applicant ~~((shall have))~~ has the same appeal rights in relation to a denial of an application for reclassification as ~~((he or she))~~ the applicant has in regard~~((s))~~ to an initial application for classification.

(iii) If an application for reclassification is denied, the assessor ~~((shall))~~ removes the land from classification and ~~((shall))~~ calculates ~~((the))~~ additional tax, ~~((applicable))~~ interest, and penalty in ~~((the manner set forth in WAC 458-30-300))~~ accordance with RCW 84.34.108.

~~((7))~~ (6) Reclassifications exempt from additional tax. No additional tax, ~~((applicable))~~ interest, ~~((and))~~ or penalty are due when ~~((the))~~ reclassification is a result of any of the following transfers between classifications:

(a) Reclassification from farm and agricultural land under RCW 84.34.020(2) to: Timber land under RCW 84.34.020(3), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(b) Reclassification from timber land under RCW 84.34.020(3) to: Farm and agricultural land under RCW 84.34.020(2), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(c) Reclassification from open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) to farm and agricultural land under RCW 84.34.020(2) if the land was previously classified as farm and agricultural land; or

(d) Reclassification from forest land under chapter 84.33 RCW to open space land under RCW 84.34.020(1).

~~((8))~~ (7) Income ~~((criteria))~~ production requirements of land to be reclassified. The income ~~((criteria))~~ production requirements relating to the following reclassifi-

cations may be deferred for a period of up to five years from the effective date of reclassification when:

(a) Land classified as open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) or timber land under RCW 84.34.020(3) is reclassified as farm and agricultural land under RCW 84.34.020 (2)(b) ~~((and))~~ or (c); or

(b) Land classified or designated as forest land under chapter 84.33 RCW is reclassified as farm and agricultural land under RCW 84.34.020 (2)(b) ~~((and))~~ or (c).

~~((9))~~ (8) Valuation of reclassified land. The ~~((assessed))~~ value of ~~((land that has been))~~ reclassified ~~((shall reflect))~~ land will be based on the new classification as of January 1 of the assessment year following ~~((the))~~ approval of the request for reclassification. For example, if an application for reclassification from farm and agricultural land to open space/farm and agricultural conservation land is submitted on February 15, ~~((1993))~~ 1999, and approved effective June 1, ~~((1993))~~ 1999, the land ~~((shall))~~ will be valued and assessed as open space/farm and agricultural conservation land on January 1, ~~((1994))~~ 2000, and the owner ~~((shall))~~ is required to pay taxes on this new assessed value in ~~((1995))~~ 2001.

## WSR 01-18-097

### PROPOSED RULES

### PERSONNEL RESOURCES BOARD

[Filed September 5, 2001, 11:22 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 356-56-203 Department of Social and Health Services—Background check requirements and 356-56-600 Appeals.

Purpose: These rules pertain to background checks on current employees and applicants for Washington management service positions and appeals for Washington management service employees.

Statutory Authority for Adoption: Chapter 41.06 RCW.  
Statute Being Implemented: RCW 41.06.150.

Summary: The rule modifications are a result of ESSHB [ESSB] 5606 that became effective July 22, 2001. ESSHB [ESSB] 5606 requires the Department of Social and Health Services to conduct background checks on current employees as well as applicants for specific positions.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The new WAC 356-56-203 is a result of ESSHB [ESSB] 5606 that became effective July 22, 2001. ESSHB [ESSB] 5606 requires the Department of Social and Health Services to conduct background checks on all applicants and

current employees in specific positions. The modification to WAC 356-56-600 allows employees in the Washington management service, who are nondisciplinary separated due to a background check to appeal to the Personnel Appeals Board.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on October 10, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by October 3, 2001, TDD (360) 753-4107, or (360) 586-8260.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by October 5, 2001.

Date of Intended Adoption: October 10, 2001.

September 5, 2001

E. C. Matt  
Director

## NEW SECTION

**WAC 356-56-203 Department of Social and Health Services—Background check requirements.** (1) The secretary of the department of social and health services shall conduct background checks on all employees in covered positions ("employees") and persons under final consideration for a covered position ("applicants"). A covered position is one in which a person will or may have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities. Employees and applicants shall authorize the secretary of the department of social and health services to conduct a background check.

(2) The requirement for background checks shall include the following:

(a) Any employee seeking a covered position because of a reduction-in-force or other movement.

(b) Any applicant prior to appointment into a covered position, except when appointment is made on a conditional basis under subsection (6)(b) of this section.

(3) A background check will be conducted on the final preferred candidate prior to appointment.

(4) The secretary of the department of social and health services shall use the results of a background check solely to determine the character, competence and suitability of a person for a covered position. The background check information shall consist of:

(a) Conviction records, pending charges, and disciplinary board final decisions.

(b) Evidence that substantiates or mitigates convictions, pending charges, and disciplinary board final decisions including, but not limited to:

(i) The employee or applicant's background check authorization and disclosure form;

(ii) The employee or applicant's age at the time of conviction, charge, or disciplinary board final decision;

(iii) The nature and severity of the conviction, charge, or disciplinary board final decision;

(iv) The length of time since the conviction, charge, or disciplinary board final decision;

(v) The nature and number of previous offenses;

(vi) Vulnerability of the child, vulnerable adult, or individual with mental illness or developmental disabilities to which the employee or applicant will or may have unsupervised access; and

(vii) The relationship between the nature of the conviction, pending charge, or disciplinary board final decision and the duties of the employee or applicant.

(5) A permanent employee with a background check disqualification is subject to any of the following actions:

(a) Job restructuring;

(b) Job reassignment;

(c) Movement in accordance with WAC 356-56-205;

(d) Voluntary resignation;

(e) Non-disciplinary separation. The employee shall be separated by the appointing authority after fifteen calendar days written notice unless the employee requests a shorter notice period;

(f) Disciplinary action in accordance with WAC 356-56-500; and/or

(g) Interim measures that may be used while the appointing authority explores the availability of actions (not to exceed 30 calendar days except in cases where there are investigations of pending charges):

(i) Voluntary use of accrued vacation and/or exchange time.

(ii) Authorized leave without pay, if there is no paid leave available, or if the employee chooses not to use paid leave.

(iii) Reassignment to another work location.

(h) When considering the above actions, the agency will consider the least restrictive means necessary to prevent unsupervised access.

(6) The secretary of the department of social and health services shall:

(a) Notify employees and applicants that a background check is required for covered positions;

(b) Develop procedures specifying when employees and applicants may be hired on a conditional basis pending the results of a background check;

(c) Develop policies and procedures pertaining to background checks; and

(d) Notify employees of any general service promotional register rights they may have.

(7) Failure to authorize the secretary of the department of social and health services to conduct a background check disqualifies an employee or applicant from consideration for any covered position including their current covered position.

(8) An applicant for a covered position who is denied employment due to a disqualifying background check may request a review by the appointing authority. Requests for review must be in writing and received by the appointing authority within fifteen calendar days of the postmark date of the notification.

(9) A separation under subsection (5)(e) of this section shall not be considered a disciplinary action as set forth in

PROPOSED

WAC 356-56-500. A permanent Washington management service employee separated under (5)(e) of this section may appeal to the personnel appeals board in accordance with WAC 356-56-600.

(10) A Washington management service employee who has been separated under subsection (5) of this section, and who has held permanent status in the Washington general service, will be able to apply promotionally for any classes that are at the same salary level or lower than the position from which he/she was separated. Employee's access to the general service promotional register will be governed by the provision of WAC 356-26-030 (4)(d)(ii).

(11) Nothing in this rule shall limit the secretary of the department of social and health services' use of other authorities to conduct background checks.

(12) Information pertaining to background checks is confidential and shall be used solely for the purpose of determining the character, suitability and competence of the applicant and/or employee. Misuse of background check information is a criminal offense and may result in prosecution and/or disciplinary action as provided under WAC 356-56-500.

(13) The department of social and health services will submit a report to the director by January 31, 2002, reporting actions taken under subsection (5) of this rule and placement of employees into other positions within the agency.

**AMENDATORY SECTION** (Amending WSR 94-01-126, filed 12/17/93, effective 1/8/94 [1/18/94])

**WAC 356-56-600 Appeals.** (1) Only disciplinary action as defined in WAC 356-56-500, transfer that is alleged to be an unreasonable commute, disability separation, nondisciplinary separation made under the provisions of WAC 356-56-203 (5)(e) of these rules, or reduction in force action directly affecting a permanent Washington management service employee may be appealable to the personnel appeals board as provided in Title 358 WAC.

(2) Decisions on which Washington management service positions shall be eliminated under reduction in force actions shall not be appealable to the personnel appeals board.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

The purpose of this proposed rule is to eliminate or reduce sever personal, economic, and social disruptions resulting from unannounced cessation of telecommunications services.

Statutory Authority for Adoption: RCW 80.01.040(4) and 80.04.160.

**Summary:** This proposed rule would require advance notice of cessation of any telecommunications service. Companies ceasing to provide service would be required to give notice to customers, underlying carriers, the number administrator, the E911 program, and the commission. The proposed rule sets out required content of notices to each of these specific persons, including contact and technical information. In the case of voice services, automatic or announcements are required. The proposal also cites other applicable rules.

**Proposal:** Due to an increase in telecommunication company business failures, cessations, and reductions of service, this rule is needed to protect public health, safety, welfare and economic vitality. Consumers and businesses rely upon telecommunications services for access to emergency and E911 services, doctors, clergy, schools, businesses, customers, vendors, and community resources.

**Name of Agency Personnel Responsible for Drafting:** Tom Wilson, Senior Policy Strategist, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, (360) 664-1293; **Implementation and Enforcement:** Carole J. Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, (360) 664-1174.

**Name of Proponent:** Washington Utilities and Transportation Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposed rule requires advance notice to customers, underlying carriers, the number administrator, the E911 program, and the commission before cessation of any telecommunications service. This will enable transition to alternative arrangements, management of scarce number resources, emergency services planning and coordination, and effective commission oversight because (a) companies will provide notice, and (b) consumers will be able to arrange alternate service.

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

**Small Business Economic Impact Statement**

**Background:** WAC 480-120-083 relates to the cessation of telecommunications services. The rule has been adopted on an emergency basis, and staff is proposing to adopt the rule permanently, with some modifications. The proposed rule changes could cause telephone companies to incur additional costs; therefore, the commission prepared a small business economic impact statement (SBEIS).

**Summary of the Proposed Changes:** The proposed changes to the emergency rule have been broadened to include cessation of all telecommunications services. In addition, the rule now addresses requirements regarding notices, who receives the notice of cessation of service, and what should be included in the notice.

**WSR 01-18-098**

**PROPOSED RULES**

**UTILITIES AND TRANSPORTATION COMMISSION**

[Commission Docket No. UT-010558—Filed September 5, 2001, 11:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-12-102.

Title of Rule: WAC 480-120-083 Cessation of telecommunications services.

The proposed rule governs cessation of any telecommunications service, addresses situations where, due to business failure, or other reasons, firms stop providing service, and requires notice to customers and other affected persons.

**Purpose and Process:** RCW 19.85.040 requires that the economic impacts of proposed rules on small businesses be compared with the economic impacts on the largest businesses, those which comprise the top 10% of the affected industry. RCW 19.85.020 defines small businesses as those that have fifty or fewer employees.

On July 27, 2001, commission staff sent out a small business economic impact statement questionnaire (Attachment A) and a notice to file written comments to all telecommunications companies registered in the state.

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ATTACHMENT A

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
Small Business Economic Impact Statement (SBEIS) #1 in Docket UT-010558
August 3, 2001

PROPOSED

SECTION #1 - COMPANY IDENTIFICATION:

1.1 Company Name: [ ]
1.2 Company Contact Person: [ ]
1.3 Contact Person's Phone Number: ( ) [ ]
1.4 Contact Person's Location: City: [ ] State: [ ]
1.5 How many employees does your company have in Washington State? [ ]
1.6 How many employees does your parent company have nationwide? [ ]
1.7 What type of telecommunications company best captures your primary operations? [ ] ILEC [ ] IXC [ ] CLEC [ ] Reseller [ ] DLEC [ ] Other [ ]

SECTION #2 - PROPOSED RULE'S EFFECT ON SALES AND REVENUE:

WAC 480-120-083

2.1 Would compliance with this rule cause a loss or gain of sales? [ ] Yes [ ] No
2.2 Approximately how much sales would be lost? \$ [ ]
2.3 Approximately how much sales would be gained? \$ [ ]
2.4 If sales would be lost, what type of sales would be lost and why? A [ ]
2.5 Would compliance with this rule cause a loss or gain of revenue? [ ] Yes [ ] No
2.6 Approximately how much revenue would be lost? \$ [ ]
2.7 Approximately how much revenue would be gained? \$ [ ]
2.8 If revenue would be lost, what type of revenue would be lost and why? B [ ]

SECTION #3 - PROPOSED RULE'S EFFECT ON EXPENSES:

3.1 Would compliance with this rule cause expenses to increase or decrease? [ ] Yes [ ] No
3.2 Approximately by how much would expenses increase? \$ [ ]
3.3 Approximately by how much would expenses decrease? \$ [ ]
3.4 If expenses would increase, what type of expenses would increase and why? C [ ]
3.5 For the purposes of this rule, if necessary, approximately how much would it cost your company to file a tariff or price list? \$ [ ]
3.6 For the purposes of this rule, if necessary, approximately how much would it cost your company to notify customers? \$ [ ]

Note: Please use the space provided on the next page for any narrative responses requested in the letter-labeled questions above.

SECTION #3 - Continued

PROPOSED

3.7 For the purposes of this rule, if necessary, approximately how much would it cost your company to make billing changes?

\$ [ ]

3.8 For the purposes of this rule, are there any other expenses that your company might incur or avoid?

[ ] Yes [ ] No

3.9 If there are other expenses that your company might incur, please provide the approximate amount of such other increased expenses.

\$ [ ]

3.10 If there are other expenses that your company might avoid, please provide the approximate amount of such other decreased expenses.

\$ [ ]

3.11 If there are other expenses that your company might incur, please describe the type of expenses and explain why such expenses would increase as a result of this rule.

D [ ]

A: Response to Question 2.4 - \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B: Response to Question 2.8 - \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C: Response to Question 3.4 - \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D: Response to Question 3.11 - \_\_\_\_\_

PROPOSED

The SBEIS questionnaire and notice to file written comments was sent to all telecommunications companies. The commission received thirty three responses (Attachment B), twelve of the responses came from small businesses.

- Five businesses would experience no impact.
- Six businesses were not able to identify any impact.

- Eleven businesses would experience an impact.
  - Seven of which are large businesses.
  - Four of which are small businesses, two of these are not currently providing service in Washington.
- Three businesses indicated the SBEIS was not applicable.

ATTACHMENT B

<u>No Impact</u>	<u>Unable to Identify Impact</u>	<u>Impacted</u> <u>(Large Businesses)</u>	<u>N/A</u>
1 Toledo*	1 ATG	1 ELI	1 National Accounts*
2 Coleman*	2 Shared	2 Evercom	2 Network Operator**
3 Phone Solution*	3 Looking Glass - NDB	3 Broadwing Tele.	3 Convergent (CDB)*
4 American Cyber*	4 One Star - CDB?	4 Broadwing Comm	
5 Snip Link*	5 CRG - CDB?	5 Logix Comm	
6 Williams Local	6 U.S. Telepacific - NDB	6 Univance	
7 Affordable Voice Comm.**	7 ARBROS - NDB	7 Int'l Telecom	
8 Norstan	8 Network Billing		
9 Vectren	9 P.D.S.*		
10 PaeTec Communications			
		<u>(Small Businesses)</u>	
		1 Talking Nets - NDB*	
		2 Ernest*	
		3 NetOne*	
		4 IG2, Inc. - NDB*	

\* Small Businesses  
 \*\* Unknown

**Cost of Compliance:** The driving cost elements associated with the proposed rule are identical for both large and small businesses, notification to customers, making billing changes, filing a tariff or price list, miscellaneous expenses, and legal fees.

**Comparison of Costs:** A per employee cost comparison between small and large businesses does indicate a disproportionate cost impact on small businesses, the per employee cost for small businesses ranges from \$5 to \$270, compared to \$.29 to \$155 per employee for large businesses. However, the simple average cost is less for small businesses than it is for large businesses, \$1,644 versus \$5,309, respectively.

A cost-versus-revenue analysis was also done. Of the four small businesses that indicated a cost impact, only one reported intrastate revenue for the year ending December 31, 2000, whereas the remaining three indicated either no revenue or that they have not yet begun providing service in Washington. Estimated weighted average cost per dollar of revenue was approximately three cents for large businesses and less than a cent for small businesses.

**Lost Sales or Revenue:** Only two large businesses indicated that they may lose sales and revenue, but they were unable to attribute a cost, the remark on the questionnaire was, "not clear."

**Impact of Proposed Changes:** A common cost impact on small businesses is the cost to notify customers of their impending cessation of service. However, it is in the public interest that customers be given ample notice of the cessation

of their telecommunications service in order to change providers and avoid any break in service, whether or not the service is used to maintain access to emergency services, or is relied upon for the customer's livelihood. The public will be better served by this proposed rule.

**Conclusion:** The study also concludes that the imposed costs are not unreasonably expensive, and mitigation is not appropriate. Staff is of the opinion that the rule is in the public interest, and the commission should consider moving toward adoption of the proposed rule.

A copy of the statement may be obtained by writing to Carole J. Washburn, Secretary, P.O. Box 47250, Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150.

RCW 34.05.328 does not apply to this rule adoption. The commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules as referenced in RCW 34.05.328(5).

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, on November 16, 2001, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Mary DeYoung by November 14, 2001, TDD (360) 586-8203, or (360) 664-1133.

Submit Written Comments to: Secretary, Docket No. UT-010558, Washington Utilities and Transportation Com-

mission, P.O. Box 47250, Olympia, WA 98504-7250, fax (360) 586-1150, by October 5, 2001.

Date of Intended Adoption: November 16, 2001.

September 5, 2001

Carole J. Washburn

Secretary

## NEW SECTION

**WAC 480-120-083 Cessation of telecommunications services** (1) This rule applies to telecommunications companies who cease, or reduce any telecommunications service. This rule does not apply to:

a. Services offered by tariff that are subject to the statutory notice requirements of RCW 80.36.110 (Tariff Changes - Statutory Notice - Exception);

b. Discontinuance of service to an individual customer in compliance with WAC 480-120-081 (Discontinuance of Service); and

c. Cessation of a service when the provider replaces the terminated service with comparable service and without interruption. For example, the notice requirements of this rule do not apply when a LEC providing Centrex with one group of features replaces that service, without interruption, with a version of Centrex that has a different group of features.

Changes in customers' service providers for local exchange and intrastate toll services when there is a cessation of service are also subject to WAC 480-120-139 (changes in local exchange and intrastate toll services).

(2) No telecommunications company may cease, or reduce any telecommunications services unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:

a. to the commission;

b. to the state 911 program, in the instance of local exchange service, private branch exchange service (PBX), centrex, or private line service used in the provision of emergency services related to the state 911 program;

c. to each of its customers, including customers that are telecommunications companies;

d. to incumbent local exchange carriers (ILECs) providing the exiting telecommunications company with unbundled network elements (UNEs) pursuant to the Telecommunications Act of 1996, 47 U.S.C. Section 151 *et seq.*, if UNEs or combinations of UNEs are part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;

e. to each telecommunications company providing the exiting telecommunications company with resold telecommunications service, if resold service is part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;

f. to the national number administrator, when applicable, authorizing the release of all assigned telephone numbers to other telecommunications companies and releasing all unassigned telephone numbers to the number administrator.

(3) The notice to the commission and the state 911 program required in subsections (2)(a) and (b) must, at a minimum, include the name of the exiting telecommunications

company, and for each category of service, provide the date each telecommunications service will cease, and the number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service being ceased.

(4) The notice to customers required in subsection (2)(c) must, at a minimum, include the date telecommunications service will cease and information on how to contact the exiting telecommunications company by telephone in order to obtain service information needed to establish service with another provider, and to explain how customers may receive a refund on any unused service. In addition:

a. beginning at least fifteen days before cessation of voice service, the exiting telecommunications company must provide oral notice of cessation of service at the beginning of each call originated in Washington, including the date of cessation of service and a number to call for more information; and

b. the exiting company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

(5) The notice to ILECs required in subsection (2)(d) must, at a minimum, include the date telecommunications service will cease, and identify the UNE components in relationship to the service information provided to the customer when such information differs from the ILEC's identification information of such services as billed to the exiting telecommunications company. For example, if the ILEC identifies a UNE loop with a circuit identification number, the exiting telecommunications company must provide the ILEC with the customer telephone number assigned to the ILEC's UNE loop circuit identification number. The notice must also include telephone contact information to enable the ILEC or new provider to obtain UNE service and circuit identification information needed to establish service for a customer who will no longer receive service from the exiting telecommunications company.

a. ILECs shall provide the information in the notice(s) required in this subsection to the subsequent provider upon a request authorized by the customer,

b. ILECs may not use the information in the notice(s) required in this subsection to initiate marketing efforts.

(6) The notice to suppliers required in subsection (2)(e) must, at a minimum, include:

a. the date telecommunications service will cease, and identification of the resold service element components in relationship to the service information provided to the customer when such information differs from the supplier's identification information regarding such services as billed to the exiting telecommunications company;

b. telephone contact information to enable the regulated supplier or new provider to obtain underlying service and circuit identification information needed to establish comparable replacement service for a customer who will no longer receive service from the exiting telecommunications company.

Telecommunications companies that are suppliers, pursuant to this subsection, shall provide the information in the

required notice(s) to the subsequent provider upon a request authorized by the customer.

(7) The notice required in subsection (2)(f) to the national number administrator authorizing the release of all assigned telephone numbers to the succeeding providers shall include identification of all working telephone numbers assigned to customers, identification of all unassigned or administrative numbers available for reassignment to other providers and the date such unassigned telephone numbers will be available for reassignment. The exiting telecommunications company shall authorize the release of each individual assigned customer telephone number(s) to subsequent providers selected by the customer.

(8) A telecommunications company ceasing a local exchange service, a PBX service, a centrex service, or a private line service used in the provision of emergency services related to the state 911 program must inform the commission and the state 911 program within twenty-four hours of the cessation of telecommunications service of the number of customers and their location, listed by exchange or by city and county, that remained as customers for the telecommunications service when service ceased.

**PROPOSED**



**WSR 01-18-057**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 30, 2001, 3:58 p.m.]

Title of Rule: Repealing WAC 388-539-0500 Coordinated community AIDS service alternatives (CCASA) program services and 388-539-0550 Payment—Coordinated community AIDS service alternatives (CCASA) program.

Purpose: The coordinated community AIDS service alternatives (CCASA) program is no longer needed. It duplicates program services available including the COPES program (chapter 388-515 WAC). This repeal is proposed in close coordination with the appropriate staff of the Washington State Department of Health.

The home and community-based Medicaid waiver, community AIDS services alternatives (CASA), was written in 1989 for a hospital level of care for "terminally ill" persons with AIDS. This waiver addressed the realities of available treatments at that time. Advancements in treatment have significantly changed those original conditions and rendered the CASA waiver obsolete.

Over the past decade, persons with AIDS have stopped using the waiver. Instead, they use an array of more appropriate services for outpatient and chronic care needs. These include home health nursing services, Medicaid personal care, adult day health services, nursing services, special adult family homes and COPES, which is a home and community-based Medicaid waiver similar to CASA. COPES provides home care services for persons living with any qualifying chronic condition, including AIDS. All of these patients have a longer life expectancy that the original "terminally ill" focus of the CASA waiver (and these rules).

In the past year, the CASA waiver has not been used by any MAA client. At the same time, the number of persons and number of hospitalizations for persons living with AIDS have continued to decrease. DSHS and DOH are acting to discontinue the waiver and repeal these rules, but we continue our ongoing collaborative efforts toward appropriate and community-based program options for persons living with HIV/AIDS.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: See Purpose above.

Reasons Supporting Proposal: Rule is no longer necessary because of changed circumstances. Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Freeman, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1350.

Name of Proponent: DSHS/MAA, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The coordinated community AIDS service alternatives (CCASA) program is no longer needed. It duplicates program services available including the COPES program (chapter 388-515 WAC). This repeal is proposed in close

coordination with the appropriate staff of the Washington State Department of Health.

The home and community-based Medicaid waiver, community AIDS services alternatives (CASA), was written in 1989 for a hospital level of care for "terminally ill" persons with AIDS. This waiver addressed the realities of available treatments at that time. Advancements in treatment have significantly changed those original conditions and rendered the CASA waiver obsolete.

Over the past decade, persons with AIDS have stopped using the waiver. Instead, they use an array of more appropriate services for outpatient and chronic care needs. These include home health nursing services, Medicaid personal care, adult day health services, nursing services, special adult family homes and COPES, which is a home and community-based Medicaid waiver similar to CASA. COPES provides home care services for persons living with any qualifying chronic condition, including AIDS. All of these patients have a longer life expectancy that the original "terminally ill" focus of the CASA waiver (and these rules).

In the past year, the CASA waiver has not been used by any MAA client. At the same time, the number of persons and number of hospitalizations for persons living with AIDS have continued to decrease. DSHS and DOH are acting to discontinue the waiver and repeal these rules, but we continue our ongoing collaborative efforts toward appropriate and community-based program options for persons living with HIV/AIDS.

Proposal Changes the Following Existing Rules: It repeals the rules for the coordinated community AIDS service alternatives (CCASA) program.

#### NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rules Coordinator, Rules and Policies Assistant Unit, Department of Social and Health Services, P.O. Box 45850, Olympia, WA 98504-5850, AND RECEIVED BY November 5, 2001.

August 29, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-539-0500

Coordinated community  
AIDS service alternatives  
(CCASA) program services.

WAC 388-539-0550

Payment—Coordinated community AIDS service alternatives (CCSA) program.

43105, Olympia, WA 98504-3105, AND RECEIVED BY November 6, 2001.

September 5, 2001  
Peggy Rudolph  
Program Specialist

**WSR 01-18-081**

**EXPEDITED RULES**

**WORKFORCE TRAINING AND  
EDUCATION COORDINATING BOARD**

[Filed September 5, 2001, 8:56 a.m.]

**EXPEDITED**

Title of Rule: WAC 490-105-080 How are contributions to the tuition recovery trust fund calculated? and 490-105-170 What actions are prohibited?

Purpose: Rules outline contribution schedule into the tuition recovery trust fund under a change of ownership, and expanding language on prohibited actions.

Statutory Authority for Adoption: RCW 28C.10.040.

Statute Being Implemented: Chapter 28C.10 RCW.

Summary: To implement TRTF legislation enacted in 2001 and to expand language on prohibited actions.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Peggy Rudolph, Olympia, (360) 586-8682.

Name of Proponent: Workforce Training and Education Coordinating Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Rule outlining tuition recovery trust fund contributions. New legislation entitles new school owner to assume prior owner's tuition recovery trust fund payment schedule instead of starting from the initial contribution.

What actions are prohibited? Expands prohibited actions by a school that will enable the agency to take action to deny, revoke, or suspend a license sooner.

Proposal Changes the Following Existing Rules: Rule outlining tuition recovery trust fund contributions. New legislation entitles new school owner to assume prior owner's tuition recovery trust fund payment schedule instead of starting from the initial contribution.

What actions are prohibited? Expands prohibited actions by a school that will enable the agency to take action to deny, revoke, or suspend a license sooner.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Peggy Rudolph, Workforce Training and Education Coordinating Board, P.O. Box

AMENDATORY SECTION (Amending WSR 01-01-141, filed 12/20/00, effective 1/20/01)

**WAC 490-105-080 How are contributions to the tuition recovery trust fund calculated?** (See RCW 28C.10.082 and 28C.10.084.)

(1) Establishment of fund liability ((limits)). The amount of liability that can be satisfied by this fund on behalf of each individual school licensed under this chapter is ((identified in the table in subsection (4) of this section)) the amount of unearned prepaid tuition in the possession of the owner.

(a) ((If the school is located within the state of Washington, its liability limit will be based on the total annual tuition income received from or on behalf of all students, as reported in the financial statement required by WAC 490-105-040 (2)(a);

(b) If the school is located outside the state of Washington, its liability limit is based on the total annual tuition income received from or on behalf of Washington state residents, as reported in the financial statement required by WAC 490-105-040 (2)(a);

(c) If the school was not in operation prior to the date of initial licensing, its liability limit is based on the total annual tuition estimate supplied under the provisions of WAC 490-105-040 (2)(e);

(d) ~~The minimum liability established in any circumstance is five thousand dollars.~~) If the school is located within the state of Washington, the amount of liability that can be satisfied by this fund is the amount of unearned, prepaid tuition from or on behalf of all students.

(b) If the school is located outside the state of Washington, the amount of liability that can be satisfied by this fund is the amount of unearned prepaid tuition from or on behalf of Washington state residents.

(2) Matrices for calculating initial deposits and any assessments necessary under subsection (7) of this section:

<u>((Level of Liability:</u>	<u>Annual Tuition Revenue:</u>	<u>Prorated Share:</u>
\$5,000	\$0 - \$50,000	0.15%
\$7,500	\$50,001 - \$75,000	0.23%
\$10,000	\$75,001 - \$100,000	0.30%
\$15,000	\$100,001 - \$150,000	0.46%
\$20,000	\$150,001 - \$200,000	0.61%
\$25,000	\$200,001 - \$250,000	0.76%
\$35,000	\$250,001 - \$350,000	1.07%
\$50,000	\$350,001 - \$500,000	1.52%
\$75,000	\$500,001 - \$750,000	2.28%
\$100,000	\$750,001 - \$1,000,000	3.05%
\$125,000	\$1,000,001 - \$1,250,000	3.81%
\$150,000	\$1,250,001 - \$1,500,000	4.57%

(Level of Liability:	Annual Tuition Revenue:	Prorated Share:
\$175,000	\$1,500,001 - \$1,750,000	5.33%
\$200,000	\$1,750,001 - \$2,000,000	6.10%
\$225,000	\$2,000,001 - \$2,250,000	6.86%
\$250,000	\$2,250,001 - \$2,500,000	7.62%
\$275,000))	>\$2,500,000	8.38%

(3) Initial deposit. When ((the)) a new school submits its initial license application, it must include for deposit into the

tuition recovery trust fund, the amount identified in the ((third)) second column of the table below.

(4) Contribution schedule. In order to remain licensed under this chapter, the school must remit to the agency semi-annual payments for deposit into the tuition recovery trust fund. The amount of the deposits for the first five years is calculated by applying the percentages displayed under subsection (2) of this section, to an amount totaling one million dollars as required by RCW 28C.10.084. In the second five years, contributions for amounts between zero and one hundred fifty thousand dollars will be reduced by fifty percent.

If the school's total annual tuition income is:	((Its liability limit under the Tuition Recovery Trust Fund is:	((Based on its liability limit, the)) A new school will make an initial deposit to the fund of:	The school will make the following semi-annual payments for the first five years it is licensed:	The school will make the following semiannual payments for the second five years it is licensed:
\$0 - \$50,000	\$5,000	\$305	\$122	\$61
\$50,001 - \$75,000	\$7,500	\$457	\$183	\$92
\$75,001 - \$100,000	\$10,000	\$609	\$244	\$122
\$100,001 - \$150,000	\$15,000	\$914	\$366	\$183
\$150,001 - \$200,000	\$20,000	\$1,219	\$487	\$487
\$200,001 - \$250,000	\$25,000	\$1,523	\$609	\$609
\$250,001 - \$350,000	\$35,000	\$2,133	\$853	\$853
\$350,001 - \$500,000	\$50,000	\$3,046	\$1,219	\$1,219
\$500,001 - \$750,000	\$75,000	\$4,570	\$1,828	\$1,828
\$750,001 - \$1,000,000	\$100,000	\$6,093	\$2,437	\$2,437
\$1,000,001 - \$1,250,000	\$125,000	\$7,616	\$3,046	\$3,046
\$1,250,001 - \$1,500,000	\$150,000	\$9,139	\$3,656	\$3,656
\$1,500,001 - \$1,750,000	\$175,000	\$10,663	\$4,265	\$4,265
\$1,750,001 - \$2,000,000	\$200,000	\$12,186	\$4,874	\$4,874
\$2,000,001 - \$2,250,000	\$225,000	\$13,710	\$5,483	\$5,483
\$2,250,001 - \$2,500,000	\$250,000	\$15,233	\$6,092	\$6,092
>\$2,500,000	\$275,000))	\$16,757	\$6,702	\$6,702

(5) The agency will send semiannual notices of the due dates and amounts of deposits required under subsection (4) of this section. The fee for late filings under WAC 490-105-070(2) of this chapter applies to late payments of deposits into the fund for a period cumulating to thirty calendar days. Failure to make a deposit within thirty calendar days is a violation of RCW 28C.10.050 (1)(f).

(6) Each semiannual notice will include:

(a) The school's aggregated prior deposits into the fund;  
 (b) The school's balance of remaining payments, based on the most recent deposit received and adjusted to the current contribution level;

(c) The cumulated balance existing in the fund at the most recent half-year accounting; and

(d) A summary showing any disbursements made from the fund to satisfy claims in the period since the last summary was disseminated.

(7) If disbursements made to settle claims reduce the operating balance below one million dollars and recovery of

such funds has not been ensured under the provisions of RCW 28C.10.084 (10)(d), the agency will assess each school a pro rata share of the amount required to restore the deficiency. The assessment will be made within thirty calendar days of the date deficiency is created. Each school's share of the assessment will be calculated using the percentages established under subsection (2) of this section. If the school's assessment equals or is less than the semiannual amount of deposit established for the school under subsection (4) of this section, the assessment must be paid within thirty calendar days of notice. If the assessment exceeds the amount of the school's semiannual deposit, it may apply to the agency for a schedule of deferred payments. The agency will grant deferrals on application, but in no case will the extension exceed one year beyond the date of the assessment.

(8) Funds disbursed to settle claims against a currently licensed school will be recovered by the agency under a schedule to be negotiated with the affected school on a case-by-case basis. To secure deferral of payment more than thirty

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calendar days after demand for recovery is made, the burden to prove manifest hardship rests on the school but in no case will the time extended exceed one year beyond the date of the initial demand notice.

(9) Claimant, as referenced under RCW 28C.10.084 (10)(a), is further defined to mean an enrolled student in regular attendance or on an authorized leave of absence at the time of closure.

**AMENDATORY SECTION** (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-170 What actions are prohibited? (1)**

The term "unfair business practice" under RCW 28C.10.110(11) is further defined to mean those practices described as prohibited under RCW 28C.10.090.

(2) In addition to the actions described in RCW 28C.10.110 it is an unfair business practice for a private vocational school or its agent to:

(a) Advertise, offer, sell, or award any educational credential without requiring the consumer to enroll in and successfully complete a prescribed program of study, as outlined in the school's catalog or brochure;

(b) Sell, discount, or transfer contracts or promissory notes for tuition to third parties without the signed consent of the student or the student's financial sponsors, and a statement notifying all parties that the cancellation and refund policy continues to apply;

(c) Misrepresent to students the potential amount of federal financial aid available;

(d) Employ the term "accredited" in advertising unless:

(i) The school holds a current grant of accreditation; and

(ii) The term "accredited" is accompanied with equal prominence by the full name and/or seal of the agency from whom the school holds a current grant of accreditation.

(iii) If the accrediting agency is not recognized by the United States Secretary of Education under the provisions of the Higher Education Act (Chapter 34 CFR), as amended, the school must provide the agency with documentation of its grant of accreditation and other related information required by the agency to establish the nature and scope of the accrediting agency. The agency will approve or disapprove its use in advertising after reviewing submitted documentation.

(3) Schools are prohibited under RCW 28C.10.110(3) from advertising educational programs under the "help wanted" section of publications. Schools may, however, advertise under a help wanted classification for the purposes of:

(a) Recruiting for bona fide job openings; or

(b) Soliciting job opportunities for available graduates.

(4) To establish consistency in the implementation of this section, the following definitions will apply:

(a) "Advertise" means the publishing by a school of information that establishes its identity, location, and nature of its training programs. It may or may not contain an offer of training.

(b) "Help wanted" section means any classified advertising section in a publication that contains job listings. The particular wording the publication uses to identify such a section is not material.

(c) "Newspaper" means a printed publication containing news, editorials, advertisements, etc. The definition extends to tabloids such as "nickel-savers" that contain primarily or exclusively advertising. It is not material whether the publication is sold or given away.

(d) For purposes of this section, it is not considered "advertising" if a school inserts a notice in a "help wanted" section referring the reader to a different classified heading in the same issue of the same publication, as long as:

(i) An offer of training is being made by the school under an appropriate other section in the same issue of the same publication; and

(ii) The referral notice contains only the name of the school and not its address, telephone number, or description of program(s); and

(iii) The overall size and general appearance of what appears as a notice is consistent with its purpose only to refer readers elsewhere.

(5) Schools are prohibited from making offers of training without including the full name and/or d/b/a under which the school is licensed. Permutations of the name and/or d/b/a such as initials or nicknames can be used only with prior written permission of the agency.

(6) RCW 28C.10.110(12) makes it an unfair business practice for a school to attempt to recruit students within forty feet of a building that contains a welfare or unemployment office. The term "recruiting" is defined by statute. Other terms employed in the statute are further defined as follows:

(a) The distance of "forty feet from a building" is measured as a straight line from any doorway affording public access. In instances of buildings with multiple entrances, the distance is measured from any part of the structure.

(b) When applied to state government, "welfare or unemployment office" means buildings offering public access to provide services to clients of the Washington state employment security department or the department of social and health services.

(c) When applied to county and municipal agencies, "welfare or unemployment office" means those buildings offering public access for the purpose of providing shelter, food, employment, health, and social services.

(d) The term "welfare or unemployment office" includes established locations operated by community-based, non-profit organizations for the purpose of providing shelter, food, employment, health, and social services to disadvantaged populations.

(7) The agency is authorized to deny, revoke, or suspend the license of any school found to have engaged in a "substantial number" of unfair business practices or "significant" unfair business practices. Those two quoted terms are further defined as follows:

(a) The agency may conclude that a substantial number of unfair business practices has occurred when a pattern of persistent violations exists and there are multiple complaints alleging various unfair business practices.

(b) The agency may conclude that unfair business practices are significant when it determines that their egregious nature threaten the operation of the school and/or jeopardize the ability of students to secure contracted services. An

abrupt school closure which fails to comply with WAC 490-105-210 provisions may also be considered as significant.

**WSR 01-18-083**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed September 5, 2001, 9:30 a.m.]

Title of Rule: Chapter 296-800 WAC, Safety and health core rules, chapter 296-32 WAC, Telecommunications standards, chapter 296-62 WAC, General occupational health standards, and chapter 296-155 WAC, Construction standards.

Purpose: As a result of the new safety and health core rules, chapter 296-800 WAC, which was adopted on May 9, 2001, additional clarifying and housekeeping changes are needed. All of the proposed changes are corrections that need to be updated throughout chapters 296-800 and 296-62 WAC, Occupational health standards. These proposed changes are housekeeping in nature and do not increase requirements.

**WAC 296-32-250 Tools and personal protective equipment.**

- Add a reference to subsection (9) referencing the portable fire extinguisher requirements located in WAC 296-800-300.

**WAC 296-62-05140 How must employees be kept involved and informed?**

- Update three references relating to safety committees which is now located in WAC 296-800-130.

**WAC 296-155-260 Fire protection.**

- Add references to subsection (3) referencing the portable fire extinguisher requirements located in WAC 296-800-300.

**WAC 296-800-100 Introduction. The WISHA core rules.**

- Reword and reformat for clarification.

**WAC 296-800-110 Employer responsibilities: Safe workplace—Summary.**

- Reformat for clarification.

**WAC 296-800-11005 Provide a workplace free from recognized hazards.**

- Add appropriate punctuation.

**WAC 296-800-11020 Construct your workplace so it is safe.**

- Reformat for clarification.

**WAC 296-800-120 Rule—Employee responsibilities.**

- Change title of this section to "Employee's responsibility."

**WAC 296-800-12005 Employee responsibilities.**

- Change the word "your" to "their" in two places for clarification.

**WAC 296-800-13005 Establish a safety committee or have safety meetings.**

- Add the words "You must" for consistency.

**WAC 296-800-13010 Make sure that each meeting includes a discussion of established safety topics.**

- Delete redundant language.

**WAC 296-800-15005 Make sure that first-aid trained personnel are available to provide quick and effective first aid.**

- Add the word "or" for clarification.

**WAC 296-800-15010 Make sure first-aid training contains required subjects.**

- Reformat and reword for clarification.

**WAC 296-800-160 Personal protective equipment—Summary.**

- Reformat for clarification.
- Delete redundant language.

**WAC 296-800-16015 Select appropriate PPE for your employees.**

- Reformat for clarification.

**WAC 296-800-16020 Provide PPE to your employees.**

- Delete the word "or" for clarification.

**WAC 296-800-16025 Train your employees to use PPE.**

- Replace the word "employer" with "employee" in the second bullet for clarification.

**WAC 296-800-16050 Make sure your employees use appropriate eye and face protection.**

- Add a note that provides the address for American National Standards Institute (ANSI).

**WAC 296-800-170 Employer chemical hazard communication—Introduction.**

- Reformat and reword for clarification.
- Delete unnecessary language.

**WAC 296-800-17005 Develop, implement, maintain, and make available a written chemical hazard communication program.**

- Correct typographical errors.

**WAC 296-800-17010 Identify and list all the hazardous chemicals present in your workplace.**

- Reformat for clarification.

**WAC 296-800-17015 Obtain and maintain material safety data sheets (MSDSs) for each hazardous chemical used.**

- Reword language in the note for clarification.
- Delete unnecessary language.

**WAC 296-800-17020 Make sure material safety data sheets are readily accessible to your employees.**

- Changed the title to read, "Make sure material safety data sheets (MSDSs) are readily accessible to your employees."
- Replace the word "to" with "by."

**WAC 296-800-17025 Label containers holding hazardous chemicals.**

- Reformat for clarification.
- Delete unnecessary language.

**WAC 296-800-17030 Inform and train your employees about hazardous chemicals in your workplace.**

- Delete the "that."

**WAC 296-800-17035 Follow these rules for laboratories using hazardous chemicals.**

- Add language for clarification.

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**WAC 296-800-17040 Follow these rules for handling chemicals in factory-sealed containers.**

- Add the reference "(MSDSs)" for clarification.

**WAC 296-800-180 Material safety data sheets (MSDSs) as exposure records introduction.**

- Delete the word "introduction" from the title of this section.

**WAC 296-800-18015 Provide access to exposure records.**

- Reformat and reword for clarification.

**WAC 296-800-18020 Transfer records when ceasing to do business.**

- Reformat for clarification.

**WAC 296-800-20005 Post and keep a WISHA poster in your workplace.**

- Delete the letter "s" from the word "resources."

**WAC 296-800-21005 Provide and maintain adequate lighting.**

- Add a reference relating to the resource section.
- Delete the word "or" in the note.

**WAC 296-800-22020 Control pests in your workplace.**

- Correct a typographical error.

**WAC 296-800-230 Drinking water, bathrooms, washing facilities and waste disposal—Summary.**

- Add the words "into drinking water systems" to the title of WAC 296-800-23015 on the summary page so it matches the actual title of the section.
- Reformat for clarification.

**WAC 296-800-23005 Provide safe drinking (potable) water in your workplace.**

- Reformat and reword for clarification.

**WAC 296-800-23010 Clearly mark the water outlets that are not fit for drinking (nonpotable).**

- Reformat for clarification.

**WAC 296-800-23025 Provide convenient, clean washing facilities.**

- Reformat for clarification.

**WAC 296-800-24010 Control tobacco smoke that comes in from the outside.**

- Reword for clarification.

**WAC 296-800-250 Stairs and stair railings—Summary.**

- Reformat for clarification.

**WAC 296-800-25005 Provide fixed stairs where required.**

- Delete duplicative bullets.

**WAC 296-800-25015 Provide handrails and stair railings.**

- Add a reference relating to chapter 296-24 WAC, the general safety and health standard.

**WAC 296-800-26010 Protect open-sided floors and platforms.**

- Reformat for clarification.

**WAC 296-800-27020 Post approved load limits (weight limits) for floors.**

- Add the word "as" to the second bullet. Delete the word "must."

**WAC 296-800-280 Basic electrical rules. Summary.**

- Reformat for clarification.

**WAC 296-800-28005 Inspect all electrical equipment your employees use to make sure the equipment is safe.**

- Delete periods.

**WAC 296-800-28010 Make sure all electrical equipment is used for its approved or listed purpose.**

- Reformat the definitions.

**WAC 296-800-28020 Make sure electrical equipment that is not marked is not used.**

- Add punctuation.

**WAC 296-800-28025 Maintain electrical fittings, boxes, cabinets and outlets in good condition.**

- Reformat and reword for clarification.

**WAC 296-800-28030 Maintain all flexible cords and cables in good condition and use safely.**

- Reformat for clarification.

**WAC 296-800-28040 Make sure electrical equipment is effectively grounded.**

- Reformat for clarification.

**WAC 296-800-29015 Use your portable metal ladders safely.**

- Reword for clarification.

**WAC 296-800-29025 Make sure your portable wooden ladders are kept in a good condition.**

- Replace the word "is" with "are" in the first bullet.

**WAC 296-800-29030 Use your portable wooden ladders safely and for their intended purpose.**

- Add the word "not" in subsection (2), second bullet.

**WAC 296-800-300 Summary—Portable fire extinguishers.**

- Reformat for clarification.
- Delete the words "you have" for clarification.

**WAC 296-800-30010 Select and distribute portable fire extinguishers in your workplace.**

- Correct errors in the "fire extinguisher distance table."

**WAC 296-800-30020 Inspect and test all portable fire extinguishers.**

- Add clarifying language.

**WAC 296-800-310 Exit routes and employee alarm systems—Summary.**

- Reformat for clarification.

**WAC 296-800-31010 Make sure that exit routes are large enough.**

- Correct a typographical error.

**WAC 296-800-31035 Use side-hinged doors to connect rooms to exit routes.**

- Delete unnecessary punctuation.

**WAC 296-800-320 Accident reporting and investigating—Summary.**

- Reformat for clarification.

**WAC 296-800-32005 Report the death, probable death of any employee, or the in-patient hospitalization of 2 or more employees within 8 hours.**

- Delete unnecessary punctuation.

**WAC 296-800-350 WISHA appeals, penalties and other procedural rules.**

- Reformat for clarification.
- Delete page number references.

**WAC 296-800-35010 Citations mailed after an inspection.**

- Add clarifying language relating an address.

**WAC 296-800-35012 Employees (or their representatives) can request a citation and notice.**

- Add clarifying language relating an address.

**WAC 296-800-35026 Probability rate determination.**

- Add punctuation.

**WAC 296-800-35030 Base penalty adjustments.**

- Delete the word "employer's."

**WAC 296-800-35040 Reasons for increasing civil penalty amounts.**

- Add punctuation.

**WAC 296-800-35048 Submit progress reports to the department when required.**

- Delete the word "and" from the note.

**WAC 296-800-35050 Inform affected employees and their representatives of abatement actions you have taken.**

- Delete the words "you must."

**WAC 296-800-35062 WISHA's response to your request for more time.**

- Delete the word "and" from the second bullet.

**WAC 296-800-35064 A hearing can be requested about the department's response.**

- Add a comma.

**WAC 296-800-35066 Hearing procedures.**

- Delete the word "recorded" from the fifth bullet.

**WAC 296-800-35084 Notify employees.**

- Correct a reference.

**WAC 296-800-370 Definitions.**

- Delete the note at the beginning of this section.
- Add language to the definition of "affected employee."
- Add language to the definition of "attachment plug or plug."
- Add language to the definition of "bathroom."
- Add language to the definition of "board."
- Add language to the definition of "certification."
- Delete the word "or" from the definition of "chemical name."
- Add language to the definition of "commercial account."
- Add language to the definition of "common name."
- Add language to the definition of "container."
- Add language to the definition of "damp location."
- Add language to the definition of "distributor."
- Add language to the definition of "documentation."
- Add language to the definition of "dry location."
- Add language to the definition of "employee exposure record."
- Add language to the definition of "exposure or exposed."
- Delete the word "or" from the definition of "exposure or exposed."
- Delete the word "you" from the definition of "failure-to-abate."
- Add parenthesis to the definition of "final order."
- Delete language from the definition of "first aid."
- Correct punctuation in the definition of "flammable."
- Add language to the definition of "foreseeable emergency."
- Add language to the definition of "hazard warning."
- Add language to the definition of "health hazard."
- Add language to the definition of "identity."
- Add language to the definition of "importer."

- Add language to the definition of "Occupational Safety and Health Administration."
- Add language to the definition of "physical hazard."
- Add language to the definition of "receptacle or receptacle outlet."
- Delete the definition of "toilet."
- Add language to the definition of "tread."
- Add language to the definition of "tread run."
- Delete the definition of "urinal."
- Add language to the definition of "wet location."
- Add language to the definition of "working days."
- Delete language from the definition of "workplace."

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, [49.17].050.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Christine Swanson, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY 5:00 p.m. November 5, 2001. Objections may also be faxed (ten pages or less) to (360) 902-4202.

September 5, 2001

Gary Moore

Director

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-100 Introduction. The WISHA Core Rules: Your foundation for a safe and healthful workplace.** This book contains 26 basic safety and health rules that affect all employers and should cover almost everything small, nonmanufacturing employers need for a safe and healthful workplace. These core rules include requirements for your Accident Prevention Program, personal protective equipment, first aid, and hazard communication program.

**Note: (~~There are other WISHA rules~~) You may need to comply with other WISHA rules. For a complete list of WISHA rules, see the resources section of this book.**

### Why does workplace safety and health matter to you?

On average, two people lose their lives every week in job-related incidents in Washington state. Each year, more than 250,000 workers' compensation claims are accepted for work-related injuries and illnesses. Medical care and wage replacement for these injured workers costs more than a billion dollars. The indirect costs of workplace injuries are even larger in terms of lost quality of life, personal financial ruin, operating costs of business, and decreased profitability. Employers and employees who work together to identify and control hazards on the job can save lives and money while improving business and productivity.

### What ~~(is)~~ **are** L&I and WISHA?

The department of labor and industries (L&I) is a state agency that provides many different services:

- Workplace safety and health, including inspections and enforcement, consultation, technical assistance, training, education and grants. (WISHA)
- Workers' compensation (or industrial insurance), including claims management, rate setting, medical payments, and research.
- Specialty compliance services, including contractor registration, electrical inspections, boiler and elevator inspections, apprenticeship programs and employment standards.

Many of these services are available from L&I's twenty-two regional offices (see the resource(s) section of this book for a list of regional offices).

In 1973, the legislature passed the Washington Industrial Safety and Health Act or WISHA (Revised Code of Washington (chapter 49.17 RCW)). WISHA requires employers to provide safe and healthful workplaces for all employees. It gives L&I the responsibility to establish and enforce workplace safety and health rules. These rules are the Washington Administrative Code (WAC).

### How does WISHA work?

WISHA covers nearly all employers and employees in Washington, including employees who work for the state, counties, and cities. L&I inspectors enforce WISHA rules by inspecting workplaces without advance notice including investigations of work-related deaths, injuries, and employees' complaints. When WISHA inspectors find a violation in a workplace, they issue a citation to the employer and a penalty may be attached. If you have questions about whether you are covered by WISHA, call 1-800-4BE SAFE (1-800-423-7233) or a local office of L&I.

### What is OSHA and its relationship to WISHA?

The U.S. Congress created the Occupational Safety and Health Administration (OSHA) in 1971 to develop and enforce workplace safety and health rules throughout the country. States may choose to run their own safety and health programs as long as they are at least as effective as OSHA. Washington state has chosen to run its own program and most employers in the state, therefore, are subject to enforcement by L&I and not by federal OSHA.

In Washington state, OSHA covers workplaces with federal employees, nonfederal employees working on federal reservations and military bases, employees working on float-

ing worksites (floating dry docks, fishing boats, construction barges), and employees working for tribal employers on tribal lands.

### Does WISHA apply to you?

WISHA applies to almost every employer and employee in Washington. WISHA applies to you if:

- You hire someone to work for you as an employee, including workers from a temporary agency.
- You are hired to work for someone as their employee.
- You own your own business or you are a corporate officer and have elected industrial insurance coverage for yourself.
- You have a contract with someone else that primarily involves personal labor, even though you are not required to pay industrial insurance or unemployment insurance premiums.
- You volunteer your personal labor, or you have volunteers working for you who receive any benefit or compensation.

If you have any questions about your particular situation, call **1-800-4BE SAFE (1-800-423-7233)** or contact your local office of L&I for help. See the resource(s) section of this book for a complete list of L&I offices.

### Are there other safety and health rules I need to know about?

In addition to the rules in the *WISHA Safety and Health Core Rules* book, there are other general WISHA rules that may apply to employers, depending upon the industry and workplace activities. See the resource(s) section of this book for a complete list of WISHA rules or go to the website for all the state rules administered by L&I at <http://www.wa.gov/lni/home/wacs.htm>. If you have questions about these rules or would like copies of them, call 1-800-4BE SAFE (1-800-423-7233) or your local office of L&I.

### How do the WISHA rules relate to fire, building and electrical codes?

Fire codes: WISHA rules contain basic requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical hazards for the protection of employees in your workplace. The rules contained in this book are the most basic requirements to make sure that as an employer you provide a safe and healthy work environment. However, these are not the only rules regarding the requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical equipment. The fire (~~marshall~~) marshal and local fire authorities enforce the Uniform Fire Code (UFC). WISHA and UFC differ in some areas, for example UFC requires exit sign lettering to be 6" or more and WISHA only states that the letters have to be clearly visible. Fire codes have more detailed and extensive requirements for the protection of the public than WISHA. Some codes overlap with WISHA requirements.

Building and electrical codes: WISHA rules are minimum requirements regardless of when the building was built or remodeled. Buildings must also comply with building and electrical codes at the time of construction. If you remodel, you must comply with the building and electrical codes appli-

cable at that time. Building authorities and electrical inspection authorities enforce rules from the Uniform Building Code (UBC), and the National Electrical Code (NEC).

You are encouraged to call your local fire, building or electrical authority. For more information on the requirements in your area look in the government section of your phone book. Copies of these codes are available at your local library.

**How can WISHA help employers and employees?**

Employers can ask WISHA safety and health consultation staff for free, confidential consulting services in your workplace. WISHA safety and health professionals can examine your workplace and make recommendations about how to comply with WISHA rules. If the consultant finds hazards, the employer will be given a reasonable period of time to correct the hazard without citation or penalty.

Sometimes you might have to wait for an appointment because of the demand for these services. You still must provide a safe workplace while you wait for a consultation.

WISHA offers a wide variety of free services:

- Safety and health workshops held in locations throughout the state
- A comprehensive safety and health video lending library
- Safety and health publications geared for both employer and employee
- Website with on-line publications and learning opportunities

Note: By law, WISHA consultants do not have any enforcement authority.

Link: For more information, call 1-800-4BE SAFE (1-800-423-7233) or visit <http://www.wa.gov/lni/home/training.htm>.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-110 Employer responsibilities: Safe workplace—Summary.** Your responsibility: To provide a safe and healthy workplace free from recognized hazards.

~~((Note: Use these rules where there are no specific rules applicable to the particular hazard. Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. (see chapter 296-360 WAC, Discrimination) pursuant to RCW 49.17.160 for a complete description of discrimination and the department's responsibility to protect employees.))~~

You must:

Provide a workplace free from recognized hazards.

WAC 296-800-11005.

Provide and use means to make your workplace safe.

WAC 296-800-11010.

Prohibit employees from entering, or being in, any workplace that is not safe.

WAC 296-800-11015.

Construct your workplace so it is safe.

WAC 296-800-11020.

Prohibit alcohol and narcotics from your workplace.

WAC 296-800-11025.

Prohibit employees from using equipment or materials that do not meet requirements.

WAC 296-800-11030.

Establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice.

WAC 296-800-11035.

Note: Use these rules where there are no specific rules applicable to the particular hazard.

Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. (see chapter 296-360 WAC, Discrimination) pursuant to RCW 49.17.160 for a complete description of discrimination and the department's responsibility to protect employees.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-11005 Provide a workplace free from recognized hazards.** You must:

- Provide your employees a workplace free from recognized hazards that are causing, or are likely to cause, serious injury or death.

Note: A hazard is recognized if it is commonly known in the employer's industry, or if there is evidence that the employer knew or should have known of the existence of the hazard, or if it can be established that any reasonable person would have recognized the hazard.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-11020 Construct your workplace so it is safe.** You must:

- Not construct, or cause to be constructed, a workplace that is not safe.

= This rule applies to employers, owners, and renters of property used as a place of employment.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-120 Rule((—Employee responsibilities)).** Employee's responsibility: To play an active role in creating a safe and healthy workplace and comply with all applicable safety and health rules.

Note: Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. (see chapter 296-360 WAC, Discrimination) pursuant to RCW 49.17.160 for a complete description of discrimination and the department's responsibility to protect employees.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-12005 Employee responsibilities.** Employees must:

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- Study and follow all safe practices that apply to their work.
- Coordinate and cooperate with all other employees in the workplace to try to eliminate on-the-job injuries and illnesses.

• Apply the principles of accident prevention in ~~((your))~~ their daily work and use proper safety devices and protective equipment as required by ~~((your))~~ their employment or employer.

• Take care of all personal protective equipment (PPE) properly.

• Not wear torn or loose clothing while working around machinery.

Note: Things such as clothing, hair, and jewelry can get caught in machinery and be a hazard on the job.

Employees must:

• Report promptly to their supervisor every industrial injury or occupational illness.

• Not remove, displace, damage, or destroy or carry off any safeguard, notice, or warning provided to make the workplace safe.

• Not interfere with use of any safeguard by anyone in the workplace.

• Not interfere with the use of any work practice designed to protect them from injuries.

• Do everything reasonably necessary to protect the life and safety of employees.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-13005 Establish a safety committee or have safety meetings.** You must:

If:	Then:
You employ 11 or more employees on the same shift at the same location	You must establish a safety committee
You have 10 or less employees or If you have 11 or more that meet these conditions: • Work on different shifts and 10 or less employees are on each shift or • Work in widely separated locations and 10 or less employees are at each location	You may elect to have a safety meeting instead of a safety committee

**You must:**

Make sure your safety committee:

• Has both employer-selected and employee-elected members.

– The number of employer-selected members must be equal to or less than the number of employee-elected members.

– The term of employee-elected members must be a maximum of one year. This rule does not specify the number of terms a representative can serve.

– If there is an employee-elected member vacancy, a new member must be elected prior to the next scheduled meeting.

• Has an elected chairperson.

• Determines how often the safety committee will meet.

Note: • If the committee cannot agree on the frequency of safety meetings, the department of labor and industries' regional safety consultation representative must be consulted for recommendations (see the resource section in this book).

Note: Employees selected by the employees bargaining representative or union qualify as "employee-elected."

You must:

Make sure your safety committee:

• Determines when and where the safety committee will meet.

– Meetings cannot exceed one hour, unless extended by a majority vote of the committee.

Make sure safety meetings:

• Are held at least once a month; or weekly (or biweekly) if conditions arise that require discussions of safety problems.

• Be composed of at least one management representative, in addition to the crew/staff.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-13010 Make sure that each meeting includes a discussion of established safety topics.** You must:

• At each safety committee or safety meeting:

– Review safety and health inspection reports to help correct safety hazards.

– Evaluate the accident investigations conducted since the last meeting to determine if causes of the unsafe situation were identified and corrected.

– Evaluate the workplace accident and illness prevention program and discuss recommendations for improvement if needed.

((In addition, at each meeting you must:))

– Document attendance.

– Write down subject(s) discussed.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-15005 Make sure that first-aid trained personnel are available to provide quick and effective first aid.** You must:

• Choose one of the following two options to make sure that your employees have access to personnel who are trained in first aid.

**Option 1:**

Make sure first-aid trained employees are in your workplace to help your employees if they become hurt or ill on the job by doing the following:

– Make sure that:

♦ Each person in charge of employees has first-aid training; or

◆ Another person with first-aid training is present or available to your employees, whenever you have 2 or more employees present.

– Adequately post emergency telephone numbers in your workplace.

OR

**Option 2:**

Develop and maintain a written first-aid response plan for your workplace. If you choose this option, you must do **all** of the following:

– Determine how many, if any, employees should be trained in first-aid, based on the following factors:

◆ What type(s) of occupational hazards are present in your workplace?

◆ How likely is it that a workplace injury or illness will occur?

◆ How serious are the occupational hazards in your workplace?

◆ How remote is your workplace?

◆ How complex is your worksite in terms of size, design, etc.?

◆ What medical emergencies have occurred at your workplace in the past?

◆ How far away and how long does it take to get to emergency medical services?

Note: Employers who require their employees to provide first-aid must comply with the bloodborne pathogen rule, WAC 296-62-080.

You must:

• Make sure your first-aid response plan:

– Fits your work location, type of work, and environmental conditions.

– Identifies the available emergency medical services and access numbers and where they are posted.

– Describes the type of first-aid training employees receive, if applicable.

– Identifies the location(s) of first-aid supplies and/or first-aid stations.

– Identifies the contents of first-aid kits.

– Describes how first-aid supplies or kits will be inspected and maintained.

– Describes how injured or ill employees will have access to first-aid trained employees.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-15010 Make sure first-aid training contains required subjects.**

~~((Note: Assess your workplace to determine if there are certain job hazards, if the time and distance from emergency medical services indicate a need for training beyond the items listed below.))~~

You must:

• Make sure that every two years, employees are trained in and able to demonstrate their skill and knowledge of the following subject areas:

– Role and responsibilities of the first-aid provider.

– Assessing a scene.

– Performing an initial and ongoing assessment of an injured or ill person.

– Scene safety.

– Body substance isolation/bloodborne pathogens.

– Performing an emergency move.

– Placing an ill person in the recovery position.

– Opening and maintaining an airway.

– Providing rescue breathing.

– Managing an obstructed airway.

– Performing adult/one-rescuer CPR.

– Recognizing the warning signs and symptoms of medical problems.

– Recognizing and caring for an injured or ill person with decreased levels of responsiveness.

– Controlling external bleeding and recognizing internal bleeding.

– Recognizing and caring for victims of shock.

– Recognizing and stabilizing spinal injury.

– Recognizing and manually stabilizing suspected skeletal injuries.

– Knowledge of voluntary provisions of first aid, consent and confidentiality.

Note: Assess your workplace to determine if there are certain job hazards and/or if the time and distance from emergency medical services indicate a need for training beyond the items listed above.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-160 Summary.** Your responsibility: To make sure that your employees have, use, and care for the appropriate personal protective equipment (PPE).

~~((What is PPE?))~~ PPE is an item or items used to protect the eyes, face, head, body, arms, hands, legs, and feet such as goggles, helmets, head covers, gloves, rubber slickers, disposable coveralls, safety shoes, protective shields, and barriers.

~~((EXEMPTION: WAC 296-800-16015, 296-800-16025, 296-800-16030, and 296-800-16035 do not apply to electrical protective equipment or respiratory protection. See chapters 296-24 WAC, Part L, and chapter 296-62 WAC Part E, for rules about these types of protective equipment.))~~

You must:

Do a hazard assessment for PPE.

WAC 296-800-16005.

Document your hazard assessment for PPE.

WAC 296-800-16010.

Select appropriate PPE for your employees.

WAC 296-800-16015.

Provide PPE to your employees.

WAC 296-800-16020.

Train your employees to use PPE.

WAC 296-800-16025.

Retrain employees to use PPE, if necessary.

WAC 296-800-16030.

Document PPE training.

WAC 296-800-16035.

Require your employees to use necessary PPE on the job.

WAC 296-800-16040.

Keep your PPE safe and in good condition.

WAC 296-800-16045.

Make sure your employees use appropriate face and eye protection.

WAC 296-800-16050.

Make sure your employees use appropriate head protection.

WAC 296-800-16055.

Make sure your employees use appropriate foot protection.

WAC 296-800-16060.

Make sure your employees use appropriate hand protection.

WAC 296-800-16065.

Make sure your employees are protected from drowning.  
WAC 296-800-16070.

**Exemption:** • WAC 296-800-16015, 296-800-16025, 296-800-16030, and 296-800-16035 do not apply to electrical protective equipment or respiratory protection. See chapters 296-24 WAC, Part L and chapter 296-62 WAC, Part E, for rules about these types of protective equipment.

<u>General Occupational Health Standards</u>	<u>Chapter 296-62 WAC</u>
<u>General Safety and Health Standards</u>	<u>Chapter 296-24 WAC</u>
<u>Logging Operations</u>	<u>Chapter 296-54 WAC</u>
<u>Pulp, Paper and Paper Board Mills and Converters</u>	<u>Chapter 296-79 WAC</u>
<u>Ship Repairing, Ship Building and Shipbreaking</u>	<u>Chapter 296-304 WAC</u>
<u>Ski Area Facilities and Operations</u>	<u>Chapter 296-59 WAC</u>
<u>Telecommunication</u>	<u>Chapter 296-32 WAC</u>
<u>Textile Industry</u>	<u>Chapter 296-301 WAC</u>

**Note:** For help in selecting PPE for your employees, you have several options. You may:

- Visit the OSHA website <http://www.osha-slc.gov/SLTC/personalprotectiveequipment/index.html>.
- Call 1-800-4BE SAFE (1-800-423-7233) for guidelines for selecting PPE.
- Consult with safety and health professionals knowledgeable in this area. See resource section for links to professional organizations.
- Discuss PPE choices with your employees.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-16015 Select appropriate PPE for your employees.** You must:

- (1) Select appropriate PPE.
  - Select appropriate PPE for your employees if hazards are present, or likely to be present.
  - Select PPE for each at-risk employee to use for protection from the hazards identified in your workplace hazard assessment.
- (2) Select PPE that properly fits each at-risk employee.

**Note:** The hazards in your workplace have special rules that ((may)) apply to them. For information about PPE for specific workplaces, see these WISHA rule books:

<del>((Chapter 296-24 WAC</del>	<del>General Safety and Health Standards</del>
<del>Chapter 296-32 WAC</del>	<del>Telecommunication</del>
<del>Chapter 296-45 WAC</del>	<del>Electrical Workers</del>
<del>Chapter 296-54 WAC</del>	<del>Logging Operations</del>
<del>Chapter 296-59 WAC</del>	<del>Ski Area Facilities and Operations</del>
<del>Chapter 296-62 WAC</del>	<del>General Occupational Health Standards</del>
<del>Chapter 296-79 WAC</del>	<del>Pulp, Paper, and Paperboard Mills and Converters</del>
<del>Chapter 296-155 WAC</del>	<del>Construction Work</del>
<del>Chapter 296-301 WAC</del>	<del>Textile Industry</del>
<del>Chapter 296-304 WAC</del>	<del>Ship Repairing, Ship Building and Shipbreaking</del>
<del>Chapter 296-305 WAC</del>	<del>Fire Fighters))</del>
<u>Construction Work</u>	<u>Chapter 296-155 WAC</u>
<u>Electrical Workers</u>	<u>Chapter 296-45 WAC</u>
<u>Fire Fighters</u>	<u>Chapter 296-305 WAC</u>

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-16020 Provide PPE to your employees.** You must:

- Provide PPE wherever hazards exist from:
  - Processes or the environment
  - Chemical hazards
  - Radiological hazards or
  - Mechanical irritants that could cause injury or impairment to the function of any body part through absorption, inhalation, or physical contact.
- Provide necessary PPE to employees at no cost to the employee if the PPE:
  - Will be used to protect against hazardous materials ((or))
  - Is the type that would not reasonably or normally be worn away from the workplace, such as single use or disposable PPE.

**Note:** Examples of PPE that the employer **must** provide are:

- Boots or gloves that could become contaminated with hazardous materials in the workplace.
- Safety glasses, goggles, and nonprescription protective eye wear.
- Goggles that fit over prescription eye wear.
- Hard hats.
- Full body harnesses and lanyards.
- Single use or disposable PPE such as plastic type gloves used in the food service or medical industries.

Examples of PPE that the employer may **not** have to provide are:

- Coats to protect against inclement weather.
- Leather boots, with or without steel toes, that will not become contaminated on the job.
- Prescription protective eye wear (except as part of a full face piece or hooded respirator).

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**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-16025 Train your employees to use PPE.** You must:

- Communicate your PPE selection decision to each at-risk employee.
- Provide training to each employee who is required to use PPE on the job. Each affected employee must be trained to know at least the following:
  - When PPE is necessary
  - What PPE is necessary
  - How to put on, take off, adjust, and wear PPE
  - Limitations of PPE
  - Proper care, maintenance, useful life, and disposal of PPE.
- Make sure before an employee is allowed to perform work requiring the use of PPE that the ((employer)) employee can:
  - Demonstrate an understanding of the training specified above; and
  - Demonstrate the ability to use PPE properly.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-16050 Make sure your employees use appropriate eye and face protection.** You must:

- Make sure that employees exposed to hazards that could injure their eyes and/or face use appropriate protection. Examples of these hazards include:
  - Flying particles.
  - Molten metal.
  - Liquid chemicals.
  - Acids or caustic liquids.
  - Chemical gases or vapors.
  - Any light that could injure the eyes such as lasers, ultraviolet, or infrared light.
- Make sure employees exposed to hazards from flying objects have eye protection with side protection, such as safety glasses with clip-on or slide-on side shields.
- Make sure eye protection for employees who wear prescription lenses:
  - Incorporates the prescription into the design of the eye protection; or
  - Is large enough to be worn over the prescription lenses without disturbing them.
- Make sure PPE used to protect the eyes and face meet the following specific ANSI (American National Standards Institute) standards: (Most commercially available PPE is marked with the specific ANSI requirements.)
  - PPE bought before February 20, 1995, must meet ANSI standard A87.1-1968.
  - PPE bought after February 20, 1995, must meet ANSI standard Z87.1-1989.
  - If you use eye or face protection that does not meet these ANSI standards, you must show they are equally effective.

Note: ANSI is the American National Standards Institute that publishes nationally recognized safety and health requirements. Their address is:  
ANSI (American National Standards Institute)

1819 L Street NW  
Washington, DC 20036  
Phone: (202) 293-8020  
Fax: (202) 293-9287  
<http://www.ansi.org>

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-170 Employer chemical hazard communication—Introduction.** Important:

Thousands of chemicals can be found in today's workplaces. These chemicals may have the capacity to cause health problems, from minor skin irritations to serious injuries or diseases like cancer.

The Employer Chemical Hazard Communication rule was developed to make sure employers and employees are informed about chemical hazards in the workplace.

This rule applies to:

- Employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.
- Contractors or subcontractors that work for employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.

~~((Note: If you produce, import, distribute and/or repackage chemicals, or choose not to rely on labels or material safety data sheets provided by the manufacturer or importer, you must comply with chemical hazard communication for manufacturers, importers and distributors, WAC 296-62-054. You may withhold trade secret information under certain circumstances, see trade secrets, WAC 296-62-053, to find out what information may be withheld as a trade secret and what information must be released.))~~

Exemptions: ~~((For the purposes of this Employer Hazard Communication rule, if you are engaged in agricultural production of crops or livestock, "employee" does not mean: Immediate family members of the officers of any corporation, partnership, sole proprietorship or other business entity or officers of any closely held corporation.))~~

- Certain products, chemicals, or items are exempt from this rule. Below is a summarized list of these exemptions. See WAC 296-800-17055 at the end of this rule to get complete information about these exemptions:
  - Any hazardous waste or substance
  - Tobacco or tobacco products
  - Wood or wood products that are not chemically treated and will not be processed, for example, by sawing and sanding
  - Food or alcoholic beverages
  - Some drugs, such as retail or prescription medications
  - Retail cosmetics
  - Ionizing and nonionizing radiation
  - Biological hazards
  - Any consumer product or hazardous substance when workplace exposure is the same as that of a consumer
    - ♦ Retail products used in offices in the same manner and frequency used by consumers can be termed "consumer products(=)" ((Consumer products)), and include things such as: Correction fluid, glass cleaner, and dishwashing liquid.

Example: If you use a household cleaner in your workplace in the same ((way)) manner and frequency that a consumer would use it when cleaning their house, ((the)) your exposure should be the same as the consumer's, you are exempt. ~~((In the same way" means using the household cleaner in the same manner and frequency.))~~ A janitor using a household cleaner, such as bleach, throughout the day, is not considered to be a consumer ((use)), and is not exempt.

EXPEDITED

- Manufactured items that remain intact are exempt ((fex)) from this rule.

- Manufactured items that are fluids or in the form of particles are not exempt from this rule.

The following are examples:

Item	Covered by this rule	Not covered by this rule
Brick	Sawed or cut in half	Used whole or intact
Pipe	Cut by a torch	Bent with a tube bender
Nylon Rope	Burning the ends	Tying a knot

~~((Manufactured items that are fluids or in the form of particles are not exempt for this rule.))~~

**Note:** • If you produce, import, distribute and/or repackage chemicals, or choose not to rely on labels or material safety data sheets provided by the manufacturer or importer, you must comply with chemical hazard communication for manufacturers, importers and distributors, WAC 296-62-054.  
• You may withhold trade secret information under certain circumstances. See trade secrets, WAC 296-62-053, to find out what information may be withheld as a trade secret and what information must be released.

Your responsibility: To inform and train your employees about the hazards of chemicals they may be exposed to during normal working conditions, or in foreseeable emergencies by:

- Making a list of the hazardous chemicals present in your workplace
- Preparing a written Chemical Hazard Communication Program for your workplace
- Informing your employees about this rule and your program
- Providing training to your employees about working in the presence of hazardous chemicals
  - Getting and keeping the material safety data sheets (MSDSs) for the hazardous chemicals
  - Making sure that labels on containers of hazardous chemicals are in place and easy to read

You must:

Develop, implement, maintain, and make available a written Chemical Hazard Communication Program.

WAC 296-800-17005.

Identify and list all the hazardous chemicals present in your workplace.

WAC 296-800-17010.

Obtain and maintain material safety data sheets (MSDS) for each hazardous chemical used.

WAC 296-800-17015.

Make sure that material safety data sheets (MSDS) are readily accessible to your employees.

WAC 296-800-17020.

Label containers holding hazardous chemicals.

WAC 296-800-17025.

Inform and train your employees about hazardous chemicals in your workplace.

WAC 296-800-17030.

Follow these rules for laboratories using hazardous chemicals.

WAC 296-800-17035.

Follow these rules for handling chemicals in factory sealed containers.

WAC 296-800-17040.

The department must:

Translate certain chemical hazard communication documents upon request.

WAC 296-800-17045.

Attempt to obtain a material safety data sheet (MSDS) upon request.

WAC 296-800-17050.

Exemption:

Items or chemicals exempt from the rule, and exemptions from labeling.

WAC 296-800-17055.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17005 Develop, implement, maintain, and make available a written Chemical Hazard Communication Program.** You must:

• Develop, implement, maintain, and make available a written Chemical Hazard Communication Program specifically for your workplace. The Chemical Hazard Communication Program must, at a minimum, include:

- A list of hazardous chemicals known to be present in your workplace.

- Procedures for making sure all containers are properly labeled.

- A description of how you are going to obtain and maintain your material safety data sheets (MSDSs).

- A description of how you are going to train and inform your employees about hazardous chemicals in their workplace.

- A description of how you are going to inform your employees about:

◆ Chemical hazards used during nonroutine tasks.

◆ The hazards associated with chemicals contained in unlabeled pipes in their work areas.

You must:

• Make sure your written chemical hazard communication program includes the following communication methods you will apply if you produce, use, or store hazardous chemicals at your workplace(s) in such a way that the employees of other employer(s) may be exposed:

- Provide the other employer(s) with a copy of the relevant material safety data sheets (MSDSs), or provide access to the MSDSs in a central location at the workplace.

- Inform the other employer(s) of any precautionary measures that need to be taken to protect employees during normal operating conditions and in foreseeable emergencies.

- Describe how to inform the other employer(s) of the labeling system used in the workplace.

**Note:** • Examples of employees of other employers who could be exposed to chemical hazards that you produce, use, or store in your workplace include employees of construction companies, cleaning services, or maintenance contractors visiting or working on-site.

• Your employees have the right to get chemical hazard communication information from other employers at workplaces where they are working; and

Employees of other employers have the right to get the information from you when they are working at your workplace.

• Include in your written Chemical Hazard Communication Program the methods that you will use to share information with other employers and their employees at your workplace(s) regarding:

- Access to MSDSs.
- Precautionary measures such as personal protective equipment (PPE) and emergency plans.
- Any labeling systems used at the workplace.

If you rely on another employer's Chemical Hazard Communication Program to share the information required and the program meets the requirements of this rule, document this in your own written Chemical Hazard Communication Program.

You must:

• Make your Chemical Hazard Communication Program available to your employees.

- Note:
- You must make the written Chemical Hazard Communication Program available, upon request, to employees, their designated representatives, the department and NIOSH, in accordance with the requirements of Access to records, WAC 296-62-052.
  - Where employees must travel between workplaces during a workshift, that is, if their work is carried out at more than one geographical location, the written Chemical Hazard Communication Program may be kept at the primary workplace facility.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17010 Identify and list all the hazardous chemicals present in your workplace.** You must:

• Identify all hazardous chemicals at your workplace.

– This includes any chemical that is known to be present in your workplace in such a way that employees may be exposed to it under normal conditions of use or in a foreseeable emergency.

• Create a list of these chemicals using the chemical or common name on the material safety data sheet (MSDS).

This list:

- Must be compiled for the workplace as a whole, or for individual work areas.
- Is necessary to make sure that all hazardous chemicals are identified and that MSDS, and labeling rules are met.
- Must be current.

Note: The following are some ways to determine whether a product is hazardous:

- Look for words on the label, such as "CAUTION," "WARNING," or "DANGER."
- Look for words or "hazard coding" that indicate that the chemical is flammable, an irritant, corrosive, carcinogenic, etc. "Hazard coding" refers to words, numbers, or colors that tell you a chemical is dangerous.
- Check the product's MSDS for hazard information.

Examples of hazardous chemicals are: Acids, adhesives, caustics, fuels, paints, varnishes, shellacs and pesticides. Too many other classes of hazardous chemicals exist to list them all here. If you have any questions about a chemical you have at your workplace, contact your local L&I office (see the resource section of this book).

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17015 Obtain and maintain material safety data sheets (MSDSs) for each hazardous chemical used.**

Note: MSDSs are a type of employee exposure record. Therefore, you must comply with the ~~((Access to MSDS))~~ material safety data sheets (MSDSs) as exposure records, WAC 296-800-180, located in this book.

You must:

• Obtain a MSDS for each hazardous chemical used as soon as possible if the MSDS is not provided with the shipment of a hazardous chemical, from the chemical manufacturer or importer.

- Note:
- To obtain a MSDS, you may try calling the manufacturer or checking their website.
  - If you have a commercial account with a retailer or wholesaler, you have the right to request and receive a MSDS about hazardous chemicals you purchase.
  - If a chemical is purchased from a retailer with no commercial accounts, you have the right to request and receive the manufacturer's name and address so that you can contact them and request a MSDS for the chemical.
  - Whoever prepares the MSDS is required to mark all blocks on the form, even if there is no relevant information for that section.
  - If you have problems getting a MSDS within 30 calendar days after making a written request to the chemical manufacturer, importer, or distributor, you can get help from WISHA. You may contact your local regional office for assistance or make a written request for assistance to the: Department of Labor and Industries Right-to-Know Program P.O. Box 44610 Olympia, Washington 98504-4610. Include in your request:
    - A copy of the purchaser's written request to the chemical manufacturer, importer, or distributor.
    - The name of the product suspected of containing a hazardous chemical.
    - The identification number of the product, if available.
    - A copy of the product label, if available.
    - The name and address of the chemical manufacturer, importer, or distributor from whom the product was obtained.

You must:

- Maintain a MSDS for each hazardous chemical:
  - Keep copies of the required MSDSs for each hazardous chemical present in your workplace. ~~((These may be kept in any form, including as a part of operating procedures.))~~
  - Each MSDS must be in English. You may also keep copies in other languages.

- Note:
- If you choose not to rely on MSDSs or labels provided by the manufacturer or importer, you must comply with the Chemical hazard communication standard for manufacturers, importers, and distributors, WAC 296-62-054.
  - It may be more appropriate to address the hazards of a process rather than individual hazardous chemicals. MSDS can be designed to cover groups of hazardous chemicals in a work area.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17020 Make sure material safety data sheets (MSDSs) are readily accessible to your employees.**

You must:

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• Make sure that MSDSs are readily accessible, easily obtained without delay during each work shift ((~~to~~)) by employees when they are in their work area(s).

• Make sure that employees can immediately obtain the required MSDS information in an emergency.

– Where employees must travel between workplaces during a workshift, such as when their work is carried out at more than one geographical location, the MSDSs may be kept at a central location at the primary workplace facility.

– This can be done by means such as voice communication or laptop computer.

Note: • Electronic access (such as computer or fax), microfiche, and other alternatives to maintaining paper copies of the MSDSs are permitted as long as they do not create barriers to immediate employee access in each workplace.

• Barriers to immediate access of electronic MSDSs may include:

- Power outages
- Equipment failure
- System delays
- Deficient user knowledge to operate equipment
- Location of equipment outside the work area.

Solutions to eliminating these and other possible barriers to access may require the availability of back-up systems, employee training, and providing access equipment in the work areas.

• MSDSs must also be made readily available, upon request, to the department in accordance with the requirements of material safety data sheets (MSDSs) as exposure records, WAC 296-800-180. NIOSH (National Institute for Occupational Safety and Health) must also be given access to MSDSs in the same manner.

– Appropriate hazard warnings which give general information about the relevant health and physical hazards of the chemicals. This includes health effects information, such as information about organs most likely to be affected by the chemicals.

((Examples of label:

Name of chemical
Physical hazards
Health Hazards
• Health effects information
• Affected Target organs))

– For individual stationary process containers, you may use alternate labeling methods such as:

- ◆ Signs
- ◆ Placards
- ◆ Process sheets
- ◆ Batch tickets
- ◆ Operating procedures or
- ◆ Other such written materials,

as long as the alternate method identifies the containers and conveys the required label information.

Note: • You are not required to list each component in a hazardous mixture on the label. If a mixture is referred to on a material safety data sheet (MSDS) by a product name, then the product name should be used as the identifier.

• You may use words, pictures, symbols or any combination to communicate the hazards of the chemical. ((Be sure to train your employees so they can demonstrate a knowledge of the labeling system you use.))

## AMENDATORY SECTION (Amending 01-11-038, filed 5/9/01, effective 9/1/01)

### **WAC 296-800-17025 Label containers holding hazardous chemicals.**

Exemptions: • The following is a summary of items that are exempt from this rule((~~For complete information about each of these, see WAC 296-800-17055.~~)):

- Pesticides, when labeled as required by the Environmental Protection Agency (EPA).
- Food, food additives, color additives, drugs, cosmetics, or medical/veterinary devices or products.
- Alcoholic beverages not intended for industrial use.
- Consumer products labeled as required by the Consumer Product Safety Commission.
- Agriculture or vegetable seeds treated and labeled as required by the Federal Seed Act.

For complete information about each of these, see WAC 296-800-17055.

Note: You are not required to label portable containers into which hazardous chemicals are transferred from labeled containers, if the chemical is used and controlled by the employee who performed the transfer within the same shift.

You must:

• Make sure that each container of hazardous chemicals in the workplace is labeled, tagged, or marked with the following information:

– The identity of the hazardous chemical(s) using either the chemical or common name.

((Note: You are not required to list each component in a hazardous mixture on the label. If a mixture is referred to on a material safety data sheet (MSDS) by a product name, then the product name should be used as the identifier.))

### Sample Container Labels

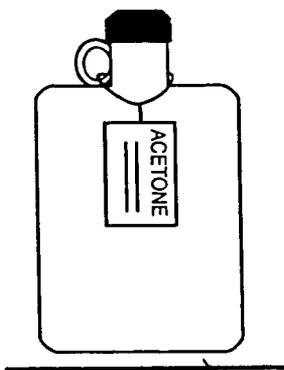


• Be sure to train your employees so they can demonstrate a knowledge of the labeling system you use.

• Some alternative labeling systems do not communicate target organ information, so the employee will have to rely on training provided by the employer to obtain this information.

You must:

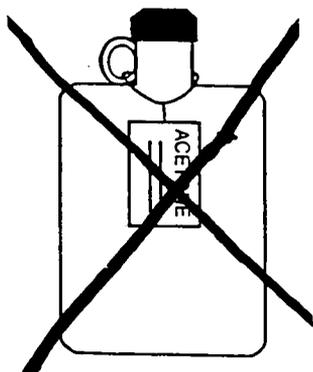
• Not remove or deface existing labels on incoming containers of hazardous chemicals (such as those marked with the United States Department of Transportation (USDOT) markings, placards and labels), unless the container is immediately labeled with the required information. You do not need to put on new labels if existing labels already provide the required information. If the package or container is sufficiently cleaned of residue and purged of vapors to remove any potential health or physical hazard, existing labels can be removed.



Above is an example of a labeled container. You may use a laminated or coated label, affixed to the container with a wire, to avoid deterioration of labels due to a solvent, such as acetone.

- Make sure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift.

Note: ((\*)) Employers with non-English speaking employees may use other languages in the warning information in addition to the English language.



Note: ~~Above is an example of a labeled container. You may use a laminated or coated label, affixed to the container with a wire, to avoid deterioration of labels due to a solvent, such as acetone.))~~

- Make sure if the hazardous chemical is regulated by WISHA or OSHA in a substance-specific health rule, that the labels or other warnings are used according to those rules.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17030 Inform and train your employees about hazardous chemicals in your workplace.** You must:

- Provide employees with effective information on hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard

related to chemical exposure is introduced into their employees' work areas, information must be provided.

– Inform employees of:

- ◆ The requirements of this rule
- ◆ Any operations in their work area where hazardous chemicals are present
  - ◆ The location and availability of your written Chemical Hazard Communication Program, including the list(s) of hazardous chemicals and material safety data sheets (MSDSs) required by this rule.

- Provide employees with effective training about hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced, the employees must be trained.

Make sure ((that)) employee training includes:

- Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.

Examples of these methods and observations may include:

- ◆ Monitoring conducted by you
- ◆ Continuous monitoring devices
- ◆ Visual appearance or odor of hazardous chemicals when being released

- ◆ Physical and health hazards of the chemicals in the work area, including the likely physical symptoms or effects of overexposure

- ◆ Steps employees can take to protect themselves from the chemical hazards in your workplace, including specific procedures implemented by you to protect employees from exposure to hazardous chemicals. Specific procedures may include:

- Appropriate work practices
- Engineering controls
- Emergency procedures
- Personal protective equipment to be used
- Details of the chemical hazard communication program developed by you, including an explanation of the labeling system and the MSDS, and how employees can obtain and use the appropriate hazard information.

- Tailor information and training to the types of hazards to which employees will be exposed. The information and training may be designed to cover categories of hazards, such as flammability or cancer-causing potential, or it may address specific chemicals. Chemical-specific information must always be available through labels and MSDSs

- Make reasonable efforts to post notices in your employees' native languages (as provided by the department) if those employees have trouble communicating in English.

Note: • Interactive computer-based training or training videos can be used provided they are effective.

• Your MSDSs may not have WISHA permissible exposure limits (PELs) listed. In some cases, WISHA PELs are stricter than the OSHA PELs and other exposure limits listed on the MSDSs you receive. If this is the case, you must refer to the WISHA PEL table, WAC 296-62-075, for the appropriate exposure limits to be covered during training.

EXPEDITED

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17035 Follow these rules for laboratories using hazardous chemicals.**

- Note:
- Laboratories are required to have a written Chemical hygiene plan under WAC 296-62-400, if applicable. They are not required to have a written Chemical Hazard Communication Program.
  - You may combine your accident prevention program and chemical hazard communication program to assist you in developing a chemical hygiene plan for your laboratory.

You must:

- (1) Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- (2) Maintain material safety data sheets (MSDSs) received with incoming shipments of hazardous chemicals and make them ~~((available))~~ readily accessible to laboratory employees when they are in their work areas.
- (3) Provide laboratory employees with information and training as described in: "Inform and train your employees about hazardous chemicals in your workplace," WAC 296-800-17030(~~((, except for the part about))~~). You do not have to cover the location and the availability of the ~~((Written Chemical))~~ Hazard Communication Program.

- Note:
- Laboratory employers that ship hazardous chemicals are considered to be either chemical manufacturers or distributors. When laboratory employers ship hazardous chemicals they must comply with the rule, "hazard communication standards for chemical manufacturers, importers and distributors," WAC 296-62-054.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-17040 Follow these rules for handling chemicals in factory-sealed containers.** This applies to situations where employees only handle chemicals in factory-sealed containers that are not opened under normal use (such as those found in marine cargo handling, trucking, warehousing, or retail sales).

You must:

- (1) Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- (2) Keep or obtain material safety data sheets (MSDSs).
  - Keep any MSDSs that are received with incoming shipments of the sealed containers of hazardous chemicals.
  - If a factory-sealed container of hazardous chemicals comes without a MSDS, obtain one as soon as possible, if an employee requests it.
- (3) Make sure that the MSDSs are readily accessible during each work shift to employees when they are in their work area(s).
- (4) Inform and train your employees about hazardous chemicals in your workplace, to protect them in case of a hazardous chemical spill or leak from a factory-sealed container. You do not have to cover the location and availability of the written Chemical Hazard Communication Program.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-180 Material safety data sheets (MSDSs) as exposure records ((introduction)).** Important: Exposure records contain information about employees' exposure to toxic substances or harmful physical agents. Material safety data sheets (MSDSs) are one type of exposure record. The preservation of and access to exposure records is necessary to improve detection, treatment, and prevention of occupational diseases.

This rule supplements the chemical hazard communication rule by extending access to MSDSs, or their alternative, after employment and after the hazardous chemical is no longer used in the workplace. Your responsibility:

To preserve and provide access to material safety data sheets (MSDSs) or their alternative as exposure records.

You must:

Preserve exposure records for at least 30 years.  
WAC 296-800-18005.

Inform current employees of exposure records.  
WAC 296-800-18010.

Provide access to exposure records.  
WAC 296-800-18015.

Transfer records when ceasing to do business.  
WAC 296-800-18020.

- Note:
- Access to records, WAC 296-62-052, requires the preservation and access to other exposure records including records such as workplace monitoring data and biological monitoring results and medical records. If you keep these other types of employee exposure records or employee medical records, you must comply with these additional requirements.
  - This rule applies to every employer who maintains, makes, contracts for, or has access to MSDSs for chemicals used in their workplace.
  - The specific identity of a toxic substance may be withheld from a disclosable record if it is a verifiable trade secret. For trade secret requirements see WAC 296-62-053.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-18015 Provide access to exposure records.** You must:

- Provide access, whenever requested by an employee ~~((any current, former, or transferred worker))~~ or their designated representative, to a relevant exposure record ~~((such as material safety data sheets (MSDSs) or their alternative, or analysis using MSDSs or their alternative))~~:
  - In a reasonable time, place, and manner.
  - Within fifteen working days. If the employer cannot meet this requirement, they must inform the requesting party of the reason for the delay and the earliest date the record will be made available.

- Note:
- Employee means any current, former or transferred worker.
  - A relevant exposure record could be MSDSs or their alternative.
  - OR
  - Analysis using MSDSs or their alternative.

You must:

- Make sure the department has prompt access to any exposure records and related analysis. This must be done without violation of any rights under the Constitution or the

Washington Industrial Safety and Health Act that the employer chooses to exercise.

Note: Nothing in this rule is meant to prevent employees and collective bargaining agents from getting access to information beyond that required by this rule.

You must:

- Make sure that whenever an employee or designated representative requests an initial copy of an exposure record, related analysis or new information added to the record:
  - A copy of the record is provided without cost to the employee or their representative or
  - The facilities are made available for copying without cost to the employee or their representative or
  - The record is loaned to the employee or their representative for a reasonable time to enable a copy to be made.

Note: Whenever a record has been previously provided without cost to an employee or designated representative, and they request additional copies, the employer may charge reasonable, nondiscriminatory administrative costs (e.g., search and copying expenses, but no overhead expenses).

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-1802 Transfer records when ceasing to do business.** You must:

- Transfer all material safety data sheets (MSDSs) as exposure records to the successor employer, who must ~~((receive and preserve, or keep unchanged, these records:))~~ do the following to these records:
  - Received
  - Preserve
  - Keep unchanged

- If there is no successor to receive and preserve the employee exposure records:
  - Notify affected current employees of their rights of access to records at least 3 months prior to the cessation of the employer's business
  - and
  - Transfer the records to the department, if required by a specific WISHA safety and health rule.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-20005 Post and keep a WISHA poster in your workplace.** You must:

- Post it where it can easily be seen by employees and keep it in good condition.

Note: You can order a free copy of the WISHA Poster (Form F416-081-000) from any labor and industries office. Find the labor and industries office closest to you by:

- Looking at <http://www.wa.gov/lni/pa/direct.htm> or
- Calling 1-800-4BE SAFE (1-800-423-7233) or
- Checking the resource(s) section of this book for regional offices.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-21005 Provide and maintain adequate lighting.**

Note: This section establishes minimal levels of lighting for safety purposes only. Guidelines pertaining to optimal levels of lighting and illumination may be found in Practice for Industrial Lighting, ANSI/IES RP7-1979. (See the resource section of this book on how to contact ANSI.)

You must:

- Provide and maintain adequate lighting for all work activities in your workplace. See the following table.

<b>Lighting Table</b>		
<b>Activity</b>	<b>Minimum acceptable average lighting level in an area:</b>	<b>Any one single measurement used to determine the average lighting level*cannot be less than:</b>
	<b>(Foot-candles)</b>	<b>(Foot-candles)</b>
Indoor task	10	5
Outdoor task	5	2.5
Nontask activities for both indoor and outdoor	3	1.5

\*Lighting levels must be measured at thirty inches above the floor/working surface ((€)) at the task.

You must:

- Have adequate light for employees to see nearby objects that might be potential hazards or to see to operate emergency controls or other equipment, if general lighting is not available.

Note: • Lighting levels can be measured with a light meter.  
• Conversion information: 1 foot-candle = 1 lumen incident per square foot = 10.76 lux.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-22020 Control pests in your workplace.** You must:

- Make sure each building in your workplace is constructed, equipped and maintained so it restricts pests from entering or living in it. Pests include animals such as:
  - Rodents (rats, mice, and squirrels)
  - Birds (starlings, pigeons, and swallows)
  - Insects (bees, wasps, and mosquitoes)
- Take steps to effectively control pests in your workplace, if they are detected.
  - Carry out a continuing and effective control program in the areas of your workplace where pests have been detected.

Note: • By handling dead or live pests including their waste products, attached parasites and other contaminated materials, your employees may be exposed to certain health risks. These risks include, but are not limited to: Hanta virus, rabies, lyme disease and psittacosis. Contact your local L&I office (see resource(s) section of this book) or the public

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– Carry out a continuing and effective control program in the areas of your workplace where pests have been detected.

- Note:
- By handling dead or live pests including their waste products, attached parasites and other contaminated materials, your employees may be exposed to certain health risks. These risks include, but are not limited to: Hanta virus, rabies, lyme disease and psittacosis. Contact your local L&I office (see resource(s)) section of this book or the public health department for more information about health risks and proper pest handling and disposal techniques.
  - "Workplace" includes storage areas.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-230 Summary.** Your responsibility: To provide safe drinking (potable) water, bathrooms, washing facilities, and waste disposal in your workplace

You must:

Provide safe drinking (potable) water in your workplace  
WAC 296-800-23005.

Clearly mark the water outlets that are not-fit-for-drinking (nonpotable)  
WAC 296-800-23010.

Make sure that systems delivering not-fit-for-drinking (nonpotable) water prevent backflow into drinking water systems.  
WAC 296-800-23015.

Provide bathrooms for your employees  
WAC 296-800-23020.

Provide convenient, clean washing facilities  
WAC 296-800-23025.

Keep containers used for garbage or waste in a sanitary condition  
WAC 296-800-23030.

Remove garbage and waste in a way that does not create a health hazard  
WAC 296-800-23035.

Note: Some industries may have additional rules on bathrooms and washing facilities. For example:

<del>((WAC 296-62-07308</del>	<del>Carcinogens; general regulated area requirements</del>
WAC 296-62-31315	Hazardous waste operations and treatment, storage and disposal facilities
WAC 296-155-140	Construction
WAC 296-115-050	Charter boats
chapter 296-307 WAC	Agriculture; indoor sanitation and temporary labor camps
WAC 296-36-160(5)	Compressed air work
WAC 296-24-12507	Temporary labor camps))

Industry	WAC
<u>Agriculture; indoor sanitation and temporary labor camps</u>	<u>chapter 296-307 WAC</u>
<u>Carcinogens; general regulated area requirements</u>	<u>WAC 296-62-07308</u>
<u>Charter boats</u>	<u>WAC 296-115-050</u>

<u>Compressed air work</u>	<u>WAC 296-36-160(5)</u>
<u>Construction</u>	<u>WAC 296-155-140</u>
<u>Hazardous waste operations and treatment, storage and disposal facilities</u>	<u>WAC 296-62-31315</u>
<u>Temporary labor camps</u>	<u>WAC 296-24-12507</u>

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-23005 Provide safe drinking (potable) water in your workplace.** You must:

(1) Provide safe drinking (potable) water for employees for:

- Washing themselves
- Personal service rooms
- Cooking
- Washing premises where food is prepared or processed
- Washing food, eating utensils, or clothing

(2) Make sure when containers and dispensers are provided that:

- ~~((Make sure))~~ Your movable, or portable, drinking water dispensers are:
  - Capable of being closed
  - Kept in sanitary condition
  - Equipped with a tap
- ~~((Prohibit))~~ The use of open containers such as barrels, pails, and tanks from which employees must dip or pour drinking water are prohibited, even if the containers have covers.

(3) Prohibit employees from using shared drinking cups or utensils.

Definition: Potable water is water that you can safely drink that meets specific safety standards prescribed by the United States Environmental Protection Agency's *National Interim Primary Drinking Water Regulations*, published in 40 CFR Part 141, and 40 CFR 147.2400.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-23010 Clearly mark the water outlets that are not fit for drinking (nonpotable).** You must:

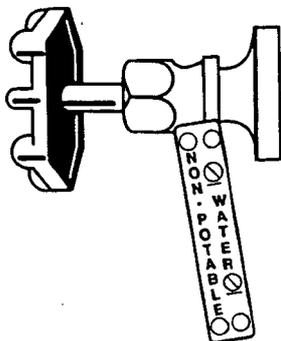
(1) Mark nonpotable water outlets, such as those used for industrial processes or firefighting, so that no one will use them for:

- ~~((–))~~ • Drinking
- ~~((–))~~ • Washing themselves
- ~~((–))~~ • Cooking
- ~~((–))~~ • Washing food, eating utensils, or clothing.

(2) Prohibit the use of nonpotable water that could create unsafe conditions such as concentrations of chemicals, for example lead or chlorine, fecal coliform bacteria, or other substances.

- Note: As long as the water does not contain substances that could create unsafe conditions, then nonpotable water can be used for:
- = Cleaning work premises that do not involve food preparation or food processing
  - = Cleaning personal service rooms, such as bathrooms.

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Outlets for water not fit to drink must be marked.

~~(((2) Prohibit the use of nonpotable water that could create unsafe conditions such as concentrations of chemicals, for example lead or chlorine, fecal coliform bacteria, or other substances.~~

- Note: ~~As long as the water does not contain substances that could create unsafe conditions, then nonpotable water can be used for:~~
- ~~Cleaning work premises that do not involve food preparation or food processing~~
  - ~~Cleaning personal service rooms, such as bathrooms.~~

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-23025 Provide convenient, clean washing facilities.**

- Exemption: You do not have to provide washing facilities for:
- Mobile crews, if your employees working there have transportation immediately available to nearby washing facilities meeting the requirements of this rule.
  - Work locations not normally attended by employees, if they have transportation immediately available to nearby accessible washing facilities meeting the requirements of this rule.

You must:

- Provide the following for your employees:
    - Convenient, clean washing facilities, including sinks or basins for personal washing
    - Hot and cold water, or lukewarm (tepid), running water in each sink and basin
    - Hand soap or similar cleaning agents ~~((Near the sinks and basins provide,))~~
    - Individual paper or cloth hand towels; or ~~((individual sections of clean continuous cloth toweling; or warm air blowers for drying hands.))~~
    - Individual sections of clean continuous cloth toweling;
- or
- Warm air blowers for drying hands, in a location near the sinks and basins.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-24010 Control tobacco smoke that comes in from the outside.**

You must:

- Use *engineering or administrative controls* to minimize the amount of tobacco smoke that comes into your office(s) from outside the building.
  - Make sure that outside smoking areas used by your employees are not close to doorways, air intakes, and other openings that may allow airflow directly into an office.

- Note:
- ~~((By changing))~~ Administrative controls change the way workers do their job, ~~((you can reduce))~~ reducing work exposure to potential hazards. ~~((These changes are called administrative controls and))~~ This includes such things as:
    - Job rotation
    - Wetting down dusty areas
    - Having employees shower after exposure to potentially harmful substances
    - Maintaining equipment properly
    - Cleaning up work areas to control the effect of potential hazards
  - Engineering controls let you plan or physically change the machinery or work environment to prevent employee exposure to potential hazards. This includes any modification of plant equipment, processes, or materials to reduce employees' exposure to toxic materials or harmful physical agents.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-250 Summary.** Your responsibility: To make sure stairs used by employees are safe

~~((Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.))~~

You must:

- Provide fixed stairs where required  
*WAC 296-800-25005*
- Provide stairs that minimize hazards  
*WAC 296-800-25010*
- Provide handrails and stair railings  
*WAC 296-800-25015.*

Exemptions: This rule does not apply to:

- ◆ Stairs used exclusively for fire exit purposes
- ◆ Construction operations (See WAC 296-24-76503 for the specifications for the safe design and construction of fixed general industrial stairs.)
- ◆ Private buildings or residences
- ◆ Articulated stairs (for example, stairs used at a marina)
- ◆ Nonindustrial and ~~((=))~~monumental~~((=))~~ stairs are excluded as they are not ~~((=))~~industrial~~((=))~~ stairs; however, when public and private building steps are located at loading or receiving docks, in maintenance areas, etc., or are used exclusively by employees, the requirements of this rule must apply.

Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.

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**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-25005 Provide fixed stairs where required.** You must:

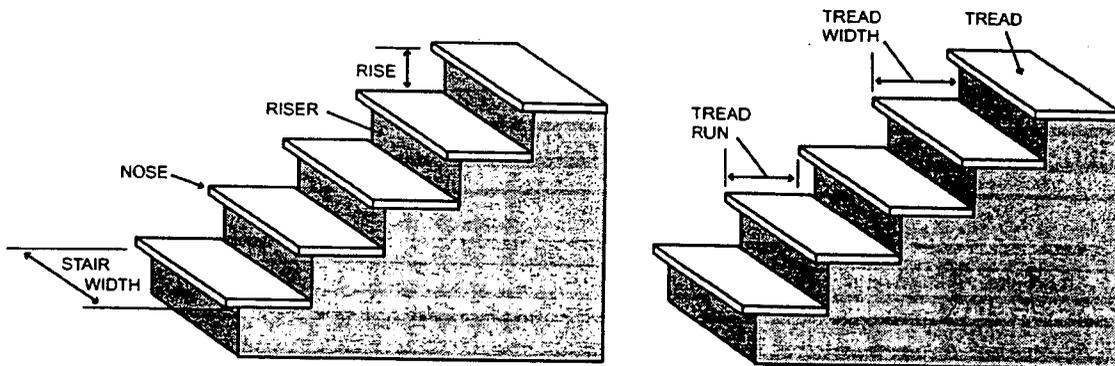
- Install fixed stairs where:
  - Employees travel between different levels on a predictable and regular basis.
  - Access to platforms is required to give routine attention to equipment under operation.
  - Daily movement between elevations is required to gauge, inspect, and maintain equipment where those work assignments may expose employees to acids, caustics, gases, or other harmful substances.
  - Carrying tools or equipment by hand is a normal work requirement.
- Not use spiral stairways except as secondary exit routes.

- Note:
- You can use fixed ladders for climbing elevated structures, such as tanks, towers, and overhead traveling cranes, when their use is common practice in your industry.
  - You can use winding stairways on tanks and similar round structures if the structure's diameter is at least five feet.
  - You could use a spiral stairway as an exit route in a restricted area that lacks room for a conventional stairway.

- Definitions:
- A stairway or fixed stairs is a series of steps and landings:
    - ((\*)) Leading from one level or floor to another.
    - ((\*)) Leading to platforms, pits, boiler rooms, cross-overs, or around machinery, tanks, and other equipment.
    - ((\*)) Used more or less continuously or routinely by employees or only occasionally by specific individuals.
    - ((\*)) With three or more risers.
  - A riser is the vertical part of the step at the back of a tread that rises to the front of the tread above.
  - A tread is the horizontal part of the step. Tread width is the distance from the front of the tread to the back.

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Stair Components



Stair railing is removed to show detail.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-25015 Provide handrails and stair railings.**

**Exemption:** Vehicle service pit stairways are exempt from the rules for stairway railing and guards, if they would prevent a vehicle from moving into a position over the pit.

**Definition:**

- Handrail is a single bar or pipe on brackets from a wall or partition to provide a continuous handhold for persons using a stair.
- Stair railing is a vertical barrier attached to a stairway with an open side, to prevent falls. The top surface of the stair railing is used as a handrail.

**You must:**

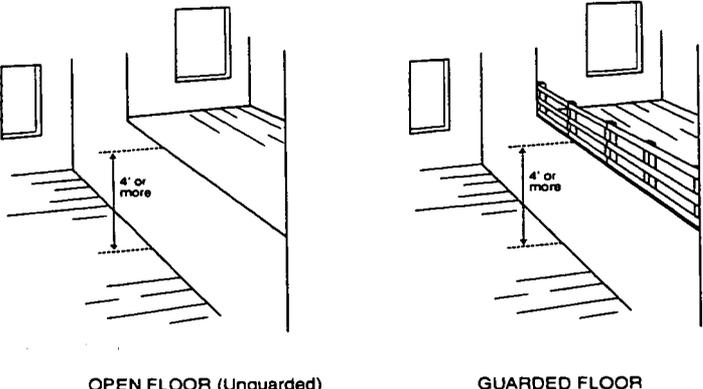
- Make sure stairways less than forty-four inches wide have:
  - At least one handrail, preferably on your right side as you go down the stairs, if both sides are enclosed.
  - At least one stair railing on the open side, if one side is open.
  - One stair railing on each side, if both sides are open.
- Make sure stairways more than forty-four inches wide but less than eighty-eight inches wide have:

- One handrail on each enclosed side.
- One stair railing on each open side.
- Make sure stairways at least eighty-eight inches wide have:
  - One handrail on each enclosed side.
  - One stair railing on each open side.
  - One intermediate stair railing located approximately midway of the width.
- Equip winding stairs with a handrail, offset to prevent walking on all portions of the treads, less than six inches wide.

Note: To see all of the rules for building handrails and stairway railings, refer to WAC 296-24-75009 and 296-24-75011, of the general safety and health standard.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-26010 Protect open-sided floors and platforms.**



- Supplying and affixing a durable metal sign that is marked with the approved load.
- Placing the metal sign in an obvious spot in the space to which it applies.
- Replacing the metal sign if it is lost, defaced, damaged, or removed.

Note: This rule applies to the floor that supports shelving, but not to the shelves themselves.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-280 Basic electrical rules. Summary. Your responsibility: To protect your employees from hazards when working with electrical equipment, tools, and appliances.**

- You must:
- Inspect all electrical equipment your employees use to make sure the equipment is safe.
    - WAC 296-800-28005.
  - Make sure all electrical equipment is used for its approved or listed purpose.
    - WAC 296-800-28010.
  - Make sure electrical equipment used or located in wet or damp locations is designed for such use.
    - WAC 296-800-28015.
  - Make sure electrical equipment that is not marked by the manufacturer cannot be used.
    - WAC 296-800-28020.
  - Identify disconnecting means.
    - WAC 296-800-28022.
  - Maintain electrical fittings, boxes, cabinets, and outlets in good condition.
    - WAC 296-800-28025.
  - Maintain all flexible cords and cables in good condition and use safely.
    - WAC 296-800-28030.
  - Guard electrical equipment to prevent your employees from electrical hazards.
    - WAC 296-800-28035.
  - Make sure electrical equipment is effectively grounded.
    - WAC 296-800-28040.
  - Make sure electrical equipment has overcurrent protection.
    - WAC 296-800-28045.
- ((Your responsibility: To protect your employees from hazards when working with electrical equipment, tools, and appliances.

Note: ~~The introduction has important information about fire, building and electrical codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to fire, building and electrical codes" in the introduction section of this book.~~  
~~These rules guide how electrical equipment is used and maintained in your workplace. They should not be used in place of your local electrical codes if you are installing electrical wiring, electrical circuits or electrical distribution equipment.~~  
~~This rule applies to 600 volts or less. Requirements for specific equipment or special installation are found in chapter 296-24 WAC, Part L.~~

Exemptions: • These rules apply to all electrical equipment used in the workplace, except for:

- You must:
- (1) Guard open-sided floors and platforms.
    - Guard open-sided floors and platforms four feet or more above adjacent floor or ground level by a railing. The entrance to a ramp, stairway, or fixed ladder does not need a railing.
    - Guard open-sided floors, walkways and platforms above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and other similar hazards, regardless of height with a railing and toeboard.

((Note: ~~Where the guarding rules above do not apply because employees exposure to falls is infrequent (not on a predictable and regular basis), you must comply with the Personal Protective Equipment (PPE) rules (WAC 296-800-160) or other effective fall protection must be provided.~~  
~~You can find the minimum requirements for standard railings of various types of construction in WAC 296-24-75011.~~

- You must:))
- (2) Make sure tools and loose materials are not left on overhead platforms and scaffolds.

Note: • ~~Where the guarding rules above do not apply because employees exposure to falls is infrequent (not on a predictable and regular basis), you must comply with the Personal Protective Equipment (PPE) rules (WAC 296-800-160) or other effective fall protection must be provided.~~  
 • ~~You can find the minimum requirements for standard railings of various types of construction in WAC 296-24-75011.~~

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-27020 Post approved load limits (weight limits) for floors. You must:**

- Post approved load limits (weight limits) for floors used for mercantile, business, industrial or storage purposes in an obvious place.
- As the owner, or owner's agent, of a building (or other part of a workplace) ((~~must~~)) post the load approved by the building official by:

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- Electrical installations and equipment on ships, aircraft and all automotive vehicles other than mobile homes and recreational vehicles((?)).
- Electrical installations and equipment used to generate, transmit, transform or distribute power exclusively for operation of rolling stock((?)).
- Electrical installations used exclusively for signaling and communicating with rolling stock((?)).
- Installations underground in mines((?)).
- Installations of communication equipment located outdoors or inside buildings used and controlled exclusively by communication utilities((?)).
- Installations controlled and used exclusively by electric utilities for communication or metering((?)), or For generating, controlling, transforming, transmitting and distributing electric energy in buildings used exclusively by the company located:
  - ◆ Outdoors on property owned or leased by the utility; or
  - ◆ On public highways, streets and roads; or
  - ◆ Outdoors by established rights on private property.

**Note:** The introduction has important information about fire, building and electrical codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to fire, building and electrical codes" in the introduction section of this book.

These rules guide how electrical equipment is used and maintained in your workplace. They should not be used in place of your local electrical codes if you are installing electrical wiring, electrical circuits or electrical distribution equipment.

This rule applies to 600 volts or less. Requirements for specific equipment or special installation are found in chapter 296-24 WAC, Part L.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-28005 Inspect all electrical equipment your employees use to make sure the equipment is safe.**  
You must:

- Inspect electrical equipment to make sure there are no recognized hazards likely to cause your employees' death or serious physical harm. Determine the safety of the equipment by using the following list:

- Has been approved or listed by a recognized testing laboratory, such as Underwriters Laboratories (UL) or other approving agency.
- Is approved, or listed as approved, for the purpose it is being used.
- Has strong and durable guards providing adequate protection including parts designed to enclose and protect other equipment.
- Is insulated.
- Will not overheat under conditions of use.
- Will not produce arcs during normal use.
- Is classified by:
  - ◆ Type((?))
  - ◆ Size((?))
  - ◆ Voltage((?))
  - ◆ Current capacity((?))
  - ◆ Specific use((?))
  - ◆ Other factors((?))

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-28010 Make sure all electrical equipment is used for its approved or listed purpose.**

- Definitions:
- Electrical outlets are places on an electric circuit where power is supplied to equipment through receptacles, sockets and outlets for attachment plugs.
  - Receptacles are outlets that accept a plug to supply electric power to equipment through a cord or cable.

You must:

- Make sure electrical outlets are rated equal or greater to the electrical load supplied.
- Make sure the proper mating configuration exists when connecting the attachment plug to a receptacle.
- Make sure when electrical outlets, cord connectors, and receptacles are joined, they accept the attachment plug with the same voltage or current rating.

SOME COMMON ELECTRICAL OUTLET (RECEPTACLE) CONFIGURATIONS				
	15 Ampere	20 Ampere	30 Ampere	50 Ampere
Two Pole 3 - Wire Grounding 125 Volt				
Three Pole 3 - Wire 125/250 Volt				
Note: A 20-ampere "T-slot" outlet or cord connector may accept a 15-ampere attachment plug of the same voltage rating.				

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**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-28020 Make sure electrical equipment that is not marked is not used.** You must:

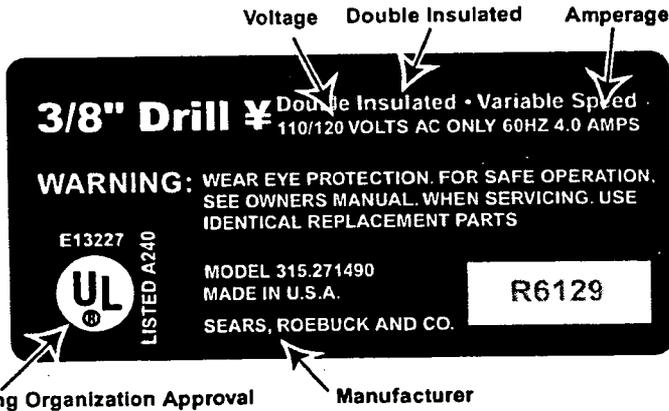
- Make sure markings are durable and appropriate to the environment.
- Appropriate markings include:
  - The manufacturer's name((-));
  - or
  - Trademark((-));
  - or
  - The organization responsible for the product((-); and
  - Voltage, current and wattage or other ratings as necessary.

- Has sufficient working area at least thirty inches wide for operation and maintenance of the equipment.
  - Is kept clear and free of stored materials so that employees can access this equipment for servicing, adjustments or maintenance.
  - Has at least one access route to provide free and unobstructed access.
  - Has at least three feet of working space in front, measured from the exposed live parts or the enclosure front. (See the work clearance table ((below)) on the following page.)
  - Has adequate indoor lighting. (WAC 296-800-210.)
  - Has at least six feet three inches of headroom.
- This table shows the area you must keep clear depending on the layout of the electrical equipment.

((Work Clearance Table))

Conditions*	0 - 150 volts to ground	151 - 600 volts to ground
<u>a</u>	3 ft.	3 ft.
<u>b</u>	3 ft.	3 1/2 ft.
<u>c</u>	3 ft.	4 ft.

- (\*) Minimum clear distances may be 2 feet 6 inches for equipment built or installed before 3/20/82.
- Conditions a, b, and c are as follows:
- a = Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating material. Insulated wire or insulated bus bars operating at not over 300 volts are not considered live parts.
  - b = Exposed live parts on one side and grounded parts on the other side.
  - c = Exposed live parts on both sides of the workspace (not guarded as provided in condition (a) with the operator between the panels).



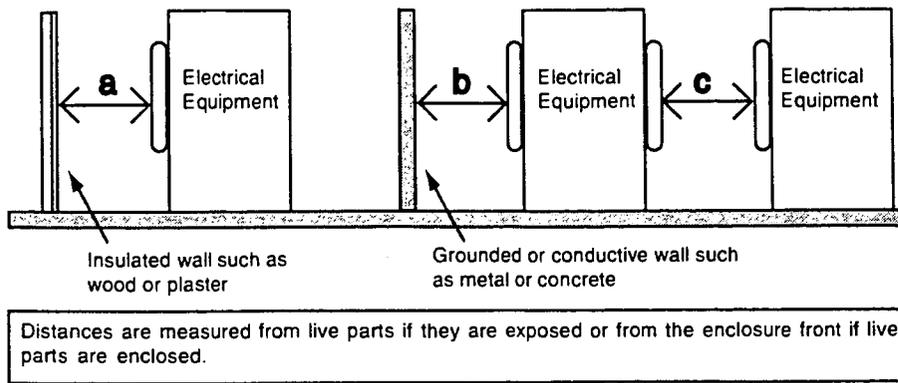
Electrical tools and equipment marked to show manufacturer, approvals and power requirements.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-28025 Maintain electrical fittings, boxes, cabinets and outlets in good condition.** You must:

- (1) Do the following to covers and openings:
  - Do the following when conductors enter boxes, cabinets, or fittings:
    - Protect the conductor (wires) from abrasion.
    - Effectively close the openings where conductors enter.
    - Effectively close all unused openings.
  - Provide pull boxes, junction boxes, and fittings with covers approved for the purpose.
    - Make sure each outlet box has a cover, faceplate, or fixture canopy in completed installations.
    - Make sure covers for outlet boxes with openings for flexible cord pendants have bushings to protect the cord, or have a smooth and well rounded surface where the cord touches the opening.
    - Ground metal covers.
- (2) Make sure the area in front of electrical panels, circuit breaker boxes and similar equipment which operates at 600 volts or less:

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**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-28030 Maintain all flexible cords and cables in good condition and use safely.**

**Exemption:** These rules do not apply to cords and cables that are an internal part of factory assembled appliances and equipment, like the windings on motors or wiring inside electrical panels.

**Note:** Flexible cords and cables are typically used to connect electrical equipment to a power source. These cords can have an electrical plug to connect to a power source or can be permanently wired into the power source. The terms flexible cords, extension cord, cables and electrical cords all refer to a type of flexible cord.

**You must:**

(1) Perform visual inspections.

• On portable cord- and plug-connected equipment and extension cords before use on each work shift. Defects and damage to look for include:

- Loose parts.
- Deformed or missing pins.
- External defects and damage.
- Damage to the outer covering or insulation.
- Pinched or crushed covering or insulation that might indicate internal damage.

**Exemption:** You do not need to visually inspect portable cord- and plug-connected equipment and extension cords that

stay connected once in place and are not exposed to damage until they are moved.

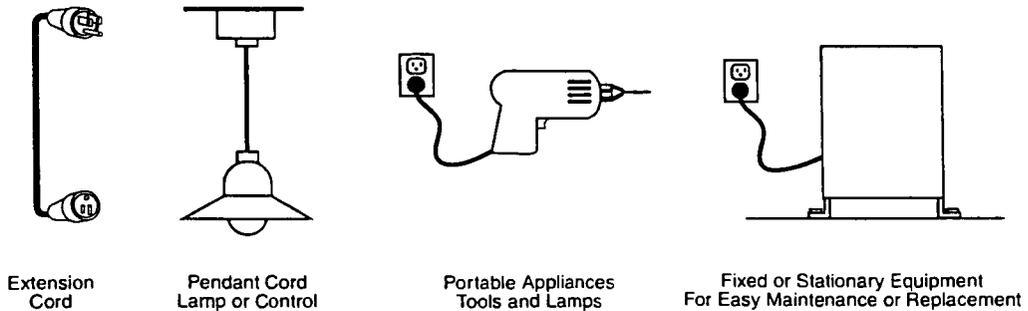
**You must:**

- ~~((And))~~ Remove from service any defective or damaged cord until repaired and tested.
- Make sure flexible cords and cables are used as described.

(2) Use.

- Use flexible cords only as follows:
  - Wiring of equipment and appliances.
  - Data processing cables approved as a part of the data processing system.
  - Pendants.
  - Wiring for fixtures.
  - Connecting portable lamps or appliances to an approved outlet with an attachment plug.
  - Connecting stationary equipment that is frequently changed with an attachment plug energized from an approved outlet.
    - Preventing noise or vibration transmission.
    - Appliances that have been designed to permit removal for maintenance and repair if the appliance is equipped with an attachment plug energized from an approved outlet.
  - Elevator cables.
  - Wiring of cranes and hoists.

**Common Acceptable Uses of Flexible Cords**



Note: Extension cords (flexible cord sets) may be used on a temporary basis if you follow the rules described in the temporary use section, WAC 296-800-28030(3).

You must:

- Not use flexible cords in the following ways:
  - As a substitute for fixed wiring of a structure.
  - To run through holes in walls, ceilings, or floors.
  - To run through doorways, windows, or similar openings.
  - To attach to building surfaces.
  - To conceal behind building walls, ceilings, or floors.
  - To raise or lower equipment.
- Make sure flexible cords and cables are approved and suitable for:
  - The way they will be used.
  - The location where they will be used.
- Not fasten or hang cords and equipment in any way that could cause damage to the outer jacket or insulation of the cord.
- Make sure insulation on flexible cords and cables is intact.
- Make sure flexible cords and electrical cords are:
  - Connected to devices and fittings so that any pulling force on the cord is prevented from being directly transmitted to joints or terminal screws on the plug.
  - Used only in continuous lengths without splice((≠)) or tap.
- Prohibit your employees from using wet hands to plug or unplug equipment or extension cords if the equipment is energized.

((≠))Note: Hard service flexible cords No. 12 or larger may be repaired or spliced if the insulation, outer sheath properties, and use characteristics of the cord are retained.

You must:

- (3) Provide the following for temporary use.
  - Make sure temporary electrical power and lighting installations that operate at 600 volts or less are used only:
    - During and for remodeling, maintenance, repair or demolition of buildings and similar activities.
    - Experimental or developmental work.
    - For no more than ninety days for:
      - ◆ Christmas decorative lighting.
      - ◆ Carnivals.
      - ◆ Other similar purposes.
  - Make sure flexible cords and electrical cords used on a temporary basis are protected from accidental damage:

- By avoiding sharp corners and projections
- If they pass through doorways or other pinchpoints.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-28040 Make sure electrical equipment is effectively grounded.** You must:

- Make sure the path to ground from circuits, equipment, and enclosures is permanent and continuous.
- Make sure equipment connected by cord and plug is grounded under these conditions:
  - Equipment with exposed noncurrent carrying metal parts.
  - Cord and plug connected equipment which may become energized.
  - Equipment that operates at over 150 volts to ground.

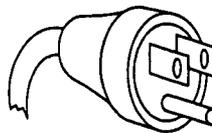
(Exemption: Except for guarded motors and metal frames of electrically heated appliances, if the appliance frames are permanently and effectively insulated from ground:))

- Equipment in hazardous locations. (WAC 296-24-95613)

Exemption: Except for guarded motors and metal frames of electrically heated appliances, if the appliance frames are permanently and effectively insulated from ground.

- Ground the following type of equipment:
  - Hand-held motor-operated tools((-))
  - Refrigerators((-))
  - Freezers((-))
  - Air conditioners((-))
  - Clothes washers and dryers((-))
  - Dishwashers((-))
  - Electrical aquarium equipment((-))
  - Hedge clippers((-))
  - Electric lawn mowers((-))
  - Electric snow blowers((-))
  - Wet scrubbers((-))
  - Tools likely to be used in damp or wet locations((-))
  - Appliances used by employees standing on the ground, on metal floors or working inside of metal tanks or boilers((-))
  - Portable hand lamps((-))

Note: Grounding can be achieved by: Using tools and appliances equipped with an equipment grounding conductor (three-prong plug and grounded electrical system).

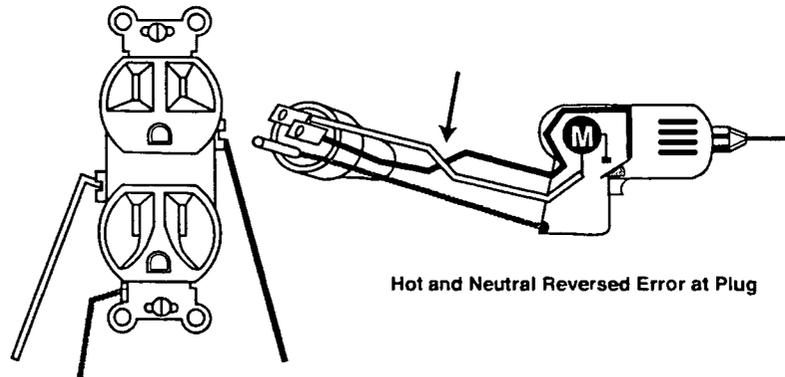
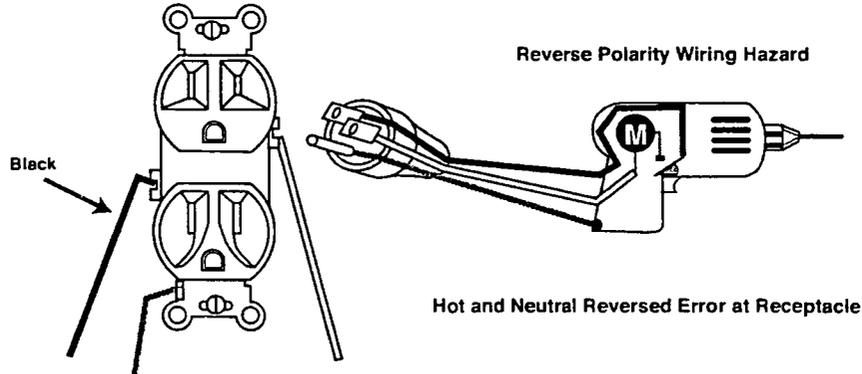
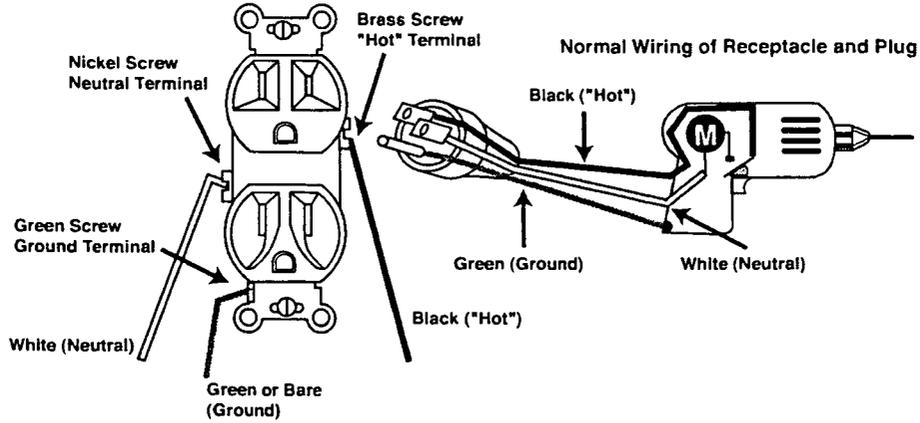
<b>Grounded Plug</b>	<b>Double Insulated</b>
	<b>Double Insulated</b> 
Hand held tools and some other types of equipment must use a 3-wire plug or the tool label must show the tool as insulated by words or symbol.	

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You must:

- Make sure exposed metal parts of fixed equipment that do not conduct electricity, but may become energized, are grounded if the equipment is in a wet or damp location and is not isolated.
- Make sure ground wires are identified and look different than the other conductors (wires).

- Make sure ground wires are not attached to any terminal or lead to reverse polarity of the electrical outlet or receptacle.
- Make sure grounding terminals or grounding-type devices on receptacles, cords, connectors, or attachments plugs are not used for purposes other than grounding.



Reverse polarity wiring can cause a faulty tool to start as soon as it is plugged in or not stop when the switch is released. This could cause an injury. An extremely dangerous type of reverse polarity wiring switches the hot and ground wires. This causes the body of the tool or appliance to be "hot". Touching the tool and conductive surface can result in serious or even deadly shock.

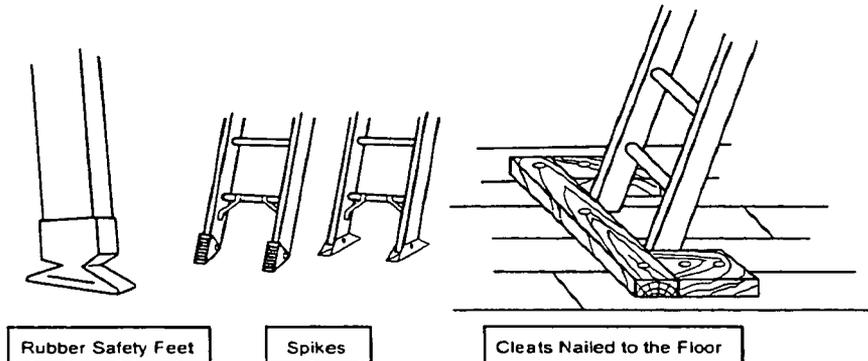
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**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-29015 Use your portable metal ladders safely.** You must:

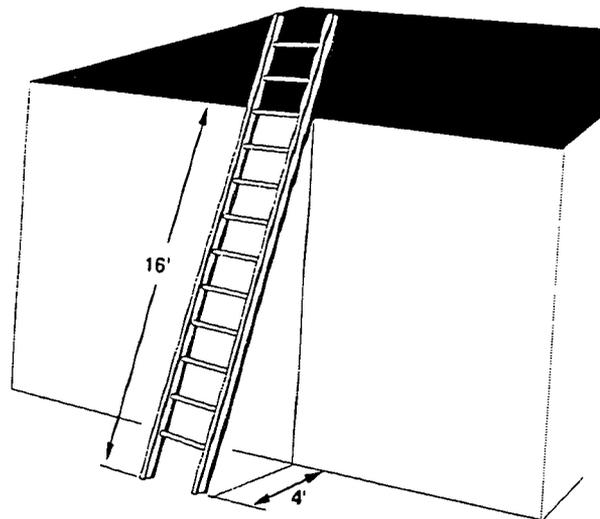
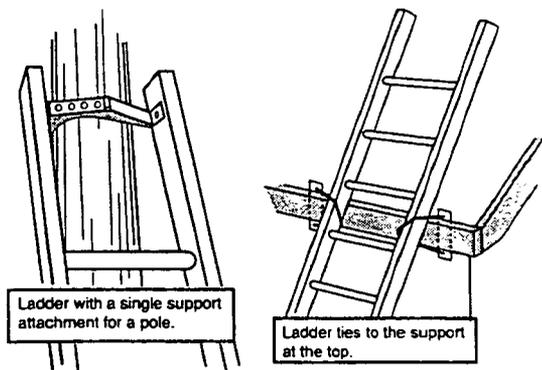
- (1) Use metal ladders only for their intended purpose.
- (2) Make sure the base section of the portable metal ladder has secure footing.

Examples of Securing the Ladder Base



(3) Make sure both rails are supported at the top, unless the ladder has a single support attachment.

Examples of Securing the Ladder at the Top



(4) Make sure while climbing portable metal ladders, ~~you~~ your employees:

- Have both hands free to hold on to the ladder.
- Face the ladder when you are climbing up or down.

(5) Not tie or fasten ladder sections together to make longer ladders (unless the ladder manufacturer endorses this type of use, and you have hardware fittings specifically designed for this use).

(6) Make sure a nonself-supporting portable ladder is set at a safe angle. The proper angle is to place the base a distance from the vertical wall equal to one-fourth the working length of the ladder.

Note: Safe ladder angle. A simple rule for setting up a ladder at the proper angle is to place the base a distance from the wall, equal to 1/4 the working length of the ladder. ((For example, if your ladder is 16 feet long, set the bottom of the ladder 4 feet away from the wall.))

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-29025 Make sure your portable wooden ladders are kept in a good condition.** You must:

- Make sure your portable wooden ladders are maintained in good condition, and:
  - Joints between the steps or rungs and side rails are tight
  - Hardware and fittings are securely attached
  - Moveable parts operate freely without binding or excessive play
  - Metal bearings are lubricated frequently
  - Frayed or badly worn ropes (~~is~~) are replaced
  - Safety feet and other auxiliary equipment are kept in good condition
- Not use portable wooden ladders with:
  - Broken or missing steps

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- Broken or missing rungs or cleats
- Broken side rails
- Other faulty equipment
- Not make improvised repairs on your portable wooden ladders.
- Not store your portable wooden ladders near sources of heat, moisture, or dampness.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-29030 Use your portable wooden ladders safely and for their intended purpose.** You must:

- (1) Use the appropriate length of ladder.
  - Use single ladders less than or equal to 30 feet long.
  - Use 2-section extension ladders less than or equal to 60 feet long.
- (2) Make sure ladders meet the following rules:
  - Shorter sections cannot be spliced to make longer sections.
    - Ladders ~~((can))~~ **cannot** be made by fastening cleats across a single rail.
- (3) Use ladders safely.
  - Make sure ladders are not used as guys, braces, or skids.
    - Putting ladders on boxes, barrels or other unstable bases to make the ladder taller is not allowed.
    - Make sure ladders are not used in a horizontal position.
- (4) Make sure that rung and cleat ladders are set up at a safe angle. (See note and illustration on safe ladder angle in WAC 296-800-29015.)
- (5) Make sure that where the top of the ladder rests is reasonably rigid and strong enough to support the load.
- (6) Place the bottom of a portable wooden ladder so it will not slip, or the bottom must be tied or held in position.
- (7) Not place a portable wooden ladder in front of doors that open towards the ladder, **UNLESS YOU:**
  - Block the door open, or
  - Lock the door, or
  - Guard the door to keep it from opening into the ladder
- (8) Make sure 2-section extension ladders overlap as follows:

Length of section of extension ladders (feet)	Minimum overlap allowed (feet)
Less than 36	3
37-48	4
49-60	5

- (9) Make sure ladders with metal reinforced rails are used with the reinforcement on the underside to avoid hazards such as tripping and electrocution.
- (10) Not place ladders in elevator shafts and hoistways, except where used by workers assigned to that type of work.
  - Employees must be protected from falling objects, when assigned to work on ladders in elevator shafts and hoistways.
- (11) Not support more than one section of plank per ladder rung.

- Do not allow more than 2 persons on one section of planking at a time.
  - (12) Brace the ladder to reduce the spring caused by weight on the ladder.
  - (13) Keep shoes free and clean of greasy and slippery substances when climbing.
  - (14) Have both hands free to hold on to the ladder when climbing.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-300 Summary—Portable fire extinguishers. Important:**

The following WISHA rule applies to the placement, use, maintenance, and testing of portable fire extinguishers provided for the use of employees. Your local fire ~~((marshal))~~ **marshal** also enforces fire codes which address fire safety that are more comprehensive and may go beyond WISHA rules.

~~((Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire and electrical codes" in the introduction section of this book.))~~

Your responsibility:  
To provide readily accessible, appropriate portable fire extinguishers for employees in your workplace

- You must:
- Provide portable fire extinguishers in your workplace  
**WAC 296-800-30005**
  - Select and distribute portable fire extinguishers in your workplace  
**WAC 296-800-30010**
  - Make sure that portable fire extinguishers are kept fully charged, in good operating condition, and left in their designated places  
**WAC 296-800-30015**
  - Inspect and test all portable fire extinguishers  
**WAC 296-800-30020**
  - Train your employees to use portable fire extinguishers  
**WAC 296-800-30025**

**Exemptions:**

- You are exempt from the requirements of portable fire extinguishers if you have the following:

~~((You have:))~~

- A written fire safety policy that requires the immediate and total evacuation of employees from the workplace when there is a fire alarm signal,

AND

- An emergency action plan and a fire prevention plan which meet the requirements of WAC 296-24-567

AND

- Portable fire extinguishers in your workplace that are not accessible for employee use

- If another WISHA rule requires portable fire extinguishers, then you must comply with these requirements.

- Where extinguishers are provided but are not intended for employee use and you have an emergency action plan and a fire prevention plan (which meet the requirements of WAC

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296-24-567), then only the requirements of WAC 296-800-30020 apply.

**Note:** The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire and electrical codes" in the introduction section of this book.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-30010 Select and distribute portable fire extinguishers in your workplace.** Exemption:

- This does not apply to the portable fire extinguishers provided for employees to use outside of workplace buildings or structures.

- You are exempt from the distribution requirements of this rule if you have an emergency action plan (that meets requirements of WAC 296-24-567):

- Which designates certain employees to be the only employees authorized to use the available portable fire extinguishers; and

- Requires all other employees in the fire area to immediately evacuate the affected work area upon the sounding of the fire alarm

You must:

- Provide the correct type of portable fire extinguishers and distribute them in your workplace, depending on the type, size, and severity of fire that could occur

- The type of portable fire extinguishers you must have in your workplace depends on the types of fire hazards that exist in your workplace

**Fire Extinguisher Distance Table**

Type of fire hazard extinguisher	Maximum distance from the fire hazard to a fire extinguisher
Type of fire hazard Wood, cloth, paper, rubber (Class A fire hazards)	No more than 75 feet (22.9 m) Note: You may use uniformly spaced standpipe systems or hose stations instead of Class A portable fire extinguishers, if they meet the requirements of WAC 296-24-602 or 296-24-607.
Liquids, grease, gases (Class B fire hazards)	No more than 50 feet (15.2 m) Note: You may choose to use a smaller fire extinguisher in lieu of that required for the 50 foot distance. If you ((do)) choose to have the smaller fire extinguisher, the travel distance must not be greater than 30 feet. See UFC Standard 10 Chapter 3 for the basic minimum extinguisher rating allowed.

Live electrical ((using)) equipment and circuits (Class C fire hazards)	Distribute any Class C portable fire extinguishers the same pattern that you have for any Class A or Class B fire hazards. <b>Note:</b> If the electrical equipment is deenergized, you may use a Class A or Class B portable fire extinguisher.
Powder, flakes, and residue from combustible metals, like magnesium and titanium, that build up over a 2-week period (Class D fire hazards)	No more than 75 feet (22.9 m)

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-30020 Inspect and test all portable fire extinguishers.** You must:

- Perform inspections:
  - Make sure that portable fire extinguishers or hose systems (used instead of fire extinguishers) are visually inspected monthly

- Perform maintenance checks:
  - Make sure that all portable fire extinguishers are subjected to an annual maintenance check

- Keep records of all annual maintenance checks and make available to the department upon request((±))

- ◆ For 1 year after the last maintenance check;

OR

- ◆ For the life of the shell, whichever is less

- Make sure that equal protection is provided when portable fire extinguishers are removed from service for maintenance and recharging

Exemption: Most stored pressure extinguishers do not require an internal examination. Examples of those that do require an internal examination are those containing a loaded stream agent.

You must:

- Perform hydrostatic testing:

Exemption:

- Dry chemical extinguishers that have nonrefillable disposable containers are exempt from this requirement.

- Manually pressurized pumptanks are exempt from this requirement.

You must:

- Make sure that portable extinguishers are hydrostatically tested:

- At the intervals listed in Table 1 ((page 300-7)), of this section

- Whenever they show evidence of corrosion or mechanical injury

- Not perform hydrostatic testing on fire extinguishers if:

- The unit has been repaired by soldering, welding, brazing, or use of patching compounds

- The cylinder or shell threads are damaged

- Corrosion has caused pitting, including corrosion under removable name plate assemblies

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- The extinguisher has been burned in a fire
- Calcium chloride extinguishing agents have been used in a stainless steel shell

Note: Specific rules regarding conducting hydrostatic tests are covered in WAC 296-24-59212.

You must:

- Maintain records showing that hydrostatic testing has been performed. Provide the following evidence to the department upon request:

- Date of test
- Test pressure used
- The serial number, or other identifier of the fire extinguisher that was tested
- Person or agency performing the test
- Keep records until:
  - The extinguisher is retested;

OR

- The extinguisher is taken out of service, whichever comes first

- Empty and maintain stored-pressure dry chemical extinguishers requiring a 12-year hydrostatic test, every six years:

- When recharging or hydrostatic testing is performed, the 6-year requirement begins from that date

**Hydrostatic Test Table**

Type of Extinguisher	Test Interval (Years)
Stored pressure water and/or antifreeze	5
Wetting agent	5
Foam (stainless steel shell)	5
Aqueous film forming form (AFFF)	5
Loaded stream	5
Dry chemical with stainless steel	5
Carbon dioxide	5
Dry chemical, stored pressure, with mild steel, brazed brass or aluminum shells	12
Halon 1211	12
Halon 1301	12
Dry powder, cartridge or cylinder operated, with mild steel shell	12

Note: Due to a manufacturer's recall, stored pressure water extinguishers with fiberglass shell (pre-1976) are prohibited from hydrostatic testing (~~due to manufacturer's recall~~).

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-310 Summary.** Your responsibility: To provide and maintain emergency exit routes and to install and maintain adequate employee alarm systems.

~~((Exemption: This rule does not apply to vehicles, vessels, or other mobile structures.~~

~~Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.)~~

Exit routes:

You must:

Provide an adequate number of exit routes.

WAC 296-800-31005.

Make sure that exit routes are large enough.

WAC 296-800-31010.

Make sure that exit routes meet their specific design and construction requirements.

WAC 296-800-31015.

Make sure that each exit route leads outside.

WAC 296-800-31020.

Provide unobstructed access to exit routes.

WAC 296-800-31025.

Exit doors must be readily opened from the inside.

WAC 296-800-31030.

Use side-hinged doors to connect rooms to exit routes.

WAC 296-800-31035.

Provide outdoor exit routes that meet requirements.

WAC 296-800-31040.

Minimize danger to employees while they are using emergency exit routes.

WAC 296-800-31045.

Mark exits adequately.

WAC 296-800-31050.

Provide adequate lighting for exit routes and signs.

WAC 296-800-31053.

Maintain the fire retardant properties of paints or other coatings.

WAC 296-800-31055.

Maintain emergency safeguards.

WAC 296-800-31060.

Maintain exit routes during construction and repair.

WAC 296-800-31065.

Provide doors in freezer or refrigerated rooms that open from the inside.

WAC 296-800-31067.

Employee alarm systems:

You must:

Install and maintain an appropriate employee alarm system.

WAC 296-800-31070.

Establish procedures for sounding emergency alarms.

WAC 296-800-31075.

Test the employee alarm system.

WAC 296-800-31080.

Exemption: This rule does not apply to vehicles, vessels, or other mobile structures.

Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-31010 Make sure that exit routes are large enough.** You must:

- Make sure each exit route is large enough to accommodate the maximum-permitted occupant load for each floor served by the route.
- Make sure the capacity of an exit route does not decrease at any point.
- Make sure an exit route is at least 6 feet 8 inches high at all points.
  - Make sure objects that stick out into the exit route, such as fans hanging from the ceilings or cabinets on walls, do not reduce the minimum height and width of the exit route.
- Make sure exit routes are at least 28 inches wide at all ((pints)) points between any handrails.
  - If necessary, routes must be wider than 28 inches to accommodate the expected occupant load.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-31035 Use side-hinged doors to connect rooms to exit routes.** You must:

- Use a side-hinged exit door to connect any room to an exit route. The door must swing out when the room:
  - Is occupied by more than fifty persons(±) or
  - Contains highly flammable or explosive materials.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-320 Summary.** Your responsibility: To report and conduct an investigation of certain types of accidents.

((Note: Call the nearest office of the department of labor and industries at 1-800-4BE SAFE or call OSHA (Occupational Safety and Health Administration) at 1-800-321-6742, to report the death, probable death of any employee or the in-patient hospitalization of 2 or more employees within 8 hours, after handling medical emergencies.))

**You must:**

Report the death, or probable death, of any employee, or the in-patient hospitalization of 2 or more employees within 8 hours

WAC 296-800-32005

Make sure that any equipment involved in an accident is not moved.

WAC 296-800-32010

Assign people to assist the department of labor and industries

WAC 296-800-32015

Conduct a preliminary investigation for all serious injuries

WAC 296-800-32020

Document the investigation findings

WAC 296-800-32025

Note: - Call the nearest office of the department of labor and industries at 1-800-4BE SAFE or call Occupational Safety and Health Administration (OSHA) at 1-800-321-6742, to report the death, probable death of any employee or the in-patient

hospitalization of 2 or more employees within 8 hours, after handling medical emergencies.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-32005 Report the death, probable death of any employee, or the in-patient hospitalization of 2 or more employees within 8 hours.** You must:

- Contact the nearest office of the department of labor and industries in person or by phone at 1-800-4BE SAFE to report(±) within 8 hours of the work-related incident or accident,
  - A death
  - A probable death
  - 2 or more employees are admitted to the hospital, or
  - Contact the Occupational Safety and Health Administration (OSHA) by calling its central number at 1-800-321-6742.

• Provide the following information within 30 days concerning any accident involving a fatality or hospitalization of 2 or more employees:

- Name of the work place
- Location of the incident
- Time and date of the incident
- Number of fatalities or hospitalized employees
- Contact person
- Phone number
- Brief description of the incident

Note: If you do not learn about the incident at the time it occurs, you must report the incident within 8 hours of the time it was reported to you, your agent, or employee.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-350 ((Your responsibility\*)) Introduction.**

This section describes actions WISHA takes during or after inspections, and your related obligation and rights.

Your responsibility: You must follow posting requirements and notify your employees of the information listed in these rules, as indicated.

**You must:**

**WISHA INSPECTIONS AND CITATIONS**

- Types of workplace inspections
- WAC 296-800-35002 ..... ((Page 350))
- Scheduling inspections
- WAC 296-800-35004 ..... ((Page 350))
- Inspection techniques
- WAC 296-800-35006 ..... ((Page 350))
- Response to complaints submitted by employees or their representatives
- WAC 296-800-35008 ..... ((Page 350))
- Citations mailed after an inspection
- WAC 296-800-35010 ..... ((Page 350))
- Employees (or their representatives) can request a citation and notice
- WAC 296-800-35012 ..... ((Page 350))
- Posting a citation and notice and employee complaint information

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WAC 296-800-35016 ..... ((Page 350))

**CIVIL PENALTIES FOR VIOLATING WISHA REQUIREMENTS**

Reasons to assess civil penalties  
WAC 296-800-35018 ..... ((Page 350))

Minimum penalties  
WAC 296-800-35020 ..... ((Page 350))

**HOW CIVIL PENALTIES ARE CALCULATED**

Base penalty calculations - severity and probability  
WAC 296-800-35022 ..... ((Page 350))

Severity rate determination  
WAC 296-800-35024 ..... ((Page 350))

Probability rate determination  
WAC 296-800-35026 ..... ((Page 350))

Determining the gravity of a violation  
WAC 296-800-35028 ..... ((Page 350))

Base penalty adjustments  
WAC 296-800-35030 ..... ((Page 350))

Types of base penalty adjustments  
WAC 296-800-35032 ..... ((Page 350))

Maximum base penalty amount  
WAC 296-800-35038 ..... ((Page 350))

Reasons for increasing civil penalty amounts  
WAC 296-800-35040 ..... ((Page 350))

**CERTIFY THAT VIOLATIONS HAVE BEEN ABATED**

Employers must certify that violations have been abated  
WAC 296-800-35042 ..... ((Page 350))

For willful, repeated, or serious violations, submit additional documentation  
WAC 296-800-35044 ..... ((Page 350))

Submitting correction action plans  
WAC 296-800-35046 ..... ((Page 350))

Submit progress reports to the department, when required  
WAC 296-800-35048 ..... ((Page 350))

WISHA determines the date by which abatement documents must be submitted  
WAC 296-800-35049 ..... ((Page 350))

Inform affected employees and their representatives of abatement actions you have taken  
WAC 296-800-35050 ..... ((Page 350))

Tag cited moveable equipment to warn employees of a hazard  
WAC 296-800-35052 ..... ((Page 350))

**REQUESTING MORE TIME TO COMPLY**

You can request more time to comply  
WAC 296-800-35056 ..... ((Page 350))

WISHA's response to your request for more time  
WAC 296-800-35062 ..... ((Page 350))

Post the department's response  
WAC 296-800-35063 ..... ((Page 350))

A hearing can be requested about the department's response  
WAC 296-800-35064 ..... ((Page 350))

Post the department's hearing notice  
WAC 296-800-35065 ..... ((Page 350))

Hearing procedures  
WAC 296-800-35066 ..... ((Page 350))

Post the hearing decision  
WAC 296-800-35072 ..... ((Page 350))

**REQUESTING AN APPEAL OF WISHA CITATIONS AND CORRECTIVE NOTICES**

Employers and employees can request an appeal of a citation and notice  
WAC 296-800-35076 ..... ((Page 350))

Await the department's response to your appeal request  
WAC 296-800-35078 ..... ((Page 350))

Department actions when reassuming jurisdiction over an appeal  
WAC 296-800-35080 ..... ((Page 350))

Appealing a corrective notice  
WAC 296-800-35082 ..... ((Page 350))

Notify employees  
WAC 296-800-35084 ..... ((Page 350))

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35010 Citations mailed after an inspection.** • After an inspection or an investigation, WISHA will mail a citation to you within 6 months following the inspection or investigation

- The citation will include
  - A description of any violations found
  - The amount and type of assessed penalties
  - The length of time given to correct the violations
- If no violations are found, WISHA will normally send you a citation and notice indicating that no violations were found

Note: • Copies of WISHA safety and health inspection reports can be requested. The request should be mailed to:  
 DEPARTMENT OF LABOR AND INDUSTRIES  
 PUBLIC DISCLOSURE UNIT  
 P.O. BOX 44632  
 OLYMPIA WA 98504-4632  
 • You can also contact your local labor and industries field office for information on requesting copies of inspection reports (see the resource(s)) section of this book.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35012 Employees (or their representatives) can request a citation and notice.**

- Employees or their representatives may request copies of citation and notices issued to the employer
  - Complete the Request for Copy of Citation and Notice form, and mail it to:

DEPARTMENT OF LABOR AND INDUSTRIES  
 STANDARDS AND INFORMATION  
 P.O. BOX 44638  
 OLYMPIA WA 98504-4638

Note: • To obtain a copy of the Request for Copy of Citation and Notice form, call 360-902-5534, or contact your local labor and industries office (see the resource(s)) section for a complete list of the offices.)  
 • If you submit this form, you'll receive all citation and notices issued to that employer for the next 12 months.

- When the department approves the request for a copy of a citation and notice, WISHA will indicate the date the application is approved, and the date it expires. Once approved, your application is valid for one year. Once expired, a one-year extension may be requested.
- You can waive the one-year period when you make your initial request.
- If more than one employee representative requests a copy of the same citation and notice, the department may decide which person will receive the copy of the citation and notice.
- The department can deny requests for copies of citation and notices if the person filing the request is not an employee representative.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35026 Probability rate determination.**

- Probability refers to the likelihood of an injury, illness or disease occurring, and is expressed in whole numbers ranging from 1 (lowest) to 6 (highest). Probability does not change severity.
- When determining probability, WISHA considers the number of employees affected and other factors, depending on the situation. Other factors may include:
  - Frequency of employee exposure
  - Instances (number of times the same violation occurs in the workplace)
  - How close an employee is to the hazard
  - Weather and other working conditions
  - Employee skill level
  - Employee awareness of the hazard
  - The pace, speed, and nature of the task or work
  - Use of personal protective equipment
  - Amount of exposure (for health violations)
  - Other mitigating or contributing circumstances

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35030 Base penalty adjustments.**

- WISHA may adjust an employee's base penalty amount because of the ((employer's)) good faith effort, size, and compliance history. No adjustments are made to penalty amounts specified by statute

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35040 Reasons for increasing civil penalty amounts.**

- WISHA may increase civil penalties by applying a multiplier to an adjusted base penalty. Multipliers may be applied for the following reasons:

**Repeat violations:**

A repeat violation occurs when WISHA cites an employer more than once in the last 3 years for a substantially similar hazard.

- The 3-year period is measured from the date of the final order for each previous citation

- The adjusted base penalty will be multiplied by the total number of inspections with violations (including the current inspection with a violation) involving similar hazards
- The maximum penalty cannot exceed \$70,000 for each violation

**Willful violations:**

A willful violation is a voluntary action done either with an intentional disregard of, or plain indifference to, the requirements of the applicable WISHA rule(s):

- For all willful violations, the adjusted base penalty will be multiplied by 10
- All willful violations will receive at least the statutory minimum penalty of \$5,000
- The maximum penalty cannot exceed \$70,000 for each violation

**Egregious violations:**

An egregious violation may be issued for exceptionally flagrant cases involving willful violations. In these cases, WISHA will issue a separate penalty for each instance of an employer failing to comply with a particular rule

**Failure-to-abate violations:**

A failure-to-abate violation occurs when an employer who has been cited for a WISHA violation, fails to correct the violation on time (certifying corrected violations is covered in WAC 296-800-35200 through 296-800-35270)

- The maximum penalty cannot exceed \$7,000 for every day the violation is not corrected
- For a general violation with no initial penalty, the minimum failure-to-abate penalty is \$1,000, with a possible adjustment for the employer's effort to comply
- For violations with an initial penalty, WISHA, based on the facts at the time of reinspection:
  - ◆ Will multiply the adjusted base penalty by 5, but may possibly make adjustments for the employer's effort to comply
  - ◆ May multiply the adjusted base penalty by the number of days past the correction date if the employer does not make an effort to comply.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35048 Submit progress reports to the department when required. You must:**

- Submit progress reports on the abatement if the citation and notice requires it and briefly state (a single sentence is normally adequate for each violation):

- The action taken to abate each violation
- The date each action was taken

- Note: If progress reports are required, the citation and notice will include:
- The items for which periodic progress reports are required,
  - The date when an initial progress report must be submitted (no sooner than 30 calendar days after you submit a correction plan),
  - Whether additional progress reports are required((-and)),
  - The date(s) on which additional progress reports must be submitted.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35050 Inform affected employees and their representatives of abatement actions you have taken. You must:**

~~((You must:))~~

- Post a copy of each abatement action document you submit to the department (or a summary) near the place where the violations occurred, if practical.
- Do the following if posting near the violation site is not practical, such as with a mobile work operation:
  - Post each document (or a summary) in a location that is readily accessible by affected employees and their representatives
  - Take other steps to fully communicate abatement actions to affected employees and their representatives
- Make sure that:
  - Notice is given to your employees and their representatives on or before the date you submit abatement information to the department
  - All abatement documents remain posted for at least 3 working days after they are submitted to the department
  - All posted abatement documents are not altered, defaced, or covered by other materials
- Inform employees and their representatives of their right to examine and copy all abatement documents you submit to the department. If they ask to examine or copy your documents within 3 working days of receiving notice that you submitted them to the department, you have 5 days to comply with their request after receiving it.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35062 WISHA's response to your request for more time.**

- Within 5 working days of receiving your request for more time to comply, the assistant director must make a decision to approve or deny it. Before making a decision, the assistant director may conduct an investigation. Once made, the decision remains in effect unless a hearing is requested.
- The assistant director must issue the following 3 notices (which can be combined into one):
  - A notice verifying that your request was received, including the correction dates listed in your citation.
  - A notice of your right to request a hearing on the decision ~~((and))~~
  - A notice announcing the decision.
    - ◆ These notices must:
      - Be signed by the assistant director,
      - Contain the date they were issued, and
      - Include the address to which a hearing request may be sent.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35064 A hearing can be requested about the department's response.**

- You, your affected employees or their authorized representative, may request a hearing if they disagree with the department's response to a request for more time to comply.

- All hearing requests must be sent or delivered to the assistant director and be received at the address identified in the notice of your right to request a hearing no later than 10 calendar days after the issue date of the notice.

- Upon receiving a hearing request, the assistant director will issue a notice of hearing to the requesting party and the employer at least 20 days before the hearing date. The hearing notice will:
  - state that all interested parties can participate in the hearing
  - set the time and date, including:
    - ◆ the time, place, and nature of the proceeding
    - ◆ the legal authority and jurisdiction under which the hearing will be held
    - ◆ a reference to the particular sections of the statute and rules involved, and
    - ◆ a short and clear explanation why a hearing was requested.

- The employer must post the department's hearing notice or a complete copy until the hearing is held. This includes the:
  - Citation containing the correction date for which more time was requested.
  - Department notices issued in response to the employer's request for more time.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35066 Hearing procedures.**

- The assistant director for WISHA services will appoint someone from the department to act as a hearings officer.
- The hearings officer must be present at, and conduct, the hearing. An assistant attorney general may be present to give legal advice to the hearings officer.
- If the hearings officer requests, the assistant attorney general may conduct the hearing.
- The hearings officer may discuss the material to be presented to determine how the hearing will proceed.
- The hearing must be conducted according to the Administrative Procedure Act ~~((revised))~~. Copies of hearing transcripts will be available to the parties, at cost, upon request.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-35084 Notify employees. You must:**

- Immediately post all correspondence from the department in a conspicuous place after submitting an appeal. This correspondence includes:
  - The notice of appeal
  - The notice explaining that the department reassumed jurisdiction over the citation and notice
  - Any extensions to the review period
  - The notice for an informal conference
  - Corrective notices

• Post all notices and information related to the appeal in the place where WISHA citations and notices are posted (see WAC ((296-800-35150)) 296-800-35050). These include:

- A notice of appeal until the appeal is resolved
- Notices about the department reassuming jurisdiction and any extension of the review period until the end of review period
- A notice of an informal conference until after the conference is held
- Corrective notices for as long as citations and notices must be posted
- Requesting alternate means of compliance with WISHA rules.

Note: If you wish to develop an alternate means of compliance with WISHA rules, you may do so by following the instructions in WAC 296-350-700, Variances from WISHA rules.

• In certain circumstances, the department allows an employer to vary from a specific WISHA safety and health standard if the employer uses department-approved substitute measures to protect employees. The substitute measure must provide at least the same protection from workplace hazards as provided by the WISHA standard.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

#### WAC 296-800-370 Definitions.

((Note: The first time a defined word is used on a page in the Safety and Health Core Rules it is italicized and bolded.))

#### Abatement Action Plans

Refers to your written plans for correcting a WISHA violation.

#### Abatement date

The date on the citation when you must comply with specific safety and health standards listed on the citation and notice of assessment or the corrective notice of redetermination.

#### Acceptable

As used in **Electrical**, WAC 296-800-280 means an installation or equipment is acceptable to the director of labor and industries, and approved:

- If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or
- With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section;

OR

• With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his/her authorized representa-

tives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

#### Accepted

As used in **Electrical**, WAC 296-800-280 means an installation is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

#### Access

As used in material safety data sheets (MSDSs) as Exposure Records, WAC 296-800-180 means the right and opportunity to examine and copy exposure records.

#### Affected employees

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means employees exposed to hazards identified as violations in a citation.

#### Analysis using exposure or medical records

• An analysis using exposure records or medical records can be any collection of data or a statistical study. It can be based on either:

- Partial or complete information from individual employee exposure or medical records or
- Information collected from health insurance claim records

• The analysis is not final until it has been:

- Reported to the employer or
- Completed by the person responsible for the analysis

#### ANSI

This is an acronym for the American National Standards Institute.

#### Approved means:

• Approved by the director of the department of labor and industries or their authorized representative, or by an organization that is specifically named in a rule, such as Underwriters' Laboratories (UL), Mine Safety and Health Administration (MSHA), or the National Institute for Occupational Safety and Health (NIOSH).

• As used in **Electrical**, WAC 296-800-280 means acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of acceptable indicates what is acceptable to the director and therefore approved.

#### Assistant director

The assistant director for the WISHA services division at the department of labor and industries.

#### ASTM

This is an acronym for American Society for Testing and Materials.

#### Attachment plug or plug

((Is)) As used in the basic electrical rules, WAC 296-800-280 means the attachment at the end of a flexible cord or cable that is part of a piece of electrical equipment. When it is inserted into an outlet or receptacle, it connects the conductors supplying electrical power from the outlet to the flexible cable.

#### Bare conductor

A conductor that does not have any covering or insulation.

EXPEDITED

**Bathroom**

A room maintained within or on the premises of any place of employment, ~~((contained))~~ containing toilets that flush for use by employees.

**Board**

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means the board of industrial insurance appeals.

**Certification**

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means refers to an employer's written statement describing when and how a citation violation was corrected.

**CFR**

This is an acronym for Code of Federal Regulations.

**Chemical**

Any element, chemical compound, or mixture of elements and/or compounds.

**Chemical manufacturer**

An employer with a workplace where one or more chemicals are produced for use or distribution.

**Chemical name**

The scientific designation of a chemical in accordance with one of the following:

- The nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC)
- The Chemical Abstracts Service (CAS) rules of nomenclature

~~((OR))~~

- A name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

**Circuit breaker**

• Is a device used to manually open or close a circuit. This device will also open the circuit automatically and without damage to the breaker when a predetermined overcurrent is applied. (600 volts nominal or less)

• Is a switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit. (Over 600 volts nominal)

**Citation**

Refers to the citation and notice issued to an employer for any violation of WISHA safety and health rules. A citation and notice may be referred to as a citation and notice of assessment but is more commonly referred to as a citation.

**Combustible liquid**

A combustible liquid has a flashpoint of at least 100°F (37.8°C) and below 200°F (93.3°C). Mixtures with at least 99% of their components having flashpoints of 200°F (93.3°C) or higher are not considered combustible liquids.

**Commercial account**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means an arrangement in which a retail distributor sells hazardous chemical(s) to an employer, generally in large quantities over time, and/or at costs that are below the regular retail price.

**Common name**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any designation or identification such as:

- Code name
- Code number
- Trade name
- Brand name
- Generic name used to identify a chemical other than by its chemical name.

**Compressed gas**

A gas or mixture of gases that, when in a container, has an absolute pressure exceeding:

- 40 psi at 70°F (21.1°C)

OR

- 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C)

Compressed gas can also mean a liquid with a vapor pressure that exceeds 40 psi at 100°F (37.8°C)

**Conductor**

A wire that transfers electric power.

**Container**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any container, except for pipes or piping systems, that contains a hazardous chemical. It can be any of the following:

- Bag
- Barrel
- Bottle
- Box
- Can
- Cylinder
- Drum
- Reaction vessel
- Storage tank

**Correction date**

The date by which a violation must be corrected. Final orders or extensions that give additional time to make corrections establish correction dates. A correction date established by an order of the board of industrial insurance appeals remains in effect during any court appeal unless the court suspends the date.

**Corrective notice**

Refers to a notice changing a citation and is issued by the department after a citation has been appealed.

**Covered conductor**

A conductor that is covered by something else besides electrical insulation.

**Damp location**

As used in basic electrical rules, WAC 296-800-280 means partially protected areas that are exposed to moderate moisture. Outdoor examples include roofed open porches and marquees. Interior examples include basements and barns.

**Department**

Those portions of the department of labor and industries responsible for enforcing the Washington Industrial Safety Act (WISHA).

**Designated representative**

• Any individual or organization to which an employee gives written authorization.

- A recognized or certified collective bargaining agent without regard to written employee authorization.
- The legal representative of a deceased or legally incapacitated employee.

**Director**

The director means the director of the department of labor and industries or their designee.

**Distributor**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means a business, other than a chemical manufacturer or importer, that supplies hazardous chemicals to other distributors or to employers. See WAC 296-62-054 for requirements dealing with Manufacturers, Distributors and Importers - Hazard Communication.

**Documentation**

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means material that you submit to prove that a correction is completed. Documentation includes, but is not limited to, photographs, receipts for materials and/or labor.

**Dry location**

As used in basic electrical rules, WAC 296-800-280 means areas not normally subjected to damp or wet conditions. Dry locations may become temporarily damp or wet, such as when constructing a building.

**Electrical outlets**

Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.

**Employee**

The term employee and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise.

**Employee exposure record**

As used in material safety data sheets (MSDSs) as exposure records, WAC 296-800-180 means a record containing any of the following kinds of information:

- Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;
  - Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs;
  - Material safety data sheets indicating that the material may pose a hazard to human health;
- OR
- In the absence of the above, a chemical inventory or any other record which reveals where and when used and the

identity (e.g., chemical, common or trade name) of a toxic substance and harmful physical agent.

**Employer**

An employer is any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the Industrial Insurance Act must be considered both an employer and an employee.

**Exit**

Provides a way of travel out of the workplace.

**Exit route**

A continuous and unobstructed path of exit travel from any point within a workplace to safety outside.

**Explosive**

A chemical that causes a sudden, almost instant release of pressure, gas, and heat when exposed to a sudden shock, pressure, or high temperature.

**Exposed live parts**

Electrical parts that are:

- Not suitably guarded, isolated, or insulated

AND

- Capable of being accidentally touched or approached closer than a safe distance.

**Exposed wiring methods**

Involve working with electrical wires that are attached to surfaces or behind panels designed to allow access to the wires.

**Exposure or exposed**

As used in employer chemical hazard communication, WAC 296-800-170 and material safety data sheets (MSDSs) as exposure records, WAC 296-800-180. An employee has been, or may have possibly been, subjected to a hazardous chemical, toxic substance or harmful physical agent while working. An employee could have been exposed to hazardous chemicals, toxic substances, or harmful physical agents in any of the following ways:

- Inhalation
- Ingestion
- Skin contact
- Absorption
- Related means.

The terms exposure and exposed only cover workplace exposure involving a toxic substance or harmful physical agent in the workplace different from typical nonoccupational situations in the way it is:

- Used
  - Handled
  - Stored
  - Generated
- ((OR))
- Present

**Extension ladder**

A portable ladder with 2 or more sections and is not self-supporting. The 2 or more sections travel in guides or brackets that let you change the length. The size of a portable ladder is determined by adding together the length of each section.

**Failure-to-abate**

Any violation(s) resulting from ((you)) not complying with an abatement date.

**Final order**

Any of the following (unless an employer or other party files a timely appeal):

- Citation and notice;
- Corrective notice;
- Decision and order from the board of industrial insurance appeals;
- Denial of petition for review from the board of industrial insurance appeals; or
- Decision from a Washington State superior court, court of appeals, or the state supreme court.

**Final order date**

The date a final order is issued.

**First aid**

The extent of treatment you would expect from a person trained in basic first aid, using supplies from a first-aid kit.

Tests, such as X rays, must not be confused with treatment. ~~((For example, an employee thought he broke his arm and went to the hospital to get X rays. If the X rays show no broken bones, they are not considered first aid. On the other hand, if they do show a broken bone, they would be considered medical treatment.))~~

**Flammable**

A chemical covered by one of the following categories:

- Aerosol flammable means an aerosol that, when tested by the method described in 16 CFR 1500.45 yields either a flame projection more than 18 inches at full valve opening or a flashback (a flame extending back to the valve) at any degree of valve opening;

- Gas, flammable means:

- A gas that, at temperature and pressure of the surrounding area, forms a flammable mixture with air at a concentration of 13% by volume or less(( $\pm$ )) or

- A gas that, at temperature and pressure of the surrounding area, forms a range of flammable mixtures with air wider than 12% by volume, regardless of the lower limit(( $\pm$ )).

- Liquid, flammable means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99% or more of the total volume of the mixture.

- Solid, flammable means a solid, other than a blasting agent or explosive as defined in WAC 296-52-417 or 29 CFR 1910.109(a), that is likely to cause fire through friction, moisture absorption, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily. Solid, inflammable also means that when the substance is ignited, it burns so powerfully and persistently that it creates a serious hazard. A chemical must be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-

sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

**Flashpoint**

- The minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested by any of the following measurement methods:

- Tagliabue closed tester: (See American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

- Pensky-Martens closed tester: (See American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

- Setaflash closed tester: (See American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78).)

Note: Organic peroxides, which undergo auto accelerating thermal decomposition, are excluded from any of the flashpoint measurement methods specified above.

**Flexible cords and cables**

Typically used to connect electrical equipment to an outlet or receptacle. These cords can have an attachment plug to connect to a power source or can be permanently wired into the power source. Flexible cords, extension cords, cables and electrical cords are all examples of flexible cord.

**Floor hole**

An opening in any floor, platform, pavement, or yard that measures at least one inch but less than 12 inches at its smallest dimension and through which materials and tools (but not people) can fall.

Examples of floor holes are:

- Belt holes
- Pipe openings
- Slot openings

**Floor opening**

An opening in any floor, platform, pavement, or yard that measures at least 12 inches in its smallest dimension and through which a person can fall.

Examples of floor openings are:

- Hatchways
- Stair or ladder openings
- Pits
- Large manholes

The following are NOT considered floor openings:

- Openings occupied by elevators
- Dumbwaiters
- Conveyors
- Machinery
- Containers

**Foreseeable emergency**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any potential event that could result in an uncontrolled release of a hazardous chemical into the workplace. Examples of foreseeable emergencies include

equipment failure, rupture of containers, or failure of control equipment.

#### **Ground**

As used in Electrical, WAC 296-800-280, a connection between an electrical circuit or equipment and the earth or other conducting body besides the earth. This connection can be intentional or accidental.

#### **Grounded**

A connection has been made between an electrical circuit or equipment and the earth or another conducting body besides the earth.

#### **Grounded conductor**

A system or circuit conductor that is intentionally grounded.

#### **Ground-fault circuit-interrupter**

A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

#### **Grounding conductor**

Is used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

#### **Grounding conductor, equipment**

A conductor used to connect noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

#### **Guarded**

Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of being accidentally touched or approached closer than a safe distance.

#### **Handrail**

A single bar or pipe supported on brackets from a wall or partition to provide a continuous handhold for persons using a stair.

#### **Harmful physical agent**

Any chemical substance, biological agent (bacteria, virus, fungus, etc.), or physical stress (noise, heat, cold, vibration, repetitive motion, ionizing and nonionizing radiation, hypo- or hyperbaric pressure, etc.) which:

- Is listed in the latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS) (see Appendix B); or

- Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer;

OR

- Is the subject of a material safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

#### **Hazard**

Any condition, potential or inherent, which can cause injury, death, or occupational disease.

#### **Hazard warning**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 can be a combination of words, pictures,

symbols, or combination appearing on a label or other appropriate form of warning which shows the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s).

Note: See definition for physical hazard and health hazard to determine which hazards must be covered.

#### **Hazardous chemical**

Any chemical that is a physical or health hazard.

#### **Health hazard**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any chemical with the potential to cause acute or chronic health effects in exposed employees. The potential must be statistically significant based on evidence from at least one study conducted under established scientific principles. Health hazards include:

- Chemicals which are carcinogens
- Toxic or highly toxic agents
- Reproductive toxins
- Irritants
- Corrosives
- Sensitizers
- Hepatotoxins
- Nephrotoxins
- Neurotoxins
- Agents which act on the hematopoietic system
- Agents which damage the lungs, skin, eyes, or mucous membranes

See WAC 296-62-054 for more definitions and explanations about the scope of health hazards covered by this part.

See WAC 296-62-054 for the criteria used for determining whether or not a chemical is considered hazardous for purposes of this rule.

#### **Hospitalization**

To be sent to, to go to, or be admitted to, a hospital or an equivalent medical facility and receive medical treatment beyond first-aid treatment, regardless of the length of stay in the hospital or medical facility.

#### **Identity**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any chemical or common name listed on the material safety data sheet (MSDS) for the specific chemical. Each identity used must allow cross-references among the:

- Required list of hazardous chemicals
- Chemical label
- MSDSs

#### **Imminent danger violation**

Any violation(s) resulting from conditions or practices in any place of employment, which are such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately or before such danger can be eliminated through the enforcement procedures otherwise provided by the Washington Industrial Safety and Health Act.

#### **Importer**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means the first business within the Customs Territory of the USA that:

- Receives hazardous chemicals produced in other countries

EXPEDITED

AND

• Supplies them to distributors or employers within the USA

See WAC 296-62-054 for requirements dealing with Manufacturers, Importer and Distributors - Hazard Communication.

#### **Insulated**

A conductor has been completely covered by a material that is recognized as electrical insulation and is thick enough based on:

- The amount of voltage involved

AND

- The type of covering material

#### **Interim waiver**

An order granted by the department allowing an employer to vary from WISHA requirements until the department decides to grant a permanent or temporary waiver.

#### **Ladder**

Consists of 2 side rails joined at regular intervals by crosspieces called steps, rungs, or cleats. These steps are used to climb up or down.

#### **Listed**

Equipment is listed if it:

- Is listed in a publication by a nationally recognized laboratory (such as UL, underwriters laboratory) that inspects the production of that type of equipment,

AND

- States the equipment meets nationally recognized standards or has been tested and found safe to use in a specific manner.

#### **Material safety data sheet (MSDS)**

Written or printed material that tells you about the chemical(s), what it can do to and how to protect yourself, others, or the environment.

For requirements for developing MSDSs see WAC 296-62-054—Manufacturers, Importers, and Distributors - Hazard Communication.

#### **Medical treatment**

Treatment provided by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first-aid treatment even if provided by a physician or registered professional personnel.

#### **Mixture**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, any combination of 2 or more chemicals (if that combination did not result from a chemical reaction).

#### **Movable equipment**

As used in WAC 296-800-35052, a hand-held or non-hand-held machine or device;

- That is powered or nonpowered;

AND

- Can be moved within or between worksites

#### **Must**

Must means mandatory.

#### **NEMA**

These initials stand for National Electrical Manufacturing Association.

#### **NFPA**

This is an acronym for National Fire Protection Association.

#### **Nose**

The portion of the stair tread that projects over the face of the riser below it.

#### **Occupational Safety and Health Administration (OSHA)**

Passed in 1970 by the U.S. Congress, the ((OSH ()))Occupational Safety and Health((())) Act (OSHA) provides safety on the job for working men and women. OSHA oversees states (such as Washington) that have elected to administer their own safety and health program. OSHA requires WISHA rules to be at least as effective as OSHA rules.

#### **Office work environment**

An indoor or enclosed occupied space where clerical work, administration, or business is carried out.

In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.

- Office areas of manufacturing and production facilities, not including process areas.

- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

#### **Open riser**

A stair step with an air space between treads has an open riser.

#### **Organic peroxide**

This is an organic compound containing the bivalent-0-0-structure. It may be considered a structural derivative of hydrogen peroxide if one or both of the hydrogen atoms has been replaced by an organic radical.

#### **Outlet**

See definition for electrical outlets.

#### **Oxidizer**

A chemical other than a blasting agent or explosive as defined in WAC 296-52-417 or CFR 1910.109(a), that starts or promotes combustion in other materials, causing fire either of itself or through the release of oxygen or other gases.

#### **Permissible exposure limits (PELs)**

PELs are airborne concentrations of substances measured by their concentration in the air no matter what amount is breathed by the employee. The permissible exposure limits (PELs) must include the following four categories:

- Permissible exposure limits - Time-weighted average (PEL-TWA) is the time-weighted average airborne exposure to any 8-hour work shift of a 40-hour work week and must not be exceeded.

- Permissible exposure limits - Short-term exposure limit (PEL-STEL) is the employee's 15-minute time-weighted average exposure which must not be exceeded at any time during a work day unless another time limit is specified in a parenthetical notation below the limit. If another time period is specified, the time-weighted average exposure over that time period must not be exceeded at any time during the working day.

- Permissible exposure limits - Ceiling (PEL-C) is the employee's exposure which must not be exceeded during any part of the workday. If instantaneous monitoring is not feasible, then the ceiling must be assessed as a 15-minute time-

weighted average exposure which must not be exceeded at any time over a working day.

- Skin notation is the potential contribution to the overall employee exposure by the cutaneous route including mucous membranes and eye, either by airborne, or more particularly, by direct contact with the substance. These substances are identified as having a skin notation in the OSHA and WISHA PEL tables (29 CFR Part 1910 Subpart Z and WAC 296-62-075, respectively).

#### **Person**

One or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

#### **Personal service room**

Used for activities not directly connected with a business' production or service function such as:

- First-aid
- Medical services
- Dressing
- Showering
- Bathrooms
- Washing
- Eating

#### **Personnel**

See the definition for employees.

#### **Physical hazard**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means a chemical that has scientifically valid evidence to show it is one of the following:

- Combustible liquid
- Compressed gas
- Explosive
- Flammable
- Organic peroxide
- Oxidizer
- Pyrophoric
- Unstable (reactive)
- Water reactive

#### **Platform**

Platform means an extended step or landing that breaks a continuous run of stairs.

#### **Plug**

See definition for attachment plug.

#### **Potable water**

Water that you can safely drink. It meets specific safety standards prescribed by the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.

#### **Predictable and regular basis**

Employee functions such as, but not limited to, inspection, service, repair and maintenance which are performed

- at least once every 2 weeks

OR

- 4 man-hours or more during any sequential 4-week period (to calculate man-hours multiply the number of employees by the number of hours during a 4-week period).

#### **Produce**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, any one of the following:

- Manufacture
- Process
- Formulate
- Blend
- Extract
- Generate
- Emit
- Repackage

#### **Purchaser**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, an employer who buys one or more hazardous chemicals to use in their workplace.

#### **Pyrophoric**

A chemical is pyrophoric if it will ignite spontaneously in the air when the temperature is 130°F (54.4°C) or below.

#### **Qualified**

A person is qualified if they have one of the following:

- Extensive knowledge, training and experience about the subject matter, work or project
- A recognized degree, certificate, or professional standing
- Successfully demonstrated problem solving skills about the subject, work, or project

#### **Railing or standard railing**

A vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of persons.

#### **Reassume jurisdiction**

The department has decided to take back its control over a citation and notice being appealed.

#### **Receptacle or receptacle outlet**

As used in basic electrical rules, WAC 296-800-280 means outlets that accept a plug to supply electric power to equipment through a cord or cable.

#### **Record**

A record is any item, collection, or grouping of information. Examples include:

- Paper document
- Microfiche
- Microfilm
- X-ray film
- Computer record

#### **Repeat violation**

A repeat violation occurs when WISHA cites an employer more than once in the last 3 years for a substantially similar hazard.

#### **Responsible party**

As used in employer chemical hazard communication, WAC 296-800-170. Someone who can provide appropriate information about the hazardous chemical and emergency procedures.

#### **Rise**

The vertical distance from the top of a tread to the top of the next higher tread.

#### **Riser**

The vertical part of the step at the back of a tread that rises to the front of the tread above.

#### **Rungs**

Rungs are the cross pieces on ladders that are used to climb up and down the ladder.

**Runway**

An elevated walkway above the surrounding floor or ground level. Examples of runways are footwalks along shafting or walkways between buildings.

**Safety factor**

The term safety factor means the ratio of when something will break versus the actual working stress or safe load when it is used.

**Serious violation**

Serious violation must be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use in such workplace, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

**Should**

Should means recommended.

**Single ladder**

A type of portable ladder with one section.

It is distinguished by all of the following:

- It has one section
- It cannot support itself
- Its length cannot be adjusted

**Smoking**

A person is smoking if they are:

- Lighting up
- Inhaling
- Exhaling
- Carrying a pipe, cigar or cigarette of any kind that is burning

**Specific chemical identity**

This term applies to chemical substances. It can mean the:

- Chemical name
- Chemical Abstracts Service (CAS) registry number
- Any other information that reveals the precise chemical designation of the substance.

**Stair railing**

A vertical barrier attached to a stairway with an open side to prevent falls. The top surface of the stair railing is used as a handrail

**Stairs or stairway**

A series of steps and landings:

- leading from one level or floor to another,
- leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment
- Used more or less continuously or routinely by employees, or only occasionally by specific individuals.
- With three or more risers

**Standard safeguard**

Safety devices that prevent hazards by their attachment to:

- Machinery
- Appliances
- Tools
- Buildings
- Equipment

These safeguards must be constructed of:

- Metal
- Wood
- Other suitable materials

The department makes the final determination about whether a safeguard is sufficient for its use.

**Step ladder**

A portable ladder with:

- Flat steps
- A hinge at the top allowing the ladder to fold out and support itself
- Its length that cannot be adjusted

**Toeboard**

A barrier at floor level along exposed edges of a floor opening, wall opening, platform, runway, or ramp, to prevent falls of materials.

**(Toilet**

~~Means a fixture that flushes maintained within a bathroom for the purpose of defecation or urination or both.)~~

**Toxic substance**

Any:

- Chemical substance
- Biological agent (such as bacteria, virus, or fungus)
- Physical stress (such as noise, vibration, or repetitive motion)

A substance is toxic if:

- The latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS) lists the substance
- Testing by or known to the employer has shown positive evidence that the substance is an acute or chronic health hazard
- A material safety data sheet kept by or known to the employer shows the material may be a hazard to human health

**Trade secret**

Any confidential:

- Formula
- Pattern
- Process
- Device
- Information
- Collection of information

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who do not know or use it.

See WAC 296-62-053 for requirements dealing with trade secrets.

**Tread**

As used in stairs and stair railings, WAC 296-800-250 means the horizontal part of the stair step.

**Tread run**

As used in stairs and stair railings, WAC 296-800-250 means the distance from the front of one stair tread to the front of an adjacent tread.

**Tread width**

The distance from front to rear of the same tread including the nose, if used.

**UL (Underwriters' Laboratories, Inc.)**

You will find these initials on electrical cords and equipment. The initials mean the cord or equipment meets the standards set by the Underwriters' Laboratories, Inc.

**Unstable (reactive)**

As used in employer chemical hazard communication, WAC 296-800-170. An unstable or reactive chemical is one that in its pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

**~~(Urinal~~**

~~A toilet in a men's bathroom that is designed and intended solely for urination:))~~

**Use**

As used in employer chemical hazard communication, WAC 296-800-170, means to:

- Package
- Handle
- React
- Emit
- Extract
- Generate as a by-product
- Transfer

**Voltage of a circuit**

The greatest effective potential difference between any two conductors or between a conductor and ground.

**Voltage to ground**

The voltage between a conductor and the point or conductor of the grounded circuit. For undergrounded circuits, it is the greatest voltage between the conductor and any other conductor of the circuit.

**Voltage, nominal**

Nominal voltage is a value assigned to a circuit or system to designate its voltage class (120/240, 480Y/277, 600, etc.). The actual circuit voltage can vary from the value if it is within a range that permits the equipment to continue operating in a satisfactory manner.

**WAC**

This is an acronym for **Washington Administrative Code**, which are rules developed to address state law.

**Water-reactive**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, a water-reactive chemical reacts with water to release a gas that is either flammable or presents a health hazard.

**Watertight**

Constructed so that moisture will not enter the enclosure or container.

**Weatherproof**

Constructed or protected so that exposure to the weather will not interfere with successful operation. Rainproof, rain-tight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

**Wet location**

As used in basic electrical rules, WAC 296-800-280 means:

- Underground installations or in concrete slabs or masonry that are in direct contact with the earth
- Locations that can be saturated by water or other liquids
- Unprotected locations exposed to the weather (like vehicle washing areas)

**WISHA**

This is an acronym for the Washington Industrial Safety and Health Act.

**Working days**

~~((A calendar day, except Saturdays, Sundays, and legal holidays as set forth in RCW 1.16.050, as now or hereafter amended, and for the purposes of the computation of time within which an act is to be done under the provisions of this chapter, shall be computed by excluding the first working day and including the last working day:))~~ Means a calendar day, except Saturdays, Sundays, and legal holidays. Legal holidays include:

– New Year's Day - January 1

– Martin Luther King, Jr. Day

– Presidents' Day

– Memorial Day

– Independence Day - July 4

– Labor Day

– Veterans' Day - November 11

– Thanksgiving Day

– The day after Thanksgiving Day; and

– Christmas Day - December 25

The number of working days must be calculated by not counting the first working day and counting the last working day.

**Worker**

See the definition for employee.

**Workplace**

- The term workplace means:

– Any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

– As used in Employer Chemical Hazard Communication, WAC 296-800-170 means an establishment, job site, or project, at one geographical location containing one or more work areas.

~~((As used in Employer Chemical Hazard Communication, WAC 296-800-180, any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended:))~~

**You**

See definition of employer.

**Your representative**

Your representative is the person selected to act in your behalf.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-32-250 Tools and personal protective equipment—General.** (1) Personal protective equipment, protective devices and special tools needed for the work of employees shall be provided and the employer shall ensure that they are used by employees.

(a) Before each day's use the employer shall ensure that these personal protective devices, tools, and equipment are carefully inspected by a competent person to ascertain that they are in good condition.

(b) Tools found to be defective shall be taken out of service.

(2) Head protection. Class B protective helmets shall be provided whenever there is exposure to overhead hazards and/or possible high voltage electrical contact.

(a) Employees working in areas where there is a possible danger of head injury from impact, falling or flying objects, shall be protected by protective helmets.

(b) Criteria for protective helmets.

(i) Protective helmets purchased after February 20, 1995, shall comply with ANSI Z89.1-1986, "American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements," which is incorporated by reference, or shall be demonstrated to be equally effective.

(ii) Protective helmets purchased before February 20, 1995, shall comply with the ANSI standard "American National Standard Safety Requirements for Industrial Head Protection," ANSI Z89.1-1969, or shall be demonstrated by the employer to be equally effective.

(3) Eye protection. Protective eye and face equipment shall be required where there is a possibility of injury that can be prevented by such equipment. In such cases, employers shall make conveniently available a type of protector suitable for the work to be performed, and employees shall use such protectors.

Note: See WAC 296-800-160 for additional personal protective equipment requirements.

(4) Tent heaters, torches and open flame. Open flames shall not be used within ground tents or on platforms within aerial tents unless:

(a) The tent covers are constructed of fire resistant materials, and

(b) Ventilation is provided to maintain safe oxygen levels and avoid harmful buildup of combustion products and combustible gases.

(5) Portable power equipment.

(a) All portable power equipment used in the telecommunications industry shall be grounded.

(b) Nominal 120V, or less, portable generators used for providing power at work locations do not require grounding if the output circuit is completely isolated from the frame of the unit.

(c) Grounding shall be omitted when using soldering irons, guns or wire-wrap tools on telecommunication circuits.

(6) Vehicle-mounted utility generators. Vehicle-mounted utility generators used for providing nominal 240V AC or less for powering portable tools and equipment need not be grounded to earth if all of the following conditions are met:

(a) One side of the voltage source is solidly strapped to the metallic structure of the vehicle;

(b) Grounding-type outlets are used, with a "grounding" conductor between the outlet grounding terminal and the side of the voltage source that is strapped to the vehicle;

(c) All metallic encased tools and equipment that are powered from this system are equipped with three-wire cords and grounding-type attachment plugs, except as designated in subsection (7) of this section.

(7) Portable lights, tools and appliances. When operated from commercial power such metal parts of these devices shall be grounded, unless these tools or appliances are protected by a system of double insulation, or its equivalent. Where such a system is employed, the equipment shall be distinctively marked to indicate double insulation.

(8) Lead work. When operated from commercial power the metal housing of electric solder pots shall be grounded. Electric solder pots may be used with the power equipment described in this subsection, without a grounding conductor.

The employer shall ensure that wiping gloves or cloths and eye protection are used in lead wiping operations. A drip pan to catch hot lead drippings shall also be provided and used.

(9) Fire extinguishers.

(a) Fire extinguishers shall be provided for the protection of both the building structure and the occupancy hazards contained therein.

(b) Employees shall be familiar with the location and operation of fire extinguishers.

(c) Any fire extinguishers showing defects shall be removed from service.

(d) Fire extinguishers shall be thoroughly examined and/or recharged or repaired to insure operability and safety once every year.

(e) Each fire extinguisher shall have a durable tag securely attached to show the maintenance or recharge date and the initials or signature of the person performing this service.

Note: For additional requirements relating to portable fire extinguishers see WAC 296-800-300.

**AMENDATORY SECTION** (Amending WSR 00-12-024, filed 5/26/00, effective 7/1/02)

**WAC 296-62-05140 How must employees be kept involved and informed?** (1) The employer must provide for and encourage employee participation in analyzing "caution zone jobs" and selecting measures to reduce WMSD hazards. Employers with eleven or more employees who are required to have safety committees (WAC ((296-24-045)) 296-800-130), must involve this committee in choosing the methods to be used for employee participation.

(2) Employers with eleven or more employees must share the following information with the safety committee (if a committee is required by WAC ((296-24-045)) 296-800-130). Employers who are not required to have a safety committee (WAC ((296-24-045)) 296-800-130) must provide this information at safety meetings:

- The requirements of this rule;
- Identified "caution zone jobs";

- Results of the hazard analysis and/or identification of jobs with WMSD hazards; and
- Measures to reduce WMSD hazards.

(3) The employer must review its ergonomics activities at least annually for effectiveness and for any needed improvements. This review must include members of the safety committee where one exists or ensure an equally effective means of employee involvement.

**AMENDATORY SECTION** (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-155-260 Fire protection.** (1) General requirements.

(a) The employer shall be responsible for development of a fire protection program to be followed throughout all phases of construction and demolition work, and the employer shall provide for fire fighting equipment as specified in this part. As fire hazards occur, there shall be no delay in providing necessary equipment.

(b) Access to all available fire fighting equipment shall be maintained at all times.

(c) All fire fighting equipment, provided by the employer, shall be conspicuously located.

(d) All fire fighting equipment shall be periodically inspected by a competent person, and maintained in operating condition. Defective equipment shall be immediately replaced.

(e) As warranted by the project, the employer shall provide a trained and equipped fire fighting organization (fire brigade) to assure adequate protection to life.

(2) Water supply.

(a) A temporary or permanent water supply, of sufficient volume, duration, and pressure, required to properly operate fire fighting equipment shall be made available as soon as combustible materials accumulate.

(b) Where underground water mains are to be provided, they shall be installed, completed, and made available for use as soon as practicable.

(3) Portable fire fighting equipment.

(a) A fire extinguisher, rated not less than 2A, shall be provided for each 3,000 square feet of a combustible building area, or major fraction thereof. Travel distance from any point of the protected area to the nearest fire extinguisher shall not exceed a horizontal distance of 100 feet.

Note: One 55-gallon open drum of water with two fire pails may be substituted for a fire extinguisher having a 2A rating.

(b) A 1/2-inch diameter garden-type hose line, not to exceed 100 feet in length and equipped with a nozzle, may be substituted for a 2A-rated fire extinguisher, provided it is capable of discharging a minimum of 5 gallons per minute with a minimum hose stream range of 30 feet horizontally. The garden-type hose lines shall be mounted on conventional racks or reels. The number and location of hose racks or reels shall be such that at least one hose stream can be applied to all points in the area.

(c) One or more fire extinguishers, rated not less than 2A, shall be provided on each floor. In multistory buildings, where combustibles are present, at least one fire extinguisher shall be located adjacent to a stairway.

(d) Extinguishers and water drums, subject to freezing, shall be protected from freezing.

(e) A fire extinguisher, rated not less than 10B, shall be provided within 50 feet of wherever more than 5 gallons of flammable or combustible liquids or 5 pounds of flammable gas are being used on the jobsite. This requirement does not apply to the integral fuel tanks of motor vehicles.

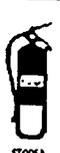
(f) Carbon tetrachloride and other toxic vaporizing liquid fire extinguishers are prohibited.

(g) Portable fire extinguishers shall be inspected periodically and maintained in accordance with Maintenance and Use of Portable Fire Extinguishers, NFPA No. 10A-1981 and WAC 296-800-300.

(h) Fire extinguishers which have been listed or approved by a nationally recognized testing laboratory, shall be used to meet the requirements of this part. (See Table D-1)

Note: For additional requirements relating to portable fire extinguishers see WAC 296-800-300.

EXPEDITED

	WATER TYPE				FOAM	CARBON DIOXIDE	DRY CHEMICAL			
							SODIUM OR POTASSIUM BICARBONATE		MULTIPURPOSE ABC	
										
<b>CLASS A FIRES</b> <small>WOOD, PAPER, RUBBER, GLASS, PLASTIC, PARAFFIN</small> 	YES	YES	YES	YES	YES	NO <small>(DO NOT USE ON LIQUID OR SOLID FUELS)</small>	NO <small>(DO NOT USE ON LIQUID OR SOLID FUELS)</small>	NO <small>(DO NOT USE ON LIQUID OR SOLID FUELS)</small>	YES	YES
<b>CLASS B FIRES</b> <small>FLAMMABLE LIQUIDS, GASES, OILS, GREASE, FATS</small> 	NO	NO	NO	NO	YES	YES	YES	YES	YES	YES
<b>CLASS C FIRES</b> <small>ELECTRICAL EQUIPMENT</small> 	NO	NO	NO	NO	NO	YES	YES	YES	YES	YES
<b>CLASS D FIRES</b> <small>COMBUSTIBLE METALS</small> 	SPECIAL EXTINGUISHING AGENTS APPROVED BY RECOGNIZED TESTING LABORATORIES									
METHODS OF OPERATION	PULL PIN, SQUEEZE LEVER	TURNOFF HANDLE AND PUMP	PUMP HANDLE	TURNOFF HANDLE	TURNOFF HANDLE	PULL PIN, SQUEEZE LEVER	PULL PIN, SQUEEZE LEVER	PULL PIN, SQUEEZE LEVER	PULL PIN, SQUEEZE LEVER	PULL PIN, SQUEEZE LEVER
RANGE	30' - 40'	30' - 40'	30' - 40'	30' - 40'	30' - 40'	3' - 8'	5' - 20'	5' - 20'	5' - 20'	5' - 20'
MAINTENANCE	CHECK AIR PRESSURE GAUGE MONTHLY	WHEN GAS CARTRIDGE IS EMPTY, REPLACE WITH WATER ANNUALLY	RECHARGE AND FILL WITH WATER ANNUALLY	DISCHARGE ANNUALLY	DISCHARGE ANNUALLY	RECHARGE ANNUALLY	WHEN GAS CARTRIDGE IS EMPTY, REPLACE ANNUALLY	CHECK PRESSURE GAUGE AND CONDITION OF DRY CHEMICAL ANNUALLY	WHEN GAS CARTRIDGE IS EMPTY, REPLACE ANNUALLY	WHEN GAS CARTRIDGE IS EMPTY, REPLACE ANNUALLY

EXPEDITED

Note: One hundred feet, or less, of 1-1/2 inch hose, with a nozzle capable of discharging water at 25 gallons or more per minute, may be substituted for a fire extinguisher rated not more than 2A in the designated area provided that the hose line can reach all points in the area.

- (i) If fire hose connections are not compatible with local fire fighting equipment, the contractor shall provide adapters, or equivalent, to permit connections.
- (j) During demolition involving combustible materials, charged hose lines, supplied by hydrants, water tank trucks with pumps, or equivalent, shall be made available.
- (4) Fixed fire fighting equipment.
- (a) Sprinkler protection.
- (i) If the facility being constructed includes the installation of automatic sprinkler protection, the installation shall closely follow the construction and be placed in service as soon as applicable laws permit following completion of each story.
- (ii) During demolition or alterations, existing automatic sprinkler installations shall be retained in service as long as reasonable. The operation of sprinkler control valves shall be permitted only by properly authorized persons.

Note: Modification of sprinkler systems to permit alterations or additional demolition should be expedited so that the automatic protection may be returned to service as quickly as possible. Sprinkler control valves shall be checked daily at close of work to ascertain that the protection is in service.

(b) Standpipes. In all structures in which standpipes are required, or where standpipes exist in structures being altered, they shall be brought up as soon as applicable laws permit, and shall be maintained as construction progresses in such a manner that they are always ready for fire protection use. The standpipes shall be provided with Siamese fire department connections on the outside of the structure, at the

street level, which shall be conspicuously marked. There shall be at least one standard hose outlet at each floor.

- (5) Fire alarm devices.
  - (a) An alarm system, e.g., telephone system, siren, etc., shall be established by the employer whereby employees on the site and the local fire department can be alerted for an emergency.
  - (b) The alarm code and reporting instructions shall be conspicuously posted at phones and at employee entrances.
- (6) Fire cutoffs.
  - (a) Fire walls and exit stairways, required for the completed buildings, shall be given construction priority. Fire doors, with automatic closing devices, shall be hung on openings as soon as practical.
  - (b) Fire cutoffs shall be retained in buildings undergoing alterations or demolition until operations necessitate their removal.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 01-18-099**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**VETERANS AFFAIRS**  
 [Filed September 5, 2001, 11:58 p.m.]

Title of Rule: Sections of Title 484 WAC dealing with the operation of state veterans homes.  
 Purpose: To redefine sections of Title 484 WAC clarifying that the department may operate a state veterans home in

eastern Washington in a manner similar to the operation of the other existing state veterans homes and to allow a designated representative of the superintendent to carry out some functions.

Statutory Authority for Adoption: RCW 43.60A.070 and chapter 72.36 RCW.

Statute Being Implemented: Chapter 4, Laws of 2001 2nd sp. sess.

Summary: Current rules need to be modified to allow the agency to comply with recently changed state law. The changes will further clarify the department's authority to maintain and operate a veterans home in eastern Washington. Additional changes will clarify that the superintendent may designate a representative to carry out some functions at the veterans home.

Reasons Supporting Proposal: Changes must be made to Title 484 WAC because of changes made by the state legislature during the 2001 2nd sp. sess.

Name of Agency Personnel Responsible for Drafting: Heidi Audette, P.O. Box 41150, Olympia, 98504, (360) 725-2154; Implementation and Enforcement: Lourdes Alvarado-Ramos, P.O. Box 41150, Olympia, 98504, (360) 725-2155.

Name of Proponent: Washington Department of Veterans Affairs, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This will modify existing rules to allow the agency to comply with changes in state law as a result of SHB 2227, which passed during the 2nd sp. sess. of the 2001 legislature and clarify that a designated representative of the superintendent may assist in the performance of some functions.

The effects of the rule are that consistency is maintained between state law and agency rule and practices.

Proposal Changes the Following Existing Rules: WAC 484-20-010 (5)(a): Change will include the eastern Washington veterans home in the definition of daily rate.

WAC 484-20-010(9): Redefines "facility" to include the eastern Washington veterans home.

WAC 484-20-010(22): Redefines "state veterans home" to include the eastern Washington veterans home.

WAC 484-20-080(1): Adds the superintendent's designated representative as a person to whom the residents may provide their annual statement of income and expenses.

WAC 484-20-086 (2)(c): Adds the superintendent's designated representative as a person to whom alleged violations of mistreatment, neglect or abuse and misappropriation of resident property may be reported.

WAC 484-20-090 (1)(c) and (g) and (2)(c): Adds the superintendent's representative as a person to whom residents may request permission to use electrical appliances or have/feed animals and to request exceptions to the overnight and leave privileges policy.

WAC 484-20-095: Adds the superintendent's designated representative as a person who may establish supplementary procedures for the state veterans homes consistent with federal and state statutes and standards.

WAC 484-20-135 (1) and (3): Clarifies that transfers can occur between any of the state veterans homes and that

the superintendent or administrator shall be contacted for additional information.

WAC 484-20-140: Clarifies that former residents may reapply to any veterans home.

WAC 484-20-145: Clarifies that residents may be buried in a state veterans home cemetery, if the veterans home has a cemetery.

#### NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Heidi Audette, WDVA, P.O. Box 41150, Olympia, WA 98504, AND RECEIVED BY November 5, 2001.

September 5, 2001

Heidi Audette

Public Relations

and Legislative Manager

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-010 Definitions.** The following words or phrases are used in this chapter in the meaning given, unless the context clearly indicates another meaning.

(1) Admission team - A team consisting of a designated veterans benefit specialist and designated medical or nursing staff.

(2) Adjudicative proceeding - In accordance with RCW 34.05.010(1), an adjudicative proceeding is a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the entry of an action by the agency.

(3) Administrative action - An act (as defined in RCW 34.05.010(3)) taken by the agency or state veterans home which implements or enforces a statute, applies an agency rule or order, or imposes sanctions or withholds benefits.

(4) Comprehensive care plan - A plan which outlines details of health care for Medicaid certified nursing facility residents.

(5) Cost of care.

(a) Daily rate - The maximum daily cost (rate) to provide care and services to a Medicaid recipient. The daily rate is set annually by the department of social and health services and applies to all Medicaid certified nursing facility residents. A different daily rate is established for the Washington veterans homes and, the Washington soldiers home, and the eastern Washington veterans home (also known as the Spokane veterans home).

(b) Private rate - The daily cost (rate) to provide services to state veterans home residents who have resource levels exceeding standards in WAC 484-20-040. There is a different

private rate for nursing care and domiciliary care. The private rate is based on actual operating costs.

(c) Resident contribution - The monthly amount a resident pays to the state veterans home as partial payment of the cost of care. If the resident is a Medicaid recipient, the resident contribution is determined by the appropriate community service office. If the resident is not a Medicaid recipient, the resident contribution is determined by the facility. The resident contribution is recalculated with any change in the resident's monthly income.

(6) Department - The department of veterans affairs.

(7) Director - The director of the department of veterans affairs or his/her designee.

(8) Domiciliary care - Is the provision of a home, with necessary ambulant medical care. To be entitled to domiciliary care, the applicant must consistently have a disability, disease or injury which is chronic in nature and produces disablement of such a degree and probable persistency as will incapacitate from earning a living for a prospective period.

(9) Facility - Refers to either the Washington veterans home, or the Washington soldiers home, or the eastern Washington veterans home (also known as the Spokane veterans home), but does not include the Medicaid certified nursing facility.

(10) Furlough - An approved absence for facility residents.

(11) Grievance - An oral or written statement of any difficulty, disagreement, or dispute relating in any way to a facility, a resident or facility staff.

(12) Grievance investigator - State veterans home social service staff or another appropriate person requested by the resident who investigates a grievance.

(13) Income - The receipt by an individual of any property or service which he/she can apply either directly, by sale, or conversion to meet his/her basic needs for food, clothing, and shelter.

(a) Earned income - Gross wages for services rendered and/or net earnings from self-employment. Earned income received at predictable intervals other than monthly or in unequal amounts will be converted to a monthly basis.

(b) Unearned income - All other income.

(14) Medicaid certified nursing facility - Refers to those nursing care units of each state veterans home that are Medicaid certified as described under WAC 388-97-005(20).

(15) Personal needs allowance - In accordance with RCW 72.36 the amount which a resident may retain from his/her income.

(16) Rehabilitation leave - A period of time granted to permit a resident to attempt to reestablish independent living or other care arrangements in a community of his/her choice while retaining the right to return to the facility without reapplying for admission.

(17) Rehabilitation plan - Describes individualized goals for professional treatment, counseling and/or guidance necessary to restore to the maximum extent possible the physical, mental and psychological functioning of an ill or disabled person.

(18) Resources - Cash or other liquid assets or any real or personal property that an individual or spouse, if any, owns

and could convert to cash to be used for support or maintenance.

(a) When an individual can reduce a liquid asset to cash, it is a resource.

(b) If an individual cannot reduce an asset to cash, it is not considered an available resource.

(c) Liquid - Assets that are in cash or are financial instruments which are convertible to cash such as, but not limited to, cash in hand, stocks, savings, checking accounts, mutual fund shares, mortgage, promissory notes.

(d) Nonliquid - All other property both real and personal shall be evaluated according to the price that can reasonably be expected to sell for on the open market in the particular geographical area involved.

(19) Resident - An individual who resides at a state veterans home.

(20) Resident council - A group of residents elected in accordance with RCW 72.36.150 by facility residents.

(21) Social leave - An approved absence for residents of Medicaid certified nursing facility units.

(22) State veterans home - Refers to either the Washington soldiers home and colony in Orting, or the Washington veterans home in Retsil, the eastern Washington veterans home (also known as the Spokane veterans home), or both all.

(23) Staff - Any individual hired or contracted to provide care and services at the state veterans homes.

(24) Superintendent - The licensed nursing home administrator appointed by the director to administer the day-to-day operations of a state veterans home.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-080 Annual declaration of income and resources.** (1) Each resident shall promptly provide the superintendent or designated representative with a statement reflecting all income and resources:

(a) Annually, at such time as determined by department policy;

(b) Within fourteen days of any change in income;

(c) Within fourteen days of receipt of any lump sum/back-award payment of benefits. The department shall provide forms for reporting of income and resources; and

(d) If the resident is able to demonstrate good cause, exceptions may be made to the reporting deadlines in (b) and (c) of this subsection.

(2) Each resident shall comply with any reporting requirements necessary to initiate/continue any benefits and/or pensions to which he/she is entitled.

(3) Reports shall be made at intervals and on forms prescribed by the entity paying the benefits and/or pension. Copies shall be submitted to the facility's administration for filing in the resident's administrative file:

(a) U.S. Department of Veterans Affairs benefits — as prescribed by the U.S. Department of Veterans Affairs.

(b) Social Security benefits — as prescribed by the Social Security Administration.

(c) Medicaid benefits — as prescribed by the department of social and health services.

(d) Other pensions and benefits — as prescribed by the entity paying the pension/benefit.

(4) When a resident is authorized to contribute to the support of a dependent under WAC 484-20-065, the dependent shall also be required to comply with any required reporting intervals, using the prescribed form(s).

(5) The veterans benefit specialist and business office staff at each facility shall be available to assist residents to complete and submit appropriate reports in a timely manner and to resolve any underpayment or overpayment of benefits.

(6) Failure to comply with all income and resource reporting requirements may result in overpayment or underpayment of the resident contribution. Underpayment of the resident contribution may be grounds to begin discharge proceedings in accordance with WAC 484-20-120. Notice of such administrative action shall be given in accordance with WAC 484-20-103.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-086 Restraints/prevention of abuse—Medicaid certified nursing facility.** (1) Restraints. In accordance with federal regulations at 42 CFR § 483.13, the resident has the right to be free from any physical or chemical restraints imposed for purposes of:

(a) Discipline or convenience, and not required to treat the resident's medical symptoms; or

(b) Preventing or limiting independent mobility or activity, except that a restraint may be used in a bona fide emergency situation when necessary to prevent a person from inflicting injury upon self or others. The Medicaid nursing facility shall obtain within seventy-two hours a physician's order for proper treatment resolving the emergency situation and eliminating the cause for the restraint.

(2) Abuse. The resident has the right to be free from verbal, sexual, physical, and mental abuse, corporal punishment, and involuntary seclusion.

(a) The Medicaid certified nursing facility shall develop and implement written policies and procedures that prohibit mistreatment, neglect and abuse of residents and misappropriation of resident property.

(b) The Medicaid certified nursing facility shall:

(i) Not use verbal, mental, sexual, or physical abuse, corporal punishment or involuntary seclusion; and

(ii) Not employ persons who have been:  
(A) Found guilty of abusing, neglecting or mistreating residents; by a court of law; or

(B) Have had a finding entered into the state nurse aide registry concerning abuse, neglect, mistreatment of residents, and misappropriation of their property; and

(iii) Report any knowledge it has of actions by court of law against an employee, which would indicate unfitness for services as a nurse aide or other medicaid certified nursing facility staff to the state nurse aid registry or licensing authorities.

(c) The Medicaid certified nursing facility shall ensure that all alleged violations involving mistreatment, neglect or abuse including injuries of unknown source, and misappropriation of resident property are reported immediately to the superintendent or designated representative of the Medicaid certified nursing facility and to other officials in accordance with state law through established procedures (including the state survey and certification agency).

(d) The Medicaid certified nursing facility shall:

(i) Have evidence that all alleged violations are thoroughly investigated; and

(ii) Prevent further potential abuse while the investigation is in progress.

(e) The results of all investigations shall be reported to the superintendent or his/her designated representative and to other officials in accordance with state law (including to the state survey and certification agency) within five working days of the incident, and if the alleged violation is verified, appropriate corrective action must be taken.

**AMENDATORY SECTION** (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-090 State veterans home rules.** Residents of the state veterans homes are expected to comply with the following facility rules. Facility rules apply to all residents:

(1) Health and safety rules.

(a) Emergency evacuation. Any time a fire or alarm is sounded, domiciliary residents must immediately evacuate the building and report to the designated evacuation area. Residents may not enter the evacuated building until designated staff indicate all is clear. Nursing care unit residents must follow the instructions of the nursing staff.

(b) Community living skills. The condition of residents living quarters must meet existing fire, safety and health-sanitation codes. Residents shall accomplish and/or assist with maintaining their living quarters as defined in their comprehensive care plan. Vacated rooms shall be left in a clean condition.

(c) Electrical appliances. Only low wattage household type electrical appliances such as television sets, electric clocks, electric razors, fans of 150 watts or less with acceptable finger guards, small refrigerators rated at not more than 1.5 amps and approved by the facility electrician, radios, audio and/or video recorders (VCRs), and disc playing machines may be used in resident's rooms. Use of any other electrical equipment requires the written approval of the superintendent or designated representative.

(d) Repair of rooms. Residents shall not alter or repair their living quarters or other common use areas. This includes but is not limited to walls (e.g., for hanging pictures), other flat surfaces, electrical systems, television/cable hook-ups, phone hook-ups, heating systems, and plumbing. State veterans home staff shall assist residents in personalizing their

rooms, including but not limited to hanging personal pictures and checking electrical appliances as authorized in (c) of this subsection. Requests for alterations and/or repairs shall be made to the state veterans home plant manager.

(e) Alcohol - drugs. Possession or use of intoxicating beverages, narcotics, or controlled substances on the grounds of a state veterans home or during off-grounds activities sponsored by the state veterans home, without a physician's written prescription is prohibited. Drugs which were prescribed by a physician but which are no longer used by the resident to whom they were issued, shall be turned in to the state veterans home pharmacy.

(f) Weapons. Possession of firearms, ammunition, explosives or dangerous weapons is prohibited.

(g) Animals. Unauthorized possession or feeding of animals on state veterans home property is prohibited except when specifically sanctioned by the superintendent or designated representative.

(h) Smoking. Residents may not smoke in bed or in any area in the state veterans home where no smoking signs are posted.

(2) General facility rules.

(a) Visiting hours. Normal visiting hours for guests are 8:00 a.m. to 10:00 p.m.

(b) Program listening. Radios, TVs, and tape recording-playing devices such as video tape recorders (VCRs) and cassette players may be used in resident's rooms. Volume levels of such equipment must be kept at a level that does not disturb others. Between the hours of 10:00 p.m. and 7:00 a.m., volume on such equipment must be reduced to match reduced noise levels in the general surroundings so that others will not be disturbed. The use of headphones is strongly encouraged for those who wish to use such equipment after 10:00 p.m.

(c) Leave. Pursuant to U.S. Department of Veterans Affairs census reporting requirements, residents leaving the grounds for any purpose must sign out at designated locations. Upon returning, the resident must sign in again. After returning from overnight pass, furlough or social leave, the resident must remain on the grounds overnight before permission to go on an additional overnight pass, furlough or social leave can be granted, except in the case of emergency. Leaving the grounds without proper authorization, or failure to return from overnight pass, furlough or social leave at the prescribed time without obtaining permission for an extension, may result in the resident being discharged in accordance with WAC 484-20-120. Residents being admitted to the facility must remain on the grounds overnight before overnight pass or leave privileges may be exercised unless an exception is granted by the superintendent or designated representative.

(d) Respect for property. No person may deface or destroy walls, buildings, trees, shrubbery, fences, grounds, or any other property or possessions belonging to the state of Washington or to any other person. Appropriation of the property of another person, corporate entity or the state of Washington without permission is also prohibited. Residents are required to reimburse the state veterans home for theft and intentional or negligent injury to state property.

(e) Vehicle registration. Vehicles kept on state veterans home property must be registered at least annually with the

state veterans home administration. Residents who drive on the state veterans home property must: Possess a valid Washington state driver's license; provide proof of ownership and/or registration; and, show proof of at least minimal insurance as required by Washington state financial responsibility law. The requirement to register applies to vehicles owned by residents, owned by another and registered in the name of the resident, and/or any vehicle regardless of ownership that is regularly in the possession of the resident. Vehicles must have current license tags and they must display the state veterans home identification sticker. All traffic and parking control signs must be obeyed.

(f) Personal conduct between residents and others. Residents are expected to refrain from obscene, sexually or racially demeaning, threatening language, or behavior, or physically assaultive behavior. Such behavior, directed at another person, whether on the grounds or off the grounds during a state veterans home-sponsored activity, will be considered a violation of this rule.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending WSR 92-17-046 [94-22-050], filed 8/14/92 [10/31/94], effective 9/14/92 [12/1/94])

**WAC 484-20-095 Supplementary policies and procedures.** The superintendent or designated representative of each state veterans home shall establish supplementary policies and procedures consistent with the substance and intent of the rules in this chapter and applicable federal and state statutes and standards.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-135 Transfer from one state veterans home to another.** (1) A resident may apply for transfer to either any state veterans home or the colony located at Ortting. Requests for transfer are to be forwarded to the admissions team.

(2) All such requests shall be reviewed by the admissions team, using the admissions criteria.

(3) In addition, the admission team shall contact the superintendent or designated representative of each state veterans home to obtain other information which may be pertinent to the transfer request.

(4) The admission team shall make a recommendation to approve or deny the transfer.

(5) The names of residents who are approved for transfer shall be placed on the waiting list for the program or service which the admission team has determined shall be most appropriate for their health care needs. The position on the waiting list shall be determined by the date on which the transfer was approved.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-145 Burial in the state veterans home cemetery.** (1) To the extent practicable the remains of individuals who die at a state veterans home shall be disposed of in accordance with instructions given prior to death.

(2) An individual or his/her survivors (in the line of succession as designated in RCW 68.50.160) may request burial in the state veterans home cemetery, if the state veterans home has a cemetery, when the deceased is a resident of the state veterans home at the time of death.

(3) A nonresident spouse of a former resident who is buried in the facility's cemetery may request burial in the state veterans home cemetery, unless the spouse has remarried. If the spouse wishes to be buried in the facility's cemetery, he/she makes such a request with the knowledge that his/her remains will be cremated and buried in the same gravesite as the former resident.

(4) Funeral arrangements and all burial costs shall be the responsibility of the deceased individual's estate or his/her survivors (or the county if there are no survivors) in accordance with RCW 68.50.160.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

EXPEDITED



## ERRATUM

Do to a clerical error, WAC 16-557-020 was incorrectly published in Issue 01-10, WSR 01-10-087. In subsection (2)(b)(iii), the stricken words "five and" should not have included the word "six." The correct amendment of WAC 16-557-020 is shown below.

**AMENDATORY SECTION** (Amending WSR 95-17-116 (Order 5078), filed 8/23/95, effective 9/23/95)

**WAC 16-557-020 Asparagus commodity board. (1) Administration.** The provisions of this order and the applicable provisions of the act shall be administered and enforced by the board as the designee of the director.

**(2) Board membership.**

(a) The board shall consist of nine members. Six members shall be affected producers elected as provided in this section, one member shall be an affected handler, fresh, elected as provided in this section, one member shall be an affected handler processor, as provided in this section. The director shall appoint one member who is neither an affected producer nor a handler to represent the department and the public.

(b) Effective January 1, 2002, for the purpose of nomination and election of producer members of the board, the affected area shall be that portion of the state of Washington located east of the summit of the Cascade Mountains and shall be divided into three representative districts as follows:

(i) District I shall have two board members, being positions one and two, and shall be Benton, Kittitas, Klickitat, and Yakima counties.

(ii) District II shall have ~~((two))~~ three board members, being positions three, ~~((and))~~ four(~~(,))~~ and five, and shall include the counties of Adams, Franklin, and Grant.

(iii) District III shall have ~~((two))~~ one board member(~~(s))~~, being position ~~((s))~~ ~~((five and))~~ six, and shall include the counties of Columbia and Walla Walla.

**(3) Board membership qualifications.**

(a) The affected producer members of the board shall be practical producers of asparagus and shall be citizens and residents of the state of Washington, over the age of twenty-five years, each of whom is and has been actively engaged in producing asparagus within the state of Washington for a period of five years and has, during that time, derived a substantial portion of his income therefrom. Producer-handlers shall be considered to be acting only as handlers for purpose of election and membership on a commodity board.

(b) The affected handler member of the board shall be a practical handler of asparagus and shall be a citizen and resident of the state of Washington, over the age of twenty-five years and who is and has been, either individually or as an officer or an employee of a corporation, firm, partnership association or cooperative actually engaged in handling asparagus within the state of Washington for a period of five years and has during that period derived a substantial portion of his income therefrom.

(c) The qualifications of members of the board must continue during their term of office.

**(4) Term of office.**

(a) The term of office, for members of the board shall be three years, and one-third of the membership as nearly as possible shall be elected each year.

(b) Membership positions on the board shall be designated numerically; affected producers shall have positions one through six, affected handler member fresh product, position seven, affected handler member, processor, position eight, and the member appointed by the director, position nine.

(c) The term of office for the initial board members shall be as follows:

Positions one, three, and seven - one year, shall terminate on December 31, 1992;

Positions two, four, and five - two years, shall terminate on December 31, 1993;

Positions six and eight - three years, shall terminate on December 31, 1994.

(d) No elected produce member of the board may serve more than two full consecutive three-year terms.

(5) **Nomination and election of board members.** For the purpose of nominating candidates for election to board membership, the director shall call separate meetings of affected producers, affected handlers, fresh and affected handler processors. Each year the director shall call for nomination meetings in those districts whose board members' term is about to expire. Such meetings shall be held at least thirty days in advance of the date set by the director for the election of board members. Notice of every such meeting shall be published in a newspaper of general circulation within the affected area not less than ten days in advance of the date of such meeting; and, in addition, written notice of every such meeting shall be given to all affected producers within the affected area and all affected handlers according to the list maintained by the director pursuant to RCW 15.65.200 of the act. Nonreceipt of notice by any interested person shall not invalidate the proceedings at such nomination meeting. Any qualified affected producer or affected handler may be nominated orally for membership on the board at such nomination meeting. Nominations may also be made within five days after any such meeting by written petition filed with the director, signed by not less than five affected producers or affected handlers. At the inception of this order, nominations may be made at the issuance hearing.

If the board moves and the director approves that the nomination meeting procedure be deleted, the director shall give notice of the vacancy by mail to all affected producers or handlers. Nominating petitions for producers shall be signed by not less than five affected producers of the district from which such a candidate will be elected. Nomination petitions for handlers, fresh and processed shall be signed by not less than three affected handlers. The final date for filing nominations which shall not be less than twenty days after the notice was mailed.

**(6) Election of board members.**

(a) Members of the board shall be elected by secret mail ballot within the month of November under the supervision of the director. Affected producer members of the board shall be elected by a majority of the votes cast by the affected producers within the affected district. Each affected producer within the affected district shall be entitled to one vote.

Affected handler, fresh, shall be elected by a majority of the votes cast by the affected handlers, fresh. Affected handler, processor, shall be elected by a majority of the votes cast by the affected handlers, processor.

(b) If a nominee does not receive a majority of the votes on the first ballot, a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(c) Notice of every election for board membership shall be published in a newspaper of general circulation within the affected area not less than ten days in advance of the date of such election. Not less than ten days prior to every election for board membership, the director shall mail a ballot of the candidates to each affected producer or affected handler entitled to vote whose name appears on the list of such affected producers and affected handler within the affected area maintained by the director in accordance with RCW 15.65.200. Any other affected producer or affected handler entitled to vote may obtain a ballot by application to the director upon establishing his qualifications. Nonreceipt of a ballot by any affected producer shall not invalidate the election of any board members.

(7) **Vacancies prior to election.** In the event of a vacancy on the board, the remaining members shall select a qualified person to fill the unexpired term.

(8) **Quorum.** A majority of the members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the board.

(9) **Board compensation.** No member of the board shall receive any salary or other compensation, but each member may receive thirty-five dollars or an amount as provided for in RCW 43.03.230 for each day in actual attendance at or traveling to and from meetings of the board or on special assignment for the board, together with travel expenses at the rates allowed state employees.

(10) **Powers and duties of the board.** The board shall have the following powers and duties:

(a) To administer, enforce, and control the provisions of this order as the designee of the director.

(b) To elect a chairman and such other officers as the board deems advisable.

(c) To employ and discharge at its discretion such personnel as the board determines necessary and proper to carry out the purpose of the order and effectuate the declared policies of the act.

(d) To pay only from moneys collected as assessments or advances thereon the costs arising in connection with the formulation, issuance, administration, and enforcement of the order. Such expenses and costs may be paid by check, draft, or voucher in such form and in such manner and upon the signature of the person as the board may prescribe.

(e) To reimburse any applicant who has deposited with the director in order to defray the costs of formulating the order.

(f) To establish an "asparagus board marketing revolving fund" and such fund to be deposited in a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the board, except for an amount of petty cash for each days' needs, not to exceed fifty dollars, shall be deposited daily.

(g) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, paid outs, moneys, and other financial transactions made and done pursuant to this order. Such records, books, and accounts shall be audited subject to procedures and methods lawfully prescribed by the state auditor. Such books and accounts shall be closed as of the last day of each fiscal year. A copy of such audit shall be delivered within thirty days after the completion thereof to the governor, the director, the state auditor, and the board.

(h) To require a bond of all board members and employees of the board in a position of trust in the amount the board shall deem necessary. The premium for such bond or bonds shall be paid by the board from assessments collected. Such bond shall not be necessary if any such board member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(i) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year.

(j) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the board. All records, books, and minutes of board meetings shall be kept at such headquarters.

(k) To adopt rules and regulations of a technical or administrative nature, subject to the provisions of chapter 34.05 RCW (Administrative Procedure Act).

(l) To carry out the provisions of RCW 15.65.510 covering the obtaining of information necessary to effectuate the provisions of the order and the act.

(m) To bring actions or proceedings, upon joining the director as a party, for specific performance, restraint, injunction, or mandatory injunction against any person who violates or refuses to perform the obligations or duties imposed upon him by the act or the order.

(n) To confer with and cooperate with the legally constituted authorities of other states and of the United States for the purpose of obtaining uniformity in the administration of federal and state marketing regulations, licenses, agreements, or orders.

(o) To carry out any other grant of authority or duty provided designees and not specifically set forth in this section.

(p) To authorize the members of a commodity board, or their agents or designees, to participate in federal or state hearings or other proceedings concerning regulation of the manufacture, distribution, sale, or use of any pesticide as defined by RCW 15.38.030(1) or any agricultural chemical which is of use or potential use in producing the affected commodity, and may authorize the expenditure of commission funds for this purpose.

**(11) Procedures for board.**

(a) The board shall hold regular meetings, at least quarterly, and such meetings shall be held in accordance with chapter 42.30 RCW (Open Public Meetings Act).

(b) The board shall hold an annual meeting, at which time an annual report will be presented. The budget shall be presented for discussion at the meeting. In addition to such notice as may be required by chapter 42.30 RCW, notice of the annual meeting shall be given by the board at least ten

days prior to the meeting by written notice to each producer, and handler and by regular news service.

(c) In accordance with RCW 42.30.080, the board shall establish by resolution, the time, place, and manner of calling special meetings of the board with reasonable notice to the members: Provided, That the notice of any special meeting may be waived by a waiver thereof by each member of the board.

**WSR 01-16-142**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed July 31, 2001, 4:26 p.m.]

Date of Adoption: July 27, 2001.

Purpose: To update and clarify payment methodology used for reimbursing hospital providers for services provided to MAA clients; to update high-cost and low-cost outlier thresholds; to update effective dates for recalibrating relative weights; to clarify requirements for outpatient services record retention language; and to coordinate policies with DASA and MHD.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-550-2700; and amending WAC 388-550-1050, 388-550-1100, 388-550-2800, 388-550-2900, 388-550-3300, 388-550-3600, 388-550-3700, 388-550-3800, 388-550-4300, 388-550-4400, 388-550-4500, and 388-550-4800.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: 42 U.S.C. 1395x(v), 42 C.F.R. 447.271, .11303, and .2652.

Adopted under notice filed as WSR 01-09-070 on April 16, 2001.

Changes Other than Editing from Proposed to Adopted Version: **WAC 388-550-1050 "Fee-for-service"** means the general payment method the department uses to reimburse providers for covered medical services provided to medical assistance clients when these services are not covered under MAA's healthy options program the department's managed care programs.

**WAC 388-550-1050 "Noncovered service or charge"** means a service or charge that is not reimbursed by the department recognized by the department as a covered service.

**WAC 388-550-1050**, to clarify outpatient hospital reimbursement methods, the department added this definition: "Outpatient rate" means the standard rate used to reimburse a hospital for outpatient services not excluded in WAC 388-550-6000(2). This rate has as its base the hospital inpatient RCC rate adjusted by an outpatient factor.

**WAC 388-550-1100(1)** The medical assistance administration (MAA) department covers the admission of a medical assistance client to a hospital only when the client's attending physician orders admission and when the admission and treatment provided meet the requirements of this chapter medically necessary as indicated by an attending physician's

admission order, and when the admission and treatment provided meet the requirements of this chapter.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 12, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 12, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 12, Repealed 1.

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AMENDATORY SECTION (Amending WSR 99-14-039, filed 6/30/99, effective 7/1/99)

**WAC 388-550-1050 Hospital services definitions.** ~~((See also chapter 388-500 WAC for other))~~ The following definitions and abbreviations ((used by MAA. Unless otherwise specified, the terms used in this chapter have the following meaning:)) and those found in WAC 388-500-0005, Medical definitions, apply to this chapter.

**"Accommodation costs"** means the expenses incurred by a hospital to provide its patients services for which a separate charge is not customarily made ~~((, such as, but not limited to, a regular hospital room, special care hospital room, dietary and nursing services, medical and surgical supplies;)).~~ These expenses include, but are not limited to, room and board, medical social services, psychiatric social services, and the use of certain hospital equipment and facilities.

**"Acute"** means a medical condition of severe intensity with sudden onset.

**"Acute care"** means care provided ~~((by an agency for clients))~~ for patients who are not medically stable or have not attained a satisfactory level of rehabilitation. These ~~((clients))~~ patients require frequent monitoring by a health care professional in order to maintain their health status ~~((see WAC 248-27-015)).~~

**"Acute physical medicine and rehabilitation (Acute PM&R)"** means a ~~((comprehensive inpatient rehabilitative program coordinated by a multidisciplinary team at an MAA-approved rehabilitation facility. The program provides twenty-four hour specialized nursing services and an intense level of therapy for a diagnostic category for which the client shows significant potential functional improvement))~~ twenty-four hour inpatient comprehensive program of integrated medical and rehabilitative services provided during the acute phase of a client's rehabilitation.

**"ADATSA/DASA assessment center"** means an agency contracted by the division of alcohol and substance

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abuse (DASA) to provide chemical dependency assessment for clients and pregnant women in accordance with the ~~((alcohol))~~ alcoholism and drug addiction treatment and support act (ADATSA). Full plans for a continuum of drug and alcohol treatment services for pregnant women are also developed in ADATSA/DASA assessment centers.

**"Add-on procedure(s)"** means ~~((#))~~ secondary procedure(s) that ~~((is))~~ are performed in addition to another procedure.

**"Administrative day"** means a day of a hospital stay in which an acute inpatient level of care is no longer necessary, and noninpatient hospital placement is appropriate.

**"Admitting diagnosis"** means the ~~((diagnosis, coded according to the International Classification of Diseases, 9th Revision, Clinical Modifications (ICD-9-CM), indicating the medical condition which precipitated the client's admission to an inpatient hospital facility))~~ medical condition before study, which is initially responsible for the client's admission to the hospital, as defined by the ICD-9-CM diagnostic code.

**"Advance directive"** means a document, such as a living will ~~((;))~~ executed by a client ~~((; that))~~. The advanced directive tells the client's health care providers and others the client's decisions regarding ~~((his or her))~~ the client's medical care, particularly whether the client or client's representative wishes to accept or refuse extraordinary measures to prolong ~~((his or her))~~ the client's life.

**"Aggregate capital cost"** means the total cost or the sum of all capital costs.

**"Aggregate cost"** means the total cost or the sum of all constituent costs.

**"Aggregate operating cost"** means the total cost or the sum of all operating costs.

~~((Alcohol))~~ **Alcoholism and drug addiction treatment and support act (ADATSA)** means the law and the state-funded program it established which provides medical services for persons who are incapable of gainful employment due to alcoholism or substance addiction.

**"Alcoholism and/or alcohol abuse treatment"** means the provision of medical social services to an eligible client designed to mitigate or reverse the effects of alcoholism or alcohol abuse and to reduce or eliminate alcoholism or alcohol abuse behaviors and restore normal social, physical, and psychological functioning. Alcoholism or alcohol abuse treatment is characterized by the provision of a combination of alcohol education sessions, individual therapy, group therapy, and related activities to detoxified alcoholics and their families.

**"All-patient grouper (AP-DRG)"** means a computer program that determines the ~~((diagnosis-related group ()))~~ DRG(s) assignments.

**"Allowed charges"** means the maximum amount for any procedure that the department ~~((will recognize))~~ allows as the basis for payment computation.

**"Ancillary hospital costs"** means the expenses incurred by a hospital to provide additional or supporting services to its patients during their hospital stay. See **"ancillary services."**

**"Ancillary services"** means additional or supporting services ~~((, such as))~~ provided by a hospital to a patient during the patient's hospital stay. These services include, but are not

limited to, laboratory, radiology, drugs, delivery room, operating room, postoperative recovery rooms, and other special items and services ~~((, provided by a hospital to a patient during his or her hospital stay)).~~

**"Approved treatment facility"** means a treatment facility, either public or private, profit or nonprofit, approved by DSHS.

**"Audit"** means an assessment, evaluation, examination, or investigation of a health care provider's accounts, books and records, including:

(1) Medical, financial and billing records pertaining to billed services paid by the department through Medicaid or other state programs, by a person not employed or affiliated with the provider, for the purpose of verifying the service was provided as billed and was allowable under program regulations; and

(2) Financial, statistical and medical records, including mathematical computations and special studies conducted supporting Medicare cost reports, HCFA Form 2552, submitted to ~~((the department))~~ MAA for the purpose of establishing program rates of reimbursement to hospital providers.

**"Audit claims sample"** means a subset of the universe of paid claims from which the sample is drawn, whether based upon judgmental factors or random selection. The sample may consist of any number of claims in the population up to one hundred percent. See also **"random claims sample"** and **"stratified random sample."**

~~((("Authorization number" means a nine digit number assigned by MAA that identifies individual requests for approval of services or equipment. The same authorization number is used throughout the history of the request, whether it is approved, pending, or denied.))~~

**"Authorization ((requirement))"** ~~((means MAA's requirement that a provider present proof of medical necessity to MAA, prior to providing certain medical services or equipment to a client. This takes the form of a request for authorization of the service(s) and/or equipment, including a complete, detailed description of the client's diagnosis and/or any disabling conditions, justifying the need for the equipment or the level of service being requested.))~~ - See **"prior authorization"** and **"expedited prior authorization (EPA)."**

**"Average hospital rate"** means the average of hospital rates for any particular type of rate that MAA uses.

**"Bad debt"** means an operating expense or loss incurred by a hospital because of uncollectible accounts receivables.

**"Beneficiary"** means a recipient of Social Security benefits, or a person designated by an insuring organization as eligible to receive benefits.

**"Billed charge"** ~~((— See "usual and customary charge.")~~ means the charge submitted to the department by the provider.

**"Blended rate"** means a mathematically weighted average rate.

**"Border area hospital"** means a hospital located ~~((in an area defined by state law as:~~

(1) Oregon—Astoria, Hermiston, Hood River, Milton-Freewater, Portland, Rainier, or The Dalles; and

(2) Idaho—Coeur d'Alene, Lewiston, Moscow, Priest River or Sandpoint)) outside Washington state and located in one of the border areas listed in WAC 388-501-0175.

"**Bundled services**" mean interventions which are ((~~incidental~~)) integral to the major procedure and are not ((~~separately~~)) reimbursable separately.

"**Buy-in premium**" means a monthly premium the state pays so a client is enrolled in part A and/or part B Medicare.

"**By report**" means a method of reimbursement in which MAA determines the amount it will pay for a service ((~~that~~)) when the rate for that service is not included in MAA's published fee schedules ((by requiring)). Upon request the provider ((to)) must submit a "report" ((describing)) which describes the nature, extent, time, effort and/or equipment necessary to deliver the service.

"**Callback**" means keeping ((~~physician~~)) hospital staff members on duty beyond their regularly scheduled hours, or having them return to the facility after hours to provide unscheduled services((;)) which are usually associated with hospital emergency room, surgery, laboratory and radiology services.

"**Capital-related costs**" mean the component of operating costs related to capital assets, including, but not limited to:

- (1) Net adjusted depreciation expenses;
- (2) Lease and rentals for the use of depreciable assets;
- (3) The costs for betterment and improvements;
- (4) The cost of minor equipment;
- (5) Insurance expenses on depreciable assets;
- (6) Interest expense; and
- (7) Capital-related costs of related organizations that provide services to the hospital.

((~~It excludes~~)) Capital costs due solely to changes in ownership of the provider's capital assets are excluded.

"**Case mix complexity**" means, from the clinical perspective, the condition of the treated patients and the difficulty associated with providing care. Administratively, it means the resource intensity demands that patients place on an institution.

"**Case mix index (CMI)**" means ((~~a measure of the eastliness of cases treated by a hospital relative to the cost of the average of all Medicaid hospital cases, using diagnosis-related group weights as a measure of relative cost~~)) the arithmetical index that measures the average relative weight of a case treated in a hospital during a defined period.

"**Charity care**" means necessary hospital health care rendered to indigent persons, ((~~as defined in this section~~)) to the extent that these persons are unable to pay for the care or to pay the deductibles or coinsurance amounts required by a third-party payer, as determined by the department.

"**Chemical dependency**" means an alcohol or drug addiction; or dependence on alcohol and one or more other psychoactive chemicals.

"**Children's hospital**" means a hospital primarily serving children.

"**Client**" means a person who receives or is eligible to receive services through department of social and health services (DSHS) programs.

"**Comorbidity**" means of, relating to, or caused by a disease other than the principal disease.

"**Complication**" means a disease or condition occurring subsequent to or concurrent with another condition and aggravating it.

"**Comprehensive hospital abstract reporting system (CHARS)**" means the department of health's hospital data collection, tracking and reporting system.

"**Contract hospital**" means a licensed hospital located in a selective contracting area, which is awarded a contract to participate in ((~~the department's~~)) MAA's hospital selective contracting ((hospital)) program.

"**Contractual adjustment**" means the difference between the amount billed at established charges for the services provided and the amount received or due from a third-party payer under a contract agreement. A contractual adjustment is similar to a trade discount.

((~~"Conversion factor" means a hospital-specific dollar amount that reflects the average cost of treating Medicaid clients in a given hospital. See "cost based conversion factor (CBCF)" and "negotiated conversion factor (NCF)."~~))

"**Cost proxy**" means an average ratio of costs to charges for ancillary charges or per diem for accommodation cost centers used to determine a hospital's cost for the services where the hospital has Medicaid claim charges for the services, but does not report costs in corresponding centers in its Medicare cost report.

"**Cost report**" means the HCFA Form 2552, Hospital and Hospital Health Care Complex Cost Report, completed and submitted annually by a provider:

- (1) To Medicare intermediaries at the end of a provider's selected fiscal accounting period to establish hospital reimbursable costs for per diem and ancillary services; and
- (2) To Medicaid to establish appropriate DRG and RCC reimbursement.

"**Costs**" mean MAA-approved operating, medical education, and capital-related costs as reported and identified on the HCFA 2552 form.

"**Cost-based conversion factor (CBCF)**" means a hospital-specific dollar amount that reflects ((~~the~~)) a hospital's average cost of treating Medicaid clients ((in a given hospital)). It is calculated from the hospital's cost report by dividing the hospital's costs for treating Medicaid clients during a base period by the number of Medicaid discharges during that same period and adjusting for the hospital's case mix. See also "hospital conversion factor" and "negotiated conversion factor."

"**County hospital**" means a hospital established under the provisions of chapter 36.62 RCW.

((~~"Covered service" means a service that is included in the Medicaid program and is within the scope of the eligible client's medical care program.~~))

"**Critical care services**" mean services for critically ill or injured patients in a variety of medical emergencies that require the constant attendance of the physician (e.g., cardiac arrest, shock, bleeding, respiratory failure, postoperative complications). For Medicaid reimbursement purposes, critical care services must be provided in a Medicare-qualified critical care area, such as the coronary care unit, intensive care unit, respiratory care unit, or the emergency care facility, to qualify for reimbursement as a special care level of service.)

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**"Current procedural terminology (CPT)"** means a systematic listing of descriptive terms and identifying codes for reporting medical services, procedures, and interventions performed by physicians (~~(-it is)~~). CPT is copyrighted and published annually by the American Medical Association (AMA).

**"Customary charge payment limit"** means the limit placed on aggregate (~~(diagnosis-related group (-))~~) DRG (~~(-)~~) payments to a hospital during a given year to assure that DRG payments do not exceed the hospital's charges to the general public for the same services.

**"Day outlier"** means a case that requires MAA to make additional payment to the hospital provider but which does not qualify as a high-cost outlier. See **"day outlier payment"** and **"day outlier threshold."**

**"Day outlier payment"** means the additional amount paid to a disproportionate share hospital for a client five years old or younger who has a prolonged inpatient stay which exceeds the day outlier threshold but whose covered charges for care fall short of the high cost outlier threshold. The amount is determined by multiplying the number of days in excess of the day outlier threshold and the administrative day rate.

**"Day outlier threshold"** means the average number of days a client stays in the hospital for an applicable DRG before being discharged, plus twenty days.

**"Deductible"** means the amount a beneficiary is responsible for, before Medicare starts paying; or the initial specific dollar amount for which the applicant or client is responsible.

**"Department"** means the state department of social and health services (DSHS).

**"Detoxification"** means treatment provided to persons who are recovering from the effects of acute or chronic intoxication or withdrawal from alcohol or other drugs.

**"Diabetic education program"** means a comprehensive, multidisciplinary program of instruction offered by an MAA-approved facility to diabetic clients on dealing with diabetes, including instruction on nutrition, foot care, medication and insulin administration, skin care, glucose monitoring, and recognition of signs/symptoms of diabetes with appropriate treatment of problems or complications.

**"Diagnosis code"** means a set of (~~(alphabetic;-)~~) numeric (~~(-)~~) or alpha (~~(-)~~) numeric characters assigned by the (~~(International Classification of Diseases, 9th Revision, Clinical Modification (-))~~) ICD-9-CM (~~(-)~~), or successor document, as a shorthand symbol to represent the nature of a disease.

**"Diagnosis-related group (DRG)"** means a classification system which categorizes hospital patients into clinically coherent and homogenous groups with respect to resource use, i.e., similar treatments and statistically similar lengths of stay for patients with related medical conditions. Classification of patients is based on the International Classification of Diseases (ICD-9), the presence of a surgical procedure, patient age, presence or absence of significant co-morbidities or complications, and other relevant criteria.

**"Direct medical education costs"** means the direct costs of providing an approved medical residency program as recognized by Medicare.

**"Discharging hospital"** means the institution releasing a client from the acute care hospital setting.

**"Disproportionate share payment"** means additional payment(s) made by the department to a hospital which serves a disproportionate number of Medicaid and other low-income clients and which qualifies for one or more of the disproportionate share hospital programs identified in the state plan.

**"Disproportionate share program"** means a program that provides additional payments to hospitals which serve a disproportionate number of Medicaid and other low-income clients.

**"Dispute conference"** (~~(means a hospital rate appeal meeting for deliberation during a provider administrative appeal.~~

~~(1) At the first level of appeal it is usually a meeting between auditors and the audited provider and/or staff to resolve disputed audit findings, clarify interpretation of regulations and policies, provide additional supporting information and/or documentation.~~

~~(2) At the second level of appeal the dispute conference is an informal administrative hearing conducted by an MAA administrator for the purpose of resolving contractor/provider rate disagreements with any of the department's action at the first level of appeal. The dispute conference in this regard is not a formal adjudicative process held in accordance with the Administrative Procedure Act, chapter 34.05 RCW.) - See "hospital dispute conference."~~

**"Distinct unit"** means a Medicare-certified distinct area for psychiatric or rehabilitation services within (~~(a general)~~) an acute care hospital or a department-designated unit in a children's hospital.

**"Division of alcohol and substance abuse (DASA)"** is the division within DSHS responsible for providing alcohol and drug-related services to help clients recover from alcoholism and drug addiction.

**"DRG"** - See **"diagnosis-related group."**

**"DRG-exempt services"** means services which are paid for through other methodologies than those using cost-based conversion factors (CBCF) or negotiated conversion factors (NCF).

**"DRG payment"** means the payment made by (~~(MAA)~~) the department for a client's inpatient hospital stay (~~(-it is)~~). This payment calculated by multiplying the hospital-specific conversion factor by the DRG relative weight for the client's medical diagnosis.

**"DRG relative weight"** means the average cost or charge of a certain DRG divided by the average cost or charge, respectively, for all cases in the entire data base for all DRGs.

**"Drug addiction and/or drug abuse treatment"** means the provision of medical and rehabilitative social services to an eligible client designed to mitigate or reverse the effects of drug addiction or drug abuse and to reduce or eliminate drug addiction or drug abuse behaviors and restore normal physical and psychological functioning. Drug addiction or drug abuse treatment is characterized by the provision of a combination of drug and alcohol education sessions, individual therapy, group therapy and related activities to detoxified addicts and their families.

**"DSHS"** means the department of social and health services.

"**Elective procedure or surgery**" means a nonemergent procedure or surgery that can be scheduled at convenience.

"**Emergency room**" or "**emergency facility**" means an organized, distinct hospital-based facility available twenty-four hours a day for the provision of unscheduled episodic services to patients who present for immediate medical attention, and is capable of providing emergency services including trauma care.

"**Emergency services**" means medical services (~~(including maternity services;)~~) required by and provided to a patient after the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity (~~((including severe pain))~~) that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy; serious impairment to bodily functions; or serious dysfunction of any bodily organ or part. For hospital reimbursement purposes, inpatient maternity services are treated as emergency services.

"**Equivalency factor (EF)**" means a conversion factor used, in conjunction with two other factors (cost-based conversion factor and the ratable factor), to determine the level of state-only program payment.

"**Exempt hospital—DRG payment method**" means a hospital that for a certain patient category is reimbursed for services to MAA clients through methodologies other than those using cost-based or negotiated conversion factors.

"**Exempt hospital—Hospital selective contracting program**" means a hospital that is either not located in a selective contracting area or is exempted by the department (~~((and is reimbursed for services to MAA clients through methodologies other than those using cost based or negotiated conversion factors))~~) from the selective contracting program.

"**Expedited prior authorization (EPA)**" means the MAA-delegated process of creating an authorization number for selected medical/dental procedures and related supplies and services in which providers use a set of numeric codes to indicate which MAA-acceptable indications, conditions, diagnoses, and/or MAA-defined criteria are applicable to a particular request for service.

"**Expedited prior authorization (EPA) number**" means an authorization number created by the provider that certifies that MAA-published criteria for the medical/dental procedures and related supplies and services have been met.

"**Experimental ((treatment))**" means a (~~(course of treatment or procedure that)~~) term to describe a procedure, or course of treatment, which lacks scientific evidence of safety and effectiveness. See WAC 388-531-0500. A service is not "experimental" if the service:

- (1) Is (~~(not)~~) generally accepted by the medical profession as effective and (~~(proven)~~) appropriate; and
- (2) (~~((Is not recognized by professional medical organizations as conforming to accepted medical practice;~~
- (3) Has not) Has been approved by the (~~(federal Food and Drug Administration (FDA))~~) FDA(3) or other requisite government body if such approval is required(;
- (4) Is still in clinical trials, or has been judged to need further study;

(5) Is covered by the federal law requiring provider institutional review of patient consent forms, and such review did not occur; or

(6) Is rarely used, novel, or relatively unknown, and lacks authoritative evidence of safety and effectiveness)).

"**Facility triage fee**" means the amount (~~((the medical assistance administration))~~) MAA will pay a hospital for a medical evaluation or medical screening examination, performed in the hospital's emergency department, (~~((of))~~) for a nonemergent condition of a *healthy options* client covered under the primary care case management (PCCM) program. This amount corresponds to the professional care level A or level B service.

"**Fee-for-service**" means the general payment method (~~((MAA))~~) the department uses to reimburse providers for covered medical services provided to medical assistance clients (~~((other than for those))~~) when these services (~~((provided through MAA's per-capita))~~) are not covered under MAA's *healthy options* program.

"**Fiscal intermediary**" means Medicare's designated fiscal intermediary for a region and/or category of service.

"**Fixed per diem rate**" means a (~~((contracted nonnegotiated))~~) daily amount(;) used to determine payment (~~((to a hospital))~~) for specific services.

"**Global surgery days**" means the number of preoperative and follow-up days that are included in the reimbursement to the physician for the major surgical procedure.

"**Graduate medical education costs**" means the direct and indirect costs of providing medical education in teaching hospitals.

"**Grouper**" - See "**all-patient grouper (AP-DRG)**."

"**HCFA 2552**" - See "**cost report**."

"**Health care team**" means a (~~((team of professionals and/or paraprofessionals))~~) group of health care providers involved in the care of a client.

"**High-cost outlier**" means a (~~((ease with))~~) claim paid under the DRG method that did not meet the definition of "**administrative day**," and has extraordinarily high costs when compared to other (~~((eases))~~) claims in the same DRG, in which the allowed charges (~~((prior to July 1, 1999))~~, before January 1, 2001, exceed three times the applicable DRG payment (~~((of))~~) and exceed twenty-eight thousand dollars(;~~(, whichever is greater. On and after July 1, 1999))~~. For dates of service January 1, 2001 and after, to qualify as a high-cost outlier, the allowed charges must exceed three times the applicable DRG payment (~~((of))~~) and exceed thirty-three thousand dollars(~~(, whichever is greater)~~).

"**Hospice**" means a medically-directed, interdisciplinary program of palliative services (~~((which))~~) for terminally ill clients and the clients' families. Hospice is provided under arrangement with a Title XVIII Washington state-licensed and Title XVIII-certified Washington state hospice (~~((for terminally ill clients and the clients' families))~~).

"**Hospital**" means an entity which is licensed as an acute care hospital in accordance with applicable state laws and regulations, and which is certified under Title XVIII of the federal Social Security Act.

(~~((**Hospital admission** means admission as an inpatient to a hospital, for a stay of twenty-four hours or longer.))~~)

**"Hospital base period"** means, for purposes of establishing a provider rate, a specific period or timespan used as a reference point or basis for comparison.

**"Hospital base period costs"** means costs incurred in or associated with a specified base period.

**"Hospital conversion factor"** means a hospital-specific dollar amount that reflects the average cost for a DRG paid case of treating Medicaid clients in a given hospital. See cost-based conversion factor (CBCF) and negotiated conversion factor (NCF).

**"Hospital covered service"** means a service that is provided by a hospital, included in the medical assistance program and is within the scope of the eligible client's medical care program.

**"Hospital cost report"** - See "cost report."

**"Hospital dispute resolution conference"** means a meeting for deliberation during a provider administrative appeal.

(1) The first dispute resolution conference is usually a meeting between medical assistance administration and hospital staff, to discuss a department action or audit finding(s). The purpose of the meeting is to clarify interpretation of regulations and policies relied on by the department or hospital, provide an opportunity for submission and explanation of additional supporting documentation or information, and/or to verify accuracy of calculations and application of appropriate methodology for findings or administrative actions being appealed. Issues appealed by the provider will be addressed in writing by the department.

(2) At the second level of dispute resolution:

(a) For hospital rates issues, the dispute resolution conference is an informal administrative hearing conducted by an MAA administrator for the purpose of resolving contractor/provider rate disagreements with the department's action at the first level of appeal. The dispute resolution conference in this regard is not a formal adjudicative process held in accordance with the Administrative Procedure Act.

(b) For hospital audit issues, the audit dispute resolution hearing will be held by the office of administrative hearings in accordance with WAC 388-560-1000. This hearing is a formal proceeding and is governed by chapter 34.05 RCW.

**"Hospital facility fee"** - See "facility triage fee."

**"Hospital market basket index"** means a measure, expressed as a percentage, of the annual inflationary costs for hospital services, as measured by Data Resources, Inc.((-)) (DRI).

**"Hospital peer group"** means the peer group categories adopted by the former Washington state hospital commission for rate-setting purposes:

(1) Group A - rural hospitals paid under a ratio((-)) of ((-)) costs-to-charges (RCC) methodology (same as peer group 1);

(2) Group B - urban hospitals without medical education programs (same as peer group 2);

(3) Group C - urban hospitals with medical education programs; and

(4) Group D - specialty hospitals and/or hospitals not easily assignable to the other three peer groups.

**"Hospital selective contracting program"** or **"selective contracting"** means a negotiated bidding program for

hospitals within specified geographic areas to provide inpatient hospital services to medical assistance clients.

**"Indigent patient"** means a patient who has exhausted any third-party sources, including Medicare and Medicaid, and whose income is equal to or below two hundred percent of the federal poverty standards (adjusted for family size), or is otherwise not sufficient to enable the individual to pay for his or her care, or to pay deductibles or coinsurance amounts required by a third-party payor.

**"Indirect medical education costs"** means the indirect costs of providing an approved medical residency program as recognized by Medicare.

**"Inflation adjustment"** means, for cost inflation, the hospital inflation adjustment. This adjustment is determined by using the inflation factor method and guidance indicated by the legislature in the budget notes to the biennium appropriations bill. For charge inflation, it means the inflation factor determined by comparing average discharge charges for the industry from one year to the next, as found in the comprehensive hospital abstract reporting system (CHARS) standard reports three and four.

**"Informed consent"** means that an individual consents to a procedure after the provider who obtained a properly completed consent form has done all of the following:

(1) Disclosed and discussed the patient's diagnosis;

(2) Offered the patient an opportunity to ask questions about the procedure and to request information in writing;

(3) Given the patient a copy of the consent form;

(4) Communicated effectively using any language interpretation or special communication device necessary per 42 C.F.R. 441.257; and

(5) Given the patient oral information about all of the following:

(a) The patient's right to not obtain the procedure, including potential risks, benefits, and the consequences of not obtaining the procedure;

(b) Alternatives to the procedure including potential risks, benefits, and consequences; and

(c) The procedure itself, including potential risks, benefits, and consequences.

**"Inpatient hospital"** means a hospital authorized by the department of health to provide inpatient services.

**"Inpatient hospital admission"** means admission as an inpatient to a hospital for a stay longer than twenty-four hours, or for a stay twenty-four hours or less with cases including:

(1) The death of a client;

(2) Obstetrical delivery;

(3) Initial care of a newborn; or

(4) Transfer to another acute care facility.

To qualify for inpatient reimbursement, even when the stay is longer than twenty-four hours, the medical care record must evidence the need for inpatient care.

**"Inpatient services"** means all services provided directly or indirectly by the hospital to a patient subsequent to admission and prior to discharge, and includes, but is not limited to, the following services: Bed and board; medical, nursing, surgical, pharmacy and dietary services; maternity services; psychiatric services; all diagnostic and therapeutic services required by the patient; the technical and/or

professional components of certain services; use of hospital facilities, medical social services furnished by the hospital, and such drugs, supplies, appliances and equipment as required by the patient; transportation services subsequent to admission and prior to discharge; and services provided by the hospital within twenty-four hours of the patient's admission as an inpatient.

~~("Interdisciplinary group (IDG)" means the team, including a physician, a registered nurse, a social worker, and a pastoral or other counselor, which is primarily responsible for the provision or supervision of care and services for a Medicaid client.)~~

**"Inpatient stay"** - See **"inpatient hospital admission."**

**"Intermediary"** - See **"fiscal intermediary."**

**"International Classification of Diseases, 9th Revision, Clinical Modification (ICD-9-CM) Edition"** means the systematic listing that transforms verbal descriptions of diseases, injuries, conditions and procedures into numerical or alpha (-) numerical designations (coding).

~~("Intervention" means any medical or dental service provided to a client that modifies the medical or dental outcome for that client.)~~

**"Length of stay (LOS)"** means the number of days of inpatient hospitalization. ~~(The phrase more commonly means the average length of hospital stay for patients based on diagnosis and age, as determined by the Commission of Professional and Hospital Activities and published in a book entitled *Length of Stay by Diagnosis, Western Region.*)~~ See also ~~("professional activity study (PAS))~~ **PAS length of stay (LOS)."**

**"Length of stay extension request"** means a request from a hospital provider for ~~((MAA)) the department, or in the case of psychiatric admission, the appropriate regional support network (RSN),~~ to approve a client's hospital stay exceeding the average length of stay for the client's diagnosis and age.

**"Lifetime hospitalization reserve"** means, under the Medicare Part A benefit, the nonrenewable sixty hospital days that a beneficiary is entitled to use during his or her lifetime for hospital stays extending beyond ninety days per benefit period. See also **"reserve days."**

**"Low-cost outlier"** means a case with extraordinarily low costs when compared to other cases in the same DRG, in which the allowed charges ~~((for the case prior to July 1, 1999, is)) before January 1, 2001, are less than ((or equal to)) ten percent of the applicable DRG payment or less than four hundred dollars((-, whichever is greater)). For dates of service on and after ((July 1, 1999)) January 1, 2001, to qualify as a low-cost outlier, the allowed charges must be less than ((or equal to)) ten percent of the applicable DRG payment or less than four hundred and fifty dollars((-, whichever is greater. Reimbursement in such cases is determined by multiplying the case's allowed charges by the hospital's RCC ratio)).~~

**"Low income utilization rate"** means a formula represented as (A/B)+(C/D) in which:

(1) The numerator A is the hospital's total patient services revenue under the state plan, plus the amount of cash subsidies for patient services received directly from state and local governments in a period;

(2) The denominator B is the hospital's total patient services revenue (including the amount of such cash subsidies) in the same period as the numerator;

(3) The numerator C is the hospital's total inpatient service charge attributable to charity care in a period, less the portion of cash subsidies described in (1) of this definition in the period reasonably attributable to inpatient hospital services. The amount shall not include contractual allowances and discounts (other than for indigent patients not eligible for medical assistance under the state plan); and

(4) The denominator D is the hospital's total charge for inpatient hospital services in the same period as the numerator.

**"Major diagnostic category (MDC)"** means one of the twenty-five mutually exclusive groupings of principal diagnosis areas in the DRG system. The diagnoses in each MDC correspond to a single major organ system or etiology and, in general, are associated with a particular medical specialty.

**"Market basket index"** - See **"hospital market basket index."**

**"Medicaid"** is the state and federally funded aid program that covers the categorically needy (CNP) and medically needy (MNP) programs.

**"Medicaid cost proxy"** means a figure developed to approximate or represent a missing cost figure.

**"Medicaid inpatient utilization rate"** means a formula represented as X/Y in which:

(1) The numerator X is the hospital's number of inpatient days attributable to patients who (for such days) were eligible for medical assistance under the state plan in a period.

(2) The denominator Y is the hospital's total number of inpatient days in the same period as the numerator's. Inpatient day includes each day in which an individual (including a newborn) is an inpatient in the hospital, whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for lack of suitable placement elsewhere.

**"Medical assistance administration (MAA)"** is the administration within DSHS authorized by the secretary to administer the acute care portion of the Title XIX Medicaid, Title XXI children's health insurance program (CHIP), and the state-funded medical care programs, with the exception of certain nonmedical services for persons with chronic disabilities.

**"Medical assistance program"** means both Medicaid and medical care services programs.

**"Medical care services"** means the limited scope of care financed by state funds and provided to general assistance-unemployable (GAU) and ADATSA clients.

**"Medical education costs"** means the expenses incurred by a hospital to operate and maintain a formally organized graduate medical education program.

**"Medical screening evaluation"** means the service(s) provided by a physician or other practitioner to determine whether an emergent medical condition exists. See also **"facility triage fee."**

**"Medical stabilization"** means a return to a state of constant and steady function. It is commonly used to mean the ~~((client))~~ patient is adequately supported to prevent further deterioration.

**"Medically indigent person"** means a person certified by the department of social and health services as eligible for the limited casualty program-medically indigent (LCP-MI) program. See also **"indigent patient."**

**"Medicare cost report"** means the annual cost data reported by a hospital to Medicare on the HCFA form 2552.

**"Medicare crossover"** means a claim involving a client who is eligible for both Medicare benefits and Medicaid.

**"Medicare fee schedule (MFS)"** means the official HCFA publication of Medicare policies and relative value units for the resource based relative value scale (RBRVS) reimbursement program.

**"Medicare Part A"** means that part of the Medicare program that helps pay for inpatient hospital services, which may include, but are not limited to:

- (1) A semi-private room;
- (2) Meals;
- (3) Regular nursing services;
- (4) Operating room;
- (5) Special care units;
- (6) Drugs and medical supplies;
- (7) Laboratory services;
- (8) X-ray and other imaging services; and
- (9) Rehabilitation services.

Medicare hospital insurance also helps pay for post-hospital skilled nursing facility care, some specified home health care, and hospice care for certain terminally ill beneficiaries.

**"Medicare part B"** means that part of the Medicare program that helps pay for, but is not limited to:

- (1) Physician services;
- (2) Outpatient hospital services;
- (3) Diagnostic tests and imaging services;
- (4) Outpatient physical therapy;
- (5) Speech pathology services;
- (6) Medical equipment and supplies;
- (7) Ambulance;
- (8) Mental health services; and
- (9) Home health services.

**"Medicare buy-in premium"** - See **"buy-in premium."**

**"Medicare payment principles"** means the rules published in the federal register regarding reimbursement for services provided to Medicare clients.

**"Mentally incompetent"** means a ~~((client))~~ person who has been declared mentally incompetent by a federal, state, or local court of competent jurisdiction for any purpose, unless the ~~((client))~~ person has been declared competent for purposes which include the ability to consent to sterilization.

**"Multiple occupancy rate"** means the rate customarily charged for a hospital room with two ~~((or more))~~ to four patient beds.

**"Negotiated conversion factor (NCF)"** means a negotiated hospital-specific dollar amount which is used in lieu of the cost-based conversion factor as the multiplier for the applicable DRG weight to determine the DRG payment for a selective contracting program hospital. See also **"hospital conversion factor"** and **"cost-based conversion factor."**

**"Nonallowed service or charge"** means a service or charge that is not recognized for payment by the department, and cannot be billed to the ~~((department or))~~ client.

**"Noncontract hospital"** means a licensed hospital located in a selective contracting area (SCA) but which does not have a contract to participate in the hospital selective contracting ~~((hospital))~~ program.

**"Noncovered service or charge"** means a service or charge that is not ~~((covered by medical assistance, including, but not limited to, such services or charges as a private room, circumcision, and video recording of the procedure))~~ reimbursed by the department.

**"Nonemergent hospital admission"** means any inpatient hospitalization of a ~~((client))~~ patient who does not have an emergent condition, as defined in WAC 388-500-0005, Emergency services.

**"Nonparticipating hospital"** means a noncontract hospital ~~((, as defined in this section)).~~ See **"noncontract hospital."**

**"Operating costs"** means all expenses incurred in providing accommodation and ancillary services, excluding capital and medical education costs.

**"OPPS"** - See **"outpatient prospective payment system."**

**"OPPS adjustment"** means the legislative mandated reduction in the outpatient adjustment factor made to account for the delay of OPPS implementation.

**"OPPS outpatient adjustment factor"** means the outpatient adjustment factor reduced by the OPPS and adjustment factor as a result of legislative mandate.

**"Orthotic device" or "orthotic"** means a ~~((fitted surgical apparatus designed to activate or supplement a weakened or atrophied limb or bodily function))~~ corrective or supportive device that:

- (1) Prevents or corrects physical deformity or malfunction; or
- (2) Supports a weak or deformed portion of the body.

**"Out-of-state hospital"** means any hospital located outside the state of Washington ~~((or))~~ and outside the designated border areas in Oregon and Idaho.

**"Outlier set-aside factor"** means the amount by which a hospital's cost-based conversion factor is reduced for payments of high cost outlier cases.

**"Outlier set-aside pool"** means the total amount of payments for high cost outliers which are funded annually based on payments for high cost outliers during the year.

**"Outliers"** means cases with extraordinarily high or low costs when compared to other cases in the same DRG.

**"Outpatient"** means a ~~((client))~~ patient who is receiving medical services in other than an inpatient hospital setting.

**"Outpatient care"** means medical care provided other than inpatient services in a hospital setting.

**"Outpatient hospital"** means a hospital authorized by the department of health to provide outpatient services.

**"Outpatient prospective payment system (OPPS)"** means a classification system that groups outpatient visits according to the clinical characteristics, and typical resource use and costs associated with their diagnoses and the procedures performed.

**"Outpatient short stay"** means an acute hospital stay of twenty-four hours or less, with the exception of cases involving:

- (1) The death of a client;
- (2) Obstetrical delivery;
- (3) Initial care of a new born; or
- (4) Transfer to another acute care facility.

When the department determines that the need for inpatient care is not evidenced in the medical record, even in stays longer than twenty-four hours, the department considers and reimburses the stay as an outpatient short stay.

**"Outpatient stay"** ~~((means a hospital stay of less than or approximating twenty-four hours, except that cases involving the death of a client, delivery or initial care of a newborn, or transfer to another acute care facility are not deemed outpatient stays.))~~ - See **"outpatient short stay."**

**"Pain treatment facility"** means an MAA-approved inpatient facility for pain management, in which a multidisciplinary approach is used to teach clients various techniques to live with chronic pain.

**"Participating hospital"** means a licensed hospital that accepts MAA clients.

**"PAS length of stay (LOS)"** means the average length of an inpatient hospital stay for patients based on diagnosis and age, as determined by the Commission of Professional and Hospital Activities and published in a book entitled *Length of Stay by Diagnosis, Western Region*. See also **"professional activity study (PAS)"**, ~~((and "length of stay."))~~

**"Patient consent"** means the informed consent of the ~~((client))~~ patient and/or the ~~((client's))~~ patient's legal guardian ~~((to))~~, as evidenced by the patient's or guardians's signature on a consent form, for the procedure(s) to be performed upon or for the treatment to be provided to the ~~((client, evidenced by the client's or guardian's signature on a consent form))~~ patient.

**"Peer group"** - See **"hospital peer group."**

**"Peer group cap"** means the reimbursement limit set for hospital peer groups B and C, established at the seventieth percentile of all hospitals within the same peer group for aggregate operating, capital, and direct medical education costs.

**"Per diem charge"** means the daily room charge, per client ~~((that a)), billed by the facility ((may bill or is allowed to receive as payment for its services.))~~ for room and board services that are covered by the department. This is sometimes referred to as "room rate."

**"Personal comfort items"** means items and services which do not contribute meaningfully to the treatment of an illness or injury or the functioning of a malformed body member.

**"PM&R"** - See **"Acute PM&R."**

**"Physician standby"** means physician attendance without direct face-to-face patient contact and does not involve provision of care or services.

**"Physician's current procedural terminology (CPT)"** - See **"CPT."**

**"Plan of treatment"** or **"plan of care"** means the written plan of care for a patient which includes, but is not limited to, the physician's order for treatment and visits by the disciplines involved, the certification period, medications, and rationale indicating need for services.

**"Pregnant and postpartum women (PPW)"** means eligible female clients who are pregnant or ~~((within the first~~

~~one hundred sixty days following delivery))~~ until the end of the month which includes the sixtieth day following the end of the pregnancy.

**"Principal diagnosis"** means the ~~((medical))~~ condition ~~((determined))~~ established after study ~~((of the patient's medical records to be the principal cause of the patient's hospital stay))~~ to be chiefly responsible for the admission of the patient to the hospital for care.

**"Principal procedure"** means a procedure performed for definitive treatment rather than diagnostic or exploratory purposes, or because it was necessary due to a complication.

**"Prior authorization"** means a process by which clients or providers must request and receive MAA approval for certain medical services, equipment, or supplies, based on medical necessity, before the services are provided to clients, as a precondition for provider reimbursement. Expedited prior authorization and limitation extension are forms of prior authorization.

**"Private room rate"** means the rate customarily charged by a hospital for a one-bed room.

**"Professional activity study (PAS)"** means the compilation of inpatient hospital data by diagnosis and age, conducted by the Commission of Professional and Hospital Activities, which resulted in the determination of an average length of stay for patients. The data are published in a book entitled *Length of Stay by Diagnosis, Western Region*.

**"Professional component"** means the part of a procedure or service that relies on the physician's professional skill or training, or the part of a reimbursement that recognizes the physician's cognitive skill.

~~((("Profitability factor" means a factor used to calculate a hospital's low income disproportionate share (LIDSH) payment. The methods used to determine the profitability factor are:~~

(1) ~~Determine the net revenue of each LIDSH qualified hospital. The net revenue amount will be the "net revenue" figure identified on the MAA hospital disproportionate share application submitted by the hospital. (Net revenue may be calculated using a three-year average net revenue using "net revenue" figures from the most recent three years' MAA hospital disproportionate share applications.);~~

(2) ~~Add the net revenue figures for all hospitals together to determine one total net revenue figure for all hospitals together to determine one total net revenue figure for all LIDSH qualified hospitals;~~

(3) ~~Divide the hospital specific net revenue figure by the net revenue total for all hospitals; and~~

(4) ~~Subtraet the resulting amount from 1.00. The outcome is the profitability factor.))~~

**"Prognosis"** means the probable outcome of a patient's illness, including the likelihood of improvement or deterioration in the severity of the illness, the likelihood for recurrence, and the patient's probable life span as a result of the illness.

**"Prolonged service"** means direct face-to-face patient services provided by a physician, either in the inpatient or outpatient setting, which involve time beyond what is usual for such services.

**"Prospective payment system (PPS)"** means a system that sets payment rates for a pre-determined period for

defined services, before the services are provided. The payment rates are based on economic forecasts and the projected cost of services for the pre-determined period.

**"Prosthetic device"** or **"prosthetic"** means a replacement, corrective, or supportive device prescribed by a physician or other licensed practitioner of the healing arts, within the scope of his or her practice as defined by state law, to:

- (1) Artificially replace a missing portion of the body;
- (2) Prevent or correct physical deformity or malfunction;
- (3) Support a weak or deformed portion of the body.

**"Psychiatric hospitals"** means ~~((designated psychiatric facilities, state psychiatric hospitals, designated))~~ Medicare-certified distinct part ((pediatric)) psychiatric units, ((and)) Medicare-certified psychiatric hospitals, and state-designated pediatric distinct part psychiatric units in acute care hospitals. State-owned psychiatric hospitals are excluded.

**"Public hospital district"** means a hospital district established under chapter 70.44 RCW.

**"Random claims sample"** means a sample in which all of the items are selected randomly, using a random number table or computer program, based on a scientific method of assuring that each item has an equal chance of being included in the sample. See also **"audit claims sample"** and **"stratified random sample."**

**"Ratable"** means a hospital-specific adjustment factor applied to the cost-based conversion factor (CBCF) to determine state-only program payment rates to hospitals.

**"Ratio of costs-to-charges (RCC)"** means ~~((the methodology))~~ a method used to pay hospitals for services exempt from the DRG payment method. It also refers to the factor applied to a hospital's allowed charges for medically necessary services to determine payment to the hospital for these DRG-exempt services.

~~((**"Readmission"** means the situation in which a client who was admitted as an inpatient and discharged from the hospital is back as an inpatient within seven days as a result of one or more of the following: A new flair of illness, complication(s) from the first admission, a therapeutic admission following a diagnostic admission, a planned readmission following discharge, or a premature hospital discharge.))~~

**"RCC"** - See **"ratio of costs-to-charges."**

**"Rebasing"** means the process of recalculating the hospital cost-based conversion factors or RCC using ~~((more current))~~ historical data.

**"Recalibration"** means the process of recalculating DRG relative weights using ~~((more current))~~ historical data.

**"Regional support network (RSN)"** means a county authority or a group of county authorities recognized and certified by the department, that contracts with the department per chapters 38.52, 71.05, 71.24, 71.34, and 74.09 RCW and chapters 275-54, 275-55, and 275-57 WAC.

**"Rehabilitation units"** means specifically identified rehabilitation hospitals and designated rehabilitation units of general hospitals that meet Medicare criteria for distinct part rehabilitation units.

**"Relative weights"** - See **"DRG relative weights."**

**"Remote hospitals"** means hospitals ~~((located outside selective contracting areas (SCAs), or which))~~ that meet the following criteria during the Hospital Selective Contracting (HSC) waiver application period:

- (1) Are located within Washington state;
- (2) Are more than ten miles from the nearest ((contract)) hospital in the ((SCA)) HSC competitive area; and
- ~~((2))~~ (3) Have fewer than seventy-five beds; and
- ~~((3))~~ (4) Have fewer than five hundred Medicaid admissions ((in a two-year)) within the previous waiver period.

**"Reserve days"** means the days beyond the ninetieth day of hospitalization of a Medicare patient for a benefit period or spell of illness. See also **"lifetime hospitalization reserve."**

**"Retrospective payment system"** means a system that sets payment rates for defined services according to historic costs. The payment rates reflect economic conditions experienced in the past.

**"Revenue code"** means a nationally-~~((used))~~ assigned three-digit coding system for billing inpatient and outpatient hospital services, home health services, and hospice services.

**"Room and board"** means the services ((provided in a nursing facility, including:

- (1) Assistance in the activities of daily living;
- (2) Socialization activities;
- (3) Administration of medication;
- (4) Maintenance of the resident's room;
- (5) Supervision and assistance in the use of durable medical equipment and prescribed therapies.

~~See **"accommodation costs"** for services included in the hospital room and board category))~~ a hospital facility provides a patient during the patient's hospital stay. These services include, but are not limited to, a routine or special care hospital room and related furnishings, routine supplies, dietary and nursing services, and the use of certain hospital equipment and facilities.

**"Rural health clinic"** means a clinic that is located in ~~((a rural area designated as a shortage area, and is not a rehabilitation agency or a facility primarily for the care and treatment of mental diseases))~~ areas designed by the Bureau of Census as rural and by the Secretary of the Department of Health, Education and Welfare (DHEW) as medically underserved.

**"Rural hospital"** means a rural health care facility capable of providing or assuring availability of health services in a rural area.

**"Secondary diagnosis"** means a diagnosis other than the principal diagnosis for which an inpatient is admitted to a hospital.

**"Selective contracting area (SCA)"** means an area in which hospitals participate in ~~((competitive))~~ negotiated bidding for hospital contracts. The boundaries of an SCA are based on historical patterns of hospital use by Medicaid patients.

~~((**"Selective hospital contracting program"** or **"selective contracting"** means a competitive bidding program for hospitals within a specified geographic area to provide inpatient hospital services to medical assistance clients.))~~

**"Semi-private room rate"** means a rate customarily charged for a hospital room with two to four beds; this charge is generally lower than a private room rate and higher than a ward room. See also **"multiple occupancy rate."**

**"Seven-day readmission"** means the situation in which a patient who was admitted as an inpatient and discharged from the hospital has returned to inpatient status to the same or a different hospital within seven days as a result of one or more of the following:

- (1) A new spell of illness;
- (2) Complication(s) from the first admission;
- (3) A therapeutic admission following a diagnostic admission;
- (4) A planned readmission following discharge; or
- (5) A premature hospital discharge.

**"Short stay"** (~~means a hospital stay of less than or approximating twenty four hours where an inpatient admission was not appropriate.~~) - See **"outpatient short stay."**

**"Special care unit"** means a department of health (DOH) or Medicare-certified hospital unit where intensive care, coronary care, psychiatric intensive care, burn treatment or other specialized care is provided.

**"Specialty hospitals"** means children's hospitals, psychiatric hospitals, cancer research centers or other hospitals which specialize in treating a particular group of (~~clients~~) patients or diseases.

**"Spendedown"** means the (~~amount~~) process of assigning excess income (~~MAA has determined that a client has available to meet his or her medical expenses. The client becomes eligible for Medicaid coverage only after he or she meets the spenddown requirement~~) for the medically needy program, or excess income and/or resources for the medically indigent program, to the client's cost of medical care. The client must incur medical expenses equal to the excess income (~~spendedown~~) before medical care can be authorized.

**"Stat laboratory charges"** means the charges by a laboratory for performing a test or tests immediately. "Stat." is the abbreviation for the Latin word "statim" meaning immediately.

**"State plan"** means the plan filed by the department with the Health Care Financing Administration (HCFA), Department of Health and Human Services (DHHS), outlining how the state will administer Medicaid services, including the hospital program.

**"Stratified random sample"** means a sample consisting of claims drawn randomly, using statistical formulas, from each stratum of a universe of paid claims stratified according to the dollar value of the claims. See also **"audit claims sample"** and **"random claims sample."**

**"Subacute care"** means care provided to a patient which is less (~~intrusive~~) intensive than that given at an acute care hospital. Skilled nursing, nursing care facilities and other facilities provide subacute care services.

**"Surgery"** means the medical diagnosis and treatment of injury, deformity or disease by manual and instrumental operations. For reimbursement purposes, surgical procedures are those designated in CPT as procedure codes 10000 to 69999.

**"Swing-bed day(☉)"** means a (~~bed~~) day (~~☉~~) in which an inpatient is receiving skilled nursing services in a hospital designated swing bed at the hospital's census hour. The hospital swing bed must be certified by the health care financing administration (HCPA) for both acute care and skilled nursing services.

**"Teaching hospital"** means, for purposes of the teaching hospital assistance program disproportionate share hospital (THAPDSH), the University of Washington Medical Center and Harborview Medical Center.

**"Technical component"** means the part of a procedure or service that relates to the equipment set-up and technician's time, or the part of a reimbursement that recognizes the equipment cost and technician time.

**"Tertiary care hospital"** means a specialty care hospital providing highly specialized services to clients with more complex medical needs than acute care services.

**"Total patient days"** means all patient days in a hospital for a given reporting period, excluding days for skilled nursing, nursing care, and observation days.

**"Transfer"** means to move a client from one acute care facility or distinct unit to another.

**"Transferring hospital"** means the hospital (~~transferring~~) or distinct unit that transfers a client to another acute care facility.

**"Trauma care facility"** means a facility certified by the department of health as a level I, II, III, IV, or V facility. See chapter 246-976 WAC.

**"Trauma care service"** - See department of health's WAC 246-976-935.

**"UB-92"** means the uniform billing document intended for use nationally by hospitals, nonhospital-based acute PM&R (Level B) nursing facilities, hospital-based skilled nursing facilities, home health, and hospice agencies in billing third party payers for services provided to (~~clients~~) patients.

**"Unbundled services"** means services which are excluded from the DRG payment to a hospital (~~including but not limited to, physician professional services and certain nursing services~~).

**"Uncompensated care"** - See **"charity care."**

**"Uniform cost reporting requirements"** means a standard accounting and reporting format as defined by Medicare.

**"Uninsured indigent patient"** means an individual (~~who receives hospital inpatient and/or outpatient services and who cannot meet the cost of services provided because the individual has no or~~) who has no health insurance coverage or has insufficient health insurance or other resources to cover the cost of provided inpatient and/or outpatient services.

**"Usual and customary charge (UCC)"** means the charge customarily made to the general public for a procedure or service, or the rate charged other contractors for the service if the general public is not served.

**"Vendor rate increase"** means an inflation adjustment determined by the legislature, used to periodically increase reimbursement to vendors, including health care providers, that do business with the state.

AMENDATORY SECTION (Amending WSR 01-02-075, filed 12/29/00, effective 1/29/01)

**WAC 388-550-1100 Hospital coverage.** (1) The medical assistance administration (MAA) covers the admission of a medical (~~care~~) assistance client to a hospital (~~shall be~~

covered)) only when ((the admission is requested by the client's attending physician)) the client's attending physician orders admission and when the admission and treatment provided meet the requirements of this chapter. For nonemergent hospital admissions, "attending physician" ((shall)) means the client's primary care provider, or the primary provider of care to the ((patient)) client at the time of hospitalization. For emergent admissions, "attending physician" ((shall)) means the staff member who has hospital admitting privileges ((who)) and evaluates the client's medical condition upon the client's arrival at the hospital.

(2) Medical record documentation of hospital services must meet the requirements in WAC 388-502-0020(1), Records and reports—Medical record system.

(3) In areas where the choice of hospitals is limited by managed care or selective contracting, the department ((shall not be)) is not responsible for payment under fee-for-service for hospital care and/or services:

(a) Provided to ((managed care)) clients enrolled in ((the department's)) an MAA managed care plan, unless the services are excluded from the health carrier's capitation contract with ((the department)) MAA and are covered under the medical assistance program; or

(b) Received by a ((medical care)) Medicaid-eligible client from a nonparticipating hospital in a selective contracting area (SCA) unless exclusions in WACs 388-550-4600 and 388-550-4700 apply.

((3)) (4) The department ((shall)) provides chemical-dependent pregnant Medicaid-eligible clients up to twenty-six days of inpatient hospital care for hospital-based detoxification, medical stabilization, and drug treatment when:

(a) An ((alcohol)) alcoholism, drug addiction and treatment support act ADATSA assessment center verifies the need for the inpatient care; and

(b) The hospital chemical dependency treatment unit is certified by the division of alcohol and substance abuse.

See WAC 388-550-6250 for outpatient hospital services for chemical-dependent pregnant Medicaid clients.

((4)) (5) The department covers detoxification of acute alcohol or other drug intoxication only in a hospital having a detoxification provider agreement with MAA to perform these services.

(6) The department ((shall)) covers medically necessary services provided to eligible clients in a hospital setting for the care or treatment of teeth, jaws, or structures directly supporting the teeth:

(a) If the procedure requires hospitalization; and

(b) A physician or dentist ((gives)) provides or directly supervises such services.

((5)) (7) The department ((shall)) pays hospitals for services provided in special care units when the provisions ((of)) in WAC 388-550-2900 ((9)(e)) (13) are met.

((6)) (8) All services ((shall be)) are subject to review and approval as stated in WAC 388-501-0050.

((7)) (9) For inpatient voluntary or involuntary psychiatric admissions, ((whether voluntary or involuntary,)) see WAC 388-550-2600 and chapter 246-318 WAC.

AMENDATORY SECTION (Amending WSR 99-14-027, filed 6/28/99, effective 7/1/99)

**WAC 388-550-2800 Inpatient payment methods and limits.** (1) ((MAA pays)) The department reimburses hospitals for inpatient hospital services using the rate setting methods identified in the department's approved state plan that includes:

Method	Used for
<u>DRG negotiated conversion factor</u>	Hospitals participating in the Medicaid hospital selective contracting program under waiver from the federal government
<u>DRG cost-based conversion factor</u>	Hospitals not participating in or exempt from the Medicaid hospital selective contracting program ((DRG method))
<u>Ratio of costs-to-charges (RCC)</u>	Hospitals or services exempt from DRG payment methods
<u>Fixed per diem rate</u>	Acute Physical Medicine and Rehabilitation (Acute PM&R) Level B contracted facilities

(2) ((MAA's)) The department's annual aggregate Medicaid payments to each hospital for inpatient hospital services provided to Medicaid clients ((must)) will not exceed the hospital's usual and customary charges to the general public for the services (42 CFR § 447.271). ((MAA will recoup amounts)) The department recoups annual aggregate Medicaid payments that are in excess of ((annual aggregate Medicaid payments to hospitals)) the usual and customary charges.

(3) ((MAA's)) The department's annual aggregate payments for inpatient hospital services, including state-operated hospitals, ((must)) will not exceed the estimated amounts that ((MAA)) the department would have paid using Medicare payment principles.

(4) When hospital ownership changes, ((MAA's)) the department's payment to the hospital ((must)) will not exceed the amount allowed under 42 U.S.C. Section 1395x (v)(1)(O).

(5) Hospitals participating in the medical assistance program must annually submit to the ((department)) medical assistance administration:

(a) A copy of the hospital's HCFA 2552 Medicare Cost Report; and

(b) A disproportionate share hospital application.

(6) Reports referred to in subsection (5) of this section must be completed according to:

(a) Medicare's cost reporting requirements;

(b) The provisions of this chapter; and

(c) Instructions issued by MAA.

(7) ((MAA)) The department requires hospitals to follow generally accepted accounting principles unless federally or state((-) regulated.

(8) Participating hospitals must permit ((MAA)) the department to conduct periodic audits of their financial and statistical records.

(9) Payments for trauma services may be enhanced per WAC 246-976-935.

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(10) The department reimburses hospitals for claims involving clients with third-party liability insurance:

(a) At the lesser of either the DRG:

(i) Billed amount minus the third-party payment amount;

or

(ii) Allowed amount minus the third-party payment amount; or

(b) The RCC allowed payment minus the third-party payment amount.

**AMENDATORY SECTION** (Amending WSR 99-14-027, filed 6/28/99, effective 7/1/99)

**WAC 388-550-2900 Payment limits—Inpatient hospital services.** (1) ~~((The department pays covered inpatient hospital services only to:~~

~~(a) General hospitals that meet the definition in RCW 70.41.020;~~

~~(b) Inpatient psychiatric facilities and alcohol or drug treatment centers:~~

~~(i) Approved by the department; and~~

~~(ii) Not paid directly through the RSNs.~~

~~(e) Out-of-state hospitals, subject to conditions specified in WAC 388-550-6700)) To receive reimbursement for covered inpatient hospital services, a hospital must:~~

~~(a) Have a core-provider agreement with the department; and~~

~~(b) Be an in-state or border area hospital that meets the definition in RCW 70.41.020 and is certified under Title XVIII of the federal Social Security Act; or~~

~~(c) Be an out-of-state hospital that meets the conditions in WAC 388-550-6700.~~

~~(2) ((MAA does not pay for hospital care and/or services provided to an MAA client enrolled with a managed care plan, when the plan covers those services. Plans have the authority to determine the treatment regimen of coverage as long as they cover all the Medicaid services that MAA reimburses them to cover. Plans may also provide coverage of services beyond that for which Medicaid reimburses them)) The department does not pay a hospital for inpatient care and/or services when the managed care plan is contracted to cover those services.~~

~~(3) ((MAA)) The department does not pay a hospital for care or services provided to a client enrolled in the hospice program, ((except as provided under chapter 388-551 WAC, subchapter I, Hospice services)) unless the care or services are completely unrelated to the terminal illness that qualifies the client for the hospice benefit.~~

~~(4) ((MAA)) The department does not pay hospitals for ((inpatient)) ancillary services in addition to the DRG payment. ((The DRG payment includes ancillary services that include, but are not limited to, the following:~~

~~(a) Laboratory services;~~

~~(b) Diagnostic X ray and other imaging services, including, but not limited to, magnetic resonance imaging, magnetic resonance angiography, computerized axial tomography, and ultrasound;~~

~~(c) Drugs and pharmacy services;~~

~~(d) Respiratory therapy and related services;~~

~~(e) Physical therapy and related services;~~

~~(f) Occupational therapy;~~

~~(g) Speech therapy and related services;~~

~~(h) Durable medical equipment and medical supplies, including infusion equipment and supplies;~~

~~(i) Prosthetic devices used during the client's hospital stay or permanently implanted during the hospital stay, such as artificial heart or replacement hip joints; and~~

~~(j) Service charges for handling and processing blood or blood derivatives.~~

~~(5) Neither MAA nor the client is responsible for payment for additional days of hospitalization when:~~

~~(a) A client exceeds the professional activities study (PAS) length of stay (LOS) limitations; and~~

~~(b) The provider has not obtained MAA approval for the LOS extension, as specified in WAC 388-550-1700(4))~~

~~(5) When the hospital is paid by the RCC method, the department and the client are not financially responsible for payment of the additional days of hospitalization when:~~

~~(a) The additional days exceed the seventy-fifth percentile of the professional activities study (PAS) length of stay (LOS) limitations; and~~

~~(b) The hospital has not requested and/or received approval from the department as specified in WAC 388-550-1700; or for psychiatric inpatient stays, the appropriate regional support network (RSN).~~

~~(6) ((The LOS limit for a hospitalization is the seventy-fifth percentile of the PAS length of stay for that diagnosis code or combination of codes, published in the PAS Length of Stay Western Region edition, as periodically updated)) LOS extensions are not required for claims reimbursed by the DRG method.~~

~~(7) ((Neither MAA nor the client is)) The department is not financially responsible for payment of elective or non-emergent inpatient services ((which)) that are included in ((MAA's)) the department's selective contracting program and ((which)) for those that a client receives in a nonparticipating hospital in a selective contracting area (SCA) unless the provider ((received prior approval from MAA as required by)) meets the department's authorization requirement in WAC 388-550-1700 ((2)(a)) (12). The client ((, however,)) may only be held responsible for payment of such services ((if the client contracts in writing with the hospital at least seventy-two hours in advance of the hospital admission to be responsible for payment)) in accordance with WAC 388-502-0160. See WAC 388-550-4600 ((, Selective)) for selective contracting program requirements.~~

~~(8) ((MAA may)) The department considers hospital stays of twenty-four hours or less outpatient short stays, and does not pay such stays under the DRG ((methodology. The exception for stays of twenty-four hours or less involving the following situations are paid under the DRG system)) or ratio of costs-to-charges (RCC) methods unless one of the following situations apply:~~

~~(a) Death of a client;~~

~~(b) Obstetrical delivery;~~

~~(c) Initial care of a newborn; or~~

~~(d) Transfer of a client to another acute care hospital.~~

~~(9) ((a) Under the ratio of costs to charges (RCC) method, MAA does not pay for inpatient hospital services provided more than one day prior to the date of a scheduled~~

or elective surgery. These services must not be charged to the client.

(b) Under the DRG method, MAA considers all services provided the day before a scheduled or elective surgery to be included in the hospital's DRG payment for the case.

(c) MAA) When the department determines that the need for inpatient care is not evidenced in the medical record, even in stays longer than twenty-four hours, the department considers and reimburses the stay as an outpatient short stay.

(10) When the stay does not meet the definition of an inpatient hospital admission, the department limits reimbursement to the first twenty-four hours of allowed services, and uses the outpatient payment method.

(11) The department considers all services provided by the hospital within twenty-four hours of admission for a scheduled or elective surgery to be included in the hospital's inpatient payment. These services must not be charged to the client. Clients may only be held financially responsible for services in accordance with WAC 388-502-0160.

(12) The department does not count toward the threshold for hospital outlier status:

((+)) (a) Any charges for extra days of inpatient stay prior to a scheduled or elective surgery; and

((+)) (b) The associated services provided during those extra days.

((10)) MAA applies the following rules to RCC cases and high-cost DRG outlier cases for costs that exceed the high-cost outlier threshold:

(a) MAA covers hospital stat charges only for specific laboratory procedures determined and published by MAA as qualified stat procedures. Tests generated in the emergency room do not automatically justify a stat order.

(b) MAA pays hospitals for special care charges only when:

(i) The hospital has a department of health (DOH) or Medicare-certified special care unit;

(ii) The special care service being billed, such as intensive care, coronary care, burn unit, psychiatric intensive care, or other special care, was provided in the special care unit;

(iii) The special care service provided is the kind of service for which the special care unit has been DOH or Medicare-certified; and

(iv) The client's medical condition required the care be provided in the special care unit.

(11) MAA determines its actual payment for a hospital admission by deducting from the basic hospital reimbursement amount those charges which are the client's responsibility (referred to as spend-down) and any third party liability.

(12) MAA reduces reimbursement rates to hospitals for services provided to MI/GAU clients according to the hospital specific ratable and/or equivalency factors, as provided in WAC 388-550-4800.

(13) MAA pays for the hospitalization of a client who is eligible for Medicare and Medicaid only when the client has exhausted the Medicare part A benefits, including the nonrenewable lifetime hospitalization reserve of sixty days.

(14) MAA pays in-state and border area hospital accommodation charges by multiplying the hospital's RCC rate to

the lesser of the room rate submitted by the hospital to MAA or the accommodation charges billed on the claim.

(15) MAA pays out-of-state accommodation charges at the in-state average RCC rate times the hospital's billed charge.

(16) With regard to room rate submittals to MAA:

(a) A hospital must submit changes on the room rate change form, DSHS 13-687;

(b) Charges must not exceed the hospital's usual and customary charges to the public as required by 42 CFR § 447.271;

(c) New room rates take effect on the effective date stated on the room rate change form, or fourteen calendar days after MAA receives the form, whichever is later;

(d) MAA does not make retroactive room rate changes; and

(e) MAA pays private rooms at the semi-private room rate))

(13) Accommodation charges: The department reimburses charges related to accommodation costs by multiplying the hospital's appropriate room rate charge by the hospital's RCC rate.

(a) Effective January 1, 2001, the department no longer requires a hospital to provide a room rate change form to indicate its usual and customary accommodation charge. Charges must not exceed the hospital's usual and customary charges to the general public as required by 42 C.F.R. §447.271.

(b) The department does not pay hospitals for private room accommodations. The department pays a semi-private room rate and requires the hospital to bill using a semi-private room revenue code when the hospital has:

(i) Only private rooms; or

(ii) Both private and semi-private rooms and provides an MAA client accommodations in a private room.

(14) The department determines its actual payment for a hospital admission by deducting from the basic hospital reimbursement the client responsibility amount (referred to as spend-down) and any third party liability amount.

(15) The department reduces reimbursement rates to hospitals for services provided to clients eligible under the state-only medically indigent (MI) and medical care services (MCS) programs according to the hospital specific equivalency factor and/or ratable, as provided in WAC 388-550-4800.

(16) The department pays for the hospitalization of a client who is eligible for Medicare and Medicaid only when the client has exhausted the Medicare Part A benefits.

AMENDATORY SECTION (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-3300 Hospital peer groups and cost caps.** (1) For rate-setting purposes the department ((shall group)) groups hospitals into peer groups and ((establish)) establishes cost caps for each peer group. The department ((shall set)) sets hospital reimbursement rates at levels that recognize the ((cost)) costs of reasonable, efficient, and effective providers.

(2) ~~((The department shall use the Washington state department of health's (DOH) four hospital peer groupings for rate setting purposes.))~~ The four medical assistance administration (MAA) hospital peer groups are:

- (a) Group A, rural hospitals;
- (b) Group B, urban hospitals without medical education programs;
- (c) Group C, urban hospitals with medical education program; and
- (d) Group D, specialty hospitals or other hospitals not easily assignable to the other three groups.

(3) ~~((The department shall use))~~ MAA uses a cost cap at the seventieth percentile for a peer group.

(a) ~~((The department shall cap))~~ MAA caps at the seventieth percentile the costs of hospitals in peer groups B and C whose costs exceed the seventieth percentile for their peer group.

(b) ~~((The department shall exempt))~~ MAA exempts peer group A hospitals from the cost cap because they are paid under the ratio of ~~((cost to charge))~~ costs-to-charges methodology for Medicaid claims.

(c) ~~((The department shall exempt))~~ MAA exempts peer group D hospitals from the cost cap because they are specialty hospitals without a common peer group on which to base comparisons.

(4) ~~((The department shall calculate))~~ MAA calculates a peer group's cost cap based on the hospitals' base period costs after subtracting:

(a) Indirect medical education costs, ~~((as determined))~~ in accordance with WAC 388-550-3250(2), from the aggregate operating and capital costs of each hospital in the peer group; and

(b) The cost of outlier cases from the aggregate costs in accordance with WAC 388-550-3350(1).

(5) ~~((a))~~ ~~((The department shall use))~~ MAA uses the lesser of each individual hospital's calculated aggregate cost or the peer group's seventieth percentile cost cap as the base amount in calculating the individual hospital's adjusted cost-based conversion factor. ~~((b))~~ After the peer group cost cap is calculated, ~~((the department shall add))~~ MAA adds back to the individual hospital's base amount its indirect medical education costs and appropriate outlier costs, as determined in WAC 388-550-3350(2).

(6) ~~((The department shall recognize))~~ In its rate ~~(( ))~~ setting process for peer groups A and B, MAA recognizes changes in peer group status ~~((as a result of DOH))~~ and considers DOH's approval or recommendation. ~~((However,))~~ In cases where corrections or changes in individual ~~((hospitals))~~ hospital's base-year cost or peer group assignment occur after peer group cost caps are calculated, ~~((the department shall update))~~ MAA updates the peer group cost caps involved only if the change in the individual hospital's base-year costs or peer group assignment ~~((would))~~ will result in a five percent or greater change in the seventieth percentile of costs calculated for its peer group.

AMENDATORY SECTION (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-3600 Diagnosis-related group (DRG) payment—Hospital transfers.** The department ~~((shall apply))~~ applies the following payment rules when a client ~~((is transferred))~~ transfers from one acute care hospital or distinct unit to another acute care hospital or distinct unit:

(1) The department ~~((shall deny payment to a hospital that transfers a nonemergent case))~~ does not reimburse a hospital for a nonemergent case when the hospital transfers the client to another hospital ~~((without the department's prior approval)).~~

(2) The department ~~((shall pay a hospital transferring a client to another acute care))~~ pays a hospital that transfers emergent cases to another hospital, the lesser of:

(a) The appropriate diagnosis-related group (DRG) payment; or

(b) A per diem rate multiplied by the number of medically necessary days ~~((at))~~ the client stays at the transferring hospital. The department ~~((shall))~~ determines the per diem rate by dividing the hospital's ~~((diagnosis-related group (DRG)))~~ DRG payment amount for the appropriate DRG by that DRG's average length of stay ~~((or~~

~~((b) The appropriate DRG payment)).~~

(3) The department ~~((shall use))~~ uses:

(a) The hospital's midnight census to determine the number of days a client stayed in the transferring hospital prior to the transfer ~~((The department shall use the medical assistance administration's)); and~~

(b) MAA's length of stay data to determine the number of medically necessary days for a client's hospital stay.

(4) The department ~~((shall pay));~~

(a) Pays the hospital that ultimately discharges the client to any residence other than a hospital (e.g., home, nursing facility, etc.) the full DRG payment ~~((The department shall apply)); and~~

(b) Applies the outlier payment methodology if a transfer case qualifies as a high- or low-cost outlier.

(5) The department ~~((shall))~~ does not pay a discharging hospital any additional amounts as a transferring hospital if it transfers a client to another hospital (intervening hospital) which subsequently sends the client back ~~((to the original hospital from which the client is discharged)).~~

~~((6))~~(a) The ~~((extent of the))~~ department's maximum payment to the discharging hospital ~~((shall be))~~ is the full DRG payment.

(b) The department ~~((shall pay))~~ pays the intervening hospital (s) a per diem payment based on the method described in subsection (2) of this section.

AMENDATORY SECTION (Amending WSR 99-06-046, filed 2/26/99, effective 3/29/99)

**WAC 388-550-3700 DRG high-cost and low-cost outliers ((and administrative day rates)).** (1) ~~((MAA calculates high cost))~~ A claim qualifies as a diagnosis-related group (DRG) high-cost outlier ((payments for qualifying cases as follows)) when:

(a) ~~((To qualify as a DRG high cost outlier the allowed charges for a case:~~

(i) With an admission date prior to July 1, 1999, must exceed a threshold of three times the applicable DRG payment or twenty-eight thousand dollars, whichever is greater; and

(ii) For an admission date on and after July 1, 1999, must exceed a threshold of three times the applicable DRG payment or thirty-three thousand dollars, whichever is greater.

(b) Payment for high cost outlier cases other than those in subsections (1)(c) and (d) of this section is the applicable DRG payment amount, plus seventy-five percent of the hospital's ratio of costs to charges (RCC) rate applied to the allowed charges exceeding the outlier threshold.

(c) Payment for psychiatric high cost outliers for DRGs 424-432 is at the applicable DRG rate plus one hundred percent of the hospital RCC applied to the allowed charges exceeding the outlier threshold.

(d) Payment for high cost outlier cases at in-state childrens hospitals is the applicable DRG payment amount, plus eighty-five percent of the hospital's RCC applied to the allowed charges exceeding the outlier threshold)) The admission date for the claim is before January 1, 2001, the stay did not meet the definition of "administrative day," and the allowed charges exceed:

(i) A threshold of twenty-eight thousand dollars; and

(ii) A threshold of three times the applicable DRG payment amount.

(b) The admission date for the case is January 1, 2001, or after, the stay did not meet the definition of "administrative day," and the allowed charges exceed:

(i) A threshold of thirty-three thousand dollars; and

(ii) A threshold of three times the applicable DRG payment amount.

(2) ((MAA calculates low cost DRG outlier payments for qualifying cases as follows:

(a) To qualify as a DRG low cost outlier, the allowed charges for a case:

(i) With an admission date prior to July 1, 1999, must be less than or equal to ten percent of the applicable DRG payment or four hundred dollars, whichever is greater; and

(ii) With an admission date on and after July 1, 1999, must be less than or equal to ten percent of the applicable DRG payment or four hundred fifty dollars, whichever is greater.

(b) MAA's payment for low cost DRG outlier claims is the allowed charges multiplied by the hospital's RCC.

(3) MAA pays hospitals an all-inclusive administrative day rate for those days of hospital stay in which a client no longer needs an acute inpatient level of care, but is not discharged because an appropriate noninpatient hospital placement is not available.

(a) MAA sets payment for administrative days at the statewide average Medicaid nursing facility per diem rate. The administrative day rate is adjusted annually effective November 1.

(b) Ancillary services are not paid during administrative days.

(c) For a DRG payment case, MAA does not pay administrative days until the case exceeds the high cost outlier threshold for that case.

(d) For DRG exempt cases, MAA identifies administrative days during the length of stay review process after the client's discharge from the hospital.

(e) If the hospital admission is solely for a stay until an appropriate sub-acute placement can be made, MAA pays the hospital at the administrative day rate from the date of admission.

(4) MAA makes day outlier payments to hospitals, in accordance with section 1923 (a)(2)(C) of the Social Security Act, for exceptionally long stay clients. A hospital is eligible for the day outlier payment if it meets all of the following criteria:

(a) The hospital is a disproportionate share (DSH) hospital and the client served is under the age of six, or the hospital may not be a DSH hospital but the client served is a child under age one;

(b) The payment methodology for the admission is DRG;

(c) The charge for the hospitalization is below the high cost outlier threshold as defined in subsection (1)(a) of this section; and

(d) The client's length of stay is over the day outlier threshold for the applicable DRG. The day outlier threshold is defined as the number of an average length of stay for a discharge (for an applicable DRG), plus twenty days.

(5) MAA bases the day outlier payment on the number of days exceeding the day outlier threshold, multiplied by the administrative day rate.

(6) MAA's total payment for day outlier claims is the applicable DRG payment plus the day outlier or administrative days payment.

(7) Day outliers are only paid for cases that do not reach high cost outlier status. A client's outlier claim is either a day outlier or a high cost outlier, but not both)) If the claim qualifies as a DRG high cost outlier, the high cost outlier threshold is the amount in subsection (1)(a)(i) or (ii), whichever is greater, for an admission date before January 1, 2001; or subsection (1)(b)(i) or (ii), whichever is greater, for an admission date January 1, 2001 or after.

(3) The department determines payment for claims qualifying as DRG high cost outliers as follows:

(a) Payment for all qualifying claims, except for claims in psychiatric DRGs 424-432 and in-state childrens hospitals, are paid seventy-five percent of the allowed charges above the outlier threshold, multiplied by the hospital's RCC rate, plus the applicable DRG payment.

(b) In-state childrens hospitals are paid eighty-five percent of the allowed charges above the outlier threshold, multiplied by the hospital's RCC rate, plus the applicable DRG payment.

(c) Psychiatric DRG high cost outliers for DRGs 424-432 are paid one hundred percent of the allowed charges above the outlier threshold, multiplied by the hospital's RCC rate, plus the applicable DRG payment.

Examples for DRG high cost outlier claim qualification and payment calculation (admission dates are January 1, 2001, or after).

<u>DRG Allowed Charges</u>	<u>Applicable DRG Payment</u>	<u>Three times App. DRG Payment</u>	<u>DRG Allowed Charges &gt; \$33,000?</u>	<u>DRG Allowed Charges ≥ Three times App. DRG Payment?</u>	<u>DRG High-Cost Outlier Payment</u>	<u>Hospital's Individual RCC Rate</u>
\$17,000	\$ 5,000	\$15,000	No	Yes	N/A	64%
*\$33,500	5,000	15,000	Yes	Yes	**\$5,240	64%
10,740	35,377	106,131	No	No	N/A	64%

<u>Payment calculation example for DRG allowed charges of:</u>	<u>Nonpsych DRGs/Nonin-state children's hospital (RCC is 64%)</u>
*\$33,500	DRG allowed charges
- \$33,000	The greater amount of 3x app. DRG pymt. (\$15,000) or \$33,000
\$ 500	
x 48%	75% of allowed charges x hospital RCC rate (nonpsych DRGs/nonin-state children's) (75% x 64%= 48%)
\$ 240	Outlier portion
+ \$ 5,000	Applicable DRG payment
**\$ 5,240	Outlier payment

(4) A claim qualifies as a DRG low-cost outlier if:

(a) The admission date for the claim is before January 1, 2001, and the and allowed charges are:

(i) Less than ten percent of the applicable DRG payment;

or  
(ii) Less than four hundred dollars.

(b) The admission date for the claim is January 1, 2001, or after, and the allowed charges are:

(i) Less than ten percent of the applicable DRG payment;

or  
(ii) Less than four hundred fifty dollars.

(5) If the claim qualifies as a DRG low-cost outlier:

(a) For an admission date before January 1, 2001, the low-cost outlier amount is the amount in subsection (4)(a)(i) or (ii), whichever is greater; or

(b) For an admission date on January 1, 2001, or after, the low-cost outlier amount is the amount in subsection (4)(b)(i) or (ii), whichever is greater.

(6) The department's payment for a claim that qualifies as a DRG low-cost outlier is the allowed charges for the claim multiplied by the hospital's RCC rate.

(7) The department does not pay administrative days until the case exceeds the DRG high-cost outlier threshold for that claim.

(8) The department makes day outlier payments to hospitals in accordance with section 1923 (a)(2)(C) of the Social Security Act, for clients who have exceptionally long stays. A hospital is eligible for the day outlier payment if it meets all of the following criteria:

(a) The hospital is a disproportionate share hospital (DSH) and the client served is under age six, or the hospital may not be a DSH hospital but the client served is a child under age one;

(b) The payment methodology for the admission is DRG;

(c) The allowed charges for the hospitalization are less than the DRG high-cost outlier threshold as defined in subsection (1) of this section; and

(d) The client's length of stay exceeds the day outlier threshold for the applicable DRG payment amount. The day outlier threshold is defined as the number of days in an average length of stay for a discharge (for an applicable DRG payment), plus twenty days.

(9) The department bases the day outlier payment on the number of days that exceed the day outlier threshold, multiplied by the administrative day rate.

(10) The department's total payment for day outlier claims is the applicable DRG payment plus the day outlier or administrative days payment.

(11) The department pays day outliers only for claims that do not reach a DRG high-cost outlier status. A client's outlier claim is either a day outlier or a high-cost outlier, but not both.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-3800 Rebasing and recalibration.** (1) The ~~((department shall rebase))~~ medical assistance administration (MAA) rebases the Medicaid payment system periodically using each hospital's cost report for its fiscal year that ends during the calendar year designated by ~~((the department))~~ MAA to be used for each update.

(2) ~~((The department shall recalibrate diagnosis-related group))~~ MAA recalibrates DRG relative weights periodically, as described in WAC 388-550-3100, but no less frequently than each time rebasing is ~~((done))~~ conducted. The department ~~((shall make))~~ makes recalibrated relative weights effective ~~((July 1 of that year))~~ on the rate implementation date, which can change with each rebasing.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-4300 ~~((Payment—Exempt))~~ Hospitals and units exempt from the DRG payment method.** (1) ~~((The department shall exempt the following hospitals from the diagnosis-related group (DRG) payment method:~~

~~((a) Peer group A hospitals, as defined in WAC 388-550-3300(2);~~

~~((b) Rehabilitation units: Rehabilitation services provided in specifically identified rehabilitation hospitals and~~

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designated rehabilitation units of general hospitals. The department shall use the same criteria employed by the Medicare program to identify exempt hospitals and designated distinct part rehabilitation units;

(e) Out of state hospitals: Those facilities located outside of Washington and outside designated border areas as described in WAC 388-501-0175. The department shall pay these hospitals according to WAC 388-550-4000; and

(d) Military hospitals: Military hospitals may individually elect to get reimbursed a negotiated per diem rate, or the DRG or RCC reimbursement method. The department shall exempt military hospitals from the DRG payment method if no other specific arrangements have been made.

(2) The department shall limit inpatient hospital stays in hospitals identified in subsection (1) above to the number of days established at the seventy-fifth percentile in the current edition of the publication, "*Length of Stay by Diagnosis and Operation, Western Region*," unless:

(a) The department has a prior arrangement for a specified length of stay; or

(b) The stay is for chemical dependency treatment which is subject to WAC 388-550-1100(3)) Except when otherwise specified, inpatient services provided by hospitals and units that are exempt from the diagnosis-related group (DRG) payment method are reimbursed by the RCC payment method described in WAC 388-550-4500.

(2) Subject to the restrictions and limitations listed in this section, the department exempts the following hospitals and units from the DRG payment method for inpatient services provided to Medicaid-eligible clients:

(a) Peer group A hospitals, as defined in WAC 388-550-3300(2). Exception: Inpatient services provided to clients eligible under the following programs are reimbursed through the DRG payment method:

(i) General assistance programs;

(ii) Medically indigent program (MIP); and

(iii) Other state-only administered programs.

(b) Rehabilitation units when the services are provided in medical assistance administration (MAA)-approved acute physical medicine and rehabilitation (acute PM&R) hospitals and designated distinct rehabilitation units in acute care hospitals.

MAA uses the same criteria as the Medicare program to identify exempt rehabilitation hospitals and designated distinct rehabilitation units. Exception: Inpatient rehabilitation services provided to clients eligible under the following programs are covered and reimbursed through the DRG payment method:

(i) General assistance programs;

(ii) Medically indigent program (MIP); and

(iii) Other state-only administered programs.

(c) Out-of-state hospitals excluding hospitals located in designated border areas as described in WAC 388-501-0175. Inpatient services provided to clients eligible under the following programs are not covered or reimbursed by the department:

(i) General assistance programs;

(ii) Medically indigent program (MIP); and

(iii) Other state-only administered programs.

(d) Military hospitals when no other specific arrangements have been made with the department. Military hospitals may individually elect or arrange for one of the following payment methods in lieu of the RCC payment method:

(i) A negotiated per diem rate; or

(ii) DRG.

(e) Nonstate-owned specifically identified psychiatric hospitals and designated hospitals with Medicare certified distinct psychiatric units. The department uses the same criteria as the Medicare program to identify exempt psychiatric hospitals and distinct psychiatric units of hospitals.

(i) Inpatient psychiatric services provided to clients eligible under the following programs are reimbursed through the DRG payment method:

(A) General assistance programs;

(B) Medically indigent program (MIP); and

(C) Other state-only administered programs.

(ii) If the department determines that the psychiatric services provided to clients eligible under the programs listed in subsection (2)(e)(i) of this section qualify for a special exemption, the services may be reimbursed by using the ratio of costs-to-charges (RCC) payment method.

(iii) Regional support networks (RSNs) that arrange to reimburse nonstate-owned psychiatric hospitals and designated distinct psychiatric units of hospitals directly, may use the department's payment methods or contract with the hospitals to reimburse using different methods. Claims not paid directly through an RSN are paid through the department's MMIS payment system.

(3) The department limits inpatient hospital stays that are exempt from the DRG payment method and identified in subsection (2) of this section to the number of days established at the seventy-fifth percentile in the current edition of the publication, "*Length of Stay by Diagnosis and Operation, Western Region*," unless the stay is:

(a) Approved for a specific number of days by the department, or for psychiatric inpatient stays, the regional support network (RSN);

(b) For chemical dependency treatment which is subject to WAC 388-550-1100; or

(c) For detoxification of acute alcohol or other drug intoxication.

(4) If subsection (3)(c) of this section applies to eligible clients, the department will:

(a) Pay for three-day detoxification services for an acute alcoholic condition; or

(b) Pay for five-day detoxification services for acute drug addiction when the services are directly related to detoxification; and

(c) Extend the three-and five-day limitations for up to six additional days if either of the following is invoked on a client under care in a hospital:

(i) Petition for commitment to chemical dependency treatment; or

(ii) Temporary order for chemical dependency treatment.

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**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-4400 Services—Exempt from DRG payment.** (1) ~~((The department shall exclude the following services from the diagnosis-related group (DRG) based payment system:~~

~~(a) Neonatal services: The department shall exempt DRGs 602-619, 621-628, 630, 635, 637-641 neonatal services from the DRG payment methods. The department shall reimburse DRGs 620 and 629 (normal newborns) by the DRG payment method.~~

~~(b) Acquired immunodeficiency syndrome (AIDS)-related inpatient services: AIDS-related inpatient services for those cases with a reported diagnosis of, AIDS-related complex and other human immunodeficiency virus infections.~~

~~(c) Alcohol detoxification and treatment services: Alcoholism detoxification and treatment services provided in department approved alcohol treatment centers.~~

~~(d) Detoxification, medical stabilization, and drug treatment for chemically dependent pregnant women: Hospital-based intensive inpatient care for detoxification, medical stabilization, and drug treatment provided to chemically dependent pregnant women by a certified hospital.~~

~~(e) Physical medicine and rehabilitation: Rehabilitation services provided in department approved rehabilitation hospitals and general hospital distinct units, and services for physical medicine and rehabilitation patients.~~

~~(f) Chronic pain management: Pain management treatment provided in department approved pain treatment facilities.~~

~~(g) Inpatient services for managed care plan enrollees: The department shall reimburse hospitals for these enrollees according to the contract between the hospital and the managed care plan.~~

~~(h) Long term care administrative day services: The department shall reimburse long term care services based on the statewide average Medicaid nursing facility per diem rate, which is adjusted annually each October 1. The department shall apply this rate to patient days identified as administrative days on the hospital's notice of rates. Hospitals must request a long term care administrative day designation on a case by case basis.~~

~~(2) Except when otherwise specified, the department shall reimburse hospitals and services exempt from the DRG payment method under the RCC method, as described in WAC 388-550-4500)) Except when otherwise specified, inpatient services exempt from the diagnosis-related group (DRG) payment method are reimbursed by the RCC payment method described in WAC 388-550-4500.~~

~~(2) Subject to the restrictions and limitations in this section, the department exempts the following services for Medicaid clients from the DRG payment method:~~

~~(a) Neonatal services for DRGs 602-619, 621-628, 630, 635, and 637-641.~~

~~(b) Acquired immunodeficiency syndrome (AIDS)-related inpatient services for those cases with a reported diagnosis of AIDS-related complex and other human immunodeficiency virus infections. These services are also exempt from the DRG payment method when funded by the depart-~~

ment through the general assistance programs, medically indigent program, and any other state-only administered program.

(c) Alcohol or other drug detoxification services when provided in a hospital having a detoxification provider agreement with the department to perform these services. These services are also exempt from the DRG payment method when funded by the department through the general assistance programs, medically indigent program, and any other state-only administered program.

(d) Hospital-based intensive inpatient detoxification, medical stabilization, and drug treatment services provided to chemically-dependent pregnant women (CUP program) by a certified hospital. These are Medicaid program services and are not funded by the department through the general assistance programs, medically indigent program, or any other state-only administered program.

(e) Acute physical medicine and rehabilitation services provided in MAA-approved rehabilitation hospitals and hospital distinct units, and services for physical medicine and rehabilitation patients. Rehabilitation services provided to clients under the general assistance programs, medically indigent program, and any other state-only administered program are also reimbursed through the RCC payment method.

(f) Psychiatric services provided in nonstate-owned psychiatric hospitals and designated distinct psychiatric units of hospitals.

(g) Chronic pain management treatment provided in department-approved pain treatment facilities.

(h) Administrative day services. The department reimburses administrative days based on the statewide average Medicaid nursing facility per diem rate, which is adjusted annually each November 1. The department applies this rate to patient days identified as administrative days on the hospital's notice of rates. Hospitals must request an administrative day designation on a case-by-case basis.

(i) Inpatient services recorded on a claim that is grouped by MAA to a DRG for which MAA has not published an all patient DRG relative weight, except that claims grouped to DRGs 469 and 470 will be denied payment. This policy also applies to covered services paid through the general assistance programs, medically indigent program, and any other state-only administered program.

(j) Organ transplants that involve the heart, kidney, liver, lung, allogeneic bone marrow, autologous bone marrow, or simultaneous kidney/pancreas. These services are also exempt from the DRG payment method when funded by MAA through the general assistance programs, medically indigent program, and any other state-only administered program.

(3) Inpatient services provided through a managed care plan contract are reimbursed by the managed care plan.

**AMENDATORY SECTION** (Amending WSR 99-06-046, filed 2/26/99, effective 3/29/99)

**WAC 388-550-4500 Payment method—Inpatient RCC and administrative day rate and outpatient rate.** (1) The inpatient ratio of costs-to-charges (RCC) payment is the hospital's allowable charges on a claim multiplied by the hos-

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pital's inpatient RCC rate. The department limits this RCC payment to the hospital's allowable usual and customary charges.

(a) ~~((MAA))~~ The medical assistance administration (MAA) calculates a hospital's ((ratio of costs to charges ÷))RCC((÷)) by dividing allowable operating costs by patient revenues associated with these allowable costs.

(b) MAA bases these figures on the annual Medicare cost report data provided by the hospital.

(c) ~~MAA ((updates hospitals' RCC rates))~~ updates a hospital's inpatient RCC rate annually with the submittal of new HCFA 2552 Medicare cost report data. Prior to computing the ratio, MAA excludes increases in operating costs or total rate-setting revenue attributable to a change in ownership.

(2) ~~((MAA))~~ The department limits a hospital's RCC payment to one hundred percent of its allowable charges. ((MAA recoups payments made to a hospital in excess of its customary charges to the general public:))

(3) ~~((MAA))~~ The department establishes the basic inpatient hospital RCC payment by multiplying the hospital's assigned RCC rate by the allowed charges for medically necessary services. MAA deducts client responsibility (spend-down) ((€)) and third-party liability (TPL) ((as identified on the billing invoice or by MAA)) from the basic payment to determine the actual payment due ((from MAA for that hospital admission)).

(4) ~~((MAA))~~ The department uses the RCC payment method to reimburse:

(a) ~~((Peer group A hospitals;~~

~~(b) Other))~~ DRG-exempt hospitals ((identified)) as provided in WAC 388-550-4300; and

~~((€))~~ (b) Any hospital for DRG-exempt services described in WAC 388-550-4400.

(5) ~~((MAA deems the RCC for))~~ In-state and border area hospitals ((acking)) that lack sufficient HCFA 2552 Medicare cost report data to establish a hospital specific RCC are reimbursed using the weighted average ((of the RCC rates for in-state hospitals)) in-state:

(a) RCC rate for inpatient services as provided in WAC 388-550-4300 and 388-550-4400; and

(b) Outpatient rate as provided in WAC 388-550-6000.

~~((MAA calculates an outpatient ratio of costs to charges by dividing the projected costs by the projected charge multiplied by the average RCC.~~

~~(a) In no case may the outpatient adjustment factor exceed 1.0.~~

~~(b) The outpatient adjustment factor is updated annually effective November 1.)~~ Out-of-state hospitals are also reimbursed for the respective services using the weighted average in-state:

(a) RCC rate for inpatient services as provided in WAC 388-550-4300 and 388-550-4400; and

(b) Outpatient rate for outpatient hospital services as provided in WAC 388-550-6000.

(7) MAA identifies all in-state hospitals that have hospital specific RCC rates, and calculates the weighted average in-state RCC rate annually on August 1, by dividing the total allowable operating costs of these hospitals by the total respective patient revenues.

(8) The department pays hospitals an all-inclusive administrative day rate for those days of hospital stay in which a client no longer needs an acute inpatient level of care, but is not discharged because an appropriate placement outside the hospital is not available.

(a) MAA sets payment for administrative days at the statewide average Medicaid nursing facility per diem rate. The administrative day rate is adjusted annually effective November 1.

(b) Ancillary services provided during administrative days are not reimbursed.

(c) The department identifies administrative days for a DRG exempt case during the length of stay review process after the client's discharge from the hospital.

(d) The department pays the hospital at the administrative day rate starting the date of hospital admission if the admission is solely for a stay until an appropriate sub-acute placement can be made.

(9) MAA calculates the weighted average in-state outpatient rate annually on August 1, by multiplying the weighted average in-state RCC rate by the outpatient adjustment factor.

(10) For hospitals that have their own hospital specific inpatient RCC rate, MAA calculates the hospital's specific outpatient rate by multiplying the hospital's inpatient RCC rate by the outpatient adjustment factor.

(11) The outpatient adjustment factor:

(a) Must not exceed 1.0; and

(b) Is updated annually on November 1. This update causes an additional update of the outpatient rate for each hospital on November 1 annually.

(12) MAA establishes the basic hospital outpatient payment as provided in WAC 388-550-6000. MAA deducts client responsibility (spend-down) and third-party liability (TPL) from the basic payment to determine the actual payment due.

**AMENDATORY SECTION** (Amending WSR 99-14-026, filed 6/28/99, effective 7/1/99)

**WAC 388-550-4800 Hospital payment method—State-only programs.** (1) The medical assistance administration (MAA):

(a) Calculates payments to hospitals for ((state-only MI/medical care services to clients according to the)) covered services provided to eligible clients under the state-only MI and medical care services programs using one of the following payment methods:

(i) Diagnosis-related group (DRG); or

(ii) Ratio of costs-to-charges (RCC) methodologies; and

(b) ((Reduces hospitals' Title XIX rates by their ratable and/or equivalency factors (EQ), as applicable:)) Calculates the respective state-only program RCC rate and cost based conversion factor (CBCF) by reducing:

(i) The hospital's Title XIX inpatient RCC rate by the hospital's ratable; and

(ii) The hospital's Title XIX DRG CBCF.

(2) ~~((MAA calculates))~~ To calculate ratables ((by)), MAA:

(a) ((Adding together)) Adds a hospital's Medicare and Medicaid revenues, ((along with)) to the value of the hospi-

tal's charity care and bad debts. ((MAA)) MAA deducts the hospital's low-income disproportionate share hospital (LIDSH) revenue from this total to arrive at the hospital's community care dollars; then

(b) ~~((Subtracting))~~ Subtracts revenue generated by hospital-based physicians from total hospital revenue. Both revenues are as reported in the hospital's HCFA 2552 cost report; then

(c) Divides the amount derived in step (2)(a) by the amount derived in step (2)(b) to obtain the ratio of community care dollars to total revenue; then

(d) Subtracts the result of step (2)(c) from 1.000 to obtain the hospital's ratable. The hospital's Title XIX ((~~cost-based conversion factor (CBCF) or RCC rate is multiplied by (1-ratable) for a MI or medical care services client~~) CBCF is multiplied by (1 minus the ratable), and that result is multiplied by the equivalency factor (EF) to calculate the state-only CBCF. The hospital's Title XIX RCC rate is multiplied by (1 minus the ratable) to calculate the state-only program RCC.

(e) The payments for ~~((MI/medical care services clients))~~ services under the state-only MI and medical care services programs are mathematically represented as follows:

~~((MI/medical care services))~~ State-only program RCC = Title XIX RCC x (1((-)) minus the ratable) x EF

~~((MI/medical care services))~~ State-only program CBCF = Title XIX Conversion Factor x (1((-)) minus the ratable) x ((EQ)) EF

(3) MAA updates each hospital's ratable annually on August 1.

(4) MAA:

(a) Uses the ~~((EQ))~~ EF to hold the DRG reimbursement rates for the ~~((MI/medical care services))~~ state-only programs at their current level prior to any rebasing. MAA applies the ~~((EQ))~~ EF only to the Title XIX DRG CBCFs ~~((MAA does not apply the EQ)),~~ not to the Title XIX RCCS. The EF does not apply when the DRG rate change is due to the application of an inflation factor.

(b) Calculates a hospital's equivalency factor as follows:

~~((EQ))~~ EF = (Current ((MI/medical care services conversion factor)/(Title XIX DRG rate x (1-ratable))) state-only program CBCF divided by (Title XIX CBCF) multiplied by (1 minus the ratable))

(5) ~~((Effective for hospital admissions on or after December 1, 1991, MAA reduces its payment for MI (but not medical care services) clients further by multiplying the payment by ninety-seven percent. MAA applies this payment reduction adjustment to the MIDSH methodology in accordance with section 3(b) of the "Medicaid Voluntary Contributions and Provider Specific Tax Amendment of 1991."))~~

~~((6))~~ When ((the MI/medical care services)) a client eligible for the MI program or medical care services program has a trauma that qualifies under the trauma program, ((MAA pays)) the hospital is reimbursed the full Medicaid ((Title XIX)) reimbursement amount when care has been provided in a nongovernmental hospital designated by the department of health (DOH) as a trauma services center. MAA gives an annual grant for trauma services to governmental hospitals certified by DOH.

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-550-2700

Substance abuse detoxification services.

## WSR 01-17-084 PERMANENT RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed August 16, 2001, 3:58 p.m.]

Date of Adoption: August 7, 2001.

Purpose: The purpose of this rule is to give rules for family child care providers. This adoption is to standardize the language in the rule, changing each "shall" to "must." This is in conformity with clear rule-writing policy and the governor's directive.

Citation of Existing Rules Affected by this Order: Amending WAC 388-155-040, 388-155-050, 388-155-060, 388-155-080, 388-155-085, 388-155-090, 388-155-092, 388-155-093, 388-155-094, 388-155-095, 388-155-160, 388-155-190, 388-155-270, 388-155-330, 388-155-370, 388-155-380, 388-155-420, 388-155-480, 388-155-605, 388-155-610, 388-155-620, 388-155-630, 388-155-640, 388-155-650, 388-155-660, 388-155-670, and 388-155-680.

Statutory Authority for Adoption: RCW 74.15.030.

Adopted under notice filed as WSR 01-07-052 on March 16, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 27, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 7, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3136, filed 2/1/91, effective 3/4/91)

WAC 388-155-040 **Local ordinances and codes.** The department ~~((shall))~~ must issue or deny a license on the basis of the applicant's compliance with minimum licensing and

procedural requirements. Local officials ((shall)) must be responsible for enforcing city ordinances and county codes, such as zoning and building regulations.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-050 Waivers.** (1) In an individual case, the department, for good cause, may waive a specific requirement and may approve an alternate method of achieving the specific requirement's intent if the:

(a) Licensee or applicant submits to the department a written waiver request fully explaining the circumstances necessitating the waiver; and

(b) Department determines waiver approval will not jeopardize the safety or welfare of the child in care or detract from the quality of services the licensee delivers.

(2) The department may approve a waiver request only for a specific purpose or child and for a specific period of time not exceeding the expiration date of the license.

(3) The department may limit or restrict a license issued in conjunction with a waiver.

(4) The licensee ((shall)) must maintain on the premises a copy of the written waiver approval.

(5) The department's denial of a waiver request ((shall)) must not be subject to appeal under chapter 34.05 RCW.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-060 Dual licensure.** The department ((shall)) must not issue a family child care home license to the applicant having a foster family home license or other license involving full-time care or permit simultaneous care for the child and adult on the same premises. An exception may be granted if the applicant or licensee:

(1) Demonstrates evidence that care of one client category will not interfere with the quality of care provided to another category of clients;

(2) Requests and obtains a waiver permitting dual licensure;

(3) Maintains the most stringent maximum capacity limitation for the client categories concerned; and

(4) Where the licensee desires to exceed the most stringent maximum capacity limitation, requests an additional waiver to subsection (3) above. This additional waiver request may be written on one form with the request for dual licensing.

**AMENDATORY SECTION** (Amending WSR 91-04-048 (Order 3136), filed 2/1/91, effective 3/4/91)

**WAC 388-155-080 Issuance of license.** (1) The department ((shall issue)) issues the applicant or licensee a license for a specific number of children dependent on the:

(a) Department's evaluation of the home's premises and physical accommodations;

(b) Number and skills of the licensee, assistant, and volunteers; and

(c) Ages and characteristics of the children served.

(2) The department:

(a) May issue the applicant or licensee a license to care for fewer children than the home's maximum capacity; and

(b) ((shall)) Must not issue the applicant or licensee a license for the care of more children than permitted under this chapter.

**AMENDATORY SECTION** (Amending WSR 96-20-095, filed 10/1/96, effective 11/1/96)

**WAC 388-155-085 Initial license.** (1) The department may issue an initial license to an applicant not currently licensed to provide child day care when the applicant:

(a) Can demonstrate compliance with the rules contained in this chapter pertaining to the health and safety of the child in care; but

(b) Cannot demonstrate compliance with the rules pertaining to:

(i) Provider-child interactions,

(ii) Capacity,

(iii) Behavior management,

(iv) Activity and routines,

(v) Child records and information, and

(vi) Other rules requiring department observation of the applicant's ability to comply with rules.

(c) Can provide a plan, acceptable to the department, to comply with rules found in subsection (1)(b) of this section.

(2) The department may issue an initial license to an applicant for a period not to exceed six months, renewable for a period not to exceed two years.

(3) The department ((shall)) must evaluate the applicant's ability to comply with all rules contained in this chapter during the period of initial licensure prior to issuing a full license.

(4) The department may issue a full license to the applicant demonstrating compliance with all rules contained in this chapter at any time during the period of initial licensure.

(5) The department ((shall)) must not issue a full license to the applicant who does not demonstrate the ability to comply with all rules contained in this chapter during the period of initial licensure.

**AMENDATORY SECTION** (Amending Order 3974, filed 4/26/96, effective 5/27/96)

**WAC 388-155-090 License denial, suspension, or revocation.** (1) Before granting a license and as a condition for continuance of a license, the department ((shall)) must consider the ability of the applicant and licensee to meet the requirements of this chapter. If more than one person is the applicant or licensee, the department:

(a) ((shall)) must consider the persons' qualifications separately and jointly; and

(b) May deny, suspend, revoke, or not renew the license based on the failure of one of the persons to meet the requirements.

(2) The department ((shall)) must deny, suspend, revoke, or not renew the license of a person who:

(a) Has abused, neglected, or sexually exploited a child as those acts or omissions are defined in RCW 26.44.020 and WAC 388-15-130, is ineligible to provide care because of a

criminal history under chapter 388-330 WAC, or allows such a person on the premises;

(b) Commits or was convicted of a felony reasonably related to the competency of the person to meet the requirements of this chapter;

(c) Engages in illegal use of a drug or excessive use of alcohol;

(d) Commits, permits, aids, or abets the commission of an illegal act on the premises;

(e) Commits, permits, aids, or abets the abuse, neglect, exploitation, or cruel or indifferent care to a child in care;

(f) Refuses to permit an authorized representative of the department, state fire marshal, department of health, or state auditor's office to inspect the premises; or

(g) Refuses to permit an authorized representative of the department, the department of health, or the state auditor's office access to records related to operation of the home or to interview an assistant or a child in care.

(3) The department may deny, suspend, revoke, or not renew a license of a person who:

(a) Seeks to obtain or retain a license by fraudulent means or misrepresentation, including, but not limited to:

(i) Making a materially false statement on the application; or

(ii) Omitting material information on the application.

(b) Provides insufficient staff in relation to the number, ages, or characteristics of children in care;

(c) Allows a person unqualified by training, experience, or temperament to care for or be in contact with a child in care;

(d) Violates any condition or limitation on licensure including, but not limited to:

(i) Permitting more children on the premises than the number for which the home is licensed; or

(ii) Permitting on the premises a child of an age different from the ages for which the home is licensed.

(e) Fails to provide adequate supervision to a child in care;

(f) Demonstrates an inability to exercise fiscal responsibility and accountability with respect to operation of the home;

(g) Misappropriates property of a child in care;

(h) Knowingly permits on the premises an employee or volunteer who has made a material misrepresentation on an application for employment or volunteer service;

(i) Refuses or fails to supply necessary, additional department-requested information; or

(j) Fails to comply with any provision of chapter 74.15 RCW or this chapter.

(4) The department ~~((shall))~~ must not issue a license to a person who has had denied, suspended, revoked, or not renewed a license to operate a facility for the care of children or adults, in this state or elsewhere, unless the person demonstrates by clear, cogent, and convincing evidence the person has undertaken sufficient corrective action or rehabilitation to warrant public trust and to operate the home in accordance with the rules of this chapter.

(5) The department's notice of a denial, revocation, suspension, or modification of a license and the applicant's or

licensee's right to a hearing ~~((shall))~~ must be governed under RCW 43.20A.205.

AMENDATORY SECTION (Amending WSR 96-20-095, filed 10/1/96, effective 11/1/96)

**WAC 388-155-092 Civil penalties.** (1) Before imposing a civil penalty, the department ~~((shall))~~ must provide written notification by personal service, including by the licensor, or certified mail which ~~((shall))~~ must include:

(a) A description of the violation and citation of the applicable requirement or law;

(b) A statement of what is required to achieve compliance;

(c) The date by which the department requires compliance;

(d) The maximum allowable penalty if timely compliance is not achieved;

(e) The means to contact any technical assistance services provided by the department or others; and

(f) Notice of when, where, and to whom a request to extend the time to achieve compliance for good cause may be filed with the department.

(2) The length of time in which to comply ~~((shall))~~ must depend on:

(a) The seriousness of the violation;

(b) The potential threat to the health, safety and welfare of children in care; or

(c) Previous opportunities to correct the deficiency.

(3) The department may impose a civil penalty based on but not limited to these reasons:

(a) The child care home has previously been subject to an enforcement action for the same or similar type of violation of the same ~~((statute))~~ statute or rule; or

(b) The child care home has previously been given notice of the same or similar type of violation of the same statute or rule; or

(c) The violation represents a potential threat to the health, safety, and/or welfare of children in care.

(4) The department may impose a civil penalty in addition to or in conjunction with other disciplinary actions against a child care license including probation, suspension, or other action.

(5) The civil fine ~~((shall))~~ must be payable twenty-eight days after receipt of the notice or later as specified by the department.

(6) The fine may be forgiven if the agency comes into compliance during the notification period.

(7) The center or person against whom the department assesses a civil fine has a right to an adjudicative proceeding as governed by RCW 43.20A.215:

AMENDATORY SECTION (Amending WSR 96-20-095, filed 10/1/96, effective 11/1/96)

**WAC 388-155-093 Civil penalties—Amount of penalty.** Whenever the department imposes a civil monetary penalty per WAC 388-155-092(3), the department ~~((shall))~~ must impose a penalty of seventy-five dollars per violation per day. The department may assess and collect the penalty with interest for each day of noncompliance.

**AMENDATORY SECTION** (Amending WSR 96-20-095, filed 10/1/96, effective 11/1/96)

**WAC 388-155-094 Civil penalty—Posting of notice of penalty.** (1) The licensee ((~~shall~~)) must post the final notice of a civil penalty in a conspicuous place in the facility.

(2) The notice ((~~shall~~)) must remain posted until payment is received by the department.

**AMENDATORY SECTION** (Amending WSR 96-20-095, filed 10/1/96, effective 11/1/96)

**WAC 388-155-095 Civil penalties—Unlicensed programs.** Where the department has determined that an agency is operating without a license, the department ((~~shall~~)) must send written notification by certified mail or other means showing proof of service. This notification ((~~shall~~)) must contain the following:

(1) Advising the agency of the basis of determination of providing child care without a license and the need to be licensed by the department;

(2) The citation of the applicable law;

(3) The assessment of seventy-five dollars per day penalty for each day unlicensed care is provided. The fine would be effective and payable within thirty days of receipt of the notification;

(4) How to contact the office of child care policy;

(5) The need to submit an application to the office of child care policy within thirty days of receipt of the notification;

(6) That the penalty may be forgiven if the agency submits an application within thirty days of the notification; and

(7) The right of an adjudicative proceeding as a result of the assessment of a monetary penalty and the appropriate procedure for requesting an adjudicative proceeding.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91)

**WAC 388-155-160 Off-site trips.** (1) The licensee may transport or permit the off-site travel of the child to attend school, participate in field trips, or engage in other off-site activities only with written parental consent.

(2) The parent's consent may be:

(a) For a specific date and trip; or

(b) A blanket authorization describing the full range of trips the child may take. In such case, the licensee ((~~shall~~)) must notify the parent in advance about the trip.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-190 Capacity.** (1) The department ((~~shall~~)) must determine the maximum capacity of the family child care home based on the:

(a) Licensee's experience and training;

(b) Assistant's qualifications;

(c) Number, ages, and characteristics of the children cared for;

(d) Number and ages of the licensee's own children and other children residing in the home eleven years of age and under;

(e) Usable indoor and outdoor space; and

(f) Supply of toys and equipment.

(2) The department may license the family child care home according to the following table:

NUMBER OF PROVIDERS REQUIRED	AGE RANGE IN YEARS	MAXIMUM NUMBER OF CHILDREN UNDER TWO YEARS OF AGE	MAXIMUM NUMBER OF CHILDREN
(a) Licensee	Birth - 11	2	6
(b) Licensee with one year experience	2 - 11	None	8
(c) Licensee with one year experience	5 - 11	None	10
(d) Licensee with one year experience plus assistant	Birth - 11	4	9
(e) Licensee with two years' experience and one early childhood education (ECE) class	3 - 11	None	10
(f) Licensee with two years' experience and one ECE class plus assistant	Birth - 11	4	12

So that the:

(a) Unassisted licensee may provide care for a maximum of six children, birth through eleven years of age, with two or fewer children under two years of age; or

(b) Unassisted licensee with one year of experience operating a licensed family child care home or the equivalent experience may provide care for a maximum of eight children, two years through eleven years of age; or

(c) Unassisted licensee with one year of experience operating a licensed family child care home or the equivalent experience may provide care for a maximum of ten children, five years through eleven years of age; or

(d) Licensee with one year of experience as a licensed family child care home provider or the equivalent experience and an assistant may provide care for seven through nine children, birth through eleven years of age, with four or fewer children under two years of age; or

(e) Unassisted licensee with two years of experience operating a licensed family child care home or the equivalent experience and one class in ECE, or the equivalent education, may provide care for a maximum of ten children, three years through eleven years of age; or

(f) Licensee with two years of experience operating a licensed family child care home or the equivalent experience, one class in ECE or the equivalent education, and a qualified assistant may provide care for a maximum of twelve children,

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birth through eleven years of age, with four or fewer children under two years of age.

(3) The licensee (~~shall~~) must ensure an assistant is on the premises when:

(a) Three or more children under two years of age are in care;

(b) Seven or more children are in care and any child in care is under two years of age; or

(c) More than ten children are in care.

(4) The department's determination of capacity shall include all children eleven years of age or under on the premises.

(5) The licensee (~~shall~~) must ensure the assistant is eighteen years of age or older when the assistant is solely responsible for the child in care.

**AMENDATORY SECTION** (Amending WSR 00-06-040, filed 2/28/00, effective 3/30/00)

**WAC 388-155-270 Care of young children.** (1) Diapering and toileting. The licensee must ensure:

(a) The diaper-changing area is:

(i) Separate from food preparation areas; and

(ii) Easily accessible to a handwashing sink other than a sink used for food preparation;

(iii) Sanitized between use for different children; or

(iv) Protected by a disposable covering discarded after each use.

(b) The diaper-changing area is impervious to moisture and washable.

(2) The licensee must:

(a) Use a nonabsorbent pad large enough for the child's upper body and buttocks;

(b) Use reusable diapers, a commercial diaper service, or disposable diapers;

(c) Place soiled diapers without rinsing into a separate, cleanable, covered container provided with a waterproof liner before transporting to a laundry, parent, or acceptable disposal;

(d) Remove soiled diapers from the home daily or more often unless the licensee uses a commercial diaper service;

(e) Use disposable towels or clean, reusable towels laundered between use for different children for cleaning the child; and

(f) Wash hands after diapering the child or helping the child with toileting.

(3) The licensee must:

(a) Consult with the child's parent regarding initiating toilet training;

(b) Locate potty chairs on washable, nonabsorbent surfaces in appropriate toileting area when in use; and

(c) Sanitize toilet training equipment after each use.

(4) Feeding. The licensee and the infant's parent must agree on a schedule for feedings:

(a) The licensee or parent may provide the child's bottle feeding in the following manner:

(i) A filled bottle brought from home;

(ii) Whole milk or formula in ready-to-feed strength; or

(iii) Formula requiring no preparation other than dilution with water, mixed on the premises, following manufacturer's directions.

(b) The licensee must prepare the child's bottle and nipple in a sanitary manner in an area separate from the diapering area.

(c) The licensee must sanitize the child's bottle and nipple between uses.

(d) The licensee must label the bottle with the child's name and date prepared, if more than one bottle-fed child is in care.

(e) The licensee must refrigerate a filled bottle if the child does not consume the contents immediately and discard the bottle's contents if the child does not consume the contents within twelve hours.

(f) To ensure safety and promote nurturing, the licensee and assistant must:

(i) Hold the child in a semi-sitting position for feeding, if the child is unable to sit in a high chair, unless such is against medical advice;

(ii) Interact with the child;

(iii) Not prop a bottle;

(iv) Not give a bottle to the reclining child; and

(v) Take the bottle from the child when the child finishes feeding.

(g) The licensee must provide semi-solid food for the child, upon consultation with the parent, as recommended by the child's health care provider.

(5) Sleeping equipment. The licensee must furnish the child a single-level crib, infant bed, bassinet, or play pen for napping until such time the parent and licensee agree the child can safely use a mat, cot, or other approved sleep equipment.

(6) The licensee must ensure the young child has a sturdy crib, infant bed, bassinet, or play pen:

(a) Made of wood, metal, or plastic with secure latching devices; and

(b) Constructed with two and three-eighths inches or less space between vertical slats when the crib is used for a child six months of age or younger; and

(c) The licensee must follow the recommendations of the American Academy of Pediatrics (1-800-505-CRIB (~~(1-800-505-CRIB)~~)), placing infants on their backs each time for sleep. The provider may use a different sleep position if the parent requests it in writing.

(7) The licensee must ensure the child's crib mattress, infant bed, bassinet, or play pen mattress is:

(a) Snug fitting, preventing the infant from being caught between the mattress and crib side rails; and

(b) Waterproof, easily sanitized, and in good repair.

(8) Activities and equipment. The licensee must provide the young child a daily opportunity for:

(a) Large and small muscle development;

(b) Crawling and exploring;

(c) Sensory stimulation;

(d) Social interaction;

(e) Development of communication; and

(f) Learning self-help skills.

(9) The licensee must provide safe, noningestible, suitable toys and equipment for the young child's mental and physical development.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-330 Indoor play area.** (1) The home's indoor premises ((shall)) must contain adequate space for child play and sufficient space to house developmentally appropriate activities for the number and age range of children served. The licensee ((shall)) must provide a minimum of thirty-five square feet of usable floor space per child, exclusive of a bathroom, hallway, and closet.

(2) The licensee may use and consider the napping area as child care space if mats and cots are removed when not in use. The licensee may consider the kitchen usable space if:

- (a) Appliances and utensils do not create a safety hazard;
  - (b) Toxic or harmful substances are not accessible to the child;
  - (c) Food preparation and storage sanitation is maintained; and
  - (d) The space is used safely and appropriately as a child care activity area.
- (3) The licensee may use a room for multiple purposes such as playing, dining, napping, and learning activities, provided:
- (a) The room is of sufficient size; and
  - (b) The room's use for one purpose does not interfere with use of the room for another purpose.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-370 Storage.** (1) The licensee ((shall)) must provide accessible individual space for the child to store clothes and personal possessions.

(2) The licensee ((shall)) must provide sufficient space to store equipment, supplies, records, files, cots, mats, and bedding.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-380 Home atmosphere.** (1) The licensee ((shall)) must provide a cheerful learning environment for the child consistent with a family home environment by placing visually stimulating decorations, pictures, or other attractive materials at appropriate heights for the child.

(2) The licensee ((shall)) must maintain a safe and developmentally appropriate noise level, without inhibiting normal ranges of expression by the child, so provider and child can be clearly heard and understood in normal conversation.

(3) The licensee ((shall)) must locate light fixtures and provide lighting intensities promoting good visibility and comfort for the child in care.

(4) The licensee ((shall)) must maintain the temperature within the home at:

- (a) Sixty-eight degrees Fahrenheit or more during the child's waking hours; and

(b) Sixty degrees Fahrenheit or more during the child's napping or sleeping hours.

(5) The licensee ((shall)) must ventilate the home for the health and comfort of the child in care.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-420 Child abuse, neglect, and exploitation.** The licensee and assistant ((shall)) must protect the child in care from child abuse, neglect, or exploitation as required under chapter 26.44 RCW.

**AMENDATORY SECTION** (Amending Order 3136, filed 2/1/91, effective 3/4/91)

**WAC 388-155-480 Reporting of death, injury, illness, epidemic, or child abuse.** The licensee ((shall)) must report immediately:

- (1) A death, serious injury requiring medical treatment, or illness requiring hospitalization of a child in care, by telephone and in writing, to the parent, licensor, and child's social worker, if any;
- (2) An instance when the licensee or assistant has reason to suspect the occurrence of physical, sexual, or emotional child abuse, child neglect, or child exploitation, as required under chapter 26.44 RCW, by telephone, to child protective services or local law enforcement; or
- (3) An occurrence of food poisoning or communicable disease, as required by the state board of health, by telephone, to the local public health department.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-605 Hazardous areas.** Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, painting operation, or parking garage ((shall)) must be separated from the family child day care home or any exits by a fire wall.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-610 Single station smoke detectors.** (1) Smoke detectors ((shall)) must be located in all sleeping and napping rooms in family child day care homes.

(2) In family child day care homes with more than one story, and in family child day care homes with basements, a smoke detector ((shall)) must be installed on each story and in the basement.

(3) In family child day care homes where a story or basement is split into two or more levels, the smoke detector ((shall)) must be installed in the upper level, except that when the lower level contains a sleeping or napping area, a smoke detector ((shall)) must be located on each level.

(4) When sleeping or napping rooms are on an upper level, the smoke detector ((shall)) must be placed on the ceiling of the upper level in close proximity to the stairway and in each sleeping/napping room.

(6) Smoke detectors ((shall)) must sound an alarm audible in all areas of the building.

(7) In new construction, required smoke detectors ((shall)) must receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring ((shall)) must be permanent and without a disconnecting switch other than those required for overcurrent protection.

(8) Smoke detectors may be battery operated when installed in existing buildings or buildings without commercial power.

(9) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector ((shall)) must be maintained upon the premises.

(10) Single station smoke detectors ((shall)) must be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-620 Alternate means of sounding a fire alarm.** In addition to single station smoke detectors, family child day care homes ((shall)) must provide an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement, provided that whatever method is selected is limited to an evacuation emergency only.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-630 Fire extinguisher.** (1) At least one approved 2A, 10B:C rated fire extinguisher ((shall)) must be provided on each floor level occupied for day care use. Such extinguisher ((shall)) must be located in the area of the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(2) Fire extinguishers ((shall)) must be operationally ready for use at all times.

(3) Fire extinguisher ((shall)) must be kept on a shelf or mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(4) The licensee ((shall)) must ensure that fire extinguishers receive annual maintenance certification by a firm specializing in and licensed to do such work. Maintenance means a thorough check of the extinguisher to include examination of:

- (a) Mechanical parts;
- (b) Extinguishing agent; and
- (c) Expelling means.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-640 Fire prevention.** (1) The licensee ((shall)) must ensure that the local fire department is requested to visit the family child day care home to become

familiar with the facility and to assist in planning evacuation or emergency procedures. Where a fire department does not provide this service, the licensee ((shall)) must document this contact.

(2) Furnace rooms ((shall)) must be maintained free of lint, grease and rubbish accumulations and other combustibles and suitably isolated, enclosed or protected.

(3) Flammable or combustible materials ((shall)) must be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and ((shall)) must be removed from the building or stored in closed, metal containers.

(4) The licensee ((shall)) must keep all areas used for child care clean and neat, making sure that all waste generated daily is removed from the building and disposed of in a safe manner outside the building. All containers used for the disposal of waste material ((shall)) must be of noncombustible materials with tops. Electrical motors shall be kept dust-free.

(5) Open-flame devices capable of igniting clothing ((shall)) must not be left on, unattended or used in a manner which could result in an accidental ignition of children's clothing. Candles ((shall)) must not be used.

(6) A flashlight ((shall)) must be available for use as an emergency power source.

(7) All electrical circuits, devices and appliances ((shall)) must be properly maintained. Circuits ((shall)) must not be overloaded. Extension cords and multi-plug adapters ((shall)) must not be used in lieu of permanent wiring and proper receptacles.

(8) The use of portable space heaters of any kind is prohibited.

(9) Approved numbers or addresses ((shall)) must be placed on all new and existing homes and in the driveway to the house when the house is not visible from the road. The numbers or address ((shall)) must be in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers ((shall)) must contrast with their background.

(10) Fireplaces, woodstoves, similar devices and their connections ((shall)) must be approved by the local building official. If the woodstove is used as a sole source of heat or is used during hours of operation, such devices ((shall)) must be cleaned, maintained and inspected on at least an annual basis by a person or firm specializing in such work and licensed.

Where open flames and/or hot surfaces are accessible, approved barriers ((shall)) must be erected to prevent children from coming in contact with the open flames and/or hot surfaces.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-650 Sprinkler system maintenance.** Sprinkler systems, if installed, ((shall)) must be tested on an annual basis by a person or agency qualified by licensing. The results of the system test ((shall)) must be documented on forms provided by the licensor and maintained at the home for inspection by the licensor.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-660 Fire evacuation plan.** Each home ((shall)) **must** develop written fire evacuation plans. The evacuation plan ((shall)) **must** include an evacuation floor plan, identifying exit doors and windows, that ((shall)) **must** be posted at a point clearly visible to the assistant and parents. Plans ((shall)) **must** include the following:

- (1) Action to be taken by the person discovering a fire;
- (2) Method to be used for sounding an alarm on the premises;
- (3) Action to be taken for evacuation of the building and assuring accountability of the children; and
- (4) Action to be taken pending arrival of the fire department.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-670 Fire evacuation drill.** A fire evacuation drill ((shall)) **must** be conducted at least once each month. A written record, the fire safety record and evacuation plan, ((shall)) **must** be maintained and posted on the premises indicating the date, time and other required entries on the form. Such forms are available from the office of child care policy.

**AMENDATORY SECTION** (Amending Order 9373, filed 4/26/96, effective 5/27/96)

**WAC 388-155-680 Staff training.** The licensee and each employee or assistant ((shall)) **must** be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

- (1) Operation of fire extinguisher installed on the premises.
- (2) Testing smoke detectors (single station types).
- (3) Conducting frequent inspections of the home to identify fire hazards and take action to correct any hazards noted during the inspection. Such inspections should be conducted on a monthly basis and records kept on the premises for review by the licensor.

**WSR 01-18-005  
PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-180—Filed August 22, 2001, 3:19 p.m.]

Date of Adoption: August 3, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-52-040 and 220-52-043.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 01-13-081 on June 19, 2001.

Changes Other than Editing from Proposed to Adopted  
Version: In WAC 220-52-040 (7)(b), end [of] first sentence

add "upon payment of an annual buoy tag fee of one hundred dollars per license"; change "an affidavit" to "a declaration under penalty of perjury"; change second "affidavit" to "declaration"; after "location" add "and date."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 22, 2001

Debbie Nelson

for Russ Cahill, Chair  
Fish and Wildlife Commission

**AMENDATORY SECTION** (Amending Order 01-74, filed 5/3/01, effective 6/3/01)

**WAC 220-52-040 Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts.** (1) **Net fishing boats shall not have crab aboard.** It is unlawful for any vessel geared or equipped with commercial net fishing gear to have aboard any quantity of crab while it is fishing with the net gear or when it has other food fish or shellfish aboard for commercial purposes.

(2) **Area must be open to commercial crabbing.** Unless otherwise provided, it is unlawful to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crabs for commercial purposes in any area or at any time when the location is not opened for taking crabs for commercial purposes by permanent rule or emergency rule of the department: Provided, That following the close of a commercial crab season, permission may be granted by the director or his or her designee on a case-by-case basis for crab fishers to recover shellfish pots that were irretrievable due to extreme weather conditions at the end of the lawful opening. Crab fishers must notify and apply to department enforcement for such permission within twenty-four hours prior to the close of season.

(3) **Crabs must be male and 6-1/4 inches.** It is unlawful for any person acting for commercial purposes to take, possess, deliver, or otherwise control:

(a) Any female Dungeness crabs; or

(b) Any male Dungeness crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.

(4) **Each person and each Puget Sound license limited to 100 pots.** It is unlawful for any person to take or fish for crab for commercial purposes in the Puget Sound licensing

district using, operating, or controlling any more than an aggregate total of 100 shellfish pots or ring nets. This limit shall apply to each license. However, this shall not preclude a person holding two Puget Sound crab licenses from designating and using the licenses from one vessel as authorized by RCW ((75.28.048(4))) 77.65.130.

(5) **Additional area gear limits.** The following Marine Fish-Shellfish Management and Catch Reporting Areas are restricted in the number of pots fished, operated, or used by a person or vessel and it is unlawful for any person to use, maintain, operate, or control pots in excess of the following limits:

(a) 10 pots in Marine Fish-Shellfish Management and Catch Reporting Area 25E.

(b) 10 pots in all waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A south of a line projected true west from Travis Spit on Miller Peninsula.

(c) 20 pots in that portion of Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line projected from the new Dungeness Light to the mouth of Cooper Creek and east of a line projected from the new Dungeness Light to the outermost end of the abandoned dock at the Three Crabs Restaurant on the southern shore of Dungeness Bay.

(d) 10 pots in that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23D west of a line from the eastern tip of Ediz Hook to the 177 Rayonier Dock.

(6) **Groundline gear is unlawful.** No crab pot or ring net may be attached or connected to other crab pot or ring net by a common groundline or any other means that connects crab pots together.

(7) **Puget Sound crab buoys and pots must be tagged.**

(a) In Puget Sound it is unlawful to place in the water, pull from the water, possess on the water, or transport on the water any crab buoy or crab pot without ((a)) attached buoy and pot tags that meets the requirements of WAC 220-52-043.

(b) The department will issue one hundred buoy tags to the owner of each Puget Sound commercial crab fishery license upon payment of an annual buoy tag fee of one hundred dollars per license. Additional tags to replace lost tags will only be issued to owners of Puget Sound commercial crab fishery licenses who obtain, complete, and sign a declaration under penalty of perjury in the presence of an authorized department employee. The declaration shall state the number of buoy tags lost, the location and date where lost gear or tags were last observed, and the presumed cause of the loss.

(8) **Puget Sound - No person can possess or use gear with other person's tag.** In Puget Sound no person may possess, use, control, or operate any crab pot not bearing a tag identifying the pot as that person's, or any buoy not bearing tags issued by the department to that person, except that an alternate operator designated on a primary license may possess and operate ((a)) crab buoys and crab pots bearing the tags of the license holder.

(9) **Cannot tamper with pot tags.** No person shall remove, damage, or otherwise tamper with crab buoy or pot tags except when lawfully applying or removing tags on the person's own buoys and pots.

(10) **Thirty-day period when it is unlawful to buy or land crab from ocean without crab vessel inspection.** It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, Washington coastal or adjacent waters of the Pacific Ocean during the first thirty days following the opening of a coastal crab season from any vessel which has not been issued a Washington crab vessel inspection certificate. The certificate will be issued to vessels made available for inspection in a Washington coastal port and properly licensed for commercial crab fishing if no Dungeness crabs are aboard. Inspections will be performed by authorized department personnel not earlier than twelve hours prior to the opening of the coastal crab season and during the following thirty-day period.

(11) **Grays Harbor pot limit of 200.** It is unlawful for any person to take or fish for crab for commercial purposes in Grays Harbor (catch area 60B) with more than 200 shellfish pots in the aggregate. It shall be unlawful for any group of persons using the same vessel to take or fish for crab for commercial purposes in Grays Harbor with more than 200 shellfish pots.

(12) **Coastal crab pot limit.**

(a) It is unlawful for a person to take or fish for Dungeness crab for commercial purposes in Grays Harbor, Willapa Bay, the Columbia River, or waters of the Pacific Ocean adjacent to the state of Washington unless a shellfish pot limit has been assigned to the Dungeness crab-coastal fishery license held by the person, or to the equivalent Oregon or California Dungeness crab fishery license held by the person.

(b) It is unlawful for a person to deploy or fish more shellfish pots than the number of shellfish pots assigned to the license held by that person, and it is unlawful to use any vessel other than the vessel designated on a license to operate or possess shellfish pots assigned to that license.

(c) It is unlawful for a person to take or fish for Dungeness crab or to deploy shellfish pots unless the person is in possession of valid documentation issued by the department that specifies the shellfish pot limit assigned to the license.

(13) **Determination of coastal crab pot limits.**

(a) The number of shellfish pots assigned to a Washington Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license will be based on documented landings of Dungeness crab taken from waters of the Pacific Ocean south of the United States/Canada border and west of the Bonilla-Tatoosh line, and from coastal estuaries in the states of Washington, Oregon and California. Documented landings may be evidenced only by valid Washington state shellfish receiving tickets, or equivalent valid documents from the states of Oregon and California, that show Dungeness crab were taken between December 1, 1996, and September 16, 1999. Such documents must have been received by the respective states no later than October 15, 1999.

(b) The following criteria shall be used to determine and assign a shellfish pot limit to a Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license:

(i) The three "qualifying coastal Dungeness crab seasons" are from December 1, 1996, through September 15,

1997, from December 1, 1997, through September 15, 1998, and from December 1, 1998, through September 15, 1999. Of the three qualifying seasons, the one with the most poundage of Dungeness crab landed on a license shall determine the crab pot limit for that license. A crab pot limit of 300 shall be assigned to a license with landings that total from zero to 35,999 pounds and a crab pot limit of 500 shall be assigned to a license with landings that total 36,000 pounds or more.

(ii) Landings of Dungeness crab made in the states of Oregon or California on valid Dungeness crab fisheries licenses during a qualifying season may be used for purposes of assigning a shellfish pot limit to a Dungeness crab fishery license, provided that documentation of the landings is provided to the department by the Oregon Department of Fish and Wildlife and/or the California Department of Fish and Game. Landings of Dungeness crab made in Washington, Oregon, and California on valid Dungeness crab fishery licenses during a qualifying season may be combined for purposes of assigning a shellfish pot limit, provided that the same vessel was named on the licenses, and the same person held the licenses. A shellfish pot limit assigned as a result of combined landings is invalidated by any subsequent split in ownership of the licenses. No vessel named on a Dungeness crab fishery license shall be assigned more than one shellfish pot limit.

(14) **Appeals of coastal crab pot limits.** An appeal of a shellfish pot limit by a coastal commercial license holder shall be filed with the department on or before the 30th day following the department's assignment of a shellfish pot limit under subsection (13) of this section. The shellfish pot limit assigned to a license by the department shall remain in effect until such time as the appeal process is concluded.

(15) **Coastal - Barging of crab pots by undesignated vessels.** It is lawful for a vessel not designated on a Dungeness crab-coastal fishery license to be used to deploy shellfish pot gear provided that:

(a) Such a vessel may not carry aboard more than 150 shellfish pots at any one time.

(b) Such a vessel may deploy shellfish pot gear only during the 64-hour period immediately preceding the season opening date and during the 48-hour period immediately following the season opening date.

(c) The lawful owner of the shellfish pot gear must be aboard the vessel when the gear is being deployed.

(16) **Coastal shellfish pot tags.** It is unlawful for a person to use a shellfish pot in the coastal Dungeness crab fishery unless the pot bears a tag that identifies either the name of the vessel being used to operate the pot or the Dungeness crab fishery license number of the owner of the pot, and the telephone number of a contact person. No person may operate or possess a pot that bears another person's tag, except that a person who is licensed as an alternate operator may operate or possess a pot that bears the tag of the primary license holder. It is unlawful for any person who is not the owner of Dungeness crab pot gear to remove, damage, or otherwise tamper with pot gear tags.

(17) **Coastal - Registration and use of buoy brands and colors.**

(a) It is unlawful for any coastal Dungeness crab fishery license holder to fish for crab unless the license holder has

registered the buoy brand and buoy color(s) to be used with the license. A license holder shall be allowed to register with the department only one, unique buoy brand and one buoy color scheme per license. Persons holding more than one license state shall register buoy color(s) for each license that are distinctly different. The buoy color(s) shall be shown in a color photograph.

(b) It is unlawful for a coastal Dungeness crab fishery license holder to fish for crab using any other buoy brand or color(s) than those registered with and assigned to the license by the department.

**AMENDATORY SECTION** (Amending Order 00-164, filed 8/23/00, effective 9/23/00)

**WAC 220-52-043 Commercial crab fishery—Additional gear and license use requirements.** (1) **Commercial gear limited to pots and ring nets.** It shall be unlawful to take or fish for crabs for commercial purposes except with shellfish pots and ring nets.

(2) **Commercial gear escape rings and ports defined.** It shall be unlawful to use or operate any shellfish pot gear in the commercial Dungeness crab fishery unless such gear meets the following requirements:

(a) Pot gear must have not less than two escape rings or ports not less than 4-1/4 inches inside diameter.

(b) Escape rings or ports described above must be located in the upper half of the trap.

(3) **Puget Sound commercial gear tagging requirements.**

(a) In Puget Sound, all crab pots must have a durable, non-biodegradable tag permanently and legibly marked with the ((primary)) license owner's name or license number, and telephone number securely attached to the pot. If the tag information is illegible, or if the tag is lost for any reason, the pot is not in compliance with law.

(b) In Puget Sound all crab buoys must have a buoy tag issued to the license owner by the department attached to the outermost end of the buoy line. If more than one buoy is attached to a pot, only one buoy tag is required.

(4) **Puget Sound - Description of lawful buoys.** All buoys attached to commercial crab gear in Puget Sound waters must consist of a durable material and remain floating on the water's surface when five pounds of weight is attached. It is unlawful to use bleach or antifreeze bottles or any other container as a float. All buoys fished under a single license must be marked in a uniform manner using one buoy brand number registered by the license holder with the department and be of identical color or color combinations. No buoys attached to commercial crab gear in Puget Sound may be both red and white in color unless a minimum of thirty percent of the surface of each buoy is also prominently marked with an additional color or colors other than red or white, as the red and white colors are reserved for personal use crab gear as described in WAC 220-56-320 (1)(c).

(5) **Commercial crab license requirements.** In addition to, and separate from, all requirements in this chapter that govern the time, area, gear, and method for crab fishing, landing, possession, or delivery of crabs, no commercial crab fishing is allowed except when properly licensed. A person

may take, fish for, land, or deliver crabs for commercial purposes in Washington or coastal waters only when the person has the license required by statute, or when the person is a properly designated alternative operator to a valid license. For Puget Sound, a person must have a "Dungeness crab - Puget Sound" fishery license provided by RCW ((75-28-130)) 77.65.130. For coastal waters, such person must have a "Dungeness crab - Coastal" fishery license provided by RCW ((75-28-130)) 77.65.130. To use ring nets instead of or in addition to pots, then the licensee must also have the "Crab ring net - Puget Sound" or "Crab ring net - non-Puget Sound" license in RCW ((75-28-130)) 77.65.130. Qualifications for the limited entry licenses, requirements for designating vessels, and use of alternate operators is provided by and controlled by chapters ((75-28)) 77.65 and ((75-30)) 77.70 RCW.

(6) **Maximum size for coastal crab pots.** The maximum volume of a crab pot used to fish for or take Dungeness crab from the waters provided for in WAC 220-52-040(12) is thirteen cubic feet.

(7) **Incidental catch may not be retained.** It is unlawful to retain salmon, food fish, or any shellfish other than octopus that is taken incidental to any crab fishing.

**WSR 01-18-006**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 22, 2001, 3:44 p.m.]

Date of Adoption: August 15, 2001.

Purpose: These amendments are necessary to provide for the exclusion of recoveries of insurance proceeds and other assets when determining medical program eligibility for Holocaust survivors as allowed under EHB 2487 (2000 legislature). New WAC 388-470-0026 replaces WAC 388-478-0026 which was adopted under an incorrect chapter number.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0015.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.530.

Other Authority: Section 210(12), chapter 1, Laws of 2000 2nd sp. sess., EHB 2487.

Adopted under notice filed as WSR 01-13-086 on June 19, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 15, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-17-025, filed 8/10/99, effective 10/1/99)

**WAC 388-450-0015 Excluded and disregarded income.** This section applies to TANF/SFA, RCA, and GA cash programs, ((TANF/SFA-related)) medical programs for children, pregnant women and families, and food assistance programs.

(1) Excluded income is income that is not counted when determining a client's eligibility and benefit level. Types of excluded income include but are not limited to:

(a) Bona fide loans as defined in WAC 388-470-0025, except certain student loans as specified under WAC 388-450-0035(-);

(b) Federal earned income tax credit (EITC) payments;

(c) Title IV-E and state foster care maintenance payments if the foster child is not included in the assistance unit;

(d) Energy assistance payments;

(e) Educational assistance as specified in WAC 388-450-0035;

(f) Native American benefits and payments as specified in WAC 388-450-0040;

(g) Income from employment and training programs as specified in WAC 388-450-0045;

(h) Money withheld from a client's benefit to repay an overpayment from the same income source. For food assistance, this exclusion does not apply when the money is withheld to recover an intentional noncompliance overpayment from a federal, state, or local means tested program such as TANF/SFA, GA, and SSI; and

(i) Child support payments received by TANF/SFA recipients.

(2) When determining the eligibility of a Holocaust survivor for a medical program for children, pregnant women, or families, the department does not count the recoveries of:

(a) Insurance proceeds; and

(b) Other income.

(3) For food assistance programs, the following income types are excluded:

(a) Emergency additional requirements authorized to TANF/SFA and RCA clients under WAC 388-436-0001 and paid directly to a third party;

(b) Cash donations based on need received directly by the household if the donations are:

(i) Made by one or more private, nonprofit, charitable organizations; and

(ii) Do not exceed three hundred dollars in any federal fiscal year quarter.

(c) Infrequent or irregular income, received during a three-month period by a prospectively budgeted assistance unit, that:

- (i) Cannot be reasonably anticipated as available; and
- (ii) Does not exceed thirty dollars for all household members.

~~((3))~~ (4) All income that is not excluded is considered to be part of an assistance unit's gross income.

~~((4))~~ (5) For food assistance households not containing an elderly or disabled member, the assistance unit is ineligible if its gross income exceeds one hundred thirty percent of the federal poverty level as specified in WAC 388-478-0060.

~~((5))~~ (6) Disregarded income is income that is counted when determining an assistance unit's gross income but is not used when determining an assistance unit's countable income. Types of disregarded income include but are not limited to:

- (a) Earned income incentives and disregards for cash assistance; and
- (b) Earned income disregard and income deductions for food assistance.

#### NEW SECTION

**WAC 388-470-0026 Excluded resources for family medical programs.** "Continuously eligible" means, for the purposes of this chapter, there has not been a break of a calendar month or more in a client's eligibility since the date the client received resources in an amount that would cause the client to exceed the resource limit of a family medical program.

(1) The department does not count any increase in a client's resources received while a client:

- (a) Is eligible for and receiving coverage under a family medical program; and
- (b) Remains continuously eligible for a family medical program.

(2) The department does not count the resource increase for a client:

- (a) Who meets the requirement of subsection (1)(a) of this section;
- (b) Whose family medical program is terminated; and
- (c) Who is later found eligible for all months since the termination, which may include a retroactive period of up to three months.

(3) The department counts the resource increase when the client is ineligible for a family medical program for a full calendar month or more except as described in subsection (2) of this section.

(4) When determining the eligibility of a Holocaust survivor for a family medical program, the department does not count the recoveries of:

- (a) Insurance proceeds; and
- (b) Other assets.

(5) For the purposes of this section, family medical programs include the medical extension benefits as described in WAC 388-523-0100.

#### WSR 01-18-015

#### PERMANENT RULES

#### WASHINGTON STATE UNIVERSITY

[Filed August 24, 2001, 10:58 a.m.]

Date of Adoption: August 21, 2001.

Purpose: A new chapter to set traffic and parking regulations for the WSU Spokane campus.

Statutory Authority for Adoption: RCW 28B.30.125.

Other Authority: RCW 28B.30.150, 28B.10.560 and chapter 34.05 RCW.

Adopted under notice filed as WSR 01-15-075 on July 17, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 35, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 35, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

Loretta M. Lamb

Assistant Vice-President for Personnel  
and Administration Rules Coordinator

#### Chapter 504-14 WAC

#### CAMPUS TRAFFIC AND PARKING REGULATIONS FOR WASHINGTON STATE UNIVERSITY SPOKANE

#### PART I: INTRODUCTION

#### NEW SECTION

**WAC 504-14-010 Authorization.** Pursuant to the authority granted by 28B.30.150, 28B.10.560, and chapter 34.05 RCW, the board of regents of Washington State University establishes the following regulations to govern parking and traffic at Washington State University Spokane, hereinafter referred to as WSU Spokane.

#### NEW SECTION

**WAC 504-14-020 Purposes of regulations.** The purposes of these regulations are to:

- (1) Expedite university business and provide maximum safety and convenience;
- (2) Regulate parking, with priority given to:
  - (a) Services of the campus,
  - (b) Persons who need vehicles in connection with their work, and

(c) Staff and students who need private vehicles because of a disability or other approved reason;

(3) Provide and maintain suitable campus parking and traffic facilities; and

(4) Provide incentive for participation in the commute trip reduction program.

#### NEW SECTION

##### **WAC 504-14-030 Knowledge of parking regulations.**

It is the responsibility of all individuals parking on the campus to read and fully understand these regulations. Lack of knowledge of these regulations will not be accepted as grounds for dismissal of citations.

#### NEW SECTION

**WAC 504-14-040 Applicable parking and traffic laws and regulations.** The following regulations apply upon state lands owned and/or controlled by WSU Spokane:

(1) The motor vehicle and other traffic laws and regulations of the state of Washington (Revised Code of Washington);

(2) The WSU Spokane parking and traffic regulations;

(3) The motor vehicle and other traffic laws and regulations of the City of Spokane.

#### NEW SECTION

**WAC 504-14-050 Emergencies.** The president delegates to the WSU Spokane campus dean the authority to suspend, modify, or repeal any or all provisions for an authorized campus special event or in the event of an emergency, disaster, or other like contingency. Such action shall be limited in duration and scope to meet the institutional needs and/or address the dangers of the contingency.

#### NEW SECTION

**WAC 504-14-080 Severability.** If any provision of this chapter, chapter 504-14 WAC, or its application to any person or circumstance is held invalid, the remainder of the chapter or its application to other persons or circumstances is unaffected.

#### NEW SECTION

**WAC 504-14-100 Definitions.** The definitions in this section are applicable within the context of these regulations.

(1) Campus. Describes all property owned, leased, and/or controlled by WSU Spokane which is or may hereafter be dedicated mainly to the educational, research, recreational, parking, or other activities of WSU Spokane.

(2) Disability zone. A parking zone identified with a sign bearing the international disability symbol that is restricted at all times to use by vehicles bearing a valid WSU disability parking permit or indicator, or any state-issued disability parking permit.

(3) Holiday (WSU Spokane holiday). A day when all campus facilities are generally closed (e.g., Thanksgiving

Day, Christmas Day, New Year's Day). Vacation days are not considered holidays. See definition of vacation.

(4) Illegal use of permit. A parking violation in which a citation is issued under the following circumstances:

(a) Use of a permit/indicator on an unspecified vehicle.

(b) Use of a counterfeit permit/indicator.

(c) Use of a permit/indicator obtained under false pretenses.

(d) Use of a modified permit/indicator.

(e) Use and/or retention of a permit/indicator by person(s) ineligible, or no longer eligible, for such permit as described and authorized in this chapter.

(5) Indicator. A vinyl, plastic, or paper instrument displayed adjacent to a parking permit which more clearly defines the parking areas available to a permit holder.

(6) Loading zone. A loading dock or an area signed "loading zone" adjacent to a facility or in a parking area. Such an area is intended for loading and unloading bulky or voluminous material. Loading zones are restricted at all times.

(7) Moped. Any two-wheeled or three-wheeled motor vehicle with an engine displacement of 50 cc or less.

(8) Motorcycle. Any two-wheeled or three-wheeled motor vehicle with an engine displacement greater than 50 cc.

(9) Motor vehicle. All motor-driven conveyances except wheelchairs.

(10) No parking zone. Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow or red.

(11) Park/parking. This refers to the placement or standing of a vehicle, with or without a driver in attendance, and with or without the engine running.

(12) Parking permit. A vinyl, plastic, or paper instrument sanctioned by WSU Spokane that is displayed from a vehicle and authorizes parking in specified areas.

(13) Public safety. Includes but is not limited to WSU Spokane public safety and others designated as parking enforcement.

(14) Service vehicle. A vehicle used to provide a service for WSU Spokane or a tenant or contractor of WSU Spokane (e.g., a university-owned vehicle or a privately owned vehicle with a valid service permit displayed).

(15) Service zone. Parking spaces designated for the use of university vehicles, other government-owned vehicles, and vehicles displaying a service indicator or commercial permit. Authorized vehicles may park in these zones for a maximum of fifteen minutes, except for vehicles that display a service indicator issued for an extended time. Service zones are restricted at all times.

(16) Staff. For the purposes of these regulations, "staff" includes all faculty, classified staff, administrative and professional employees, temporary employees, and other support personnel employed by the university, and the personnel of other activities located on campus. Teaching assistants, research assistants, and other students employed by the university are not "staff." They are considered as students for the purpose of these rules.

(17) Student. Any person who has been admitted to WSU or to another affiliated academic institution, and who is either attending classes or actively pursuing a degree or certificate.

(18) Summer session. The summer session includes all summer school sessions beginning on the first day of the earliest session and ending on the last day of the latest session.

(19) Vacation. A period of time when classes or final exams are not in session. Except for holidays that fall within this period, the business offices of WSU Spokane typically are open during this time.

(20) Vehicle. See motor vehicle.

(21) Visitors. Persons who are not staff or students and who only visit the campus on an occasional basis.

(22) Wheel lock. A device used to temporarily immobilize a vehicle (i.e., on-the-spot impoundment).

## PART II: ENFORCEMENT

### NEW SECTION

**WAC 504-14-200 Enforcement authority.** WSU Spokane public safety is charged with the impartial enforcement of these regulations. Enforcement personnel have authority to issue parking citations, to impound vehicles, and to control access to areas.

### NEW SECTION

**WAC 504-14-210 Times of enforcement.** Parking regulations are subject to enforcement at all times.

(1) Permit areas: All parking zones are limited to authorized permit holders during specific hours. These hours are posted in each parking zone either at the entrance to parking areas or along roadways where parking is marked. Restricted spaces are enforced at all times.

(2) Restricted spaces: These spaces are restricted for their designated purpose at all times (twenty-four hours a day, seven days a week):

- (a) Disability.
- (b) Load/unload.
- (c) Service.
- (d) Reserved.
- (e) Reserved (bagged) meters.
- (f) Specially signed areas.

(3) Metered spaces: Parking meters are in effect during the times posted on each meter. During these times the meter must be paid the posted amount. Additional time cannot be purchased beyond the meter's posted time limit (e.g., a thirty-minute meter will allow a maximum of thirty minutes to be purchased at one time).

### NEW SECTION

**WAC 504-14-220 Signed and marked areas.** (1) Parking on campus is allowed only in the marked and/or signed spaces in areas and on streets. All other areas outside these designated areas are "no parking zones." Each parking area has signs or markings to indicate the type of permit or permits required and the times they are required.

(2) Individual parking spaces are marked, and no vehicle may be parked so as to occupy any portion of more than one parking space. The fact that other vehicles were parked in a manner requiring a vehicle to occupy a portion of more than one space shall not constitute an excuse for a violation of this rule.

(3) Should there be a conflict between these regulations, map designation, and on-site signs regarding parking instructions, the on-site sign takes precedence.

(4) Permit areas and restricted spaces are not always signed individually.

### NEW SECTION

#### **WAC 504-14-250 Motorcycles, mopeds, and bicycles.**

(1) The general traffic regulations applicable to motor vehicles apply equally to motorcycles, mopeds, and bicycles. Motorcycles or mopeds may not be driven on sidewalks or in the mall area. Bicycles may be used on sidewalks, though pedestrians always have the right of way. Owners of motorcycles and mopeds are responsible for all violations including violations issued even if said vehicle is moved by someone else after being legally parked.

(2) Motorcycles and mopeds: Motorcycles and mopeds may park only in spaces which are marked by signs or the letter "M" painted on the parking surface. Motorcycles and mopeds must display a valid WSU Spokane motorcycle permit during posted times. During all other times, these spaces are restricted to use by motorcycles and mopeds only.

### NEW SECTION

#### **WAC 504-14-300 Responsibility for citations.** (1)

Each permit registrant shall be responsible for parking citations on vehicles:

- (a) Registered with WSU Spokane public safety, and/or
- (b) Displaying the registrant's permit.

(2) Owners of vehicles will be held primarily liable for citations.

### NEW SECTION

**WAC 504-14-350 Use of areas for emergency, maintenance, or special needs.** WSU Spokane reserves the right to close any campus parking area at any time it is deemed necessary for maintenance, safety, or to meet special needs. WSU Spokane public safety will provide notice to users when possible.

Public safety and maintenance personnel performing official duties may deviate from these regulations as required to conduct emergency procedures.

### NEW SECTION

**WAC 504-14-360 Liability.** The university assumes no responsibility for the care and protection of any vehicle or its contents at any time the vehicle is on university property.

**PART III: PARKING PERMITS****NEW SECTION**

**WAC 504-14-410 Issuance and use of permits.** Parking permits are available at various locations upon application and payment of the appropriate fees. A parking permit and/or indicator which specifies parking area(s) where the vehicle may be parked will be issued.

**NEW SECTION**

**WAC 504-14-420 Consent to withholding of fines.** All permit applications shall provide that the university may withhold unpaid fines from any sums owed the permit holder and to treat the same as a debt.

**NEW SECTION**

**WAC 504-14-430 Change in residence or license plates.** Permit holders changing residence or license plates after initial application must contact WSU Spokane public safety and complete the necessary forms. Failure to do so may result in continued responsibility for citations issued to the old license plate and a loss of parking privileges.

**NEW SECTION**

**WAC 504-14-440 Term of permit—Transfer of permit.** Permits are valid up to and including the expiration date on the permit.

The ownership of permits is generally not transferable, but exceptions can be made by WSU Spokane public safety provided that the:

- (1) Person relinquishing ownership and the eligible purchaser appear in person at WSU Spokane public safety when requesting such a transfer;
- (2) Former owner relinquishes all ownership or claim to the permit and pays all outstanding fines; and
- (3) New owner completes a new application form for the permit.

If a replacement permit is requested, the old permit must be removed and presented to WSU Spokane public safety to be eligible for a replacement or a refund.

**NEW SECTION**

**WAC 504-14-450 Replacement permits and indicators.** (1) Sold or traded vehicles. Failure to advise WSU Spokane public safety of a sale or trade for registration purposes may result in continued responsibility to the permit holder for citations received on that permit.

The permit holder has responsibility for removing parking permits prior to selling or trading a vehicle. The identifiable remnants of the original permit must be presented to WSU Spokane public safety to receive a free replacement. Persons failing to comply with this requirement shall pay the cost of a new permit.

(2) Lost/stolen permits. Permit holders are responsible for the security of their permits. The theft or loss of a parking permit should be reported to WSU Spokane public safety

immediately upon discovery. A stolen permit will be replaced once at no cost, but only if a theft report of the permit has been filed in the appropriate police jurisdiction and verified by WSU Spokane public safety. The second time the permit is reported stolen, the replacement fee will be ten dollars; the third time, twenty dollars; and thereafter, the original cost of the stolen permit. A lost permit will be replaced once for ten dollars; the second time, twenty dollars; and thereafter at the original cost of the permit. Lost or stolen permits must be returned to the WSU Spokane public safety office immediately if recovered.

(3) Windshield replacements. When a permit-bearing windshield is replaced, the permit replacement fee will be waived if proof of replacement is presented.

**NEW SECTION**

**WAC 504-14-460 False information.** No person shall obtain, attempt to obtain, or use in a manner contrary to these regulations, a modified or counterfeit parking permit or a permit issued upon false information. A violation of this section includes giving a false name, address, and/or other information known to be false. It also includes the use of a visitor, conference, and commercial permit by staff or students. Violation of this provision shall constitute the illegal use of a parking permit and will be subject to citation and fine.

**NEW SECTION**

**WAC 504-14-470 Revocation or suspension of permits.** Parking permits are the property of WSU Spokane and may be revoked or suspended for violations of any of the following by WSU Spokane public safety when:

- (1) The purpose for which the permit was issued changes or no longer exists;
  - (2) A permit is used on an unauthorized vehicle or by an unauthorized person;
  - (3) A parking permit application is falsified;
  - (4) A counterfeit, modified, or lost/stolen permit is used;
- or
- (5) The parking fee is unpaid.

**NEW SECTION**

**WAC 504-14-510 Permits—General.** WSU Spokane public safety will issue permits for designated areas of the campus. Any vehicle parked on WSU Spokane property, other than a pay area or metered space, must clearly display a valid permit for a given area during the posted hours when permits are required.

**NEW SECTION**

**WAC 504-14-520 Permits—Form and display.** All permits must be displayed in the approved position on the vehicle with permit numbers visible. Permits not displayed in accordance with the provisions of this section are not valid, and vehicles displaying them improperly are subject to citation.

- (1) Autos and trucks:

(a) Hanging permits, both annual and temporary, must be displayed hanging from the rear-view mirror post.

(b) Transferable cards and affixed decals must be displayed on the front windshield at the lower left corner (driver's side). Decals must be mounted completely by means of their own adhesive (not by tape).

(2) Motorcycles and mopeds: Motorcycle and moped permits must be mounted completely by means of their own adhesive and prominently displayed on the left rear side of the vehicle or on top of the rear tail light.

NEW SECTION

**WAC 504-14-540 Zone permits—Availability and use.** Staff and students are generally assigned to specific parking areas called zones. Parking zones are color-coded with respect to their price and numbered with respect to the specific parking area assignment of each permit holder. Permit holders may park in their assigned zone as reflected by the combination of color and number on their permit and corresponding sign, or they may park in other zones as signed.

NEW SECTION

**WAC 504-14-560 Other permits—Availability and use.** (1) Visitor permits: Visitor permits may be used only by bona fide visitors as defined by this chapter. Use by any other person constitutes illegal use of a parking permit. Visitor permits are valid in any zone and parking spaces signed for visitors only. Visitor permits are not valid at meters or restricted spaces.

(2) Golden cougar permits: Golden cougar permits are special visitor permits that are issued to retired faculty and staff free of charge. They are issued on an annual basis and are valid in any zone. Faculty and staff who remain regularly employed by the university after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid permit. Comparable permits from other campus institutions will be honored.

(3) President's associates decals: President's associates decals are issued to eligible members of the WSU foundation. They are valid in any zone. However, WSU faculty, staff, and students may not use a president's associates decal in lieu of a paid zone permit.

(4) Conference permits: Conference permits are available to visitors who participate in conferences held on the WSU Spokane campus. They are available on a daily basis only. Conference permits are valid in any assigned zone.

(5) Motorcycle permits: Motorcycle permits are valid within boundaries of areas specifically posted and/or marked for motorcycle permits.

(6) Construction permits: A construction permit is issued to personnel who are working on a construction site on campus. Construction permits are assigned to a specific parking area.

(7) Carpool: Upon completion of application, bona fide carpools with three or more participants will be given preference in the assignment of parking zones, and will be issued a permit instrument that will facilitate the carpool. Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.

NEW SECTION

**WAC 504-14-580 Special indicator decals/hangers.** Special indicator decals or hangers may be issued to staff and student permit holders who have otherwise valid parking permits in the following cases:

(1) Service indicator decals/hangers which are valid for a maximum of fifteen minutes in a marked service zone. A separate mall service indicator allows a maximum of fifteen-minute parking in the pedestrian mall. These are available to staff or students who must use a private vehicle for university business.

(2) Reserved parking indicator decals/hangers which are valid in parking spaces that are signed for the corresponding permit and indicator.

NEW SECTION

**WAC 504-14-600 Disability permits.** WSU Spokane strives to comply with the Americans with Disabilities Act (ADA) parking standards.

There are two types of disability permits:

(1) Permanent physical disability. Disability permits are available to permanently disabled WSU Spokane staff and students at the established fee. Disability permit holders may park in any zone and meter spaces if disability parking spaces are not available. They may not park in service zones or reserved spaces if disability parking spaces are not available.

(2) Temporary physical disability. Disability permits are available to temporarily disabled staff and students at the established fee for a maximum of six weeks, although they may be renewed.

Staff and students must obtain temporary disability forms from WSU Spokane public safety. These disabled parking privileges will be granted only after submission of the forms that show the applicants meet criteria established by the ADA. The forms must be completed by health care providers. WSU Spokane public safety will not accept substitute forms or letters.

NEW SECTION

**WAC 504-14-650 Permit fees.** Schedules for parking fees, parking administrative fees, meter rates, prorate and refund schedules, and the effective date thereof will be posted in the public area of WSU Spokane public safety and filed with the university rules coordinator.

**PART IV: FINES, SANCTIONS, AND APPEALS**

NEW SECTION

**WAC 504-14-810 Violations, fines, and sanctions.** (1) Violations and fines: Parking violations will be processed by the university. Fines must be paid at authorized locations, at the following rates:

- (a) Overtime/nonpayment at meter \$ 10.00
- (b) Overtime in time zone \$ 10.00
- (c) No parking permit \$ 25.00
- (d) No parking permit for this area \$ 20.00

PERMANENT

(e) No parking zone	\$ 20.00
(f) Improper display of permit/indicator	\$ 5.00
(g) Blocking traffic	\$ 25.00
(h) Unauthorized parking in a disability space	\$ 250.00
(i) Parking in a fire zone	\$ 50.00
(j) Unauthorized parking in reserved area	\$ 40.00
(k) Illegal use of permit	\$ 65.00
(l) Display of lost or stolen permit	\$ 200.00
(m) Wheel lock fee	\$ 50.00
(n) Unauthorized/overtime parking in service space	\$ 25.00
(o) Unauthorized/overtime parking on the pedestrian mall	\$ 50.00
(p) All other parking violations	\$ 20.00

(2) Reduction of fines: Fines for violations in subsection (1)(a) and (b) of this section paid within twenty-four hours will be reduced by one-half. Eligible violations received on Friday or Saturday can be paid on the following Monday to satisfy the twenty-four-hour requirement. Mailed fines must be postmarked within twenty-four hours to receive the one-half reduction. If a permit holder of record neglects to display his/her permit and receives a notice of violation for no parking permit, (subsection (1)(c) of this section), that fine will be reduced to five dollars when possession of a valid parking permit for the location is verified by WSU Spokane public safety within twenty-four hours.

(3) Visitors: The first violation of the notices listed in subsection (1)(c) of this section, no parking permit, and subsection (1)(d) of this section, no parking permit for this area, issued to visitors are considered warning notices upon presentation to WSU Spokane public safety.

(4) Inoperable vehicles: It is the owner's responsibility to immediately contact WSU Spokane public safety in the event that the owner's vehicle becomes inoperable.

**NEW SECTION**

**WAC 504-14-830 Other violations and sanctions. (1)**

Late payment of fines: Failure to pay fines and charges will result in the total amount assessed being referred the WSU controller's office for collection. Forty-five days after issuance of a notice of violation a ten-dollar charge shall be added to all unpaid parking violations.

(a) If a WSU student or staff member fails to pay the fine assessed for any violation, the fine will be referred to the WSU controller's office for collection. The controller may, if other collection efforts fail withhold the amount of the outstanding fines from damage deposits or other funds held for any student in order to secure payment. Where collection efforts are unsuccessful, the controller may notify the registrar to refrain from issuing student transcripts or to withhold permission to reenroll for a subsequent term until outstanding fines are paid.

(b) The procedures discussed above are not exclusive, however, and failure by anyone to pay fines may lead to towing or use of the wheel lock device described in these regulations. The procedures discussed above are not a precondition to towing or use of the wheel lock.

(2) Impound by wheel lock or towing:

(a) Any vehicle with an accumulation of three or more unpaid parking violations or any vehicle displaying a lost or stolen permit may be temporarily immobilized by use of a wheel lock device placed on a wheel. A fifty-dollar fee will be assessed on vehicles which are immobilized with a wheel lock.

(b) Any vehicle may be towed away at owner's/operator's expense if the vehicle:

(i) Has been immobilized by wheel lock more than twenty-four hours; or

(ii) Is illegally parked in a marked tow-away zone; or

(iii) Is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked at curbs or rails painted yellow or red or in crosswalks); or

(iv) Cannot be impounded with a wheel lock device; or

(v) Is illegally parked in a disability space.

(c) The driver and/or owner of a towed vehicle shall pay towing and storage expenses.

(d) Any vehicle immobilized by use of the wheel lock device in excess of twenty-four hours will be assessed an additional storage fee of ten dollars for each calendar day or portion thereof, beyond the first twenty-four hours.

(e) The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a wheel lock device installed.

(f) No vehicle impounded by towing or wheel lock devices shall be released until the following fines are paid in cash:

(i) All unpaid parking violation penalties against said vehicle and any other vehicle registered to the violator;

(ii) A fifty-dollar wheel lock fee;

(iii) All towing and storage fees.

(g) Any vehicle impounded pursuant to these regulations in excess of thirty calendar days shall be considered an abandoned vehicle and shall be disposed of in accordance with chapter 46.55 RCW.

(h) A person wishing to challenge the validity of any fines or fees imposed under this subsection may appeal such fines or fees as elsewhere provided in these regulations. However, in order to secure release of the vehicle, such person must pay the amount of such fines or fees as a bond which will be refunded to the extent the appeal is successful.

(i) An accumulation of six unpaid violations during any twelve-month period, exclusive of meter violations, and overtime in time zone violations, will subject the violator to revocation or denial of parking privileges. Vehicles without permits which accumulate the above number of violations may be prohibited from parking on university property.

(3) Failure to pay fines: Failure to pay a fine or comply with other penalties assessed pursuant to these regulations after exhausting or failing to exercise appeals provided for in these regulations constitutes a violation of RCW 28B.10.560. A citation or complaint for such violations may be issued and filed with the district court. Upon request of the university, the department of licensing may withhold vehicle registration pending the payment of outstanding parking fines.

PERMANENT

NEW SECTION

**WAC 504-14-860 Appeals procedure.** (1) Purpose: The parking appeals committee serves two primary functions:

(a) To assure an impartial evaluation of the circumstances relating to a particular parking violation; and

(b) To aid in the appraisal of parking and traffic problems.

(2) Procedure: Any person who has received notice of a parking violation may appeal the alleged violation. The appellant may request more information from WSU Spokane public safety. The appeal must be in writing and received at WSU Spokane public safety within ten calendar days after receipt of notice of the violation. Forms for this purpose are available from WSU Spokane public safety. The parking appeals committee will make an initial decision on the appeal within twenty calendar days during the academic year and forty-five calendar days during the summer months after receipt of the appeal. The committee will serve a brief statement of the reasons for its decision on appellant within ten days of the decision.

(3) Review of initial decision: If the appellant is dissatisfied with the initial decision, he/she may request a hearing before a hearing officer or appeals committee. Such request must be made within ten calendar days of service of the notice of the initial decision. If no such request is received, the initial decision shall be final. During the review hearing the appellant and representatives of WSU Spokane public safety may present and cross-examine witnesses. The hearing officer or appeals committee shall render a decision in writing and serve appellant with the decision within five calendar days after the review hearing.

(4) Appeal to district court: RCW 28B.10.560 provides that a person who is not satisfied with the final decision of the university may appeal to district court. The application for appeal to district court shall be in writing and must be filed at the WSU Spokane public safety office within ten calendar days after service of written notice of the final decision. WSU Spokane public safety will forward the documents relating to the appeal to the district court.

**PART V: TRAFFIC RULES**NEW SECTION

**WAC 504-14-900 Speed limits.** Driving on campus roads and streets is permitted at any time, unless otherwise posted or restricted by signs and/or by these regulations. The maximum speed limit unless otherwise posted is twenty-five miles per hour.

NEW SECTION

**WAC 504-14-920 Closed and restricted areas.** In certain designated areas on campus, such as the mall in the campus core, driving is restricted to mall service vehicles.

NEW SECTION

**WAC 504-14-930 Bicycles, skateboards, in-line skates, and scooters.** (1) The riding and use of bicycles, skateboards, in-line skates, and scooters is prohibited from all building plazas, and interior building spaces.

(2) Bicycles, skateboards, in-line skates, and scooters may be ridden and used on sidewalks when a bike path is not provided. Operators must move at a safe speed and yield to pedestrians at all times.

(3) Bicycles, skateboards, in-line skates, and scooters may not be ridden on or over stairways, steps, ledges, benches, planting areas, or any other fixtures, or where there are restricted signs.

(4) Bicyclists must obey all traffic rules of the road when operating a bicycle in roadways.

(5) Bicycles shall be secured only at bicycle racks and facilities designed for such purpose.

NEW SECTION

**WAC 504-14-940 Pedestrians.** (1) When traffic control signals are in place at intersections, pedestrians shall be subject to them.

(2) When traffic control signals are not in place or not in operation at pedestrian crossings, a vehicle must yield the right of way, by slowing down or stopping, when the pedestrian in the crossing is upon the same half of the roadway as the vehicle, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(3) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(4) Pedestrians who are between adjacent intersections at which traffic control signals are in operation must not cross at any place except in a marked crosswalk.

**WSR 01-18-017**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed August 24, 2001, 11:15 a.m.]

Date of Adoption: August 23, 2001.

Purpose: Provides the Department of Retirement Systems' address, phone numbers, e-mail address, TDD number and web site address.

Citation of Existing Rules Affected by this Order: Amending WAC 415-06-100 How do I contact the department?

Statutory Authority for Adoption: RCW 41.50.050(5).

Other Authority: RCW 41.50.055(5), 34.05.220 (1)(b), 42.17.250.

Adopted under notice filed as WSR 01-15-037 on July 13, 2001.

Changes Other than Editing from Proposed to Adopted Version: A clerical error on the Department of Retirement Systems phone number was corrected.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 23, 2001

John Charles

Director

AMENDATORY SECTION (Amending Order 4, filed 7/27/77)

~~WAC 415-06-100 ((Request for records by mail—Address.)) How do I contact the department? ((All communications with the director including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973 and these rules; requests for copies of the director's or board's decisions and other matters, shall be addressed as follows: Director of Retirement Systems, Department of Retirement Systems, 1025 East Union, Olympia, Washington 98504.))~~  
(1) Mailing address: Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380.

(2) Street address: 6835 Capitol Blvd., Tumwater, WA 98501.

(3) Phone numbers: (360) 664-7000 or toll-free (outside Olympia area) 1 (800) 547-6657, or TDD (for the hearing impaired) (360) 586-5450.

(4) E-mail address: recep@drs.wa.gov.

(5) Website: http://www.wa.gov/drs.

**WSR 01-18-018**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed August 24, 2001, 11:19 a.m.]

Date of Adoption: August 23, 2001.

Purpose: The department is revising the petitions chapter to bring it up to date and to convert it to plain English.

Citation of Existing Rules Affected by this Order: Chapter 415-04 WAC, Petitions, amending WAC 415-04-010, 415-04-020, 415-04-030, 415-04-040, and 415-04-050.

Statutory Authority for Adoption: RCW 41.50.050(5).

Other Authority: RCW 41.50.050, 41.50.060.

Adopted under notice filed as WSR 01-15-028 on July 11, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 415-04-017(1), "and" has been changed to "or."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 5, Amended 5, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 5, Amended 5, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 23, 2001

John Charles

Director

AMENDATORY SECTION (Amending WSR 96-16-020, filed 7/29/96, effective 7/29/96)

WAC 415-04-010 ((Petition—Procedure.)) Definitions. ((1) The procedure established in this chapter shall apply to all petitions for:

(a) Service credits;

(b) Service retirement benefits;

(c) Membership and membership credits in the retirement systems;

(d) Disability benefits, except as otherwise provided by law;

(e) Survivor benefits; and

(f) Decisions relating to benefit increases provided by RCW 41.16.145 or 41.18.104.

(2) All applications for review of decisions on requests for pay out of accumulated deferred compensation deferrals due to an unforeseeable emergency shall follow the procedure established in WAC 415-08-015.) Good reason means a strong reason for failing to respond to a request for information by the petition examiner. A good reason you may need more time to respond to the petition examiner's request for information may include, but is not limited to, the following examples:

(1) You could not provide information within the requested time period because you were in the hospital, which prevented you from responding; or

(2) The information that you need to submit is not readily accessible and requires additional time to obtain. If this is the case, you must explain why it will require more time to obtain this information.

NEW SECTION

**WAC 415-04-015** **When can I use the petition process?** You may use the petition process to request review of administrative decisions that address the following matters, including, but not limited to:

- (1) Service credits;
- (2) Service retirement benefits;
- (3) Membership in the retirement systems;
- (4) Disability benefits, except as otherwise provided by law;
- (5) Survivor benefits; and
- (6) Benefit increases provided by RCW 41.16.145 or 41.18.104.
- (7) Deferred compensation accounts, except that review of decisions regarding payments due to unforeseeable emergency, are governed by WAC 415-08-015.

NEW SECTION

**WAC 415-04-017** **What is not covered by this chapter?** You may not use the petition process to request review of administrative decisions that address the following matters, including, but not limited to:

- (1) Overpayments if the procedures in RCW 41.50.135 or 41.50.138 apply.
- (2) Deferred compensation plan payments because of an unforeseeable emergency (see WAC 415-08-015).

AMENDATORY SECTION (Amending WSR 96-16-020, filed 7/29/96, effective 7/29/96)

**WAC 415-04-020** ~~((Petition Response Decision Appeal))~~ **How do I file a petition for review?** (1) ~~((Time limit for filing appeals. A person aggrieved by a decision of an administrator))~~ You may ((appeal the decision)) request administrative review of an administrator's decision by filing a petition ((to)) with the ((director's designee for redress)) petition examiner.

(2) You must file the petition ((must be filed)) within one hundred twenty days from the date you received the administrator's decision ((was communicated to the person)).

~~((2))~~ (3) If ((a person)) you fail((s)) to file ((a timely)) the petition((-the person waives)) within one hundred twenty days, you lose the right to judicial review ((due to)), because of your failure to exhaust administrative remedies as required by RCW 34.05.534.

NEW SECTION

**WAC 415-04-025** **Who may file a petition?** You may file a petition if you are a member, current or former spouse, designated beneficiary or employer, and have a sufficient stake in the outcome of the petition proceeding.

AMENDATORY SECTION (Amending WSR 96-16-020, filed 7/29/96, effective 7/29/96)

**WAC 415-04-030** ~~((Contents of petition.))~~ **What should my petition include?** ~~((The person's))~~ Your petition ((must contain)) should include:

~~((1) A complete and detailed statement of the factual situation underlying the application or petition, which may include all relevant documents and sworn statements deemed appropriate by the petitioner;~~

~~((2) A concise but detailed statement of the constitutional, statutory or common law provisions or precedents relied upon by the petitioner in support of his or her petition;~~

~~((3) An identification and signature of the individual or individuals filing the petition, as well as an identification of legal counsel, if any; and~~

~~((4) The address to which the petitioner wishes further correspondence from the department to be sent.))~~ (1) A statement of what you want the department to do (relief requested) after considering the petition;

(2) An explanation of why your request has merit;

(3) All facts relating to the petition, including any relevant documents or sworn statements;

(4) The name and address of your attorney, if applicable; and

(5) Your name, address, phone number, fax number, e-mail address, and signature.

NEW SECTION

**WAC 415-04-035** **How much information do I need to provide in support of my petition?** You bear the burden of convincing the petition examiner that you are entitled to the relief requested. You must provide sufficient information to outweigh the information that the plan administrator used in making the administrative determination that is being reviewed.

NEW SECTION

**WAC 415-04-037** **If I petition for disability retirement benefits, who pays the cost of obtaining additional medical data?** If you petition the department for a disability retirement benefit and you need to provide additional medical data in support of your petition, you must pay any cost involved.

AMENDATORY SECTION (Amending WSR 96-16-020, filed 7/29/96, effective 7/29/96)

**WAC 415-04-040** ~~((Time period for processing petition.))~~ **What will the department do after receiving my petition?** ~~((1))~~ Upon receipt of the petition, the director will assign the same to the director's designee. The director's designee will notify either the employer(s) if the petitioner is a member(s) or the affected member(s) if the applicant or petitioner is an employer(s) of the filing of the petition within fourteen days. Said notification shall request the employer(s) or member(s) to submit any written response to the petition no later than twenty days from the date of receipt of the notice.

(a) If at any time the director's designee in his or her role as fact finder determines that additional information is necessary to decide the petition, he or she may request such additional information. The person from whom the information is requested will respond no later than within twenty days from the receipt of such request.

(b) The director's designee may extend the time limit for response if the requesting party shows good cause to do so.

(2) Upon receipt of the response, the director's designee will forward a copy of the response to the petitioner. The petitioner

will have ten days to reply. If the petitioner does not reply within ten days, he or she waives the right to reply.

(3) Within sixty days of the expiration of the ten-day period for reply following the director's designee's final request for information, the director's designee shall enter a written decision. The written decision will contain such findings of fact and conclusions of law as he or she deems necessary to dispose of the matter. The decision will be sent to the petitioner via certified mail.)) (1) A petition examiner will review your petition.

(2) Within fourteen days from the date that you file a petition with the department, the petition examiner will determine whether you have a sufficient stake in the outcome of the proceeding to have the department consider the issues in your petition.

(a) If the petition examiner determines that you do not have a sufficient stake in the outcome, the petition examiner:

(i) May refer the matter back to the plan administrator for further investigation.

(ii) Will notify you of this decision within fourteen days of the date you file the petition. You may appeal this decision to the presiding officer under WAC 415-04-050.

(b) If the petition examiner determines that you do have a sufficient stake in the outcome, the petition examiner:

(i) Will notify interested parties, such as the member, current or former employer(s), designated beneficiaries, former spouse or the department, that you filed a petition;

(ii) Will request that the interested parties submit any written response to the petition no later than twenty days from the date of receipt of the notice;

(iii) May extend the time limit for response if the interested party shows a good reason to need more time.

(3) The petition examiner may request additional information at any time.

(4) The petition examiner will forward a copy of an interested party's response to you.

(a) You will have ten days to reply.

(b) The petition examiner may extend your time to respond if you demonstrate that you need more time for good reason.

(c) If an extension is not granted and you do not reply within ten days, you waive the right to reply.

(5) The petition examiner will issue a written decision within sixty days of:

(a) The end of your final period to reply under subsection (4) of this section; or

(b) Receipt of additional information from the department or the office of the attorney general necessary to make a decision.

(6) The written decision will include the findings of fact and conclusions of law necessary to decide the matter. The decision will be sent to you and to other interested parties.

(7) The petition examiner may refer the petition back to the plan administrator for an administrative determination without issuing a petition decision if:

(a) The petition adds new issues or facts that have not been addressed in the plan administrator's final determination; or

(b) The plan administrator did not have access to a petition decision or final order of the department that would have changed the outcome of the administrative determination.

AMENDATORY SECTION (Amending WSR 96-16-020, filed 7/29/96, effective 7/29/96)

WAC 415-04-050 ((Appeal of)) **How do I appeal a petition decision((s))?** ((An aggrieved party may appeal the decision of the director's designee to the director.

(1) An appeal must be filed with the)) (1) You may file an appeal of the petition decision with the department's director no later than sixty days after ((petitioner's receipt of)) you receive the petition decision ((in accordance with the procedures established by chapter 415-08 WAC)).

(2) You must follow the procedures in chapter 415-08 WAC in filing your appeal.

(3) If ((a party)) you fail((s)) to file ((a timely)) your appeal ((the party waives the)) within sixty days, you lose your right to judicial review ((due to the)), because of your failure to exhaust administrative remedies as required by RCW 34.05.534.

## WSR 01-18-019

### PERMANENT RULES

### WASHINGTON STATE UNIVERSITY

[Filed August 24, 2001, 1:32 p.m.]

Date of Adoption: August 21, 2001.

Purpose: To make the WAC provisions for parking regulations consistent with administrative and name changes at the Intercollegiate College of Nursing/Washington State University College of Nursing.

Statutory Authority for Adoption: RCW 28B.30.125.

Other Authority: RCW 28B.30.150, 05-07-042, § 504-18-110, Order 73-8, § 504-18110.

Adopted under notice filed as WSR 01-15-074 on July 17, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.

August 21, 2001

Loretta M. Lamb

Assistant Vice-President for Personnel  
and Administration Rules Coordinator

**WASHINGTON STATE UNIVERSITY: PARKING  
REGULATIONS—((CENTER FOR NURSING EDU-  
CATION)) INTERCOLLEGIATE COLLEGE OF  
NURSING/WASHINGTON STATE UNIVERSITY  
COLLEGE OF NURSING**

AMENDATORY SECTION (Amending Order 73-8, filed 10/5/73)

**WAC 504-18-100 Purpose of regulations.** Parking on the lots provided at the ((center for nursing education)) Intercollegiate College of Nursing/Washington State University College of Nursing in Spokane((, also known as the intercollegiate center for nursing education)) is governed by these regulations. The purpose of these regulations is:

- (1) To regulate parking with priority given to
  - (a) Services of the ((center)) College of Nursing;
  - (b) Staff who need vehicles in connection with their work;
  - (c) Staff and students who need private vehicles because of disability or other approved reasons.
- (2) To provide funds to obtain and maintain suitable ((center)) College of Nursing parking facilities and other approved ((center)) College of Nursing purposes.

AMENDATORY SECTION (Amending WSR 95-07-042, filed 3/8/95, effective 4/8/95)

**WAC 504-18-110 Authorization.** Washington State University is the coordinating institution for Eastern Washington University, Gonzaga University, Whitworth College, and Washington State University, the participating institutions in the ((i)) Intercollegiate ((center for)) College of ((n)) Nursing ((education- (ICNE)))/Washington State University College of Nursing in Spokane, and the participating institutions have delegated authority to Washington State University to act as their agent. The board of regents, Washington State University, is authorized by state law to establish parking regulations and to provide penalties for infractions of regulations (RCW 28B.10.560 and 28B.15.031).

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-07-042, filed 3/8/95, effective 4/8/95)

**WAC 504-18-120 Definitions.** (1) The words "((center)) college" or "((ICNE)) College of Nursing" for purposes of these regulations mean the ((center for n)) Intercollegiate College of Nursing ((education in Spokane, also known as the intercollegiate center for nursing education))/Washington State University College of Nursing.

(2) The words "motor vehicle" or "vehicle" include automobiles, trucks, motorcycles, motor scooters, and all other motor-driven conveyances licensed for use on public streets.

(3) The word "staff" as it appears herein refers to faculty and staff of the ((center)) college and employees of ((non-center)) noncollege organizations who work in ((center)) college facilities.

(4) "Visitor" refers to those persons having no direct relationship with the ((center)) college as do staff and students, but who do have official business with the ((center)) College of Nursing.

AMENDATORY SECTION (Amending Order 73-8, filed 10/5/73)

**WAC 504-18-130 General.** (1) These regulations apply to all parking facilities owned or leased by Washington State University for use by the ((center)) College of Nursing.

(2) Washington State University and the ((center)) College of Nursing assume no responsibility for damage or theft of cars driven or parked on ((center)) college facilities.

(3) Vehicles may not be parked overnight on ((center)) college parking lots unless otherwise posted or authorized.

(4) A disabled or inoperative vehicle shall not be parked on the ((center)) college lots for a period in excess of 72 hours. Vehicles which have been parked for periods in excess of 72 hours and which appear to be disabled or inoperative may be impounded and stored at the expense of either the owner or operator thereof. Neither the university nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage.

(5) The university reserves the right to have towed and impounded any illegally parked vehicle at the owner's or driver's expense. The university assumes no responsibility in the event of damage resulting from the impoundment or storage of any illegally parked vehicle.

AMENDATORY SECTION (Amending WSR 95-07-042, filed 3/8/95, effective 4/8/95)

**WAC 504-18-140 Parking permits.** (1) General information

(a) Parking permits will be issued by the ((business office of the ICNE)) office of finance and operation of the college in Spokane, following application and the payment of the appropriate fee. Parking permits will be evidenced by flashers. By means of design, color, permit number, type and year, such flashers will identify each vehicle and designate the type of parking permitted. No permit shall be valid for longer than one year. Each permit shall terminate at the commencement of the next succeeding fall term of an academic year.

(b) All parking permits and flashers must be affixed in an approved location so that they are clearly visible and readable from the outside of the vehicle. Transferable permits will be issued to multiple vehicle families or vehicle pool groups of either staff or students where only one vehicle at a time will be parked on ((center)) college lots.

(2) Staff members

(a) A parking permit is required of any staff member who wishes to park a vehicle on a ((n-ICNE)) college lot.

(b) Staff disability flashers are for a specified parking place upon certification by a physician that the health of the staff member requires a parking place close to work. The permits may be issued for up to a year depending upon the nature of the disability.

(3) Students

A parking permit is required of any student who wishes to park a vehicle on the ((ICNE)) college lots.

(4) Visitor parking

(a) Vehicles of official visitors to the ((eenter)) college with tax-exempt licenses will be allowed to park on ((eenter)) college lots without permits.

(b) Visitor permits may be requested by those who are not employed by or enrolled at the Spokane ((eenter)) college. These permits are issued free of charge by the ((business-office)) receptionist of the ((ICNE)) College of Nursing in Spokane.

(5) Motorcycles

Motorcycle permits may be purchased by either staff or students and are valid only in designated motorcycle areas. Pool flashers and transferable card permits are valid on motorcycles.

AMENDATORY SECTION (Amending WSR 95-07-042, filed 3/8/95, effective 4/8/95)

**WAC 504-18-150 Parking permit fees.** (1) ((Staff members)) A schedule of parking fees will be available at the College of Nursing receptionist's desk, posted at the college's office of finance and operations, and filed with the university rules coordinator.

~~((The fee for a staff parking permit at any time during the first semester (fall) is \$73.44. The fee at any time during the second semester (spring) is \$36.72. Upon request, a refund of \$36.72 will be made to a staff member who leaves at the end of the first semester. A request must be made before the end of the second week of the second semester. There will be no refunds during the summer or for a partial period. Temporary staff permits may be purchased at the rate of \$.50 a day or 10 consecutive working days for \$5.40.))~~

~~((2) Students))~~

~~((The fee for a student parking permit for the student lot is \$54.00 any time during the first semester, and \$27.00 at any time during the second semester. Upon request, a refund of \$27.00 will be made at the end of the first semester to a student who withdraws from school or no longer needs a permit. A request must be made before the end of the second week of the semester. No refund will be made for the summer or partial periods. Temporary student permits may be purchased at the rate of \$.50 a day or 10 consecutive school days for \$5.40.))~~

~~((3) Motorcycles))~~

~~((Motorcycle permits may be purchased by either staff or students for \$17.28 any time during the first and \$8.64 any time during the second semester. A refund of \$8.64 will be made upon request if a person leaves at the end of the first semester. A request must be made before the end of the second week of the second semester. Motorcycles must be parked in spaces so designated.))~~

AMENDATORY SECTION (Amending Order 73-8, filed 10/5/73)

**WAC 504-18-160 Parking areas.** Parking on the ((eenter)) college parking lots is permitted only within the marked stalls. All areas outside of the marked parking stalls are "no parking" zones. Each parking area has signs to indicate the type of permit or permits required. No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require subsequent vehicles to occupy a portion of more than one space, shall not constitute an excuse for a violation of this section. Parking on ((eenter)) college lots is limited to motor vehicles which have the official permits properly placed, except as otherwise provided for in these regulations.

(1) Parking areas for staff.

Vehicles displaying staff parking permits may be parked in any area posted staff or student. They may not be parked in service or restricted areas.

(2) Parking areas for students.

Vehicles displaying student lot permits may be parked in any area posted as a student lot. They may not be parked in a staff lot or service or restricted areas.

(3) Parking areas for visitors.

Vehicles displaying tax exempt licenses, or visitor permits, may be parked in areas posted for staff or students.

(4) Motorcycle areas.

Motorcycle areas are designated by signs and the letter "M" painted on the parking surface.

(5) Contractors.

Employees of construction projects must park in areas specified for each project.

AMENDATORY SECTION (Amending WSR 95-07-042, filed 3/8/95, effective 4/8/95)

**WAC 504-18-170 Administration and enforcement.**

(1) The finance officer of the ICNE College of Nursing in Spokane is responsible for the administration and enforcement of the ((eenter)) college parking regulations.

(2) Anyone observed in violation of parking regulations may be given a notice of violation.

(3) The university reserves the right to impound any illegally parked vehicle at either or both the owner's or driver's expense.

(4) Parking violations will be processed by the ((business)) office of finance and operations of the ((ICNE)) college in Spokane and will be paid in that office. Parking violations may be appealed in writing within 10 days of the violation. WAC 504-18-170(7) describes the appeals procedure.

(5) The fines for staff and students will be:

(a) \$10.00 for absence of parking permit when required, or improper parking, or parking in an area not allowed by permit.

(b) \$20.00 for parking in a disabled parking space without a disability permit.

(6) Failure of a student or staff member to pay the fine assessed for any violation will result in the total amount of the fines being referred to ((the participating institution at which the staff member is employed or the student is regis-

tered)) Washington State University for collection. (~~The participating institution, including~~) Washington State University, may, if other collection efforts fail, withhold outstanding fines from damage deposits or other funds held for students. Where collection efforts are unsuccessful, (~~the participating institutions, including~~) Washington State University may refrain from issuing copies of student transcripts or withhold permission to reenroll for an ensuing term until outstanding fines are paid.

(7) Appeal procedure

This procedure serves two primary purposes: To assure an impartial evaluation of certain circumstances and situations relating to an appeal and to aid in the appraisal of parking problems. The initial appeal must be in writing. The forms for this purpose may be obtained at the ((business)) office of finance and operations of the ((ICNE)) college in Spokane. Appeals are reviewed and acted on by the ((ICNE)) college finance officer or designee.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 01-18-025**

**PERMANENT RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed August 27, 2001, 11:29 a.m., effective October 1, 2001]

Date of Adoption: August 17, 2001.

Purpose: Clarify the language of the background check requirements for homes and facilities licensed by Children's Administration (CA), for providers with unsupervised access to clients. This includes care providers to clients of the Division of Developmental Disabilities. The changes incorporate federal legislation, the Adoption and Safe Families Act of 1997 (42 U.S.C. 671(a)), that designated the types of criminal convictions which would preclude an individual from having unsupervised access to children.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-330-010, 388-330-020, 388-330-030, 388-330-035, 388-330-040, 388-330-050, and 388-330-060.

Statutory Authority for Adoption: RCW 74.15.030.

Adopted under notice filed as WSR 01-10-062 on April 27, 2001.

Changes Other than Editing from Proposed to Adopted Version: The text of the adopted rule varies from the text of the proposed rule. The changes (other than editing changes) follow and are underlined.

• WAC 388-06-0020 What definitions apply to WAC 388-06-0100 through WAC 388-06-0260 of this chapter? The following definitions apply to WAC 388-06-0100 through WAC 388-06-0260 of this chapter:

> The second sentence of the definition of "authorized" or "authorization" is as follows: This includes persons, who

are certified, contracted, are allowed to receive payments from department-funded programs, or volunteer.

> "Unsupervised" means not in the presence of:

(1) The licensee, another employee or volunteer from the same business or organization as the applicant, who has not been disqualified by the background check.

• WAC 388-06-0110(4). A person who is at least sixteen years old, is residing in a foster home, relative home, or child care home and is not a foster child.

• WAC 388-06-0110(6). A person who regularly has unsupervised access to a child or an individual with a development disability.

• WAC 388-06-0150(4). If you have lived in Washington state less than three years immediately prior to your application to have unsupervised access to children or to individuals with a developmental disability, the department requires that you be fingerprinted for a background check with the Washington state patrol (WSP) and the Federal Bureau of Investigation (FBI), as mandated by chapter 74.15 RCW.

• WAC 388-06-0160(1). Children's administration (CA) pays for the general administrative costs for background checks for foster home applicants, relatives, and CA adoptive home applicants.

• WAC 388-06-0180(5). Any federal or out-of-state conviction for an offense that under the laws of this state would disqualify you from having unsupervised access to children or individuals with developmental disabilities in any home or facility not less than five years from the date of conviction listed in this section.

• WAC 388-06-0240 What may I do if I disagree with the department's decision to deny me a license, certification, contract, or authorization based on the results of the background check?

(1) If you are seeking a license, or employment with a licensed home or facility, you may request an administrative hearing to disagree with the department's decision process to deny authorization for unsupervised access to children or to individuals with a developmental disability (chapter 34.05 RCW).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 19, Amended 0, Repealed 7.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 19, Amended 0, Repealed 7.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 19, Amended 0, Repealed 7.

Effective Date of Rule: October 1, 2001.

August 17, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

## Chapter 388-06 WAC

## BACKGROUND CHECKS

## PURPOSE

NEW SECTION

**WAC 388-06-0010 What is the purpose of this chapter?** (1) The purpose of this chapter is to establish rules for background checks conducted by children's administration (CA), and the division of developmental disabilities (DDD) at the department of social and health services (DSHS). The department does background checks on individuals who are licensed, certified, contracted, or authorized to care for or have unsupervised access to children and to individuals with a developmental disability. Background checks are conducted to find and evaluate any history of criminal convictions and child abuse or neglect.

(2) This chapter also defines when the one hundred twenty-day provisional hire is allowed by DSHS. WAC 388-06-0500 through 388-06-0540 apply to all DSHS administrations.

## DEFINITIONS

NEW SECTION

**WAC 388-06-0020 What definitions apply to WAC 388-06-0100 through 388-06-0260 of this chapter?** The following definitions apply to WAC 388-06-0100 through 388-06-0260 of this chapter:

**"Authorized"** or **"authorization"** means not disqualified by the department to have unsupervised access to children and individuals with a developmental disability. This includes persons who are certified, contracted, allowed to receive payments from department funded programs, or volunteer.

**"CA"** means children's administration, department of social and health services. Children's administration is the cluster of programs within DSHS responsible for the provision of licensing of foster homes, group facilities/programs and child-placing agencies, child protective services, child welfare services, and other services to children and their families.

**"CAMIS"** means case and management information system. This data system is used by children's administration.

**"Certification"** means:

(1) Department approval of a person, home, or facility that does not legally need to be licensed, but wishes to have evidence that they met the minimum licensing requirements.

(2) Department licensing of a of a child-placing agency to certify and supervise foster home and group care programs.

**"Children"** or **"youth"** means individuals who are under parental or department care including:

(1) Individuals under eighteen years old; or

(2) Foster children up to twenty-one years of age and enrolled in high school or a vocational school program; or

(3) Developmentally disabled individuals up to twenty-one years of age for whom there are no issues of child abuse and neglect; or

(4) JRA youth up to twenty-one years of age and who are under the jurisdiction of JRA or a youthful offender under the jurisdiction of the department of corrections who is placed in a JRA facility.

(5) These two terms are used interchangeably in this chapter.

**"DCFS"** means division of children and family services and is a division within children's administration that provides child welfare, child protective services, and support services to children in need of protection and their families.

**"DDD"** means the division of developmental disabilities, department of social and health services (DSHS).

**"DLR"** means the division of licensed resources that is a division within children's administration, the department of social and health services.

**"Department"** means the department of social and health services (DSHS).

**"I"** and **"you"** refers to anyone who has unsupervised access to children or to persons with developmental disabilities in a home, facility, or program. This includes, but is not limited to, persons seeking employment, a volunteer opportunity, an internship, a contract, certification, or a license for a home or facility.

**"JRA"** means the juvenile rehabilitation administration, department of social and health services.

**"Licensor"** means an employee of DLR or of a child placing agency licensed or certified under chapter 74.15 RCW to approve and monitor licenses for homes or facilities that offer care to children. Licenses require that the homes and facilities meet the department's health and safety standards.

**"Individuals with developmental disability"** means individuals who meet eligibility requirements in Title 71A RCW, WAC 388-825-030, for services. A developmental disability is any of the following: Mental retardation, cerebral palsy, epilepsy, autism, or another neurological condition described in WAC 388-825-030; originates before the age of eighteen years; is expected to continue indefinitely; and results in a substantial handicap.

**"Spousal abuse"** includes any crime of domestic violence as defined in RCW 10.99.020 when committed against a spouse, former spouse, person with whom the perpetrator has a child regardless of whether the parents have been married or lived together at any time, or an adult with whom the perpetrator is presently residing or has resided in the past.

**"Unsupervised"** means not in the presence of:

(1) The licensee, another employee or volunteer from the same business or organization as the applicant who has not been disqualified by the background check.

(2) Any relative or guardian of the child or developmentally disabled individual or vulnerable adult to whom the applicant has access during the course of his or her employment or involvement with the business or organization (RCW 43.43.080(9)).

**"Unsupervised access"** means that an individual will or may be left alone with a child or vulnerable adult (individual

with developmental disability) at any time for any length of time.

"We" refers to the department, including licensors and social workers.

"WSP" refers to the Washington State Patrol.

#### NEW SECTION

**WAC 388-06-0100 Why are background checks done?** The department does background checks to help safeguard the health, safety and well being of children and of individuals with a developmental disability in licensed homes and facilities and in day treatment programs. By doing background checks, the department reduces the risk of harm to children and individuals with a developmental disability from caregivers that have been convicted of certain crimes. The department's regulations require the evaluation of your background to determine your character, suitability and competence before you are issued a license, contract, certificate, or authorized to have unsupervised access to children or to individuals with a developmental disability.

#### NEW SECTION

**WAC 388-06-0110 Who must have background checks?** The department requires background checks on individuals who will have unsupervised access to children or to individuals with a developmental disability in homes, facilities, or operations licensed, relicensed, or contracted by the department to provide care as required under chapter 74.15 RCW. The department requires background checks on the following people:

- (1) A person licensed, certified, or contracted by us to care for children (chapter 74.15 RCW and RCW 43.43.832);
- (2) A prospective or current employee for a licensed care provider or a person or entity contracting with us;
- (3) A volunteer or intern with regular or unsupervised access to children who is in a home or facility that offers licensed care to children;
- (4) A person who is at least sixteen years old, is residing in a foster home, relatives home, or child care home and is not a foster child;
- (5) A relative other than a parent who may be caring for a child or an individual with a developmental disability;
- (6) A person who regularly has unsupervised access to a child or an individual with a developmental disability;
- (7) A provider who has unsupervised access to a child or individual with a developmental disability in the home of the child or individual with a developmental disability; and
- (8) Prospective adoptive parents as defined in RCW 26.33.020.

#### NEW SECTION

**WAC 388-06-0120 Who is not affected by this chapter?** This chapter does not apply to schools, hospitals, or other facilities where the primary focus is not custodial.

#### NEW SECTION

**WAC 388-06-0130 Does the background check process apply to new and renewal licenses, certification, contracts, and authorizations to have unsupervised access to children or individuals with a developmental disability?** These regulations apply to all applications for new and renewal licenses, contracts, certifications, and authorizations to have unsupervised access to children and individuals with a developmental disability that are processed by the department after the effective date of this chapter.

#### NEW SECTION

**WAC 388-06-0140 What happens if I don't comply with the background check requirement?** The department will deny, suspend or revoke your license, contract, certification, or authorization to care for children or for individuals with a developmental disability, if you or someone on the premises of your home or facility having unsupervised access does not comply with the department's requirement for a background check.

#### NEW SECTION

**WAC 388-06-0150 What does the background check cover?** (1) The department must review the following records:

- (a) Criminal convictions and pending charges.
  - (b) For children's administration, child protective service case file information (CAMIS) for founded reports of child abuse or neglect; and
  - (c) For children's administration, administrative hearing decisions related to any DLR license that has been revoked, suspended or denied.
- (2) The department may also review any civil judgment, determination or disciplinary board final decisions of child abuse or neglect.
- (3) The department may review law enforcement records of convictions and pending charges in other states or locations if:
- (a) You have lived in another state; and
  - (b) Reports from credible community sources indicate a need to investigate another state's records.
- (4) If you have lived in Washington state less than three years immediately prior to your application to have unsupervised access to children or to individuals with a developmental disability, the department requires that you be fingerprinted for a background check with the Washington state patrol (WSP) and the Federal Bureau of Investigation (FBI), as mandated by chapter 74.15 RCW.

#### NEW SECTION

**WAC 388-06-0160 Who pays for the background check?** (1) Children's administration (CA) pays for the general administrative costs for background checks for foster home applicants, relative, and CA adoptive home applicants.

(2) Children's administration pays for fingerprinting expenses for those foster home applicants and relatives who require fingerprinting.

(3) Children's administration does not pay for fingerprinting for employees, contractors, or volunteers associated with any other type of home or facility.

(4) The division of developmental disabilities pays for background checks for individuals seeking authorization to provide services to their clients.

#### NEW SECTION

**WAC 388-06-0170 Will a criminal conviction permanently prohibit me from being licensed, contracted, or authorized to have unsupervised access to children or to individuals with developmental disability?** (1) There are convictions for certain crimes that will permanently prohibit you from being licensed, contracted, or authorized to have unsupervised access to children or to individuals with developmental disability. Those felony convictions are as follows:

- (a) Child abuse and/or neglect;
  - (b) Spousal abuse;
  - (c) A crime against a child (including child pornography);
  - (d) A crime involving violence (including rape, sexual assault, or homicide but not including other physical assault); or
  - (e) Any federal or out-of-state conviction for an offense that under the laws of this state would disqualify you from having unsupervised access to children or individuals with developmental disabilities in any home or facility.
- (2) If you are convicted of one of the crimes listed in WAC 388-06-0170 (1)(a) through (e) you will not be able to:
- (a) Receive a license to provide care to children;
  - (b) Be approved for adoption of a child;
  - (c) Be a contractor;
  - (d) Be employed by a licensed agency or contractor, if you will have unsupervised access to children or to individuals with a developmental disability;
  - (e) Volunteer or participate as an intern in a home or facility that offers care to children or to individuals with a developmental disability; or
  - (f) Provide any type of care to children or to individuals with a developmental disability, if the care is funded by the state.

#### NEW SECTION

**WAC 388-06-0180 Are there other criminal convictions that will prohibit me from working with children or individuals with a developmental disability?** The department must disqualify you from licensing, contracting, certification, or from having unsupervised access to children or to individuals with a developmental disability if it has been less than five years from a conviction for the following crimes:

- (1) Any physical assault not included in WAC 388-06-0170;
- (2) Any sex offense not included in WAC 388-06-0170;
- (3) Any felony conviction not included in WAC 388-06-0170; or
- (4) Felony violation of the following drug-related crimes:

(a) The Imitation Controlled Substances Act (for substances that are falsely represented as controlled substances (see chapter 69.52 RCW));

(b) The Legend Drug Act (prescription drugs, see chapter 69.41 RCW);

(c) The Precursor Drug Act (substances used in making controlled substances, see chapter 69.43 RCW);

(d) The Uniform Controlled Substances Act (illegal drugs or substances, see chapter 69.50 RCW); or

(e) Unlawfully manufacturing, delivering or possessing a controlled substance with intent to deliver, or unlawfully using a building for drug purposes.

(5) Any federal or out-of-state conviction for an offense that under the laws of this state would disqualify you from having unsupervised access to children or individuals with developmental disabilities in your home or facility no less than five years from a conviction listed in this section.

#### NEW SECTION

**WAC 388-06-0190 If I have a conviction, may I ever have unsupervised access to children or individuals with a developmental disability?** (1) In two situations, DSHS may find a person with convictions able to have unsupervised access to children or individuals with a developmental disability:

(a) If the conviction for any crime listed in WAC 388-06-0180 occurred more than five years ago; or

(b) If the conviction was for a crime other than those listed in WAC 388-06-0170 or 388-06-0180.

(2) In both of these situations, DSHS must review your background to determine your character, suitability, and competence to have unsupervised access to children or individuals with a developmental disability. In this review, DSHS must consider the following factors:

- (a) The amount of time that has passed since you were convicted;
- (b) The seriousness of the crime that led to the conviction;
- (c) The number and types of other convictions in your background;
- (d) The amount of time that has passed since you were convicted;
- (e) Your age at the time of conviction;
- (f) Documentation indicating you have successfully completed all court-ordered programs and restitution;
- (g) Your behavior since the conviction; and
- (h) The vulnerability of those that would be under your care.

#### NEW SECTION

**WAC 388-06-0200 Will I be disqualified if there are pending criminal charges on my background check?** (1) The department will not license, contract, certify, or authorize a person to have unsupervised access to children or individuals with a developmental disability who have a criminal charge pending.

(2) You may reapply for a license, contract, certification, or approval to have unsupervised access to children or to individuals with a developmental disability by providing

proof to the department that the charge against you has been dropped or that you were acquitted.

NEW SECTION

**WAC 388-06-0210 Will you license, contract, or authorize me to have unsupervised access to children or individuals with a developmental disability if my conviction has been expunged, or vacated from my record or I have been pardoned for a crime?** If you receive a pardon or a court of law acts to expunge or vacate a conviction on your record, the crime will not be considered a conviction for the purposes of licensing, contracting, certification, or authorization for unsupervised access to children or to individuals with a developmental disability.

NEW SECTION

**WAC 388-06-0220 How will I know if I have not been disqualified by the background check?** (1) If you have not been disqualified by the background check and are applying for a license or certification to care for children, the department will not directly notify you. Instead, the department continues the process for approving your application.

(2) If you have requested a contract or approval for unsupervised access to children or to individuals with a developmental disability, the department will notify you, and your prospective employer or your supervisor.

NEW SECTION

**WAC 388-06-0230 How will I know if I have been disqualified by the background check?** (1) The department will notify you, and the care provider, the employer, or the licensor if you have been disqualified by the background check. The notice will be in writing and will include any laws and rules that require disqualification.

(2) If the department sends you a notice of disqualification, you will not receive a license, contract, certification, or be authorized to have unsupervised access to children or to individuals with a developmental disability.

NEW SECTION

**WAC 388-06-0240 What may I do if I disagree with the department's decision to deny me a license, certification, contract, or authorization based on the results of the background check?** (1) If you are seeking a license, or employment with a licensed home or facility you may request an administrative hearing to disagree with the department's decision process to deny authorization for unsupervised access to children or to individuals with a developmental disability (chapter 34.05 RCW). You cannot contest the conviction in the administrative hearing.

(2) Prospective volunteers, interns, contractors, or those seeking certification do not have the right to appeal the department's decision to deny authorization for unsupervised access to children and to individuals with a developmental disability.

(3) The employer or prospective employer cannot contest the department's decision on your behalf.

(4) The administrative hearing will take place before an administrative law judge employed by the office of administrative hearings (chapter 34.05 RCW).

NEW SECTION

**WAC 388-06-0250 Is the background check information released to my employer or prospective employer?**

(1) The department will share with employers or approved care providers only that:

(a) You are disqualified; or

(b) You have not been disqualified by the background check.

(2) The department will follow laws related to the release of criminal history records (chapter 10.97 and 43.43 RCW) and public disclosure (chapter 42.17 RCW) when releasing any information.

NEW SECTION

**WAC 388-06-0260 May I receive a copy of my criminal background check results?** (1) The department will provide you a copy of your criminal background check results if you:

(a) Make the request in writing to the department; and

(b) Offer proof of identity, such as picture identification.

(2) A copy of your WSP criminal background check results may also be obtained from the Washington state patrol (chapter 10.97 RCW).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-330-010	Purpose and authority.
WAC 388-330-020	Scope.
WAC 388-330-030	Application of inquiry findings.
WAC 388-330-035	Appeal of disqualification.
WAC 388-330-040	Inquiry form to be submitted.—Time requirements.
WAC 388-330-050	Release of information.
WAC 388-330-060	Sanctions for noncompliance.

**WSR 01-18-036**

**PERMANENT RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed August 28, 2001, 3:36 p.m., effective October 1, 2001]

Date of Adoption: August 23, 2001.

Purpose: To clarify existing policy and to incorporate into rule that the department does not apply expedited ser-

PERMANENT

VICES for clients who reapply for food assistance benefits before their certification period ends.

Citation of Existing Rules Affected by this Order: Amending WAC 388-406-0015.

Statutory Authority for Adoption: RCW 74.04.510 and 74.08.090.

Adopted under notice filed as WSR 01-14-057 on June 29, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: October 1, 2001.

August 23, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 00-06-015, filed 2/22/00, effective 4/1/00)

**WAC 388-406-0015** (~~(Expedited service for)~~ **Can I get food assistance(+) right away?**) (1) When ~~((you give us))~~ the department gets your food assistance application, ~~((the department will))~~ we look at your ~~((situation))~~ circumstances to see if you can get benefits within five calendar days. This ~~((fast service))~~ is called "expedited service." ~~((Day one of the five day period is, most often, the day after you give us your application. See subsection (7) below for situations for applicants when "day one" is a different day.))~~

(2) To get expedited service, you must provide proof of ~~((your identity))~~ who you are and meet one of these three conditions:

(a) You have available cash of one hundred dollars or less and have monthly income before taxes under one hundred fifty dollars; or

(b) Your monthly income before taxes plus available cash is less than the total of your shelter costs such as your rent or mortgage and ~~((utility allowance))~~ utilities; or

(c) You ~~((have))~~ are a destitute migrant or seasonal farm worker household ~~((member))~~, as defined in WAC 388-406-0021, ~~((whose))~~ and your household's available cash does not exceed one hundred dollars.

(3) To determine the amount of utilities to use to decide if you can get expedited services, we allow:

(a) The standard utility allowance (SUA) under WAC 388-450-0195, if you have heating or cooling costs and the SUA is greater than the amount you pay; or

(b) The amount you pay, if it is greater than the SUA.

(4) If you are eligible for expedited service and are not required to have an office interview, you can:

(a) Have a telephone interview or a home visit; and

(b) Still get benefits within five-days.

(5) If you are an applicant, "day one" of your five-day expedited service period starts on the:

(a) Day after the date your application is filed; or

(b) Date of the rescheduled interview when you are screened as expedited service eligible but do not show up for your initial interview; or

(c) Date you are released from a public institution if you are an SSI recipient; or

(d) Date of your interview when you:

(i) Waive your expedited interview and are found eligible for expedited service during your rescheduled interview; or

(ii) Are screened as ineligible for expedited service and later found eligible for the service during your interview; or

(iii) Do not request expedited service on the application and are found eligible for the service during your interview.

(6) If you get expedited service, we give you benefits for no more than two months. If we need additional information to decide if you are eligible for continued benefits, you have up to thirty days from the ~~((time you apply to provide other information we need before we can give you more benefits.~~

(4)) date of application to give us the information.

(7) If you have received expedited service in the past, you can get this service again if you meet the requirements listed in subsection (2) above and you:

(a) ~~((Provided))~~ Gave us all the information we needed to prove eligibility for your last expedited service benefit period; or

(b) ~~((Had another benefit period under regular nonexpedited processing after your last expedited service benefit period.~~

~~((5) If you are eligible for expedited service and are not required to have an office interview, you can:~~

~~((a) Have a telephone interview or home visit; and~~

~~((b) Still get benefits within the five-day expedited time period.~~

~~((6) If you are denied expedited service, you can ask for a department review of your case. The review will take place within two working days from the date you were denied expedited service.~~

~~((7) If you are an applicant, your five-day expedited service period starts on the:~~

~~((a) Date of the rescheduled interview when you are screened as expedited service eligible but do not show up for your initial interview;~~

~~((b) Date you prove your identity if you do not provide proof at the initial interview;~~

~~((c) Date of your interview when you:~~

~~((i) Waive your expedited interview and are found eligible for expedited service during your rescheduled interview;~~

~~((ii) Are screened as ineligible for expedited service and later found eligible for the service during your interview; or~~

~~((iii) Do not request expedited service on the application and are found eligible for the service during your interview.~~

(d) Date you are released from a public institution if you are a SSI recipient.

(8) If you request expedited service on a recertification form, your five-day period:

(a) Starts the first day of your new certification period when you reapply before the end of your current certification period;

(b) Is the same as a new application when you reapply after the current certification period ends; or

(e) Starts the day of your interview if you cause a delay in the recertification)) Were certified under normal processing standards after your last expedited certification.

(8) If you reapply and request expedited service before your certification period ends, you are not eligible for expedited service.

(9) If you reapply after your certification period ends and request expedited service, your five-day expedited service period is the same as a new application.

(10) If you are denied expedited service, you can ask for a department review of your case. We review the decision within two working days from the date we denied you expedited service.

### WSR 01-18-037

#### PERMANENT RULES

#### DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed August 28, 2001, 3:40 p.m.]

Date of Adoption: August 23, 2001.

Purpose: The proposed changes clarify the language of the licensing requirements for foster homes, group care programs/facilities and child-placing agencies licensed by Children's Administration. The chapter incorporates changes in state and federal law, Children's Administration policy, and current practice. The chapter is written in the question and answer format.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-73-010 Authority, 388-73-012 Definitions, 388-73-014 Persons and organizations subject to licensing, 388-73-016 Exceptions to rules, 388-73-018 Persons and organizations not subject to licensing, 388-73-019 Effect of local ordinances, 388-73-01950 Fire standards, 388-73-020 Certification of juvenile detention facility and exempt agency, 388-73-022 Application or reapplication for license or certification—Investigation, 388-73-024 Licenses for homes supervised by licensed agency, 388-73-026 Licensing of employees, 388-73-028 Limitations on licenses and dual licensure, 388-73-030 General qualifications of licensee, adoptive applicant, and persons on the premises, 388-73-032 Age of licensee, 388-73-034 Posting of license, 388-73-036 Licensure—Denial, suspension, or revocation, 388-73-038 Licensed capacity, 388-73-040 Discrimination prohibited, 388-73-042 Religious activities, 388-73-044 Special requirements regarding American Indians, 388-73-046 Discipline, 388-73-048 Corporal punishment, 388-73-050 Abuse, neglect, exploitation, 388-73-052 Interstate placement of

children, 388-73-054 Client records and information—All agencies, 388-73-056 Reporting of illness, death, injury, epidemic, child abuse, or unauthorized absence—All facilities, 388-73-057 Reporting of circumstantial changes, 388-73-058 Earnings, allowances, personal belongings, 388-73-060 Work assignments, 388-73-062 Transportation, 388-73-064 Clothing, 388-73-066 Personal hygiene, 388-73-068 Personnel policies, 388-73-069 Consumption of alcoholic beverages, 388-73-070 Training, 388-73-072 Education and vocational instruction, 388-73-074 Social service staff, 388-73-076 Social study—Treatment plans, 388-73-077 Multidisciplinary care plan for severely and multiply-handicapped children, 388-73-078 Clerical, accounting and administrative services, 388-73-080 Support and maintenance staff, 388-73-100 Site and telephone, 388-73-101 Wheeled baby walkers, 388-73-102 Equipment, safety, and maintenance, 388-73-103 Water safety, 388-73-104 Firearms, 388-73-106 Storage, 388-73-108 Bedrooms, 388-73-110 Special care room, 388-73-112 Kitchen facilities, 388-73-114 Housekeeping sink, 388-73-116 Laundry, 388-73-118 Toilets, handwashing sinks, and bathing facilities, 388-73-120 Lighting, 388-73-122 Pest control, 388-73-124 Sewage and liquid wastes, 388-73-126 Water supply, 388-73-128 Temperature, 388-73-130 Ventilation, 388-73-132 Health care plan, 388-73-134 First aid, 388-73-136 Medications controlled by licensee, 388-73-138 Self-administration of medications, 388-73-140 Health history, physical examinations, immunizations, 388-73-142 Infection control, communicable disease, 388-73-143 HIV/AIDS education and training, 388-73-144 Nutrition, 388-73-146 Care of younger or severely and multiply-handicapped children, 388-73-200 Child-placing agency, 388-73-202 Required personnel, 388-73-204 Office space, 388-73-206 Out-of-country, out-of-state agencies, 388-73-208 Medical care, 388-73-210 Foster care licensees, 388-73-212 Foster care placements, 388-73-213 Certification to provide adoption services, 388-73-214 Adoption procedures, 388-73-216 Adoptive placements, 388-73-300 Foster family homes, 388-73-302 Orientation and training, 388-73-304 Capacity, 388-73-306 Foster parents—Employment, 388-73-308 Absence from home, 388-73-310 Fire safety, 388-73-312 Family foster homes—Services to person under care, 388-73-351 Staffed residential homes for children or expectant mothers, 388-73-353 Agency affiliation, 388-73-355 Function of staffed residential home for children or expectant mothers, 388-73-357 Capacity, 388-73-361 Required positions, 388-73-363 Nursing services, 388-73-365 Required rooms, areas, and equipment, 388-73-367 Staffed residential homes for children or expectant mothers—Services to person under care, 388-73-369 Fire safety—Staffed residential child care home for children or expectant mothers, 388-73-371 Location of care, 388-73-373 Occupancy separations, 388-73-375 Exits, 388-73-377 Windows, 388-73-379 Sprinklers, 388-73-381 Accessibility of exits, 388-73-383 Single station smoke detectors, 388-73-385 Fire extinguishers, 388-73-387 Fire prevention, 388-73-389 Sprinkler system maintenance, 388-73-391 Fire evacuation plan, 388-73-393 Fire evacuation drill, 388-73-395 Staff fire safety training, 388-73-500 Day treatment center, 388-73-502 Function of day treatment program, 388-73-504 Personnel, 388-73-506 Ratio of counselor and teaching staff to children, 388-73-508 Program, 388-73-

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Statutory Authority for Adoption: RCW 74.15.030.

Adopted under notice filed as WSR 01-12-101 on June 6, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-148-0050(3): Except for foster homes, if you are applying for a license renewal, you must send the application form to your licenser at least ninety days prior to the expiration of your current license.

WAC 388-148-0060(1): You or your relatives, ~~as defined under RCW 74.15.020 (4)(i), (ii), (iii), and (iv)~~, are not allowed to ~~receive a license from~~ be certified by a child-placing agency if you or your relative is ~~an employee or volunteer in an administrative or supervisory role or directly involved in certification, placement or authorization of payment to yourself or your relative~~, for that same child-placing agency.

Note: Relative as defined under RCW 74.15.020 (4)(i), (ii), (iii), and (iv).

WAC 388-148-0120(2): You or your staff must report immediately or in no instance later than forty-eight hours, any of the following incidents to the child's social worker, if the child is in the custody of the department:

WAC 388-148-0125(2): You must keep records about children and their families in a secure place. If the child is in the custody of the department, at the end of the child's placement, reports written by others about the child or the child's family must be returned to the department staff child's social worker.

WAC 388-148-0170(4): You must ensure age and developmentally appropriate supervision of any child that uses hot tubs, swimming pools, spas, and around man-made and natural bodies of water.

WAC 388-148-0230(6): Fireplaces, wood stoves and other heating systems that have a surface hot enough to cause

a burn must have a barrier to prevent access by children under the age of six.

WAC 388-148-0240(5): Fire extinguishers must receive ~~yearly~~ a maintenance certification by a licensed firm specializing in this work, based on the manufacturer's recommended schedule.

WAC 388-148-0250: You must instruct all children, who are capable of understanding and following directions, under your care in emergency evacuation procedures and conduct fire drills at regular intervals to test and practice the procedures.

WAC 388-148-0255(1): You must develop a written fire evacuation plan for your home or facility. The evacuation plan must include an evacuation floor plan, identifying exit doors and windows. Except in foster homes, the plan must be posted at each exit door.

WAC 388-148-0315 (2)(h)(ii): Except for foster homes, all sleeping areas must have at least one toilet and hand-washing sink on the same floor.

WAC 388-148-0345(4): Applicants for a license, or adults authorized to have ~~who have been approved for~~ unsupervised access to children in a home or facility must have a tuberculin (TB) skin test by the Mantoux method of testing.

WAC 388-148-0350 (12)(a)(iv): Antacids and anti-diarrhea medication.

WAC 388-148-0365 (1)(b): The social worker or guardian if they have custody, approves in writing.

WAC 388-148-0440(2): ~~The children in your care must not be required to do basic maintenance of equipment, or of the home or facility:~~

(3)(2). Children may do work assignments other than household tasks that are appropriate to their age and physical conditions and receive monetary compensation if this is part of their service plan. ~~You must provide adequate monetary compensation for the work they do.~~

WAC 388-148-0495: Delete this section.

WAC 388-148-0600(1): Except for foster homes, you must have consultants available, as needed to work with your staff, the children you serve, and the children's families.

WAC 388-148-0675: Delete section.

WAC 388-148-0720(2): Exception: Child care staff may be eighteen to twenty years old if enrolled and participating in an internship or practicum program with an accredited college or university; and supervised by staff twenty-one years or older;

WAC 388-148-0995(5): At all times, secure crisis residential centers must have at least two staff on site duty at all times when youth are present.

WAC 388-148-1025: A written agreement with ~~children's administration~~ the department to provide services to children as at a staffed residential home must include but is not limited to:

Children's Administration is withdrawing the following sections: WAC 388-148-0495 and 388-148-0675.

Children's Administration will not go forward with the following subsections: WAC 388-148-0010(3) and 388-148-1035(1).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 226, Amended 0, Repealed 146.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 226, Amended 0, Repealed 146.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 226, Amended 0, Repealed 146.

Effective Date of Rule: Thirty-one days after filing.

August 23, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 01-20 issue of the Register.

### WSR 01-18-041

#### PERMANENT RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 29, 2001, 8:31 a.m., effective October 1, 2001]

Date of Adoption: August 29, 2001.

Purpose: (1) To address quality of care concerns through the establishment of eligibility requirements for providers of attendant services; (2) to resolve and clarify issues relating to payment of federal and state taxes; and (3) to resolve and clarify issues relating to mandatory industrial insurance coverage.

Citation of Existing Rules Affected by this Order: New WAC 296-20-303; and amending WAC 296-20-01002, 296-20-03001, 296-20-091, 296-23-165, 296-23-170, and 296-23-245.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030, 51.32.060, 51.32.072, and 7.68.070.

Adopted under notice filed as WSR 01-08-092 on April 4, 2001; and WSR 01-13-079 on June 19, 2001.

Changes Other than Editing from Proposed to Adopted Version: The department is delaying the time for implementing the rule changes by two months, as reflected in changes to dates in subsection (5) of WAC 296-20-303.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 6, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 6, Repealed 0.

Effective Date of Rule: October 1, 2001.

August 29, 2001

Gary Moore  
Director

AMENDATORY SECTION (Amending WSR 00-01-039, filed 12/7/99, effective 1/8/00)

**WAC 296-20-01002 Definitions. Acceptance, accepted condition:** Determination by a qualified representative of the department or self-insurer that reimbursement for the diagnosis and curative or rehabilitative treatment of a claimant's medical condition is the responsibility of the department or self-insurer. The condition being accepted must be specified by one or more diagnosis codes from the current edition of the International Classification of Diseases, Clinically Modified (ICD-CM).

**Attendant care:** Those proper and necessary personal care services ~~((that assist a worker with dressing, feeding, and personal hygiene to facilitate self care and are))~~ provided ~~((in order))~~ to maintain the worker in ~~((their place of temporary or permanent))~~ his or her residence ~~((consistent with their needs, abilities, and safety. These services may be provided by, but are not limited to, registered nurses, licensed practical nurses, registered nursing assistants, and other individuals such as family members))~~. Refer to WAC 296-20-303 for more information.

**Attending doctor report:** This type of report may also be referred to as a "60 day" or "special" report. The following information must be included in this type of report. Also, additional information may be requested by the department as needed.

(1) The condition(s) diagnosed including ICD-9-CM codes and the objective and subjective findings.

(2) Their relationship, if any, to the industrial injury or exposure.

(3) Outline of proposed treatment program, its length, components, and expected prognosis including an estimate of when treatment should be concluded and condition(s) stable. An estimated return to work date should be included. The probability, if any, of permanent partial disability resulting from industrial conditions should be noted.

(4) If the worker has not returned to work, the attending doctor should indicate whether a vocational assessment will be necessary to evaluate the worker's ability to return to work and why.

(5) If the worker has not returned to work, a doctor's estimate of physical capacities should be included with the report. If further information regarding physical capacities is needed or required, a performance-based physical capacities evaluation can be requested. Performance-based physical capacities evaluations should be conducted by a licensed occupational therapist or a licensed physical therapist. Performance-based physical capacities evaluations may also be conducted by other qualified professionals who provided performance-based physical capacities evaluations to the depart-

ment prior to May 20, 1987, and who have received written approval to continue supplying this service based on formal department review of their qualifications.

**Authorization:** Notification by a qualified representative of the department or self-insurer that specific proper and necessary treatment, services, or equipment provided for the diagnosis and curative or rehabilitative treatment of an accepted condition will be reimbursed by the department or self-insurer.

**Average wholesale price (AWP):** A pharmacy reimbursement formula by which the pharmacist is reimbursed for the cost of the product plus a mark-up. The AWP is an industry benchmark which is developed independently by companies that specifically monitor drug pricing.

**Baseline price (BLP):** Is derived by calculating the mean average for all NDC's (National Drug Code) in a specific product group, determining the standard deviation, and calculating a new mean average using all prices within one standard deviation of the original mean average. "Baseline price" is a drug pricing mechanism developed and updated by First Data Bank.

**Bundled codes:** When a bundled code is covered, payment for them is subsumed by the payment for the codes or services to which they are incident. (An example is a telephone call from a hospital nurse regarding care of a patient. This service is not separately payable because it is included in the payment for other services such as hospital visits.) Bundled codes and services are identified in the fee schedules.

**By report:** BR (by report) in the value column of the fee schedules indicates that the value of this service is to be determined by report (BR) because the service is too unusual, variable or new to be assigned a unit value. The report shall provide an adequate definition or description of the services or procedures that explain why the services or procedures (e.g., operative, medical, radiological, laboratory, pathology, or other similar service report) are too unusual, variable, or complex to be assigned a relative value unit, using any of the following as indicated:

- (1) Diagnosis;
- (2) Size, location and number of lesion(s) or procedure(s) where appropriate;
- (3) Surgical procedure(s) and supplementary procedure(s);
- (4) Whenever possible, list the nearest similar procedure by number according to the fee schedules;
- (5) Estimated follow-up;
- (6) Operative time;
- (7) Describe in detail any service rendered and billed using an "unlisted" procedure code.

The department or self-insurer may adjust BR procedures when such action is indicated.

**Chart notes:** This type of documentation may also be referred to as "office" or "progress" notes. Providers must maintain charts and records in order to support and justify the services provided. "Chart" means a compendium of medical records on an individual patient. "Record" means dated reports supporting bills submitted to the department or self-insurer for medical services provided in an office, nursing facility, hospital, outpatient, emergency room, or other place of service. Records of service shall be entered in a chronolog-

ical order by the practitioner who rendered the service. For reimbursement purposes, such records shall be legible, and shall include, but are not limited to:

- (1) Date(s) of service;
- (2) Patient's name and date of birth;
- (3) Claim number;
- (4) Name and title of the person performing the service;
- (5) Chief complaint or reason for each visit;
- (6) Pertinent medical history;
- (7) Pertinent findings on examination;
- (8) Medications and/or equipment/supplies prescribed or provided;
- (9) Description of treatment (when applicable);
- (10) Recommendations for additional treatments, procedures, or consultations;
- (11) X-rays, tests, and results; and
- (12) Plan of treatment/care/outcome.

**Consultation examination report:** The following information must be included in this type of report. Additional information may be requested by the department as needed.

- (1) A detailed history to establish:
  - (a) The type and severity of the industrial injury or occupational disease.
  - (b) The patient's previous physical and mental health.
  - (c) Any social and emotional factors which may effect recovery.
- (2) A comparison history between history provided by attending doctor and injured worker, must be provided with exam.
- (3) A detailed physical examination concerning all systems affected by the industrial accident.
- (4) A general physical examination sufficient to demonstrate any preexisting impairments of function or concurrent condition.
- (5) A complete diagnosis of all pathological conditions including ICD-9-CM codes found to be listed:
  - (a) Due solely to injury.
  - (b) Preexisting condition aggravated by the injury and the extent of aggravation.
  - (c) Other medical conditions neither related to nor aggravated by the injury but which may retard recovery.
  - (d) Coexisting disease (arthritis, congenital deformities, heart disease, etc.).
- (6) Conclusions must include:
  - (a) Type of treatment recommended for each pathological condition and the probable duration of treatment.
  - (b) Expected degree of recovery from the industrial condition.
  - (c) Probability, if any, of permanent disability resulting from the industrial condition.
  - (d) Probability of returning to work.
- (7) Reports of necessary, reasonable X-ray and laboratory studies to establish or confirm the diagnosis when indicated.

**Doctor:** For these rules, means a person licensed to practice one or more of the following professions: Medicine and surgery; osteopathic medicine and surgery; chiropractic; naturopathic physician; podiatry; dentistry; optometry.

Only those persons so licensed may sign report of accident forms and time loss cards except as provided in chapter 296-20 WAC.

**Emergent hospital admission:** Placement of the worker in an acute care hospital for treatment of a work related medical condition of an unforeseen or rapidly progressing nature which if not treated in an inpatient setting, is likely to jeopardize the worker's health or treatment outcome.

**Fatal:** When the attending doctor has reason to believe a worker has died as a result of an industrial injury or exposure, the doctor should notify the nearest department service location or the self-insurer immediately. Often an autopsy is required by the department or self-insurer. If so, it will be authorized by the service location manager or the self-insurer. Benefits payable include burial stipend and monthly payments to the surviving spouse and/or dependents.

**Fee schedules or maximum fee schedule(s):** The fee schedules consist of, but are not limited to, the following:

(a) Health Care Financing Administration's Common Procedure Coding System Level I and II Codes, descriptions and modifiers that describe medical and other services, supplies and materials.

(b) Codes, descriptions and modifiers developed by the department.

(c) Relative value units (RVUs), calculated or assigned dollar values, percent-of-allowed-charges (POAC), or diagnostic related groups (DRGs), that set the maximum allowable fee for services rendered.

(d) Billing instructions or policies relating to the submission of bills by providers and the payment of bills by the department or self-insurer.

(e) Average wholesale price (AWP), baseline price (BLP), and policies related to the purchase of medications.

**Health services provider or provider:** For these rules means any person, firm, corporation, partnership, association, agency, institution, or other legal entity providing any kind of services related to the treatment of an industrially injured worker. It includes, but is not limited to, hospitals, medical doctors, dentists, chiropractors, vocational rehabilitation counselors, osteopathic physicians, pharmacists, podiatrists, physical therapists, occupational therapists, massage therapists, psychologists, naturopathic physicians, and durable medical equipment dealers.

**Home nursing:** Those nursing services that are proper and necessary to maintain the worker in ~~((their place of temporary or permanent))~~ his or her residence ((consistent with their needs, abilities, and safety)). These services ~~((may))~~ must be provided ((by, but are not limited to, home health care, and hospice agencies on either an hourly or intermittent basis)) through an agency licensed, certified or registered to provide home care, home health or hospice services. Refer to WAC 296-20-091 for more information.

**Independent or separate procedure:** Certain of the fee schedule's listed procedures are commonly carried out as an integral part of a total service, and as such do not warrant a separate charge. When such a procedure is carried out as a separate entity, not immediately related to other services, the indicated value for "independent procedure" is applicable.

**Medical aid rules:** The Washington Administrative Codes (WACs) that contain the administrative rules for medical and other services rendered to workers.

**Modified work status:** The worker is not able to return to their previous work, but is physically capable of carrying out work of a lighter nature. Workers should be urged to return to modified work as soon as reasonable as such work is frequently beneficial for body conditioning and regaining self confidence.

Under RCW 51.32.090, when the employer has modified work available for the worker, the employer must furnish the doctor and the worker with a statement describing the available work in terms that will enable the doctor to relate the physical activities of the job to the worker's physical limitations and capabilities. The doctor shall then determine whether the worker is physically able to perform the work described. The employer may not increase the physical requirements of the job without requesting the opinion of the doctor as to the worker's ability to perform such additional work. If after a trial period of reemployment the worker is unable to continue with such work, the worker's time loss compensation will be resumed upon certification by the attending doctor.

If the employer has no modified work available, the department should be notified immediately, so vocational assessment can be conducted to determine whether the worker will require assistance in returning to work.

**Nonemergent (elective) hospital admission:** Placement of the worker in an acute care hospital for medical treatment of an accepted condition which may be safely scheduled in advance without jeopardizing the worker's health or treatment outcome.

**Permanent partial disability:** Any anatomic or functional abnormality or loss after maximum rehabilitation has been achieved, which is determined to be stable or nonprogressive at the time the evaluation is made. When the attending doctor has reason to believe a permanent impairment exists, the department or self-insurer should be notified. Specified disabilities (amputation or loss of function of extremities, loss of hearing or vision) are to be rated utilizing a nationally recognized impairment rating guide. Unspecified disabilities (internal injuries, spinal injuries, mental health, etc.) are to be rated utilizing the category system detailed under WAC 296-20-200 et al. for injuries occurring on or after October 1, 1974. **Under Washington law disability awards are based solely on physical or mental impairment due to the accepted injury or conditions without consideration of economic factors.**

**Physician:** For these rules, means any person licensed to perform one or more of the following professions: Medicine and surgery; or osteopathic medicine and surgery.

**Practitioner:** For these rules, means any person defined as a "doctor" under these rules, or licensed to practice one or more of the following professions: Audiology; physical therapy; occupational therapy; pharmacy; prosthetics; orthotics; psychology; nursing; physician or osteopathic assistant; and massage therapy.

**Proper and necessary:**

(1) The department or self-insurer pays for proper and necessary health care services that are related to the diagnosis and treatment of an accepted condition.

(2) Under the Industrial Insurance Act, "proper and necessary" refers to those health care services which are:

(a) Reflective of accepted standards of good practice, within the scope of practice of the provider's license or certification;

(b) Curative or rehabilitative. Care must be of a type to cure the effects of a work-related injury or illness, or it must be rehabilitative. Curative treatment produces permanent changes, which eliminate or lessen the clinical effects of an accepted condition. Rehabilitative treatment allows an injured or ill worker to regain functional activity in the presence of an interfering accepted condition. Curative and rehabilitative care produce long-term changes;

(c) Not delivered primarily for the convenience of the claimant, the claimant's attending doctor, or any other provider; and

(d) Provided at the least cost and in the least intensive setting of care consistent with the other provisions of this definition.

(3) The department or self-insurer stops payment for health care services once a worker reaches a state of maximum medical improvement. Maximum medical improvement occurs when no fundamental or marked change in an accepted condition can be expected, with or without treatment. Maximum medical improvement may be present though there may be fluctuations in levels of pain and function. A worker's condition may have reached maximum medical improvement though it might be expected to improve or deteriorate with the passage of time. Once a worker's condition has reached maximum medical improvement, treatment that results only in temporary or transient changes is not proper and necessary. "Maximum medical improvement" is equivalent to "fixed and stable."

(4) In no case shall services which are inappropriate to the accepted condition or which present hazards in excess of the expected medical benefits be considered proper and necessary. Services that are controversial, obsolete, investigational or experimental are presumed not to be proper and necessary, and shall be authorized only as provided in WAC 296-20-03002(6) and 296-20-02850.

**Regular work status:** The injured worker is physically capable of returning to his/her regular work. It is the duty of the attending doctor to notify the worker and the department or self-insurer, as the case may be, of the specific date of release to return to regular work. Compensation will be terminated on the release date. Further treatment can be allowed as requested by the attending doctor if the condition is not stationary and such treatment is needed and otherwise in order.

**Temporary partial disability:** Partial time loss compensation may be paid when the worker can return to work on a limited basis or return to a lesser paying job is necessitated by the accepted injury or condition. The worker must have a reduction in wages of more than five percent before consideration of partial time loss can be made. No partial time loss compensation can be paid after the worker's condition is sta-

tionary. **All time loss compensation must be certified by the attending doctor based on objective findings.**

**Termination of treatment:** When treatment is no longer required and/or the industrial condition is stabilized, a report indicating the date of stabilization should be submitted to the department or self-insurer. This is necessary to initiate closure of the industrial claim. The patient may require continued treatment for conditions not related to the industrial condition; however, financial responsibility for such care must be the patient's.

**Total permanent disability:** Loss of both legs or arms, or one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the worker from performing any work at any gainful employment. When the attending doctor feels a worker may be totally and permanently disabled, the attending doctor should communicate this information immediately to the department or self-insurer. A vocational evaluation and an independent rating of disability may be arranged by the department prior to a determination as to total permanent disability. Coverage for treatment does not usually continue after the date an injured worker is placed on pension.

**Total temporary disability:** Full-time loss compensation will be paid when the worker is unable to return to any type of reasonably continuous gainful employment as a direct result of an accepted industrial injury or exposure.

**Unusual or unlisted procedure:** Value of unlisted services or procedures should be substantiated "by report" (BR).

**Utilization review:** The assessment of a claimant's medical care to assure that it is proper and necessary and of good quality. This assessment typically considers the appropriateness of the place of care, level of care, and the duration, frequency or quantity of services provided in relation to the accepted condition being treated.

**AMENDATORY SECTION** (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

**WAC 296-20-03001 Treatment requiring authorization.** Certain treatment procedures require authorization by the department or self-insurer. Requests for authorization must include a statement of: The condition(s) diagnosed; ICD-9-CM codes; their relationship, if any, to the industrial injury/exposure; an outline of the proposed treatment program, its length and components, procedure codes, and expected prognosis; and an estimate of when treatment would be concluded and condition stable.

(1) Office calls in excess of the first twenty visits or sixty days whichever occurs first.

(2) The department may designate those inpatient hospital admissions that require prior authorization.

(3) X-ray and radium therapy.

(4) Diagnostic studies other than routine x-ray and blood or urinalysis laboratory studies.

(5) Myelogram and discogram in nonemergent cases.

(6) Physical therapy treatment beyond initial twelve treatments as outlined in chapters 296-21, 296-23, and 296-23A WAC.

(7) Diagnostic or therapeutic injection. Epidural or caudal injection of substances other than anesthetic or contrast

solution will be authorized under the following conditions only:

(a) When the worker has experienced acute low back pain or acute exacerbation of chronic low back pain of no more than six months duration.

(b) The worker will receive no more than three injections in an initial thirty-day treatment period, followed by a thirty-day evaluation period. If significant pain relief is demonstrated one additional series of three injections will be authorized. No more than six injections will be authorized per acute episode.

(8) Home nursing, attendant services or convalescent center care must be authorized per provisions outlined in WAC 296-20-091 or 296-20-303.

(9) Provision of prosthetics, orthotics, surgical appliances, special equipment for home or transportation vehicle; custom made shoes for ankle/foot injuries resulting in permanent deformity or malfunction of a foot; TNS units; masking devices; hearing aids; etc., must be authorized in advance as per WAC 296-20-1101 and 296-20-1102.

(10) Biofeedback program; pain clinic; weight loss program; psychotherapy; rehabilitation programs; and other programs designed to treat special problems must be authorized in advance. Refer to the department's medical aid rules and fee schedules for details.

(11) Prescription or injection of vitamins for specific therapeutic treatment of the industrial condition(s) when the attending doctor can demonstrate that published clinical studies indicate vitamin therapy is the treatment of choice for the condition. Authorization for this treatment will require presentation of facts to and review by department medical consultant.

(12) Injections of anesthetic and/or anti-inflammatory agents into the vertebral facet joints will be authorized to qualified specialists in orthopedics, neurology, and anesthesia, or other physicians who can demonstrate expertise in the procedure, AND who can provide certification their hospital privileges include the procedure requested under the following conditions:

(a) Rationale for procedure, treatment plan, and request for authorization must be presented in writing to the department or self-insurer.

(b) Procedure must be performed in an accredited hospital under radiographic control.

(c) Not more than four facet injection procedures will be authorized in any one patient.

(13) The long term prescription of medication under the specific conditions and circumstances in (a) and (b) are considered corrective therapy rather than palliative treatment and approval in advance must be obtained.

(a) Nonsteroidal anti-inflammatory agents for the treatment of degenerative joint conditions aggravated by occupational injury.

(b) Anticonvulsive agents for the treatment of seizure disorders caused by trauma.

(14) Intra-muscular and trigger point injections of steroids and other nonscheduled medications are limited to three injections per patient. The attending doctor must submit justification for an additional three injections if indicated with a

maximum of six injections to be authorized for any one patient.

(15) The department may designate those diagnostic and surgical procedures which can be performed in other than a hospital inpatient setting. Where a worker has a medical condition which necessitates a hospital admission, prior approval of the department or self-insurer must be obtained.

**AMENDATORY SECTION** (Amending WSR 92-05-041, filed 2/13/92, effective 3/15/92)

**WAC 296-20-091 Home nursing (~~or attendant care~~)).** A worker temporarily totally disabled or permanently totally disabled may either temporarily or permanently require home nursing (~~or attendant~~) care. A physician's request and prior department authorization are required for home nursing (~~and attendant~~) care.

Home health, hospice, and home care agency providers shall be licensed.

## ATTENDANT SERVICES

### NEW SECTION

**WAC 296-20-303 Attendant services.** (1) **What are attendant services?** Attendant services are proper and necessary personal care services provided to maintain the injured worker in his or her residence.

(2) **Who may receive attendant services?** Workers who are temporarily or permanently totally disabled and rendered physically helpless by the nature of their industrial injury or occupational disease may receive attendant services.

(3) **Is prior authorization required for attendant services?** Yes. To be covered by the department, attendant services must be requested by the attending physician and authorized by the department before care begins.

(4) **What attendant services does the department cover?** The department covers proper and necessary attendant services that are provided consistent with the injured worker's needs, abilities and safety. Only attendant services that are necessary due to the physical restrictions caused by the accepted industrial injury or occupational disease are covered.

The following are examples of attendant services that may be covered:

- Bathing and personal hygiene;
- Dressing;
- Administration of medications;
- Specialized skin care, including changing or caring for dressings or ostomies;
- Tube feeding;
- Feeding assistance (not meal preparation);
- Mobility assistance, including walking, toileting and other transfers;
- Turning and positioning;
- Bowel and incontinent care; and
- Assistance with basic range of motion exercises.

Services the department considers everyday environmental needs, unrelated to the medical care of the worker are not covered. The following chore services are examples of

services that are not covered: Housecleaning, laundry, shopping, meal planning and preparation, transportation of the injured worker, errands for the injured worker, recreational activities, yard work, and child care.

(5) **Who may provide attendant services?** Attendant services provided on or after June 1, 2002, must be provided through an agency licensed, certified or registered to provide home care or home health services.

**EXCEPTION:** A worker who received department approved attendant services from a spouse prior to October 1, 2001, may continue to receive attendant services from that spouse as long as all of the following criteria are met. The attendant service spouse provider:

- (a) Had an active provider account with the department on September 30, 2001; and
- (b) Maintains an active provider account with the department; and
- (c) Remains legally married to the injured worker; and
- (d) Allows the department or its designee to perform periodic independent nursing evaluations in the worker's residence.

(6) **What are the treatment limits for attendant services?** The department will determine the maximum hours of authorized attendant care services based on an independent nursing assessment of the worker's care needs.

Spouses eligible to provide attendant services are limited to a maximum of seventy hours of attendant services per week or to the maximum hours authorized for the worker, whichever is less. Workers who are receiving attendant services from spouses and whose care needs exceed seventy hours per week must receive attendant services in excess of seventy hours from an agency eligible to provide attendant services.

**EXCEPTION:** The department may exempt a spouse from the seventy-hour limit if, after review by the department and based on independent nursing assessment:

- (a) The injured worker is receiving proper and necessary care; and
- (b) The worker's care needs exceed seventy hours per week; and
- (c) No eligible agency provider is available.

(7) **Will the department review attendant services?** Yes. The department or its designee will perform periodic independent nursing evaluations of attendant services. Evaluations may include, but are not limited to, on-site review of the injured worker and review of medical records.

**AMENDATORY SECTION** (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

**WAC 296-23-165 Miscellaneous services and appliances.** (1) The department or self-insurer will reimburse for certain (~~medically~~) proper and necessary miscellaneous services and items needed as a result of an industrial accident. Nursing care, attendant (~~care~~) services, transportation, hearing aids, eyeglasses, orthotics and prosthetics, braces, medical supplies, oxygen systems, walking aids, and durable medical equipment are included in this classification.

(a) When a fee maximum has been established, the rate of reimbursement for miscellaneous services and items will be the supplier's usual and customary charge or the department's current fee maximum, whichever is less. In no case may a supplier or provider charge a worker the difference

between the fee maximum and their usual and customary charge.

(b) When the department or self-insurer has established a purchasing contract with a qualified supplier through an open competitive request for proposal process, the department or self-insurer will require that workers obtain specific groups of items from the contractor. When items are obtained from a contractor, the contractor will be paid at the rates established in the contract. When a purchasing contract for a selected group of items exists, suppliers who are not named in the contract will be denied reimbursement if they provide a contracted item to a worker. The noncontracting supplier, not the worker, will be financially responsible for providing an item to a worker when it should have been supplied by a contractor. This rule may be waived by an authorized representative of the department or self-insurer in special cases where a worker's attending doctor recommends that an item be obtained from another source for medical reasons or reasons of availability. In such cases, the department may authorize reimbursement to a supplier who is not named in a contract. Items or services may be provided on an emergency basis without prior authorization, but will be reviewed for appropriateness to the accepted industrial condition and medical necessity on a retrospective basis.

(2) The department or self-insurer will inform providers and suppliers of the selected groups of items for which purchasing contracts have been established, including the beginning and ending dates of the contracts.

(3) Prior authorization by an authorized representative of the department or self-insurer will be required for reimbursement of selected items and services which are provided to workers. Payment will be denied for selected items or services supplied without prior authorization. The supplier, not the worker, will be financially responsible for providing selected items or services to workers without prior authorization. In cases where a worker's doctor recommends rental or purchase of a contracted item from a supplier who lacks a contract agreement, prior authorization will be required.

The decision to grant or deny prior authorization for reimbursement of selected services or items will be based on the following criteria:

(a) The worker is eligible for coverage.

(b) The service or item prescribed is appropriate and medically necessary for treatment of the worker's accepted industrial condition.

(4) The decision to rent or purchase an item will be made based on a comparison of the projected rental costs of the item with its purchase price. An authorized representative of the department or self-insurer will decide whether to rent or purchase certain items provided they are appropriate and medically necessary for treatment of the worker's accepted condition. Decisions to rent or purchase items will be based on the following information:

(a) Purchase price of the item.

(b) Monthly rental fee.

(c) The prescribing doctor's estimate of how long the item will be needed.

(5) The department will review the medical necessity, appropriateness, and quality of items and services provided to workers.

(6) The department's STATEMENT FOR MISCELLANEOUS SERVICES form or electronic transfer format specifications must be used for billing the department for miscellaneous services, equipment, supplies, appliances, and transportation. Bills must be itemized according to instructions in WAC 296-20-125 and the department or self-insurer's billing instructions. Bills for medical appliances and equipment must include the type of item, manufacturer name, model name and number, and serial number.

(7) All miscellaneous materials, supplies and services must be billed using the appropriate HCPCS Level II codes and billing modifiers. HCPCS codes are listed in the fee schedules.

**AMENDATORY SECTION** (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

**WAC 296-23-170 Nursing services ((and attendant care)).** Refer to WAC 296-20-132 and 296-20-135 for information regarding use of the conversion factors.

See WAC 296-20-091 for qualifications.

The codes and fees for home nursing services ((and attendant care)) are listed in the fee schedules.

**AMENDATORY SECTION** (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

**WAC 296-23-245 Licensed nursing billing instructions.** (1) Registered nurses may be required to obtain provider account numbers from the department as outlined by department policy.

(2) Advanced registered nurse practitioners must obtain provider account numbers from the department.

(3) Refer to WAC 296-20-132 and 296-20-135 for information regarding the conversion factors.

(4) Refer to the department's billing instructions for additional information.

(5) Services performed by advanced registered nurse practitioners must be billed using the appropriate procedure code number listed in the fee schedules preceded by a Type of Service Code "N." The rate of reimbursement for the services billed by advanced registered nurse practitioners will be ninety percent of the value listed in the fee schedules.

(6) Refer to ((chapter 296-20 WAC (home nursing care) and chapter 296-23 WAC (miscellaneous services))) **WAC 296-20-303** for rules regarding ((reimbursement for)) home attendant ((care)) services.

## WSR 01-18-043

### PERMANENT RULES

## STATE BOARD OF EDUCATION

[Filed August 29, 2001, 9:49 a.m.]

Date of Adoption: August 24, 2001.

Purpose: This amendment brings rules into agreement with the existing interstate contract and more closely align out-of-state certification requirements with recently adopted rules for instate certification candidates.

Citation of Existing Rules Affected by this Order: Amending WAC 180-77-120 and 180-79A-257.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 01-15-098 on July 18, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 28, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 01-13-108, filed 6/20/01, effective 7/21/01)

**WAC 180-79A-257 Out-of-state candidates.** Candidates for certification from other states who meet the general certificate requirements described in WAC 180-79A-150 (1) and (2) shall be eligible for Washington certificates as follows:

(1) Initial and residency certificates. The initial certificate (residency certificate for teachers after August 31, 2000,) shall be issued by the superintendent of public instruction to any candidate who meets one of the following:

(a) Qualifies under provisions of the interstate compact.

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79A-150(4).

(c) Provided, That if a candidate for administrator or educational staff associate certification does not meet the qualifications described in (a) or (b) of this subsection, an initial/residency certificate shall be issued to a candidate who holds an appropriate degree from a regionally accredited college or university and also holds or has held a certificate in the role, comparable to an initial/residency certificate, issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years.

(d) Provided further, That if a candidate for a teacher's certificate would qualify under (b) of this subsection, but for the fact that he or she has completed an approved teacher preparation program in a subject area that is not listed in chapter 180-82 WAC as a Washington endorsement, the can-

didate shall be issued a certificate that bears the out-of-state area of program preparation. It shall be noted on the certificate so issued that the subject area listed is not a Washington state endorsement.

(e) Holds an appropriate degree from a regionally accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(f) Holds a valid Nationally Certified School Psychologist (NCSP) certificate issued by the National School Psychology Certification Board (NSPCB) after December 31, 1991, and applies for an initial educational staff associated school psychologist certificate.

(2) Continuing certificate. The continuing certificate shall be issued to administrators and educational staff associates on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

(3) Professional certificate. After August 31, 2000, the professional certificate shall be issued to out-of-state candidates if the candidate meets the child abuse course work requirement as described in WAC 180-79A-206 (3)(b) and if one of the following conditions is met:

(a) The candidate has completed an advanced level certification procedure approved by the state board of education as equivalent to the approved program procedure required in Washington; or

(b) The candidate holds a valid teaching certificate issued by the National Board for Professional Teaching Standards; or

(c) A Washington state college or university with an approved professional certificate program verifies that the candidate has met all the requirements of that institution's approved program. The college/university shall evaluate the candidate's background to determine whether or not course work or certification activities are equivalent to that college/university's approved program.

**AMENDATORY SECTION** (Amending WSR 98-01-026, filed 12/8/97, effective 1/8/98)

**WAC 180-77-120 Out-of-state candidates.** Out-of-state applicants shall be eligible for Washington vocational certificates if they meet the standards in chapter 180-77 WAC or as follows: Provided, That candidates who apply for a vocational certificate who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete such course work or in-service program as a condition of the issuance of a vocational certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to a candi-

date who has two thousand hours of paid occupational experience and who meets one of the following:

(a) Qualifies under provisions of the interstate compact;

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state-approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79A-150(4)(;

~~(e) Holds an appropriate vocational certificate issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years and has completed the ten quarter hours of academic study as specified in WAC 180-77-041 (1)(e)).~~

(2) Continuing certificate. The continuing certificate shall be issued on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

## WSR 01-18-049

### PERMANENT RULES

#### BOARD OF

#### PILOTAGE COMMISSIONERS

[Filed August 30, 2001, 9:00 a.m.]

Date of Adoption: August 9, 2001.

Purpose: To establish a Grays Harbor pilotage district tariff that will supplement revenue as needed for supporting retirement plans for Washington state-licensed pilots.

Citation of Existing Rules Affected by this Order: Amending WAC 363-116-185.

Statutory Authority for Adoption: RCW 88.16.035.

Adopted under notice filed as WSR 01-14-086 on July 5, 2001.

Changes Other than Editing from Proposed to Adopted Version: The adopted rule does not include an increase in the current tariff by the proposed .64%. Instead, it includes a new tariff category called "Pension Charge" which provides for a \$101.00 charge per pilotage assignment, including cancellations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
August 29, 2001  
Peggy Larson  
Administrator

Additional surcharge for each bridge  
transited for vessels in excess of 27.5  
meters in beam . . . . . \$785.22

Miscellaneous:

The balance of amounts due for pilotage rates not paid  
within 30 days of invoice will be assessed at 1 1/2% per  
month late charge.

AMENDATORY SECTION (Amending WSR 01-13-066,  
filed 6/18/01, effective 6/18/01)

**WAC 363-116-185 Tariffs, and pilotage rates for the  
Grays Harbor pilotage district.** Effective (~~immediately  
upon filing~~) through 2400 hours July 31, 2002.

**CLASSIFICATION OF PILOTAGE SERVICE RATE**

**WSR 01-18-050  
PERMANENT RULES  
BOARD OF  
PILOTAGE COMMISSIONERS**

[Filed August 30, 2001, 9:01 a.m.]

Piloting of vessels in the inland waters and tributaries of  
Grays Harbor:

Each vessel shall be charged according to its draft  
and tonnage. The draft charges shall be \$80.99 per  
meter (or \$24.64 per foot) and the tonnage charge  
shall be \$0.2583 per net registered ton. The mini-  
mum net registered tonnage charge is \$903.79. The  
charge for an extra vessel (in case of tow) is  
\$516.48.

Date of Adoption: August 9, 2001.

Purpose: To establish a Puget Sound pilotage district  
tariff that will supplement revenue as needed for supporting  
retirement plans for Washington state-licensed pilots.

Citation of Existing Rules Affected by this Order:  
Amending WAC 363-116-300.

Statutory Authority for Adoption: RCW 88.16.035.

Adopted under notice filed as WSR 01-14-088 on July 5,  
2001.

Changes Other than Editing from Proposed to Adopted  
Version: The adopted rule does not include an increase in the  
current tariff by the proposed .64%. Instead, it reflects an  
\$8.00 across-the-board increase to the LOA rate schedule  
only.

Number of Sections Adopted in Order to Comply with  
Federal Statute: New 0, Amended 0, Repealed 0; Federal  
Rules or Standards: New 0, Amended 0, Repealed 0; or  
Recently Enacted State Statutes: New 0, Amended 0,  
Repealed 0.

Number of Sections Adopted at Request of a Nongov-  
ernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Ini-  
tiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify,  
Streamline, or Reform Agency Procedures: New 0,  
Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule  
Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-  
ing: New 0, Amended 0, Repealed 0; or Other Alternative  
Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 29, 2001  
Peggy Larson  
Administrator

AMENDATORY SECTION (Amending WSR 01-12-032,  
filed 5/29/01, effective 7/1/01)

**WAC 363-116-300 Pilotage rates for the Puget Sound  
pilotage district.** Effective (~~(0001 hours July 1, 2001,)~~)  
through 2400 hours June 30, 2002.

Boarding fee:

Per each boarding/deboarding from a  
boat . . . . . \$389.67

Harbor shifts:

For each shift from dock to dock, dock to  
anchorage, anchorage to dock, or anchor-  
age to anchorage . . . . . \$647.88

Delays per hour . . . . . \$154.49

Cancellation charge (pilot only) . . . . . \$258.22

Cancellation charge (pilot boat  
only) . . . . . \$774.69

Pension charge:

Charge per pilotage assignment, includ-  
ing cancellations . . . . . \$101.00

Travel allowance:

Transportation fee per assignment . . . . \$55.00

Pilot when traveling to an outlying port to  
join a vessel or returning through an out-  
lying port from a vessel which has been  
piloted to sea shall be paid \$903.82 for  
each day or fraction thereof, and the  
travel expense  
incurred . . . . . \$903.82

Bridge transit:

Charge for each bridge transited . . . . \$283.61

PERMANENT

CLASSIFICATION	RATE		
Ship length overall (LOA)		Trial trips, over 6 hours (two pilots)	\$241.00 per hr.
Charges:	per LOA rate schedule in this section	Shilshole Bay – Salmon Bay	\$151.00
		Salmon Bay – Lake Union	\$118.00
Boarding fee:	\$36.00	Lake Union – Lake Washington (plus LOA zone from Webster Point)	\$151.00
Per each boarding/deboarding at the Port Angeles pilot station.		Cancellation charge	LOA Zone I
Harbor shift - Live ship (Seattle Port)	LOA Zone I	Cancellation charge—Port Angeles (when a pilot is ordered and vessel proceeds to a port outside the Puget Sound pilotage district without stopping for pilot or when a pilot order is cancelled less than twelve hours prior to the original ETA.)	LOA Zone II
Harbor shift - Live ship (other than Seattle Port)	LOA Zone I	Docking delay after anchoring:	\$121.00 per hr.
Harbor shift Dead ship	Double LOA Zone I	Applicable harbor shift rate to apply, plus \$121.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$121.00 for every hour or fraction thereof.	
Dead ship towing charge:	Double LOA Zone	Sailing delay:	\$121.00 per hour
LOA of tug+ LOA of tow+ beam of tow		No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$121.00 for every hour or fraction thereof. The assessment of the standby fee shall not exceed a period of twelve hours in any twenty-four hour period.	
Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.		Slowdown:	\$121.00 per hour
Waterway and bridge charges:		When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of \$121.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.	
Ships up to 90' beam:		Tonnage charges:	
A charge of \$191.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street in Seattle, south of Eleventh Street in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of \$91.00 per bridge.		0 to 20,000 gross tons:	
Ships 90' beam and/or over:		Additional charge to LOA zone mileage of \$0.0061 a gross ton for all gross tonnage up to 20,000 gross tons.	
A charge of \$258.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street in Seattle and south of Eleventh Street in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of \$181.00 per bridge.		20,000 to 50,000 gross tons:	
(The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)		Additional charge to LOA zone mileage of \$0.0624 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.	
Two or three pilots required:		50,000 gross tons and up:	
In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.		In excess of 50,000 gross tons, the charge shall be \$0.0747 per gross ton.	
Compass adjustment	\$257.00	For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.	
Radio direction finder calibration	\$257.00		
Launching vessels	\$387.00		
Trial trips, 6 hours or less (Minimum \$726.00)	\$121.00 per hr.		

PERMANENT

Delayed arrival-Port Angeles: \$121.00 per hour

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of \$121.00 for each hour delay, or fraction thereof, shall be assessed in addition to all other appropriate charges.

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the ETA is delayed to six hours or more beyond the original ETA, a cancellation charge shall be assessed, in addition to all other appropriate charges, if the ETA was not amended at least twelve hours prior to the original ETA.

Transportation to vessels on Puget Sound:

March Point or Anacortes	\$ 144.00
Bangor	84.00
Bellingham	158.00
Bremerton	44.00
Cherry Point	175.00
Dupont	85.00
Edmonds	27.00
Everett	52.00
Ferndale	173.00
Manchester	66.00
Mukilteo	52.00
Olympia	108.00
Point Wells	27.00
Port Gamble	77.00
Port Townsend (Indian Island)	109.00
Seattle	15.00
Semiahmoo (Blaine)	196.00
Tacoma	56.00
Tacoma Smelter	66.00
Winslow	42.00

Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.

LOA rate schedule

The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.

(LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra-Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
Up to 449	181	283	490	735	992	1289
450-459	187	289	493	746	1008	1295
460-469	190	293	501	758	1022	1301
470-479	197	301	508	773	1025	1304
480-489	202	307	510	788	1031	1310
490-499	205	311	517	802	1044	1315
500-509	216	316	525	812	1051	1324
510-519	218	322	530	824	1063	1328
520-529	221	333	538	828	1072	1341
530-539	228	338	545	837	1089	1355
540-549	231	343	557	846	1107	1367
550-559	236	355	561	859	1115	1381
560-569	245	369	571	866	1126	1394
570-579	250	373	575	870	1138	1403
580-589	261	380	588	877	1145	1417
590-599	274	387	592	881	1161	1434
600-609	283	398	599	884	1175	1441
610-619	300	403	611	889	1187	1453
620-629	312	408	617	899	1201	1471
630-639	327	415	624	901	1211	1483
640-649	340	426	631	904	1222	1495
650-659	365	433	641	911	1237	1511
660-669	372	437	647	915	1249	1522
670-679	385	449	654	931	1264	1531
680-689	391	458	663	941	1276	1547
690-699	403	465	672	957	1289	1578
700-719	421	480	685	968	1314	1596
720-739	447	493	702	982	1341	1624
740-759	465	517	716	992	1367	1652
760-779	483	535	733	1008	1394	1675

- (a) Intraharbor transportation for the Port Angeles port area - transportation between Port Angeles pilot station and Port Angeles harbor docks - \$15.00.
- (b) Interport shifts: Transportation paid to and from both points.
- (c) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.
- (d) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.
- (e) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.80 per mile. Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

PERMANENT

(LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra-Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
780-799	508	558	746	1022	1417	1704
800-819	528	575	761	1027	1441	1730
820-839	545	595	779	1044	1471	1750
840-859	568	620	792	1055	1494	1780
860-879	590	641	808	1083	1522	1806
880-899	611	661	824	1109	1547	1832
900-919	629	681	838	1136	1578	1858
920-939	648	702	859	1161	1595	1883
940-959	672	721	871	1187	1624	1907
960-979	688	743	886	1211	1652	1935
980-999	712	761	902	1237	1675	1959
1000-1019	754	810	943	1302	1754	2044
1020-1039	776	834	972	1341	1807	2105
1040-1059	799	859	1001	1381	1860	2168
1060-1079	824	885	1030	1423	1917	2233
1080-1099	848	911	1062	1465	1974	2300
1100-1119	873	938	1093	1510	2033	2369
1120-1139	900	967	1127	1554	2094	2440
1140-1159	927	996	1169	1601	2157	2514
1160-1179	954	1025	1195	1649	2222	2589
1180-1199	984	1057	1231	1699	2289	2667
1200-1219	1013	1088	1268	1750	2357	2747
1220-1239	1044	1121	1306	1802	2428	2829
1240-1259	1075	1154	1345	1856	2501	2914
1260-1279	1107	1188	1385	1912	2576	3001
1280-1299	1140	1225	1427	1970	2653	3091
1300-1319	1174	1261	1469	2028	2733	3183
1320-1339	1210	1299	1514	2089	2815	3280
1340-1359	1246	1338	1559	2152	2899	3378
1360-1379	1284	1378	1606	2217	2986	3479
1380-1399	1322	1419	1655	2283	3075	3584
1400-1419	1362	1462	1703	2352	3167	3691
1420-1439	1402	1506	1755	2422	3263	3802
1440-1459	1445	1551	1808	2494	3361	3916
1460-1479	1487	1598	1861	2569	3461	4034
1480-1499	1532	1645	1918	2646	3565	4154
1500 & Over	1579	1695	1975	2727	3672	4279))

LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra-Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
Up to 449	189	291	498	743	1000	1297
450 - 459	195	297	501	754	1016	1303
460 - 469	198	301	509	766	1030	1309
470 - 479	205	309	516	781	1033	1312
480 - 489	210	315	518	796	1039	1318
490 - 499	213	319	525	810	1052	1323
500 - 509	224	324	533	820	1059	1332
510 - 519	226	330	538	832	1071	1336
520 - 529	229	341	546	836	1080	1349
530 - 539	236	346	553	845	1097	1363
540 - 549	239	351	565	854	1115	1375
550 - 559	244	363	569	867	1123	1389
560 - 569	253	377	579	874	1134	1402
570 - 579	258	381	583	878	1146	1411
580 - 589	269	388	596	885	1153	1425
590 - 599	282	395	600	889	1169	1442
600 - 609	291	406	607	892	1183	1449
610 - 619	308	411	619	897	1195	1461
620 - 629	320	416	625	907	1209	1479
630 - 639	335	423	632	909	1219	1491
640 - 649	348	434	639	912	1230	1503
650 - 659	373	441	649	919	1245	1519
660 - 669	380	445	655	923	1257	1530
670 - 679	393	457	662	939	1272	1539
680 - 689	399	466	671	949	1284	1555
690 - 699	411	473	680	965	1297	1586
700 - 719	429	488	693	976	1322	1604
720 - 739	455	501	710	990	1349	1632
740 - 759	473	525	724	1000	1375	1660
760 - 779	491	543	741	1016	1402	1683
780 - 799	516	566	754	1030	1425	1712
800 - 819	536	583	769	1035	1449	1738
820 - 839	553	603	787	1052	1479	1758
840 - 859	576	628	800	1063	1502	1788
860 - 879	598	649	816	1091	1530	1814
880 - 899	619	669	832	1117	1553	1840
900 - 919	637	689	846	1144	1586	1866
920 - 939	656	710	867	1169	1603	1891
940 - 959	680	729	879	1195	1632	1915
960 - 979	696	751	894	1219	1660	1943
980 - 999	720	769	910	1245	1683	1967
1000 - 1019	762	818	951	1310	1762	2052

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LOA	ZONE	ZONE	ZONE	ZONE	ZONE	ZONE
	I	II	III	IV	V	VI
	Intra Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
1020 - 1039	784	842	980	1349	1815	2113
1040 - 1059	807	867	1009	1389	1868	2176
1060 - 1079	832	893	1038	1431	1925	2241
1080 - 1099	856	919	1070	1473	1982	2308
1100 - 1119	881	946	1101	1518	2041	2377
1120 - 1139	908	975	1135	1562	2102	2448
1140 - 1159	935	1004	1168	1609	2165	2522
1160 - 1179	962	1033	1203	1657	2230	2597
1180 - 1199	992	1065	1239	1707	2297	2675
1200 - 1219	1021	1096	1276	1758	2365	2755
1220 - 1239	1052	1129	1314	1810	2436	2837
1240 - 1259	1083	1162	1353	1864	2509	2922
1260 - 1279	1115	1196	1393	1920	2584	3009
1280 - 1299	1148	1233	1435	1978	2661	3099
1300 - 1319	1182	1269	1477	2036	2741	3191
1320 - 1339	1218	1307	1522	2097	2823	3288
1340 - 1359	1254	1346	1567	2160	2907	3386
1360 - 1379	1292	1386	1614	2225	2994	3487
1380 - 1399	1330	1427	1663	2291	3083	3592
1400 - 1419	1370	1470	1711	2360	3175	3699
1420 - 1439	1410	1514	1763	2430	3271	3810
1440 - 1459	1453	1559	1816	2502	3369	3924
1460 - 1479	1495	1606	1869	2577	3469	4042
1480 - 1499	1540	1653	1926	2654	3573	4162
1500 & Over	1587	1703	1983	2735	3680	4287

**WSR 01-18-052**

**PERMANENT RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed August 30, 2001, 3:16 p.m.]

Date of Adoption: August 30, 2001.

Purpose: With the development of the customer assisted inspection program, an additional fee schedule category is needed which allows for a reduction in inspection fees. This is due to the fact that the industry is providing personnel to perform inspections with oversight provided by the Washington State Department of Agriculture, fruit and vegetable inspection program.

Citation of Existing Rules Affected by this Order: Chapter 16-400 WAC, Fruit and vegetable inspection fees.

Statutory Authority for Adoption: RCW 15.17.140.

Adopted under notice filed as WSR 01-15-086 on July 18, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 30, 2001

William E. Brookreson

Deputy Director

**NEW SECTION**

**WAC 16-400-045 Grade and condition certificates—Customer assisted inspection program (CAIP) certification charges—Fruits and vegetables.** Charges for grade and condition certificates for all fruits and vegetables issued under this section shall be:

(1) The minimum charge for grade and condition certificates for all fresh fruits and vegetables shall be nine dollars.

(2) Charges for grade and condition certificates for fresh market fruit and vegetables in containers - wrapped, place pack, face and fill, in bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins or in bags, per cwt. or fraction thereof:

(a) Federal-state grade certification shall be three-fourths of the cwt. rates specified in WAC 16-400-010 (2)(a) and 16-400-040 (2)(a), but not less than the hourly rate of thirty dollars.

(b) Should the cwt. rate charges total less than thirty dollars per staff hour worked, additional certification charges shall be assessed to equal thirty dollars per hour worked.

**WSR 01-18-054**

**PERMANENT RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Employment and Assistance Programs)

[Filed August 30, 2001, 3:52 p.m.]

Date of Adoption: August 29, 2001.

Purpose: These amendments will simplify the language and clarify the policy concerning food assistance allotments and how they are distributed. It will also delete information that is no longer valid, such as references to food coupon authorization cards, and add more information about elec-

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tronic benefits transfer (EBT) and electronic funds transfer (EFT).

Citation of Existing Rules Affected by this Order: Repealing WAC 388-412-0045; and amending WAC 388-412-0005, 388-412-0015, 388-412-0020, 388-412-0025, and 388-412-0040.

Statutory Authority for Adoption: RCW 74.04.510 and 74.08.090.

Adopted under notice filed as WSR 01-13-068 on June 18, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 29, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

**WAC 388-412-0005 General information about your cash (~~assistance payments~~) benefits.** (1) (~~Eligible clients may receive cash assistance by electronic benefit transfer (EBT) or warrant. Each separate assistance unit receives a separate cash benefit grant, even if there are multiple assistance units in the same residence~~) Each separate cash assistance unit (AU) gets a separate benefit amount. If several AUs live in the same house, each AU gets a separate benefit amount.

(2) (~~A married couple who both receive any general assistance benefit must be considered one assistance unit. However, cash payments are made individually and will not exceed one half of the two person GA-U standard~~) If you are married and both you and your spouse get general assistance, you and your spouse are one AU.

(3) (~~Grants are~~) Your grant is rounded down to the next whole dollar amount (~~with the following exceptions~~) unless:

(a) You get a clothing and personal incidental (CPI) allowance; (~~and~~) or

(b) (~~Grants with a deduction for repayment of~~) Your benefits are reduced to pay an overpayment.

(4) (~~Grant payments are not issued for under ten dollars except~~) We do not issue any cash benefits if you are eligible for less than ten dollars unless:

(a) (~~Grants with a deduction for repayment of an overpayment~~) You get a CPI allowance;

(b) (~~CPI allowances with income deducted~~) Your benefits are reduced to pay an overpayment; or

(c) You get Supplemental Social Security (SSI) interim assistance payments.

**AMENDATORY SECTION** (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

**WAC 388-412-0015 General information about your food assistance allotments.** (1) (~~A client's~~) Your monthly food assistance benefit (~~amount~~) is called an allotment. An allotment is the total dollar value of (~~coupons an~~) benefits your eligible assistance unit (~~receives~~) (AU) gets for a calendar month.

(2) (~~Assistance units with no income receive the maximum allotment as described under the thrifty food plan (TFP) in WAC 388-478-0060. Assistance units with net income receive smaller amounts:~~

(3) When an assistance unit has income, the allotment is determined by:

(a) Multiplying the assistance unit's net monthly income by thirty percent and rounding up to the next whole dollar; and

(b) Subtracting the results from the thrifty food plan for the appropriate assistance unit size as specified in WAC 388-478-0060.

(4) Except for those described in WAC 388-406-0055 eligible assistance units receive benefits from the effective date of eligibility to the end of the first month. This is called proration and is based on a thirty-day month.

(5) In the first month of eligibility, assistance units do not receive an allotment when the amount is less than ten dollars.

(6) Eligible one and two person assistance units receive a minimum ten dollar allotment:

(a) After the first month of eligibility; or

(b) In the first month of eligibility when the CSO receives the assistance unit's application on the first day of the month) You get the maximum allotment if your AU does not have any countable net income. See WAC 388-478-0060 for the maximum allotments.

(3) If your AU has countable net income, your allotment is computed by:

(a) Multiplying your AU's countable net monthly income by thirty percent;

(b) Rounding this amount up to the next whole dollar; and

(c) Subtracting the results from the maximum allotment.

(4) You get benefits from the date your AU is determined eligible through the end of the month except for AUs described in WAC 388-406-0055. This is called proration and is based on a thirty-day month.

(5) You get benefits for both the month of application and the following month in one allotment if you are eligible for both months and you applied on or after the sixteenth of the month.

(6) You do not get an allotment in the first month you are eligible if your allotment is less than ten dollars.

(7) You get a minimum allotment of ten dollars each month if your AU has a total of one or two members unless:

- (a) It is the first month of your certification period; and
- (b) Your AU is eligible for only a partial month.

AMENDATORY SECTION (Amending WSR 99-02-039, filed 12/31/98, effective 1/31/99)

**WAC 388-412-0020** ~~((How cash assistance))~~ **When do I get my benefits ((are delivered.))?** ~~((Depending on the circumstances of the assistance unit, the department decides when cash assistance benefits are:~~

(1) Mailed by warrant to the address where clients live except when:

(a) The department redirects the benefit issuance to the local office;

(b) The department has established there are problems with receiving mail at the client's address;

(c) A client requests in writing that the benefit issuance be mailed to the local office, such as a homeless client without an address; or

(d) A client requests that the benefit issuance be sent to a temporary address for less than ninety days.

(2) Deposited directly into an electronic benefit transfer account))

(1) You get your on-going cash benefits on the first of the month.

(2) You get your on-going food assistance within the first ten days of the month. The day of the month that you get your benefits is the same as the last number of your food assistance AU number. If the last number of your AU number is zero, you get your benefits on the tenth.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-412-0025** ~~((Issuing food assistance))~~ **How do I get my benefits((?))?** ~~((An eligible assistance unit is issued benefits by means of:~~

(a) A food coupon authorization (FCA) card that must be redeemed for food coupons;

(b) Food coupons mailed directly to the client; or

(c) Electronic benefit transfers (EBT).

(2) Clients are issued food assistance benefits during the first ten days of the month.

(3) A client must redeem an FCA for coupons during the period that is specified on the FCA card.

(4) Eligible clients applying on or after the 16th of the month are issued one allotment called a combined issuance that includes benefits for:

(a) The month of application; and

(b) The following month)) Your cash benefits are sent to you by:

(a) Electronic benefit transfer (EBT);

(b) Direct deposit into you own bank account (electronic funds transfer-EFT); or

(c) Warrant if you have a payee who is not approved for direct deposit or you receive ADATSA, diversion, additional requirements or clothing and personal incidentals (CPI) payments.

(2) You use a quest card to access your benefits in your EBT account. You get a personal identification number (PIN) that you must enter when using this card.

(3) Your food assistance benefits are deposited into your EBT account.

(4) We establish an EBT account for each AU that receives their benefits by EBT.

(5) Your EBT account becomes inactive when you do not use it for ninety days. If you want to use the account after it becomes inactive, you must contact your local office and ask us to reactivate it.

(6) Your cash and food assistance are canceled when you do not use your EBT benefits for three hundred sixty-five days. Your food assistance benefits cannot be replaced.

(7) We convert your food assistance to coupons when you move to a state where you cannot use your EBT account. There may be up to one dollar and ninety-nine cents left in your EBT account after conversion. You must use the remaining balance left in your EBT account within seven days after we convert your benefits from EBT to coupons. We cancel these benefits if you do not use them.

(8) Cash benefits cannot be converted to warrants. You must use your cash benefits from your EBT account.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-412-0040** ~~((Replacing lost, stolen, or destroyed food assistance allotments.))~~ **Can I get my benefits replaced?** ~~((1) A client may receive a replacement for a one month food assistance allotment when:~~

(a) An FCA or food coupons are lost or stolen from the mail;

(b) An FCA is stolen after receipt; or

(c) An FCA card, coupons or food purchased with coupons are destroyed in a disaster.

(2) To get a replacement, a client must:

(a) Report the theft or destruction within ten days of the incident; or

(b) Report nonreceipt of the benefits within the period that benefits are intended to be used; and

(c) Sign a department affidavit within ten days of the report attesting to the loss.

(3) A client's request for a replacement is denied when:

(a) Certified mail coupons are signed for by any person residing or visiting at the address provided by the client;

(b) Coupons or an FCA card are lost or misplaced after receipt;

(c) Coupons are stolen after receipt;

(d) A client already received two replacements described in subsection (1) above within the previous five months; or

(e) The request is determined to be fraudulent.

(4) A client cannot receive a disaster food stamp program allotment and a replacement allotment for the same period.

(5) A replacement as specified in subsection (1) will not count against an assistance unit when:

(a) An allotment is returned to the department;

(b) The original or replacement FCA is not cashed;

~~(c) The replacement is issued because of a department error;~~

~~(d) A partial coupon delivery is caused by a department error; or~~

~~(e) The coupons delivered are improperly made or are mutilated. There must be at least three-fifths of the each coupon to turn in for an exchange)) Under certain conditions, we may replace your benefits.~~

(1) You may get your EBT benefits replaced if:

(a) We make a mistake that causes you to lose benefits;

(b) Both your EBT card and personal identification number (PIN) are stolen from the mail; you never had the ability to use the benefits; and you lost benefits;

(c) You left a drug or alcohol treatment on or before the fifteenth of the month and the facility does not have enough food assistance funds in their EBT account for one-half of the allotment that they owe you;

(d) Your EBT benefits that were recently deposited into an inactive EBT account were canceled by mistake along with your state benefits; or

(e) Your food that was purchased with food assistance benefits was destroyed in a disaster.

(2) You may get food coupons replaced if:

(a) You did not get your food coupons as they were either lost or stolen in the mail; or

(b) Your food coupons or food purchased with food coupons were destroyed in a disaster.

(3) If you want a replacement, you must:

(a) Report the loss to your local office within ten days from the date of the loss; and

(b) Sign a department affidavit form stating you had a loss of benefits.

(4) For food assistance, we replace the loss up to a one month benefit amount.

(5) Your request for a replacement is denied if the reason for the loss is not listed in subsection (1) and (2) above or:

(a) We decided that your request is fraudulent;

(b) Your certified mail coupons are signed for by any person living or visiting at your address;

(c) Your food coupons were lost, stolen or misplaced after you received them;

(d) You already got two countable food assistance replacements within the prior five months; or

(e) You got disaster food stamp benefits for the same month you requested a replacement for food assistance.

(6) Your replacement does not count if:

(a) Your benefits are returned to us;

(b) We replaced your benefits because we made an error;

or

(c) The food coupons you got are improperly made or are mutilated. You must have at least three-fifths of each coupon in order for us to replace them.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-412-0045

General information about cash and food assistance

issued by electronic benefits transfer.

**WSR 01-18-055**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 30, 2001, 3:54 p.m.]

Date of Adoption: August 29, 2001.

Purpose: To adopt the new spousal resource maximum for long-term care and waived services programs and the new community spouse maintenance allocation for long-term care and waived services programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-513-1350 and 388-513-1380.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500.

Other Authority: Section 1924 (42 U.S.C. 1396R-5).

Adopted under notice filed as WSR 01-13-087 on June 19, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 2, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 29, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-01-051, filed 12/8/99, effective 1/8/00)

**WAC 388-513-1350 Defining the ((resource standard)) maximum amount of resources allowed and determining ((available)) resources availability for long-term care (LTC) services.** This section describes how the department defines the resource standard and available resources when determining a client's eligibility for LTC services. The department uses the term "resource standard" to describe the maximum amount of resources a client can have and still be resource eligible for program benefits.

(1) The resource standard used to determine eligibility for LTC services equals:

(a) Two thousand dollars for a single client; or

(b) Three thousand dollars for a legally married couple, unless subsection (2) applies.

(2) If the department has already established eligibility for one spouse, then it applies the standard described in subsection (1)(a) to each spouse, unless doing so would make one of the spouses ineligible.

(3) The department ~~((must apply))~~ applies the following rules when determining available resources for LTC services:

(a) WAC 388-470-0005, Resource eligibility and limits;

(b) WAC 388-470-0010, How to determine who owns a resource;

(c) WAC 388-470-0015, Availability of resources;

(d) WAC 388-470-0060(6), Resources of an alien's sponsor; and

(e) WAC 388-506-0620, SSI-related medical clients.

(4) For LTC services the department determines a client's nonexcluded resources ((used to establish eligibility for LTC services in the following way)) as follows:

(a) For an SSI-related client, the department reduces available resources by excluding resources described in WAC 388-513-1360;

(b) For an SSI-related client who has a community spouse, the department:

(i) Excludes resources described in WAC 388-513-1360; and

(ii) Adds together the available resources of both spouses according to subsection (5)(a) or (b) as appropriate;

(c) For a client not described in subsection (4)(a) or (b), the department applies the resource rules of the program used to relate the client to medical eligibility.

(5) ~~((A change in federal law that took effect on October 1, 1989 affects the way))~~ The department determines available resources of a legally married client, when both spouses are institutionalized, by following WAC 388-506-0620 (5) and (6). For legally married clients when only one spouse meets institutional status, the following rules apply. If the client's current period of institutional status began:

(a) Before October 1, 1989, the department adds together one-half the total amount of nonexcluded resources held in the name of:

(i) The institutionalized spouse; or

(ii) Both spouses.

(b) On or after ((that date)) October 1, 1989, the department adds together the total amount of nonexcluded resources held in the name of:

(i) Either spouse; or

(ii) Both spouses.

~~((b) Before that date, the department adds together one-half the total amount of nonexcluded resources held in the name of:~~

~~(i) The institutionalized spouse; or~~

~~(ii) Both spouses;))~~

(6) If subsection (5)~~((a))~~(b) applies, the department allocates the maximum amount of resources ordinarily allowed by law to the community spouse before determining nonexcluded resources used to establish eligibility for the institutionalized spouse. The maximum allocation amount is ~~((eighty four thousand, one hundred and twenty))~~ eighty-seven thousand dollars effective January 1, ~~((2000))~~ 2001.

(7) The amount of allocated resources described in subsection (6) can be increased, only if:

(a) A court transfers additional resources to the community spouse; or

(b) An administrative law judge establishes in a fair hearing described in chapter ~~((388-08))~~ 388-02 WAC or by consent order, that the amount is inadequate to provide a minimum monthly maintenance needs amount for the community spouse.

(8) The department considers resources of the community spouse unavailable to the institutionalized spouse the month after eligibility for LTC services is established, unless subsection~~((s))~~ (9)(a), (b), or (c) ~~((apply))~~ applies.

(9) A redetermination of the ~~((couples'))~~ couple's resources as described in subsections (4)(b) or (c) is required, if:

(a) The institutionalized spouse has a break of at least thirty consecutive days in a period of institutional status;

(b) The institutionalized spouse's nonexcluded resources exceed the standard described in subsection (1)(a), if subsection (5)~~((a))~~(b) applies; or

(c) The institutionalized spouse does not transfer the amount described in subsections (6) or (7) to the community spouse or to another person for the sole benefit of the community spouse as described in WAC 388-513-1365(4) by either:

(i) The first regularly scheduled eligibility review; or

(ii) The reasonable amount of additional time necessary to obtain a court order for the support of the community spouse.

AMENDATORY SECTION (Amending WSR 00-17-058, filed 8/9/00, effective 9/9/00)

**WAC 388-513-1380 Determining a client's participation in the cost of care for long-term care (LTC) services.** This ~~((section))~~ rule describes how the department allocates income and excess resources when determining participation in the cost of care (in the post-eligibility process). The department applies rules described in WAC 388-513-1315 to define ~~((what))~~ which income and resources must be used in this process.

(1) For a client receiving institutional or hospice services in a medical facility, the department applies all subsections of this rule.

(2) For a client receiving waived services at home or in an alternate living facility, the department applies only those subsections of this rule that are cited in the rules for those programs.

(3) For a client receiving hospice services at home, the department applies rules used for the community options program entry system (COPES).

(4) ~~((The department allocates))~~ Excess resources are reduced in an amount equal to incurred medical expenses (for definition see WAC 388-519-0110(10)) that are not subject to third-party payment and for which the client is liable, including:

(a) Health insurance and Medicare premiums, deductions, and co-insurance charges; ~~((and))~~

(b) Necessary medical care recognized under state law, but not covered under the state's Medicaid plan(~~(5))~~); and

(c) The amount of excess resources (~~described in subsection (4))~~) is limited to the following amounts:

~~((a))~~ (i) For LTC services provided under the categorically needy (CN) program, the amount described in WAC 388-513-1315(3); or

~~((b))~~ (ii) For LTC services provided under the medically needy (MN) program, the amount described in WAC 388-513-1395 (2)(a) or (b).

~~((6))~~ (5) The department allocates nonexcluded income up to a total of the medically needy income level (MNIL) in the following order:

(a) A personal needs allowance (PNA) of:

(i) One hundred sixty dollars for a client living in a state veterans' home;

(ii) Ninety dollars for a veteran or a veteran's surviving spouse, who receives ~~((a))~~ a VA improved pension and does not live in a state veterans' home; or

(iii) Forty-one dollars and sixty-two cents for all other clients in a medical facility.

(b) Federal, state, or local income taxes (~~(c)~~)

~~(i) Mandatorily withheld from earned or unearned income for income tax purposes before receipt by the client; or~~

~~(ii) Not covered by withholding, but are owed, become an obligation, or have been paid by the client))~~ incurred during the time period covered by the PNA, whether paid or unpaid.

(c) Wages for a client who:

(i) Is related to the supplemental security income (SSI) program as described in WAC 388-503-0510(1); and

(ii) Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the client for a less restrictive placement. When determining this deduction employment expenses are not deducted.

(d) Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.

~~((7))~~ (6) The department allocates nonexcluded income after deducting amounts described in subsection ~~((6))~~ (5) in the following order:

(a) Income garnished for child support:

(i) For the time period covered by the PNA; and

(ii) Not deducted under another provision in the post-eligibility process.

(b) A monthly maintenance needs allowance for the community spouse not to exceed, effective January 1, ~~((2000))~~ 2001, two thousand one hundred ~~((three))~~ seventy-five dollars, unless a greater amount is allocated as described in subsection ~~((9))~~ (8) of this section. The monthly maintenance needs allowance:

(i) Consists of a combined total of both:

(A) An amount added to the community spouse's gross income to provide a total of one thousand four hundred ~~((seven))~~ fifty-two dollars; and

(B) Excess shelter expenses as specified under subsection ~~((8))~~ (7) of this section; and

(ii) Is allowed only to the extent the client's income is made available to the community spouse.

(c) A monthly maintenance needs amount for each minor or dependent child, dependent parent or dependent sibling of the community or institutionalized spouse who:

(i) Resides with the community spouse, equal to one-third of the amount that one thousand four hundred ~~((seven))~~ fifty-two dollars exceeds the dependent family member's income.

(ii) Does not reside with the community spouse, equal to the MNIL for the number of dependent family members in the home less the income of the dependent family members.

(iii) Child support received from ~~((an absent))~~ noncustodial parent is the child's income.

(d) Incurred medical expenses described in subsections (4)(a) and (b) not used to reduce excess resources.

(e) Maintenance of the home of a single client or institutionalized couple:

(i) Up to one hundred percent of the one-person federal poverty level per month;

(ii) Limited to a six-month period;

(iii) When a physician has certified that the client is likely to return to the home within the six-month period; and

(iv) When social services staff documents initial need for the income exemption and reviews the client's circumstances after ninety days.

~~((8))~~ (7) For the purposes of this section, "excess shelter expenses" ~~((equal))~~ means the actual expenses under subsection ~~((8)(b))~~ (7)(b) less the standard shelter allocation under subsection ~~((8)(a))~~ (7)(a). For the purposes of this rule:

(a) The standard shelter allocation is four hundred ~~((twenty-two))~~ thirty-six dollars, effective April 1, ~~((2000))~~ 2001; and

(b) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:

(i) Rent;

(ii) Mortgage;

(iii) Taxes and insurance;

(iv) Any maintenance care for a condominium or cooperative; and

(v) The food stamp standard utility allowance, provided the utilities are not included in the maintenance charges for a condominium or cooperative.

~~((9))~~ (8) The amount allocated to the community spouse may be greater than the amount in subsection ~~((7)(b))~~ (6)(b) only when:

(a) A court enters an order against the client for the support of the community spouse; or

(b) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

~~((10))~~ (9) A client who ~~((continues to receive SSI in))~~ is admitted to a medical facility ((does not participate)) for ninety days or less and continues to receive full SSI benefits is not required to use the SSI income in the cost of care for medical services. Income allocations are allowed as described in this section from non-SSI income.

**WSR 01-18-056**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 30, 2001, 3:56 p.m.]

Date of Adoption: August 29, 2001.

Purpose: These amendments change income standards to reflect the new federal poverty level (FPL). These changes will increase the number of people eligible for the medical programs based on the FPL, pregnant women, children and those eligible for Medicare cost sharing programs. Other changes are to correct and clarify the language in WAC 388-478-0065.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0065, 388-478-0075, and 388-478-0085.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.530, and the poverty guidelines updated annually in the Federal Register by the United States Department of Health and Human Services under authority of Section 673(2) of the Omnibus Budget Reconciliation Act (42 U.S.C. 9902(2)).

Adopted under notice filed as WSR 01-14-079 on July 3, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 2, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 29, 2001

Brian H. Lindgren, Manager  
 Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-478-0065** (~~TANF/SFA-related~~) **Categorically needy income level (CNIL) and resource standards for families.** (1) The categorically needy income level (CNIL) standard for (~~TANF-related~~) family medical is the same as the grant payment standards for the TANF cash program as stated in WAC 388-478-0020.

(2) The countable resource standards for (~~TANF/SFA-related categorically needy (CN)~~) family medical are the same as those of the TANF/SFA cash program as stated in WAC 388-470-0005.

(3) For all medical programs an unborn child is counted as a household member when determining household size.

**AMENDATORY SECTION** (Amending WSR 00-17-085, filed 8/14/00, effective 9/14/00)

**WAC 388-478-0075 Medical programs—Monthly income standards based on the federal poverty level (FPL).** (1) The department bases the income standard upon the Federal Poverty Level (FPL) for the following medical programs:

(a) Children's health program up to one hundred percent of FPL;

(b) Pregnant women's program up to one hundred eighty-five percent of FPL;

(c) Children's categorically needy program up to two hundred percent of FPL; and

(d) The children's health insurance program (CHIP) is over two hundred percent of FPL but under two hundred fifty percent of FPL.

(2) Beginning April 1, (~~2000~~) 2001, the monthly FPL standards are:

FAMILY SIZE	100% FPL	185% FPL	200% FPL	250% FPL
1	\$((-696)) <u>716</u>	\$((-1288)) <u>1325</u>	\$((-1392)) <u>1432</u>	\$((-1740)) <u>1790</u>
2	\$((-938)) <u>968</u>	\$((-1735)) <u>1790</u>	\$((-1875)) <u>1935</u>	\$((-2344)) <u>2419</u>
3	\$((-1180)) <u>1220</u>	\$((-2182)) <u>2256</u>	\$((-2359)) <u>2439</u>	\$((-2948)) <u>3048</u>
4	\$((-1421)) <u>1471</u>	\$((-2629)) <u>2722</u>	\$((-2842)) <u>2942</u>	\$((-3553)) <u>3678</u>
5	\$((-1663)) <u>1723</u>	\$((-3076)) <u>3187</u>	\$((-3325)) <u>3445</u>	\$((-4157)) <u>4307</u>
6	\$((-1905)) <u>1975</u>	\$((-3523)) <u>3653</u>	\$((-3809)) <u>3949</u>	\$((-4764)) <u>4936</u>
7	\$((-2146)) <u>2226</u>	\$((-3970)) <u>4118</u>	\$((-4292)) <u>4452</u>	\$((-5365)) <u>5565</u>
8	\$((-2388)) <u>2478</u>	\$((-4417)) <u>4584</u>	\$((-4775)) <u>4955</u>	\$((-5969)) <u>6194</u>
9	\$((-2630)) <u>2730</u>	\$((-4864)) <u>5094</u>	\$((-5259)) <u>5459</u>	\$((-6573)) <u>6823</u>
10	\$((-2871)) <u>2981</u>	\$((-5312)) <u>5515</u>	\$((-5742)) <u>5962</u>	\$((-7178)) <u>7453</u>
Add to the ten person standard for each person over ten:				
	\$((-242)) <u>252</u>	\$((-448)) <u>466</u>	\$((-484)) <u>504</u>	\$((-605)) <u>630</u>

(3) There are no resource limits for the programs under this section.

**AMENDATORY SECTION** (Amending WSR 00-17-085, filed 8/14/00, effective 9/14/00)

**WAC 388-478-0085 Medicare cost sharing programs—Monthly income and countable resources standards.** (1) The qualified Medicare beneficiary (QMB) program income standard is up to one hundred percent of the Federal Poverty Level (FPL). Beginning April 1, (~~2000~~) 2001, the QMB program's income standards are:

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- (a) One person \$ ~~((696))~~ 716
- (b) Two persons \$ ~~((938))~~ 968

(2) The special low-income Medicare beneficiary (SLMB) program income standard is over one hundred percent of FPL, but under one hundred twenty percent of FPL. Beginning April 1, ~~((2000))~~ 2001, the SLMB program's income standards are:

	<b>Minimum</b>	<b>Maximum</b>
(a) One person	\$ <del>((696.01))</del> <u>716.01</u>	\$ <del>((835))</del> <u>859</u>
(b) Two persons	\$ <del>((938.01))</del> <u>968.01</u>	\$ <del>((1125))</del> <u>1161</u>

(3) The expanded special low-income Medicare beneficiary (ESLMB) program income standard is over one hundred twenty percent of FPL, but under one hundred thirty-five percent of FPL. Beginning April 1, ~~((2000))~~ 2001, the ESLMB program's income standards are:

	<b>Minimum</b>	<b>Maximum</b>
(a) One person	\$ <del>((835.01))</del> <u>859.01</u>	\$ <del>((940))</del> <u>967</u>
(b) Two persons	\$ <del>((1125.01))</del> <u>1161.01</u>	\$ <del>((1266))</del> <u>1307</u>

(4) The qualified disabled working individual (QDWI) program income standard is up to two hundred percent of FPL. Beginning April 1, ~~((2000))~~ 2001, the QDWI program's income standards are:

- (a) One person \$ ~~((1392))~~ 1432
- (b) Two persons \$ ~~((1875))~~ 1935

(5) The qualified individual (QI) program income standard is over one hundred thirty-five percent of FPL, but under one hundred seventy-five percent of FPL. Beginning April 1, ~~((2000))~~ 2001, the QI program's income standards are:

	<b>Minimum</b>	<b>Maximum</b>
(a) One person	\$ <del>((940.01))</del> <u>967.01</u>	\$ <del>((1218))</del> <u>1253</u>
(b) Two persons	\$ <del>((1266.01))</del> <u>1307.01</u>	\$ <del>((1641))</del> <u>1694</u>

(6) The resource standard for the Medicare cost sharing programs in this section is:

- (a) One person \$ 4000
- (b) Two persons \$ 6000

**WSR 01-18-085**

**PERMANENT RULES**

**DEPARTMENT OF HEALTH**

(Medical Quality Assurance Commission)

[Filed September 5, 2001, 10:04 a.m.]

Date of Adoption: July 11, 2001.

Purpose: WAC 246-918-005 Definitions, 246-918-007 Application withdrawals, 249-918-050 Physician assistant qualifications effective July 1, 1999, and 246-918-080 Physician assistant—Licensure. These rules detail the qualifications required by statute for obtaining a license to practice as a physician assistant. During the 1999 legislative session chapter 127, Laws of 1999, the legislature determined the requirements for physician assistant licensure should be consistent with the national standard. The proposal updates the rules to reflect the statutory changes and also general house-keeping for clear and concise language.

Citation of Existing Rules Affected by this Order: Amending WAC 246-918-005, 246-918-007, 246-918-050, and 246-918-080.

Statutory Authority for Adoption: RCW 18.71.017 and 18.71.050.

Other Authority: Chapter 18.71 RCW.

Adopted under notice filed as WSR 01-12-095 on June 6, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 4, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 4, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 2, 2001

Maryella E. Jansen

Acting Executive Director

**AMENDATORY SECTION** (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

**WAC 246-918-005 Definitions.** The following terms used in this chapter shall have the meanings set forth in this section unless the context clearly indicates otherwise:

(1) "Certified physician assistant" means an individual who has successfully completed an ~~((American Medical Association))~~ accredited and commission approved physician assistant program and has passed the initial national boards examination administered by the National Commission on Certification of Physician Assistants (NCCPA).

(2) "Physician assistant" means an individual who ~~((has))~~ either:

(a) Successfully completed an ~~((American Medical Association))~~ accredited and commission approved physician assistant program ~~((and)),~~ is eligible for the NCCPA examination and was licensed in Washington state prior to July 1, 1999;

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(b) Qualified based on work experience and education and was licensed prior to July 1, 1989; ~~((or))~~

(c) Graduated from an international medical school and was licensed prior to July 1, 1989; or

(d) Holds an interim permit issued pursuant to RCW 18.71A.020(1).

(3) "Physician assistant-surgical assistant" means an individual who was licensed as a physician assistant between September 30, 1989, and December 31, 1989, to function in a limited extent as authorized in WAC 246-918-230.

(4) "Licensee" means an individual ~~((licensed))~~ credentialed as a certified physician assistant, physician assistant, or physician assistant-surgical assistant.

(5) "Commission approved program" means a physician assistant program ~~((that maintains Committee on Allied Health Education and Accreditation standards as defined in the "essentials" of the council of medical education of the American Medical Association))~~ accredited by the Committee on Allied Health Education and Accreditation (CAHEA); the Commission on Accreditation of Allied Health Education Programs (CAAHEP); the Accreditation Review Committee on Education for the Physician Assistant (ARC-PA); or any successive accrediting organizations.

(6) "Sponsoring physician" means the physician who is responsible for consulting with a certified physician assistant. An appropriate degree of supervision is involved.

(7) "Supervising physician" means the physician who is responsible for closely supervising, consulting, and reviewing the work of a physician assistant.

AMENDATORY SECTION (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

**WAC 246-918-007 Application withdrawals.** An application for a license or interim permit may not be withdrawn ~~((after the commission or the reviewing commission member determines that grounds for denial of the license or the issuance of a conditional license may be appropriate. Applications which are subject to investigation for unprofessional conduct or impaired practice may not be withdrawn))~~ if grounds for denial exist.

AMENDATORY SECTION (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

**WAC 246-918-050 Physician assistant qualifications effective ~~((January 1, 1990))~~ July 1, 1999.** Individuals applying to the commission under chapter 18.71A RCW after ~~((December 31, 1989, shall be required to))~~ July 1, 1999, must have graduated from ~~((a commission approved))~~ an accredited physician assistant program approved by the commission and be certified by successful completion of the NCCPA examination ~~((eligible))~~; EXCEPT those applying for an interim permit under RCW 18.71A.020(1) who will have one year from issuance of the interim permit to successfully complete the examination.

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

**WAC 246-918-080 Physician assistant—Licensure.**  
(1) Application procedure. Applications may be made jointly by the physician and the physician assistant on forms supplied by the commission. Applications and supporting documents must be on file in the commission office prior to consideration for ~~((licensure))~~ a license or interim permit.

(2) No physician assistant or physician assistant-surgical assistant shall begin practice without commission approval of the practice plan of that working relationship. Practice plans must be submitted on forms provided by the commission.

(3) Changes or additions in supervision. In the event that a physician assistant or physician assistant-surgical assistant who is currently ~~((licensed))~~ credentialed desires to become associated with another physician, he or she must submit a new practice plan. See WAC 246-918-110 regarding termination of working relationship.

## WSR 01-18-086

### PERMANENT RULES

### DEPARTMENT OF HEALTH

(Medical Quality Assurance Commission)

[Filed September 5, 2001, 10:06 a.m.]

Date of Adoption: July 11, 2001.

Purpose: WAC 246-919-340 International medical graduate. This rule outlines additional requirements for applicants who have graduated from a medical school outside the United States or Canada.

Citation of Existing Rules Affected by this Order: Amending WAC 246-919-340.

Statutory Authority for Adoption: RCW 18.71.017 and 18.71.050.

Other Authority: Chapter 18.71 RCW.

Adopted under notice filed as WSR 01-12-096 on June 6, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 2, 2001

Maryella E. Jansen

Acting Executive Director

AMENDATORY SECTION (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

**WAC 246-919-340 Additional requirements for international medical school graduates.** All graduates of medical schools outside the United States, Canada, or Puerto Rico must have either:

(1) ~~((Except in unusual circumstances, which shall be considered individually by the commission, all graduates of international medical schools who were not))~~ Been licensed in another state prior to 1958 ((must have obtained the certificate granted by the Educational Commission for Foreign Medical Graduates (ECFMG) or must qualify for exemption as provided for in other sections of these rules and regulations.));

(2) ~~((A United States citizen or resident alien who has obtained his medical education in a medical school outside the United States, Canada, or Puerto Rico shall be eligible for licensure in the state of Washington if he or she has satisfied the following requirements:~~

(a) ~~Has completed all of the formal academic requirements for graduation from a medical school outside the United States, provided that such medical school provides a resident course of professional instruction equivalent to that required under RCW 18.71.055 for approval of United States and Canadian schools. An internship and/or social service in an international country shall not be considered to be a part of the formal academic requirements;~~

(b) ~~Has successfully completed one academic year of supervised clinical training in a program approved by the commission. Approval of such program shall be based on the following requirements:~~

(i) ~~The program shall be sponsored by a United States medical school approved by the commission;~~

(ii) ~~The school must provide supervision equivalent to that given undergraduate medical students;~~

(iii) ~~Admission to such a program shall be contingent upon review of the applicant's academic achievement, completion of the formal academic curriculum of the international medical school, and the attainment of a score satisfactory to the medical school in a qualifying examination acceptable to the commission such as Part 1 of the National Board examination, or day 1 of FLEX examination, or the ECFMG examination;~~

(iv) ~~The program must include experience in each of the major clinical disciplines;~~

(e) ~~Has completed the postgraduate clinical hospital training required by the commission of all applicants for licensure; and~~

(d) ~~Has passed the examination required by the commission of all applicants for licensure.~~

(3) ~~Satisfaction of the requirements of subsection (2) of this section shall substitute for the completion of any international internship and/or social service required by the international medical school or government as a condition to the awarding of a medical degree or licensure, and no such requirements shall be a condition of licensure as a physician in this state.~~

(4) ~~Certification by the ECFMG shall not be a condition of licensure as a physician in this state for candidates who~~

~~have successfully completed the requirements of subsection (2) of this section.~~

(5) ~~All persons issued a license to practice medicine and surgery by the medical quality assurance commission shall possess all the rights and privileges thereof, including the use of the title "doctor of medicine" and the initials "M.D."~~

(6) ~~Graduates of international medical schools who do not qualify for licensure under these rules and regulations will be required to meet the rules previously adopted by the commission))~~ Obtained a certificate with an indefinite status granted by the Educational Commission for Foreign Medical Graduates (ECFMG); or

(3) Successfully completed one year of supervised academic clinical training in the United States, commonly referred to as a Fifth Pathway program.

## WSR 01-18-087

### PERMANENT RULES

#### DEPARTMENT OF HEALTH

(Medical Quality Assurance Commission)

[Filed September 5, 2001, 10:08 a.m.]

Date of Adoption: July 11, 2001.

Purpose: WAC 246-919-330 Postgraduate medical training defined. This rule will change the name of the accrediting organization for the Canadian postgraduate program to meet one of the licensure requirement options for the state of Washington.

Citation of Existing Rules Affected by this Order: Amending WAC 246-919-330.

Statutory Authority for Adoption: RCW 18.71.017 and 18.71.050.

Other Authority: Chapter 18.71 RCW.

Adopted under notice filed as WSR 01-12-098 on June 6, 2001.

Changes Other than Editing from Proposed to Adopted Version: Removed the word "be" from subsection (1) last sentence.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 2, 2001

Maryella E. Jansen

Acting Executive Director

PERMANENT

AMENDATORY SECTION (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

**WAC 246-919-330 Postgraduate medical training defined.** (1) For the purposes of this chapter, postgraduate medical training (~~((shall be considered to))~~) means clinical training approved by the commission in general medicine or surgery, or a recognized specialty or subspecialty in the field of medicine or surgery. The training must be acquired after completion of a formal course of undergraduate medical instruction outlined in RCW 18.71.055. Only satisfactory clinical performance (~~((deemed unsatisfactory by the program performance))~~) evaluations will (~~((not))~~) be accepted. This definition (~~((shall be considered to))~~) includes, but is not (~~((be))~~) limited to, internships, residencies and fellowships in medical or surgical subjects.

(2) The commission approves only the following post-graduate clinical training courses:

(a) Programs accredited by the (~~((American Medical Association))~~) Accreditation Council for Graduate Medical Education (ACGME) which are listed in the 1984-85 directory of residency programs, or programs approved by the (~~((American Medical Association))~~) Accreditation Council at the time of residency.

(b) (~~((Preregistration training))~~) Programs (~~((approved as of July 1, 1982,))~~) accredited by the (~~((Canadian National Joint Committee on Accreditation of Preregistration Physician Training Programs))~~) Royal College of Physicians and Surgeons of Canada (RCPSC) or the College of Family Physicians of Canada (CFPC), or programs (~~((approved))~~) accredited by the (~~((Canadian National Joint Committee on Accreditation of Preregistration Physician Training Programs))~~) RCPSC or CFPC at the time of residency.

PERMANENT

**WSR 01-18-001**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 01-174—Filed August 22, 2001, 3:12 p.m., effective August 27, 2001, 12:01 a.m.]

Date of Adoption: August 22, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-69-24000W; and amending WAC 220-69-240.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The sturgeon commercial fishery is based on a quota of 1,037 white sturgeon. Quick reporting is required to improve accuracy and efficiency of monitoring sturgeon landings for use during inseason management. Due to historic low returns of chinook in Willapa Bay, the quick reporting requirement is being implemented to more effectively and accurately track chinook guideline landings. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 27, 2001, 12:01 a.m.

August 22, 2001

Evan Jacoby  
for Jeff Koenings  
Director

**NEW SECTION**

**WAC 220-69-24000W Duties of commercial purchasers and receivers.** Notwithstanding the provisions of WAC 220-69-240:

(1) Effective 12:01 a.m. August 27, 2001 to 12:01 a.m. December 15, 2001, quick reporting of all sturgeon is required during the Willapa Bay gill net fisheries. All wholesale buyers and dealers acting in the capacity of an original receiver of Willapa Bay gill net caught sturgeon are required

to "quick report" landings to WDFW by 10:00 a.m. of the day after purchasing sturgeon.

(2) Effective 12:01 a.m. August 27, 2001 to 12:01 a.m. December 1, 2001, quick reporting of salmon and steelhead is required during the Willapa Bay gill net fisheries. All wholesale buyers and dealers acting in the capacity of an original receiver of Willapa Bay gill net caught salmon and steelhead are required to "quick report" landings to WDFW by 10:00 a.m. of the day after purchasing salmon and steelhead.

(3) FAX transmission to (360) 664-0689

E-mail to [harborfishtickets@dfw.wa.gov](mailto:harborfishtickets@dfw.wa.gov)

Toll Free Telephone to 1-866-791-1280

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. December 15, 2001:

WAC 220-69-24000W Duties of commercial purchasers and receivers.

**WSR 01-18-002**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 01-183—Filed August 22, 2001, 3:14 p.m., effective August 27, 2001, 6:00 a.m.]

Date of Adoption: August 22, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-07100U; and amending WAC 220-52-071.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable amounts of sea cucumbers are available in the sea cucumber district listed. Prohibition of all diving within two days of scheduled sea cucumber openings discourages the practice of fishing on closed days and hiding the unlawful catch underwater until the legal opening. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 27, 2001, 6:00 a.m.

August 22, 2001

Evan Jacoby  
for Jeff Koenings  
Director

**NEW SECTION**

**WAC 220-52-07100V Sea cucumbers.** Notwithstanding the provisions of WAC 220-52-071, effective immediately until further notice, it is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section:

(1) Effective 6:00 a.m. August 27, 2001 until further notice, sea cucumber harvest using shellfish diver gear is allowed in Sea Cucumber District 5 on Monday of each week from 6:00 a.m. to one-half hour before official sunset of each day.

(2) It is unlawful to dive for any purpose from a commercially-licensed fishing vessel, except vessels actively fishing geoducks under contract with the Washington Department of Natural Resources, on August 25, 26, September 1, 2, 8, 9, 15, and 16, 2001.

and hook and line fishery. Allows sale of fish caught in the Klickitat River to be sold when the Klickitat River is open. Harvestable numbers of salmon are available. Impacts on ESA-listed sockeye are expected to be within the guidelines of the 2001 fall management agreement and the biological opinion. Consistent with compact action of August 17, 2001. Conforms state rules with tribal rules. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 28, 2001, 6:00 a.m.

August 22, 2001

Evan Jacoby  
for Jeff Koenings  
Director

**NEW SECTION**

**WAC 220-32-05100G Columbia River salmon seasons above Bonneville Dam.** Notwithstanding the provisions of WAC 220-32-050, WAC 220-32-051, WAC 220-32-052, WAC 220-32-058, effective immediately until further notice, it is unlawful for a person to take or possess salmon, shad, carp, or sturgeon taken for commercial purposes in Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, and the Klickitat River except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for salmon, shad, carp, or sturgeon under the following provisions pursuant to lawfully enacted tribal rules:

1) Open Periods: 6:00 a.m. August 28 to 6:00 p.m. September 1, 2001

6:00 a.m. September 4 to 6:00 p.m. September 8, 2001

a) Open Areas: SMCRA 1F, 1G, 1H

b) Gear: No mesh restriction

c) Allowable sale includes: salmon and shad

d) Spring Creek Hatchery Sanctuary: Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points 1/2 mile upstream from the eastern shoreline to 1 1/2 miles downstream from the western shoreline of the mouth of Spring Creek are closed.

2) Open Periods: Immediately until further notice

c) Open Areas: SMCRA 1F, 1G, 1H, and the Klickitat River

d) Gear: Hoop nets, dip bag nets, or hook and line.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:00 a.m. August 27, 2001:

WAC 220-52-07100U Sea cucumbers. (01-171)

**WSR 01-18-003  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-178—Filed August 22, 2001, 3:16 p.m., effective August 28, 2001, 6:00 a.m.]

Date of Adoption: August 22, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05100F; and amending WAC 220-32-051.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Sets first two weeks of tribal commercial fishing. Allows commercial sale from platform

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- e) Allowable sale includes: salmon, shad.
- f) Fish taken in the Klickitat River may be sold when the Klickitat River is open pursuant to lawfully enacted tribal rules.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Effective Date of Rule: Immediately.

August 22, 2001  
 Evan Jacoby  
 For Jeff Koenings  
 Director

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:00 a.m. August 28, 2001:

WAC 220-32-05100F Columbia River salmon seasons above Bonneville Dam. (01-175)

**WSR 01-18-004  
 EMERGENCY RULES  
 DEPARTMENT OF  
 FISH AND WILDLIFE**

[Order 01-182—Filed August 22, 2001, 3:17 p.m.]

Date of Adoption: August 23 [22], 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000Y and 220-33-01000Z; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation prohibits retention of sturgeon for the remainder of this commercial fishery to remain within the sturgeon catch guideline. This regulation is consistent with compact action of August 22, 2001. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

**NEW SECTION**

**WAC 220-33-01000Z Columbia River salmon season below Bonneville.** Notwithstanding the provisions of WAC 220-33-005, WAC 220-33-010, and 220-33-020, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E, except as provided in the following subsections.

1) OPEN AREA: SMCRA 1D upstream of the I-205 Bridge and 1E

SEASON: 8:00 p.m. August 22, 2001 to 6:00 a.m. August 23, 2001

8:00 p.m. August 23, 2001 to 6:00 a.m. August 24, 2001

GEAR: 9 inch minimum mesh and 9-3/4 inch maximum mesh.

ALLOWABLE SALE: Salmon

SANCTUARIES: Washougal and Sandy river mouth sanctuaries are in effect.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000Y Columbia River salmon season below Bonneville. (01-176)

The following section of the Washington Administrative Code is repealed effective 6:01 a.m. August 24, 2001:

WAC 220-330-01000Z Columbia River salmon season below Bonneville.

**Reviser's note:** The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 220-330-01000Z is probably intended to be WAC 220-33-01000Z.

**WSR 01-18-010  
 EMERGENCY RULES  
 FOREST PRACTICES BOARD**

[Filed August 22, 2001, 4:19 p.m.]

Date of Adoption: August 8, 2001.

Purpose: To modify forest practices rules, chapter 222-21 WAC, Small forest landowner forestry riparian easement program, to implement SHB 2105.

Citation of Existing Rules Affected by this Order: Amending chapter 222-21 WAC.

Statutory Authority for Adoption: RCW 76.09.040, chapters 76.13 and 34.05 RCW.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline

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for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The legislature directed the Forest Practices Board to adopt permanent rules consistent with the provisions in SHB 2105. These changes were necessary to make the rules consistent with the legislative directive.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 13, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 13, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 13, Repealed 0.

Effective Date of Rule: Immediately.

August 22, 2001

Pat McElroy

Chair

AMENDATORY SECTION (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

**WAC 222-21-010 Definitions.** The following definitions apply to this chapter:

(1) "**Commercially reasonable harvest unit**" means a harvest area that meets the requirements of WAC 222-21-060.

(2) "**Completion of harvest**" means that the trees have been harvested from an area under an approved forest practices application and that further entry into that area by any type of logging or slash treating equipment or method is not expected.

(3) "**Compliance costs**" includes the cost of preparing and recording the easement, and any business and occupation tax and real estate excise tax imposed because of entering into the easement.

(4) "**Danger tree**" means any qualifying timber reasonably perceived to pose an imminent danger to life or improved property.

((4)) (5) "**Easement premises**" means the geographic area designated in a forestry riparian easement, including the areas in which qualifying timber is located. Easement premises may be categorized as follows:

(a) **Riparian area easement premises** means riparian areas and areas upon which qualifying timber associated with riparian areas are located.

(b) **Other easement premises** means areas of land required to be left unharvested under rules adopted under RCW 76.09.055 or 76.09.370 including areas upon which other qualifying timber outside riparian areas is located and

areas of land upon which uneconomic qualifying timber is located.

((5)) (6) "**Forestry riparian easement**" means an easement covering qualifying timber granted voluntarily to the state by a small forest landowner.

((6)) (7) "**Hazardous substances**" means hazardous substances as defined in RCW 70.102.010(5), and 70.105D.020(7), and solid waste as defined in RCW 70.95.030(22).

((7)) (8) "**High impact regulatory threshold**" means the threshold where the value of qualifying timber is greater than 19.1% (for timber in Western Washington) or 12.2% (for timber in Eastern Washington) of the value of the harvested timber and qualifying timber under the approved forest practices application covering the qualifying timber.

((8)) (9) "**Qualifying timber**" means those trees covered by a forest practices application that the small forest landowner is required to leave unharvested under rules adopted under RCW 76.09.055 or 76.09.370 or that are made uneconomic to harvest by those rules, and for which the small forest landowner is willing to grant the state a forestry riparian easement. Qualifying timber is timber within or bordering a commercially reasonable harvest unit, or timber for which an approved forest practices application for timber harvest cannot be obtained because of restrictions under these rules.

Qualifying timber is categorized as follows:

(a) **Permanent qualifying timber** includes trees that shall not be harvested or damaged or removed from the easement premises during the term of the easement.

(i) Where permanent qualifying timber is in areas in which no harvest may take place, the easement shall describe the boundaries of the areas. No harvest of any tree within this area shall take place during the term of the easement.

(ii) Where permanent qualifying timber is located in areas in which selective harvest may take place, the permanent qualifying timber must be tagged for the duration of the easement.

(b) **Reserve qualifying timber** includes trees that may be harvested and removed but only in compliance with the terms of the easement. Reserve qualifying timber shall be identified separately from the permanent qualifying timber.

(c) **Replacement qualifying timber** includes trees which, in the future, will be substituted for the reserve qualifying timber before the reserve qualifying timber may be harvested or removed from the property. Replacement qualifying timber will be selected from time to time pursuant to the provisions of the easement and will be subject to the terms and protections of the easement.

(d) **Uneconomic qualifying timber** includes trees made uneconomical to harvest. The trees are considered permanent qualifying timber and may not be harvested or otherwise damaged during the term of the easement.

(e) **Other qualifying timber outside riparian areas** includes trees that may not be harvested under forest practices rules adopted under RCW 76.09.055 or 76.09.370 for reasons other than protection of riparian functions. It includes without limitation trees that are unharvestable because of public safety concerns. The trees are considered permanent qualifying timber and may not be harvested or otherwise damaged during the term of the easement.

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~~((9))~~ (10) **"Riparian areas"** include the areas designated in a forestry riparian easement. Riparian areas include without limitation all riparian and other special management zones required by the forest practices rules for protection of aquatic resources and includes associated qualifying timber.

~~((10))~~ (11) **"Riparian function"** includes bank stability, recruitment of woody debris, leaf litter fall, nutrients, sediment filtering, shade, and other riparian features that are important to both riparian forest and aquatic systems conditions.

~~((11))~~ (12) **"Small forest landowner"** means:

(a) ~~A forest landowner meeting all of the following characteristics ((in (a) of this subsection unless any of the exceptions in (b) of this subsection are met.~~

~~(a))~~ as of the date a forest practices application is received (see WAC 222-20-010(8)), or the date the landowner provides written notification to the small forest landowner office that the harvest is to begin, for which the forestry riparian easement is associated (~~(, the forest landowner)~~):

(i) Is an individual, partnership, corporate, or other non-governmental legal entity. If a landowner grants timber rights to another entity for less than five years, the landowner may still qualify as a small forest landowner under this section;

(ii) Has a fee interest in the land and timber or has rights to harvest the timber to be included in the forestry riparian easement that extend at least fifty years from the date the forest practices application associated with the easement is received;

(iii) Has harvested from its own lands in this state during the three years prior to the year of application an average timber volume that would qualify the forest landowner as a small timber harvester under RCW 84.33.073(1); and

(iv) Certifies at the time the forest practices application is received that it does not expect to harvest from its own lands more than the volume allowed by RCW 84.33.073(1) during the ten years following receipt of the application.

~~(b) ((At the time the forest practices application is received,))~~ A forest landowner whose prior three-year average harvest exceeds the limit of RCW 84.33.073(1), or who expects to exceed this limit during the ten years following receipt of the forest practices application, may still qualify as a small forest landowner if that landowner establishes to the small forest landowner office reasonable satisfaction that the harvest limits were or will be exceeded to raise funds to pay estate taxes or equally compelling and unexpected obligations such as court-ordered judgments or extraordinary medical expenses. (Note: The small forest landowner office will establish a board manual governing these exceptions.)

~~((12))~~ (c) A landowner may still qualify as a small forest landowner if the landowner is unable to obtain an approved forest practices application for timber harvest for any of his or her land because of restrictions under the forest practices rules adopted under RCW 76.09.055 or 76.09.370.

(13) **"Small forest landowner office"** is an office within the department described in RCW 76.13.110, and it shall be a resource and focal point for small landowner concerns and policies and shall have significant expertise regarding the management of small forest holdings and government

programs applicable to such holdings, and the forestry riparian easement program.

~~((13))~~ (14) **"Uneconomic to harvest"** means that a harvest area meets the requirements of WAC 222-21-065.

**AMENDATORY SECTION** (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

**WAC 222-21-020 Criteria for accepting riparian easement.** (1) All of the following criteria must be met before the small forest landowner office may acquire a forestry riparian easement:

(a) The easements must include qualifying timber within riparian areas and may include other qualifying timber;

(b) The small forest landowner must be willing to sell or donate such easements to the state;

(c) The small forest landowner has a final ~~(, approved)~~ forest practices application including qualifying timber on the easement premises that has been approved or has been disapproved because of restrictions under the forest practices rules adopted under RCW 76.09.055 or 76.09.370;

(d) The small forest landowner has provided a litigation guarantee or similar report from a title company for the property;

(e) Acceptable documents necessary for creation of the easement have been prepared; and

(f) The easement is not subject to unacceptable liabilities in subsection (3) of this section.

(2) Where more than one person has an interest in property to be covered by a forestry riparian easement, all persons holding rights to control or affect the easement premises, qualifying timber, and the riparian functions provided by the qualifying timber during the term of the easement must execute the easement documents or otherwise subordinate their interest to the easement interest being acquired by the state. This includes tenants in common, joint tenants, holder of reversionary interests, lien holders, and mortgages.

(3) Unacceptable liabilities for the state include, but are not limited to, the following:

(a) Potential liability exposure due to the presence of hazardous substances;

(b) Existing uses of the property that may jeopardize the protection of the easement premises, qualifying timber, and riparian functions;

(c) Any other liability where the liability may jeopardize the protection of the easement premises, qualifying timber, and its riparian functions.

**AMENDATORY SECTION** (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

**WAC 222-21-045 Valuation.** (1) **This section is designed to establish methods and standards for valuation** of forestry riparian easements for purposes of establishing the compensation. It applies only to the department, small forest landowners, and the small forest landowner office in connection with the forestry riparian easement program.

(2) **The small forest landowner office will calculate the fair market value** of the forestry riparian easement as of the date of receipt of the forest practices application associ-

ated with the qualifying timber, or the date the landowner provides written notification to the small forest landowner office that the harvest is to begin. Data obtained or maintained by the department of revenue under RCW 84.33.074 and 84.33.091 will be used and adjusted to the applicable date ((of receipt of the forest practices application associated with the qualifying timber)). For easements with an approved forest practices application, the small forest landowner must indicate whether valuation will be calculated using method (a) or (b) of this subsection. Only method (a) is available for qualifying timber for which an approved application for timber harvest cannot be obtained because of restrictions under the forest practices rules under WAC 222-21-061. In either method (a) or (b), the time adjustment index will be based on log price changes. The small forest landowner office will determine the specific log species and/or sorts and the log price reporting service to use after consultation with the small forest landowner advisory committee established under RCW 76.13.110(4) and the department of revenue. The small forest landowner office will generate an index that reflects the time adjustments using information and data obtained from a log price reporting service determined by the department in consultation with the small forest landowner committee.

(a) **Stumpage value determination.** The small forest landowner office will create and maintain value tables to determine stumpage value of the qualifying timber. These tables will be created using a method coordinated with the department of revenue. The values will closely approximate the stumpage value for logs that would be sold in the ordinary course of business for the date of receipt of the forest practices application. The landowner must provide the small forest landowner office with:

(i) The reference for the stumpage value table and any other needed information for use of the table (see the board manual section 17 for details); and

(ii) Any information the small forest landowner would like the department to consider in its cruise and valuation of the qualifying timber.

(b) **Small harvester tax return.** The landowner must provide mill or buyer information to the department on the sale breakdown. This includes:

(i) The volume and scaling bureau log grades of each species harvested;

(ii) The amount received for each species; and

(iii) The actual harvesting and marketing costs as defined in the department of revenue small harvester instructions.

The price received for the timber is adjusted to the applicable date ((of receipt of the forest practices application)) using the time adjustment index and then the average logging and hauling cost per MBF is subtracted to arrive at the stumpage value. The value of the qualifying timber is determined by multiplying the time adjusted stumpage value of each species in the harvest unit by the net volume for each corresponding species in the inventory of qualifying timber. A residual value approach is used to determine the value of species in the easement, which are not present in the harvest area. The prices for species not present in the harvest unit are based on the delivered log price report approved by the small forest landowner office that corresponds closest to the date of

the forest practices application, minus the average logging and hauling costs.

(3) **Reduced valuation.**

(a) For an easement that allows one or more harvests of qualifying timber during the term of the easement, a reduced valuation rate will be applied to the values obtained using either method in subsection (2) of this section. The reduced rate adjusts the values for reserve and replacement qualifying timber. The rate is based on the proportionate economic value lost to the small forest landowner from the regulatory requirements and adjusted for future harvest options during the term of the easement.

(b) The value of the qualifying timber that may be harvested during the term of the easement will be reduced based on the following formula. Variables will include:

- (i) The 29 or more trees in the inner zone;
- (ii) The outer zone leave trees;
- (iii) Other regulatory requirements.

$$\text{Reduced valuation rate} = \frac{1 - \left( \frac{1}{(1 + J)^N} \right)}{1 - \left( \frac{1}{(1 + J)^{50}} \right)}$$

Where:

- I — Is the rate of return on 30 year treasury bills, as reported by the Federal Reserve Statistical Release H15 less the rate of increase in the Consumer Price Index for all urban consumers as published by the U.S. Department of Labor Bureau of Labor Statistics for the previous 12 months less the anticipated rate of growth expected on the portion of the easement subject to reentry, but not less than zero or greater than 6 percent.
- N — The single time limit established by the small forest landowner office.

(c) The reduced rate will not be applied to the department of revenue tax data values if the landowner does not intend to reenter the easement area during the length of the 50 year easement. The harvest at the time of the reentry is not required to meet the requirements in WAC 222-21-060 (5) and (6).

**AMENDATORY SECTION** (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

**WAC 222-21-050 Payment of compensation.** (1) The compensation offered to the small forest landowner will be 50% of the fair market value of the qualifying timber established under the process described in WAC 222-21-045, plus the compliance costs, subject to the following exceptions:

(a) If the high impact regulatory threshold is exceeded for an area covered by an approved forest practices applica-

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tion, then the compensation offered will be increased to 100% for the value of the qualifying timber where the high impact regulatory threshold is exceeded. Use the following calculation:

Where:

Vq = value of qualifying timber;

Vh = value of harvested timber;

t = high impact of regulatory threshold (19.1% for Western Washington, 12.2% for Eastern Washington);

TV = total value of all timber covered under FPA = Vq + Vh; and

HIO - high impact override = (Vq/TV)-t;

$$\text{Compensation for easement} = (\text{HIO} * \text{TV}) + \left( \frac{t * \text{TV}}{2} \right)$$

See Section 17 of board manual for example.

~~((2))~~ (b) All compensation is subject to available funding.

~~((3))~~ (2) If funding is not available, the small forest landowner office will maintain a priority list for compensation. Priority will be based on (a) date of receipt of forest practice application and (b) date of receipt of completed post-harvest questionnaire.

~~((4))~~ (3) The small forest landowner office will send the small forest landowner a notice of compensation decision within 60 days of completion of the timber cruise.

~~((5))~~ (4) Compensation for a forestry riparian easement associated with an approved forest practices application will not be paid until:

(a) The department has documented completion of harvest;

(b) The department has verified that there has been compliance with the rules requiring leave trees in the easement area;

(c) Any dispute over the amount of compensation or eligibility or other matter involving the forestry riparian easement has been resolved; and

(d) The forestry riparian easement has been executed and delivered to the department.

(5) Compensation for a forestry riparian easement for which an approved forest practices application for timber harvest cannot be obtained because of restrictions under these rules adopted under RCW 76.09.055 or 76.09.370 will not be paid until:

(a) The department has verified that there has been compliance with the rules requiring leave trees in the easement area; and

(b) Any dispute over the amount of compensation or eligibility or other matter involving the forestry riparian easement has been resolved; and

(c) The forestry riparian easement has been executed and delivered to the department.

## NEW SECTION

**WAC 222-21-061 Criteria when commercially reasonable harvest is not possible.** The small forest landowner office will use the following criteria to determine if a forest practices application for harvest may qualify for the forestry riparian easement program because it involves an area where a commercially reasonable harvest is not possible and an approved application for harvest cannot be obtained because of restrictions under the forest practices rules. The proposed harvest must meet all of the following requirements:

(1) The application has been disapproved based on rules adopted under RCW 76.09.055 or 76.09.370 that require the area covered by the application to be left unharvested; and

(2) The application is for a Class III or Class IV Special forest practice; and

(3) The harvest is not a Class IV General conversion or covered by a conversion option harvest plan; and

(4) The landowner is not eligible for the 20 acre exemption under WAC 222-30-023; and

(5) The value of the qualifying timber is equal to, or exceeds, the minimum required by the department of revenue for taxing purposes (\$1,000).

## WSR 01-18-014

### EMERGENCY RULES

### DEPARTMENT OF FISH AND WILDLIFE

[Order 01-185—Filed August 23, 2001, 11:48 a.m.]

Date of Adoption: August 23, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-69-240.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These rules are needed to insure that fishery managers have accurate timely information on total salmon harvest so that conservation and allocation goals can be achieved. Without the information provided through the quick reporting system the power of the fishing fleet may be underestimated and agreed harvest and allocation levels exceeded. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 23, 2001

J. P. Koenings

Director

#### NEW SECTION

**WAC 220-69-24000X Duties of commercial purchasers and receivers.** Notwithstanding the provisions of WAC 220-69-240:

(1) Effective immediately until further notice quick reporting of all salmon purchasers is required during all commercial salmon net fishery openings in Areas 7B and 7C.

#### **WSR 01-18-021**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF**

#### **FISH AND WILDLIFE**

[Order 01-181—Filed August 24, 2001, 4:52 p.m., effective September 1, 2001.]

Date of Adoption: August 24, 2001.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-56-282.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Less than 40% of the five hundred sixty fish harvest guideline for the waters between John Day Dam and McNary Dam is expected to be harvested by September 1, 2001, when the retention period is scheduled to end. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: September 1, 2001.

August 24, 2001

Sara G. LaBorde

for Jeff Koenings

Director

#### NEW SECTION

**WAC 220-56-28200C Sturgeon—Areas, seasons, limits and unlawful acts.** Notwithstanding the provisions of WAC 220-56-282, effective September 1, 2001 until further notice, it is lawful to retain sturgeon in those waters of the Columbia River from John Day Dam to McNary Dam.

#### **WSR 01-18-022**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF**

#### **FISH AND WILDLIFE**

[Order 01-184—Filed August 24, 2001, 4:52 p.m., effective August 24, 2001, 8:00 p.m.]

Date of Adoption: August 24, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-33-01000A; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of salmon are available under the harvest guideline. Impacts on ESA-listed stocks are expected to be within the guidelines of the fall management agreement and the biological opinion. This regulation is consistent with compact action of August 24, 2001. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 24, 2001, 8:00 p.m.

August 24, 2001  
Sara G. LaBorde  
for Jeff Koenings  
Director

**NEW SECTION**

**WAC 220-33-01000A Columbia River salmon season below Bonneville.** Notwithstanding the provisions of WAC 220-33-005, WAC 220-33-010, and 220-33-020, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E, except as provided in the following subsections.

1) OPEN AREA: SMCRA 1D upstream of the I-205 Bridge and 1E

SEASON: 8:00 p.m. August 24, 2001 to 6:00 a.m. August 25, 2001

GEAR: 9 inch minimum mesh and 9-3/4 inch maximum mesh.

ALLOWABLE SALE: Salmon

SANCTUARIES: Washougal and Sandy river mouth sanctuaries are in effect.

**REPEALER**

The following section of the Washington Administrative Code is repealed 6:01 a.m. August 25, 2001:

WAC 220-33-01000A Columbia River salmon season below Bonneville.

**WSR 01-18-027  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-186—Filed August 27, 2001, 4:56 p.m., effective August 30, 2001, 12:01 a.m.]

Date of Adoption: August 27, 2001.

Purpose: Personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900R; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The fall chinook harvest guideline of 8,800 adults is projected to be achieved. The guideline was established preseason during the North of Falcon negotiations in March and April. The Buoy 10 fishery is part of a package of fall season fisheries which must remain

within the guidelines established preseason and to be consistent with the Endangered Species Act guidelines. However, over one million coho are expected to the Columbia River this fall. The increase in the daily limit will allow additional harvest of the hatchery coho. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 30, 2001, 12:01 a.m.

August 27, 2001

Sara G. LaBorde

for Jeff Koenings

Director

**NEW SECTION**

**WAC 232-28-61900R Exceptions to statewide rules—Columbia River.** Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. August 30, 2001 through September 30, 2001, in those waters of the Columbia River from Buoy 10 upstream to the Rocky Point/Tongue Point line, daily limit of four coho salmon. Release all chinook salmon and wild coho.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. October 1, 2001:

WAC 232-28-61900R Exceptions to statewide rules—Columbia River.

**WSR 01-18-039  
EMERGENCY RULES  
OFFICE OF THE  
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2001-07—Filed August 28, 2001, 3:43 p.m.]

Date of Adoption: August 28, 2001.

Purpose: Chapter 179, Laws of 2001, requires health care service contractors and health maintenance organizations to submit and file certain information with the insurance commissioner. This rule will set forth the instructions, meth-

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ods and forms by which this information will be filed with the insurance commissioner.

Statutory Authority for Adoption: RCW 48.02.060, 48.44.050, 48.46.200, and section 16, chapter 179, Laws of 2001 (SHB 1792).

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Chapter 179, Laws of 2001, contained an emergency clause and therefore was effective immediately. This law requires that certain information be submitted and filed with the insurance commissioner. This rule will set forth the forms and instructions for making these filings. The deadline for filing some of this information with the insurance commissioner is September of 2001. There is insufficient time to adopt a permanent rule setting forth the instructions and forms for making these filings before the deadline. The process to permanently adopt these changes will begin at the time of this emergency adoption.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 21, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 28, 2001

Mike Kreidler  
Insurance Commissioner

## Chapter 284-18A WAC

### HEALTH CARE SERVICE CONTRACTOR AND HEALTH MAINTENANCE HOLDING COMPANY REGULATION

#### NEW SECTION

#### **WAC 284-18A-300 Forms—General requirements.**

(1) Forms A, B, C, D, and E are intended to be guides in the preparation of the statements required by sections 2, 3, 4, 5 and 6, chapter 179, Laws of 2001. They are not intended to be blank forms which are to be filled in. These statements when filed shall contain the numbers and captions of all items, but the text of the items may be omitted provided the answers thereto are prepared in such a manner as to indicate clearly the scope and coverage of the items. All instructions,

whether appearing under the items of the form or elsewhere therein, are to be omitted. Unless expressly provided otherwise, if any item is inapplicable or the answer thereto is in the negative, an appropriate statement to that effect shall be made.

(2) Two complete copies of Form A, and one copy of Forms B, C, and D, and E, including exhibits and all other papers and documents filed as a part thereof, shall be filed with the commissioner by:

(a) Personal delivery to: Insurance Commissioner of the State of Washington, Lacey Financial Plaza Building, Suite 102, 420 Golf Club Road, Lacey, WA 98503; or

(b) Mailed to: Insurance Commissioner of the State of Washington, Post Office Box 40259, Olympia, Washington 98504-0259.

At least one of the copies shall be manually signed in the manner prescribed on the form. Unsigned copies shall be conformed. If the signature of any person is affixed pursuant to a power of attorney or other similar authority, a copy of such power of attorney or other authority shall also be filed with the statement.

(3) Statements should be prepared on paper 8 1/2" x 11" in size and preferably bound at the top or the top left-hand corner. Exhibits and financial statements, unless specifically prepared for the filing, may be submitted in their original size. All copies of any statement, financial statements, or exhibits shall be clear, easily readable, and suitable for photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies. Statements shall be in the English language and monetary values shall be stated in United States currency. If any exhibit or other paper or document filed with the statement is in a foreign language, it shall be accompanied by a translation into the English language and any monetary value shown in a foreign currency normally shall be converted into United States currency.

#### NEW SECTION

**WAC 284-18A-310 Forms—Incorporation by reference, summaries, and omissions.** (1) Information required by any item of Form A, Form B, Form D, or Form E may be incorporated by reference in answer or partial answer to any other item. Information contained in any financial statement, annual report, proxy statement, statement filed with a governmental authority, or any other document may be incorporated by reference in answer or partial answer to any item of Form A, Form B, Form D, or Form E provided such document or paper is filed as an exhibit to the statement. Excerpts of documents may be filed as exhibits if the documents are extensive. Documents currently on file with the commissioner which were filed within three years need not be attached as exhibits. References to information contained in exhibits or in documents already on file shall clearly identify the material and shall specifically indicate that such material is to be incorporated by reference in answer to the item. Matter shall not be incorporated by reference in any case where such incorporation would render the statement incomplete, unclear, or confusing.

(2) Where an item requires a summary or outline of the provisions of any document, only a brief statement shall be made as to the pertinent provisions of the document. In addition to such statement, the summary or outline may incorporate by reference particular parts of any exhibit or document currently on file with the commissioner which was filed within three years and may be qualified in its entirety by such reference.

#### NEW SECTION

**WAC 284-18A-320 Forms—Information unknown or unavailable and extension of time to furnish.** (1) Information required need be given only insofar as it is known or reasonably available to the person filing the statement. If any required information is unknown and not reasonably available to the person filing, either because the obtaining thereof would involve unreasonable effort or expense, or because it rests peculiarly within the knowledge of another person not affiliated with the person filing, the information may be omitted, subject to the following conditions:

(a) The person filing shall give such information on the subject as it possesses or can acquire without unreasonable effort or expense, together with the sources thereof; and

(b) The person filing shall include a statement either showing that unreasonable effort or expense would be involved or indicating the absence of any affiliation with the person within whose knowledge the information rests and stating the result of a request made to such person for the information.

(2) If it is impractical to furnish any required information, document, or report at the time it is required to be filed, there may be filed with the commissioner a separate document:

(a) Identifying the information, document, or report in question;

(b) Stating why the filing thereof at the time required is impractical; and

(c) Requesting an extension of time for filing the information, document, or report to a specified date. The request for extension shall be deemed granted unless the commissioner within sixty days after receipt thereof enters an order denying the request.

#### NEW SECTION

**WAC 284-18A-330 Forms—Additional information and exhibits.** In addition to the information expressly required to be included in Form A, Form B, Form C, Form D, and Form E, there shall be added such further material information, if any, as may be necessary to make the information contained therein not misleading. The person filing may also file such exhibits as it may desire in addition to those expressly required by the statement. Such exhibits shall be so marked as to indicate clearly the subject matters to which they refer. Changes to Forms A, B, C, D, or E shall include on the top of the cover page the phrase: "Change No. (insert number) to" and shall indicate the date of the change and not the date of the original filing.

#### NEW SECTION

**WAC 284-18A-340 Definitions.** (1) "The act" means the Health Care Service Contractor and Health Maintenance Holding Company Act, sections 1 through 20, chapter 179, Laws of 2001.

(2) "Executive officer" means chief executive officer, chief operating officer, chief financial officer, treasurer, secretary, controller, and any other individual performing functions corresponding to those performed by the foregoing officers under whatever title.

(3) "Ultimate controlling person" means that person who is not controlled by any other person.

(4) Unless the context otherwise requires, other terms found in these regulations and in section 1, chapter 179, Laws of 2001, are used as defined in that section 1, chapter 179, Laws of 2001. Other nomenclature or terminology is according to Title 48 RCW, or industry usage if not defined by Title 48 RCW.

#### NEW SECTION

**WAC 284-18A-350 Acquisition of control—Form A Statement filing.** A person required to file a statement pursuant to section 3, chapter 179, Laws of 2001, shall furnish the required information on Form A, hereby made a part of this regulation.

#### NEW SECTION

**WAC 284-18A-360 Amendments to Form A.** The applicant shall promptly advise the commissioner of any changes in the information so furnished on Form A arising subsequent to the date upon which such information was furnished but prior to the commissioner's disposition of the application.

#### NEW SECTION

**WAC 284-18A-370 Annual registration of health carriers—Form B Statement filing.** (1) A health carrier required to file an annual registration statement pursuant to section 4, chapter 179, Laws of 2001, shall furnish the required information on Form B, hereby made a part of these regulations.

(2) The first Form B filing following adoption of chapter 179, Laws of 2001, shall be for the calendar year 2000 and made on or before September 4, 2001. Thereafter, the Form B must be filed within fifteen days after the health carrier becomes subject to registration, and annually on or before May 15th of each year for the previous calendar year.

#### NEW SECTION

**WAC 284-18A-380 Summary of registration—Form C Statement filing.** A health carrier required to file an annual registration statement pursuant to section 4, chapter 179, Laws of 2001, is also required to furnish information required on Form C, hereby made a part of this regulation.

NEW SECTION

**WAC 284-18A-390 Amendments to Form B.** (1) An amendment to Form B shall be filed within fifteen days after the end of any month in which there is a material change to the information provided in the annual registration statement.

(2) For the time period from January 1, 2001, to August 31, 2001, if there has been a material change to the information provided in the first Form B filed after the adoption of chapter 179, Laws of 2001, an amendment to the Form B shall be filed on or before September 28, 2001.

(3) Amendments shall be filed in the Form B format with only those items which are being amended reported. Each such amendment shall include at the top of the cover page "Amendment No. (insert number) to Form B for (insert year)" and shall indicate the date of the change and not the date of the original filings.

NEW SECTION

**WAC 284-18A-400 Alternative and consolidated registrations.** (1) Any authorized health carrier may file a registration statement on behalf of any affiliated health carrier or health carriers which are required to register under section 4, chapter 179, Laws of 2001. A registration statement may include information not required by the act regarding any health carrier in the health carrier holding company system even if such health carrier is not authorized to do business in this state. In lieu of filing a registration statement on Form B, the registered health carrier may file a copy of the registration statement or similar report which it is required to file in its state of domicile, provided:

(a) The statement or report contains substantially similar information required to be furnished on Form B; and

(b) The filing health carrier is the principal health carrier in the health carrier holding company system.

(2) The question of whether the filing health carrier is the principal health carrier in the health carrier holding company system is a question of fact and a health carrier filing a registration statement or report in lieu of Form B on behalf of an affiliated health carrier, shall set forth a brief statement of facts which will substantiate the filing health carrier's claim that it, in fact, is the principal health carrier in the health carrier holding company system.

(3) Any health carrier may take advantage of the provisions of section 4 (7) or (8), chapter 179, Laws of 2001, without obtaining the prior approval of the commissioner. The commissioner, however, reserves the right to require individual filings if he or she deems such filings necessary in the interest of clarity, ease of administration, or the public good.

NEW SECTION

**WAC 284-18A-410 Disclaimers and termination of registration.** A disclaimer of control or affiliation shall contain the following information:

(1) The number of authorized, issued, and outstanding voting securities of the health carrier;

(2) With respect to the person whose control is denied and all affiliates of such person, the number and percentage of shares of the subject's voting securities which are held of

record or known to be beneficially owned, and the number of such shares concerning which there is a right to acquire, directly or indirectly;

(3) All material relationships and bases for affiliation between the health carrier and the person whose control is denied and all affiliates of such person;

(4) A statement explaining why such person should not be considered to control the health carrier.

NEW SECTION

**WAC 284-18A-420 Transactions subject to prior approval—Form D Notice filing.** A health carrier required to obtain the prior approval of the commissioner of a proposed transaction pursuant to section 5, chapter 179, Laws of 2001, shall furnish the required information on Form D, hereby made a part of these regulations.

NEW SECTION

**WAC 284-18A-430 Extraordinary dividends and other distributions.** (1) Requests for approval of extraordinary dividends or any other extraordinary distribution to shareholders or members shall include the following:

(a) The amount of the proposed dividend or distribution;

(b) The date established for payment of the dividend or distribution;

(c) A statement as to whether the dividend or distribution is to be in cash or other property and, if in property, a description thereof, its cost, and its fair market value together with an explanation of the basis for valuation;

(d) A copy of the calculations determining that the proposed dividend or distribution is extraordinary. The work paper shall include the following information:

(i) The amounts, dates, and form of payment of all dividends or distributions (including regular dividends but excluding distributions of the health carrier's own securities) paid within the period of twelve consecutive months ending on the date fixed for payment of the proposed dividend or distribution for which approval is sought and commencing on the day after the same day of the same month in the last preceding year;

(ii) The net worth of the health carrier as of the 31st day of December next preceding;

(iii) The net income of the health carrier for the twelve-month period ending the 31st day of December next preceding;

(iv) The net worth of the health carrier after payment of the dividend or distribution;

(v) The RBC level of the health carrier after payment of the dividend or distribution;

(e) A balance sheet and statement of income for the period intervening from the last annual statement filed with the commissioner and the end of the month preceding the month in which the request for dividend approval is submitted; and

(2) Each registered health carrier shall report to the commissioner all other dividends and other distributions to shareholders within five business days following the declaration thereof, and at least fifteen business days before payment,

including the same information required by subsection (1)(a) and (d)(i) through (v) of this section.

(3) The reporting of either dividends or distributions, or both, shall be made under the form set forth in WAC 284-18A-960.

chapter 179, Laws of 2001, and this chapter, considers that some of the information being filed is confidential proprietary and trade secret information, then the person submitting the filing must clearly mark those portions of the filing that the person considers to be confidential proprietary and trade secret information as being confidential. The person making the filing shall also state the basis upon which the person considers the information to be confidential proprietary and trade secret information.

**NEW SECTION**

**WAC 284-18A-440 Confidential proprietary and trade secret information.** If the health carrier, applicant or other person filing information with the commissioner under

**NEW SECTION**

**WAC 284-18A-910 Form A.**

FORM A  
STATEMENT REGARDING THE  
ACQUISITION OF CONTROL OF A DOMESTIC HEALTH CARRIER

Name of Domestic Health Carrier

BY

Name of Acquiring Person (Applicant)

Filed with the Insurance Commissioner of the State of Washington

Dated: \_\_\_\_\_

Name, Title, Address, and Telephone Number of Individual to Whom Notices and Correspondence Concerning this Statement Should be Addressed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ITEM 1. HEALTH CARRIER AND METHOD OF ACQUISITION**

State the name and address of the domestic health carrier to which this application relates and a brief description of how control is to be acquired.

**ITEM 2. IDENTITY AND BACKGROUND OF THE APPLICANT**

(a) State the name and address of the applicant seeking to acquire control over the health carrier.

(b) If the applicant is not an individual, state the nature of its business operations for the past five years or for such lesser period as such person and any predecessors thereof shall have been in existence. Briefly describe the business intended to be done by the applicant and the applicant's subsidiaries.

(c) Furnish a chart or listing clearly presenting the identities of the inter-relationships among the applicant and all affiliates of the applicant. No affiliate need be identified if its total assets are equal to less than one-half of one percent of the total assets of the ultimate controlling person affiliated with the applicant. Indicate in such chart or listing the percentage of voting securities of each such person which is owned or controlled by the applicant or by any other such person. If control of any person is maintained other than by the ownership or control of voting securities, indicate the basis of such control. As to each person specified in such chart or listing, indicate the type of organization (e.g. corporation, trust, partnership) and the state or other jurisdiction of domicile. If court proceedings involving a reorganization or liquidation are pending with respect to any such person, indicate which person, and set forth the title of the court, nature of proceedings and the date when commenced.

**ITEM 3. IDENTITY AND BACKGROUND OF INDIVIDUALS ASSOCIATED WITH THE APPLICANT**

Furnish biographical information for (1) the applicant if (s)he is an individual or (2) all persons who are directors, executive officers or owners of ten percent or more of the voting securities of the applicant if the applicant is not an individual. Unless otherwise directed by the commissioner, the biographical information shall contain the information required by and be submitted in the format of the current NAIC Biographical Affidavit form.

EMERGENCY

**ITEM 4. NATURE, SOURCE AND AMOUNT OF CONSIDERATION**

(a) Describe the nature, source and amount of funds or other considerations used or to be used in effecting the merger or other acquisition of control. If any part of the same is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding or trading securities, furnish a description of the transaction, the names of the parties thereto, the relationship, if any, between the borrower and the lender, the amounts borrowed or to be borrowed, and copies of all agreements, promissory notes and security arrangements relating thereto.

(b) Explain the criteria used in determining the nature and amount of such consideration.

(c) If the source of the consideration is a loan made in the lender's ordinary course of business and if the applicant wishes the identity of the lender to remain confidential, he or she must specifically request that the identity be kept confidential.

**ITEM 5. FUTURE PLANS OF HEALTH CARRIER**

Describe any plans or proposals which the applicant may have to declare an extraordinary dividend, to liquidate such health carrier, to sell its assets to or merge it with any person or persons or to make any other material change in its business operations or corporate structure or management.

**ITEM 6. NONPROFIT HEALTH CARRIERS**

If the health carrier or person controlling the health carrier being acquired is a nonprofit corporation:

(a) Describe who the members of the corporation or person controlling the health carrier are and how they become or are selected as members of the corporation and how this may change as a result of the acquisition.

(b) Describe who has the authority or power to elect or appoint the board of directors, trustees or other governing body of the health carrier or person controlling the health carrier and how this may change as a result of the acquisition.

**ITEM 7. FOR-PROFIT HEALTH CARRIERS**

If the health carrier being acquired is a for-profit person:

(a) State the number of shares of the health carrier's voting securities which the applicant, its affiliates and any person listed in Item 3 plan to acquire, and the terms of the offer, request, invitation, agreement or acquisition, and a statement as to the method by which the fairness of the proposal was determined.

(b) State the amount of each class of any voting security of the health carrier which is beneficially owned or concerning which there is a right to acquire beneficial ownership by the applicant, its affiliates or any person listed in Item 3.

(c) Give a full description of any contracts, arrangements or understandings with respect to any voting security of the health carrier in which the applicant, its affiliates or any person listed in Item 3 is involved, including, but not limited to, transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. Such description shall identify the persons with whom such contracts, arrangements or understandings have been entered into.

(d) Describe any purchases of any voting securities of the health carrier by the applicant, its affiliates or any person listed in Item 3 during the twelve calendar months preceding the filing of this statement. Include in such description the dates of purchase, the names of the purchasers, and the consideration paid or agreed to be paid therefor. State whether any such shares so purchased are hypothecated.

(e) Describe any recommendations to purchase any voting security of the health carrier made by the applicant, its affiliates or any person listed in Item 3, or by anyone based upon interviews or at the suggestion of the applicant, its affiliates or any person listed in Item 3 during the twelve calendar months preceding the filing of this statement.

(f) Describe the terms of any agreement, contract or understanding made with any broker-dealer as to solicitation of voting securities of the health carrier for tender and the amount of any fees, commissions or other compensation to be paid to broker-dealers with regard thereto.

**ITEM 8. FINANCIAL STATEMENTS AND EXHIBITS**

(a) Financial statements and exhibits shall be attached to this statement as an appendix, but list under this item the financial statements and exhibits so attached.

(b) The financial statements shall include the annual financial statements of the persons identified in Item 2(c) for the preceding five fiscal years (or for such lesser period as such applicant and its affiliates and any predecessors thereof shall have been in existence), and similar information covering the period from the end of such person's last fiscal year, if such information is available. Such statements may be prepared on either an individual basis, or, unless the commissioner otherwise requires, on a consolidated basis if such consolidated statements are prepared in the usual course of business.

The annual financial statements of the applicant shall be accompanied by the certificate of an independent public accountant to the effect that such statements present fairly the financial position of the applicant and the results of its operations for the year then ended, in conformity with generally accepted accounting principles. If the applicant is a health carrier or an insurer, the annual financial statements of the applicant shall be accompanied by the certificate of an independent public accountant to the effect that such statements present fairly the financial position of the applicant and the results of its operations for the year then ended, in conformity with statutory accounting principles as set forth in Titles 48 RCW and 284 WAC.

(c) File as exhibits copies of all tender offers for, requests or invitations for, tenders of, exchange offers for, and agreements to acquire or exchange any voting securities of the health carrier and (if distributed) of additional soliciting material relating thereto, any proposed employment, consultation, advisory or management contracts concerning the health carrier, annual reports to the stockholders of the health carrier and the applicant for the last two fiscal years, and any additional documents or papers required by Form A or WAC 284-18A-300 or 284-18A-320.

**ITEM 9. SIGNATURE AND CERTIFICATION**

Signature and certification required as follows:

**SIGNATURE**

Pursuant to the requirements of section 3, chapter 179, Laws of 2001 has caused this application to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Name of Applicant

BY

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

Attest:

\_\_\_\_\_

(Signature of Officer)

\_\_\_\_\_

(Title)

**CERTIFICATION**

The undersigned deposes and says that (s)he has duly executed the attached application dated \_\_\_\_\_, for and on behalf of (Name of Applicant); that (s)he is the (Title of Officer) of such company and that (s)he is authorized to execute and file such instrument. Deponent further says that (s)he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature)

(Type or print name beneath)

\_\_\_\_\_  
\_\_\_\_\_

**NEW SECTION**

**WAC 284-18A-920 Form B.**

FORM B

HEALTH CARRIER HOLDING COMPANY SYSTEM

ANNUAL REGISTRATION STATEMENT

Filed with the Insurance Commissioner of the State of Washington

BY

\_\_\_\_\_

Name of Registrant

On Behalf of Following Health Carriers.

Name Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_.

EMERGENCY

Name, Title, Address, and Telephone Number of Individual to Whom Notices and Correspondence Concerning This Statement Should Be Addressed:

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### ITEM 1. IDENTITY AND CONTROL OF REGISTRANT

Furnish the exact name of each health carrier registering or being registered (hereinafter called "the registrant"), the home office address and principal executive offices of each; the date on which each registrant became part of the health carrier holding company system; and the method(s) by which control of each registrant was acquired and is maintained.

### ITEM 2. ORGANIZATIONAL CHART

Furnish a chart or listing clearly presenting the identities of and interrelationships among all affiliated persons within the health carrier holding company system. The chart or listing should show the percentage of each class of voting securities of each affiliate which is owned, directly or indirectly, by another affiliate. If control of any person within the system is maintained other than by the ownership or control of voting securities, indicate the basis of such control. As to each person specified in such chart or listing, indicate the type of organization (e.g., corporation, trust, partnership) and the state or other jurisdiction of domicile.

### ITEM 3. THE ULTIMATE CONTROLLING PERSON

As to the ultimate controlling person in the health carrier holding company system, furnish the following information:

- (a) Name.
- (b) Home office address.
- (c) Principal executive office address.
- (d) The organizational structure of the person, i.e., corporation, partnership, individual, trust, etc.
- (e) The principal business of the person.
- (f) If the ultimate controlling person is a for-profit person, the name and address of any person who holds or owns ten percent or more of any class of voting security, the class of such security, the number of shares held of record or known to be beneficially owned, and the percentage of class so held or owned.
- (g) If the ultimate controlling person is a nonprofit corporation, list the members of the corporation and the board of directors, trustees or other governing body of the corporation.
- (h) If court proceedings involving a reorganization or liquidation are pending, indicate the title and location of the court, the nature of proceedings and the date when commenced.

### ITEM 4. BIOGRAPHICAL INFORMATION

Furnish biographical information for the executive officers and the directors, trustees or other governing body of the ultimate controlling person. Unless otherwise directed by the commissioner, the biographical information shall contain the information required by and be submitted in the format of the current NAIC Biographical Affidavit form.

### ITEM 5. TRANSACTIONS AND AGREEMENTS

Briefly describe the following agreements in force, and transactions currently outstanding or which have occurred during the last calendar year between the registrant and its affiliates (no information need be disclosed if such information is not material for purposes of section 4, chapter 179, Laws of 2001):

- (a) Loans, other investments, or purchases, sales or exchanges of securities of the affiliates by the registrant or of the registrant by its affiliates;
- (b) Purchases, sales or exchanges of assets;
- (c) Transactions not in the ordinary course of business;
- (d) Guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the registrant's assets to liability, other than insurance contracts entered into in the ordinary course of the registrant's business;
- (e) All management agreements, service contracts and all cost-sharing arrangements;
- (f) Reinsurance agreements;
- (g) Dividends and other distributions to shareholders;

(h) Consolidated tax allocation agreements; and

(i) Any pledge of the registrant's stock or of the stock of any subsidiary or controlling affiliate, for a loan made to any member of the insurance holding company system.

The description shall be in a manner as to permit the proper evaluation thereof by the commissioner, and shall include at least the following: The nature and purpose of the transaction, the nature and amounts of any payments or transfers of assets between the parties, the identity of all parties to such transaction, relationship of the affiliated parties to the registrant, the date of the transaction or agreement and the date the transaction or agreement was approved by the commissioner if such an approval was required.

#### **ITEM 6. LITIGATION OR ADMINISTRATIVE PROCEEDINGS**

A brief description of any litigation or administrative proceedings of the following types, either then pending or concluded within the preceding fiscal year, to which the ultimate controlling person or any of its directors or executive officers was a party or of which the property of any such person is or was the subject; give the names of the parties and the court or agency in which such litigation or proceeding is or was pending:

(a) Criminal prosecutions or administrative proceedings by any government agency or authority which may be relevant to the trustworthiness of any party thereto; and

(b) Proceedings which may have a material effect upon the solvency or capital structure of the ultimate holding company including, but not necessarily limited to, bankruptcy, receivership or other corporate reorganizations.

#### **ITEM 7. STATEMENT REGARDING PLAN OR SERIES OF TRANSACTIONS**

The health carrier shall furnish a statement that it has not entered into separate transactions with persons within the health carrier's holding company system which in the aggregate amount exceed the statutory threshold amounts which would have required the commissioner's prior approval or reporting to the commissioner.

#### **ITEM 8. FINANCIAL STATEMENTS AND EXHIBITS**

(a) Financial statements and exhibits should be attached to this statement as an appendix, but list under this item the financial statements and exhibits so attached.

(b) The financial statements shall include the annual financial statements of the ultimate controlling person in the health carrier holding company system as of the end of the person's latest fiscal year.

If at the time of the initial registration, the annual financial statements for the latest fiscal year are not available, annual statements for the previous fiscal year may be filed and similar financial information shall be filed for any subsequent period to the extent such information is available. Such financial statements may be prepared on either an individual basis, or unless the commissioner otherwise requires, on a consolidated basis if such consolidated statements are prepared in the usual course of business.

The annual financial statements shall be accompanied by the certificate of an independent public accountant to the effect that such statements present fairly the financial position of the ultimate controlling person and the results of its operations for the year then ended, in conformity with generally accepted accounting principles. If the ultimate controlling person is a health carrier or insurer, the annual financial statements of the ultimate controlling person shall be accompanied by the certificate of an independent public accountant to the effect that such statements present fairly the financial position of the ultimate controlling person and the results of its operations for the year then ended, in conformity with statutory accounting principles as set forth in Titles 48 RCW and 284 WAC.

(c) Exhibits shall include copies of the latest annual reports to shareholders of the ultimate controlling person and proxy material used by the ultimate controlling person; and any additional documents or papers required by Form B or WAC 284-18A-300 and 284-18A-320.

#### **ITEM 9. FORM C REQUIRED**

A Form C, Summary of Registration Statement, must be prepared and filed with this Form B.

#### **ITEM 10. SIGNATURE AND CERTIFICATION**

Signature and certification required as follows:

##### **SIGNATURE**

Pursuant to the requirements of section 4, chapter 179, Laws of 2001, the registrant has caused this annual registration statement to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the day of \_\_\_\_\_.

(SEAL)

Name of Applicant

BY

(Name)

(Title)

Attest:

(Signature of Officer)

(Title)

CERTIFICATION

The undersigned deposes and says that (s)he has duly executed the attached annual registration dated \_\_\_\_\_, \_\_\_\_\_, for and on behalf of (Name of Company); that (s)he is the (Title of Officer) of such company and that (s)he is authorized to execute and file such instrument. Deponent further says that (s)he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature)

(Type or print name beneath)

NEW SECTION

WAC 284-18A-930 Form C.

FORM C

SUMMARY OF REGISTRATION STATEMENT

Filed with the Insurance Commissioner of the State of Washington

BY

Name of Registrant

On Behalf of Following Health Carriers

Name

Address

Date: \_\_\_\_\_, \_\_\_\_\_.

Name, Title, Address, and Telephone Number of Individual to Whom Notices and Correspondence Concerning This Statement Should Be Addressed:

Furnish a brief description of all items in the current annual registration statement which represent changes from the prior year's annual registration statement. The description shall be in a manner that permits the proper evaluation thereof by the commissioner, and shall include specific references to Item numbers in the annual registration statement and to the terms contained therein.

Changes occurring under Item 2 of Form B insofar as changes in the percentage of each class of voting securities held by each affiliate is concerned, need only be included where such changes are ones which result in ownership or holdings of ten percent or more of voting securities, loss or transfer of control, or acquisition or loss of partnership interest.

Changes occurring under Item 4 of Form B need only be included where: An individual is, for the first time, made a director or executive officer of the ultimate controlling person; a director or executive officer terminates his or her responsibilities with the ultimate controlling person; or in the event an individual is named president of the ultimate controlling person.

EMERGENCY

If a transaction disclosed on the prior year's annual registration statement has been changed, the nature of such change shall be included. If a transaction disclosed on the prior year's annual registration statement has been effectuated, furnish the mode of completion and any flow of funds between affiliates resulting from the transaction.

The health carrier shall furnish a statement that it has not entered into separate transactions with persons within the health carrier's holding company system which in the aggregate amount exceed the statutory threshold amounts which would have required the commissioner's prior approval or reporting to the commissioner.

**SIGNATURE AND CERTIFICATION**

Signature and certification required as follows:

**SIGNATURE**

Pursuant to the requirements of section 4, chapter 179, Laws of 2001, the registrant has caused this summary of registration statement to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL) \_\_\_\_\_

Name of Applicant

BY \_\_\_\_\_

(Name)

(Title)

Attest:

\_\_\_\_\_

(Signature of Officer)

\_\_\_\_\_

(Title)

**CERTIFICATION**

The undersigned deposes and says that (s)he has duly executed the attached summary of registration dated \_\_\_\_\_, \_\_\_\_\_, for and on behalf of (Name of Company); that (s)he is the (Title of Officer) of such company and that (s)he is authorized to execute and file such instrument. Deponent further says that (s)he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature) \_\_\_\_\_

(Type or print name beneath) \_\_\_\_\_

**NEW SECTION**

**WAC 284-18A-940 Form D.**

**FORM D**

**PRIOR NOTICE OF A TRANSACTION**

Filed with the Insurance Commissioner of the State of Washington

BY

\_\_\_\_\_  
Name of Registrant

On Behalf of Following Health Carriers

Name Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_, \_\_\_\_\_.

Name, Title, Address, and Telephone Number of Individual to Whom Notices and Correspondence Concerning This Statement Should Be Addressed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EMERGENCY**

**ITEM 1. IDENTITY OF PARTIES TO TRANSACTION**

Furnish the following information for each of the parties to the transaction:

- (a) Name.
- (b) Home office address.
- (c) Principal executive office address.
- (d) The organizational structure, i.e., corporation, partnership, individual, trust, etc.
- (e) A description of the nature of the parties' business operations.

(f) Relationship, if any, of other parties to the transaction to the health carrier filing the notice, including any ownership or debtor/creditor interest by any other parties to the transaction in the health carrier seeking approval, or by the health carrier filing the notice in the affiliated parties.

(g) Where the transaction is with a nonaffiliate, the name(s) of the affiliate(s) which will receive, in whole or in substantial part, the proceeds of the transaction.

**ITEM 2. DESCRIPTION OF THE TRANSACTION**

Furnish the following information for each transaction for which notice is being given:

- (a) A statement of the nature of the transaction.
- (b) The proposed effective date of the transaction.

**ITEM 3. SALES, PURCHASES, EXCHANGES, LOANS, EXTENSIONS OF CREDIT, GUARANTEES, OR INVESTMENTS**

Furnish a brief description of the amount and source of funds, securities, property or other consideration for the sale, purchase, exchange, loan, extension of credit, guarantee, or investment, whether any provision exists for purchase by the health carrier filing notice, by any party to the transaction, or by any affiliate of the health carrier filing notice, a description of the terms of any securities being received, if any, and a description of any other agreements relating to the transaction such as contracts or agreements for services, consulting agreements and the like. If the transaction involves other than cash, furnish a description of the consideration, its cost and its fair market value, together with an explanation of the basis for evaluation.

If the transaction involves a loan, extension of credit or a guarantee, furnish a description of the maximum amount which the health carrier will be obligated to make available under such loan, extension of credit or guarantee, the date on which the credit or guarantee will terminate, and any provisions for the accrual of or deferral of interest.

If the transaction involves an investment, guarantee or other arrangement, state the time period during which the investment, guarantee or other arrangement will remain in effect, together with any provisions for extensions or renewals of such investments, guarantees or arrangements. Furnish a brief statement as to the effect of the transaction upon the health carrier's net worth.

**ITEM 4. LOANS OR EXTENSIONS OF CREDIT TO A NONAFFILIATE**

If the transaction involves a loan or extension of credit to any person who is not an affiliate, furnish a brief description of the agreement or understanding whereby the proceeds of the proposed transaction, in whole or in substantial part, are to be used to make loans or extensions of credit to, to purchase the assets of, or to make investments in, any affiliate of the health carrier making such loans or extensions of credit, and specify in what manner the proceeds are to be used to loan to, extend credit to, purchase assets of, or make investments in any affiliate. Describe the amount and source of funds, securities, property, or other consideration for the loan or extension of credit and, if the transaction is one involving consideration other than cash, a description of its cost and its fair market value together with an explanation of the basis for evaluation. Furnish a brief statement as to the effect of the transaction upon the health carrier's net worth.

**ITEM 5. REINSURANCE**

If the transaction is a reinsurance agreement or modification thereto, as described by section 5 (2)(c), chapter 179, Laws of 2001, furnish a description of the known or estimated amount of liability to be ceded or assumed in each calendar year, the period of time during which the agreement will be in effect, and a statement whether an agreement or understanding exists between the health carrier and nonaffiliate to the effect that any portion of the assets constituting the consideration for the agreement will be transferred to one or more of the health carrier's affiliates. Furnish a brief description of the consideration involved in the transaction, and a brief statement as to the effect of the transaction upon the health carrier's net worth.

EMERGENCY

**ITEM 6. MANAGEMENT AGREEMENTS, SERVICE AGREEMENTS, AND COST-SHARING ARRANGEMENTS**

For management and service agreements, furnish:

- (a) A brief description of the managerial responsibilities, or services to be performed.
- (b) A brief description of the agreement, including a statement of its duration, together with brief descriptions of the basis for compensation and the terms under which payment or compensation is to be made.

For cost-sharing arrangements, furnish:

- (a) A brief description of the purpose of the agreement.
- (b) A description of the period of time during which the agreement is to be in effect.
- (c) A brief description of each party's expenses or costs covered by the agreement.
- (d) A brief description of the accounting basis to be used in calculating each party's costs under the agreement.

**ITEM 7. SIGNATURE AND CERTIFICATION**

Signature and certification required as follows:

**SIGNATURE**

Pursuant to the requirements of section 5, chapter 179, Laws of 2001, the registrant has caused this notice to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL) \_\_\_\_\_

Name of Applicant

BY \_\_\_\_\_

(Name)

(Title)

Attest:

\_\_\_\_\_

(Signature of Officer)

\_\_\_\_\_

(Title)

**CERTIFICATION**

The undersigned deposes and says that (s)he has duly executed the attached application dated \_\_\_\_\_, \_\_\_\_\_, for and on behalf of (Name of Company); that (s)he is the (Title of Officer) of such company and that (s)he is authorized to execute and file such instrument. Deponent further says that (s)he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature) \_\_\_\_\_

(Type or print name beneath) \_\_\_\_\_

**NEW SECTION**

**WAC 284-18A-950 Form E.**

**FORM E**

PREACQUISITION NOTIFICATION FORM  
REGARDING THE ACQUISITION OF CONTROL OF A FOREIGN HEALTH  
CARRIER DOING BUSINESS IN THIS STATE

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Name of Other Person  
Involved in the Acquisition

Filed with the Insurance Commissioner of the State of Washington  
Dated: \_\_\_\_\_.

EMERGENCY

Name, title, address and telephone number of person completing this statement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ITEM 1. NAME AND ADDRESS**

State the names and addresses of the persons who hereby provide notice of their involvement in a pending acquisition or change in corporate control.

**ITEM 2. NAME AND ADDRESSES OF AFFILIATED COMPANIES**

State the names and addresses of the persons affiliated with those listed in Item 1. Describe their affiliations.

**ITEM 3. NATURE AND PURPOSE OF THE PROPOSED MERGER OR ACQUISITION**

State the nature and purpose of the proposed merger or acquisition.

**ITEM 4. NATURE OF BUSINESS**

State the nature of the business performed by each of the persons identified in response to Item 1 and Item 2.

**ITEM 5. MARKET AND MARKET SHARE**

State specifically what market and market share the persons identified in Item 1 and Item 2 currently enjoy in this state. Provide historical market and market share data for each person identified in Item 1 and Item 2 for the past five years and identify the source of such data.

For purposes of this question, market means direct written premiums in this state for a line of business as contained in the annual statement required to be filed by health carriers licensed to do business in this state.

NEW SECTION

**WAC 284-18A-960 Dividends and distributions.**

**Notification of dividend or distribution to shareholders/members from Washington health carriers**

Company Name: \_\_\_\_\_

NAIC Code: \_\_\_\_\_ Date Mailed: \_\_\_/\_\_\_/\_\_\_

- 1A. Amount of dividend or distribution. . . . . \$ \_\_\_\_\_
- 1B. How will dividend or distribution be paid\* (Circle one). . . . . Cash / Property
- 2A. Date dividend or distribution was declared. . . . . \_\_\_/\_\_\_/\_\_\_
- 2B. Date dividend or distribution is to be paid. . . . . \_\_\_/\_\_\_/\_\_\_
- 3A. Dividends paid and distributions made within the previous 12 months from the date on Line 2B:

Date	How Paid*	Amount
___/___/___	_____	\$ _____
___/___/___	_____	\$ _____
___/___/___	_____	\$ _____
___/___/___	_____	\$ _____
___/___/___	_____	\$ _____

3B. Total. . . . . \$ \_\_\_\_\_

\*If noncash, describe the property to be distributed and the method used to determine its fair market value.

- 4. Sum of Amounts of Lines 1A and 3B. . . . . \$ \_\_\_\_\_
- 5A. **Net Worth** as of the previous year-end. . . . . \$ \_\_\_\_\_
- 5B. 10% of Amount on Line 5A. . . . . \$ \_\_\_\_\_
- 6. **Net Income** as of the previous year-end. . . . . \$ \_\_\_\_\_
- 7. The Lesser of Line 5B or Line 6. . . . . \$ \_\_\_\_\_
- 8. Lines 4 minus Line 7. . . . . \$ \_\_\_\_\_

EMERGENCY

- 9A. If Line 8 is negative, Line 1A is ordinary dividend or distribution. . . . . \_\_\_\_\_
- 9B. If Line 8 is positive, Line 1A is extraordinary dividend or distribution. . . . . \_\_\_\_\_

If **9A** is checked, notification is required within 5 business days of dividend or distribution declaration and at least 15 business days prior to expected payment or distribution.

If **9B** is checked, including the above notification requirement, no payment can be made until: The later of (1) 30 days after sufficient notice or if notice is incomplete, then 15 days after receipt of additional information, or (2) 30 days after original receipt; or the commissioner has approved the payment within the 30-day period.

Please note that the payment of any dividend or distribution is prohibited if the payment would reduce the net worth of the health carrier below the greater of: (1) The minimum required by RCW 48.44.037 for a health care service contractor or RCW 48.46.235 for a health maintenance organization or (2) the company action level RBC under RCW 48.43.300 (9)(a).

**Certification:**

\_\_\_\_\_  
**President/Secretary**

\_\_\_\_\_  
**Date**

**WSR 01-18-051  
EMERGENCY RULES  
PERSONNEL RESOURCES BOARD**

[Filed August 30, 2001, 1:54 p.m.]

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 1, Repealed 0.

Effective Date of Rule: Immediately.

August 30, 2001

E. C. Matt  
Director

Date of Adoption: August 30, 2001.

Purpose: The purpose of WAC 356-56-203 is to address background checks for applicants and/or current employees, of the Washington management service, within the Department of Social and Health Services. The purpose of WAC 356-56-600 is to address appeals to the Personnel Appeals Board by Washington management service employees.

Citation of Existing Rules Affected by this Order: Amending 1 [WAC 356-56-600].

Statutory Authority for Adoption: RCW 41.06.150.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The above rule modifications are a result of E2SHB [ESSB] 5606 that became effective July 22, 2001. E2SHB [ESSB] 5606 requires the Department of Social and Health Services to conduct background checks on current employees as well as applicants for specific positions.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

**NEW SECTION**

**WAC 356-56-203 Department of social and health services—Background check requirements.** (1) The secretary of the department of social and health services shall conduct background checks on all employees in covered positions ("employees") and persons under final consideration for a covered position ("applicants"). A covered position is one in which a person will or may have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities. Employees and applicants shall authorize the secretary of the department of social and health services to conduct a background check.

(2) The requirement for background checks shall include the following:

(a) Any employee seeking a covered position because of a reduction-in-force or other movement.

(b) Any applicant prior to appointment into a covered position, except when appointment is made on a conditional basis under subsection (6)(b) of this section.

(3) A background check will be conducted on the final preferred candidate prior to appointment.

(4) The secretary of the department of social and health services shall use the results of a background check solely to determine the character, competence and suitability of a person for a covered position. The background check information shall consist of:

(a) Conviction records, pending charges, and disciplinary board final decisions.

(b) Evidence that substantiates or mitigates convictions, pending charges, and disciplinary board final decisions including, but not limited to:

(i) The employee or applicant's background check authorization and disclosure form;

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(ii) The employee or applicant's age at the time of conviction, charge, or disciplinary board final decision;

(iii) The nature and severity of the conviction, charge, or disciplinary board final decision;

(iv) The length of time since the conviction, charge, or disciplinary board final decision;

(v) The nature and number of previous offenses;

(vi) Vulnerability of the child, vulnerable adult, or individual with mental illness or developmental disabilities to which the employee or applicant will or may have unsupervised access; and

(vii) The relationship between the nature of the conviction, pending charge, or disciplinary board final decision and the duties of the employee or applicant.

(5) A permanent employee with a background check disqualification is subject to any of the following actions:

(a) Job restructuring;

(b) Job reassignment;

(c) Movement in accordance with WAC 356-56-205;

(d) Voluntary resignation;

(e) Non-disciplinary separation. The employee shall be separated by the appointing authority after fifteen calendar days written notice unless the employee requests a shorter notice period;

(f) Disciplinary action in accordance with WAC 356-56-500; and/or

(g) Interim measures that may be used while the appointing authority explores the availability of actions (not to exceed 30 calendar days except in cases where there are investigations of pending charges):

(i) Voluntary use of accrued vacation and/or exchange time.

(ii) Authorized leave without pay, if there is no paid leave available, or if the employee chooses not to use paid leave.

(iii) Reassignment to another work location.

(h) When considering the above actions, the agency will consider the least restrictive means necessary to prevent unsupervised access.

(6) The secretary of the department of social and health services shall:

(a) Notify employees and applicants that a background check is required for covered positions;

(b) Develop procedures specifying when employees and applicants may be hired on a conditional basis pending the results of a background check;

(c) Develop policies and procedures pertaining to background checks; and

(d) Notify employees of any general service promotional register rights they may have.

(7) Failure to authorize the secretary of the department of social and health services to conduct a background check disqualifies an employee or applicant from consideration for any covered position including their current covered position.

(8) An applicant for a covered position who is denied employment due to a disqualifying background check may request a review by the appointing authority. Requests for review must be in writing and received by the appointing authority within fifteen calendar days of the postmark date of the notification.

(9) A separation under subsection (5)(e) of this section shall not be considered a disciplinary action as set forth in WAC 356-56-500. A permanent Washington management service employee separated under (5)(e) of this section may appeal to the personnel appeals board in accordance with WAC 356-56-600.

(10) A Washington management service employee who has been separated under subsection (5) of this section, and who has held permanent status in the Washington general service, will be able to apply promotionally for any classes that are at the same salary level or lower than the position from which he/she was separated. Employee's access to the general service promotional register will be governed by the provisions of WAC 356-26-030 (4)(d)(ii).

(11) Nothing in this rule shall limit the secretary of the department of social and health services' use of other authorities to conduct background checks.

(12) Information pertaining to background checks is confidential and shall be used solely for the purpose of determining the character, suitability and competence of the applicant and/or employee. Misuse of background check information is a criminal offense and may result in prosecution and/or disciplinary action as provided under WAC 356-56-500.

(13) The department of social and health services will submit a report to the director by January 31, 2002, reporting actions taken under subsection (5) of this rule and placement of employees into other positions within the agency.

**AMENDATORY SECTION** (Amending WSR 94-01-126, filed 12/17/93, effective 1/8/94 [1/18/94])

**WAC 356-56-600 Appeals.** (1) Only disciplinary action as defined in WAC 356-56-500, transfer that is alleged to be an unreasonable commute, disability separation, nondisciplinary separation made under the provisions of WAC 356-56-203 (5)(e) of these rules, or reduction in force action directly affecting a permanent Washington management service employee may be appealable to the personnel appeals board as provided in Title 358 WAC.

(2) Decisions on which Washington management service positions shall be eliminated under reduction in force actions shall not be appealable to the personnel appeals board.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 01-18-058  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-191—Filed August 30, 2001, 4:33 p.m., effective August 31, 2001, 12:01 a.m.]

Date of Adoption: August 30, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-24-02000X; and amending WAC 220-24-020.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of salmon are available for the troll fleet. These rules are adopted at the recommendation of the Pacific Fisheries Management Council, in accordance with preseason fishing plans. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 31, 2001, 12:01 a.m.

August 30, 2001  
Sara G. LaBorde  
for Jeff Koenings  
Director

#### NEW SECTION

**WAC 220-24-02000X Commercial salmon troll.** Notwithstanding the provisions of WAC 220-24-020, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear from those waters west of the Bonilla-Tatoosh line, the Pacific Ocean and waters west of the Buoy 10 Line at the mouth of the Columbia River from the U.S. - Canada border to Cape Falcon, Oregon except as provided for in this section:

(1) Effective 12:01 a.m. August 31 through September 30, 2001, it is lawful to fish for and possess salmon in those waters of Salmon Management and Catch Reporting Areas 1 and 2. Columbia River Control Zone is closed.

(2) Lawful troll gear is restricted to all legal troll gear with single point, single shank barbless hooks.

(3) Each participating vessel must land and deliver to a port within the area or an adjacent closed area and must land and deliver within 24 hours of any closure.

(4) Release wild coho salmon. Minimum size for chinook salmon is 28 inches in length and minimum size for coho salmon is 16 inches in length.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000W Commercial salmon troll.  
(01-168)

**WSR 01-18-059  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-190—Filed August 30, 2001, 4:37 p.m., effective September 1, 2001]

Date of Adoption: August 30, 2001.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Preseason forecast of pink salmon indicated that there would be more than enough fish for harvest. Recent run size updates indicate that marine survival was higher than expected and the run will be larger than forecasted. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: September 1, 2001.

August 30, 2001  
Sara G. LaBorde  
for Jeff Koenings  
Director

#### NEW SECTION

**WAC 232-28-61900T Exceptions to statewide rules—Snohomish, Skykomish and Stillaguamish River.** Notwithstanding the provisions of WAC 232-28-619:

(1) Effective September 1, 2001 until further notice, in those waters of the Snohomish River from its mouth (Highway 529 bridges) upstream to the confluence of the Snoqualmie and Skykomish Rivers, special daily limit of four salmon no more than two may be coho or chum salmon. All chinook salmon must be released.

(2) Effective September 1, 2001 until further notice, in those waters of the Skykomish River from its mouth to its forks, special daily limit of four salmon no more than two may be coho or chum salmon. All chinook salmon must be released.

(3) Effective September 1, 2001 until further notice, in those waters of the Stillaquamish River and all sloughs downstream of forks at Arlington, special daily limit of four salmon no more than two may be chum salmon, all chinook and coho salmon must be released.

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 01-18-060  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-188—Filed August 30, 2001, 4:39 p.m., effective September 4, 2001, 12:01 a.m.]

Date of Adoption: August 30, 2001.

Purpose: Personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-33000W; and amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A closure is needed in the Dungeness Bay area to protect softshelled crab. Day/limit restrictions are needed in Marine Areas 8-1 and 8-2 and the Hood Canal area, to stay within state/tribal allocations. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making:

New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: September 4, 2001, 12:01 a.m.

August 30, 2001

Sara G. LaBorde

for Jeff Koenings

Director

NEW SECTION

**WAC 220-56-31000R Shellfish—Daily limits.** Notwithstanding the provisions of WAC 220-56-310, effective 12:01 a.m. September 4, 2001 until further notice, it is unlawful for any one person to take in any one day for personal use more than three Dungeness crab in Marine Areas 8-1, 8-2, 12 and that portion of Marine Area 9 south of a line from Foulweather Bluff to Olele Point.

NEW SECTION

**WAC 220-56-33000X Crab—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-330, it is lawful to fish for crab for personal use in Puget Sound in all Marine Areas except as provided below:

(1) Effective immediately until further notice it is unlawful to fish for crab for personal use in that portion of Dungeness Bay west of a line from the Dungeness Spit Lighthouse to the Port Williams boat ramp.

(2) Effective 12:01 a.m., September 4, 2001, until further notice, it is unlawful to fish for crab for personal use in Marine Areas 8-1, 8-2, 12 and that portion of Marine Area 9 south of a line from Foulweather Bluff to Olele Point on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 4, 2001:

WAC 220-56-33000W Crab—Areas and seasons.  
(01-170)

**WSR 01-18-061  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-189—Filed August 30, 2001, 4:41 p.m.]

Date of Adoption: August 30, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100V; and amending WAC 220-52-051.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of

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notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The state's share of shrimp in Marine Fish Shellfish Catch and Reporting Areas 20B (trawl gear share), and 24A, 24C, and 24D (pot gear share) are projected to be taken by the closure dates listed above. The 2001 state/tribal Puget Sound shrimp harvest management plan requires adoption of the harvest seasons and the prohibition on nighttime fishing contained in this rule. Emergency rapid reporting requirements are necessary as quotas can be far exceeded in one day of fishing. A weekly landing limit for spot shrimp is necessary to reduce risk of overharvest, maintain an orderly fishery, provide the ability to enforce state/tribal plan requirements and to ensure conservation. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 30, 2001  
Sara G. LaBorde  
for Jeff Koenings  
Director

## NEW SECTION

**WAC 220-52-05100W Puget Sound shrimp pot and beam trawl fishery—Seasons & weekly trip limits.** Notwithstanding the provisions of WAC 220-52-051, effective immediately until further notice it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) Shrimp pot gear:

(a) All waters of Crustacean Management Regions 1B, 1C, 2, 3, 4, and 6 are open to harvest of all shrimp species until further notice, except as provided below:

(b) It is unlawful to harvest spot shrimp for commercial purposes in Crustacean Management Regions 1B, 1C, and 2, and Marine Fish Shellfish Catch and Reporting Areas 23B, 25A, 25C, 26B-1, 26B-2, 26B-3, 26C, 26D, and 23A east of a line projected 335 degrees true from the Dungeness lighthouse.

(c) Effective 8:00 p.m., September 2, 2001 until further notice it is unlawful to harvest shrimp for commercial purposes in Marine Fish-Shellfish Catch and Reporting Areas 24A, 24C, and 24D.

(d) All waters of Marine Fish-Shellfish Catch and Reporting Area 25E remains closed.

(e) It is lawful to harvest all shrimp species except spot shrimp in the Discovery Bay Shrimp District portion of Marine Fish-Shellfish Catch and Reporting Area 25A except that.

(i) There is a 10-pot per vessel limit when fishing in the Discovery Bay Shrimp District.

(ii) Landings from the Discovery Bay Shrimp District must be hailed as coming from the Discovery Bay Shrimp District.

(f) For purposes of shrimp harvest allocation and catch reporting, Marine Fish-Shellfish Catch and Reporting Area 26B is divided into three subareas: 26B-1 is those waters of Catch Area 26B south of the 47 degrees 40.00 minutes latitude line (which is approximately 200 yards north of Skiff Point) and excluding the waters of 26B-3. 26B-2 is all waters of Catch Area 26B north of the 47 degrees 40.00 minutes latitude line (which is approximately 200 yards north of Skiff Point). 26B-3 is those waters easterly of a line projected from West Point to Alki Point.

(i) It is unlawful for the combined total harvest of spot shrimp by a fisher and/or the fisher's alternate operator to exceed 800 pounds per week, or to exceed 300 pounds per week from Crustacean Management Regions 2 or 4, or to exceed 600 pounds per week from Crustacean Management Regions 1 or 3 except, any fisher whose weekly shrimp harvest activity is exclusively limited to Marine Fish-Shellfish Catch and Reporting Areas 23C, 23D, 29, or the western portion of Marine Fish-Shellfish Catch and Reporting Area 23A (west of a line projected 335 degrees true from the Dungeness lighthouse), or any combination of these areas, shall not be subject to the weekly spot shrimp trip limit for that week. The spot shrimp trip limit accounting week is Monday through Sunday. It is unlawful to fish for any shrimp while in possession on board the fishing vessel spot shrimp harvested from the previous trip limit accounting week or weeks.

(g) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear in more than one Marine Fish-Shellfish Management and Catch Reporting Area per day. Fishers may move all of their shellfish pot gear from one Marine Fish-Shellfish Management and Catch Reporting Area to another Marine Fish-Shellfish Management and Catch Reporting Area if a harvest report is made before the shellfish pot gear is moved.

The harvest activity report must be made consistent with the provisions of WAC 220-52-075 and must also include the number of pots being moved to a new area and the Marine Fish-Shellfish Management and Catch Reporting Area that the pots are being moved to.

(h) For purpose of shrimp pot catch reporting, 23A East is that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23A, east of a line projected 335 degrees true from the Dungeness lighthouse. 23A West is that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23A, west of the line described herein.

(2) Shrimp beam trawl gear:

(a) Crustacean management area 1B and 1C - Open until further notice, except as provided below:

(i) Effective immediately until further notice it is unlawful to harvest shrimp for commercial purposes in Marine Fish Shellfish Catch and Reporting Areas 20B, 21B and 22B.

(b) Crustacean management area 3 - Open until further notice.

(c) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in waters shallower than 100 feet.

(d) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 21A except in those waters north and west of a line from the southern tip of Sinclair Island to Carter Point on Lummi Island.

(e) The following restrictions apply to shrimp trawl harvest in Marine Fish-Shellfish Management and Catch Reporting Area 20A:

(i) Closed in waters east of a line from the southwest corner of Point Roberts to Sandy Point.

(ii) Closed in waters shallower than 20 fathoms.

(f) For purpose of shrimp trawl catch reporting, 23A East is that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23A, east of a line projected true north from the Dungeness lighthouse. 23A West is that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23A, west of the line described herein.

(3) It is unlawful to harvest shrimp using shellfish pot or shrimp beam trawl gear from one hour after official sunset to one hour before official sunrise.

(4) It is unlawful to fish for shrimp in Puget Sound with shellfish pot or beam trawl gear in Port Angeles Shrimp District, the Sequim Bay Shrimp District, the Hood Canal Shrimp District, the Carr Inlet Shrimp District and with trawl gear in Discovery Bay Shrimp District.

(5) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer or, if transferred at sea, without transfer to a licensed wholesale dealer.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-52-05100V Puget Sound shrimp pot and beam trawl fishery-seasons and weekly trip limits. (01-159)

**WSR 01-18-062  
EMERGENCY RULES  
STATE BOARD OF EDUCATION**

[Filed August 31, 2001, 10:35 a.m.]

Date of Adoption: August 24, 2001.

Purpose: The rule would create a new type of limited certificate.

Citation of Existing Rules Affected by this Order: Amending WAC 180-79A-140 Types of certificates and 180-79A-231 Limited.

Statutory Authority for Adoption: RCW 28.A.410.010 [28A.410.010].

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The lapsed certificate law was passed by the 2001 legislature and took effect July 22, 2001. The State Board of Education could not adopt implementing rules prior to that date and its next meeting was August 22-24, 2001. If the board had adopted the implementing rules on a nonemergency basis, they would not have taken effect until about the end of November. In the meantime, lapsed certificate holders need the ability immediately to receive a transitional teaching certificate.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 2, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 29, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-140 Types of certificates.** Five types of certificates shall be issued:

(1) Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 180-79A-220, authorizes service as a classroom teacher.

(2) Vocational. The vocational certificate authorizes service in vocational programs in accordance with the provisions of chapter 180-77 WAC.

(3) Administrator.

(a) The administrator certificate for principal authorizes services as a building administrator or vice-principal. The initial principal certificate shall indicate one of the following grade levels, preschool-9, 4-12, or preschool-12, based on recommendations from the college or university in which the candidate completed an approved preparation program.

(b) The administrator certificates for superintendent or program administrator will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

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(4) Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 180-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(5) Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC 180-79A-231:

- (a) Conditional certificate.
- (b) Substitute certificate.
- (c) Emergency certificate.
- (d) Emergency substitute certificate.
- (e) Intern substitute teacher certificate.
- (f) Transitional teaching certificate.

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-231 Limited certificates.** Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) The purpose of the conditional certificate is to assist local school districts, approved private schools, and educational service districts in meeting the state's educational goals by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals. The state board of education encourages in all cases the hiring of fully certificated individuals and understands that districts will employ individuals with conditional certificates only after careful review of all other options. The state board of education asks districts when reviewing such individuals for employment to consider, in particular, previous experience the individual has had working with children.

(b) Conditional certificates are issued upon application by the local school district, approved private school, or educational service district superintendent to persons who meet the age, good moral character, and personal fitness requirements of WAC 180-79A-150 (1) and (2), if one of the following conditions is verified:

(i) The applicant is highly qualified and experienced in the subject matter to be taught and has unusual distinction or exceptional talent which is able to be demonstrated through public records of accomplishments and/or awards; or

(ii) No person with regular teacher certification in the endorsement area is available as verified by the district or educational service district superintendent or approved private school administrator, or circumstances warrant consideration of issuance of a conditional certificate.

(c) In addition, conditional certificates are issued to persons in the following categories only if no person with regular certification is available:

(i) The applicant qualifies to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(ii) The applicant is assigned instructional responsibility for intramural/interscholastic activities which are part of the district or approved private school approved program; or

(iii) The applicant possesses a state of Washington license for a registered nurse: Provided, That the district will be responsible for orienting and preparing individuals for their assignment as described in (e)(iii) of this subsection; or

(iv) The applicant has completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(d) The educational service district or local district superintendent or administrator of an approved private school will verify that the following criteria have been met when requesting the conditional certificate:

(i) The district or educational service district superintendent or approved private school administrator has indicated the basis on which he/she has determined that the individual is competent for the assignment;

(ii) The individual is being certificated for a specific assignment and responsibility in a specified activity/field;

(e) When requesting the conditional certificate for persons who provide classroom instruction, the educational service district superintendent or local district superintendent or approved private school administrator will verify that the following additional criteria will be met:

(i) After specific inclusion on the agenda, the school board or educational service district board has authorized submission of the application.

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district or approved private school mentor and will not be serving in a paraprofessional role which would not require certification;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district or approved private school. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iv) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district or approved private school.

(f) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certificate, and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter upon application by the employing local school district, approved private school, or educational service district and upon completion of sixty clock hours (six quarter hours or

four semester hours) of course work since the issuance of the most recent certificate. The requesting local school district, approved private school, or educational service district shall verify that the sixty clock hours taken for the reissuance of the certificate shall be designed to support the participant's professional growth and enhance the participant's instructional knowledge or skills to better assist students meeting the state learning goals and/or essential academic learning requirements.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired; or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates; or

(iii) Persons applying as out-of-state applicants who qualify for certification pursuant to WAC 180-79A-257 ((2)) (1)(c) and (d).

(b) The substitute certificate is valid for life.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents or approved private school administrators to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: Provided, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: Provided further, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: Provided further, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Emergency substitute certification.

(a) If the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under subsection (2) of this section for use in a particular school district or approved private school once the list of otherwise qualified substitutes has been exhausted.

(b) Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(5) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-79A-270 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

(6) Intern substitute teacher certificate.

(a) School districts and approved private schools may request intern substitute teacher certificates for persons enrolled in student teaching/internships to serve as substitute teachers in the absence of the classroom teacher.

(b) The supervising college or university must approve the candidate for the intern substitute teacher certificate.

(c) Such certificated substitutes may be called at the discretion of the school district or approved private school to serve as a substitute teacher only in the classroom(s) to which the individual is assigned as a student teacher/intern.

(d) The intern substitute teacher certificate is valid for one year, or less, as evidenced by the expiration date which is printed on the certificate.

(7) Transitional teaching certificate.

(a) A teacher whose continuing certificate has lapsed according to WAC 180-85-040 may be issued a transitional certificate to be employed on a conditional basis upon request by a school district, approved private school, or educational service district superintendent. Within two years of the date the holder was issued the transitional certificate, in order to continue to be employed the holder of the transitional certificate must complete any continuing certificate reinstatement requirements established by the state board of education. The transitional certificate expiration date shall not be calculated under state board policy WAC 180-79A-117.

(b) No teacher whose continuing certificate is or has been suspended or revoked shall be eligible to be employed under this section.

(c) School districts, approved private schools, and educational service districts are strongly encouraged to develop with the holder of a transitional certificate a plan of assistance to be sure the holder completes the necessary continuing certificate reinstatement requirements under WAC 180-85-130 within the two-year conditional employment period specified under (a) of this subsection if the holder is to continue to be employed.

**WSR 01-18-063**

**EMERGENCY RULES**

**APPLE COMMISSION**

[Filed August 31, 2001, 2:08 p.m.]

Date of Adoption: August 31, 2001.

Purpose: To reduce the apple assessment on all fresh apples grown annually in this state, and upon all apples packed as Washington apples to 54.3 cents on each one hundred pounds gross billing weight effective September 1, 2001, instead of October 1, 2001, as currently established in rule.

Citation of Existing Rules Affected by this Order: Amending WAC 24-12-010.

Statutory Authority for Adoption: Chapter 15.24 RCW.

Under RCW 34:05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The decision by the commission to reduce the apple assessment on fresh apples one month sooner than currently established in rule is a result of a response to the current economic conditions in the Washington apple industry.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 15.24.090 provides that the commission may exercise its discretion as to whether to approve an increase of an assessment approved by referendum. The Apple Commission passed a motion to reduce the assessment one month sooner than currently established in rule.

Effective Date of Rule: Immediately.

August 31, 2001  
Welcome Sauer  
President

**AMENDATORY SECTION** (Amending WSR 00-23-064, filed 11/15/00, effective 12/16/00)

**WAC 24-12-010 Amount of assessments.** (1) There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 86.96 cents on each one hundred pounds gross billing weight until (~~September 30, 2001~~) August 31, 2001. On and after (~~October 1, 2001~~) September 1, 2001 the assessment on fresh apples shall be 54.3 cents on each one hundred pounds gross billing weight. For the period October 1, 1998 through (~~September 30, 2001~~) August 31, 2001, 32.66 cents of the assessment on each one hundred pounds gross billing weight shall be used only for direct consumer advertising.

(2) Assessments shall be payable as provided in WAC 24-12-012, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for the following containers shall apply for the purpose of computing said assessments:

DESCRIPTION OF CONTAINER	GROSS BILLING WEIGHTS
1/3 Bushel box (packed or loose)	15 lbs.
1/2 Bushel box (loose)	23 lbs.
Bulk bushel container (loose)	Net weight plus 3 lbs. tare
9/4 and 12/3 Bag containers	41 lbs.
13/3 Bag container	44 lbs.
10/4 and 8/5 Bag containers	45 lbs.
12/4 Bag container	53 lbs.
Standard tray pack container	46 lbs.
Pocket cell tray pack container	46 lbs.
Cell pack containers, all counts	46 lbs.
2-Layer tray pack container	23 lbs.
Single-layer tray pack container	12 lbs.

**WSR 01-18-064  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-192—Filed August 31, 2001, 3:03 p.m., effective September 1, 2001, 12:01 a.m.]

Date of Adoption: August 31, 2001.

Purpose: Personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-62100E and 232-28-62100F; and amending WAC 232-28-621.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Consistent with the stipulations and court order concerning comanagement and mass marking (United States District Court, 1997), WDFW and the Tulalip Tribe require additional time to resolve a dispute regarding non-Indian fishing within Tulalip Bay. These waters will remain closed while the Tulalip Terminal Area Fishery remains open. There is insufficient time to promulgate this rule using the permanent rules process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: September 1, 2001, 12:01 a.m.  
August 31, 2001  
J. P. Koenings  
Director

NEW SECTION

**WAC 232-28-62100F Puget Sound salmon seasons.** Notwithstanding the provisions of WAC 232-28-621 effective September 1 through September 30, 2001, those waters of Catch Record Card Area 8-2 east of a line from Mission Point to Hermosa Point are closed to salmon fishing.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 1, 2001:

WAC 232-28-62100E Puget Sound salmon seasons.  
(01-149)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. October 1, 2001:

WAC 232-28-62100F Puget Sound salmon seasons.

**WSR 01-18-065  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-193—Filed August 31, 2001, 3:07 p.m., effective September 4, 2001, 7:00 p.m.]

Date of Adoption: August 31, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000B; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The select areas are part of an on-going BPA funded study to design fisheries in areas outside of the mainstem Columbia River. Several stocks of salmon have been released from net pens in these select areas to provide for fisheries. All salmon returning to these net pens are harvestable. The coho test fishery continues the efforts that began in spring 2001 to test the feasibility of using tangle nets and recovery boxes to release fish alive. This rule is consistent with actions of the Columbia River

compact on August 17, 2001, and August 31, 2001, and is consistent with requirements of the Endangered Species Act. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: September 4, 2001, 7:00 p.m.  
August 31, 2001  
J. P. Koenings  
Director

NEW SECTION

**WAC 220-33-01000B Columbia River gillnet seasons below Bonneville-select area commercial fisheries.** Notwithstanding the provisions of WAC 220-33-010 and WAC 220-33-020, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except during the times and conditions listed:

1) MAINSTEM COLUMBIA RIVER - TANGLE NET TEST FISHERY

AREA: SMCRA 1A, 1B, and 1C upstream to Longview Bridge

DATES: 12:01 a.m. September 5, 2001 through 11:59 p.m. September 14, 2001.

GEAR: 3 1/2 inch mesh to 4 1/2 inch mesh.

150 fathoms maximum length

ALLOWABLE SALE: Adipose fin-clipped coho, chinook.

SANCTUARIES: Grays River, Elokomin-A, Abernathy Creek.

OTHER: An operating recovery box must be on board. A WDFW staff person must be on board at all times during the fishery.

Only those persons listed below may participate in the fishery:

- a. Tim Heuker
- b. Mike Heuker
- c. Bernie Heuker
- d. Dan Heuker
- e. Chris Heuker
- f. Randy Anderson
- g. Mark Ihander
- h. Thomas Tarabochia
- i. Lance Gray
- j. Steve Gray

EMERGENCY

- k. Chuck Yeager
- l. Les Clark
- m. Steve Clark
- n. Marty Budnick
- o. John Grocott
- p. Larry Holland
- q. Del Barendse
- r. Gary Olson
- s. Marty Kuller
- t. Frank Tarabochia

#### 2) BLIND SLOUGH/KNAPPA SLOUGH SELECT AREA

AREA: Blind Slough fishing area includes all waters from markers at the mouth of Gnat Creek located approximately 1/2 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough. Concurrent waters extend downstream of the railroad bridge. Oregon State waters extend upstream of the railroad bridge.

Knappa Slough fishing area includes all waters bounded by a line from the northerly most marker at the mouth of Blind Slough westerly to a marker on Karlson Island downstream to boundary lines defined by markers on the western end of Minaker Island to markers on Karlson Island and the Oregon shore. An area closure of about a 100' radius at the mouth of Big Creek is defined by markers. All waters are under concurrent jurisdiction.

#### SEASON: Blind Slough and Knappa Slough

Monday, Tuesday, Wednesday, and Thursday nights

7 p.m. to 7 a.m. September 4, 2001 through September 30, 2001

6 p.m. to 8 a.m. October 1, 2001 through October 31, 2001

GEAR: 6 inch maximum mesh, except no mesh restriction in Knappa Slough from September 4, 2001 through September 13, 2001.

100 fathoms maximum length

ALLOWABLE SALE: Salmon

#### 3) TONGUE POINT/SOUTH CHANNEL SELECT AREA

AREA: Tongue Point fishing area includes all waters bounded by a line from the red light at Tongue Point to the flashing green light at the rock jetty on the northwesterly tip of Mott Island, a line from a marker at the south end of Mott Island easterly to a marker on the northwest bank on Lois Island, and a line from a marker on the southwest end of Lois Island due westerly to a marker on the opposite bank. All waters are under concurrent jurisdiction.

South Channel area includes all waters bounded by a line from a marker on John Day Point through the green buoy "7" thence to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to flashing red marker "10" thence northwesterly to a marker on the sand bar defining the terminus of South Channel. All waters are under concurrent jurisdiction.

#### SEASON: Tongue Point

Monday, Tuesday, Wednesday, and Thursday nights

7 p.m. to 7 a.m. September 4, 2001 through September 30, 2001

6 p.m. to 8 a.m. October 1, 2001 through October 31, 2001

#### South Channel

Monday, Tuesday, Wednesday, and Thursday nights

7 p.m. to 7 a.m. September 16, 2001 through September 30, 2001

6 p.m. to 8 a.m. October 1, 2001 through October 31, 2001

#### GEAR: Tongue Point

6 inch maximum mesh

250 fathoms maximum length

Weight on leadline cannot exceed two pounds per fathom. Fishers participating in the Tongue Point fishery may have stored on board their boats, gill nets with leadline in excess of two pounds per fathom.

#### South Channel

6 inch maximum mesh

100 fathoms maximum length

ALLOWABLE SALE: Salmon

#### 4) DEEP RIVER SELECT AREA

AREA: Deep River is open to fishing down river from the town of Deep River to the mouth (a line from navigation marker "16" southwest to a marker on the Washington shore). Concurrent waters extend downstream of the Highway 4 bridge. State waters extend upstream of the Highway 4 bridge.

SEASON: Monday, Tuesday, Wednesday, and Thursday nights

7 p.m. to 7 a.m. September 4, 2001 through September 30, 2001

6 p.m. to 8 a.m. October 1, 2001 through October 31, 2001

GEAR: 6 inch maximum mesh

100 fathoms maximum length

ALLOWABLE SALE: Salmon

#### 5) STEAMBOAT SLOUGH SELECT AREA

AREA: Steamboat Slough is open to fishing in waters bounded by markers on Price Island and the Washington shore, at both upstream and downstream ends of Steamboat Slough. All open waters are under concurrent jurisdiction.

SEASON: Monday, Tuesday, Wednesday, and Thursday nights

7 p.m. to 7 a.m. September 4, 2001 through September 30, 2001

6 p.m. to 8 a.m. October 1, 2001 through October 31, 2001

GEAR: 6 inch maximum mesh

100 fathoms maximum length

ALLOWABLE SALE: Salmon

OTHER: It is unlawful to transport or possess fish outside the fishing area unless by licensed buyer. An exception to the rule allows transportation out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 1, 2001:

WAC 220-33-01000B

Columbia River gillnet seasons below Bonneville-select area commercial fisheries.

**WSR 01-18-092**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

(Division of Employment and Assistance Programs)

[Filed September 5, 2001, 11:06 a.m., effective October 1, 2001]

Date of Adoption: August 30, 2001.

Purpose: Implement changes to maximum benefit amounts, gross income limits, net income limits, maximum shelter deductions, utility allowances, and the 165% of poverty level for food assistance programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0190 How does the department figure my shelter cost income deduction for food assistance?, 388-450-0195 Utility allowances for food assistance programs, and 388-478-0060 What are my income limits for food assistance?

Statutory Authority for Adoption: RCW 74.04.057, 74.04.500, 74.04.510.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The United States Department of Agriculture, Food and Nutrition Service (FNS) requires states to update maximum benefit amounts, gross income limits, net income limits, maximum shelter deductions, utility allowances, and the 165% of poverty level on an annual basis.

On August 8, 2001, the department received FNS Administrative Notice 01-54. The notice set the new maximum benefit amounts, gross income limits, net income limits, maximum shelter deduction, and the 165% of poverty level for food assistance programs. FNS requires the department to make these changes effective October 1, 2001.

On August 7, 2001, the department notified FNS of the utility standards the department will use for fiscal year 2001. This update of standards and notification to FNS is required under 7 C.F.R. 273.9 (d)(6)(iii)(B). These changes take effect on October 1, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 3, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Effective Date of Rule: October 1, 2001.

August 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-06-030, filed 3/2/01, effective 4/2/01)

**WAC 388-450-0190 How does the department figure my shelter cost income deduction for food assistance?** ~~((1) To figure))~~ The department calculates your shelter cost income deduction ((for food assistance, the department first adds up what)) as follows:

(1) First, we add up the amounts your assistance unit (AU) ~~((is responsible to))~~ must pay each month for shelter. We do not count any overdue amounts, late fees, penalties(;) or any amount(;) you pay ahead of time as an allowable cost. ~~((Your))~~ We count the following expenses as an allowable shelter cost((s include your)):

- (a) Ongoing rent, lease, and mortgage payments;
- (b) Property taxes;
- (c) Homeowner's insurance for the building only;
- (d) Utility allowance your AU is eligible for under WAC 388-450-0195;
- (e) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;
- (f) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:

- (i) AU intends to return to the home;
- (ii) AU has current occupants who are not claiming the shelter costs for food assistance purposes; and
- (iii) AU's home is not being leased or rented during your AU's absence.

(2) Second, we subtract ~~((from your AU's gross income))~~ all deductions your AU is eligible for under WAC 388-450-0185(1) through (5) from your AU's gross income. The result is your AU's net income.

(3) Finally, we subtract ~~((from your AU's total shelter costs))~~ one-half of your AU's net income from your AU's total shelter costs. The result is your excess shelter ~~((cost income deduction. The deduction your AU will get is))~~ costs. Your AU's shelter cost deduction is the excess shelter costs:

(a) Up to a maximum of three hundred dollars if no one in your AU is elderly or disabled and you were found eligible for benefits prior to March 1, 2001; or

(b) Up to a maximum of three hundred ~~((forty))~~ fifty-four dollars if no one in your AU is elderly or disabled and you were found eligible for benefits or were recertified for benefits either on or after March 1, 2001; or

(c) The entire amount if someone in your AU is elderly or disabled, even if the amount ~~((exceeds))~~ is over three hundred ~~((forty))~~ fifty-four dollars.

EMERGENCY

**AMENDATORY SECTION** (Amending WSR 00-22-065, filed 10/27/00, effective 11/1/00)

**WAC 388-450-0195 Utility allowances for food assistance programs.** (1) For food assistance programs, "utilities" include the following:

- (a) Heating and cooking fuel;
- (b) Cooling and electricity;
- (c) Water and sewerage;
- (d) Garbage and trash collection; and
- (e) Basic telephone service.

(2) The department uses the amounts below if you have utility costs separate from your rent or mortgage payment. We add your utility allowance to your rent or mortgage payment to determine your total shelter costs. We use total shelter costs to determine your food assistance benefits.

(3) If you have heating or cooling costs, you get a standard utility allowance (SUA) that depends on your assistance unit's size.

Assistance Unit (AU) Size	Utility Allowance
1	\$((230)) <u>249</u>
2	\$((237)) <u>256</u>

3	\$((244)) <u>264</u>
4	\$((254)) <u>271</u>
5	\$((258)) <u>279</u>
6 or more	\$((265)) <u>287</u>

(4) If your AU does not qualify For the SUA and you have utility costs other than telephone costs, you get a limited utility allowance (LUA) of one hundred ((eighty-five)) ninety-eight dollars.

(5) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of ((thirty-one)) thirty-three dollars.

**AMENDATORY SECTION** (Amending WSR 00-23-013, filed 11/3/00, effective 12/4/00)

**WAC 388-478-0060 What are my income limits for food assistance?** ((So long as)) If your assistance unit (AU) meets all other eligibility requirements for food assistance((benefits)), your AU must have income at or below the limits in column (B) and (C) to get food assistance, unless you meet one of the exceptions listed below:

**EFFECTIVE 10-1-((2000)) 2001**

Column A ((Household Size)) <u>Number of Eligible AU Members</u>	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$ ((905)) <u>931</u>	\$ ((696)) <u>716</u>	\$ ((130)) <u>135</u>	\$ ((1,149)) <u>1,182</u>
2	((1,219)) <u>1,258</u>	((938)) <u>968</u>	((238)) <u>248</u>	((1,547)) <u>1,597</u>
3	((1,533)) <u>1,585</u>	((1,180)) <u>1,220</u>	((341)) <u>356</u>	((1,946)) <u>2,012</u>
4	((1,848)) <u>1,913</u>	((1,421)) <u>1,471</u>	((434)) <u>452</u>	((2,345)) <u>2,427</u>
5	((2,162)) <u>2,240</u>	((1,663)) <u>1,723</u>	((515)) <u>537</u>	((2,744)) <u>2,843</u>
6	((2,476)) <u>2,567</u>	((1,905)) <u>1,975</u>	((618)) <u>644</u>	((3,142)) <u>3,258</u>
7	((2,790)) <u>2,894</u>	((2,146)) <u>2,226</u>	((683)) <u>712</u>	((3,541)) <u>3,673</u>
8	((3,104)) <u>3,221</u>	((2,388)) <u>2,478</u>	((781)) <u>814</u>	((3,940)) <u>4,088</u>
9	((3,419)) <u>3,549</u>	((2,630)) <u>2,730</u>	((879)) <u>916</u>	((4,339)) <u>4,504</u>
10	((3,734)) <u>3,877</u>	((2,872)) <u>2,982</u>	((977)) <u>1,018</u>	((4,738)) <u>4,920</u>
Each Additional Member	+((315)) <u>328</u>	+((242)) <u>252</u>	+((98)) <u>102</u>	+((399)) <u>416</u>

**Exceptions:**

(1) If your AU is categorically eligible as ((defined in)) under WAC 388-414-0001, your ((income will)) AU does not have to ((be below)) meet the gross or net income standards

in columns (B) and (C) ((to decide if you are eligible)). However, we ((will)) do budget ((the)) your AU's income to decide the amount of food assistance your AU will receive.

**EMERGENCY**

(2) If your AU includes a member who is sixty years of age or older or has a disability, your income must be at or below the limit in column (C) only.

(3) If you are sixty years of age or older and ~~((are unable to purchase and prepare))~~ cannot buy and cook your own meals because of a permanent disability, we will use column (E) to ~~((determine))~~ decide if you can be a separate ~~((food assistance unit))~~ AU.

(4) If your AU has zero income ~~((you will receive))~~, your benefits are the maximum allotment ~~((amount))~~ in column (D), based on ~~((your household size in column (D)))~~ the number of eligible members in your AU.

**WSR 01-18-007**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed August 22, 2001, 3:46 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: CN 211 - Processing Suspense Payments with On-line Suspense.

Subject: Instructional CN about how to use the on-line suspense payment system.

Effective Date: July 18, 2001.

Document Description: This CN provides instructions to staff about processing suspense payments using the on-line, computer-based, suspense system.

To receive a copy of the interpretive or policy statement, contact Martha Dickens, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 664-5217, TDD (360) 753-9122, fax (360) 664-5209, e-mail mdickens@dshs.wa.gov.

August 20, 2001

Martha Dickens

**WSR 01-18-011**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
 (Library Commission)  
 [Memorandum—August 23, 2001]

The Washington State Library Commission will hold its regular business meeting as follows:

Date: September 12, 2001  
 Time: 1:30 p.m.  
 Location: Cherberg Building on Capitol Campus  
 Conference Room A

For further information, including accommodating the needs of persons with disabilities, please contact Patricia Davis at (360) 753-2914 or e-mail to pdavis@statelib.wa.gov.

**WSR 01-18-012**  
**NOTICE OF PUBLIC MEETINGS**  
**SOUTH PUGET SOUND**  
**COMMUNITY COLLEGE**  
 [Memorandum—August 17, 2001]

To ensure a quorum, the South Puget Sound Community College board of trustees changed their regular August 30, 2001, meeting to Wednesday, September 5, 2001. If you have any questions, please contact Patty Pynch at 754-7711 ext. 5202.

**WSR 01-18-016**  
**NOTICE OF PUBLIC MEETINGS**  
**YAKIMA VALLEY**  
**COMMUNITY COLLEGE**  
 [Memorandum—August 22, 2001]

Beginning November 1, 2001, the board of trustees for Yakima Valley Community College will hold regular meetings at 4:30 p.m. on the second Thursday of every month in the M. L. King Room of the Hopf Union Building on the Yakima Valley Community College Campus. *Exceptions for 2001-2002 are noted as indicated below.*

*November 15, 2001 (3rd Thursday)*

*December 6, 2001 (1st Thursday)*

January 10, 2002

February 14, 2002

March 14, 2002

*April 11, 2002 (Grandview Campus,*

*Grandview, Washington)*

May 9, 2002

*June 6, 2002 (1st Thursday)*

July 11, 2002

August 8, 2002

September 12, 2002

October 10, 2002

November 14, 2002

December 12, 2002

**WSR 01-18-020**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
 (State Capitol Committee)  
 (Legislative Building Renovation Oversight Committee)  
 [Memorandum—August 23, 2001]

Please record the following Joint State Capitol Committee and Legislative Building Renovation Oversight Committee meeting date in the Washington State Register:

Date: Thursday, October 25, 2001  
 Time: 11:00 a.m. to 1:00 p.m.  
 Location: General Administration Building, Room 207

If you have any questions, please call Patricia McLain at (360) 902-0979.

MISC.

**WSR 01-18-028**

**AGENDA**

**DEPARTMENT OF AGRICULTURE**

[Filed August 28, 2001, 3:11 p.m.]

Washington State Department of Agriculture  
Semi-Annual Rules Agenda, July 2001  
P.O. Box 42560, Olympia, WA 98504-2560

Chapter	Subject	Contact
NEW	Regulation of host material for sudden oak death	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
NEW	Blueberry planing stock certification	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
NEW	Blueberry scorch virus	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
NEW	Glassy-winged sharpshooter—Grapevines and plant/nursery stock quarantine	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
NEW	Food labeling	Claudia Coles Program Manager Food Safety and Animal Health Phone (360) 902-1905
NEW	Clopyralid	Cliff Weed Program Manager Pesticide Compliance Phone (360) 902-2036
NEW	Plant labeling or tagging requirements	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
WAC 16-101X	Dairy penalty matrix	Claudia Coles Program Manager Food Safety and Animal Health Phone (360) 902-1905
WAC 16-165	Food inspection	Claudia Coles Program Manager Food Safety and Animal Health Phone (360) 902-1905
WAC 16-202 WAC 16-200	General pesticide rules relating to chemigation and fertigation	Ann Wick Program Manager Pesticide Management Division Phone (360) 902-2051
WAC 16-229	Pesticide secondary containment temporary tank size	Cliff Weed Program Manager Pesticide Compliance Phone (360) 902-2036
WAC 16-321	Sod certification	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
WAC 16-439	Standards of grades and packs for summer and fall pears	Jim Quigley Program Manager Commodity Inspection Division Phone (360) 902-1883

WAC 16-442	Standards of grades and packs for winter pears	Jim Quigley Program Manager Commodity Inspection Division Phone (360) 902-1883
WAC 16-470	Chestnut pest quarantine	Mary Toohey Assistant Director Lab Services Division Phone (360) 902-1907
WAC 16-573 WAC 16-570	Canola and rapeseed commission	Randy Dieke Program Manager Grain Inspection Phone (360) 902-1921 Phone (360) 902-1928
WAC 16-752	Yellow nutsedge quarantine	Mary A. Martin Toohey Assistant Director Lab Services Division Phone (360) 902-1907
WAC 142-30	Assessment on milk produced in Washington state	Steve Matzen General Manager Washington Dairy Products Commission Phone (425) 672-0687

Dannie McQueen  
Rules Coordinator

**WSR 01-18-030**

**INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed August 28, 2001, 3:26 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.

Subject: Medical nutrition therapy.

Effective Date: September 1, 2001.

Document Description: These are billing instructions for medical nutrition therapy providers to use when billing medical assistance eligible clients. Included in this document are definitions, client eligibility, general program/billing information, and claim form instructions.

To receive a copy of the interpretive or policy statement contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Billing Instruction link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail [mailto:sullikm@dshs.wa.gov](mailto:mailto:sullikm@dshs.wa.gov).

August 27, 2001

E. A. Meyers, Manager  
Regulatory Improvement Project

MISC.

**WSR 01-18-031**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed August 28, 2001, 3:27 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Billing Instructions.  
 Subject: Prosthetic and orthotic devices.  
 Effective Date: September 1, 2001.

Document Description: These are billing instructions for prosthetic and orthotic providers to use when billing medical assistance eligible clients. Included in this document are definitions, client eligibility, general program/billing information, and claim form instructions.

To receive a copy of the interpretive of policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Billing Instructions link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail [mailto:sullikm@dshs.wa.gov](mailto:mailto:sullikm@dshs.wa.gov).

August 27, 2001

E. A. Myers, Manager  
 Regulatory Improvement Project

**WSR 01-18-032**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed August 28, 2001, 3:28 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Billing Instructions.  
 Subject: Wheelchairs, durable medical equipment, and supplies.

Effective Date: September 1, 2001.

Document Description: These are billing instructions for wheelchairs and durable medical equipment providers to use when billing medical assistance eligible clients. Included in this document are definitions, client eligibility, general program/billing information, and claim form instructions.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Billing Instructions link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail [mailto:sullikm@dshs.wa.gov](mailto:mailto:sullikm@dshs.wa.gov).

August 27, 2001

E. A. Myers, Manager  
 Regulatory Improvement Project

**WSR 01-18-073**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**

[Memorandum—September 1, 2001]

**EDMONDS COMMUNITY COLLEGE**  
**BOARD OF TRUSTEES**  
**NOTICE OF SPECIAL MEETINGS**  
**TO MEDIA/OTHER**

- September 6, 2001\* Trustees Association for Community and Technical Colleges (TACTC) Fall Conference and Legislative Forum, Holiday Inn, One South Grady Way, Renton, WA, 9:00 a.m. - 3:00 p.m. *Purpose: Fall trustee conference and legislative forum.*
- September 7, 2001\* Edmonds Community College Foundation Golf Tournament, Lynnwood Municipal Golf Course, 20200 68th Avenue West, Lynnwood, WA, 1:00 - 7:00 p.m. *Purpose: Foundation fundraising event.*
- September 14, 2001\* Lynnwood Mayoral Community Forum, EdCC, Triton Union Building, Room 202, 20200 68th Avenue West, Lynnwood, WA, 12:00 - 1:30 p.m. *Purpose: Mayoral candidate forum.*
- September 17, 2001\* VIP Social, EdCC, Triton Union Building, Room 202, 20200 68th Avenue West, Lynnwood, WA, 11:30 a.m. *Purpose: Formal greeting of new international students.*
- September 19, 2001\* Fall Return All-Campus Meeting and Welcome, EdCC, Triton Union Building, Room 202, 20200 68th Avenue West, Lynnwood, WA, 8:30 a.m. - 11:00 a.m. *Purpose: Fall kick-off welcome for returning and new staff and faculty.*
- September 20, 2001 Edmonds Community College Board of Trustees Regular Meeting, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 4:00 p.m. *Purpose: To address routine college business issues.*

\*This event is being scheduled as a special meeting, which is a study session where no action will be taken.

**WSR 01-18-077**  
**ATTORNEY GENERAL OPINION**

[Filed September 4, 2001, 3:36 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION**  
**WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by September 26, 2001. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by September 26,

**MISC.**

2001, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**01-08-02 Request by Tim Sheldon, Senator, 35th District**

1. Are the Washington State Association of Counties and the Washington Association of County Officials subject to the Public Disclosure Act, RCW 42.17.250 through 42.17.348?
2. Are the Association of Washington Cities and the Washington Public Ports Association public agencies for purposes of the Public Disclosure Act?

**WSR 01-18-078**

**ATTORNEY GENERAL OPINION**

[Filed September 4, 2001, 3:37 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by September 26, 2001. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by September 26, 2001, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**01-08-01 Request by Randall Gaylord, San Juan County Prosecuting Attorney**

1. May the county use tax revenues generated under RCW 82.14.370 to fund the purchase and/or installation of fiber optic cable and optical switching electronics by the local non-profit electrical cooperative for the purpose of extending broadband high-speed telecommunications to San Juan County?
2. If the answer is no, does RCW 82.14.370 permit the funding, under any circumstance, of a facility which promotes economic development when the facility is owned by a private for profit or non-profit organization?
3. If the answer to question 2 is no, does a grant of RCW 82.14.370 tax funds by the county to a private entity always require the same level of joint ownership or control as is required in a grant of lodging tax revenues as discussed in AGO 2000 No. 9?

**WSR 01-18-079**

**OFFICE OF THE GOVERNOR**

[Filed September 5, 2001, 8:53 a.m.]

**NOTICE OF APPEAL**

(RCW 34.05.330(3))

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On August 30, 2001, the Governor received an appeal to the denial by the Department of Retirement Systems to repeal WAC 415-112-0161(1), relating to school year definition, filed by Bobby J. Woolley.

DATED: August 31, 2001

Everett H. Billingslea  
General Counsel to the Governor

**WSR 01-18-080**

**NOTICE OF PUBLIC MEETINGS**

**BELLINGHAM TECHNICAL COLLEGE**

[Memorandum—September 5, 2001]

**NOTICE**

The regularly scheduled meeting of the board of trustees of Bellingham Technical College scheduled for September 20, 2001, has been canceled and rescheduled for Thursday, September 13, 2001, 9-11 a.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 ext. 334 for information.

**Table of WAC Sections Affected**

**KEY TO TABLE**

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

**Symbols:**

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJECT = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

**Suffixes:**

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- X = Expedited rule making
- XA = Expedited adoption
- XR = Expedited repeal
- No suffix means permanent action

**WAC #** Shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

**WSR #** Shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
1- 21-010	AMD-X	01-16-107	4- 25-640	AMD-W	01-11-123	16-143	REP-C	01-15-050
1- 21-015	NEW-X	01-16-107	4- 25-640	AMD-P	01-15-087	16-143	AMD-C	01-16-001
1- 21-160	AMD-X	01-16-107	4- 25-650	AMD-P	01-07-040	16-143-005	NEW	01-03-049
1- 21-170	AMD-X	01-16-107	4- 25-650	AMD-W	01-11-123	16-143-005	REP-P	01-11-144
3- 20-100	NEW-P	01-05-034	4- 25-650	AMD-P	01-15-087	16-143-005	REP	01-16-033
3- 20-100	NEW	01-11-035	4- 25-660	AMD-P	01-15-087	16-143-010	REP-P	01-11-144
4- 25	PREP	01-11-076	4- 25-661	AMD-P	01-15-087	16-143-010	REP	01-16-033
4- 25-400	AMD-P	01-15-087	4- 25-710	AMD-P	01-15-087	16-143-020	REP-P	01-11-144
4- 25-410	AMD-P	01-07-033	4- 25-720	AMD-P	01-07-041	16-143-020	REP	01-16-033
4- 25-410	AMD	01-11-124	4- 25-720	AMD-P	01-15-087	16-143-030	REP-P	01-11-144
4- 25-410	AMD-P	01-15-087	4- 25-721	AMD-P	01-07-042	16-143-030	REP	01-16-033
4- 25-510	AMD-P	01-15-087	4- 25-721	AMD	01-11-127	16-143-040	REP-P	01-11-144
4- 25-520	AMD-P	01-07-034	4- 25-721	AMD-P	01-15-087	16-143-040	REP	01-16-033
4- 25-520	AMD	01-11-125	4- 25-722	REP-P	01-07-043	16-143-050	REP-P	01-11-144
4- 25-520	AMD-P	01-15-087	4- 25-722	REP-W	01-11-123	16-143-050	REP	01-16-033
4- 25-521	AMD-P	01-07-035	4- 25-722	REP	01-11-128	16-143-060	REP-P	01-11-144
4- 25-521	AMD	01-11-126	4- 25-730	AMD	01-03-011	16-143-060	REP	01-16-033
4- 25-530	AMD-P	01-15-087	4- 25-730	AMD-P	01-15-087	16-143-070	REP-P	01-11-144
4- 25-540	AMD-P	01-15-087	4- 25-735	NEW-P	01-15-087	16-143-070	REP	01-16-033
4- 25-550	AMD-P	01-15-087	4- 25-745	AMD-P	01-15-087	16-143-080	REP-P	01-11-144
4- 25-551	AMD-P	01-15-087	4- 25-746	AMD-P	01-15-087	16-143-080	REP	01-16-033
4- 25-600	AMD-P	01-07-036	4- 25-750	AMD-P	01-15-087	16-143-090	REP-P	01-11-144
4- 25-600	AMD-W	01-11-123	4- 25-752	NEW-P	01-15-087	16-143-090	REP	01-16-033
4- 25-610	AMD-P	01-07-037	4- 25-756	NEW-P	01-15-087	16-143-100	REP-P	01-11-144
4- 25-610	AMD-W	01-11-123	4- 25-781	AMD-P	01-15-087	16-143-100	REP	01-16-033
4- 25-610	AMD-P	01-15-087	4- 25-782	AMD-P	01-15-087	16-143-110	REP-P	01-11-144
4- 25-620	REP-P	01-07-037	4- 25-783	AMD-P	01-15-087	16-143-110	REP	01-16-033
4- 25-620	REP-W	01-11-123	4- 25-790	AMD-P	01-15-087	16-154	PREP	01-14-023
4- 25-620	AMD-P	01-15-087	4- 25-791	AMD-P	01-15-087	16-156	AMD-P	01-12-100
4- 25-622	AMD-P	01-07-038	4- 25-792	AMD-P	01-15-087	16-156	PREP	01-14-023
4- 25-622	AMD-W	01-11-123	4- 25-793	NEW-P	01-15-087	16-156	AMD	01-16-032
4- 25-622	AMD-P	01-15-087	4- 25-795	AMD-P	01-15-087	16-156-004	AMD-P	01-12-100
4- 25-626	AMD	01-03-012	4- 25-820	AMD-P	01-15-087	16-156-004	AMD	01-16-032
4- 25-626	AMD-P	01-15-087	4- 25-830	AMD-P	01-15-087	16-156-030	AMD-P	01-12-100
4- 25-630	REP-P	01-07-037	4- 25-831	AMD-P	01-15-087	16-156-030	AMD	01-16-032
4- 25-630	REP-W	01-11-123	4- 25-832	AMD-P	01-15-087	16-156-035	AMD-P	01-12-100
4- 25-630	AMD-P	01-15-087	4- 25-833	AMD-P	01-15-087	16-156-035	AMD	01-16-032
4- 25-631	PREP	01-06-002	4- 25-910	AMD-P	01-15-087	16-156-050	AMD-P	01-12-100
4- 25-631	AMD-P	01-15-087	16-143	PREP	01-08-100	16-156-050	AMD	01-16-032
4- 25-640	AMD-P	01-07-039	16-143	REP-C	01-14-034	16-156-060	AMD-P	01-12-100

TABLE

**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-156-060	AMD	01-16-032	16-202-2001	NEW	01-13-063	16-238-030	NEW-P	01-09-075
16-156-070	NEW-P	01-12-100	16-202-2002	NEW-P	01-06-053	16-238-030	NEW	01-12-021
16-156-070	NEW	01-16-032	16-202-2002	NEW-S	01-17-116	16-238-030	NEW-E	01-13-001
16-158	PREP	01-14-023	16-202-2003	NEW-P	01-06-053	16-238-060	NEW-E	01-05-003
16-160	PREP	01-14-023	16-202-2003	NEW-S	01-17-116	16-238-060	NEW-P	01-09-075
16-162	PREP	01-14-023	16-202-2004	NEW-P	01-06-053	16-238-060	NEW	01-12-021
16-164	PREP	01-14-023	16-202-2004	NEW	01-13-063	16-238-060	NEW-E	01-13-001
16-202	AMD-C	01-11-130	16-202-2004	AMD-S	01-17-117	16-238-070	NEW-E	01-05-003
16-202	AMD-C	01-13-062	16-202-2005	NEW-P	01-06-053	16-238-070	NEW-P	01-09-075
16-202-1000	REP-P	01-06-052	16-202-2005	NEW-S	01-17-116	16-238-070	NEW	01-12-021
16-202-1000	REP-S	01-17-116	16-202-2006	NEW-P	01-06-053	16-238-070	NEW-E	01-13-001
16-202-1001	NEW-P	01-06-052	16-202-2006	NEW-S	01-17-116	16-238-080	NEW-E	01-05-003
16-202-1001	NEW-S	01-17-116	16-202-2007	NEW-P	01-06-053	16-238-080	NEW-E	01-13-001
16-202-1002	NEW-P	01-06-052	16-202-2007	NEW	01-13-063	16-238-082	NEW-E	01-05-003
16-202-1002	NEW-S	01-17-116	16-202-2007	NEW-P	01-06-053	16-238-082	NEW-E	01-05-003
16-202-1003	NEW-P	01-06-052	16-202-2008	NEW	01-13-063	16-238-082	NEW-P	01-09-075
16-202-1003	NEW-S	01-17-116	16-202-2008	NEW-P	01-06-053	16-238-082	NEW	01-12-021
16-202-1004	NEW-P	01-06-052	16-202-2009	NEW-P	01-06-053	16-238-082	NEW-E	01-13-001
16-202-1004	NEW-S	01-17-116	16-202-2009	NEW	01-13-063	16-238-090	NEW-E	01-05-003
16-202-1005	NEW-S	01-17-116	16-202-2010	NEW-P	01-06-053	16-238-090	NEW-P	01-09-075
16-202-1006	NEW-P	01-06-052	16-202-2010	NEW	01-13-063	16-238-090	NEW	01-12-021
16-202-1006	NEW-S	01-17-116	16-202-2011	NEW-P	01-06-053	16-238-090	NEW-E	01-13-001
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16-202-1007	NEW-S	01-17-116	16-202-2012	NEW-P	01-06-053	16-238-100	NEW-P	01-09-075
16-202-1008	NEW-P	01-06-052	16-202-2012	NEW	01-13-063	16-238-100	NEW	01-12-021
16-202-1008	NEW-S	01-17-116	16-202-2012	NEW-P	01-06-053	16-238-100	NEW-E	01-13-001
16-202-1009	NEW-P	01-06-052	16-202-2013	NEW-P	01-06-053	16-238-100	NEW-E	01-05-003
16-202-1009	NEW-S	01-17-116	16-202-2013	NEW	01-13-063	16-238-110	NEW-E	01-05-003
16-202-1010	NEW-P	01-06-052	16-202-2013	AMD-S	01-17-117	16-238-110	NEW-P	01-09-075
16-202-1010	NEW-S	01-17-116	16-202-2014	NEW-P	01-06-053	16-238-110	NEW	01-12-021
16-202-1011	NEW-P	01-06-052	16-202-2014	NEW	01-13-063	16-238-110	NEW-E	01-13-001
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16-202-1012	NEW-P	01-06-052	16-202-2015	NEW	01-13-063	16-328	PREP	01-03-140
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16-202-1015	NEW-P	01-06-052	16-202-2017	AMD-S	01-17-117	16-333-040	AMD-P	01-07-097
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16-202-1016	NEW-S	01-17-116	16-202-2018	AMD-S	01-17-117	16-333-041	NEW	01-11-030
16-202-1017	NEW-P	01-06-052	16-202-2019	NEW-P	01-06-053	16-333-045	AMD-P	01-07-097
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16-202-1020	NEW-S	01-17-116	16-228	PREP	01-08-054	16-400-045	NEW-P	01-15-086
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16-202-1021	NEW-S	01-17-116	16-228-2000	PREP	01-06-021	16-400-100	AMD-P	01-07-095
16-202-1022	NEW-P	01-06-052	16-228-2020	PREP	01-06-021	16-400-100	AMD	01-11-086
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51-11-2007	REP	01-03-010	51-42-1301	NEW	01-02-098	51-46-0412	REP-W	01-05-029
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51-11-2009	REP	01-03-010	51-44-0105	NEW	01-02-096	51-46-0413	REP-W	01-05-029
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51-11-99903	AMD	01-03-010	51-44-1007	AMD	01-02-096	51-46-0500	REP-W	01-05-029
51-11-99904	AMD	01-03-010	51-44-1102	NEW	01-02-096	51-46-0500	REP-P	01-16-122
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51-40-0403	AMD-W	01-05-028	51-46	REP-C	01-18-042	51-46-0509	REP-P	01-16-122
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51-40-1004	AMD	01-02-095	51-46-002	REP-P	01-16-122	51-46-0513	REP-P	01-16-122
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51-40-2106	NEW-W	01-05-028	51-46-0103	REP-W	01-05-029	51-46-0520	REP-P	01-16-122
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51-42-1120	NEW	01-02-098	51-46-0316	REP-W	01-05-029	51-46-0610	REP-W	01-05-029
51-42-1121	NEW	01-02-098	51-46-0392	REP-P	01-16-122	51-46-0610	REP-P	01-16-122
51-42-1122	NEW	01-02-098	51-46-0392	REP-W	01-05-029	51-46-0700	REP-W	01-05-029
51-42-1123	NEW	01-02-098	51-46-0400	REP-P	01-16-122	51-46-0700	REP-P	01-16-122
			51-46-0400	REP-W	01-05-029	51-46-0701	REP-W	01-05-029
				REP-P	01-16-122	51-46-0701	REP-P	01-16-122

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-46-0704	REP-W	01-05-029	51-46-97129	REP-W	01-05-029	51-57-790000	NEW-P	01-16-122
51-46-0704	REP-P	01-16-122	51-46-97129	REP-P	01-16-122	51-57-895000	NEW-W	01-05-029
51-46-0710	REP-W	01-05-029	51-47	REP-C	01-18-042	51-57-895000	NEW-P	01-16-122
51-46-0710	REP-P	01-16-122	51-47-001	REP-W	01-05-029	67-25-460	NEW-P	01-14-064
51-46-0713	REP-W	01-05-029	51-47-001	REP-P	01-16-122	67-25-470	NEW-P	01-14-064
51-46-0713	REP-P	01-16-122	51-47-002	REP-W	01-05-029	67-25-480	NEW-P	01-14-064
51-46-0793	REP-W	01-05-029	51-47-002	REP-P	01-16-122	72-120-100	AMD-P	01-09-057
51-46-0793	REP-P	01-16-122	51-47-003	REP-W	01-05-029	72-120-100	AMD	01-16-023
51-46-0800	REP-W	01-05-029	51-47-003	REP-P	01-16-122	72-120-200	AMD-P	01-09-057
51-46-0800	REP-P	01-16-122	51-47-007	REP-W	01-05-029	72-120-200	AMD	01-16-023
51-46-0810	REP-W	01-05-029	51-47-007	REP-P	01-16-122	72-120-220	AMD-P	01-09-057
51-46-0810	REP-P	01-16-122	51-47-008	REP-W	01-05-029	72-120-220	AMD	01-16-023
51-46-0814	REP-W	01-05-029	51-47-008	REP-P	01-16-122	72-120-225	AMD-P	01-09-057
51-46-0814	REP-P	01-16-122	51-56	AMD-C	01-18-042	72-120-225	AMD	01-16-023
51-46-0815	REP-W	01-05-029	51-56-001	NEW-W	01-05-029	72-120-230	AMD-P	01-09-057
51-46-0815	REP-P	01-16-122	51-56-001	NEW-P	01-16-122	72-120-230	AMD	01-16-023
51-46-0900	REP-W	01-05-029	51-56-002	NEW-W	01-05-029	72-120-234	AMD-P	01-09-057
51-46-0900	REP-P	01-16-122	51-56-002	NEW-P	01-16-122	72-120-234	AMD	01-16-023
51-46-0903	REP-W	01-05-029	51-56-003	NEW-W	01-05-029	72-120-236	AMD-P	01-09-057
51-46-0903	REP-P	01-16-122	51-56-003	NEW-P	01-16-122	72-120-236	AMD	01-16-023
51-46-1000	REP-W	01-05-029	51-56-007	NEW-W	01-05-029	72-120-300	NEW-P	01-09-057
51-46-1000	REP-P	01-16-122	51-56-007	NEW-P	01-16-122	72-120-300	NEW	01-16-023
51-46-1003	REP-W	01-05-029	51-56-008	NEW-W	01-05-029	72-120-301	NEW-P	01-09-057
51-46-1003	REP-P	01-16-122	51-56-008	NEW-P	01-16-122	72-120-301	NEW	01-16-023
51-46-1012	REP-W	01-05-029	51-56-0100	NEW-W	01-05-029	72-120-302	NEW-P	01-09-057
51-46-1012	REP-P	01-16-122	51-56-0100	NEW-P	01-16-122	72-120-302	NEW	01-16-023
51-46-1300	REP-W	01-05-029	51-56-0200	NEW-W	01-05-029	72-120-303	NEW-P	01-09-057
51-46-1300	REP-P	01-16-122	51-56-0200	NEW-P	01-16-122	72-120-303	NEW	01-16-023
51-46-1301	REP-W	01-05-029	51-56-0300	NEW-W	01-05-029	72-120-304	NEW-P	01-09-057
51-46-1301	REP-P	01-16-122	51-56-0300	NEW-P	01-16-122	72-120-304	NEW	01-16-023
51-46-1302	REP-W	01-05-029	51-56-0400	NEW-W	01-05-029	72-120-305	NEW-P	01-09-057
51-46-1302	REP-P	01-16-122	51-56-0400	NEW-P	01-16-122	72-120-305	NEW	01-16-023
51-46-1303	REP-W	01-05-029	51-56-0500	NEW-W	01-05-029	72-120-306	NEW-P	01-09-057
51-46-1303	REP-P	01-16-122	51-56-0500	NEW-P	01-16-122	72-120-306	NEW	01-16-023
51-46-1304	REP-W	01-05-029	51-56-0600	NEW-W	01-05-029	72-120-307	NEW-P	01-09-057
51-46-1304	REP-P	01-16-122	51-56-0600	NEW-P	01-16-122	72-120-307	NEW	01-16-023
51-46-1305	REP-W	01-05-029	51-56-0700	NEW-W	01-05-029	72-120-308	NEW-P	01-09-057
51-46-1305	REP-P	01-16-122	51-56-0700	NEW-P	01-16-122	72-120-308	NEW	01-16-023
51-46-1400	REP-W	01-05-029	51-56-0800	NEW-W	01-05-029	72-120-309	NEW-P	01-09-057
51-46-1400	REP-P	01-16-122	51-56-0800	NEW-P	01-16-122	72-120-309	NEW	01-16-023
51-46-1401	REP-W	01-05-029	51-56-0900	NEW-W	01-05-029	72-120-310	NEW-P	01-09-057
51-46-1401	REP-P	01-16-122	51-56-0900	NEW-P	01-16-122	72-120-310	NEW	01-16-023
51-46-1491	REP-W	01-05-029	51-56-1300	NEW-W	01-05-029	72-120-311	NEW-P	01-09-057
51-46-1491	REP-P	01-16-122	51-56-1300	NEW-P	01-16-122	72-120-311	NEW	01-16-023
51-46-97120	REP-W	01-05-029	51-56-1400	NEW-W	01-05-029	72-120-312	NEW-P	01-09-057
51-46-97120	REP-P	01-16-122	51-56-1400	NEW-P	01-16-122	72-120-312	NEW	01-16-023
51-46-97121	REP-W	01-05-029	51-56-1500	NEW-W	01-05-029	72-120-313	NEW-P	01-09-057
51-46-97121	REP-P	01-16-122	51-56-1500	NEW-P	01-16-122	72-120-313	NEW	01-16-023
51-46-97122	REP-W	01-05-029	51-56-201300	NEW-W	01-05-029	72-120-314	NEW-P	01-09-057
51-46-97122	REP-P	01-16-122	51-56-201300	NEW-P	01-16-122	72-120-314	NEW	01-16-023
51-46-97123	REP-W	01-05-029	51-57	AMD-C	01-18-042	72-171-001	AMD-P	01-09-019
51-46-97123	REP-P	01-16-122	51-57-001	NEW-W	01-05-029	72-171-001	AMD	01-16-022
51-46-97124	REP-W	01-05-029	51-57-001	NEW-P	01-16-122	72-171-010	AMD-P	01-09-019
51-46-97124	REP-P	01-16-122	51-57-002	NEW-W	01-05-029	72-171-010	AMD	01-16-022
51-46-97125	REP-W	01-05-029	51-57-002	NEW-P	01-16-122	72-171-015	AMD-P	01-09-019
51-46-97125	REP-P	01-16-122	51-57-003	NEW-W	01-05-029	72-171-015	AMD	01-16-022
51-46-97126	REP-W	01-05-029	51-57-003	NEW-P	01-16-122	72-171-016	AMD-P	01-09-019
51-46-97126	REP-P	01-16-122	51-57-007	NEW-W	01-05-029	72-171-016	AMD	01-16-022
51-46-97127	REP-W	01-05-029	51-57-007	NEW-P	01-16-122	72-171-100	REP-P	01-09-019
51-46-97127	REP-P	01-16-122	51-57-008	NEW-W	01-05-029	72-171-100	REP	01-16-022
51-46-97128	REP-W	01-05-029	51-57-008	NEW-P	01-16-122	72-171-110	AMD-P	01-09-019
51-46-97128	REP-P	01-16-122	51-57-790000	NEW-W	01-05-029	72-171-110	AMD	01-16-022

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
72-171-120	AMD-P	01-09-019	72-171-710	NEW	01-16-022	132G-120-140	AMD	01-13-065
72-171-120	AMD	01-16-022	82- 50-021	AMD-P	01-09-085	132K-122-020	PREP	01-03-125
72-171-130	REP-P	01-09-019	82- 50-021	AMD	01-12-007	132K-122-020	AMD-P	01-07-062
72-171-130	REP	01-16-022	118- 68-010	NEW	01-09-045	132K-122-020	AMD	01-11-068
72-171-131	NEW-P	01-09-019	118- 68-020	NEW	01-09-045	132K-122-100	PREP	01-03-126
72-171-131	NEW	01-16-022	118- 68-030	NEW	01-09-045	132K-122-100	AMD-P	01-07-061
72-171-140	AMD-P	01-09-019	118- 68-040	NEW	01-09-045	132K-122-100	AMD	01-11-067
72-171-140	AMD	01-16-022	118- 68-050	NEW	01-09-045	132N-144	PREP	01-18-026
72-171-150	AMD-P	01-09-019	118- 68-060	NEW	01-09-045	132N-150	PREP	01-18-026
72-171-150	AMD	01-16-022	118- 68-070	NEW	01-09-045	132W-104	PREP	01-03-103
72-171-200	REP-P	01-09-019	118- 68-080	NEW	01-09-045	132W-104-010	REP-P	01-04-004
72-171-200	REP	01-16-022	118- 68-090	NEW	01-09-045	132W-104-010	REP	01-07-059
72-171-210	AMD-P	01-09-019	131	PREP	01-09-061	132W-104-020	REP-P	01-04-004
72-171-210	AMD	01-16-022	131- 28-005	AMD-P	01-16-119	132W-104-020	REP	01-07-059
72-171-220	AMD-P	01-09-019	131- 28-010	AMD-P	01-16-119	132W-104-030	REP-P	01-04-004
72-171-220	AMD	01-16-022	131- 28-015	AMD-P	01-16-119	132W-104-030	REP	01-07-059
72-171-230	AMD-P	01-09-019	131- 28-021	AMD-P	01-16-119	132W-104-040	REP-P	01-04-004
72-171-230	AMD	01-16-022	131- 28-025	AMD-E	01-14-017	132W-104-040	REP	01-07-059
72-171-240	AMD-P	01-09-019	131- 28-025	AMD-P	01-16-119	132W-104-050	REP-P	01-04-004
72-171-240	AMD	01-16-022	131- 28-02501	AMD-P	01-16-119	132W-104-050	REP	01-07-059
72-171-242	NEW-P	01-09-019	131- 28-029	NEW-P	01-16-119	132W-104-060	REP-P	01-04-004
72-171-242	NEW	01-16-022	132A-120-011	AMD-P	01-03-116	132W-104-060	REP	01-07-059
72-171-244	NEW-P	01-09-019	132A-120-011	AMD	01-08-071	132W-104-070	REP-P	01-04-004
72-171-244	NEW	01-16-022	132A-120-021	AMD-P	01-03-116	132W-104-070	REP	01-07-059
72-171-400	REP-P	01-09-019	132A-120-021	AMD	01-08-071	132W-104-080	REP-P	01-04-004
72-171-400	REP	01-16-022	132G-120-010	AMD-P	01-08-082	132W-104-080	REP	01-07-059
72-171-410	AMD-P	01-09-019	132G-120-010	AMD	01-13-065	132W-104-090	REP-P	01-04-004
72-171-410	AMD	01-16-022	132G-120-015	NEW-P	01-08-082	132W-104-090	REP	01-07-059
72-171-420	REP-P	01-09-019	132G-120-015	NEW	01-13-065	132W-104-100	REP-P	01-04-004
72-171-420	REP	01-16-022	132G-120-020	REP-P	01-08-082	132W-104-100	REP	01-07-059
72-171-430	REP-P	01-09-019	132G-120-020	REP	01-13-065	132W-104-110	REP-P	01-04-004
72-171-430	REP	01-16-022	132G-120-030	AMD-P	01-08-082	132W-104-110	REP	01-07-059
72-171-500	AMD-P	01-09-019	132G-120-030	AMD	01-13-065	132W-104-111	REP-P	01-04-004
72-171-500	AMD	01-16-022	132G-120-040	AMD-P	01-08-082	132W-104-111	REP	01-07-059
72-171-510	AMD-P	01-09-019	132G-120-040	AMD	01-13-065	132W-104-120	REP-P	01-04-004
72-171-510	AMD	01-16-022	132G-120-060	AMD-P	01-08-082	132W-104-120	REP	01-07-059
72-171-512	NEW-P	01-09-019	132G-120-060	AMD	01-13-065	132W-104-130	REP-P	01-04-004
72-171-512	NEW	01-16-022	132G-120-061	AMD-P	01-08-082	132W-104-130	REP	01-07-059
72-171-514	NEW-P	01-09-019	132G-120-061	AMD	01-13-065	132W-105-010	NEW-P	01-07-058
72-171-514	NEW	01-16-022	132G-120-062	AMD-P	01-08-082	132W-105-010	NEW	01-12-015
72-171-550	NEW-P	01-09-019	132G-120-062	AMD	01-13-065	132W-105-020	NEW-P	01-07-058
72-171-550	NEW	01-16-022	132G-120-063	AMD-P	01-08-082	132W-105-020	NEW	01-12-015
72-171-600	REP-P	01-09-019	132G-120-063	AMD	01-13-065	132W-105-030	NEW-P	01-07-058
72-171-600	REP	01-16-022	132G-120-064	AMD-P	01-08-082	132W-105-030	NEW	01-12-015
72-171-601	NEW-P	01-09-019	132G-120-064	AMD	01-13-065	132W-105-040	NEW-P	01-07-058
72-171-601	NEW	01-16-022	132G-120-065	AMD-P	01-08-082	132W-105-040	NEW	01-12-015
72-171-605	NEW-P	01-09-019	132G-120-065	AMD	01-13-065	132W-105-050	NEW-P	01-07-058
72-171-605	NEW	01-16-022	132G-120-070	AMD-P	01-08-082	132W-105-050	NEW	01-12-015
72-171-610	REP-P	01-09-019	132G-120-070	AMD	01-13-065	132W-105-060	NEW-P	01-07-058
72-171-610	REP	01-16-022	132G-120-080	AMD-P	01-08-082	132W-105-060	NEW	01-12-015
72-171-620	REP-P	01-09-019	132G-120-080	AMD	01-13-065	132W-105-070	NEW-P	01-07-058
72-171-620	REP	01-16-022	132G-120-090	AMD-P	01-08-082	132W-105-070	NEW	01-12-015
72-171-630	REP-P	01-09-019	132G-120-090	AMD	01-13-065	132W-105-080	NEW-P	01-07-058
72-171-630	REP	01-16-022	132G-120-100	AMD-P	01-08-082	132W-105-080	NEW	01-12-015
72-171-640	REP-P	01-09-019	132G-120-100	AMD	01-13-065	132W-108	PREP	01-03-103
72-171-640	REP	01-16-022	132G-120-110	AMD-P	01-08-082	132W-108-001	REP-P	01-04-004
72-171-650	AMD-P	01-09-019	132G-120-110	AMD	01-13-065	132W-108-001	REP	01-07-059
72-171-650	AMD	01-16-022	132G-120-120	REP-P	01-08-082	132W-108-005	REP-P	01-04-004
72-171-700	REP-P	01-09-019	132G-120-120	REP	01-13-065	132W-108-005	REP	01-07-059
72-171-700	REP	01-16-022	132G-120-130	AMD-P	01-08-082	132W-108-010	REP-P	01-04-004
72-171-710	NEW-P	01-09-019	132G-120-130	AMD	01-13-065	132W-108-010	REP	01-07-059
72-171-710	NEW-W	01-10-018	132G-120-140	AMD-P	01-08-082	132W-108-080	REP-P	01-04-004

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132W-108-080	REP	01-07-059	132W-109-020	NEW	01-12-015	132W-115-090	NEW	01-12-015
132W-108-090	REP-P	01-04-004	132W-109-030	NEW-P	01-07-058	132W-115-100	NEW-P	01-07-058
132W-108-090	REP	01-07-059	132W-109-030	NEW	01-12-015	132W-115-100	NEW	01-12-015
132W-108-100	REP-P	01-04-004	132W-109-040	NEW-P	01-07-058	132W-115-110	NEW-P	01-07-058
132W-108-100	REP	01-07-059	132W-109-040	NEW	01-12-015	132W-115-110	NEW	01-12-015
132W-108-110	REP-P	01-04-004	132W-109-050	NEW-P	01-07-058	132W-115-120	NEW-P	01-07-058
132W-108-110	REP	01-07-059	132W-109-050	NEW	01-12-015	132W-115-120	NEW	01-12-015
132W-108-120	REP-P	01-04-004	132W-109-060	NEW-P	01-07-058	132W-115-130	NEW-P	01-07-058
132W-108-120	REP	01-07-059	132W-109-060	NEW	01-12-015	132W-115-130	NEW	01-12-015
132W-108-130	REP-P	01-04-004	132W-109-070	NEW-P	01-07-058	132W-115-140	NEW-P	01-07-058
132W-108-130	REP	01-07-059	132W-109-070	NEW	01-12-015	132W-115-140	NEW	01-12-015
132W-108-140	REP-P	01-04-004	132W-109-085	NEW-P	01-07-058	132W-115-150	NEW-P	01-07-058
132W-108-140	REP	01-07-059	132W-109-085	NEW	01-12-015	132W-115-150	NEW	01-12-015
132W-108-230	REP-P	01-04-004	132W-112	PREP	01-03-103	132W-115-160	NEW-P	01-07-058
132W-108-230	REP	01-07-059	132W-112-001	NEW-P	01-07-058	132W-115-160	NEW	01-12-015
132W-108-240	REP-P	01-04-004	132W-112-001	NEW	01-12-015	132W-115-170	NEW-P	01-07-058
132W-108-240	REP	01-07-059	132W-112-010	NEW-P	01-07-058	132W-115-170	NEW	01-12-015
132W-108-250	REP-P	01-04-004	132W-112-010	NEW	01-12-015	132W-115-180	NEW-P	01-07-058
132W-108-250	REP	01-07-059	132W-112-020	NEW-P	01-07-058	132W-115-180	NEW	01-12-015
132W-108-260	REP-P	01-04-004	132W-112-020	NEW	01-12-015	132W-115-190	NEW-P	01-07-058
132W-108-260	REP	01-07-059	132W-112-030	NEW-P	01-07-058	132W-115-190	NEW	01-12-015
132W-108-270	REP-P	01-04-004	132W-112-030	NEW	01-12-015	132W-115-200	NEW-P	01-07-058
132W-108-270	REP	01-07-059	132W-112-040	NEW-P	01-07-058	132W-115-200	NEW	01-12-015
132W-108-280	REP-P	01-04-004	132W-112-040	NEW	01-12-015	132W-115-210	NEW-P	01-07-058
132W-108-280	REP	01-07-059	132W-112-050	NEW-P	01-07-058	132W-115-210	NEW	01-12-015
132W-108-290	REP-P	01-04-004	132W-112-050	NEW	01-12-015	132W-115-220	NEW-P	01-07-058
132W-108-290	REP	01-07-059	132W-112-060	NEW-P	01-07-058	132W-115-220	NEW	01-12-015
132W-108-300	REP-P	01-04-004	132W-112-060	NEW	01-12-015	132W-116	PREP	01-03-103
132W-108-300	REP	01-07-059	132W-112-070	NEW-P	01-07-058	132W-116-010	REP-P	01-04-004
132W-108-310	REP-P	01-04-004	132W-112-070	NEW	01-12-015	132W-116-010	REP	01-07-059
132W-108-310	REP	01-07-059	132W-112-080	NEW-P	01-07-058	132W-116-020	REP-P	01-04-004
132W-108-320	REP-P	01-04-004	132W-112-080	NEW	01-12-015	132W-116-020	REP	01-07-059
132W-108-320	REP	01-07-059	132W-112-090	NEW-P	01-07-058	132W-116-040	REP-P	01-04-004
132W-108-330	REP-P	01-04-004	132W-112-090	NEW	01-12-015	132W-116-040	REP	01-07-059
132W-108-330	REP	01-07-059	132W-112-100	NEW-P	01-07-058	132W-116-050	REP-P	01-04-004
132W-108-340	REP-P	01-04-004	132W-112-100	NEW	01-12-015	132W-116-050	REP	01-07-059
132W-108-340	REP	01-07-059	132W-112-110	NEW-P	01-07-058	132W-116-065	REP-P	01-04-004
132W-108-350	REP-P	01-04-004	132W-112-110	NEW	01-12-015	132W-116-065	REP	01-07-059
132W-108-350	REP	01-07-059	132W-112-120	NEW-P	01-07-058	132W-117-010	NEW-P	01-07-058
132W-108-360	REP-P	01-04-004	132W-112-120	NEW	01-12-015	132W-117-010	NEW	01-12-015
132W-108-360	REP	01-07-059	132W-112-130	NEW-P	01-07-058	132W-117-020	NEW-P	01-07-058
132W-108-400	REP-P	01-04-004	132W-112-130	NEW	01-12-015	132W-117-020	NEW	01-12-015
132W-108-400	REP	01-07-059	132W-112-140	NEW-P	01-07-058	132W-117-030	NEW-P	01-07-058
132W-108-410	REP-P	01-04-004	132W-112-140	NEW	01-12-015	132W-117-030	NEW	01-12-015
132W-108-410	REP	01-07-059	132W-115	PREP	01-03-103	132W-117-040	NEW-P	01-07-058
132W-108-420	REP-P	01-04-004	132W-115-010	NEW-P	01-07-058	132W-117-040	NEW	01-12-015
132W-108-420	REP	01-07-059	132W-115-010	NEW	01-12-015	132W-117-050	NEW-P	01-07-058
132W-108-430	REP-P	01-04-004	132W-115-020	NEW-P	01-07-058	132W-117-050	NEW	01-12-015
132W-108-430	REP	01-07-059	132W-115-020	NEW	01-12-015	132W-117-060	NEW-P	01-07-058
132W-108-440	REP-P	01-04-004	132W-115-030	NEW-P	01-07-058	132W-117-060	NEW	01-12-015
132W-108-440	REP	01-07-059	132W-115-030	NEW	01-12-015	132W-117-070	NEW-P	01-07-058
132W-108-450	REP-P	01-04-004	132W-115-040	NEW-P	01-07-058	132W-117-070	NEW	01-12-015
132W-108-450	REP	01-07-059	132W-115-040	NEW	01-12-015	132W-117-080	NEW-P	01-07-058
132W-108-460	REP-P	01-04-004	132W-115-050	NEW-P	01-07-058	132W-117-080	NEW	01-12-015
132W-108-460	REP	01-07-059	132W-115-050	NEW	01-12-015	132W-117-090	NEW-P	01-07-058
132W-108-470	REP-P	01-04-004	132W-115-060	NEW-P	01-07-058	132W-117-090	NEW	01-12-015
132W-108-470	REP	01-07-059	132W-115-060	NEW	01-12-015	132W-117-100	NEW-P	01-07-058
132W-108-480	REP-P	01-04-004	132W-115-070	NEW-P	01-07-058	132W-117-100	NEW	01-12-015
132W-108-480	REP	01-07-059	132W-115-070	NEW	01-12-015	132W-117-110	NEW-P	01-07-058
132W-109-010	NEW-P	01-07-058	132W-115-080	NEW-P	01-07-058	132W-117-110	NEW	01-12-015
132W-109-010	NEW	01-12-015	132W-115-080	NEW	01-12-015	132W-117-120	NEW-P	01-07-058
132W-109-020	NEW-P	01-07-058	132W-115-090	NEW-P	01-07-058	132W-117-120	NEW	01-12-015

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132W-117-130	NEW-P	01-07-058	132W-125-030	NEW-P	01-07-058	132W-168-020	NEW-P	01-10-015
132W-117-130	NEW	01-12-015	132W-125-030	NEW	01-12-015	132W-168-020	NEW	01-14-016
132W-117-140	NEW-P	01-07-058	132W-129	PREP	01-06-011	132W-168-030	NEW-P	01-10-015
132W-117-140	NEW	01-12-015	132W-129-001	REP-P	01-10-016	132W-168-030	NEW	01-14-016
132W-117-150	NEW-P	01-07-058	132W-129-001	REP	01-13-073	132W-168-040	NEW-P	01-10-015
132W-117-150	NEW	01-12-015	132W-130	PREP	01-06-010	132W-168-040	NEW	01-14-016
132W-117-160	NEW-P	01-07-058	132W-131-010	NEW-P	01-10-015	132W-276	PREP	01-03-103
132W-117-160	NEW	01-12-015	132W-131-010	NEW	01-14-016	132W-276-001	REP-P	01-04-004
132W-117-170	NEW-P	01-07-058	132W-131-020	NEW-P	01-10-015	132W-276-001	REP	01-07-059
132W-117-170	NEW	01-12-015	132W-131-020	NEW	01-14-016	132W-276-005	REP-P	01-04-004
132W-117-180	NEW-P	01-07-058	132W-131-030	NEW-P	01-10-015	132W-276-005	REP	01-07-059
132W-117-180	NEW	01-12-015	132W-131-030	NEW	01-14-016	132W-276-010	REP-P	01-04-004
132W-117-190	NEW-P	01-07-058	132W-134	PREP	01-06-010	132W-276-010	REP	01-07-059
132W-117-190	NEW	01-12-015	132W-134-010	NEW-P	01-10-015	132W-276-060	REP-P	01-04-004
132W-117-200	NEW-P	01-07-058	132W-134-010	NEW	01-14-016	132W-276-060	REP	01-07-059
132W-117-200	NEW	01-12-015	132W-135-010	REP-P	01-04-004	132W-276-070	REP-P	01-04-004
132W-117-210	NEW-P	01-07-058	132W-135-010	REP	01-07-059	132W-276-070	REP	01-07-059
132W-117-210	NEW	01-12-015	132W-140	PREP	01-06-010	132W-276-080	REP-P	01-04-004
132W-117-220	NEW-P	01-07-058	132W-140	PREP	01-06-011	132W-276-080	REP	01-07-059
132W-117-220	NEW	01-12-015	132W-140-010	REP-P	01-10-016	132W-276-090	REP-P	01-04-004
132W-117-230	NEW-P	01-07-058	132W-140-010	REP	01-13-073	132W-276-090	REP	01-07-059
132W-117-230	NEW	01-12-015	132W-140-011	REP-P	01-10-016	132W-276-100	REP-P	01-04-004
132W-117-240	NEW-P	01-07-058	132W-140-011	REP	01-13-073	132W-276-100	REP	01-07-059
132W-117-240	NEW	01-12-015	132W-140-012	REP-P	01-10-016	132W-276-110	REP-P	01-04-004
132W-117-250	NEW-P	01-07-058	132W-140-012	REP	01-13-073	132W-276-110	REP	01-07-059
132W-117-250	NEW	01-12-015	132W-140-013	REP-P	01-10-016	132W-277-010	NEW-P	01-07-058
132W-117-260	NEW-P	01-07-058	132W-140-013	REP	01-13-073	132W-277-010	NEW	01-12-015
132W-117-260	NEW	01-12-015	132W-141-010	NEW-P	01-10-015	132W-277-020	NEW-P	01-07-058
132W-117-270	NEW-P	01-07-058	132W-141-010	NEW	01-14-016	132W-277-020	NEW	01-12-015
132W-117-270	NEW	01-12-015	132W-141-020	NEW-P	01-10-015	132W-277-030	NEW-P	01-07-058
132W-117-280	NEW-P	01-07-058	132W-141-020	NEW	01-14-016	132W-277-030	NEW	01-12-015
132W-117-280	NEW	01-12-015	132W-141-030	NEW-P	01-10-015	132W-277-040	NEW-P	01-07-058
132W-120-010	REP-P	01-04-004	132W-141-030	NEW	01-14-016	132W-277-040	NEW	01-12-015
132W-120-010	REP	01-07-059	132W-141-040	NEW-P	01-10-015	132W-277-050	NEW-P	01-07-058
132W-120-030	REP-P	01-04-004	132W-141-040	NEW	01-14-016	132W-277-050	NEW	01-12-015
132W-120-030	REP	01-07-059	132W-141-050	NEW-P	01-10-015	132W-277-060	NEW-P	01-07-058
132W-120-040	REP-P	01-04-004	132W-141-050	NEW	01-14-016	132W-277-060	NEW	01-12-015
132W-120-040	REP	01-07-059	132W-141-060	NEW-P	01-10-015	132W-277-070	NEW-P	01-07-058
132W-120-050	REP-P	01-04-004	132W-141-060	NEW	01-14-016	132W-277-070	NEW	01-12-015
132W-120-050	REP	01-07-059	132W-141-070	NEW-P	01-10-015	132W-277-080	NEW-P	01-07-058
132W-120-060	REP-P	01-04-004	132W-141-070	NEW	01-14-016	132W-277-080	NEW	01-12-015
132W-120-060	REP	01-07-059	132W-141-080	NEW-P	01-10-015	132W-277-090	NEW-P	01-07-058
132W-120-070	REP-P	01-04-004	132W-141-080	NEW	01-14-016	132W-277-090	NEW	01-12-015
132W-120-070	REP	01-07-059	132W-141-090	NEW-P	01-10-015	132W-277-100	NEW-P	01-07-058
132W-120-100	REP-P	01-04-004	132W-141-090	NEW	01-14-016	132W-277-100	NEW	01-12-015
132W-120-100	REP	01-07-059	132W-149	PREP	01-06-011	132W-277-110	NEW-P	01-07-058
132W-120-130	REP-P	01-04-004	132W-149-010	REP-P	01-10-016	132W-277-110	NEW	01-12-015
132W-120-130	REP	01-07-059	132W-149-010	REP	01-13-073	132W-277-120	NEW-P	01-07-058
132W-120-300	REP-P	01-04-004	132W-164	PREP	01-06-011	132W-277-120	NEW	01-12-015
132W-120-300	REP	01-07-059	132W-164-010	REP-P	01-10-016	132W-277-130	NEW-P	01-07-058
132W-120-310	REP-P	01-04-004	132W-164-010	REP	01-13-073	132W-277-130	NEW	01-12-015
132W-120-310	REP	01-07-059	132W-164-011	REP-P	01-10-016	132W-277-140	NEW-P	01-07-058
132W-120-320	REP-P	01-04-004	132W-164-011	REP	01-13-073	132W-277-140	NEW	01-12-015
132W-120-320	REP	01-07-059	132W-164-012	REP-P	01-10-016	132W-300	PREP	01-06-056
132W-120-330	REP-P	01-04-004	132W-164-012	REP	01-13-073	132W-300-001	NEW-P	01-10-015
132W-120-330	REP	01-07-059	132W-164-013	REP-P	01-10-016	132W-300-001	NEW	01-14-016
132W-120-400	REP-P	01-04-004	132W-164-013	REP	01-13-073	132W-300-010	NEW-P	01-10-015
132W-120-400	REP	01-07-059	132W-164-020	REP-P	01-10-016	132W-300-010	NEW	01-14-016
132W-125-010	NEW-P	01-07-058	132W-164-020	REP	01-13-073	132W-300-020	NEW-P	01-10-015
132W-125-010	NEW	01-12-015	132W-168	PREP	01-06-010	132W-300-020	NEW	01-14-016
132W-125-020	NEW-P	01-07-058	132W-168-010	NEW-P	01-10-015	132W-300-030	NEW-P	01-10-015
132W-125-020	NEW	01-12-015	132W-168-010	NEW	01-14-016	132W-300-030	NEW	01-14-016

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132W-300-040	NEW-P	01-10-015	148-120-100	AMD-S	01-16-099	148-171-200	REP	01-16-101
132W-300-040	NEW	01-14-016	148-120-200	AMD-P	01-12-062	148-171-210	AMD-P	01-12-061
132W-300-050	NEW-P	01-10-015	148-120-200	AMD	01-16-100	148-171-210	AMD	01-16-101
132W-300-050	NEW	01-14-016	148-120-220	AMD-P	01-12-062	148-171-220	AMD-P	01-12-061
132W-300-060	NEW-P	01-10-015	148-120-220	AMD	01-16-100	148-171-220	AMD	01-16-101
132W-300-060	NEW	01-14-016	148-120-225	AMD-P	01-12-062	148-171-230	AMD-P	01-12-061
132W-325	PREP	01-03-103	148-120-225	AMD	01-16-100	148-171-230	AMD	01-16-101
132W-325-010	NEW-P	01-07-058	148-120-230	AMD-P	01-12-062	148-171-240	AMD-P	01-12-061
132W-325-010	NEW	01-12-015	148-120-230	AMD	01-16-100	148-171-240	AMD	01-16-101
136-16-022	AMD-P	01-17-103	148-120-234	AMD-P	01-12-062	148-171-242	NEW-P	01-12-061
136-18-020	AMD-P	01-17-103	148-120-234	AMD	01-16-100	148-171-242	NEW	01-16-101
136-130-030	AMD	01-05-009	148-120-236	AMD-P	01-12-062	148-171-244	NEW-P	01-12-061
136-130-040	AMD-P	01-06-017	148-120-236	AMD	01-16-100	148-171-244	NEW	01-16-101
136-130-040	AMD	01-09-077	148-120-300	NEW-P	01-12-062	148-171-400	REP-P	01-12-061
136-130-050	AMD	01-05-009	148-120-300	NEW	01-16-100	148-171-400	REP	01-16-101
136-130-060	AMD	01-05-009	148-120-301	NEW-P	01-12-062	148-171-410	AMD-P	01-12-061
136-130-070	AMD	01-05-009	148-120-301	NEW	01-16-100	148-171-410	AMD	01-16-101
136-150-020	AMD-P	01-12-051	148-120-302	NEW-P	01-12-062	148-171-420	REP-P	01-12-061
136-150-020	AMD	01-17-104	148-120-302	NEW	01-16-100	148-171-420	REP	01-16-101
136-150-022	AMD-P	01-12-051	148-120-303	NEW-P	01-12-062	148-171-430	REP-P	01-12-061
136-150-022	AMD	01-17-104	148-120-303	NEW	01-16-100	148-171-430	REP	01-16-101
136-150-023	AMD-P	01-12-051	148-120-304	NEW-P	01-12-062	148-171-500	AMD-P	01-12-061
136-150-023	AMD	01-17-104	148-120-304	NEW	01-16-100	148-171-500	AMD	01-16-101
136-150-024	AMD-P	01-12-051	148-120-305	NEW-P	01-12-062	148-171-510	AMD-P	01-12-061
136-150-024	AMD	01-17-104	148-120-305	NEW	01-16-100	148-171-510	AMD	01-16-101
136-150-030	AMD-P	01-12-051	148-120-306	NEW-P	01-12-062	148-171-512	NEW-P	01-12-061
136-150-030	AMD	01-17-104	148-120-306	NEW	01-16-100	148-171-512	NEW	01-16-101
136-150-040	AMD-P	01-12-051	148-120-307	NEW-P	01-12-062	148-171-514	NEW-P	01-12-061
136-150-040	AMD	01-17-104	148-120-307	NEW	01-16-100	148-171-514	NEW	01-16-101
136-161-020	AMD	01-05-009	148-120-308	NEW-P	01-12-062	148-171-550	NEW-P	01-12-061
136-161-030	AMD	01-05-009	148-120-308	NEW	01-16-100	148-171-550	NEW	01-16-101
136-161-040	AMD	01-05-009	148-120-309	NEW-P	01-12-062	148-171-600	REP-P	01-12-061
136-161-050	AMD	01-05-009	148-120-309	NEW	01-16-100	148-171-600	REP	01-16-101
136-161-070	AMD	01-05-009	148-120-310	NEW-P	01-12-062	148-171-601	NEW-P	01-12-061
136-163-050	AMD	01-05-009	148-120-310	NEW	01-16-100	148-171-601	NEW	01-16-101
136-167-040	AMD-P	01-06-017	148-120-311	NEW-P	01-12-062	148-171-605	NEW-P	01-12-061
136-167-040	AMD	01-09-077	148-120-311	NEW	01-16-100	148-171-605	NEW	01-16-101
136-170-030	AMD	01-05-008	148-120-312	NEW-P	01-12-062	148-171-610	REP-P	01-12-061
136-210-020	AMD-P	01-12-051	148-120-312	NEW	01-16-100	148-171-610	REP	01-16-101
136-210-020	AMD	01-17-104	148-120-313	NEW-P	01-12-062	148-171-620	REP-P	01-12-061
136-210-030	AMD	01-05-009	148-120-313	NEW	01-16-100	148-171-620	REP	01-16-101
136-210-040	AMD	01-05-009	148-120-314	NEW-P	01-12-062	148-171-630	REP-P	01-12-061
136-210-050	AMD	01-05-009	148-120-314	NEW	01-16-100	148-171-630	REP	01-16-101
137-04-010	AMD	01-03-079	148-171-001	AMD-P	01-12-061	148-171-640	REP-P	01-12-061
137-04-020	AMD	01-03-079	148-171-001	AMD	01-16-101	148-171-640	REP	01-16-101
137-52-010	AMD	01-04-001	148-171-010	AMD-P	01-12-061	148-171-650	AMD-P	01-12-061
137-104-010	NEW	01-04-044	148-171-010	AMD	01-16-101	148-171-650	AMD	01-16-101
137-104-020	NEW	01-04-044	148-171-015	AMD-P	01-12-061	148-171-700	REP-P	01-12-061
137-104-030	NEW	01-04-044	148-171-015	AMD	01-16-101	148-171-700	REP	01-16-101
137-104-040	NEW	01-04-044	148-171-110	AMD-P	01-12-061	173-09-010	REP	01-05-035
137-104-050	NEW	01-04-044	148-171-110	AMD	01-16-101	173-09-020	REP	01-05-035
137-104-060	NEW	01-04-044	148-171-120	AMD-P	01-12-061	173-09-030	REP	01-05-035
137-104-070	NEW	01-04-044	148-171-120	AMD	01-16-101	173-09-040	REP	01-05-035
137-104-080	NEW	01-04-044	148-171-130	REP-P	01-12-061	173-18	PREP-W	01-08-061
137-150-010	NEW	01-17-004	148-171-130	REP	01-16-101	173-20	PREP-W	01-08-061
137-150-020	NEW	01-17-004	148-171-131	NEW-P	01-12-061	173-22	PREP-W	01-08-061
137-150-030	NEW	01-17-004	148-171-131	NEW	01-16-101	173-151	PREP-W	01-17-015
137-150-040	NEW	01-17-004	148-171-140	AMD-P	01-12-061	173-166-085	NEW-E	01-11-046
139-01	PREP	01-17-119	148-171-140	AMD	01-16-101	173-167-010	NEW-E	01-10-004
139-05	PREP	01-08-033	148-171-150	AMD-P	01-12-061	173-167-010	REP-E	01-12-067
142-30-010	AMD-P	01-12-058	148-171-150	AMD	01-16-101	173-167-015	NEW-E	01-12-068
148-120-100	AMD-P	01-12-062	148-171-200	REP-P	01-12-061	173-167-020	NEW-E	01-10-004

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173-167-020	REP-E	01-12-067	173-322-060	AMD	01-05-024	173-340-830	AMD	01-05-024
173-167-025	NEW-E	01-12-068	173-322-070	AMD	01-05-024	173-340-840	AMD	01-05-024
173-167-030	NEW-E	01-10-004	173-322-090	AMD	01-05-024	173-340-850	AMD	01-05-024
173-167-030	REP-E	01-12-067	173-322-100	AMD	01-05-024	173-340-900	NEW	01-05-024
173-167-035	NEW-E	01-12-068	173-322-110	AMD	01-05-024	173-400-030	AMD-P	01-04-072
173-167-040	NEW-E	01-10-004	173-322-120	AMD	01-05-024	173-400-030	AMD	01-17-062
173-167-040	REP-E	01-12-067	173-340-100	AMD	01-05-024	173-400-035	NEW-P	01-04-072
173-167-045	NEW-E	01-12-068	173-340-120	AMD	01-05-024	173-400-035	NEW	01-17-062
173-167-050	NEW-E	01-10-004	173-340-130	AMD	01-05-024	173-400-040	AMD-P	01-04-072
173-167-050	REP-E	01-12-067	173-340-140	AMD	01-05-024	173-400-040	AMD	01-17-062
173-167-055	NEW-E	01-12-068	173-340-200	AMD	01-05-024	173-400-050	AMD-P	01-04-072
173-167-060	NEW-E	01-10-004	173-340-210	AMD	01-05-024	173-400-050	AMD	01-17-062
173-167-060	REP-E	01-12-067	173-340-300	AMD	01-05-024	173-400-060	AMD-P	01-04-072
173-167-065	NEW-E	01-12-068	173-340-310	AMD	01-05-024	173-400-060	AMD	01-17-062
173-167-070	NEW-E	01-10-004	173-340-320	AMD	01-05-024	173-400-070	AMD-P	01-04-072
173-167-070	REP-E	01-12-067	173-340-330	AMD	01-05-024	173-400-070	AMD	01-17-062
173-167-075	NEW-E	01-12-068	173-340-340	AMD	01-05-024	173-400-075	AMD-P	01-04-072
173-167-080	NEW-E	01-10-004	173-340-350	AMD	01-05-024	173-400-075	AMD	01-17-062
173-167-080	REP-E	01-12-067	173-340-355	NEW	01-05-024	173-400-100	AMD-P	01-04-072
173-167-085	NEW-E	01-12-068	173-340-357	NEW	01-05-024	173-400-100	AMD	01-17-062
173-167-090	NEW-E	01-10-004	173-340-360	AMD	01-05-024	173-400-102	AMD-P	01-04-072
173-167-090	REP-E	01-12-067	173-340-370	NEW	01-05-024	173-400-102	AMD	01-17-062
173-167-095	NEW-E	01-12-068	173-340-380	NEW	01-05-024	173-400-105	AMD-P	01-04-072
173-173-010	NEW-P	01-16-131	173-340-390	NEW	01-05-024	173-400-105	AMD	01-17-062
173-173-020	NEW-P	01-16-131	173-340-400	AMD	01-05-024	173-400-110	AMD-P	01-04-072
173-173-030	NEW-P	01-16-131	173-340-410	AMD	01-05-024	173-400-110	AMD	01-17-062
173-173-040	NEW-P	01-16-131	173-340-420	AMD	01-05-024	173-400-112	AMD-P	01-04-072
173-173-050	NEW-P	01-16-131	173-340-430	AMD	01-05-024	173-400-112	AMD	01-17-062
173-173-060	NEW-P	01-16-131	173-340-440	AMD	01-05-024	173-400-113	AMD-P	01-04-072
173-173-070	NEW-P	01-16-131	173-340-450	AMD	01-05-024	173-400-113	AMD	01-17-062
173-173-080	NEW-P	01-16-131	173-340-510	AMD	01-05-024	173-400-114	AMD-P	01-04-072
173-173-090	NEW-P	01-16-131	173-340-515	NEW	01-05-024	173-400-114	AMD	01-17-062
173-173-100	NEW-P	01-16-131	173-340-520	AMD	01-05-024	173-400-115	AMD-P	01-04-072
173-173-110	NEW-P	01-16-131	173-340-530	AMD	01-05-024	173-400-115	AMD	01-17-062
173-173-120	NEW-P	01-16-131	173-340-545	NEW	01-05-024	173-400-116	AMD-P	01-04-072
173-173-130	NEW-P	01-16-131	173-340-550	AMD	01-05-024	173-400-116	AMD	01-17-062
173-173-140	NEW-P	01-16-131	173-340-600	AMD	01-05-024	173-400-117	NEW-P	01-04-072
173-173-150	NEW-P	01-16-131	173-340-610	AMD	01-05-024	173-400-117	NEW	01-17-062
173-173-160	NEW-P	01-16-131	173-340-700	AMD	01-05-024	173-400-118	NEW-P	01-04-072
173-173-170	NEW-P	01-16-131	173-340-702	AMD	01-05-024	173-400-118	NEW	01-17-062
173-173-180	NEW-P	01-16-131	173-340-703	NEW	01-05-024	173-400-131	AMD-P	01-04-072
173-173-190	NEW-P	01-16-131	173-340-704	AMD	01-05-024	173-400-131	AMD	01-17-062
173-173-200	NEW-P	01-16-131	173-340-705	AMD	01-05-024	173-400-136	AMD-P	01-04-072
173-173-210	NEW-P	01-16-131	173-340-706	AMD	01-05-024	173-400-136	AMD	01-17-062
173-173-220	NEW-P	01-16-131	173-340-708	AMD	01-05-024	173-400-141	AMD-P	01-04-072
173-204	PREP-W	01-08-053	173-340-709	NEW	01-05-024	173-400-141	AMD	01-17-062
173-216-125	PREP	01-17-102	173-340-710	AMD	01-05-024	173-400-151	AMD-P	01-04-072
173-220-210	PREP	01-17-102	173-340-720	AMD	01-05-024	173-400-151	AMD	01-17-062
173-224	PREP	01-18-044	173-340-730	AMD	01-05-024	173-400-171	AMD-P	01-04-072
173-226-090	PREP	01-17-102	173-340-740	AMD	01-05-024	173-400-171	AMD	01-17-062
173-321-010	AMD	01-05-024	173-340-745	AMD	01-05-024	173-401-300	AMD-P	01-04-072
173-321-020	AMD	01-05-024	173-340-747	NEW	01-05-024	173-401-300	AMD	01-17-062
173-321-040	AMD	01-05-024	173-340-7490	NEW	01-05-024	173-401-615	AMD-P	01-04-072
173-321-050	AMD	01-05-024	173-340-7491	NEW	01-05-024	173-401-615	AMD	01-17-062
173-321-060	AMD	01-05-024	173-340-7492	NEW	01-05-024	173-409	PREP-W	01-08-053
173-321-070	AMD	01-05-024	173-340-7493	NEW	01-05-024	173-415	PREP-W	01-08-053
173-321-080	AMD	01-05-024	173-340-7494	NEW	01-05-024	173-460	PREP-W	01-17-015
173-322	AMD	01-05-024	173-340-750	AMD	01-05-024	173-481	PREP-W	01-08-053
173-322-020	AMD	01-05-024	173-340-760	AMD	01-05-024	173-503-010	NEW	01-07-027
173-322-030	AMD	01-05-024	173-340-800	AMD	01-05-024	173-503-020	NEW	01-07-027
173-322-040	AMD	01-05-024	173-340-810	AMD	01-05-024	173-503-030	NEW	01-07-027
173-322-050	AMD	01-05-024	173-340-820	AMD	01-05-024	173-503-040	NEW	01-07-027

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173-503-060	NEW	01-07-027	175- 20-080	REP	01-13-074	180- 27-080	AMD-E	01-14-066
173-503-070	NEW	01-07-027	175- 20-090	REP-XR	01-10-111	180- 27-080	AMD-P	01-15-097
173-503-080	NEW	01-07-027	175- 20-090	REP	01-13-074	180- 27-095	AMD-E	01-14-066
173-503-090	NEW	01-07-027	175- 20-100	REP-XR	01-10-111	180- 27-095	AMD-P	01-15-097
173-503-100	NEW	01-07-027	175- 20-100	REP	01-13-074	180- 27-102	AMD-E	01-14-066
173-518	PREP-W	01-14-069	175- 20-110	REP-XR	01-10-111	180- 27-102	AMD-P	01-15-097
173-531A	PREP	01-16-132	175- 20-110	REP	01-13-074	180- 27-115	AMD-E	01-14-066
173-532-085	REP-X	01-16-133	175- 20-120	REP-XR	01-10-111	180- 27-115	AMD-P	01-15-097
173-563	PREP	01-16-132	175- 20-120	REP	01-13-074	180- 29-012	NEW	01-08-040
175- 08-010	REP-XR	01-10-111	175- 20-130	REP-XR	01-10-111	180- 31-012	NEW	01-08-040
175- 08-010	REP	01-13-074	175- 20-130	REP	01-13-074	180- 32	PREP	01-11-142
175- 08-990	REP-XR	01-10-111	175- 20-140	REP-XR	01-10-111	180- 32-012	NEW	01-08-040
175- 08-990	REP	01-13-074	175- 20-140	REP	01-13-074	180- 32-065	AMD-E	01-14-066
175- 12-005	REP-XR	01-10-111	175- 20-145	REP-XR	01-10-111	180- 32-065	AMD-P	01-15-097
175- 12-005	REP	01-13-074	175- 20-145	REP	01-13-074	180- 33	PREP	01-11-142
175- 12-010	REP-XR	01-10-111	175- 20-150	REP-XR	01-10-111	180- 33-012	NEW	01-08-040
175- 12-010	REP	01-13-074	175- 20-150	REP	01-13-074	180- 33-020	AMD-E	01-14-066
175- 12-015	REP-XR	01-10-111	175- 20-155	REP-XR	01-10-111	180- 33-020	AMD-P	01-15-097
175- 12-015	REP	01-13-074	175- 20-155	REP	01-13-074	180- 33-023	AMD-P	01-05-088
175- 12-020	REP-XR	01-10-111	175- 20-160	REP-XR	01-10-111	180- 33-023	AMD	01-09-012
175- 12-020	REP	01-13-074	175- 20-160	REP	01-13-074	180- 33-035	AMD-E	01-14-066
175- 12-025	REP-XR	01-10-111	175- 20-170	REP-XR	01-10-111	180- 33-035	AMD-P	01-15-097
175- 12-025	REP	01-13-074	175- 20-170	REP	01-13-074	180- 33-042	PREP	01-05-130
175- 12-030	REP-XR	01-10-111	175- 20-990	REP-XR	01-10-111	180- 33-042	AMD-E	01-08-039
175- 12-030	REP	01-13-074	175- 20-990	REP	01-13-074	180- 33-042	AMD-P	01-10-102
175- 12-035	REP-XR	01-10-111	175- 20-99001	REP-XR	01-10-111	180- 33-042	AMD	01-14-019
175- 12-035	REP	01-13-074	175- 20-99001	REP	01-13-074	180- 50-115	AMD-W	01-08-065
175- 12-040	REP-XR	01-10-111	175- 20-99002	REP-XR	01-10-111	180- 50-117	NEW-W	01-08-065
175- 12-040	REP	01-13-074	175- 20-99002	REP	01-13-074	180- 51-060	PREP	01-05-124
175- 12-045	REP-XR	01-10-111	175- 20-99003	REP-XR	01-10-111	180- 51-060	AMD-P	01-10-099
175- 12-045	REP	01-13-074	175- 20-99003	REP	01-13-074	180- 51-060	AMD	01-13-112
175- 12-050	REP-XR	01-10-111	175- 20-99004	REP-XR	01-10-111	180- 51-061	PREP	01-05-125
175- 12-050	REP	01-13-074	175- 20-99004	REP	01-13-074	180- 51-061	AMD-P	01-10-098
175- 16-010	REP-XR	01-10-111	180- 16	PREP	01-11-138	180- 51-061	AMD	01-13-114
175- 16-010	REP	01-13-074	180- 16-200	PREP	01-15-102	180- 51-063	PREP	01-05-092
175- 16-020	REP-XR	01-10-111	180- 16-205	PREP	01-15-102	180- 51-063	AMD-E	01-08-042
175- 16-020	REP	01-13-074	180- 16-215	PREP	01-15-102	180- 51-063	AMD-P	01-10-094
175- 16-030	REP-XR	01-10-111	180- 18-030	PREP	01-15-102	180- 51-063	AMD	01-13-113
175- 16-030	REP	01-13-074	180- 18-050	PREP	01-15-102	180- 51-075	AMD-W	01-04-025
175- 16-040	REP-XR	01-10-111	180- 18-060	PREP	01-15-102	180- 52	PREP	01-05-123
175- 16-040	REP	01-13-074	180- 18-080	PREP	01-15-102	180- 52-041	PREP	01-05-122
175- 16-050	REP-XR	01-10-111	180- 25-012	NEW	01-08-040	180- 52-041	REP-E	01-09-015
175- 16-050	REP	01-13-074	180- 26	PREP	01-11-142	180- 52-041	REP-P	01-10-092
175- 16-060	REP-XR	01-10-111	180- 26-012	NEW	01-08-040	180- 52-041	REP	01-13-109
175- 16-060	REP	01-13-074	180- 26-050	AMD-E	01-14-066	180- 57	PREP	01-14-020
175- 16-990	REP-XR	01-10-111	180- 26-050	AMD-P	01-15-097	180- 57	PREP	01-15-100
175- 16-990	REP	01-13-074	180- 26-057	AMD-E	01-14-066	180- 57-005	AMD-W	01-04-024
175- 20-010	REP-XR	01-10-111	180- 26-057	AMD-P	01-15-097	180- 57-010	REP-W	01-04-024
175- 20-010	REP	01-13-074	180- 27	PREP	01-11-142	180- 57-020	AMD-W	01-04-024
175- 20-020	REP-XR	01-10-111	180- 27-012	NEW	01-08-040	180- 57-030	REP-W	01-04-024
175- 20-020	REP	01-13-074	180- 27-020	AMD-E	01-14-066	180- 57-040	REP-W	01-04-024
175- 20-030	REP-XR	01-10-111	180- 27-020	AMD-P	01-15-097	180- 57-050	AMD-W	01-04-024
175- 20-030	REP	01-13-074	180- 27-035	AMD-E	01-14-065	180- 57-055	AMD-W	01-04-024
175- 20-040	REP-XR	01-10-111	180- 27-035	AMD-P	01-15-099	180- 57-070	AMD-P	01-05-090
175- 20-040	REP	01-13-074	180- 27-060	AMD-E	01-14-066	180- 57-070	AMD	01-09-013
175- 20-050	REP-XR	01-10-111	180- 27-060	AMD-P	01-15-097	180- 57-070	PREP	01-11-141
175- 20-050	REP	01-13-074	180- 27-063	AMD-E	01-14-066	180- 57-080	REP-W	01-04-024
175- 20-060	REP-XR	01-10-111	180- 27-063	AMD-P	01-15-097	180- 77-120	AMD-P	01-15-098
175- 20-060	REP	01-13-074	180- 27-065	AMD-E	01-14-066	180- 77-120	AMD	01-18-043
175- 20-070	REP-XR	01-10-111	180- 27-065	AMD-P	01-15-097	180- 78A	PREP	01-11-139
175- 20-070	REP	01-13-074	180- 27-070	AMD-P	01-05-089	180- 78A-010	AMD-E	01-09-010

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180- 78A-010	AMD-P	01-10-101	180- 82-202	AMD	01-13-108	183- 06-030	NEW-P	01-04-033
180- 78A-015	REP	01-04-021	180- 82-204	PREP	01-05-128	183- 06-030	NEW	01-12-002
180- 78A-125	REP-P	01-10-096	180- 82-204	AMD-E	01-08-041	192- 16-011	REP-E	01-05-071
180- 78A-125	REP	01-13-106	180- 82-204	AMD-P	01-10-093	192- 16-011	REP-P	01-05-118
180- 78A-209	AMD	01-03-151	180- 82-204	AMD	01-13-108	192- 16-011	REP	01-11-085
180- 78A-220	PREP	01-15-101	180- 82-210	PREP	01-05-129	192- 16-017	REP-E	01-05-071
180- 78A-225	PREP	01-15-101	180- 82-210	AMD-E	01-08-041	192- 16-017	REP-P	01-05-118
180- 78A-250	AMD-P	01-10-096	180- 82-210	AMD-P	01-10-093	192- 16-017	REP	01-11-085
180- 78A-250	AMD	01-13-106	180- 82-210	AMD	01-13-108	192- 16-021	REP-P	01-05-117
180- 78A-255	AMD-P	01-10-096	180- 85	PREP	01-11-138	192- 16-021	REP-W	01-18-067
180- 78A-255	AMD	01-13-106	180- 85-035	AMD-P	01-10-095	192- 16-061	REP	01-03-009
180- 78A-261	PREP	01-15-101	180- 85-035	AMD	01-13-111	192- 16-070	REP-P	01-04-082
180- 78A-264	AMD	01-03-153	180- 85-075	AMD-P	01-04-019	192- 16-070	REP	01-12-009
180- 78A-264	PREP	01-15-101	180- 85-075	AMD	01-09-004	192-150-050	NEW-E	01-05-071
180- 78A-535	AMD-P	01-04-019	180- 86	PREP	01-11-138	192-150-050	NEW-P	01-05-118
180- 78A-535	AMD	01-09-004	180- 97-060	AMD-E	01-11-056	192-150-050	NEW	01-11-085
180- 78A-545	REP	01-04-021	180- 97-060	PREP	01-11-143	192-150-060	NEW-P	01-05-117
180- 78A-550	REP	01-04-021	182- 08	PREP	01-18-096	192-150-060	NEW-W	01-18-067
180- 78A-555	REP	01-04-021	182- 08-095	PREP	01-18-094	192-150-065	NEW-E	01-05-071
180- 78A-560	REP	01-04-021	182- 12-117	PREP	01-09-083	192-150-065	NEW-P	01-05-118
180- 78A-565	REP	01-04-021	182- 12-117	AMD-P	01-12-092	192-150-065	NEW	01-11-085
180- 79A	PREP	01-04-018	182- 12-117	AMD-C	01-16-080	192-150-085	NEW-E	01-05-071
180- 79A	PREP	01-11-140	182- 12-117	AMD	01-17-042	192-150-085	NEW-P	01-05-118
180- 79A-015	REP-W	01-15-062	182- 12-119	PREP	01-18-095	192-150-085	NEW	01-11-085
180- 79A-020	REP-W	01-15-062	182- 12-200	PREP	01-09-084	192-150-100	NEW-P	01-04-082
180- 79A-022	REP-W	01-15-062	182- 12-200	AMD-P	01-12-091	192-150-100	NEW	01-12-009
180- 79A-030	AMD	01-03-153	182- 12-200	AMD-C	01-16-079	192-170-050	NEW-P	01-05-117
180- 79A-124	AMD	01-03-153	182- 12-200	AMD	01-17-041	192-170-050	NEW-W	01-18-067
180- 79A-130	AMD-P	01-05-093	182- 20-001	AMD	01-04-080	192-180-012	NEW-P	01-05-117
180- 79A-130	AMD	01-09-005	182- 20-010	AMD	01-04-080	192-180-012	NEW-W	01-18-067
180- 79A-140	AMD-E	01-18-062	182- 20-100	AMD	01-04-080	192-210-005	PREP	01-10-117
180- 79A-145	AMD-P	01-04-019	182- 20-160	AMD	01-04-080	192-210-005	AMD-E	01-12-010
180- 79A-145	AMD	01-09-004	182- 20-200	AMD	01-04-080	192-210-015	PREP	01-10-117
180- 79A-155	AMD-P	01-04-022	182- 20-400	AMD	01-04-080	192-210-015	AMD-E	01-12-010
180- 79A-155	AMD	01-09-006	182- 25-010	AMD-P	01-05-107	192-210-020	NEW-E	01-12-010
180- 79A-206	AMD	01-03-153	182- 25-010	AMD	01-09-001	192-270-005	NEW-E	01-05-071
180- 79A-211	AMD	01-03-152	183- 04-010	NEW-P	01-04-033	192-270-005	NEW-P	01-05-118
180- 79A-231	AMD-E	01-18-062	183- 04-010	NEW	01-12-002	192-270-005	NEW	01-11-085
180- 79A-250	AMD-P	01-04-019	183- 04-020	NEW-P	01-04-033	192-270-010	NEW-E	01-05-071
180- 79A-250	AMD	01-09-004	183- 04-020	NEW	01-12-002	192-270-010	NEW-P	01-05-118
180- 79A-250	AMD-P	01-10-095	183- 04-030	NEW-P	01-04-033	192-270-010	NEW	01-11-085
180- 79A-250	AMD	01-13-111	183- 04-030	NEW	01-12-002	192-270-015	NEW-E	01-05-071
180- 79A-257	PREP	01-05-126	183- 04-040	NEW-P	01-04-033	192-270-015	NEW-P	01-05-118
180- 79A-257	AMD-E	01-08-041	183- 04-040	NEW	01-12-002	192-270-015	NEW	01-11-085
180- 79A-257	AMD-P	01-10-093	183- 04-050	NEW-P	01-04-033	192-270-020	NEW-E	01-05-071
180- 79A-257	AMD	01-13-108	183- 04-050	NEW	01-12-002	192-270-020	NEW-P	01-05-118
180- 79A-257	AMD-P	01-15-098	183- 04-060	NEW-P	01-04-033	192-270-020	NEW	01-11-085
180- 79A-257	AMD	01-18-043	183- 04-060	NEW	01-12-002	192-270-025	NEW-E	01-05-071
180- 79A-265	PREP	01-05-147	183- 04-070	NEW-P	01-04-033	192-270-025	NEW-P	01-05-118
180- 79A-265	REP-E	01-08-041	183- 04-070	NEW	01-12-002	192-270-025	NEW	01-11-085
180- 79A-265	REP-P	01-10-093	183- 04-080	NEW-P	01-04-033	192-270-025	NEW-E	01-05-071
180- 79A-265	REP	01-13-108	183- 04-080	NEW	01-12-002	192-270-030	NEW-P	01-05-118
180- 79A-311	REP-P	01-10-097	183- 04-090	NEW-P	01-04-033	192-270-030	NEW	01-11-085
180- 79A-311	REP	01-13-107	183- 04-090	NEW	01-12-002	192-270-035	NEW-E	01-05-071
180- 82-130	AMD-P	01-05-091	183- 04-100	NEW-P	01-04-033	192-270-035	NEW-P	01-05-118
180- 82-130	AMD-C	01-10-100	183- 04-100	NEW	01-12-002	192-270-035	NEW	01-11-085
180- 82-130	AMD	01-13-110	183- 04-110	NEW-P	01-04-033	192-270-040	NEW-E	01-05-071
180- 82-135	NEW	01-04-020	183- 04-110	NEW	01-12-002	192-270-040	NEW-P	01-05-118
180- 82-135	NEW-W	01-08-066	183- 06-010	NEW-P	01-04-033	192-270-040	NEW	01-11-085
180- 82-202	PREP	01-05-127	183- 06-010	NEW	01-12-002	192-270-045	NEW-E	01-05-071
180- 82-202	AMD-E	01-08-041	183- 06-020	NEW-P	01-04-033	192-270-045	NEW-P	01-05-118

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192-270-050	NEW-P	01-05-118	204- 96-010	AMD-E	01-03-078	208-512-117	AMD	01-06-024
192-270-050	NEW	01-11-085	204- 96-010	AMD	01-05-098	208-512-240	AMD-P	01-03-107.
192-270-055	NEW-E	01-05-071	208-418-010	NEW-P	01-07-082	208-512-240	AMD	01-06-024
192-270-055	NEW-P	01-05-118	208-418-010	NEW	01-12-004	208-512-280	AMD-P	01-03-107
192-270-055	NEW	01-11-085	208-418-020	AMD-P	01-07-082	208-512-280	AMD	01-06-024
192-270-060	NEW-E	01-05-071	208-418-020	AMD	01-12-004	208-512-300	AMD-P	01-03-107
192-270-060	NEW-P	01-05-118	208-418-040	AMD-P	01-07-082	208-512-300	AMD	01-06-024
192-270-060	NEW	01-11-085	208-418-040	AMD	01-12-004	208-514-140	AMD-P	01-03-107
192-270-065	NEW-E	01-05-071	208-418-050	AMD-P	01-07-082	208-514-140	AMD	01-06-024
192-270-065	NEW-P	01-05-118	208-418-050	AMD	01-12-004	208-528-040	AMD-P	01-03-107
192-270-065	NEW	01-11-085	208-418-060	REP-P	01-07-082	208-528-040	AMD	01-06-024
192-270-070	NEW-E	01-05-071	208-418-060	REP	01-12-004	208-532-050	AMD-P	01-03-107
192-270-070	NEW-P	01-05-118	208-418-070	AMD-P	01-07-082	208-532-050	AMD	01-06-024
192-270-070	NEW	01-11-085	208-418-070	AMD	01-12-004	208-544-025	AMD-P	01-03-107
192-320-075	NEW-P	01-05-117	208-418-090	NEW-P	01-07-082	208-544-025	AMD	01-06-024
192-320-075	NEW-W	01-18-067	208-418-090	NEW	01-12-004	208-544-037	AMD-P	01-03-107
196- 12-030	AMD-P	01-04-094	208-418-100	NEW-P	01-07-082	208-544-037	AMD	01-06-024
196- 12-030	AMD	01-09-016	208-418-100	NEW	01-12-004	208-544-037	REP-P	01-07-081
196- 12-035	NEW-P	01-04-094	208-460-010	NEW-P	01-05-072	208-544-037	REP	01-12-003
196- 12-035	NEW	01-09-016	208-460-010	NEW	01-10-084	208-544-039	AMD-P	01-03-107
196- 23-070	NEW-P	01-04-050	208-460-020	NEW-P	01-05-072	208-544-039	AMD	01-06-024
196- 23-070	NEW	01-09-017	208-460-020	NEW	01-10-084	208-544-039	AMD-P	01-07-081
196- 33-100	NEW-P	01-05-033	208-460-030	NEW-P	01-05-072	208-544-039	AMD	01-12-003
196- 33-100	NEW	01-11-102	208-460-030	NEW	01-10-084	208-544-050	REP-P	01-07-081
196- 33-200	NEW-P	01-05-033	208-460-040	NEW-P	01-05-072	208-544-050	REP	01-12-003
196- 33-200	NEW	01-11-102	208-460-040	NEW	01-10-084	208-544-065	NEW-P	01-07-081
196- 33-300	NEW-P	01-05-033	208-460-050	NEW-P	01-05-072	208-556-080	AMD-P	01-03-107
196- 33-300	NEW	01-11-102	208-460-050	NEW	01-10-084	208-556-080	AMD	01-06-024
196- 33-400	NEW-P	01-05-033	208-460-060	NEW-P	01-05-072	208-586-135	AMD-P	01-03-107
196- 33-400	NEW	01-11-102	208-460-060	NEW	01-10-084	208-586-135	AMD	01-06-024
196- 33-500	NEW-P	01-05-033	208-460-070	NEW-P	01-05-072	208-586-135	REP-P	01-07-081
196- 33-500	NEW	01-11-102	208-460-070	NEW	01-10-084	208-586-135	REP	01-12-003
204- 36	PREP	01-11-117	208-460-080	NEW-P	01-05-072	208-586-140	AMD-P	01-03-107
204- 36-030	AMD-P	01-18-088	208-460-080	NEW	01-10-084	208-586-140	AMD	01-06-024
204- 36-040	AMD-P	01-18-088	208-460-090	NEW-P	01-05-072	208-586-140	AMD-P	01-07-081
204- 36-060	AMD-P	01-18-088	208-460-090	NEW	01-10-084	208-586-140	AMD	01-12-003
204- 38-030	AMD-P	01-05-097	208-460-100	NEW-P	01-05-072	208-586-150	NEW-P	01-07-081
204- 38-030	AMD	01-11-118	208-460-100	NEW	01-10-084	208-620-190	AMD-P	01-07-083
204- 38-040	AMD-P	01-05-097	208-460-110	NEW-P	01-05-072	208-620-190	AMD	01-12-029
204- 38-040	AMD	01-11-118	208-460-110	NEW	01-10-084	208-620-191	NEW-P	01-07-083
204- 38-050	AMD-P	01-05-097	208-460-120	NEW-P	01-05-072	208-620-191	NEW	01-12-029
204- 38-050	AMD	01-11-118	208-460-120	NEW	01-10-084	208-620-192	NEW-P	01-07-083
204- 82A-060	PREP	01-13-051	208-460-130	NEW-P	01-05-072	208-620-192	NEW	01-12-029
204- 91A	PREP	01-11-116	208-460-130	NEW	01-10-084	208-630-021	AMD-P	01-07-083
204- 91A-010	AMD-W	01-10-083	208-460-140	NEW-P	01-05-072	208-630-021	AMD	01-12-029
204- 91A-010	AMD-P	01-18-089	208-460-140	NEW	01-10-084	208-630-022	AMD-P	01-07-083
204- 91A-030	AMD-W	01-10-083	208-460-150	NEW-P	01-05-072	208-630-022	AMD	01-12-029
204- 91A-030	AMD-P	01-18-089	208-460-150	NEW	01-10-084	208-630-023	AMD-P	01-07-083
204- 91A-060	AMD-W	01-10-083	208-460-160	NEW-P	01-05-072	208-630-023	AMD	01-12-029
204- 91A-060	AMD-P	01-18-089	208-460-160	NEW	01-10-084	208-630-02303	NEW-P	01-07-083
204- 91A-090	AMD-W	01-10-083	208-460-170	NEW-P	01-05-072	208-630-02303	NEW	01-12-029
204- 91A-090	AMD-P	01-18-089	208-460-170	NEW	01-10-084	208-630-02305	NEW-P	01-07-083
204- 91A-120	AMD-W	01-10-083	208-512	PREP-W	01-03-106	208-630-02305	NEW	01-12-029
204- 91A-120	AMD-P	01-18-089	208-512-045	AMD-P	01-03-107	208-660-010	AMD-P	01-07-083
204- 91A-130	AMD-W	01-10-083	208-512-045	AMD	01-06-024	208-660-010	AMD	01-12-029
204- 91A-130	AMD-P	01-18-089	208-512-110	AMD-P	01-03-107	208-660-060	AMD-P	01-07-083
204- 91A-140	AMD-W	01-10-083	208-512-110	AMD	01-06-024	208-660-060	AMD	01-12-029
204- 91A-140	AMD-P	01-18-089	208-512-115	AMD-P	01-03-107	208-660-061	NEW-P	01-07-083
204- 91A-170	AMD-W	01-10-083	208-512-115	AMD	01-06-024	208-660-061	NEW	01-12-029
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208-680B-010	AMD	01-08-055	220- 20-056	NEW-P	01-16-149	220- 33-01000S	REP-E	01-11-016
208-680B-015	NEW	01-08-055	220- 24-020	AMD-P	01-10-108	220- 33-01000T	NEW-E	01-11-016
208-680B-020	AMD	01-08-055	220- 24-020	AMD	01-13-006	220- 33-01000T	REP-E	01-14-018
208-680B-030	AMD	01-08-055	220- 24-02000Q	NEW-E	01-10-058	220- 33-01000U	NEW-E	01-14-018
208-680B-050	AMD	01-08-055	220- 24-02000Q	REP-E	01-10-058	220- 33-01000U	REP-E	01-14-018
208-680B-070	AMD	01-08-055	220- 24-02000Q	REP-E	01-11-066	220- 33-01000U	REP-E	01-14-029
208-680B-080	AMD-P	01-07-083	220- 24-02000R	NEW-E	01-11-023	220- 33-01000V	NEW-E	01-14-029
208-680B-080	AMD	01-12-029	220- 24-02000R	REP-E	01-11-066	220- 33-01000V	REP-E	01-14-029
208-680B-081	NEW-P	01-07-083	220- 24-02000R	REP-E	01-13-050	220- 33-01000	NEW-E	01-16-082
208-680B-081	NEW	01-12-029	220- 24-02000S	NEW-E	01-13-050	220- 33-01000	REP-E	01-16-082
208-680B-082	NEW-P	01-07-083	220- 24-02000S	REP-E	01-15-018	220- 33-01000X	NEW-E	01-17-037
208-680B-082	NEW	01-12-029	220- 24-02000S	REP-E	01-15-018	220- 33-01000X	REP-E	01-17-037
208-680B-090	AMD	01-08-055	220- 24-02000T	NEW-E	01-15-018	220- 33-01000Y	NEW-E	01-17-100
208-680B-100	NEW	01-08-055	220- 24-02000T	REP-E	01-16-013	220- 33-01000Y	REP-E	01-17-100
208-680B-110	NEW	01-08-055	220- 24-02000U	NEW-E	01-16-013	220- 33-01000Y	REP-E	01-18-004
208-680B-120	NEW	01-08-055	220- 24-02000U	REP-E	01-17-014	220- 33-01000Y	REP-E	01-18-004
208-680C-020	AMD	01-08-055	220- 24-02000V	NEW-E	01-17-014	220- 33-01000Z	NEW-E	01-18-004
208-680C-040	AMD	01-08-055	220- 24-02000V	REP-E	01-17-065	220- 33-01000Z	REP-E	01-18-004
208-680C-045	AMD	01-08-055	220- 24-02000	NEW-E	01-17-065	220- 33-03000R	NEW-E	01-11-041
208-680C-050	AMD	01-08-055	220- 24-02000	REP-E	01-18-058	220- 33-03000R	REP-E	01-11-041
208-680D-010	AMD	01-08-055	220- 24-02000X	NEW-E	01-18-058	220- 33-04000	AMD-W	01-03-015
208-680D-020	AMD	01-08-055	220- 24-040	NEW-P	01-10-108	220- 33-04000K	REP-E	01-07-005
208-680D-030	AMD	01-08-055	220- 24-040	NEW	01-13-006	220- 33-04000L	NEW-E	01-07-005
208-680D-040	AMD	01-08-055	220- 32-05000D	NEW-E	01-16-092	220- 33-04000L	REP-E	01-07-005
208-680D-050	AMD	01-08-055	220- 32-05000D	REP-E	01-16-092	220- 33-04000L	REP-E	01-07-047
208-680D-060	AMD	01-08-055	220- 32-05100A	NEW-E	01-11-042	220- 33-04000	NEW-E	01-07-047
208-680D-080	AMD	01-08-055	220- 32-05100A	REP-E	01-12-006	220- 33-04000	REP-E	01-07-047
208-680D-090	NEW	01-08-055	220- 32-05100B	NEW-E	01-12-006	220- 33-060	AMD-S	01-02-082
208-680D-100	NEW-W	01-08-067	220- 32-05100B	REP-E	01-12-006	220- 33-060	AMD	01-07-016
208-680E-011	AMD-W	01-08-067	220- 32-05100C	NEW-E	01-14-014	220- 36-021	AMD-P	01-10-116
208-680F-010	AMD	01-08-055	220- 32-05100C	REP-E	01-14-014	220- 36-021	AMD	01-13-055
208-680F-020	AMD	01-08-055	220- 32-05100D	NEW-E	01-14-030	220- 36-023	AMD-P	01-10-116
208-680F-040	AMD	01-08-055	220- 32-05100D	REP-E	01-14-030	220- 36-023	AMD	01-13-055
208-680F-060	AMD	01-08-055	220- 32-05100E	NEW-E	01-16-015	220- 40-021	AMD-P	01-10-116
208-680F-070	AMD	01-08-055	220- 32-05100E	REP-E	01-16-015	220- 40-021	AMD	01-13-055
208-680G-010	NEW	01-08-055	220- 32-05100F	NEW-E	01-17-089	220- 40-027	AMD-P	01-10-116
208-680G-020	NEW	01-08-055	220- 32-05100F	REP-E	01-18-003	220- 40-027	AMD	01-13-055
208-680G-030	NEW	01-08-055	220- 32-05100G	NEW-E	01-18-003	220- 44-020	AMD-S	01-02-082
208-680G-040	NEW	01-08-055	220- 32-05100	NEW-E	01-04-042	220- 44-020	AMD	01-07-016
208-680G-050	NEW	01-08-055	220- 32-05100	REP-E	01-04-042	220- 44-045	NEW-P	01-13-094
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210- 03-010	NEW	01-11-062	220- 32-05100X	NEW-E	01-09-067	220- 44-050	AMD-P	01-10-115
210- 03-020	NEW-P	01-06-060	220- 32-05100X	REP-E	01-09-067	220- 44-050	AMD	01-13-002
210- 03-020	NEW	01-11-062	220- 32-05100Y	NEW-E	01-10-022	220- 44-05000C	NEW-E	01-03-088
210- 03-030	NEW-P	01-06-060	220- 32-05100Y	REP-E	01-10-022	220- 44-05000C	REP-E	01-11-024
210- 03-030	NEW	01-11-062	220- 32-05100Y	REP-E	01-11-002	220- 44-05000D	NEW-E	01-09-056
210- 03-040	NEW-P	01-06-060	220- 32-05100Z	NEW-E	01-11-002	220- 44-05000D	REP-E	01-17-044
210- 03-040	NEW	01-11-062	220- 32-05100Z	REP-E	01-11-042	220- 44-05000E	NEW-E	01-11-024
210- 03-050	NEW-P	01-06-060	220- 32-05700I	NEW-E	01-12-024	220- 44-05000E	REP-E	01-15-002
210- 03-050	NEW	01-11-062	220- 32-05700I	REP-E	01-12-024	220- 44-05000F	NEW-E	01-15-002
210- 03-060	NEW-P	01-06-060	220- 32-05700I	REP-E	01-16-083	220- 44-05000G	NEW-E	01-17-044
210- 03-060	NEW	01-11-062	220- 32-05700J	NEW-E	01-16-083	220- 47-301	AMD-P	01-02-085
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220- 16-270	AMD	01-03-016	220- 33-01000Q	NEW-E	01-05-069	220- 47-401	AMD-P	01-10-118
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220-47-42800B	REP-E	01-17-106	220-52-05100U	REP-E	01-17-040	220-56-27000I	NEW-E	01-06-005
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220-52-00300N	REP-E	01-14-042	220-52-071	AMD	01-07-021	220-56-27000J	REP-E	01-07-046
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220-52-03000P	REP-E	01-16-128	220-52-07100T	NEW-E	01-17-049	220-56-28200A	REP-E	01-13-032
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220-52-040	AMD-P	01-16-148	220-52-073	AMD-P	01-02-086	220-56-28500A	REP-E	01-10-023
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230-40-505	NEW	01-13-091	232-12-142	NEW-P	01-05-111	232-28-299	NEW-P	01-05-134
230-40-608	RECOD-P	01-10-122	232-12-142	NEW-P	01-13-082	232-28-299	NEW	01-10-048
230-40-608	RECOD	01-13-091	232-12-142	NEW	01-17-067	232-28-424	REP-P	01-13-120
230-40-610	AMD-P	01-10-122	232-12-142	NEW-W	01-18-066	232-28-424	REP	01-17-092
230-40-610	AMD	01-13-091	232-12-243	NEW-P	01-13-093	232-28-42400C	NEW-E	01-03-013
230-40-625	NEW-P	01-10-122	232-12-24800A	NEW-E	01-07-020	232-28-42400C	REP-E	01-03-013
230-40-625	NEW	01-13-091	232-12-257	AMD-P	01-13-120	232-28-425	NEW-P	01-13-120
230-40-630	NEW-P	01-10-122	232-12-257	AMD	01-17-092	232-28-425	NEW	01-17-092
230-40-630	NEW	01-13-091	232-12-271	AMD-P	01-05-144	232-28-515	AMD-P	01-05-135
230-40-803	AMD-P	01-10-122	232-12-271	AMD	01-10-048	232-28-515	AMD	01-10-048
230-40-803	AMD	01-15-053	232-12-619	AMD-W	01-11-074	232-28-619	AMD	01-06-036
230-40-805	AMD-P	01-10-122	232-12-61900R	NEW-E	01-17-066	232-28-619	AMD-P	01-10-109
230-40-805	AMD	01-13-091	232-12-61900R	REP-E	01-17-066	232-28-619	AMD	01-14-001
230-40-808	RECOD-P	01-10-122	232-28-02203	AMD	01-04-037	232-28-61900A	NEW-E	01-10-023
230-40-808	RECOD	01-13-091	232-28-02203	AMD-P	01-05-136	232-28-61900A	REP-E	01-10-023
230-40-815	AMD-P	01-10-122	232-28-02203	AMD	01-10-048	232-28-61900B	NEW-E	01-10-046
230-40-815	AMD	01-13-091	232-28-02204	AMD	01-04-037	232-28-61900B	REP-E	01-10-046
230-40-820	REP-P	01-10-122	232-28-02205	AMD-P	01-05-136	232-28-61900C	NEW-E	01-10-057
230-40-820	REP	01-13-091	232-28-02205	AMD	01-10-048	232-28-61900C	REP-E	01-10-057
230-40-821	RECOD-P	01-10-122	232-28-02206	AMD	01-04-037	232-28-61900D	NEW-E	01-11-017
230-40-821	RECOD	01-13-091	232-28-02220	AMD-P	01-05-143	232-28-61900D	REP-E	01-11-017
230-40-825	AMD-P	01-10-122	232-28-02220	AMD	01-10-048	232-28-61900E	NEW-E	01-11-066
230-40-825	AMD	01-13-091	232-28-02240	AMD-P	01-05-143	232-28-61900E	REP-E	01-11-066
230-40-830	AMD-P	01-10-122	232-28-02240	AMD	01-10-048	232-28-61900E	NEW-E	01-11-065
230-40-830	AMD	01-13-091	232-28-248	AMD-P	01-05-142	232-28-61900F	REP-E	01-11-065
230-40-833	AMD-P	01-10-122	232-28-248	AMD	01-10-048	232-28-61900G	NEW-E	01-11-057
230-40-833	AMD	01-13-091	232-28-258	REP-P	01-05-140	232-28-61900G	REP-E	01-14-049
230-40-840	AMD-P	01-10-122	232-28-258	REP	01-10-048	232-28-61900H	NEW-E	01-11-088
230-40-840	AMD	01-13-091	232-28-260	AMD	01-04-037	232-28-61900H	REP-E	01-12-025
230-40-865	AMD-P	01-10-122	232-28-260	REP-P	01-05-140	232-28-61900I	NEW-E	01-12-025
230-40-865	AMD	01-13-091	232-28-260	REP	01-10-048	232-28-61900I	REP-E	01-17-012
230-40-870	AMD-P	01-10-122	232-28-271	AMD	01-04-037	232-28-61900J	NEW-E	01-12-066
230-40-870	AMD	01-13-091	232-28-272	AMD-P	01-05-134	232-28-61900J	REP-E	01-12-066
230-40-875	AMD-P	01-10-122	232-28-272	AMD	01-10-048	232-28-61900K	NEW-E	01-14-015
230-40-875	AMD	01-13-091	232-28-272	AMD-P	01-13-093	232-28-61900L	NEW-E	01-15-032
230-40-885	AMD-P	01-10-122	232-28-273	AMD-P	01-05-137	232-28-61900L	REP-E	01-15-032
230-40-885	AMD	01-13-091	232-28-273	AMD	01-10-048	232-28-61900	NEW-E	01-15-055
230-40-895	AMD-P	01-10-122	232-28-274	REP-W	01-03-077	232-28-61900N	NEW-E	01-03-061
230-40-895	AMD	01-13-091	232-28-274	REP-P	01-05-146	232-28-61900N	REP-E	01-03-061
230-40-897	REP-P	01-10-122	232-28-274	REP	01-10-048	232-28-61900N	REP-E	01-05-043
230-50-010	AMD	01-05-020	232-28-275	AMD	01-04-037	232-28-61900P	NEW-E	01-04-011
232-12-001	AMD-P	01-05-135	232-28-276	AMD-P	01-05-141	232-28-61900P	REP-E	01-04-011
232-12-001	AMD	01-10-048	232-28-276	AMD	01-10-048	232-28-61900P	NEW-E	01-17-012
232-12-004	AMD-P	01-05-144	232-28-277	AMD	01-04-037	232-28-61900P	REP-E	01-17-012
232-12-004	AMD	01-10-048	232-28-278	AMD-P	01-05-139	232-28-61900Q	NEW-E	01-05-010
232-12-007	AMD-P	01-05-144	232-28-278	AMD	01-10-048	232-28-61900Q	REP-E	01-05-010
232-12-007	AMD	01-10-048	232-28-27800B	NEW-E	01-17-088	232-28-61900Q	NEW-E	01-17-024
232-12-027	AMD-P	01-05-144	232-28-27800B	REP-E	01-17-088	232-28-61900Q	REP-E	01-17-024
232-12-027	AMD	01-10-048	232-28-279	AMD-P	01-05-145	232-28-61900R	NEW-E	01-05-080
232-12-054	AMD-P	01-13-095	232-28-279	AMD	01-10-048	232-28-61900R	REP-E	01-05-080
232-12-054	AMD	01-17-068	232-28-280	REP-P	01-05-146	232-28-61900R	NEW-E	01-18-027
232-12-068	AMD-P	01-05-138	232-28-280	REP	01-10-048	232-28-61900R	REP-E	01-18-027
232-12-068	AMD	01-10-048	232-28-281	REP-P	01-05-146	232-28-61900S	NEW-E	01-06-007
232-12-068	AMD-P	01-13-120	232-28-281	REP	01-10-048	232-28-61900S	REP-E	01-06-007
232-12-068	AMD	01-17-092	232-28-290	NEW-P	01-05-140	232-28-61900T	NEW-E	01-07-007
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232-28-61900U	REP-E	01-09-055	246-221-230	AMD-P	01-02-087	246-296-090	NEW-P	01-14-092
232-28-61900V	NEW-E	01-07-089	246-221-230	AMD	01-05-110	246-296-100	NEW-P	01-14-092
232-28-61900V	REP-E	01-07-089	246-221-250	AMD-P	01-02-087	246-296-110	NEW-P	01-14-092
232-28-61900	NEW-E	01-09-029	246-221-250	AMD	01-05-110	246-296-120	NEW-P	01-14-092
232-28-61900X	NEW-E	01-09-030	246-221-285	AMD-P	01-02-087	246-296-130	NEW-P	01-14-092
232-28-61900X	REP-E	01-09-030	246-221-285	AMD	01-05-110	246-296-140	NEW-P	01-14-092
232-28-61900X	REP-E	01-11-066	246-244-070	AMD-P	01-02-087	246-296-150	NEW-P	01-14-092
232-28-61900Y	NEW-E	01-09-053	246-244-070	AMD	01-05-110	246-296-160	NEW-P	01-14-092
232-28-61900Y	REP-E	01-09-053	246-246-001	AMD-P	01-10-130	246-296-170	NEW-P	01-14-092
232-28-61900Y	REP-E	01-12-026	246-246-001	AMD	01-14-045	246-296-180	NEW-P	01-14-092
232-28-61900Z	NEW-E	01-09-055	246-254-053	AMD-P	01-11-163	246-296-190	NEW-P	01-14-092
232-28-61900Z	REP-E	01-11-088	246-254-053	AMD	01-14-048	246-305-001	NEW	01-08-023
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232-28-620	AMD	01-14-001	246-254-070	AMD	01-14-046	246-305-020	NEW	01-08-023
232-28-62000B	NEW-E	01-14-024	246-254-080	AMD-P	01-11-160	246-305-030	NEW	01-08-023
232-28-621	AMD-P	01-10-109	246-254-080	AMD	01-14-046	246-305-040	NEW	01-08-023
232-28-621	AMD	01-14-001	246-254-090	AMD-P	01-11-160	246-305-050	NEW	01-08-023
232-28-62100B	NEW-E	01-10-038	246-254-090	AMD	01-14-046	246-305-060	NEW	01-08-023
232-28-62100B	REP-E	01-15-004	246-254-100	AMD-P	01-11-160	246-305-070	NEW	01-08-023
232-28-62100C	NEW-E	01-15-004	246-254-100	AMD	01-14-046	246-305-080	NEW	01-08-023
232-28-62100C	REP-E	01-15-036	246-254-120	AMD-P	01-11-160	246-305-090	NEW	01-08-023
232-28-62100D	NEW-E	01-15-036	246-254-120	AMD	01-14-046	246-305-100	NEW	01-08-023
232-28-62100D	REP-E	01-16-118	246-260-9901	AMD-P	01-11-158	246-305-110	NEW	01-08-023
232-28-62100E	NEW-E	01-16-118	246-260-9901	AMD	01-14-047	246-310-990	AMD-P	01-11-154
232-28-62100E	REP-E	01-18-064	246-282-001	AMD	01-04-054	246-310-990	AMD	01-15-094
232-28-62100F	NEW-E	01-18-064	246-282-005	AMD	01-04-054	246-314-990	PREP	01-10-123
232-28-62100F	REP-E	01-18-064	246-282-010	AMD	01-04-054	246-320-990	PREP	01-10-124
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246-08-400	AMD	01-16-009	246-282-014	NEW	01-04-054	246-322-990	AMD-P	01-11-156
246-100	PREP	01-08-088	246-282-016	NEW	01-04-054	246-322-990	AMD	01-15-092
246-102-001	NEW	01-04-086	246-282-020	AMD	01-04-054	246-323-990	AMD-P	01-11-157
246-102-010	NEW	01-04-086	246-282-030	REP	01-04-054	246-323-990	AMD	01-15-091
246-102-020	NEW	01-04-086	246-282-032	NEW	01-04-054	246-324-990	AMD-P	01-11-156
246-102-030	NEW	01-04-086	246-282-034	NEW	01-04-054	246-324-990	AMD	01-15-092
246-102-040	NEW	01-04-086	246-282-036	NEW	01-04-054	246-325-990	AMD-P	01-11-157
246-102-050	NEW	01-04-086	246-282-040	REP	01-04-054	246-325-990	AMD	01-15-091
246-102-060	NEW	01-04-086	246-282-042	NEW	01-04-054	246-326-990	AMD-P	01-11-157
246-102-070	NEW	01-04-086	246-282-050	AMD	01-04-054	246-326-990	AMD	01-15-091
246-205-990	AMD-P	01-11-158	246-282-060	AMD	01-04-054	246-327-990	PREP	01-10-125
246-205-990	AMD	01-14-047	246-282-070	AMD	01-04-054	246-327-990	AMD-P	01-16-151
246-220-010	AMD-P	01-02-087	246-282-080	AMD	01-04-054	246-329-990	AMD-P	01-11-155
246-220-010	AMD	01-05-110	246-282-082	NEW	01-04-054	246-329-990	AMD	01-15-090
246-221-005	AMD-P	01-02-087	246-282-090	REP	01-04-054	246-331-990	PREP	01-10-125
246-221-005	AMD	01-05-110	246-282-092	NEW	01-04-054	246-331-990	AMD-P	01-16-151
246-221-010	AMD-P	01-02-087	246-282-100	AMD	01-04-054	246-336-990	PREP	01-10-125
246-221-010	AMD	01-05-110	246-282-102	NEW	01-04-054	246-336-990	AMD-P	01-16-151
246-221-015	AMD-P	01-02-087	246-282-104	NEW	01-04-054	246-360-990	AMD-P	01-11-153
246-221-015	AMD	01-05-110	246-282-110	AMD	01-04-054	246-360-990	AMD	01-15-093
246-221-030	AMD-P	01-02-087	246-282-120	AMD	01-04-054	246-430-001	REP	01-04-086
246-221-030	AMD	01-05-110	246-282-130	AMD	01-04-054	246-430-010	REP	01-04-086
246-221-055	AMD-P	01-02-087	246-282-990	AMD	01-04-054	246-430-020	REP	01-04-086
246-221-055	AMD	01-05-110	246-282-990	AMD-P	01-11-158	246-430-030	REP	01-04-086
246-221-090	AMD-P	01-02-087	246-282-990	AMD	01-14-047	246-430-040	REP	01-04-086
246-221-090	AMD	01-05-110	246-290	PREP	01-17-111	246-430-050	REP	01-04-086
246-221-100	AMD-P	01-02-087	246-296-010	NEW-P	01-14-092	246-430-060	REP	01-04-086
246-221-100	AMD	01-05-110	246-296-020	NEW-P	01-14-092	246-491	PREP	01-08-090
246-221-110	AMD-P	01-02-087	246-296-030	NEW-P	01-14-092	246-650	PREP-W	01-17-027
246-221-110	AMD	01-05-110	246-296-040	NEW-P	01-14-092	246-650	PREP	01-17-028
246-221-113	AMD-P	01-02-087	246-296-050	NEW-P	01-14-092	246-680	PREP	01-08-091
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246-809-080	NEW	01-17-113	246-853-225	NEW	01-16-008	246-928-140	REP-P	01-07-086
246-809-120	NEW-P	01-13-118	246-853-226	NEW-P	01-10-128	246-928-140	REP	01-11-165
246-809-120	NEW	01-17-113	246-853-226	NEW	01-16-008	246-928-150	REP-P	01-07-086
246-809-121	NEW-P	01-13-118	246-853-227	NEW-P	01-10-128	246-928-150	REP	01-11-165
246-809-121	NEW	01-17-113	246-853-227	NEW	01-16-008	246-928-160	REP-P	01-07-086
246-809-130	NEW-P	01-13-118	246-869-220	AMD	01-04-055	246-928-160	REP	01-11-165
246-809-130	NEW	01-17-113	246-879-090	PREP	01-09-087	246-928-170	REP-P	01-07-086
246-809-140	NEW-P	01-13-118	246-887-100	AMD	01-03-108	246-928-170	REP	01-11-165
246-809-140	NEW	01-17-113	246-907	PREP	01-05-109	246-928-180	REP-P	01-07-086
246-809-220	NEW-P	01-13-118	246-907-030	AMD-P	01-09-088	246-928-180	REP	01-11-165
246-809-220	NEW	01-17-113	246-907-030	AMD	01-12-052	246-928-190	REP-P	01-07-086
246-809-221	NEW-P	01-13-118	246-918-005	AMD-P	01-12-095	246-928-190	REP	01-11-165
246-809-221	NEW	01-17-113	246-918-005	AMD	01-18-085	246-928-200	REP-P	01-07-086
246-809-230	NEW-P	01-13-118	246-918-007	AMD-P	01-12-095	246-928-200	REP	01-11-165
246-809-230	NEW	01-17-113	246-918-007	AMD	01-18-085	246-928-210	REP-P	01-07-086
246-809-240	NEW-P	01-13-118	246-918-050	AMD-P	01-12-095	246-928-210	REP	01-11-165
246-809-240	NEW	01-17-113	246-918-050	AMD	01-18-085	246-928-220	REP-P	01-07-086
246-809-320	NEW-P	01-13-118	246-918-080	AMD-P	01-12-095	246-928-220	REP	01-11-165
246-809-320	NEW	01-17-113	246-918-080	AMD	01-18-085	246-928-310	NEW-P	01-07-086
246-809-321	NEW-P	01-13-118	246-918-120	PREP	01-15-089	246-928-310	NEW	01-11-165
246-809-321	NEW	01-17-113	246-919-330	AMD-P	01-12-098	246-928-320	NEW-P	01-07-086
246-809-340	NEW-P	01-13-118	246-919-330	AMD	01-18-087	246-928-320	NEW	01-11-165
246-809-340	NEW	01-17-113	246-919-340	AMD-P	01-12-096	246-928-410	NEW-P	01-07-086
246-809-990	NEW-P	01-13-118	246-919-340	AMD	01-18-086	246-928-410	NEW	01-11-165
246-809-990	NEW-E	01-13-119	246-919-475	NEW	01-03-115	246-928-420	NEW-P	01-07-086
246-809-990	NEW	01-17-113	246-919-840	NEW-P	01-10-129	246-928-420	NEW	01-11-165
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246-817-440	NEW	01-16-007	246-919-841	NEW-P	01-10-129	246-928-430	NEW	01-11-165
246-817-990	AMD-P	01-08-086	246-919-841	NEW	01-16-010	246-928-440	NEW-P	01-13-117
246-817-990	AMD-C	01-09-086	246-919-842	NEW-P	01-10-129	246-928-441	NEW-P	01-13-117
246-817-990	AMD	01-11-166	246-919-842	NEW	01-16-010	246-928-442	NEW-P	01-13-117
246-836-060	REP-XR	01-10-126	246-919-843	NEW-P	01-10-129	246-928-443	NEW-P	01-13-117
246-836-060	REP	01-14-091	246-919-843	NEW	01-16-010	246-928-450	NEW-P	01-07-086
246-840-421	NEW-P	01-10-127	246-919-844	NEW-P	01-10-129	246-928-450	NEW	01-11-165
246-840-421	NEW	01-16-011	246-919-844	NEW	01-16-010	246-928-510	NEW-P	01-07-086
246-840-422	NEW-P	01-10-127	246-919-845	NEW-P	01-10-129	246-928-510	NEW	01-11-165
246-840-422	NEW	01-16-011	246-919-845	NEW	01-16-010	246-928-520	NEW-P	01-07-086
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246-840-424	NEW-P	01-10-127	246-928	PREP	01-14-043	246-928-530	NEW	01-11-165
246-840-424	NEW	01-16-011	246-928-015	REP-P	01-07-086	246-928-540	NEW-P	01-07-086
246-840-425	NEW-P	01-10-127	246-928-015	REP	01-11-165	246-928-540	NEW	01-11-165
246-840-425	NEW	01-16-011	246-928-020	REP-P	01-07-086	246-928-550	NEW-P	01-07-086
246-840-426	NEW-P	01-10-127	246-928-020	REP	01-11-165	246-928-550	NEW	01-11-165
246-840-426	NEW	01-16-011	246-928-030	REP-P	01-07-086	246-928-560	NEW-P	01-07-086
246-840-427	NEW-P	01-10-127	246-928-030	REP	01-11-165	246-928-560	NEW	01-11-165
246-840-427	NEW	01-16-011	246-928-040	REP-P	01-07-086	246-928-570	NEW-P	01-07-086
246-840-700	AMD-W	01-15-063	246-928-040	REP	01-11-165	246-928-570	NEW	01-11-165
246-840-705	AMD-W	01-15-063	246-928-050	REP-P	01-07-086	246-928-610	NEW-P	01-07-086
246-840-710	AMD-W	01-15-063	246-928-050	REP	01-11-165	246-928-620	NEW-P	01-07-086
246-840-715	REP-W	01-15-063	246-928-060	REP-P	01-07-086	246-928-710	NEW-P	01-07-086
246-843-072	REP	01-03-114	246-928-060	REP	01-11-165	246-928-710	NEW	01-11-165
246-843-074	REP	01-03-114	246-928-080	REP-P	01-07-086	246-928-720	NEW-P	01-07-086
246-853-221	NEW-P	01-10-128	246-928-080	REP	01-11-165	246-928-720	NEW	01-11-165
246-853-221	NEW	01-16-008	246-928-085	REP-P	01-07-086	246-928-730	NEW-P	01-07-086
246-853-222	NEW-P	01-10-128	246-928-085	REP	01-11-165	246-928-730	NEW	01-11-165
246-853-222	NEW	01-16-008	246-928-110	REP-P	01-07-086	246-928-740	NEW-P	01-07-086
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246-853-223	NEW	01-16-008	246-928-120	REP-P	01-07-086	246-928-750	NEW-P	01-07-086
246-853-224	NEW-P	01-10-128	246-928-120	REP	01-11-165	246-928-750	NEW	01-11-165

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246-928-990	AMD-P	01-07-086	262- 01-130	AMD-P	01-07-028	284- 43-251	NEW	01-03-033
246-928-990	AMD	01-11-165	262- 01-130	AMD	01-11-034	284- 43-410	NEW	01-03-033
246-939-005	NEW-P	01-06-054	263- 12-050	AMD-P	01-06-058	284- 43-610	REP	01-03-033
246-939-005	NEW	01-14-044	263- 12-050	AMD	01-09-031	284- 43-615	NEW	01-03-033
246-939-020	NEW-P	01-06-054	263- 12-059	NEW-P	01-06-059	284- 43-620	AMD	01-03-033
246-939-020	NEW	01-14-044	263- 12-059	NEW	01-09-032	284- 43-630	NEW	01-03-033
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246-939-040	NEW	01-14-044	275- 25-500	REP	01-15-077	284- 43-820	NEW	01-03-033
246-976-031	PREP	01-11-162	284- 04-120	NEW	01-03-034	284- 43-821	NEW	01-03-035
246-976-500	PREP	01-10-131	284- 04-120	AMD-E	01-14-053	284- 43-821	REP-P	01-15-084
246-976-510	PREP	01-10-131	284- 04-200	NEW	01-03-034	284- 43-822	NEW-W	01-12-083
246-976-550	PREP	01-10-131	284- 04-205	NEW	01-03-034	284- 43-822	NEW-P	01-15-084
246-976-560	PREP	01-10-131	284- 04-210	NEW	01-03-034	284- 43-823	NEW	01-03-035
246-976-600	PREP	01-10-131	284- 04-215	NEW	01-03-034	284- 43-823	REP-P	01-15-084
246-976-610	PREP	01-10-131	284- 04-220	NEW	01-03-034	284- 43-824	NEW	01-03-035
246-976-650	PREP	01-10-131	284- 04-225	NEW	01-03-034	284- 43-824	AMD-E	01-04-087
246-976-720	PREP	01-10-131	284- 04-300	NEW	01-03-034	284- 43-824	AMD-E	01-14-054
246-976-730	PREP	01-10-131	284- 04-305	NEW	01-03-034	284- 43-824	REP-P	01-15-084
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246-976-885	PREP	01-10-131	284- 04-410	NEW	01-03-034	284- 43-824	AMD-E	01-14-054
246-976-885	PREP	01-10-131	284- 04-500	NEW	01-03-034	284- 43-824	REP-P	01-15-084
246-976-935	PREP	01-10-132	284- 04-505	NEW	01-03-034	284- 43-824	NEW	01-03-035
246-976-960	PREP	01-11-162	284- 04-510	NEW	01-03-034	284- 43-824	AMD-E	01-04-087
248-554-001	REP	01-07-053	284- 04-515	NEW	01-03-034	284- 43-824	AMD-E	01-14-054
248-554-005	REP	01-07-053	284- 04-520	NEW	01-03-034	284- 43-824	REP-P	01-15-084
248-554-010	REP	01-07-053	284- 04-525	NEW	01-03-034	284- 43-824	NEW	01-03-035
248-554-015	REP	01-07-053	284- 04-600	NEW	01-03-034	284- 43-824	AMD-E	01-04-087
248-554-018	REP	01-07-053	284- 04-605	NEW	01-03-034	284- 43-824	AMD-E	01-14-054
248-554-020	REP	01-07-053	284- 04-610	NEW	01-03-034	284- 43-824	REP-P	01-15-084
248-554-030	REP	01-07-053	284- 04-615	NEW	01-03-034	284- 43-824	NEW	01-03-035
250- 44-100	AMD-P	01-06-065	284- 04-620	NEW	01-03-034	284- 43-824	AMD-E	01-04-087
250- 44-100	AMD	01-10-020	284- 04-900	NEW	01-03-034	284- 43-824	AMD-E	01-14-054
250- 44-110	AMD-P	01-06-065	284- 07-050	AMD-P	01-08-098	284- 43-824	REP-P	01-15-084
250- 44-110	AMD	01-10-020	284- 07-050	AMD	01-11-077	284- 43-824	NEW	01-03-035
250- 44-120	AMD-P	01-06-065	284- 07-130	AMD-P	01-11-167	284- 43-824	AMD-E	01-04-087
250- 44-120	AMD	01-10-020	284- 16-020	NEW-W	01-09-074	284- 43-824	AMD-E	01-14-054
250- 63-010	NEW	01-08-017	284- 18A-300	NEW-E	01-18-039	284- 43-824	REP-P	01-15-084
250- 63-020	NEW	01-08-017	284- 18A-310	NEW-E	01-18-039	284- 43-824	NEW	01-03-035
250- 63-030	NEW	01-08-017	284- 18A-320	NEW-E	01-18-039	284- 43-824	AMD-E	01-04-087
250- 63-040	NEW	01-08-017	284- 18A-330	NEW-E	01-18-039	284- 43-824	AMD-E	01-14-054
250- 63-050	NEW	01-08-017	284- 18A-340	NEW-E	01-18-039	284- 43-824	REP-P	01-15-084
250- 63-060	NEW	01-08-017	284- 18A-350	NEW-E	01-18-039	284- 43-824	NEW	01-03-035
250- 63-070	NEW	01-08-017	284- 18A-360	NEW-E	01-18-039	284- 43-824	AMD-E	01-04-087
250- 63-080	NEW	01-08-017	284- 18A-370	NEW-E	01-18-039	284- 43-824	AMD-E	01-14-054
250- 66	PREP	01-15-076	284- 18A-380	NEW-E	01-18-039	284- 43-824	REP-P	01-15-084
250- 66-030	AMD-P	01-18-069	284- 18A-390	NEW-E	01-18-039	284- 43-824	NEW	01-03-035
251- 01-415	AMD-P	01-08-063	284- 18A-400	NEW-E	01-18-039	284- 43-824	AMD-E	01-04-087
251- 01-415	AMD	01-11-112	284- 18A-410	NEW-E	01-18-039	284- 43-824	AMD-E	01-14-054
251- 12-600	AMD-P	01-08-063	284- 18A-420	NEW-E	01-18-039	284- 43-824	REP-P	01-15-084
251- 12-600	AMD	01-11-112	284- 18A-430	NEW-E	01-18-039	284- 43-824	NEW	01-03-035
251- 17-150	AMD-W	01-07-056	284- 18A-440	NEW-E	01-18-039	284- 43-824	AMD-E	01-04-087
251- 17-175	AMD-W	01-07-056	284- 18A-910	NEW-E	01-18-039	284- 43-824	AMD-E	01-14-054
260- 48-930	NEW-P	01-16-124	284- 18A-920	NEW-E	01-18-039	284- 43-824	REP-P	01-15-084
260- 75-010	PREP	01-12-059	284- 18A-930	NEW-E	01-18-039	284- 43-824	NEW	01-03-035
260- 75-010	REP-P	01-16-123	284- 18A-940	NEW-E	01-18-039	284- 43-824	AMD-E	01-04-087
262- 01-110	PREP	01-03-144	284- 18A-950	NEW-E	01-18-039	284- 43-824	AMD-E	01-14-054
262- 01-110	AMD-P	01-07-028	284- 18A-960	NEW-E	01-18-039	284- 43-824	REP-P	01-15-084
262- 01-110	AMD	01-11-034	284- 43-130	AMD	01-03-032	284- 43-824	NEW	01-03-035
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292-100-030	AMD	01-13-033	292-130-070	AMD-P	01-08-080	296-05-213	NEW-P	01-16-159
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292-100-040	AMD	01-13-033	292-130-080	AMD-P	01-08-080	296-05-302	NEW-P	01-16-159
292-100-041	NEW-P	01-08-080	292-130-080	AMD	01-13-033	296-05-303	NEW-P	01-16-159
292-100-041	NEW	01-13-033	292-130-130	AMD-P	01-08-080	296-05-305	NEW-P	01-16-159
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292-100-042	NEW	01-13-033	296-04-001	REP-P	01-16-159	296-05-309	NEW-P	01-16-159
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292-100-045	NEW	01-13-033	296-04-010	REP-P	01-16-159	296-05-313	NEW-P	01-16-159
292-100-046	NEW-P	01-08-080	296-04-015	REP-P	01-16-159	296-05-315	NEW-P	01-16-159
292-100-046	NEW	01-13-033	296-04-040	REP-P	01-16-159	296-05-316	NEW-P	01-16-159
292-100-047	NEW-P	01-08-080	296-04-042	REP-P	01-16-159	296-05-317	NEW-P	01-16-159
292-100-047	NEW	01-13-033	296-04-045	REP-P	01-16-159	296-05-318	NEW-P	01-16-159
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292-100-050	AMD	01-13-033	296-04-060	REP-P	01-16-159	296-05-321	NEW-P	01-16-159
292-100-060	AMD-P	01-08-080	296-04-090	REP-P	01-16-159	296-05-323	NEW-P	01-16-159
292-100-060	AMD	01-13-033	296-04-105	REP-P	01-16-159	296-05-325	NEW-P	01-16-159
292-100-070	REP-P	01-08-080	296-04-115	REP-P	01-16-159	296-05-327	NEW-P	01-16-159
292-100-070	REP	01-13-033	296-04-125	REP-P	01-16-159	296-05-400	NEW-P	01-16-159
292-100-080	AMD-P	01-08-080	296-04-160	REP-P	01-16-159	296-05-402	NEW-P	01-16-159
292-100-080	AMD	01-13-033	296-04-165	REP-P	01-16-159	296-05-403	NEW-P	01-16-159
292-100-100	AMD-P	01-08-080	296-04-260	REP-P	01-16-159	296-05-405	NEW-P	01-16-159
292-100-100	AMD	01-13-033	296-04-270	REP-P	01-16-159	296-05-407	NEW-P	01-16-159
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292-100-130	AMD-P	01-08-080	296-04-295	REP-P	01-16-159	296-05-413	NEW-P	01-16-159
292-100-130	AMD	01-13-033	296-04-300	REP-P	01-16-159	296-05-415	NEW-P	01-16-159
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292-100-150	AMD-P	01-08-080	296-04-340	REP-P	01-16-159	296-05-427	NEW-P	01-16-159
292-100-150	AMD	01-13-033	296-04-350	REP-P	01-16-159	296-05-429	NEW-P	01-16-159
292-100-160	AMD-P	01-08-080	296-04-351	REP-P	01-16-159	296-05-431	NEW-P	01-16-159
292-100-160	AMD	01-13-033	296-04-360	REP-P	01-16-159	296-05-433	NEW-P	01-16-159
292-100-170	AMD-P	01-08-080	296-04-370	REP-P	01-16-159	296-05-435	NEW-P	01-16-159
292-100-170	AMD	01-13-033	296-04-380	REP-P	01-16-159	296-05-437	NEW-P	01-16-159
292-100-175	NEW-P	01-08-080	296-04-390	REP-P	01-16-159	296-05-439	NEW-P	01-16-159
292-100-175	NEW	01-13-033	296-04-400	REP-P	01-16-159	296-05-441	NEW-P	01-16-159
292-100-180	AMD-P	01-08-080	296-04-410	REP-P	01-16-159	296-05-443	NEW-P	01-16-159
292-100-180	AMD	01-13-033	296-04-420	REP-P	01-16-159	296-05-445	NEW-P	01-16-159
292-100-190	AMD-P	01-08-080	296-04-430	REP-P	01-16-159	296-05-447	NEW-P	01-16-159
292-100-190	AMD	01-13-033	296-04-440	REP-P	01-16-159	296-05-449	NEW-P	01-16-159
292-100-200	AMD-P	01-08-080	296-04-460	REP-P	01-16-159	296-05-451	NEW-P	01-16-159
292-100-200	AMD	01-13-033	296-04-470	REP-P	01-16-159	296-05-453	NEW-P	01-16-159
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292-130-020	AMD	01-13-033	296-05-105	NEW-P	01-16-159	296-20-03001	AMD-P	01-08-092
292-130-030	AMD-P	01-08-080	296-05-107	NEW-P	01-16-159	296-20-03001	AMD-C	01-13-079
292-130-030	AMD	01-13-033	296-05-109	NEW-P	01-16-159	296-20-03001	AMD	01-18-041
292-130-040	AMD-P	01-08-080	296-05-200	NEW-P	01-16-159	296-20-091	AMD-P	01-08-092
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292-130-060	AMD-P	01-08-080	296-05-205	NEW-P	01-16-159	296-20-091	AMD	01-18-041
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296-20-303	NEW-C	01-13-079	296-24-073	REP	01-11-038	296-24-55003	REP	01-11-038
296-20-303	NEW	01-18-041	296-24-075	REP	01-11-038	296-24-55005	REP	01-11-038
296-23	PREP	01-02-091	296-24-07501	REP	01-11-038	296-24-55007	REP	01-11-038
296-23	PREP	01-14-084	296-24-078	REP	01-11-038	296-24-55009	REP	01-11-038
296-23-165	AMD-P	01-08-092	296-24-07801	REP	01-11-038	296-24-565	REP	01-11-038
296-23-165	AMD-C	01-13-079	296-24-084	REP	01-11-038	296-24-56501	REP	01-11-038
296-23-165	AMD	01-18-041	296-24-086	REP	01-11-038	296-24-56503	REP	01-11-038
296-23-170	AMD-P	01-08-092	296-24-088	REP	01-11-038	296-24-56505	REP	01-11-038
296-23-170	AMD-C	01-13-079	296-24-090	REP	01-11-038	296-24-56507	REP	01-11-038
296-23-170	AMD	01-18-041	296-24-092	REP	01-11-038	296-24-56509	REP	01-11-038
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296-23-220	AMD	01-10-026	296-24-096	REP	01-11-038	296-24-56513	REP	01-11-038
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296-23-230	AMD	01-10-026	296-24-10203	AMD	01-11-038	296-24-56517	REP	01-11-038
296-23-245	AMD-P	01-08-092	296-24-12001	AMD	01-11-038	296-24-56519	REP	01-11-038
296-23-245	AMD-C	01-13-079	296-24-12003	REP	01-11-038	296-24-56521	REP	01-11-038
296-23-245	AMD	01-18-041	296-24-12005	REP	01-11-038	296-24-56523	REP	01-11-038
296-23A	PREP	01-14-084	296-24-12006	AMD-W	01-11-039	296-24-56529	REP	01-11-038
296-23A-0220	AMD-P	01-18-082	296-24-12007	REP	01-11-038	296-24-56531	REP	01-11-038
296-23A-0221	NEW-P	01-18-082	296-24-12009	REP	01-11-038	296-24-567	AMD	01-11-038
296-23A-0700	NEW-P	01-18-082	296-24-12010	NEW	01-11-038	296-24-58513	AMD	01-11-038
296-23A-0710	NEW-P	01-18-082	296-24-12019	REP	01-11-038	296-24-58517	AMD	01-11-038
296-23A-0720	NEW-P	01-18-082	296-24-12021	REP	01-11-038	296-24-59201	AMD	01-11-038
296-23A-0730	NEW-P	01-18-082	296-24-14007	AMD	01-11-038	296-24-59203	REP-P	01-12-103
296-23A-0740	NEW-P	01-18-082	296-24-20700	AMD-W	01-11-039	296-24-59203	REP	01-17-033
296-23A-0750	NEW-P	01-18-082	296-24-21503	REP	01-11-038	296-24-59205	REP	01-11-038
296-23A-0770	NEW-P	01-18-082	296-24-21505	REP	01-11-038	296-24-59207	REP	01-11-038
296-23A-0780	NEW-P	01-18-082	296-24-21507	REP	01-11-038	296-24-59209	REP	01-11-038
296-23B	PREP	01-14-084	296-24-23001	AMD-W	01-11-039	296-24-59211	REP	01-11-038
296-23B-0100	NEW-P	01-14-085	296-24-23007	AMD-W	01-11-039	296-24-59212	NEW	01-11-038
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296-24	PREP	01-07-102	296-24-23533	AMD-W	01-11-039	296-24-631	REP	01-17-033
296-24	PREP	01-09-093	296-24-260	AMD-P	01-12-103	296-24-63101	REP-P	01-12-103
296-24-001	REP	01-11-038	296-24-260	AMD	01-17-033	296-24-63101	REP	01-17-033
296-24-005	AMD	01-11-038	296-24-31503	AMD-W	01-11-039	296-24-63103	REP-P	01-12-103
296-24-006	REP	01-11-038	296-24-31505	AMD-W	01-11-039	296-24-63103	REP	01-17-033
296-24-007	REP	01-11-038	296-24-32003	AMD-W	01-11-039	296-24-63105	REP-P	01-12-103
296-24-008	REP	01-11-038	296-24-33009	AMD-P	01-12-103	296-24-63105	REP	01-17-033
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296-24-015	REP	01-11-038	296-24-33011	AMD-W	01-11-039	296-24-63107	REP	01-17-033
296-24-020	REP	01-11-038	296-24-33015	AMD-W	01-11-039	296-24-63109	REP-P	01-12-103
296-24-025	REP	01-11-038	296-24-33015	AMD-P	01-12-103	296-24-63109	REP	01-17-033
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296-24-045	REP	01-11-038	296-24-33017	AMD-W	01-11-039	296-24-63199	REP	01-17-033
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296-24-061	REP	01-11-038	296-24-37019	AMD-W	01-11-039	296-24-65501	AMD	01-11-038
296-24-06105	REP	01-11-038	296-24-37023	AMD-W	01-11-039	296-24-67515	AMD	01-11-038
296-24-06110	REP	01-11-038	296-24-40513	AMD	01-11-038	296-24-68215	AMD-P	01-12-103
296-24-06115	REP	01-11-038	296-24-47505	AMD-W	01-11-039	296-24-68215	AMD	01-17-033
296-24-06120	REP	01-11-038	296-24-47509	AMD-P	01-12-103	296-24-68503	AMD	01-11-038
296-24-06125	REP	01-11-038	296-24-47509	AMD	01-17-033	296-24-68505	AMD	01-11-038
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296-24-06145	REP	01-11-038	296-24-47517	AMD	01-17-033	296-24-73503	REP	01-11-038
296-24-06150	REP	01-11-038	296-24-550	REP	01-11-038	296-24-73509	REP	01-11-038

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296-24-75003	REP-W	01-11-039	296-36-190	AMD	01-17-033	296-52-505	REP-P	01-16-145
296-24-75003	AMD-P	01-12-103	296-37-510	AMD	01-11-038	296-52-509	REP-P	01-16-145
296-24-75003	AMD	01-17-033	296-37-575	AMD	01-11-038	296-52-510	REP-P	01-16-145
296-24-75005	AMD-W	01-11-039	296-45	PREP	01-07-102	296-52-550	REP-P	01-16-145
296-24-75007	AMD-P	01-12-103	296-45	PREP	01-09-093	296-52-552	REP-P	01-16-145
296-24-75007	AMD	01-17-033	296-45-015	AMD	01-11-038	296-52-555	REP-P	01-16-145
296-24-75009	REP-P	01-12-103	296-45-035	AMD	01-11-038	296-52-600	NEW-P	01-16-145
296-24-75009	REP	01-17-033	296-45-055	AMD	01-11-038	296-52-60005	NEW-P	01-16-145
296-24-76505	REP	01-11-038	296-45-075	AMD	01-11-038	296-52-60010	NEW-P	01-16-145
296-24-76507	REP-W	01-11-039	296-45-125	AMD	01-11-038	296-52-60015	NEW-P	01-16-145
296-24-76509	REP-W	01-11-039	296-45-25505	AMD	01-11-038	296-52-60020	NEW-P	01-16-145
296-24-76517	REP	01-11-038	296-45-275	AMD	01-11-038	296-52-60025	NEW-P	01-16-145
296-24-780	AMD-W	01-11-039	296-45-285	AMD	01-11-038	296-52-60030	NEW-P	01-16-145
296-24-78003	AMD-P	01-12-103	296-45-45510	AMD	01-11-038	296-52-60035	NEW-P	01-16-145
296-24-78003	AMD	01-17-033	296-45-48535	AMD	01-11-038	296-52-60040	NEW-P	01-16-145
296-24-78005	AMD-P	01-12-103	296-45-52530	AMD-E	01-04-090	296-52-60045	NEW-P	01-16-145
296-24-78005	AMD	01-17-033	296-45-52530	AMD-P	01-04-091	296-52-60050	NEW-P	01-16-145
296-24-78009	AMD-P	01-12-103	296-45-52530	AMD	01-07-075	296-52-60055	NEW-P	01-16-145
296-24-78009	AMD	01-17-033	296-45-67545	AMD-P	01-12-103	296-52-60060	NEW-P	01-16-145
296-24-79501	AMD-W	01-11-039	296-45-67545	AMD	01-17-033	296-52-60065	NEW-P	01-16-145
296-24-79507	REP	01-11-038	296-46A	PREP	01-05-116	296-52-60070	NEW-P	01-16-145
296-24-81003	AMD-W	01-11-039	296-46A	PREP	01-15-104	296-52-60075	NEW-P	01-16-145
296-24-95605	AMD-W	01-11-039	296-46A-900	AMD-E	01-14-051	296-52-60080	NEW-P	01-16-145
296-24-95607	AMD	01-11-038	296-46A-910	AMD-P	01-09-090	296-52-60085	NEW-P	01-16-145
296-24-980	AMD	01-11-038	296-46A-910	AMD	01-12-035	296-52-60090	NEW-P	01-16-145
296-27	PREP	01-16-144	296-46A-910	AMD-E	01-14-051	296-52-60095	NEW-P	01-16-145
296-27-090	REP	01-11-038	296-46A-915	AMD-P	01-09-090	296-52-60100	NEW-P	01-16-145
296-27-15501	REP	01-11-038	296-46A-915	AMD	01-12-035	296-52-60105	NEW-P	01-16-145
296-27-15503	REP	01-11-038	296-50	PREP	01-07-102	296-52-60110	NEW-P	01-16-145
296-27-15505	REP	01-11-038	296-52	PREP	01-07-102	296-52-60115	NEW-P	01-16-145
296-27-210	REP	01-11-038	296-52-401	REP-P	01-16-145	296-52-60120	NEW-P	01-16-145
296-27-21001	REP	01-11-038	296-52-405	REP-P	01-16-145	296-52-60125	NEW-P	01-16-145
296-27-21005	REP	01-11-038	296-52-409	REP-P	01-16-145	296-52-60130	NEW-P	01-16-145
296-27-21010	REP	01-11-038	296-52-413	REP-P	01-16-145	296-52-61005	NEW-P	01-16-145
296-27-21015	REP	01-11-038	296-52-417	REP-P	01-16-145	296-52-61015	NEW-P	01-16-145
296-27-21020	REP	01-11-038	296-52-419	REP-P	01-16-145	296-52-61020	NEW-P	01-16-145
296-27-21025	REP	01-11-038	296-52-421	REP-P	01-16-145	296-52-61025	NEW-P	01-16-145
296-27-21030	REP	01-11-038	296-52-423	REP-P	01-16-145	296-52-61030	NEW-P	01-16-145
296-27-21035	REP	01-11-038	296-52-425	REP-P	01-16-145	296-52-61035	NEW-P	01-16-145
296-27-21040	REP	01-11-038	296-52-429	REP-P	01-16-145	296-52-61040	NEW-P	01-16-145
296-27-21045	REP	01-11-038	296-52-433	REP-P	01-16-145	296-52-61045	NEW-P	01-16-145
296-27-21050	REP	01-11-038	296-52-437	NEW-P	01-16-145	296-52-61050	NEW-P	01-16-145
296-30-010	AMD-X	01-17-109	296-52-441	REP-P	01-16-145	296-52-62005	NEW-P	01-16-145
296-30-130	PREP	01-03-156	296-52-445	REP-P	01-16-145	296-52-62010	NEW-P	01-16-145
296-30-130	REP-XR	01-09-094	296-52-449	REP-P	01-16-145	296-52-62020	NEW-P	01-16-145
296-30-130	REP	01-13-013	296-52-453	REP-P	01-16-145	296-52-62025	NEW-P	01-16-145
296-31-030	AMD-X	01-17-109	296-52-457	REP-P	01-16-145	296-52-62030	NEW-P	01-16-145
296-31-06903	AMD-X	01-17-109	296-52-461	REP-P	01-16-145	296-52-62035	NEW-P	01-16-145
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296-32	PREP	01-09-093	296-52-465	REP-P	01-16-145	296-52-62045	NEW-P	01-16-145
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296-32-220	AMD	01-11-038	296-52-477	REP-P	01-16-145	296-52-63010	NEW-P	01-16-145
296-32-230	AMD	01-11-038	296-52-481	REP-P	01-16-145	296-52-63015	NEW-P	01-16-145
296-32-240	AMD-E	01-04-090	296-52-485	REP-P	01-16-145	296-52-63020	NEW-P	01-16-145
296-32-240	AMD-P	01-04-091	296-52-487	REP-P	01-16-145	296-52-63025	NEW-P	01-16-145
296-32-240	AMD	01-07-075	296-52-489	AMD	01-11-038	296-52-63030	NEW-P	01-16-145
296-32-250	AMD	01-11-038	296-52-489	REP-P	01-16-145	296-52-64005	NEW-P	01-16-145
296-32-250	AMD-X	01-18-083	296-52-493	REP-P	01-16-145	296-52-64010	NEW-P	01-16-145
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296- 59	PREP	01-07-102	296- 62-07417	AMD	01-11-038	296- 78-56505	AMD-P	01-12-103
296- 59-001	AMD	01-11-038	296- 62-07419	AMD	01-11-038	296- 78-56505	AMD	01-17-033
296- 59-005	AMD	01-11-038	296- 62-07425	AMD	01-11-038	296- 78-670	AMD	01-11-038
296- 59-010	AMD	01-11-038	296- 62-07460	AMD	01-11-038	296- 78-71001	AMD	01-11-038
296- 59-020	AMD	01-11-038	296- 62-07470	AMD	01-11-038	296- 78-71003	AMD	01-11-038
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296- 59-070	AMD	01-11-038	296- 62-07601	AMD	01-11-038	296- 78-71023	AMD	01-11-038
296- 59-085	AMD	01-11-038	296- 62-07617	AMD	01-11-038	296- 78-730	AMD	01-11-038
296- 59-105	AMD-P	01-12-103	296- 62-07619	AMD-P	01-12-103	296- 78-735	AMD	01-11-038
296- 59-105	AMD	01-17-033	296- 62-07619	AMD	01-17-033	296- 78-795	AMD	01-11-038
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296- 62	PREP	01-07-102	296- 62-07717	AMD	01-11-038	296- 79-010	AMD	01-11-038
296- 62	PREP	01-09-093	296- 62-07719	AMD-P	01-12-103	296- 79-020	AMD	01-11-038
296- 62	PREP	01-11-151	296- 62-07719	AMD	01-17-033	296- 79-040	AMD	01-11-038
296- 62-010	AMD	01-11-038	296- 62-07721	AMD	01-11-038	296- 79-050	AMD	01-11-038
296- 62-050	AMD	01-11-038	296- 62-08001	AMD-P	01-09-089	296- 79-090	AMD	01-11-038
296- 62-05140	AMD-X	01-18-083	296- 62-08001	AMD	01-13-078	296- 79-100	AMD	01-11-038
296- 62-05207	AMD	01-11-038	296- 62-09001	AMD-P	01-12-103	296- 79-120	AMD	01-11-038
296- 62-05209	AMD-P	01-12-103	296- 62-09001	AMD	01-17-033	296- 79-300	AMD	01-11-038
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296- 62-05301	NEW	01-11-038	296- 62-11021	AMD	01-11-038	296- 96-01010	AMD-P	01-09-090
296- 62-05305	NEW	01-11-038	296- 62-12000	REP	01-11-038	296- 96-01010	AMD	01-12-035
296- 62-05310	NEW	01-11-038	296- 62-12003	REP	01-11-038	296- 96-01027	AMD-P	01-09-090
296- 62-05315	NEW	01-11-038	296- 62-12005	REP	01-11-038	296- 96-01027	AMD	01-12-035
296- 62-05320	NEW	01-11-038	296- 62-12009	REP	01-11-038	296- 96-01030	AMD-P	01-09-090
296- 62-05325	NEW	01-11-038	296- 62-14533	AMD-P	01-14-052	296- 96-01030	AMD	01-12-035
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296- 62-05402	NEW	01-11-038	296- 62-20015	AMD	01-11-038	296- 96-01035	AMD	01-12-035
296- 62-05403	REP	01-11-038	296- 62-30001	AMD	01-11-038	296- 96-01040	AMD-P	01-09-090
296- 62-05404	NEW	01-11-038	296- 62-30230	AMD	01-11-038	296- 96-01040	AMD	01-12-035
296- 62-05405	REP	01-11-038	296- 62-30235	AMD	01-11-038	296- 96-01045	AMD-P	01-09-090
296- 62-05406	NEW	01-11-038	296- 62-30425	AMD	01-11-038	296- 96-01045	AMD	01-12-035
296- 62-05407	REP	01-11-038	296- 62-30435	AMD	01-11-038	296- 96-01050	AMD-P	01-09-090
296- 62-05408	NEW	01-11-038	296- 62-30605	AMD	01-11-038	296- 96-01050	AMD	01-12-035
296- 62-05409	REP	01-11-038	296- 62-3090	AMD	01-11-038	296- 96-01055	AMD-P	01-09-090
296- 62-05410	NEW	01-11-038	296- 62-31335	AMD-P	01-12-103	296- 96-01055	AMD	01-12-035
296- 62-05411	REP	01-11-038	296- 62-31335	AMD	01-17-033	296- 96-01060	AMD-P	01-09-090
296- 62-05412	NEW	01-11-038	296- 62-31410	AMD	01-11-038	296- 96-01060	AMD	01-12-035
296- 62-05413	REP	01-11-038	296- 62-3195	AMD	01-11-038	296- 96-01065	AMD-P	01-09-090
296- 62-05415	REP	01-11-038	296- 62-40003	AMD	01-11-038	296- 96-01065	AMD	01-12-035
296- 62-05417	REP	01-11-038	296- 62-40015	AMD	01-11-038	296- 99-010	AMD	01-11-038
296- 62-05419	REP	01-11-038	296- 62-40025	AMD-P	01-12-103	296- 99-040	AMD	01-11-038
296- 62-05421	REP	01-11-038	296- 62-40025	AMD	01-17-033	296-104	PREP	01-05-131
296- 62-05423	REP	01-11-038	296- 62-41031	AMD	01-11-038	296-104-001	PREP	01-10-034
296- 62-05425	REP	01-11-038	296- 62-41086	AMD	01-11-038	296-104-010	PREP	01-10-034
296- 62-05427	REP	01-11-038	296- 63-009	AMD	01-11-038	296-104-010	AMD-P	01-16-158
296- 62-05429	REP	01-11-038	296- 67-005	AMD	01-11-038	296-104-015	PREP	01-10-034
296- 62-07101	AMD	01-11-038	296- 67-053	AMD	01-11-038	296-104-017	PREP	01-10-034
296- 62-07306	AMD	01-11-038	296- 67-061	AMD	01-11-038	296-104-018	PREP	01-10-034
296- 62-07308	AMD	01-11-038	296- 67-291	AMD	01-11-038	296-104-020	PREP	01-10-034
296- 62-07336	AMD	01-11-038	296- 78	PREP	01-07-102	296-104-020	AMD-P	01-16-158
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296- 62-07347	AMD	01-11-038	296- 78-515	AMD	01-11-038	296-104-035	PREP	01-10-034
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296-104-045	AMD-P	01-16-158	296-150F	PREP	01-05-116	296-155-730	AMD-P	01-12-103
296-104-050	PREP	01-10-034	296-150F-3000	AMD-P	01-09-090	296-155-730	AMD	01-17-033
296-104-055	AMD-P	01-09-091	296-150F-3000	AMD	01-12-035	296-155-745	AMD-P	01-12-103
296-104-055	PREP	01-10-034	296-150M	PREP	01-03-070	296-155-745	AMD	01-17-033
296-104-055	AMD	01-12-034	296-150M	PREP	01-05-116	296-200A	PREP	01-05-116
296-104-060	PREP	01-10-034	296-150M	PREP	01-13-098	296-200A	PREP	01-13-097
296-104-060	AMD-P	01-16-158	296-150M-0049	NEW-E	01-08-010	296-200A-900	AMD-P	01-09-090
296-104-065	PREP	01-10-034	296-150M-0049	NEW-E	01-16-019	296-200A-900	AMD	01-12-035
296-104-065	AMD-P	01-16-158	296-150M-0140	AMD-E	01-08-010	296-301	PREP	01-07-102
296-104-100	PREP	01-10-034	296-150M-0140	AMD-E	01-16-019	296-301-010	AMD	01-11-038
296-104-100	AMD-P	01-16-158	296-150M-0140	AMD-E	01-16-019	296-301-020	AMD	01-11-038
296-104-102	PREP	01-10-034	296-150M-3000	AMD-P	01-09-090	296-301-215	AMD	01-11-038
296-104-102	AMD-P	01-16-158	296-150M-3000	AMD	01-12-035	296-301-220	AMD	01-11-038
296-104-105	PREP	01-10-034	296-150P	PREP	01-03-070	296-301-220	AMD	01-11-038
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296-104-115	PREP	01-10-034	296-150P-3000	AMD-P	01-09-090	296-302-010	AMD	01-11-038
296-104-125	PREP	01-10-034	296-150P-3000	AMD	01-12-035	296-302-02501	AMD	01-11-038
296-104-130	PREP	01-10-034	296-150R	PREP	01-03-070	296-302-050	AMD	01-11-038
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296-104-135	PREP	01-10-034	296-150R-3000	AMD-P	01-09-090	296-302-06513	AMD	01-11-038
296-104-140	PREP	01-10-034	296-150R-3000	AMD	01-12-035	296-303	PREP	01-07-102
296-104-145	PREP	01-10-034	296-150T	PREP	01-03-070	296-303-01001	AMD	01-11-038
296-104-150	PREP	01-10-034	296-150T-3000	AMD-P	01-09-090	296-304	PREP	01-07-102
296-104-151	PREP	01-10-034	296-150T-3000	AMD	01-12-035	296-304-010	AMD	01-11-038
296-104-151	AMD-P	01-16-158	296-150V	PREP	01-03-070	296-304-06013	AMD	01-11-038
296-104-155	PREP	01-10-034	296-150V	PREP	01-05-116	296-305	PREP	01-07-102
296-104-160	PREP	01-10-034	296-150V-3000	AMD-P	01-09-090	296-305-01003	AMD	01-11-038
296-104-165	PREP	01-10-034	296-150V-3000	AMD	01-12-035	296-305-01005	AMD	01-11-038
296-104-170	PREP	01-10-034	296-155	PREP	01-07-102	296-305-01009	AMD	01-11-038
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296-104-200	PREP	01-10-034	296-155-005	AMD	01-11-038	296-305-01515	AMD	01-11-038
296-104-200	AMD-P	01-16-158	296-155-110	AMD	01-11-038	296-305-01517	AMD	01-11-038
296-104-205	PREP	01-10-034	296-155-120	AMD	01-11-038	296-305-04511	AMD	01-11-038
296-104-205	AMD-P	01-16-158	296-155-125	AMD	01-11-038	296-305-05503	AMD	01-11-038
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296-104-255	PREP	01-10-034	296-155-17625	AMD	01-11-038	296-307-018	AMD	01-17-033
296-104-256	PREP	01-10-034	296-155-180	AMD	01-11-038	296-307-039	AMD-P	01-12-103
296-104-256	AMD-P	01-16-158	296-155-200	PREP	01-05-115	296-307-039	AMD	01-17-033
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296-104-265	PREP	01-10-034	296-155-20301	AMD	01-11-038	296-307-03905	NEW	01-17-033
296-104-265	AMD-P	01-16-158	296-155-205	AMD	01-04-015	296-307-03910	NEW-P	01-12-103
296-104-502	PREP	01-10-034	296-155-260	AMD	01-11-038	296-307-03910	NEW	01-17-033
296-104-502	AMD-P	01-16-158	296-155-260	AMD-X	01-18-083	296-307-03915	NEW-P	01-12-103
296-104-700	AMD-P	01-09-091	296-155-270	AMD-P	01-12-103	296-307-03915	NEW	01-17-033
296-104-700	PREP	01-10-034	296-155-270	AMD	01-17-033	296-307-03920	NEW-P	01-12-103
296-104-700	AMD	01-12-034	296-155-275	AMD-P	01-12-103	296-307-03920	NEW	01-17-033
296-104-700	AMD-P	01-16-158	296-155-275	AMD	01-17-033	296-307-03925	NEW-P	01-12-103
296-115	PREP	01-07-102	296-155-305	AMD	01-04-015	296-307-03925	NEW	01-17-033
296-131	PREP	01-05-114	296-155-407	AMD	01-11-038	296-307-042	REP-P	01-12-103
296-131-117	NEW-P	01-09-092	296-155-525	AMD-P	01-12-103	296-307-042	REP	01-17-033
296-131-117	NEW	01-13-012	296-155-525	AMD	01-17-033	296-307-07013	AMD-P	01-12-103
296-150C	PREP	01-03-070	296-155-575	AMD-P	01-12-103	296-307-07013	AMD	01-17-033
296-150C	PREP	01-05-116	296-155-575	AMD	01-17-033	296-307-12040	AMD-P	01-12-103
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296-307-55015	NEW	01-17-033	296-800-13010	AMD-X	01-18-083	296-800-18020	NEW	01-11-038
296-307-55020	NEW-P	01-12-103	296-800-13015	NEW	01-11-038	296-800-18020	AMD-X	01-18-083
296-307-55020	NEW	01-17-033	296-800-140	NEW	01-11-038	296-800-190	NEW	01-11-038
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296-307-55030	NEW-P	01-12-103	296-800-14020	NEW	01-11-038	296-800-20005	NEW	01-11-038
296-307-55030	NEW	01-17-033	296-800-14025	NEW	01-11-038	296-800-20005	AMD-X	01-18-083
296-307-55035	NEW-P	01-12-103	296-800-150	NEW	01-11-038	296-800-210	NEW	01-11-038
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296-307-55040	NEW-P	01-12-103	296-800-15005	AMD-X	01-18-083	296-800-21005	AMD-X	01-18-083
296-307-55040	NEW	01-17-033	296-800-15010	NEW	01-11-038	296-800-220	NEW	01-11-038
296-307-55045	NEW-P	01-12-103	296-800-15010	AMD-X	01-18-083	296-800-22005	NEW	01-11-038
296-307-55045	NEW	01-17-033	296-800-15015	NEW	01-11-038	296-800-22010	NEW	01-11-038
296-307-55050	NEW-P	01-12-103	296-800-15020	NEW	01-11-038	296-800-22015	NEW	01-11-038
296-307-55050	NEW	01-17-033	296-800-15025	NEW	01-11-038	296-800-22020	NEW	01-11-038
296-307-55055	NEW-P	01-12-103	296-800-160	NEW	01-11-038	296-800-22020	AMD-X	01-18-083
296-307-55055	NEW	01-17-033	296-800-160	AMD-X	01-18-083	296-800-22022	NEW	01-11-038
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296-307-570	NEW-P	01-12-103	296-800-16015	NEW	01-11-038	296-800-22035	NEW	01-11-038
296-307-570	NEW	01-17-033	296-800-16015	AMD-X	01-18-083	296-800-22040	NEW	01-11-038
296-307-57005	NEW-P	01-12-103	296-800-16020	NEW	01-11-038	296-800-230	NEW	01-11-038
296-307-57005	NEW	01-17-033	296-800-16020	AMD-X	01-18-083	296-800-230	AMD-X	01-18-083
296-307-590	NEW-P	01-12-103	296-800-16025	NEW	01-11-038	296-800-23005	NEW	01-11-038
296-307-590	NEW	01-17-033	296-800-16025	AMD-X	01-18-083	296-800-23005	AMD-X	01-18-083
296-307-59005	NEW-P	01-12-103	296-800-16030	NEW	01-11-038	296-800-23010	NEW	01-11-038
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296-307-59010	NEW-P	01-12-103	296-800-16040	NEW	01-11-038	296-800-23015	NEW	01-11-038
296-307-59010	NEW	01-17-033	296-800-16045	NEW	01-11-038	296-800-23020	NEW	01-11-038
296-350	PREP	01-09-093	296-800-16050	NEW	01-11-038	296-800-23025	NEW	01-11-038
296-350-60025	REP-P	01-12-103	296-800-16050	AMD-X	01-18-083	296-800-23025	AMD-X	01-18-083
296-350-60025	REP	01-17-033	296-800-16055	NEW	01-11-038	296-800-23030	NEW	01-11-038
296-400A	PREP	01-05-116	296-800-16060	NEW	01-11-038	296-800-23035	NEW	01-11-038
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296-401B	PREP	01-15-104	296-800-170	NEW	01-11-038	296-800-24010	NEW	01-11-038
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296-800	PREP	01-09-093	296-800-17010	AMD-X	01-18-083	296-800-25005	AMD-X	01-18-083
296-800-100	NEW	01-11-038	296-800-17015	NEW	01-11-038	296-800-25010	NEW	01-11-038
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296-800-280	NEW	01-11-038	296-800-320	NEW	01-11-038	296-800-370	NEW	01-11-038
296-800-280	AMD-X	01-18-083	296-800-320	AMD-X	01-18-083	296-800-370	AMD-X	01-18-083
296-800-28005	NEW	01-11-038	296-800-32005	NEW	01-11-038	308-08-085	AMD	01-03-129
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296-800-28010	AMD-X	01-18-083	296-800-32015	NEW	01-11-038	308-13-150	AMD-P	01-12-063
296-800-28015	NEW	01-11-038	296-800-32020	NEW	01-11-038	308-13-150	AMD	01-15-034
296-800-28020	NEW	01-11-038	296-800-32025	NEW	01-11-038	308-15-010	NEW-P	01-07-101
296-800-28020	AMD-X	01-18-083	296-800-32030	NEW-W	01-14-071	308-15-010	NEW	01-12-023
296-800-28022	NEW	01-11-038	296-800-330	NEW	01-11-038	308-15-020	NEW-P	01-07-101
296-800-28025	NEW	01-11-038	296-800-340	NEW	01-11-038	308-15-020	NEW	01-12-023
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296-800-28030	NEW	01-11-038	296-800-350	AMD-X	01-18-083	308-15-030	NEW	01-12-023
296-800-28030	AMD-X	01-18-083	296-800-35002	NEW	01-11-038	308-15-040	NEW-P	01-07-101
296-800-28035	NEW	01-11-038	296-800-35004	NEW	01-11-038	308-15-040	NEW	01-12-023
296-800-28040	NEW	01-11-038	296-800-35006	NEW	01-11-038	308-15-050	NEW-P	01-07-101
296-800-28040	AMD-X	01-18-083	296-800-35008	NEW	01-11-038	308-15-050	NEW	01-12-023
296-800-28045	NEW	01-11-038	296-800-35010	NEW	01-11-038	308-15-060	NEW-P	01-07-101
296-800-290	NEW	01-11-038	296-800-35010	AMD-X	01-18-083	308-15-060	NEW	01-12-023
296-800-29005	NEW	01-11-038	296-800-35012	NEW	01-11-038	308-15-070	NEW-P	01-07-101
296-800-29010	NEW	01-11-038	296-800-35012	AMD-X	01-18-083	308-15-070	NEW	01-12-023
296-800-29015	NEW	01-11-038	296-800-35016	NEW	01-11-038	308-15-075	NEW-P	01-07-101
296-800-29015	AMD-X	01-18-083	296-800-35018	NEW	01-11-038	308-15-075	NEW	01-12-023
296-800-29020	NEW	01-11-038	296-800-35020	NEW	01-11-038	308-15-080	NEW-P	01-07-101
296-800-29025	NEW	01-11-038	296-800-35022	NEW	01-11-038	308-15-080	NEW	01-12-023
296-800-29025	AMD-X	01-18-083	296-800-35024	NEW	01-11-038	308-15-090	NEW-P	01-07-101
296-800-29030	NEW	01-11-038	296-800-35026	NEW	01-11-038	308-15-090	NEW	01-12-023
296-800-29030	AMD-X	01-18-083	296-800-35026	AMD-X	01-18-083	308-15-100	NEW-P	01-07-101
296-800-29035	NEW	01-11-038	296-800-35028	NEW	01-11-038	308-15-100	NEW	01-12-023
296-800-29040	NEW	01-11-038	296-800-35030	NEW	01-11-038	308-15-101	NEW-P	01-07-101
296-800-29045	NEW-W	01-14-071	296-800-35030	AMD-X	01-18-083	308-15-101	NEW	01-12-023
296-800-300	NEW	01-11-038	296-800-35032	NEW	01-11-038	308-15-102	NEW-P	01-07-101
296-800-300	AMD-X	01-18-083	296-800-35038	NEW	01-11-038	308-15-102	NEW	01-12-023
296-800-30005	NEW	01-11-038	296-800-35040	NEW	01-11-038	308-15-103	NEW-P	01-07-101
296-800-30010	NEW	01-11-038	296-800-35040	AMD-X	01-18-083	308-15-103	NEW	01-12-023
296-800-30010	AMD-X	01-18-083	296-800-35042	NEW	01-11-038	308-15-150	NEW-P	01-07-100
296-800-30015	NEW	01-11-038	296-800-35044	NEW	01-11-038	308-15-150	NEW	01-12-022
296-800-30020	NEW	01-11-038	296-800-35046	NEW	01-11-038	308-20	PREP	01-14-089
296-800-30020	AMD-X	01-18-083	296-800-35048	NEW	01-11-038	308-29-010	AMD-P	01-03-130
296-800-30025	NEW	01-11-038	296-800-35048	AMD-X	01-18-083	308-29-010	AMD	01-11-132
296-800-310	NEW	01-11-038	296-800-35049	NEW	01-11-038	308-29-020	AMD-P	01-03-130
296-800-310	AMD-X	01-18-083	296-800-35050	NEW	01-11-038	308-29-020	AMD	01-11-132
296-800-31005	NEW	01-11-038	296-800-35050	AMD-X	01-18-083	308-29-025	NEW-P	01-03-130
296-800-31010	NEW	01-11-038	296-800-35052	NEW	01-11-038	308-29-025	NEW	01-11-132
296-800-31010	AMD-X	01-18-083	296-800-35056	NEW	01-11-038	308-29-030	AMD-P	01-03-130
296-800-31015	NEW	01-11-038	296-800-35062	NEW	01-11-038	308-29-030	AMD	01-11-132
296-800-31020	NEW	01-11-038	296-800-35062	AMD-X	01-18-083	308-29-045	AMD-P	01-03-130
296-800-31025	NEW	01-11-038	296-800-35063	NEW	01-11-038	308-29-045	AMD	01-11-132
296-800-31030	NEW	01-11-038	296-800-35064	NEW	01-11-038	308-29-050	AMD-P	01-03-130
296-800-31035	NEW	01-11-038	296-800-35064	AMD-X	01-18-083	308-29-050	AMD	01-11-132
296-800-31035	AMD-X	01-18-083	296-800-35065	NEW	01-11-038	308-29-060	AMD-P	01-03-130
296-800-31040	NEW	01-11-038	296-800-35066	NEW	01-11-038	308-29-060	AMD	01-11-132
296-800-31045	NEW	01-11-038	296-800-35066	AMD-X	01-18-083	308-29-070	AMD-P	01-03-130
296-800-31050	NEW	01-11-038	296-800-35072	NEW	01-11-038	308-29-070	AMD	01-11-132
296-800-31053	NEW	01-11-038	296-800-35076	NEW	01-11-038	308-29-080	AMD-P	01-03-130
296-800-31055	NEW	01-11-038	296-800-35078	NEW	01-11-038	308-29-080	AMD	01-11-132
296-800-31060	NEW	01-11-038	296-800-35080	NEW	01-11-038	308-29-090	NEW-P	01-03-130
296-800-31065	NEW	01-11-038	296-800-35082	NEW	01-11-038	308-29-090	NEW	01-11-132
296-800-31067	NEW	01-11-038	296-800-35084	NEW	01-11-038	308-29-100	NEW-P	01-03-130

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308-29-100	NEW	01-11-132	308-57-140	AMD-P	01-08-051	308-72-880	NEW-P	01-17-011
308-29-110	NEW-P	01-03-130	308-57-140	AMD	01-12-099	308-72-885	NEW-P	01-17-011
308-29-110	NEW	01-11-132	308-57-210	A/R-P	01-05-106	308-72-890	NEW-P	01-17-011
308-29-120	NEW-P	01-03-130	308-57-210	AMD-W	01-07-029	308-72-895	NEW-P	01-17-011
308-29-120	NEW	01-11-132	308-57-210	AMD-P	01-08-051	308-72-900	NEW-P	01-17-011
308-32-100	REP	01-03-065	308-57-210	AMD	01-12-099	308-72-905	NEW-P	01-17-011
308-32-110	REP	01-03-065	308-57-230	AMD-P	01-05-106	308-72-910	NEW-P	01-17-011
308-32-120	REP	01-03-065	308-57-230	AMD-W	01-07-029	308-72-915	NEW-P	01-17-011
308-56A	PREP	01-17-060	308-57-230	AMD-P	01-08-051	308-72-920	NEW-P	01-17-011
308-56A-021	AMD-P	01-03-072	308-57-230	AMD	01-12-099	308-72-925	NEW-P	01-17-011
308-56A-021	AMD	01-08-022	308-57-240	AMD-P	01-05-106	308-72-930	NEW-P	01-17-011
308-56A-065	AMD-P	01-03-072	308-57-240	AMD-W	01-07-029	308-77-005	NEW-P	01-17-010
308-56A-065	AMD	01-08-022	308-57-240	AMD-P	01-08-051	308-77-010	REP-P	01-17-010
308-56A-115	AMD-E	01-14-062	308-57-240	AMD	01-12-099	308-77-015	NEW-P	01-17-010
308-56A-115	AMD-P	01-15-083	308-57-500	REP-P	01-05-106	308-77-020	REP-P	01-17-010
308-56A-150	PREP	01-11-083	308-57-500	REP-W	01-07-029	308-77-025	NEW-P	01-17-010
308-56A-150	AMD-E	01-14-062	308-57-500	REP-P	01-08-051	308-77-035	NEW-P	01-17-010
308-56A-150	AMD-P	01-15-083	308-57-500	REP	01-12-099	308-77-040	REP-P	01-17-010
308-56A-310	AMD-P	01-03-072	308-63-010	AMD	01-03-141	308-77-050	REP-P	01-17-010
308-56A-310	AMD	01-08-022	308-63-040	AMD	01-03-141	308-77-075	NEW-P	01-17-010
308-56A-310	AMD-P	01-17-086	308-63-070	AMD	01-03-141	308-77-085	NEW-P	01-17-010
308-56A-335	AMD	01-03-002	308-63-100	AMD	01-03-141	308-77-091	REP-P	01-17-010
308-56A-355	REP	01-03-002	308-72-500	REP-P	01-17-011	308-77-092	NEW-P	01-17-010
308-56A-460	AMD-E	01-14-062	308-72-501	REP-P	01-17-011	308-77-093	NEW-P	01-17-010
308-56A-460	AMD-P	01-15-083	308-72-503	REP-P	01-17-011	308-77-095	REP-P	01-17-010
308-56A-500	PREP	01-17-060	308-72-505	REP-P	01-17-011	308-77-097	NEW-P	01-17-010
308-56A-505	AMD-P	01-06-018	308-72-509	REP-P	01-17-011	308-77-099	NEW-P	01-17-010
308-56A-505	AMD	01-11-069	308-72-512	REP-P	01-17-011	308-77-101	NEW-P	01-17-010
308-57-005	AMD-P	01-05-106	308-72-540	REP-P	01-17-011	308-77-102	NEW-P	01-17-010
308-57-005	AMD-W	01-07-029	308-72-542	REP-P	01-17-011	308-77-103	NEW-P	01-17-010
308-57-005	AMD-P	01-08-051	308-72-550	REP-P	01-17-011	308-77-104	NEW-P	01-17-010
308-57-005	AMD	01-12-099	308-72-555	REP-P	01-17-011	308-77-105	REP-P	01-17-010
308-57-010	AMD-P	01-05-106	308-72-557	REP-P	01-17-011	308-77-106	NEW-P	01-17-010
308-57-010	AMD-W	01-07-029	308-72-560	REP-P	01-17-011	308-77-107	NEW-P	01-17-010
308-57-010	AMD-P	01-08-051	308-72-570	REP-P	01-17-011	308-77-109	NEW-P	01-17-010
308-57-010	AMD	01-12-099	308-72-610	REP-P	01-17-011	308-77-110	REP-P	01-17-010
308-57-020	AMD-P	01-05-106	308-72-615	REP-P	01-17-011	308-77-112	NEW-P	01-17-010
308-57-020	AMD-W	01-07-029	308-72-620	REP-P	01-17-011	308-77-114	NEW-P	01-17-010
308-57-020	AMD-P	01-08-051	308-72-630	REP-P	01-17-011	308-77-115	REP-P	01-17-010
308-57-020	AMD	01-12-099	308-72-640	REP-P	01-17-011	308-77-116	NEW-P	01-17-010
308-57-030	AMD-P	01-05-106	308-72-650	REP-P	01-17-011	308-77-150	REP-P	01-17-010
308-57-030	AMD-W	01-07-029	308-72-660	REP-P	01-17-011	308-77-160	REP-P	01-17-010
308-57-030	AMD-P	01-08-051	308-72-665	REP-P	01-17-011	308-77-165	REP-P	01-17-010
308-57-030	AMD	01-12-099	308-72-670	REP-P	01-17-011	308-77-190	REP-P	01-17-010
308-57-110	AMD-P	01-05-106	308-72-680	REP-P	01-17-011	308-77-215	REP-P	01-17-010
308-57-110	AMD-W	01-07-029	308-72-690	REP-P	01-17-011	308-77-220	REP-P	01-17-010
308-57-110	AMD-P	01-08-051	308-72-700	REP-P	01-17-011	308-77-225	REP-P	01-17-010
308-57-110	AMD	01-12-099	308-72-710	REP-P	01-17-011	308-77-230	REP-P	01-17-010
308-57-120	REP-P	01-05-106	308-72-800	NEW-P	01-17-011	308-77-250	REP-P	01-17-010
308-57-120	REP-W	01-07-029	308-72-805	NEW-P	01-17-011	308-77-260	REP-P	01-17-010
308-57-120	REP-P	01-08-051	308-72-810	NEW-P	01-17-011	308-78-010	AMD-P	01-03-083
308-57-120	REP	01-12-099	308-72-815	NEW-P	01-17-011	308-78-010	AMD	01-08-083
308-57-130	REP-P	01-05-106	308-72-820	NEW-P	01-17-011	308-78-020	AMD-P	01-03-083
308-57-130	REP-W	01-07-029	308-72-830	NEW-P	01-17-011	308-78-020	AMD	01-08-083
308-57-130	REP-P	01-08-051	308-72-835	NEW-P	01-17-011	308-78-030	AMD-P	01-03-083
308-57-130	REP	01-12-099	308-72-840	NEW-P	01-17-011	308-78-030	AMD	01-08-083
308-57-135	REP-P	01-05-106	308-72-845	NEW-P	01-17-011	308-78-035	NEW-P	01-03-083
308-57-135	REP-W	01-07-029	308-72-850	NEW-P	01-17-011	308-78-035	NEW	01-08-083
308-57-135	REP-P	01-08-051	308-72-855	NEW-P	01-17-011	308-78-040	AMD-P	01-03-083
308-57-135	REP	01-12-099	308-72-860	NEW-P	01-17-011	308-78-040	AMD	01-08-083
308-57-140	AMD-P	01-05-106	308-72-865	NEW-P	01-17-011	308-78-045	AMD-P	01-03-083
308-57-140	AMD-W	01-07-029	308-72-870	NEW-P	01-17-011	308-78-045	AMD	01-08-083

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308- 78-046	NEW	01-08-083	308- 94-030	AMD-P	01-06-049	308- 96A-177	NEW-P	01-04-017
308- 78-060	REP-P	01-03-083	308- 94-030	AMD	01-11-070	308- 96A-177	NEW	01-10-069
308- 78-060	REP	01-08-083	308- 94-050	AMD-P	01-06-049	308- 96A-202	AMD-P	01-05-106
308- 78-070	AMD-P	01-03-083	308- 94-050	AMD	01-11-070	308- 96A-202	AMD-W	01-07-029
308- 78-070	AMD	01-08-083	308- 94-080	AMD-P	01-06-049	308- 96A-202	AMD-P	01-08-051
308- 78-075	NEW-P	01-03-083	308- 94-080	AMD	01-11-070	308- 96A-202	AMD	01-12-099
308- 78-075	NEW	01-08-083	308- 94-100	AMD-P	01-06-049	308- 96A-203	AMD-P	01-05-106
308- 78-080	AMD-P	01-03-083	308- 94-100	AMD	01-11-070	308- 96A-203	AMD-W	01-07-029
308- 78-080	AMD	01-08-083	308- 94-105	NEW-P	01-06-049	308- 96A-203	AMD-P	01-08-051
308- 78-090	AMD-P	01-03-083	308- 94-105	NEW	01-11-070	308- 96A-203	AMD	01-12-099
308- 78-090	AMD	01-08-083	308- 94A-005	AMD-P	01-08-050	308- 96A-260	AMD-P	01-11-090
308- 93	PREP	01-05-076	308- 94A-005	AMD	01-13-008	308- 96A-260	AMD	01-17-017
308- 93-010	AMD	01-03-128	308- 94A-010	AMD-P	01-08-050	308- 96A-295	AMD-P	01-04-062
308- 93-010	PREP	01-14-078	308- 94A-010	AMD	01-13-008	308- 96A-295	AMD	01-09-079
308- 93-010	AMD-P	01-17-087	308- 94A-015	AMD-P	01-08-050	308- 96A-300	AMD-P	01-11-090
308- 93-030	AMD	01-03-128	308- 94A-015	AMD	01-13-008	308- 96A-300	AMD	01-17-017
308- 93-050	AMD	01-03-128	308- 94A-020	AMD-P	01-08-050	308- 96A-345	REP-P	01-11-090
308- 93-055	AMD	01-03-128	308- 94A-020	AMD	01-13-008	308- 96A-345	REP	01-17-017
308- 93-056	AMD	01-03-128	308- 94A-025	AMD-P	01-08-050	308- 96A-350	AMD-P	01-13-060
308- 93-060	AMD-P	01-03-017	308- 94A-025	AMD	01-13-008	308- 96A-350	AMD	01-17-091
308- 93-060	AMD	01-08-021	308- 94A-030	AMD-P	01-08-050	308- 96A-355	AMD-P	01-13-060
308- 93-069	AMD-P	01-03-017	308- 94A-030	AMD	01-13-008	308- 96A-355	AMD	01-17-091
308- 93-069	AMD	01-08-021	308- 96A-005	AMD-P	01-11-090	308- 96A-365	AMD-P	01-13-060
308- 93-070	AMD-P	01-03-017	308- 96A-005	AMD	01-17-017	308- 96A-365	AMD	01-17-091
308- 93-070	AMD	01-08-021	308- 96A-015	AMD-P	01-11-090	308- 96A-400	AMD-P	01-05-106
308- 93-071	AMD-P	01-03-017	308- 96A-015	AMD	01-17-017	308- 96A-400	AMD-W	01-07-029
308- 93-071	AMD	01-08-021	308- 96A-026	AMD-P	01-11-090	308- 96A-400	AMD-P	01-08-051
308- 93-073	REP-P	01-03-017	308- 96A-026	AMD	01-17-017	308- 96A-400	AMD	01-12-099
308- 93-073	REP	01-08-021	308- 96A-065	AMD-P	01-04-017	308- 96A-410	REP-P	01-05-106
308- 93-078	AMD-P	01-03-017	308- 96A-065	AMD	01-10-069	308- 96A-410	REP-W	01-07-029
308- 93-078	AMD	01-08-021	308- 96A-066	REP-P	01-04-017	308- 96A-410	REP-P	01-08-051
308- 93-079	AMD	01-03-128	308- 96A-066	REP	01-10-069	308- 96A-410	REP	01-12-099
308- 93-087	AMD-P	01-11-084	308- 96A-067	REP-P	01-04-017	308- 96A-550	AMD-P	01-04-017
308- 93-087	AMD	01-16-105	308- 96A-067	REP	01-10-069	308- 96A-550	AMD	01-10-069
308- 93-088	AMD-P	01-11-084	308- 96A-068	REP-P	01-04-017	308- 96A-560	AMD-P	01-04-017
308- 93-088	AMD	01-16-105	308- 96A-068	REP	01-10-069	308- 96A-560	AMD	01-10-069
308- 93-089	NEW-P	01-11-084	308- 96A-070	AMD-P	01-04-017	308- 97-230	AMD-P	01-05-106
308- 93-089	NEW	01-16-105	308- 96A-070	AMD	01-10-069	308- 97-230	AMD-W	01-07-029
308- 93-090	AMD	01-03-128	308- 96A-071	AMD-P	01-04-017	308- 97-230	AMD-P	01-13-061
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308- 93-145	AMD-P	01-08-052	308- 96A-072	AMD-P	01-04-017	308-100-140	AMD-P	01-04-075
308- 93-145	AMD	01-11-100	308- 96A-072	AMD	01-10-069	308-100-140	AMD	01-09-062
308- 93-160	AMD	01-03-128	308- 96A-073	AMD-P	01-04-017	308-124A-460	PREP	01-17-058
308- 93-285	AMD-P	01-03-017	308- 96A-073	AMD	01-10-069	308-124B-050	PREP	01-08-095
308- 93-285	AMD	01-08-021	308- 96A-074	AMD-P	01-04-017	308-124H-061	PREP	01-08-096
308- 93-350	AMD-P	01-03-017	308- 96A-074	AMD	01-10-069	308-125-120	PREP	01-16-004
308- 93-350	AMD	01-08-021	308- 96A-099	AMD-P	01-05-106	308-390-100	NEW-P	01-07-084
308- 93-360	AMD-P	01-03-017	308- 96A-099	AMD-W	01-07-029	308-390-100	NEW	01-10-056
308- 93-360	AMD	01-08-021	308- 96A-099	AMD-P	01-08-051	308-390-101	NEW-P	01-07-084
308- 93-370	AMD-P	01-17-086	308- 96A-099	AMD	01-12-099	308-390-101	NEW	01-10-056
308- 93-380	AMD-P	01-17-086	308- 96A-135	REP-P	01-05-106	308-390-102	NEW-P	01-07-084
308- 93-390	AMD-P	01-03-072	308- 96A-135	REP-W	01-07-029	308-390-102	NEW	01-10-056
308- 93-390	AMD	01-08-022	308- 96A-135	AMD-P	01-08-051	308-390-103	NEW-P	01-07-084
308- 93-400	AMD-P	01-17-086	308- 96A-135	AMD	01-12-099	308-390-103	NEW	01-10-056
308- 93-445	NEW-P	01-17-086	308- 96A-145	AMD-P	01-05-106	308-390-104	NEW-P	01-07-084
308- 93-490	AMD-P	01-17-086	308- 96A-145	AMD-W	01-07-029	308-390-104	NEW	01-10-056
308- 93-500	AMD-P	01-17-086	308- 96A-145	AMD-P	01-08-051	308-390-105	NEW-P	01-07-084
308- 93-510	AMD-P	01-17-086	308- 96A-145	AMD	01-12-099	308-390-105	NEW	01-10-056
308- 93-640	AMD-P	01-03-017	308- 96A-175	AMD-P	01-04-017	308-390-106	NEW-P	01-07-084
308- 93-640	AMD	01-08-021	308- 96A-175	AMD	01-10-069	308-390-106	NEW	01-10-056
308- 93-660	REP-P	01-11-084	308- 96A-176	AMD-P	01-04-017	308-390-107	NEW-P	01-07-084

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308-390-107	NEW	01-10-056	308-390-503	NEW	01-10-056	314-04-007	REP	01-03-086
308-390-108	NEW-P	01-07-084	308-390-504	NEW-P	01-07-084	314-08-001	REP-S	01-06-062
308-390-108	NEW	01-10-056	308-390-504	NEW	01-10-056	314-08-001	REP	01-11-058
308-390-109	NEW-P	01-07-084	308-390-505	NEW-P	01-07-084	314-08-010	REP-S	01-06-062
308-390-109	NEW	01-10-056	308-390-505	NEW	01-10-056	314-08-010	REP	01-11-058
308-390-200	NEW-P	01-07-084	308-390-600	NEW-P	01-07-084	314-08-020	REP-S	01-06-062
308-390-200	NEW	01-10-056	308-390-600	NEW	01-10-056	314-08-020	REP	01-11-058
308-390-201	NEW-P	01-07-084	308-390-601	NEW-P	01-07-084	314-08-030	REP-S	01-06-062
308-390-201	NEW	01-10-056	308-390-601	NEW	01-10-056	314-08-030	REP	01-11-058
308-390-202	NEW-P	01-07-084	308-390-602	NEW-P	01-07-084	314-08-040	REP-S	01-06-062
308-390-202	NEW	01-10-056	308-390-602	NEW	01-10-056	314-08-040	REP	01-11-058
308-390-203	NEW-P	01-07-084	308-390-603	NEW-P	01-07-084	314-08-050	REP-S	01-06-062
308-390-203	NEW	01-10-056	308-390-603	NEW	01-10-056	314-08-050	REP	01-11-058
308-390-204	NEW-P	01-07-084	308-400	REP-P	01-07-084	314-08-070	REP-S	01-06-062
308-390-204	NEW	01-10-056	308-400-010	REP-P	01-07-084	314-08-070	REP	01-11-058
308-390-300	NEW-P	01-07-084	308-400-010	REP	01-10-056	314-08-070	REP	01-11-058
308-390-300	NEW	01-10-056	308-400-020	REP-P	01-07-084	314-08-080	REP-S	01-06-062
308-390-301	NEW-P	01-07-084	308-400-020	REP	01-10-056	314-08-080	REP	01-11-058
308-390-301	NEW	01-10-056	308-400-025	REP-P	01-07-084	314-08-090	REP-S	01-06-062
308-390-302	NEW-P	01-07-084	308-400-025	REP	01-10-056	314-08-090	REP	01-11-058
308-390-302	NEW	01-10-056	308-400-030	REP-P	01-07-084	314-08-100	REP-S	01-06-062
308-390-303	NEW-P	01-07-084	308-400-030	REP	01-10-056	314-08-100	REP	01-11-058
308-390-303	NEW	01-10-056	308-400-053	REP-P	01-07-084	314-08-110	REP-S	01-06-062
308-390-303	NEW	01-10-056	308-400-053	REP	01-10-056	314-08-110	REP	01-11-058
308-390-304	NEW-P	01-07-084	308-400-053	REP	01-10-056	314-08-120	REP-S	01-06-062
308-390-304	NEW	01-10-056	308-400-056	REP-P	01-07-084	314-08-120	REP	01-11-058
308-390-305	NEW-P	01-07-084	308-400-056	REP	01-10-056	314-08-120	REP	01-11-058
308-390-305	NEW	01-10-056	308-400-058	REP-P	01-07-084	314-08-130	REP-S	01-06-062
308-390-306	NEW-P	01-07-084	308-400-058	REP	01-10-056	314-08-130	REP	01-11-058
308-390-306	NEW	01-10-056	308-400-059	REP-P	01-07-084	314-08-140	REP-S	01-06-062
308-390-307	NEW-P	01-07-084	308-400-059	REP	01-10-056	314-08-140	REP	01-11-058
308-390-307	NEW	01-10-056	308-400-060	REP-P	01-07-084	314-08-150	REP-S	01-06-062
308-390-308	NEW-P	01-07-084	308-400-060	REP	01-10-056	314-08-150	REP	01-11-058
308-390-308	NEW	01-10-056	308-400-062	REP-P	01-07-084	314-08-160	REP-S	01-06-062
308-390-309	NEW-P	01-07-084	308-400-062	REP	01-10-056	314-08-160	REP	01-11-058
308-390-309	NEW	01-10-056	308-400-080	REP-P	01-07-084	314-08-170	REP-S	01-06-062
308-390-310	NEW-P	01-07-084	308-400-080	REP	01-10-056	314-08-170	REP	01-11-058
308-390-310	NEW	01-10-056	308-400-080	REP	01-10-056	314-08-180	REP-S	01-06-062
308-390-311	NEW-P	01-07-084	308-400-092	REP-P	01-07-084	314-08-180	REP	01-11-058
308-390-311	NEW	01-10-056	308-400-092	REP	01-10-056	314-08-190	REP-S	01-06-062
308-390-312	NEW-P	01-07-084	308-400-095	REP-P	01-07-084	314-08-190	REP	01-11-058
308-390-312	NEW	01-10-056	308-400-095	REP	01-10-056	314-08-200	REP-S	01-06-062
308-390-313	NEW-P	01-07-084	308-400-100	REP-P	01-07-084	314-08-200	REP	01-11-058
308-390-313	NEW	01-10-056	308-400-100	REP	01-10-056	314-08-210	REP-S	01-06-062
308-390-314	NEW-P	01-07-084	308-400-110	REP-P	01-07-084	314-08-210	REP	01-11-058
308-390-314	NEW	01-10-056	308-400-110	REP	01-10-056	314-08-220	REP-S	01-06-062
308-390-315	NEW-P	01-07-084	308-400-120	REP-P	01-07-084	314-08-220	REP	01-11-058
308-390-315	NEW	01-10-056	308-400-120	REP	01-10-056	314-08-230	REP-S	01-06-062
308-390-400	NEW-P	01-07-084	308-410	REP-P	01-07-084	314-08-230	REP	01-11-058
308-390-400	NEW	01-10-056	308-410-010	REP-P	01-07-084	314-08-240	REP-S	01-06-062
308-390-401	NEW-P	01-07-084	308-410-010	REP	01-10-056	314-08-240	REP	01-11-058
308-390-401	NEW	01-10-056	308-410-020	REP-P	01-07-084	314-08-250	REP-S	01-06-062
308-390-402	NEW-P	01-07-084	308-410-020	REP	01-10-056	314-08-250	REP	01-11-058
308-390-402	NEW	01-10-056	308-410-030	REP-P	01-07-084	314-08-260	REP-S	01-06-062
308-390-403	NEW-P	01-07-084	308-410-030	REP	01-10-056	314-08-260	REP	01-11-058
308-390-403	NEW	01-10-056	308-410-040	REP-P	01-07-084	314-08-270	REP-S	01-06-062
308-390-500	NEW-P	01-07-084	308-410-040	REP	01-10-056	314-08-270	REP	01-11-058
308-390-500	NEW	01-10-056	308-410-060	REP-P	01-07-084	314-08-280	REP-S	01-06-062
308-390-501	NEW-P	01-07-084	308-410-060	REP	01-10-056	314-08-280	REP	01-11-058
308-390-501	NEW	01-10-056	308-410-070	REP-P	01-07-084	314-08-290	REP-S	01-06-062
308-390-502	NEW-P	01-07-084	308-410-070	REP	01-10-056	314-08-290	REP	01-11-058
308-390-502	NEW	01-10-056	314-01-005	NEW	01-06-016	314-08-300	REP-S	01-06-062
308-390-503	NEW-P	01-07-084	314-04-005	REP	01-03-086	314-08-300	REP	01-11-058
			314-04-006	REP	01-03-086	314-08-310	REP-S	01-06-062

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
314-08-310	REP	01-11-058	314-10-020	REP	01-06-014	314-16-120	REP	01-06-014
314-08-320	REP-S	01-06-062	314-11-005	NEW	01-06-014	314-16-122	REP	01-06-014
314-08-320	REP	01-11-058	314-11-015	NEW	01-06-014	314-16-125	REP	01-06-014
314-08-330	REP-S	01-06-062	314-11-020	NEW	01-06-014	314-16-145	REP	01-06-014
314-08-330	REP	01-11-058	314-11-025	NEW	01-06-014	314-16-150	REP-W	01-12-082
314-08-340	REP-S	01-06-062	314-11-030	NEW	01-06-014	314-16-160	AMD	01-06-014
314-08-340	REP	01-11-058	314-11-035	NEW	01-06-014	314-17-005	NEW	01-03-085
314-08-350	REP-S	01-06-062	314-11-040	NEW	01-06-014	314-17-010	NEW	01-03-085
314-08-350	REP	01-11-058	314-11-045	NEW	01-06-014	314-17-015	NEW	01-03-085
314-08-360	REP-S	01-06-062	314-11-050	NEW	01-06-014	314-17-020	NEW	01-03-085
314-08-360	REP	01-11-058	314-11-055	NEW	01-06-014	314-17-025	NEW	01-03-085
314-08-370	REP-S	01-06-062	314-11-060	NEW	01-06-014	314-17-030	NEW	01-03-085
314-08-370	REP	01-11-058	314-11-065	NEW	01-06-014	314-17-035	NEW	01-03-085
314-08-380	REP-S	01-06-062	314-11-070	NEW	01-06-014	314-17-040	NEW	01-03-085
314-08-380	REP	01-11-058	314-11-080	NEW	01-06-014	314-17-045	NEW	01-03-085
314-08-390	REP-S	01-06-062	314-11-085	NEW	01-06-014	314-17-050	NEW	01-03-085
314-08-390	REP	01-11-058	314-11-090	NEW	01-06-014	314-17-055	NEW	01-03-085
314-08-400	REP-S	01-06-062	314-11-095	NEW	01-06-014	314-17-060	NEW	01-03-085
314-08-400	REP	01-11-058	314-11-100	NEW	01-06-014	314-17-065	NEW	01-03-085
314-08-410	REP-S	01-06-062	314-11-105	NEW	01-06-014	314-17-070	NEW	01-03-085
314-08-410	REP	01-11-058	314-11-110	NEW	01-06-014	314-17-075	NEW	01-03-085
314-08-415	REP-S	01-06-062	314-12-020	AMD	01-03-087	314-17-080	NEW	01-03-085
314-08-415	REP	01-11-058	314-12-115	REP	01-06-014	314-17-085	NEW	01-03-085
314-08-420	REP-S	01-06-062	314-12-120	REP	01-06-014	314-17-090	NEW	01-03-085
314-08-420	REP	01-11-058	314-12-125	REP	01-06-014	314-17-095	NEW	01-03-085
314-08-430	REP-S	01-06-062	314-12-130	REP	01-06-014	314-17-100	NEW	01-03-085
314-08-430	REP	01-11-058	314-12-140	AMD	01-06-015	314-17-105	NEW	01-03-085
314-08-440	REP-S	01-06-062	314-12-195	REP	01-06-014	314-17-110	NEW	01-03-085
314-08-440	REP	01-11-058	314-13-005	NEW	01-06-015	314-17-115	NEW	01-03-085
314-08-450	REP-S	01-06-062	314-13-010	NEW	01-06-015	314-24-170	REP	01-06-015
314-08-450	REP	01-11-058	314-13-015	NEW	01-06-015	314-29-005	NEW	01-03-086
314-08-460	REP-S	01-06-062	314-13-020	NEW	01-06-015	314-29-010	NEW	01-03-086
314-08-460	REP	01-11-058	314-13-025	NEW	01-06-015	314-42-010	PREP	01-06-061
314-08-470	REP-S	01-06-062	314-13-030	NEW	01-06-015	314-42-010	AMD-P	01-11-059
314-08-470	REP	01-11-058	314-13-040	NEW	01-06-015	314-42-010	AMD	01-15-049
314-08-480	REP-S	01-06-062	314-14-010	REP	01-03-085	314-42-020	NEW-S	01-06-062
314-08-480	REP	01-11-058	314-14-020	REP	01-03-085	314-42-020	NEW	01-11-058
314-08-490	REP-S	01-06-062	314-14-030	REP	01-03-085	314-42-025	NEW-S	01-06-062
314-08-490	REP	01-11-058	314-14-040	REP	01-03-085	314-42-025	NEW	01-11-058
314-08-500	REP-S	01-06-062	314-14-050	REP	01-03-085	314-42-030	NEW-S	01-06-062
314-08-500	REP	01-11-058	314-14-060	REP	01-03-085	314-42-030	NEW	01-11-058
314-08-510	REP-S	01-06-062	314-14-070	REP	01-03-085	314-42-040	NEW-S	01-06-062
314-08-510	REP	01-11-058	314-14-080	REP	01-03-085	314-42-040	NEW	01-11-058
314-08-520	REP-S	01-06-062	314-14-090	REP	01-03-085	314-42-045	NEW-S	01-06-062
314-08-520	REP	01-11-058	314-14-100	REP	01-03-085	314-42-045	NEW	01-11-058
314-08-530	REP-S	01-06-062	314-14-110	REP	01-03-085	314-42-050	NEW-S	01-06-062
314-08-530	REP	01-11-058	314-14-120	REP	01-03-085	314-42-050	NEW	01-11-058
314-08-540	REP-S	01-06-062	314-14-130	REP	01-03-085	314-42-055	NEW-W	01-11-075
314-08-540	REP	01-11-058	314-14-140	REP	01-03-085	314-42-060	NEW-S	01-06-062
314-08-550	REP-S	01-06-062	314-14-150	REP	01-03-085	314-42-060	NEW	01-11-058
314-08-550	REP	01-11-058	314-14-160	REP	01-03-085	314-42-065	NEW-S	01-06-062
314-08-560	REP-S	01-06-062	314-14-165	REP	01-03-085	314-42-065	NEW	01-11-058
314-08-560	REP	01-11-058	314-14-170	REP	01-03-085	314-42-070	NEW-S	01-06-062
314-08-570	REP-S	01-06-062	314-16-020	AMD	01-06-014	314-42-070	NEW	01-11-058
314-08-570	REP	01-11-058	314-16-025	REP	01-06-014	314-42-075	NEW-S	01-06-062
314-08-580	REP-S	01-06-062	314-16-030	REP	01-06-014	314-42-075	NEW	01-11-058
314-08-580	REP	01-11-058	314-16-040	AMD	01-06-014	314-42-080	NEW-S	01-06-062
314-08-590	REP-S	01-06-062	314-16-050	REP	01-06-014	314-42-080	NEW	01-11-058
314-08-590	REP	01-11-058	314-16-060	REP	01-06-014	314-42-085	NEW-S	01-06-062
314-09-005	NEW	01-03-087	314-16-070	REP	01-06-014	314-42-085	NEW	01-11-058
314-09-010	NEW	01-03-087	314-16-075	REP	01-06-014	314-42-090	NEW-S	01-06-062
314-09-015	NEW	01-03-087	314-16-090	REP	01-06-014	314-42-090	NEW	01-11-058

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314- 42-100	NEW-S	01-06-062	326- 40-010	REP-X	01-16-156	356- 30-331	AMD	01-11-113
314- 42-100	NEW	01-11-058	326- 40-020	REP-X	01-16-156	356- 34-090	AMD-P	01-16-095
314- 42-105	NEW-S	01-06-062	332- 10-020	AMD-P	01-04-061	356- 34-090	AMD-E	01-16-096
314- 42-105	NEW	01-11-058	332- 10-020	AMD	01-07-049	356- 46-150	NEW-P	01-08-062
314- 70-020	REP	01-06-014	332- 10-040	AMD-P	01-04-061	356- 46-150	NEW	01-11-113
314- 70-040	REP	01-06-014	332- 10-040	AMD	01-07-049	356- 49-040	AMD-C	01-02-089
314- 70-050	REP	01-06-014	332- 30	PREP	01-10-068	356- 49-040	AMD	01-07-057
315- 04-085	NEW-S	01-08-037	352	PREP	01-12-077	356- 56-203	NEW-E	01-18-051
315- 04-085	NEW	01-12-039	352- 32-340	NEW-P	01-16-147	356- 56-203	NEW-P	01-18-097
315- 06-040	PREP	01-04-040	356- 05-415	AMD-P	01-16-130	356- 56-210	AMD	01-03-003
315- 06-040	AMD-P	01-08-038	356- 06-045	AMD-C	01-02-088	356- 56-220	AMD	01-03-003
315- 06-040	AMD	01-12-040	356- 06-045	AMD	01-07-055	356- 56-600	AMD-E	01-18-051
315- 20	PREP	01-18-023	356- 10-040	AMD-C	01-02-089	356- 56-600	AMD-P	01-18-097
315- 34	PREP	01-07-013	356- 10-040	AMD	01-07-057	363-116-185	AMD-P	01-10-072
315- 34-040	AMD-P	01-11-082	356- 14-067	AMD-C	01-02-089	363-116-185	AMD	01-13-066
315- 34-040	AMD	01-17-022	356- 14-067	AMD	01-07-057	363-116-185	AMD-P	01-14-086
315- 34-050	AMD-P	01-11-082	356- 14-075	AMD-C	01-02-089	363-116-185	AMD-P	01-14-087
315- 34-050	AMD	01-17-022	356- 14-075	AMD	01-07-057	363-116-185	AMD-W	01-18-048
315- 34-057	AMD-P	01-11-082	356- 14-085	AMD-C	01-02-089	363-116-185	AMD	01-18-049
315- 34-057	AMD	01-17-022	356- 14-085	AMD	01-07-057	363-116-300	AMD-P	01-08-081
315- 36	PREP	01-07-004	356- 14-110	AMD-C	01-02-089	363-116-300	AMD	01-12-032
315- 36-010	AMD-P	01-11-081	356- 14-110	AMD	01-07-057	363-116-300	AMD-P	01-14-088
315- 36-010	AMD	01-17-021	356- 14-120	AMD-C	01-02-089	363-116-300	AMD	01-18-050
315- 36-030	AMD-P	01-11-081	356- 14-120	AMD	01-07-057	365-120-080	PREP	01-11-137
315- 36-030	AMD	01-17-021	356- 15-125	AMD-E	01-04-051	365-120-080	AMD-E	01-14-035
315- 36-050	AMD-P	01-11-081	356- 15-125	AMD-P	01-04-079	365-120-080	AMD-E	01-17-063
315- 36-050	AMD	01-17-021	356- 15-125	AMD	01-08-005	365-195-900	AMD-P	01-03-166
315- 36-090	AMD-P	01-11-081	356- 15-140	AMD-C	01-02-089	365-195-900	AMD	01-08-056
315- 36-090	AMD	01-17-021	356- 15-140	AMD	01-07-057	365-197-010	NEW-P	01-03-165
315- 36-110	AMD-P	01-11-081	356- 18-112	AMD-P	01-16-130	365-197-010	NEW	01-13-039
315- 36-110	AMD	01-17-021	356- 18-140	AMD-C	01-02-089	365-197-020	NEW-P	01-03-165
317- 21-010	REP	01-05-036	356- 18-140	AMD	01-07-057	365-197-020	NEW	01-13-039
317- 21-020	REP	01-05-036	356- 18-220	AMD-C	01-02-089	365-197-030	NEW-P	01-03-165
317- 21-030	REP	01-05-036	356- 18-220	AMD	01-07-057	365-197-030	NEW	01-13-039
317- 21-040	REP	01-05-036	356- 22-160	AMD-P	01-12-074	365-197-040	NEW-P	01-03-165
317- 21-050	REP	01-05-036	356- 22-160	AMD	01-17-081	365-197-040	NEW	01-13-039
317- 21-060	REP	01-05-036	356- 22-170	REP-P	01-12-074	365-197-050	NEW-P	01-03-165
317- 21-070	REP	01-05-036	356- 22-170	REP	01-17-081	365-197-050	NEW	01-13-039
317- 21-100	REP	01-05-036	356- 22-220	AMD-W	01-07-056	365-197-060	NEW-P	01-03-165
317- 21-110	REP	01-05-036	356- 26-030	AMD-P	01-16-095	365-197-060	NEW	01-13-039
317- 21-120	REP	01-05-036	356- 26-030	AMD-E	01-16-096	365-197-070	NEW-P	01-03-165
317- 21-140	REP	01-05-036	356- 26-040	AMD-P	01-12-075	365-197-070	NEW	01-13-039
317- 21-300	REP	01-05-036	356- 26-040	AMD	01-17-082	365-197-080	NEW-P	01-03-165
317- 21-305	REP	01-05-036	356- 26-140	AMD-P	01-16-095	365-197-080	NEW	01-13-039
317- 21-310	REP	01-05-036	356- 26-140	AMD-E	01-16-096	388- 05-0001	NEW-P	01-08-077
317- 21-315	REP	01-05-036	356- 30-012	NEW-P	01-16-095	388- 05-0001	NEW	01-12-071
317- 21-320	REP	01-05-036	356- 30-012	NEW-E	01-16-096	388- 05-0005	NEW-P	01-08-077
317- 21-325	REP	01-05-036	356- 30-025	REP-P	01-16-130	388- 05-0005	NEW	01-12-071
317- 21-330	REP	01-05-036	356- 30-065	AMD-P	01-16-130	388- 05-0010	NEW-P	01-08-077
317- 21-335	REP	01-05-036	356- 30-067	AMD-P	01-16-130	388- 05-0010	NEW	01-12-071
317- 21-340	REP	01-05-036	356- 30-140	AMD-P	01-16-130	388- 06-0010	NEW-P	01-10-062
317- 21-345	REP	01-05-036	356- 30-260	AMD-P	01-12-076	388- 06-0010	NEW	01-18-025
317- 21-400	REP	01-05-036	356- 30-260	AMD-W	01-17-080	388- 06-0020	NEW-P	01-10-062
317- 21-410	REP	01-05-036	356- 30-260	AMD-P	01-12-076	388- 06-0020	NEW	01-18-025
317- 21-500	REP	01-05-036	356- 30-305	AMD-P	01-12-076	388- 06-0100	NEW-P	01-10-062
317- 21-510	REP	01-05-036	356- 30-305	AMD-W	01-17-080	388- 06-0100	NEW	01-18-025
317- 21-520	REP	01-05-036	356- 30-320	AMD-C	01-02-088	388- 06-0110	NEW-P	01-10-062
317- 21-530	REP	01-05-036	356- 30-320	AMD	01-07-055	388- 06-0110	NEW	01-18-025
317- 21-550	REP	01-05-036	356- 30-330	AMD-P	01-16-095	388- 06-0120	NEW-P	01-10-062
317- 21-550	REP	01-05-036	356- 30-330	AMD-E	01-16-096	388- 06-0120	NEW	01-18-025
317- 21-560	REP	01-05-036	356- 30-331	AMD-C	01-02-088	388- 06-0130	NEW-P	01-10-062
317- 21-900	REP	01-05-036	356- 30-331	AMD	01-07-055	388- 06-0130	NEW	01-18-025
317- 21-910	REP	01-05-036	356- 30-331	AMD-P	01-08-062			

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-06-0140	NEW-P	01-10-062	388-11-305	REP	01-03-089	388-14-427	REP	01-03-089
388-06-0140	NEW	01-18-025	388-11-310	REP	01-03-089	388-14-435	REP	01-03-089
388-06-0150	NEW-P	01-10-062	388-11-320	REP	01-03-089	388-14-440	REP	01-03-089
388-06-0150	NEW	01-18-025	388-11-325	REP	01-03-089	388-14-450	REP	01-03-089
388-06-0160	NEW-P	01-10-062	388-11-330	REP	01-03-089	388-14-460	REP	01-03-089
388-06-0160	NEW	01-18-025	388-11-335	REP	01-03-089	388-14-480	REP	01-03-089
388-06-0170	NEW-P	01-10-062	388-11-340	REP	01-03-089	388-14-490	REP	01-03-089
388-06-0170	NEW	01-18-025	388-13-010	REP	01-03-089	388-14-495	REP	01-03-089
388-06-0180	NEW-P	01-10-062	388-13-020	REP	01-03-089	388-14-496	REP	01-03-089
388-06-0180	NEW	01-18-025	388-13-030	REP	01-03-089	388-14-500	REP	01-03-089
388-06-0190	NEW-P	01-10-062	388-13-040	REP	01-03-089	388-14-510	REP	01-03-089
388-06-0190	NEW	01-18-025	388-13-050	REP	01-03-089	388-14-520	REP	01-03-089
388-06-0200	NEW-P	01-10-062	388-13-060	REP	01-03-089	388-14-530	REP	01-03-089
388-06-0200	NEW	01-18-025	388-13-070	REP	01-03-089	388-14-540	REP	01-03-089
388-06-0210	NEW-P	01-10-062	388-13-085	REP	01-03-089	388-14-550	REP	01-03-089
388-06-0210	NEW	01-18-025	388-13-090	REP	01-03-089	388-14-560	REP	01-03-089
388-06-0220	NEW-P	01-10-062	388-13-100	REP	01-03-089	388-14-570	REP	01-03-089
388-06-0220	NEW	01-18-025	388-13-110	REP	01-03-089	388-14A-1000	NEW	01-03-089
388-06-0230	NEW-P	01-10-062	388-13-120	REP	01-03-089	388-14A-1005	NEW	01-03-089
388-06-0230	NEW	01-18-025	388-14-010	REP	01-03-089	388-14A-1010	NEW	01-03-089
388-06-0240	NEW-P	01-10-062	388-14-020	REP	01-03-089	388-14A-1015	NEW	01-03-089
388-06-0240	NEW	01-18-025	388-14-030	REP	01-03-089	388-14A-1020	NEW	01-03-089
388-06-0250	NEW-P	01-10-062	388-14-035	REP	01-03-089	388-14A-1025	NEW	01-03-089
388-06-0250	NEW	01-18-025	388-14-040	REP	01-03-089	388-14A-1025	PREP	01-13-049
388-06-0260	NEW-P	01-10-062	388-14-045	REP	01-03-089	388-14A-1030	NEW	01-03-089
388-06-0260	NEW	01-18-025	388-14-050	REP	01-03-089	388-14A-1035	NEW	01-03-089
388-06-0500	NEW-P	01-10-064	388-14-100	REP	01-03-089	388-14A-1036	NEW	01-03-089
388-06-0500	NEW	01-15-019	388-14-200	REP	01-03-089	388-14A-1040	NEW	01-03-089
388-06-0510	NEW-P	01-10-064	388-14-201	REP	01-03-089	388-14A-1045	NEW	01-03-089
388-06-0510	NEW	01-15-019	388-14-202	REP	01-03-089	388-14A-1050	NEW	01-03-089
388-06-0520	NEW-P	01-10-064	388-14-203	REP	01-03-089	388-14A-1055	NEW	01-03-089
388-06-0520	NEW	01-15-019	388-14-205	REP	01-03-089	388-14A-1060	NEW	01-03-089
388-06-0525	NEW-P	01-10-064	388-14-210	REP	01-03-089	388-14A-2000	NEW	01-03-089
388-06-0525	NEW	01-15-019	388-14-220	REP	01-03-089	388-14A-2005	NEW	01-03-089
388-06-0530	NEW-P	01-10-064	388-14-250	REP	01-03-089	388-14A-2010	NEW	01-03-089
388-06-0530	NEW	01-15-019	388-14-260	REP	01-03-089	388-14A-2015	NEW	01-03-089
388-06-0535	NEW-P	01-10-064	388-14-270	REP	01-03-089	388-14A-2020	NEW	01-03-089
388-06-0535	NEW	01-15-019	388-14-271	REP	01-03-089	388-14A-2025	NEW	01-03-089
388-06-0540	NEW-P	01-10-064	388-14-272	REP	01-03-089	388-14A-2030	NEW	01-03-089
388-06-0540	NEW	01-15-019	388-14-273	REP	01-03-089	388-14A-2035	NEW	01-03-089
388-11-011	REP	01-03-089	388-14-274	REP	01-03-089	388-14A-2036	NEW	01-03-089
388-11-015	REP	01-03-089	388-14-276	REP	01-03-089	388-14A-2037	NEW	01-03-089
388-11-045	REP	01-03-089	388-14-300	REP	01-03-089	388-14A-2038	NEW	01-03-089
388-11-048	REP	01-03-089	388-14-310	REP	01-03-089	388-14A-2040	NEW	01-03-089
388-11-065	REP	01-03-089	388-14-350	REP	01-03-089	388-14A-2041	NEW	01-03-089
388-11-067	REP	01-03-089	388-14-360	REP	01-03-089	388-14A-2045	NEW	01-03-089
388-11-100	REP	01-03-089	388-14-365	REP	01-03-089	388-14A-2050	NEW	01-03-089
388-11-120	REP	01-03-089	388-14-370	REP	01-03-089	388-14A-2060	NEW	01-03-089
388-11-135	REP	01-03-089	388-14-376	REP	01-03-089	388-14A-2065	NEW	01-03-089
388-11-140	REP	01-03-089	388-14-385	REP	01-03-089	388-14A-2065	PREP	01-13-049
388-11-143	REP	01-03-089	388-14-386	REP	01-03-089	388-14A-2070	NEW	01-03-089
388-11-145	REP	01-03-089	388-14-387	REP	01-03-089	388-14A-2075	NEW	01-03-089
388-11-150	REP	01-03-089	388-14-388	REP	01-03-089	388-14A-2080	NEW	01-03-089
388-11-155	REP	01-03-089	388-14-390	REP	01-03-089	388-14A-2085	NEW	01-03-089
388-11-170	REP	01-03-089	388-14-395	REP	01-03-089	388-14A-2090	NEW	01-03-089
388-11-180	REP	01-03-089	388-14-410	REP	01-03-089	388-14A-2095	NEW	01-03-089
388-11-205	REP	01-03-089	388-14-415	REP	01-03-089	388-14A-2097	NEW	01-03-089
388-11-210	REP	01-03-089	388-14-420	REP	01-03-089	388-14A-2099	NEW	01-03-089
388-11-215	REP	01-03-089	388-14-421	REP	01-03-089	388-14A-2105	NEW	01-03-089
388-11-220	REP	01-03-089	388-14-422	REP	01-03-089	388-14A-2105	PREP	01-09-027
388-11-280	REP	01-03-089	388-14-423	REP	01-03-089	388-14A-2110	NEW	01-03-089
388-11-300	REP	01-03-089	388-14-424	REP	01-03-089	388-14A-2110	PREP	01-09-027

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-2115	NEW	01-03-089	388- 14A-4505	NEW	01-03-089	388- 14A-8400	NEW	01-03-089
388- 14A-2115	PREP	01-09-027	388- 14A-4510	NEW	01-03-089	388- 14A-8500	NEW	01-03-089
388- 14A-2120	NEW	01-03-089	388- 14A-4515	NEW	01-03-089	388- 15-001	NEW-W	01-07-072
388- 14A-2120	PREP	01-09-027	388- 14A-4520	NEW	01-03-089	388- 15-005	NEW-W	01-07-072
388- 14A-2125	NEW	01-03-089	388- 14A-4525	NEW	01-03-089	388- 15-009	NEW-W	01-07-072
388- 14A-2125	PREP	01-09-027	388- 14A-4530	NEW	01-03-089	388- 15-013	NEW-W	01-07-072
388- 14A-2150	NEW	01-03-089	388- 14A-4600	NEW	01-03-089	388- 15-017	NEW-W	01-07-072
388- 14A-2155	NEW	01-03-089	388- 14A-4605	NEW	01-03-089	388- 15-021	NEW-W	01-07-072
388- 14A-2160	NEW	01-03-089	388- 14A-4605	PREP	01-13-047	388- 15-025	NEW-W	01-07-072
388- 14A-3131	PREP	01-13-048	388- 14A-4610	NEW	01-03-089	388- 15-029	NEW-W	01-07-072
388- 14A-3132	PREP	01-13-048	388- 14A-4615	NEW	01-03-089	388- 15-033	NEW-W	01-07-072
388- 14A-3275	NEW	01-03-089	388- 14A-4620	NEW	01-03-089	388- 15-037	NEW-W	01-07-072
388- 14A-3300	NEW	01-03-089	388- 14A-5000	NEW	01-03-089	388- 15-041	NEW-W	01-07-072
388- 14A-3304	NEW	01-03-089	388- 14A-5000	PREP	01-09-043	388- 15-045	NEW-W	01-07-072
388- 14A-3310	NEW	01-03-089	388- 14A-5001	NEW	01-03-089	388- 15-049	NEW-W	01-07-072
388- 14A-3315	NEW	01-03-089	388- 14A-5001	PREP	01-09-043	388- 15-053	NEW-W	01-07-072
388- 14A-3320	NEW	01-03-089	388- 14A-5002	NEW	01-03-089	388- 15-057	NEW-W	01-07-072
388- 14A-3350	NEW	01-03-089	388- 14A-5002	PREP	01-09-043	388- 15-061	NEW-W	01-07-072
388- 14A-3370	NEW	01-03-089	388- 14A-5003	NEW	01-03-089	388- 15-065	NEW-W	01-07-072
388- 14A-3375	NEW	01-03-089	388- 14A-5003	PREP	01-09-043	388- 15-069	NEW-W	01-07-072
388- 14A-3400	NEW	01-03-089	388- 14A-5004	NEW	01-03-089	388- 15-073	NEW-W	01-07-072
388- 14A-3500	NEW	01-03-089	388- 14A-5004	PREP	01-09-043	388- 15-077	NEW-W	01-07-072
388- 14A-3600	NEW	01-03-089	388- 14A-5005	NEW	01-03-089	388- 15-081	NEW-W	01-07-072
388- 14A-3600	PREP	01-09-042	388- 14A-5005	PREP	01-09-043	388- 15-085	NEW-W	01-07-072
388- 14A-3700	NEW	01-03-089	388- 14A-5006	NEW	01-03-089	388- 15-089	NEW-W	01-07-072
388- 14A-3800	NEW	01-03-089	388- 14A-5006	PREP	01-09-043	388- 15-093	NEW-W	01-07-072
388- 14A-3810	NEW	01-03-089	388- 14A-5007	NEW	01-03-089	388- 15-097	NEW-W	01-07-072
388- 14A-3900	NEW	01-03-089	388- 14A-5007	PREP	01-09-043	388- 15-101	NEW-W	01-07-072
388- 14A-3900	PREP	01-13-020	388- 14A-5008	NEW	01-03-089	388- 15-105	NEW-W	01-07-072
388- 14A-3901	NEW	01-03-089	388- 14A-5050	NEW	01-03-089	388- 15-109	NEW-W	01-07-072
388- 14A-3901	PREP	01-13-020	388- 14A-5100	NEW	01-03-089	388- 15-113	NEW-W	01-07-072
388- 14A-3902	NEW	01-03-089	388- 14A-5200	NEW	01-03-089	388- 15-117	NEW-W	01-07-072
388- 14A-3902	PREP	01-13-020	388- 14A-5300	NEW	01-03-089	388- 15-121	NEW-W	01-07-072
388- 14A-3903	NEW	01-03-089	388- 14A-5400	NEW	01-03-089	388- 15-125	NEW-W	01-07-072
388- 14A-3903	PREP	01-13-020	388- 14A-5500	NEW	01-03-089	388- 15-129	NEW-W	01-07-072
388- 14A-3904	NEW	01-03-089	388- 14A-5505	NEW	01-03-089	388- 15-130	REP-W	01-07-072
388- 14A-3904	PREP	01-13-020	388- 14A-5510	NEW	01-03-089	388- 15-131	REP-W	01-07-072
388- 14A-3905	NEW	01-03-089	388- 14A-5515	NEW	01-03-089	388- 15-132	REP-W	01-07-072
388- 14A-3905	PREP	01-13-020	388- 14A-5520	NEW	01-03-089	388- 15-133	NEW-W	01-07-072
388- 14A-3906	NEW	01-03-089	388- 14A-5525	NEW	01-03-089	388- 15-134	REP-W	01-07-072
388- 14A-3906	PREP	01-13-020	388- 14A-5530	NEW	01-03-089	388- 15-135	NEW-W	01-07-072
388- 14A-3907	NEW	01-03-089	388- 14A-5535	NEW	01-03-089	388- 15-141	NEW-W	01-07-072
388- 14A-3907	PREP	01-13-020	388- 14A-5540	NEW	01-03-089	388- 15-150	REP	01-08-047
388- 14A-3925	NEW	01-03-089	388- 14A-6000	NEW	01-03-089	388- 15-160	REP	01-08-047
388- 14A-3925	PREP	01-13-020	388- 14A-6100	NEW	01-03-089	388- 15-220	REP	01-08-047
388- 14A-4000	NEW	01-03-089	388- 14A-6150	PREP	01-13-048	388- 15-570	REP	01-08-047
388- 14A-4010	NEW	01-03-089	388- 14A-6200	NEW	01-03-089	388- 25-0005	NEW	01-08-047
388- 14A-4020	NEW	01-03-089	388- 14A-6200	PREP	01-09-041	388- 25-0010	NEW	01-08-047
388- 14A-4030	NEW	01-03-089	388- 14A-6300	NEW	01-03-089	388- 25-0015	NEW	01-08-047
388- 14A-4040	NEW	01-03-089	388- 14A-6400	NEW	01-03-089	388- 25-0020	NEW	01-08-047
388- 14A-4100	NEW	01-03-089	388- 14A-6405	NEW	01-03-089	388- 25-0025	NEW	01-08-047
388- 14A-4110	NEW	01-03-089	388- 14A-6410	NEW	01-03-089	388- 25-0030	NEW	01-08-047
388- 14A-4115	NEW	01-03-089	388- 14A-6415	NEW	01-03-089	388- 25-0035	NEW	01-08-047
388- 14A-4120	NEW	01-03-089	388- 14A-6500	NEW	01-03-089	388- 25-0040	NEW	01-08-047
388- 14A-4130	NEW	01-03-089	388- 14A-7100	NEW	01-03-089	388- 25-0045	NEW	01-08-047
388- 14A-4200	NEW	01-03-089	388- 14A-7200	NEW	01-03-089	388- 25-0050	NEW	01-08-047
388- 14A-4300	NEW	01-03-089	388- 14A-8100	NEW	01-03-089	388- 25-0055	NEW	01-08-047
388- 14A-4301	NEW	01-03-089	388- 14A-8105	NEW	01-03-089	388- 25-0060	NEW	01-08-047
388- 14A-4302	NEW	01-03-089	388- 14A-8110	NEW	01-03-089	388- 25-0065	NEW	01-08-047
388- 14A-4303	NEW	01-03-089	388- 14A-8120	NEW	01-03-089	388- 25-0070	NEW	01-08-047
388- 14A-4304	NEW	01-03-089	388- 14A-8200	NEW	01-03-089	388- 25-0075	NEW	01-08-047
388- 14A-4500	NEW	01-03-089	388- 14A-8300	NEW	01-03-089	388- 25-0080	NEW	01-08-047

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 25-0085	NEW	01-08-047	388- 25-0400	NEW	01-08-047	388- 27-0255	NEW	01-08-045
388- 25-0090	NEW	01-08-047	388- 25-0405	NEW	01-08-047	388- 27-0260	NEW	01-08-045
388- 25-0095	NEW	01-08-047	388- 25-0410	NEW	01-08-047	388- 27-0265	NEW	01-08-045
388- 25-0100	NEW	01-08-047	388- 25-0415	NEW	01-08-047	388- 27-0270	NEW	01-08-045
388- 25-0105	NEW	01-08-047	388- 25-0420	NEW	01-08-047	388- 27-0275	NEW	01-08-045
388- 25-0110	NEW	01-08-047	388- 25-0425	NEW	01-08-047	388- 27-0280	NEW	01-08-045
388- 25-0115	NEW	01-08-047	388- 25-0430	NEW	01-08-047	388- 27-0285	NEW	01-08-045
388- 25-0120	NEW	01-08-047	388- 25-0435	NEW	01-08-047	388- 27-0290	NEW	01-08-045
388- 25-0125	NEW	01-08-047	388- 25-0440	NEW	01-08-047	388- 27-0295	NEW	01-08-045
388- 25-0130	NEW	01-08-047	388- 25-0445	NEW	01-08-047	388- 27-0300	NEW	01-08-045
388- 25-0135	NEW	01-08-047	388- 25-0450	NEW	01-08-047	388- 27-0305	NEW	01-08-045
388- 25-0140	NEW	01-08-047	388- 25-0455	NEW	01-08-047	388- 27-0310	NEW	01-08-045
388- 25-0145	NEW	01-08-047	388- 25-0460	NEW	01-08-047	388- 27-0315	NEW	01-08-045
388- 25-0150	NEW	01-08-047	388- 27-0005	NEW	01-08-047	388- 27-0320	NEW	01-08-045
388- 25-0155	NEW	01-08-047	388- 27-0010	NEW	01-08-047	388- 27-0325	NEW	01-08-045
388- 25-0160	NEW	01-08-047	388- 27-0015	NEW	01-08-047	388- 27-0330	NEW	01-08-045
388- 25-0170	NEW	01-08-047	388- 27-0020	NEW	01-08-047	388- 27-0335	NEW	01-08-045
388- 25-0175	NEW	01-08-047	388- 27-0025	NEW	01-08-047	388- 27-0340	NEW	01-08-045
388- 25-0180	NEW	01-08-047	388- 27-0030	NEW	01-08-047	388- 27-0345	NEW	01-08-045
388- 25-0185	NEW	01-08-047	388- 27-0035	NEW	01-08-047	388- 27-0350	NEW	01-08-045
388- 25-0190	NEW	01-08-047	388- 27-0040	NEW	01-08-047	388- 27-0355	NEW	01-08-045
388- 25-0195	NEW	01-08-047	388- 27-0045	NEW	01-08-047	388- 27-0360	NEW	01-08-045
388- 25-0200	NEW	01-08-047	388- 27-0050	NEW	01-08-047	388- 27-0365	NEW	01-08-045
388- 25-0205	NEW	01-08-047	388- 27-0055	NEW	01-08-047	388- 27-0370	NEW	01-08-045
388- 25-0210	NEW	01-08-047	388- 27-0060	NEW	01-08-047	388- 27-0375	NEW	01-08-045
388- 25-0215	NEW	01-08-047	388- 27-0065	NEW	01-08-047	388- 27-0380	NEW	01-08-045
388- 25-0220	NEW	01-08-047	388- 27-0070	NEW	01-08-047	388- 27-0385	NEW	01-08-045
388- 25-0225	NEW	01-08-047	388- 27-0075	NEW	01-08-047	388- 27-0390	NEW	01-08-045
388- 25-0230	NEW	01-08-047	388- 27-0080	NEW	01-08-047	388- 31-010	REP-P	01-04-070
388- 25-0235	NEW	01-08-047	388- 27-0085	NEW	01-08-047	388- 31-010	REP	01-09-023
388- 25-0240	NEW	01-08-047	388- 27-0090	NEW	01-08-047	388- 31-015	REP-P	01-04-070
388- 25-0245	NEW	01-08-047	388- 27-0100	NEW	01-08-047	388- 31-015	REP	01-09-023
388- 25-0250	NEW	01-08-047	388- 27-0105	NEW	01-08-047	388- 31-020	REP-P	01-04-070
388- 25-0255	NEW	01-08-047	388- 27-0110	NEW	01-08-047	388- 31-020	REP	01-09-023
388- 25-0260	NEW	01-08-047	388- 27-0115	NEW	01-08-047	388- 31-025	REP-P	01-04-070
388- 25-0265	NEW	01-08-047	388- 27-0120	NEW	01-08-045	388- 31-025	REP	01-09-023
388- 25-0270	NEW	01-08-047	388- 27-0125	NEW	01-08-045	388- 31-030	REP-P	01-04-070
388- 25-0275	NEW	01-08-047	388- 27-0130	NEW	01-08-045	388- 31-030	REP	01-09-023
388- 25-0280	NEW	01-08-047	388- 27-0135	NEW	01-08-045	388- 31-035	REP-P	01-04-070
388- 25-0285	NEW	01-08-047	388- 27-0140	NEW	01-08-045	388- 31-035	REP	01-09-023
388- 25-0290	NEW	01-08-047	388- 27-0145	NEW	01-08-045	388- 32-0005	NEW	01-08-047
388- 25-0295	NEW	01-08-047	388- 27-0150	NEW	01-08-045	388- 32-0010	NEW	01-08-047
388- 25-0300	NEW	01-08-047	388- 27-0155	NEW	01-08-045	388- 32-0015	NEW	01-08-047
388- 25-0305	NEW	01-08-047	388- 27-0160	NEW	01-08-045	388- 32-0020	NEW	01-08-047
388- 25-0310	NEW	01-08-047	388- 27-0165	NEW	01-08-045	388- 32-0025	NEW	01-08-047
388- 25-0315	NEW	01-08-047	388- 27-0170	NEW	01-08-045	388- 32-0030	NEW	01-08-047
388- 25-0320	NEW	01-08-047	388- 27-0175	NEW	01-08-045	388- 39A-010	NEW	01-06-041
388- 25-0325	NEW	01-08-047	388- 27-0180	NEW	01-08-045	388- 39A-030	NEW	01-06-041
388- 25-0330	NEW	01-08-047	388- 27-0185	NEW	01-08-045	388- 39A-035	NEW	01-06-041
388- 25-0335	NEW	01-08-047	388- 27-0190	NEW	01-08-045	388- 39A-040	NEW	01-06-041
388- 25-0340	NEW	01-08-047	388- 27-0195	NEW	01-08-045	388- 39A-045	NEW	01-06-041
388- 25-0345	NEW	01-08-047	388- 27-0200	NEW	01-08-045	388- 39A-050	NEW	01-06-041
388- 25-0350	NEW	01-08-047	388- 27-0205	NEW	01-08-045	388- 39A-055	NEW	01-06-041
388- 25-0355	NEW	01-08-047	388- 27-0210	NEW	01-08-045	388- 39A-060	NEW	01-06-041
388- 25-0360	NEW	01-08-047	388- 27-0215	NEW	01-08-045	388- 46-010	REP	01-06-044
388- 25-0365	NEW	01-08-047	388- 27-0220	NEW	01-08-045	388- 46-100	REP	01-06-044
388- 25-0370	NEW	01-08-047	388- 27-0225	NEW	01-08-045	388- 46-110	REP	01-06-044
388- 25-0375	NEW	01-08-047	388- 27-0230	NEW	01-08-045	388- 46-120	REP	01-06-044
388- 25-0380	NEW	01-08-047	388- 27-0235	NEW	01-08-045	388- 60-0015	NEW	01-08-046
388- 25-0385	NEW	01-08-047	388- 27-0240	NEW	01-08-045	388- 60-0025	NEW	01-08-046
388- 25-0390	NEW	01-08-047	388- 27-0245	NEW	01-08-045	388- 60-0035	NEW	01-08-046
388- 25-0395	NEW	01-08-047	388- 27-0250	NEW	01-08-045	388- 60-0045	NEW	01-08-046

TABLE



Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-71-0545	REP-P	01-07-045	388-73-018	REP	01-18-037	388-73-056	REP-P	01-12-101
388-71-0545	REP	01-11-019	388-73-019	REP-W	01-08-064	388-73-056	REP	01-18-037
388-71-0546	NEW-P	01-07-045	388-73-019	REP-P	01-12-101	388-73-057	REP-W	01-08-064
388-71-0546	NEW	01-11-019	388-73-019	REP	01-18-037	388-73-057	REP-P	01-12-101
388-71-0550	REP-P	01-07-045	388-73-01950	REP-W	01-08-064	388-73-057	REP	01-18-037
388-71-0550	REP	01-11-019	388-73-01950	REP-P	01-12-101	388-73-058	REP-W	01-08-064
388-71-0551	NEW-P	01-07-045	388-73-01950	REP	01-18-037	388-73-058	REP-P	01-12-101
388-71-0551	NEW	01-11-019	388-73-020	REP-W	01-08-064	388-73-058	REP	01-18-037
388-71-0555	REP-P	01-07-045	388-73-020	REP-P	01-12-101	388-73-060	REP-W	01-08-064
388-71-0555	REP	01-11-019	388-73-020	REP	01-18-037	388-73-060	REP-P	01-12-101
388-71-0556	NEW-P	01-07-045	388-73-022	REP-W	01-08-064	388-73-060	REP	01-18-037
388-71-0556	NEW	01-11-019	388-73-022	REP-P	01-12-101	388-73-062	REP-W	01-08-064
388-71-0560	AMD-P	01-07-045	388-73-022	REP	01-18-037	388-73-062	REP-P	01-12-101
388-71-0560	AMD	01-11-019	388-73-024	REP-W	01-08-064	388-73-062	REP	01-18-037
388-71-0580	AMD-P	01-07-045	388-73-024	REP-P	01-12-101	388-73-064	REP-W	01-08-064
388-71-0580	AMD	01-11-019	388-73-024	REP	01-18-037	388-73-064	REP-P	01-12-101
388-71-0605	AMD-P	01-03-155	388-73-026	REP-W	01-08-064	388-73-064	REP	01-18-037
388-71-0605	AMD	01-14-055	388-73-026	REP-P	01-12-101	388-73-066	REP-W	01-08-064
388-71-0613	NEW-P	01-03-155	388-73-026	REP	01-18-037	388-73-066	REP-P	01-12-101
388-71-0613	NEW	01-14-055	388-73-028	REP-W	01-08-064	388-73-066	REP	01-18-037
388-71-0900	NEW-P	01-07-044	388-73-028	REP-P	01-12-101	388-73-068	REP-W	01-08-064
388-71-0900	NEW	01-11-018	388-73-028	REP	01-18-037	388-73-068	REP-P	01-12-101
388-71-0905	NEW-P	01-07-044	388-73-030	REP-W	01-08-064	388-73-068	REP	01-18-037
388-71-0905	NEW	01-11-018	388-73-030	REP-P	01-12-101	388-73-069	REP-W	01-08-064
388-71-0910	NEW-P	01-07-044	388-73-030	REP	01-18-037	388-73-069	REP-P	01-12-101
388-71-0910	NEW	01-11-018	388-73-032	REP-W	01-08-064	388-73-069	REP	01-18-037
388-71-0915	NEW-P	01-07-044	388-73-032	REP-P	01-12-101	388-73-070	REP-W	01-08-064
388-71-0915	NEW	01-11-018	388-73-032	REP	01-18-037	388-73-070	REP-P	01-12-101
388-71-0920	NEW-P	01-07-044	388-73-034	REP-W	01-08-064	388-73-070	REP	01-18-037
388-71-0920	NEW	01-11-018	388-73-034	REP-P	01-12-101	388-73-072	REP-W	01-08-064
388-71-0925	NEW-P	01-07-044	388-73-034	REP	01-18-037	388-73-072	REP-P	01-12-101
388-71-0925	NEW	01-11-018	388-73-036	REP-W	01-08-064	388-73-072	REP	01-18-037
388-71-0930	NEW-P	01-07-044	388-73-036	REP-P	01-12-101	388-73-074	REP-W	01-08-064
388-71-0930	NEW	01-11-018	388-73-036	REP	01-18-037	388-73-074	REP-P	01-12-101
388-71-0935	NEW-P	01-07-044	388-73-038	REP-W	01-08-064	388-73-074	REP	01-18-037
388-71-0935	NEW	01-11-018	388-73-038	REP-P	01-12-101	388-73-076	REP-W	01-08-064
388-71-0940	NEW-P	01-07-044	388-73-038	REP	01-18-037	388-73-076	REP-P	01-12-101
388-71-0940	NEW	01-11-018	388-73-040	REP-W	01-08-064	388-73-076	REP	01-18-037
388-71-0945	NEW-P	01-07-044	388-73-040	REP-P	01-12-101	388-73-077	REP-W	01-08-064
388-71-0945	NEW	01-11-018	388-73-040	REP	01-18-037	388-73-077	REP-P	01-12-101
388-71-0950	NEW-P	01-07-044	388-73-042	REP-W	01-08-064	388-73-077	REP	01-18-037
388-71-0950	NEW	01-11-018	388-73-042	REP-P	01-12-101	388-73-078	REP-W	01-08-064
388-71-0955	NEW-P	01-07-044	388-73-042	REP	01-18-037	388-73-078	REP-P	01-12-101
388-71-0955	NEW	01-11-018	388-73-044	REP-W	01-08-064	388-73-078	REP	01-18-037
388-71-0960	NEW-P	01-07-044	388-73-044	REP-P	01-12-101	388-73-080	REP-W	01-08-064
388-71-0960	NEW	01-11-018	388-73-044	REP	01-18-037	388-73-080	REP-P	01-12-101
388-71-0965	NEW-P	01-07-044	388-73-046	REP-W	01-08-064	388-73-080	REP	01-18-037
388-71-0965	NEW	01-11-018	388-73-046	REP-P	01-12-101	388-73-100	REP-W	01-08-064
388-73-010	REP-W	01-08-064	388-73-046	REP	01-18-037	388-73-100	REP-P	01-12-101
388-73-010	REP-P	01-12-101	388-73-048	REP-W	01-08-064	388-73-100	REP	01-18-037
388-73-010	REP	01-18-037	388-73-048	REP-P	01-12-101	388-73-101	REP-W	01-08-064
388-73-012	REP-W	01-08-064	388-73-048	REP	01-18-037	388-73-101	REP-P	01-12-101
388-73-012	REP-P	01-12-101	388-73-050	REP-W	01-08-064	388-73-101	REP	01-18-037
388-73-012	REP	01-18-037	388-73-050	REP-P	01-12-101	388-73-102	REP-W	01-08-064
388-73-014	REP-W	01-08-064	388-73-050	REP	01-18-037	388-73-102	REP-P	01-12-101
388-73-014	REP-P	01-12-101	388-73-052	REP-W	01-08-064	388-73-102	REP	01-18-037
388-73-014	REP	01-18-037	388-73-052	REP-P	01-12-101	388-73-103	REP-W	01-08-064
388-73-016	REP-W	01-08-064	388-73-052	REP	01-18-037	388-73-103	REP-P	01-12-101
388-73-016	REP-P	01-12-101	388-73-054	REP-W	01-08-064	388-73-103	REP	01-18-037
388-73-016	REP	01-18-037	388-73-054	REP-P	01-12-101	388-73-104	REP-W	01-08-064
388-73-018	REP-W	01-08-064	388-73-054	REP	01-18-037	388-73-104	REP-P	01-12-101
388-73-018	REP-P	01-12-101	388-73-056	REP-W	01-08-064	388-73-104	REP	01-18-037

TABLE



Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-73-502	REP-W	01-08-064	388-73-720	REP	01-18-037	388-87-036	REP	01-03-084
388-73-502	REP-P	01-12-101	388-73-722	REP-W	01-08-064	388-87-060	REP	01-06-033
388-73-502	REP	01-18-037	388-73-722	REP-P	01-12-101	388-96	PREP	01-16-136
388-73-504	REP-W	01-08-064	388-73-722	REP	01-18-037	388-96-010	AMD-P	01-06-057
388-73-504	REP-P	01-12-101	388-73-800	REP-W	01-08-064	388-96-010	AMD	01-12-037
388-73-504	REP	01-18-037	388-73-800	REP-P	01-12-101	388-96-218	AMD-P	01-06-057
388-73-506	REP-W	01-08-064	388-73-800	REP	01-18-037	388-96-218	AMD	01-12-037
388-73-506	REP-P	01-12-101	388-73-802	REP-W	01-08-064	388-96-310	AMD-P	01-06-057
388-73-506	REP	01-18-037	388-73-802	REP-P	01-12-101	388-96-310	AMD-W	01-12-036
388-73-508	REP-W	01-08-064	388-73-802	REP	01-18-037	388-96-369	AMD-P	01-06-057
388-73-508	REP-P	01-12-101	388-73-803	REP-W	01-08-064	388-96-369	AMD	01-12-037
388-73-508	REP	01-18-037	388-73-803	REP-P	01-12-101	388-96-384	AMD-P	01-06-057
388-73-510	REP-W	01-08-064	388-73-803	REP	01-18-037	388-96-384	AMD	01-12-037
388-73-510	REP-P	01-12-101	388-73-804	REP-W	01-08-064	388-96-559	AMD-P	01-06-057
388-73-510	REP	01-18-037	388-73-804	REP-P	01-12-101	388-96-559	AMD	01-12-037
388-73-512	REP-W	01-08-064	388-73-804	REP	01-18-037	388-96-708	AMD-P	01-06-057
388-73-512	REP-P	01-12-101	388-73-804	REP-W	01-08-064	388-96-708	AMD	01-12-037
388-73-512	REP	01-18-037	388-73-805	REP-P	01-12-101	388-96-708	AMD-P	01-06-057
388-73-600	REP-W	01-08-064	388-73-805	REP	01-18-037	388-96-709	AMD-P	01-06-057
388-73-600	REP-P	01-12-101	388-73-805	REP-W	01-08-064	388-96-709	AMD	01-12-037
388-73-600	REP	01-18-037	388-73-810	REP-P	01-12-101	388-96-710	AMD-P	01-06-057
388-73-602	REP-W	01-08-064	388-73-810	REP	01-18-037	388-96-710	AMD	01-12-037
388-73-602	REP-P	01-12-101	388-73-810	REP-W	01-08-064	388-96-713	AMD-P	01-06-057
388-73-602	REP	01-18-037	388-73-815	REP-P	01-12-101	388-96-713	AMD	01-12-037
388-73-604	REP-W	01-08-064	388-73-815	REP	01-18-037	388-96-714	AMD-P	01-06-057
388-73-604	REP-P	01-12-101	388-73-815	REP-W	01-08-064	388-96-714	AMD	01-12-037
388-73-604	REP	01-18-037	388-73-820	REP-P	01-12-101	388-96-714	AMD	01-12-037
388-73-606	REP-W	01-08-064	388-73-820	REP	01-18-037	388-96-723	AMD-P	01-06-057
388-73-606	REP-P	01-12-101	388-73-820	REP-W	01-08-064	388-96-723	AMD	01-12-037
388-73-606	REP	01-18-037	388-73-821	REP-P	01-12-101	388-96-732	NEW-P	01-06-057
388-73-610	REP-W	01-08-064	388-73-821	REP	01-18-037	388-96-732	NEW	01-12-037
388-73-610	REP-P	01-12-101	388-73-821	REP-W	01-08-064	388-96-740	AMD-P	01-06-057
388-73-610	REP	01-18-037	388-73-822	REP-P	01-12-101	388-96-740	AMD	01-12-037
388-73-700	REP-W	01-08-064	388-73-822	REP	01-18-037	388-96-740	AMD	01-12-037
388-73-700	REP-P	01-12-101	388-73-822	REP-W	01-08-064	388-96-776	AMD-P	01-06-057
388-73-700	REP	01-18-037	388-73-823	REP-P	01-12-101	388-96-776	AMD	01-12-037
388-73-702	REP-W	01-08-064	388-73-823	REP	01-18-037	388-96-777	AMD-P	01-06-057
388-73-702	REP-P	01-12-101	388-73-823	REP-W	01-08-064	388-96-777	AMD	01-12-037
388-73-702	REP	01-18-037	388-73-823	REP-P	01-12-101	388-96-780	AMD-P	01-06-057
388-73-704	REP-W	01-08-064	388-73-823	REP	01-18-037	388-96-780	AMD	01-12-037
388-73-704	REP-P	01-12-101	388-73-825	REP-W	01-08-064	388-96-802	NEW-P	01-06-057
388-73-704	REP	01-18-037	388-73-825	REP	01-18-037	388-96-802	NEW	01-12-037
388-73-706	REP-W	01-08-064	388-73-825	REP-W	01-08-064	388-96-803	NEW-P	01-06-057
388-73-706	REP-P	01-12-101	388-73-900	REP-P	01-12-101	388-96-803	NEW	01-12-037
388-73-706	REP	01-18-037	388-73-900	REP	01-18-037	388-96-901	AMD-P	01-06-057
388-73-708	REP-W	01-08-064	388-73-901	REP-W	01-08-064	388-96-901	AMD	01-12-037
388-73-708	REP-P	01-12-101	388-73-901	REP-P	01-12-101	388-105-0005	NEW-P	01-10-103
388-73-708	REP	01-18-037	388-73-901	REP	01-18-037	388-105-0005	NEW	01-14-056
388-73-710	REP-W	01-08-064	388-73-902	REP-W	01-08-064	388-105-0005	AMD-P	01-18-033
388-73-710	REP-P	01-12-101	388-73-902	REP-P	01-12-101	388-105-0010	NEW-P	01-10-103
388-73-710	REP	01-18-037	388-73-902	REP	01-18-037	388-105-0010	NEW	01-14-056
388-73-712	REP-W	01-08-064	388-73-904	REP-W	01-08-064	388-105-0015	NEW-P	01-10-103
388-73-712	REP-P	01-12-101	388-73-904	REP-P	01-12-101	388-105-0015	NEW	01-14-056
388-73-712	REP	01-18-037	388-74-010	REP	01-18-037	388-105-0020	NEW-P	01-10-103
388-73-714	REP-W	01-08-064	388-74-030	REP	01-06-041	388-105-0020	NEW	01-14-056
388-73-714	REP-P	01-12-101	388-76-765	PREP	01-18-053	388-105-0025	NEW-P	01-10-103
388-73-714	REP	01-18-037	388-86-071	REP	01-05-040	388-105-0025	NEW	01-14-056
388-73-718	REP-W	01-08-064	388-86-085	REP	01-06-029	388-146-0010	NEW-W	01-07-071
388-73-718	REP-P	01-12-101	388-86-086	REP	01-03-084	388-146-0020	NEW-W	01-07-071
388-73-718	REP	01-18-037	388-86-100	REP	01-03-001	388-146-0030	NEW-W	01-07-071
388-73-720	REP-W	01-08-064	388-86-100	REP-W	01-06-028	388-146-0040	NEW-W	01-07-071
388-73-720	REP-P	01-12-101	388-87-027	REP	01-06-032	388-146-0045	NEW-W	01-07-071
			388-87-035	REP	01-06-029	388-146-0050	NEW-W	01-07-071
						388-146-0060	NEW-W	01-07-071
						388-146-0070	NEW-W	01-07-071

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-148-0910	NEW	01-18-037	388-148-1015	NEW-P	01-12-101	388-148-1120	NEW-W	01-08-064
388-148-0915	NEW-W	01-08-064	388-148-1015	NEW	01-18-037	388-148-1120	NEW-P	01-12-101
388-148-0915	NEW-P	01-12-101	388-148-1020	NEW-W	01-08-064	388-148-1120	NEW	01-18-037
388-148-0915	NEW	01-18-037	388-148-1020	NEW-P	01-12-101	388-148-1125	NEW-W	01-08-064
388-148-0920	NEW-W	01-08-064	388-148-1020	NEW	01-18-037	388-148-1125	NEW-P	01-12-101
388-148-0920	NEW-P	01-12-101	388-148-1025	NEW-W	01-08-064	388-148-1125	NEW	01-18-037
388-148-0920	NEW	01-18-037	388-148-1025	NEW-P	01-12-101	388-148-1130	NEW-W	01-08-064
388-148-0925	NEW-W	01-08-064	388-148-1025	NEW	01-18-037	388-148-1130	NEW-P	01-12-101
388-148-0925	NEW-P	01-12-101	388-148-1030	NEW-W	01-08-064	388-148-1130	NEW	01-18-037
388-148-0925	NEW	01-18-037	388-148-1030	NEW-P	01-12-101	388-148-1135	NEW-W	01-08-064
388-148-0930	NEW-W	01-08-064	388-148-1030	NEW	01-18-037	388-148-1135	NEW-P	01-12-101
388-148-0930	NEW-P	01-12-101	388-148-1035	NEW-W	01-08-064	388-148-1135	NEW	01-18-037
388-148-0930	NEW	01-18-037	388-148-1035	NEW-P	01-12-101	388-148-1140	NEW-W	01-08-064
388-148-0935	NEW-W	01-08-064	388-148-1035	NEW	01-18-037	388-148-1145	NEW-W	01-08-064
388-148-0935	NEW-P	01-12-101	388-148-1040	NEW-W	01-08-064	388-155-040	AMD-P	01-07-052
388-148-0935	NEW	01-18-037	388-148-1040	NEW-P	01-12-101	388-155-040	AMD	01-17-084
388-148-0940	NEW-W	01-08-064	388-148-1040	NEW	01-18-037	388-155-050	AMD-P	01-07-052
388-148-0940	NEW-P	01-12-101	388-148-1045	NEW-W	01-08-064	388-155-050	AMD	01-17-084
388-148-0940	NEW	01-18-037	388-148-1045	NEW-P	01-12-101	388-155-060	AMD-P	01-07-052
388-148-0945	NEW-W	01-08-064	388-148-1045	NEW	01-18-037	388-155-060	AMD	01-17-084
388-148-0945	NEW-P	01-12-101	388-148-1050	NEW-W	01-08-064	388-155-080	AMD-P	01-07-052
388-148-0945	NEW	01-18-037	388-148-1050	NEW-P	01-12-101	388-155-080	AMD	01-17-084
388-148-0950	NEW-W	01-08-064	388-148-1050	NEW	01-18-037	388-155-085	AMD-P	01-07-052
388-148-0950	NEW-P	01-12-101	388-148-1055	NEW-W	01-08-064	388-155-085	AMD	01-17-084
388-148-0950	NEW	01-18-037	388-148-1055	NEW-P	01-12-101	388-155-090	AMD-P	01-07-052
388-148-0955	NEW-W	01-08-064	388-148-1055	NEW	01-18-037	388-155-090	AMD	01-17-084
388-148-0955	NEW-P	01-12-101	388-148-1060	NEW-W	01-08-064	388-155-092	AMD-P	01-07-052
388-148-0955	NEW	01-18-037	388-148-1060	NEW-P	01-12-101	388-155-092	AMD	01-17-084
388-148-0960	NEW-W	01-08-064	388-148-1060	NEW	01-18-037	388-155-093	AMD-P	01-07-052
388-148-0960	NEW-P	01-12-101	388-148-1065	NEW-W	01-08-064	388-155-093	AMD	01-17-084
388-148-0960	NEW	01-18-037	388-148-1065	NEW-P	01-12-101	388-155-094	AMD-P	01-07-052
388-148-0965	NEW-W	01-08-064	388-148-1065	NEW	01-18-037	388-155-094	AMD	01-17-084
388-148-0965	NEW-P	01-12-101	388-148-1070	NEW-W	01-08-064	388-155-095	AMD-P	01-07-052
388-148-0965	NEW	01-18-037	388-148-1070	NEW-P	01-12-101	388-155-095	AMD	01-17-084
388-148-0970	NEW-W	01-08-064	388-148-1070	NEW	01-18-037	388-155-160	AMD-P	01-07-052
388-148-0970	NEW-P	01-12-101	388-148-1075	NEW-W	01-08-064	388-155-160	AMD	01-17-084
388-148-0970	NEW	01-18-037	388-148-1075	NEW-P	01-12-101	388-155-190	AMD-P	01-07-052
388-148-0975	NEW-W	01-08-064	388-148-1075	NEW	01-18-037	388-155-190	AMD	01-17-084
388-148-0975	NEW-P	01-12-101	388-148-1080	NEW-W	01-08-064	388-155-270	AMD-P	01-07-052
388-148-0975	NEW	01-18-037	388-148-1080	NEW-P	01-12-101	388-155-270	AMD	01-17-084
388-148-0980	NEW-W	01-08-064	388-148-1080	NEW	01-18-037	388-155-330	AMD-P	01-07-052
388-148-0980	NEW-P	01-12-101	388-148-1085	NEW-W	01-08-064	388-155-330	AMD	01-17-084
388-148-0980	NEW	01-18-037	388-148-1085	NEW-P	01-12-101	388-155-370	AMD-P	01-07-052
388-148-0985	NEW-W	01-08-064	388-148-1085	NEW	01-18-037	388-155-370	AMD	01-17-084
388-148-0985	NEW-P	01-12-101	388-148-1090	NEW-W	01-08-064	388-155-380	AMD-P	01-07-052
388-148-0985	NEW	01-18-037	388-148-1090	NEW-P	01-12-101	388-155-380	AMD	01-17-084
388-148-0990	NEW-W	01-08-064	388-148-1090	NEW	01-18-037	388-155-420	AMD-P	01-07-052
388-148-0990	NEW-P	01-12-101	388-148-1095	NEW-W	01-08-064	388-155-420	AMD	01-17-084
388-148-0990	NEW	01-18-037	388-148-1095	NEW-P	01-12-101	388-155-480	AMD-P	01-07-052
388-148-0995	NEW-W	01-08-064	388-148-1095	NEW	01-18-037	388-155-480	AMD	01-17-084
388-148-0995	NEW-P	01-12-101	388-148-1100	NEW-W	01-08-064	388-155-605	AMD-P	01-07-052
388-148-0995	NEW	01-18-037	388-148-1100	NEW-P	01-12-101	388-155-605	AMD	01-17-084
388-148-1000	NEW-W	01-08-064	388-148-1100	NEW	01-18-037	388-155-610	AMD-P	01-07-052
388-148-1000	NEW-P	01-12-101	388-148-1105	NEW-W	01-08-064	388-155-610	AMD	01-17-084
388-148-1000	NEW	01-18-037	388-148-1105	NEW-P	01-12-101	388-155-620	AMD-P	01-07-052
388-148-1005	NEW-W	01-08-064	388-148-1105	NEW	01-18-037	388-155-620	AMD	01-17-084
388-148-1005	NEW-P	01-12-101	388-148-1110	NEW-W	01-08-064	388-155-630	AMD-P	01-07-052
388-148-1005	NEW	01-18-037	388-148-1110	NEW-P	01-12-101	388-155-630	AMD	01-17-084
388-148-1010	NEW-W	01-08-064	388-148-1110	NEW	01-18-037	388-155-640	AMD-P	01-07-052
388-148-1010	NEW-P	01-12-101	388-148-1115	NEW-W	01-08-064	388-155-640	AMD	01-17-084
388-148-1010	NEW	01-18-037	388-148-1115	NEW-P	01-12-101	388-155-650	AMD-P	01-07-052
388-148-1015	NEW-W	01-08-064	388-148-1115	NEW	01-18-037	388-155-650	AMD	01-17-084

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-160-0555	NEW-W	01-07-070	388-160-150	REP-P	01-10-063	388-160-370	REP-W	01-07-070
388-160-0555	NEW-P	01-10-063	388-160-150	REP	01-15-001	388-160-370	REP-P	01-10-063
388-160-0555	NEW	01-15-001	388-160-160	REP-W	01-07-070	388-160-370	REP	01-15-001
388-160-0565	NEW-W	01-07-070	388-160-160	REP-P	01-10-063	388-160-380	REP-W	01-07-070
388-160-0565	NEW-P	01-10-063	388-160-160	REP	01-15-001	388-160-380	REP-P	01-10-063
388-160-0565	NEW	01-15-001	388-160-170	REP-W	01-07-070	388-160-380	REP	01-15-001
388-160-0575	NEW-W	01-07-070	388-160-170	REP-P	01-10-063	388-160-390	REP-W	01-07-070
388-160-0575	NEW-P	01-10-063	388-160-170	REP	01-15-001	388-160-390	REP-P	01-10-063
388-160-0575	NEW	01-15-001	388-160-180	REP-W	01-07-070	388-160-390	REP	01-15-001
388-160-0585	NEW-W	01-07-070	388-160-180	REP-P	01-10-063	388-160-400	REP-W	01-07-070
388-160-0585	NEW-P	01-10-063	388-160-180	REP	01-15-001	388-160-400	REP-P	01-10-063
388-160-0585	NEW	01-15-001	388-160-190	REP-W	01-07-070	388-160-400	REP	01-15-001
388-160-0595	NEW-W	01-07-070	388-160-190	REP-P	01-10-063	388-160-410	REP-W	01-07-070
388-160-0595	NEW-P	01-10-063	388-160-190	REP	01-15-001	388-160-410	REP-P	01-10-063
388-160-0595	NEW	01-15-001	388-160-200	REP-W	01-07-070	388-160-410	REP	01-15-001
388-160-060	REP-W	01-07-070	388-160-200	REP-P	01-10-063	388-160-420	REP-W	01-07-070
388-160-060	REP-P	01-10-063	388-160-200	REP	01-15-001	388-160-420	REP-P	01-10-063
388-160-060	REP	01-15-001	388-160-210	REP-W	01-07-070	388-160-420	REP	01-15-001
388-160-0605	NEW-W	01-07-070	388-160-210	REP-P	01-10-063	388-160-430	REP-W	01-07-070
388-160-0605	NEW-P	01-10-063	388-160-210	REP	01-15-001	388-160-430	REP-P	01-10-063
388-160-0605	NEW	01-15-001	388-160-220	REP-W	01-07-070	388-160-430	REP	01-15-001
388-160-0615	NEW-W	01-07-070	388-160-220	REP-P	01-10-063	388-160-440	REP-W	01-07-070
388-160-0615	NEW-P	01-10-063	388-160-220	REP	01-15-001	388-160-440	REP-P	01-10-063
388-160-0615	NEW	01-15-001	388-160-230	REP-W	01-07-070	388-160-440	REP	01-15-001
388-160-0625	NEW-W	01-07-070	388-160-230	REP-P	01-10-063	388-160-460	REP-W	01-07-070
388-160-0625	NEW-P	01-10-063	388-160-230	REP	01-15-001	388-160-460	REP-P	01-10-063
388-160-0625	NEW	01-15-001	388-160-240	REP-W	01-07-070	388-160-460	REP	01-15-001
388-160-0635	NEW-W	01-07-070	388-160-240	REP-P	01-10-063	388-160-470	REP-W	01-07-070
388-160-0635	NEW-P	01-10-063	388-160-240	REP	01-15-001	388-160-470	REP-P	01-10-063
388-160-0635	NEW	01-15-001	388-160-250	REP-W	01-07-070	388-160-470	REP	01-15-001
388-160-0645	NEW-W	01-07-070	388-160-250	REP-P	01-10-063	388-160-480	REP-W	01-07-070
388-160-0645	NEW-P	01-10-063	388-160-250	REP	01-15-001	388-160-480	REP-P	01-10-063
388-160-0645	NEW	01-15-001	388-160-260	REP-W	01-07-070	388-160-480	REP	01-15-001
388-160-0655	NEW-P	01-10-063	388-160-260	REP-P	01-10-063	388-160-490	REP-W	01-07-070
388-160-0655	NEW	01-15-001	388-160-260	REP	01-15-001	388-160-490	REP-P	01-10-063
388-160-0665	NEW-P	01-10-063	388-160-270	REP-W	01-07-070	388-160-490	REP	01-15-001
388-160-0665	NEW	01-15-001	388-160-270	REP-P	01-10-063	388-160-500	REP-W	01-07-070
388-160-070	REP-W	01-07-070	388-160-270	REP	01-15-001	388-160-500	REP-P	01-10-063
388-160-070	REP-P	01-10-063	388-160-280	REP-W	01-07-070	388-160-500	REP	01-15-001
388-160-070	REP	01-15-001	388-160-280	REP-P	01-10-063	388-160-510	REP-W	01-07-070
388-160-080	REP-W	01-07-070	388-160-280	REP	01-15-001	388-160-510	REP-P	01-10-063
388-160-080	REP-P	01-10-063	388-160-290	REP-W	01-07-070	388-160-510	REP	01-15-001
388-160-080	REP	01-15-001	388-160-290	REP-P	01-10-063	388-160-520	REP-W	01-07-070
388-160-090	REP-W	01-07-070	388-160-290	REP	01-15-001	388-160-520	REP-P	01-10-063
388-160-090	REP-P	01-10-063	388-160-300	REP-W	01-07-070	388-160-520	REP	01-15-001
388-160-090	REP	01-15-001	388-160-300	REP-P	01-10-063	388-160-530	REP-W	01-07-070
388-160-100	REP-W	01-07-070	388-160-300	REP	01-15-001	388-160-530	REP-P	01-10-063
388-160-100	REP-P	01-10-063	388-160-310	REP-W	01-07-070	388-160-530	REP	01-15-001
388-160-100	REP	01-15-001	388-160-310	REP-P	01-10-063	388-160-540	REP-W	01-07-070
388-160-110	REP-W	01-07-070	388-160-310	REP	01-15-001	388-160-540	REP-P	01-10-063
388-160-110	REP-P	01-10-063	388-160-320	REP-W	01-07-070	388-160-540	REP	01-15-001
388-160-110	REP	01-15-001	388-160-320	REP-P	01-10-063	388-160-550	REP-W	01-07-070
388-160-120	REP-W	01-07-070	388-160-320	REP	01-15-001	388-160-550	REP-P	01-10-063
388-160-120	REP-P	01-10-063	388-160-340	REP-W	01-07-070	388-160-550	REP	01-15-001
388-160-120	REP	01-15-001	388-160-340	REP-P	01-10-063	388-160-560	REP-W	01-07-070
388-160-130	REP-W	01-07-070	388-160-340	REP	01-15-001	388-160-560	REP-P	01-10-063
388-160-130	REP-P	01-10-063	388-160-350	REP-W	01-07-070	388-160-560	REP	01-15-001
388-160-130	REP	01-15-001	388-160-350	REP-P	01-10-063	388-200-1050	REP-P	01-07-051
388-160-140	REP-W	01-07-070	388-160-350	REP	01-15-001	388-200-1050	REP	01-10-104
388-160-140	REP-P	01-10-063	388-160-360	REP-W	01-07-070	388-200-1300	REP-P	01-07-051
388-160-140	REP	01-15-001	388-160-360	REP-P	01-10-063	388-200-1300	REP	01-10-104
388-160-150	REP-W	01-07-070	388-160-360	REP	01-15-001	388-200-1350	REP-P	01-07-051

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-200-1350	REP	01-10-104	388-406-0015	AMD	01-18-036	388-448-0140	AMD	01-14-059
388-222-001	REP	01-03-066	388-408-0005	AMD	01-03-121	388-448-0180	AMD-P	01-11-106
388-222-010	REP	01-03-066	388-408-0010	AMD	01-03-121	388-448-0180	AMD	01-14-059
388-222-020	REP	01-03-066	388-408-0015	AMD	01-03-121	388-448-0200	AMD-P	01-11-106
388-273-0010	NEW-P	01-04-070	388-408-0020	AMD	01-03-121	388-448-0200	AMD	01-14-059
388-273-0010	NEW	01-09-023	388-408-0025	AMD	01-03-121	388-450	PREP	01-06-027
388-273-0020	NEW-P	01-04-070	388-408-0030	AMD	01-03-121	388-450-0015	AMD-P	01-13-086
388-273-0020	NEW	01-09-023	388-408-0034	NEW-P	01-18-035	388-450-0015	AMD	01-18-006
388-273-0025	NEW-P	01-04-070	388-408-0035	AMD-P	01-18-035	388-450-0080	AMD-P	01-16-140
388-273-0025	NEW	01-09-023	388-408-0040	AMD-P	01-18-035	388-450-0085	AMD-P	01-16-140
388-273-0030	NEW-P	01-04-070	388-408-0045	AMD-P	01-18-035	388-450-0090	REP-P	01-16-140
388-273-0030	NEW	01-09-023	388-408-0050	AMD-P	01-18-035	388-450-0125	REP-P	01-08-044
388-273-0035	NEW-P	01-04-070	388-410-0020	AMD-P	01-11-091	388-450-0125	REP	01-11-108
388-273-0035	NEW	01-09-023	388-410-0020	AMD	01-14-032	388-450-0140	AMD-P	01-18-035
388-310-0600	AMD-E	01-15-010	388-410-0025	AMD-P	01-11-091	388-450-0155	AMD-E	01-12-057
388-310-0800	AMD-P	01-12-056	388-410-0025	AMD	01-14-032	388-450-0155	AMD-P	01-16-088
388-310-0800	AMD	01-17-053	388-410-0030	AMD-P	01-11-091	388-450-0156	NEW-E	01-12-057
388-310-0900	AMD-P	01-03-060	388-410-0030	AMD	01-14-032	388-450-0156	NEW-P	01-16-088
388-310-0900	AMD-E	01-03-132	388-412-0005	AMD-P	01-13-068	388-450-0160	AMD-E	01-12-057
388-310-0900	AMD	01-15-009	388-412-0005	AMD	01-18-054	388-450-0160	AMD-P	01-16-088
388-310-1000	AMD-P	01-03-060	388-412-0015	AMD-P	01-13-068	388-450-0190	AMD-P	01-03-038
388-310-1000	AMD-E	01-03-132	388-412-0015	AMD	01-18-054	388-450-0190	AMD-E	01-03-039
388-310-1000	AMD	01-15-009	388-412-0020	AMD-P	01-13-068	388-450-0190	AMD	01-06-030
388-310-1050	AMD-P	01-03-060	388-412-0020	AMD	01-18-054	388-450-0190	AMD-P	01-18-034
388-310-1050	AMD-E	01-03-132	388-412-0025	AMD-P	01-13-068	388-450-0190	AMD-E	01-18-092
388-310-1050	AMD	01-15-009	388-412-0025	AMD	01-18-054	388-450-0195	AMD-P	01-18-034
388-310-1300	AMD-E	01-05-007	388-412-0040	AMD-P	01-13-068	388-450-0195	AMD-E	01-18-092
388-310-2000	NEW	01-03-042	388-412-0040	AMD	01-18-054	388-452	PREP	01-06-027
388-330-010	REP-W	01-07-071	388-412-0045	REP-P	01-13-068	388-452-0005	AMD-P	01-10-065
388-330-010	REP-P	01-10-062	388-412-0045	REP	01-18-054	388-452-0005	AMD	01-14-060
388-330-010	REP	01-18-025	388-414	PREP	01-06-027	388-454	PREP	01-08-029
388-330-020	REP-W	01-07-071	388-414-0001	AMD-P	01-04-074	388-454-0005	AMD	01-03-121
388-330-020	REP-P	01-10-062	388-414-0001	AMD	01-07-054	388-454-0006	NEW-E	01-06-025
388-330-020	REP	01-18-025	388-416	PREP	01-06-027	388-454-0006	NEW-E	01-14-058
388-330-030	REP-W	01-07-071	388-416-0005	AMD-P	01-08-058	388-454-0010	AMD	01-03-121
388-330-030	REP-P	01-10-062	388-416-0005	AMD	01-11-107	388-458-0001	REP-P	01-12-055
388-330-030	REP	01-18-025	388-418	PREP	01-06-027	388-458-0001	REP	01-16-087
388-330-035	REP-W	01-07-071	388-418-0005	AMD-S	01-08-059	388-458-0002	NEW-P	01-12-055
388-330-035	REP-P	01-10-062	388-418-0005	AMD	01-11-109	388-458-0002	NEW	01-16-087
388-330-035	REP	01-18-025	388-418-0007	NEW-S	01-08-059	388-458-0005	REP-P	01-12-055
388-330-040	REP-W	01-07-071	388-418-0007	NEW	01-11-109	388-458-0005	REP	01-16-087
388-330-040	REP-P	01-10-062	388-422-0005	PREP	01-13-025	388-458-0006	NEW-P	01-12-055
388-330-040	REP	01-18-025	388-422-0005	AMD-P	01-16-139	388-458-0006	NEW	01-16-087
388-330-050	REP-W	01-07-071	388-422-0005	AMD-W	01-18-090	388-458-0010	REP-P	01-12-055
388-330-050	REP-P	01-10-062	388-432-0005	NEW	01-03-066	388-458-0010	REP	01-16-087
388-330-050	REP	01-18-025	388-434	PREP	01-06-027	388-458-0011	NEW-P	01-12-055
388-330-060	REP-W	01-07-071	388-434-0010	AMD-P	01-11-037	388-458-0011	NEW	01-16-087
388-330-060	REP-P	01-10-062	388-434-0010	AMD	01-15-011	388-458-0015	REP-P	01-12-055
388-330-060	REP	01-18-025	388-438	PREP	01-07-018	388-458-0015	REP	01-16-087
388-400-0005	AMD	01-03-121	388-438-0110	AMD	01-05-041	388-458-0016	NEW-P	01-12-055
388-400-0015	REP	01-03-121	388-444	PREP	01-12-020	388-458-0016	NEW	01-16-087
388-400-0020	REP-P	01-03-120	388-444-0075	AMD	01-05-006	388-458-0020	NEW-P	01-12-055
388-400-0020	REP	01-07-001	388-448	PREP	01-04-069	388-458-0020	NEW	01-16-087
388-400-0030	AMD-P	01-03-040	388-448-0020	AMD-P	01-11-106	388-458-0025	NEW-P	01-12-055
388-400-0030	AMD-E	01-03-041	388-448-0020	AMD	01-14-059	388-458-0025	NEW	01-16-087
388-400-0030	AMD	01-06-031	388-448-0070	AMD-P	01-11-106	388-458-0030	NEW-P	01-12-055
388-400-0035	AMD-P	01-10-066	388-448-0070	AMD	01-14-059	388-458-0030	NEW	01-16-087
388-400-0035	AMD-E	01-10-067	388-448-0120	AMD-P	01-11-106	388-458-0035	NEW-P	01-12-055
388-400-0035	AMD	01-13-046	388-448-0120	AMD	01-14-059	388-458-0035	NEW	01-16-087
388-404-0005	AMD	01-03-121	388-448-0130	AMD-P	01-11-106	388-458-0040	NEW-P	01-12-055
388-406	PREP	01-06-027	388-448-0130	AMD	01-14-059	388-458-0040	NEW	01-16-087
388-406-0015	AMD-P	01-14-057	388-448-0140	AMD-P	01-11-106	388-458-0045	NEW-P	01-12-055

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-458-0045	NEW	01-16-087	388-484-0010	NEW	01-04-016	388-538-067	PREP	01-10-059
388-462-0020	NEW-E	01-13-085	388-488	PREP	01-03-024	388-538-068	PREP	01-10-059
388-468-0005	PREP	01-08-028	388-490	PREP	01-06-027	388-539-0500	REP-X	01-18-057
388-470	PREP	01-06-027	388-492-0010	NEW-P	01-18-091	388-539-0550	REP-X	01-18-057
388-470-0026	NEW-P	01-13-086	388-492-0020	NEW-P	01-18-091	388-543-1150	PREP	01-05-027
388-470-0026	NEW	01-18-006	388-492-0030	NEW-P	01-18-091	388-543-1150	NEW-P	01-11-105
388-470-0060	AMD-E	01-13-003	388-492-0040	NEW-P	01-18-091	388-543-1150	NEW	01-16-141
388-470-0060	AMD-P	01-16-088	388-492-0050	NEW-P	01-18-091	388-543-2800	PREP	01-05-027
388-470-0075	AMD-W	01-09-073	388-492-0060	NEW-P	01-18-091	388-543-2800	AMD-P	01-11-105
388-470-0075	AMD-P	01-12-069	388-492-0070	NEW-P	01-18-091	388-543-2800	AMD	01-16-141
388-470-0075	AMD	01-15-078	388-492-0080	NEW-P	01-18-091	388-544	PREP	01-07-018
388-470-0075	AMD	01-16-134	388-492-0090	NEW-P	01-18-091	388-545-900	NEW-P	01-16-138
388-472-0005	PREP	01-03-119	388-492-0100	NEW-P	01-18-091	388-546-0001	NEW	01-03-084
388-472-0005	AMD-P	01-07-051	388-492-0110	NEW-P	01-18-091	388-546-0100	NEW	01-03-084
388-472-0005	AMD	01-10-104	388-492-0120	NEW-P	01-18-091	388-546-0150	NEW	01-03-084
388-472-0010	NEW-P	01-07-051	388-492-0130	NEW-P	01-18-091	388-546-0200	NEW	01-03-084
388-472-0010	NEW	01-10-104	388-501-0050	AMD	01-12-070	388-546-0250	NEW	01-03-084
388-472-0020	NEW-P	01-07-051	388-501-0300	AMD-P	01-09-037	388-546-0300	NEW	01-03-084
388-472-0020	NEW	01-10-104	388-501-0300	AMD	01-12-072	388-546-0400	NEW	01-03-084
388-472-0030	NEW-P	01-07-051	388-502	PREP	01-16-135	388-546-0450	NEW	01-03-084
388-472-0030	NEW	01-10-104	388-502-0010	AMD	01-07-076	388-546-0500	NEW	01-03-084
388-472-0040	NEW-P	01-07-051	388-502-0020	AMD	01-07-076	388-546-0600	NEW	01-03-084
388-472-0040	NEW	01-10-104	388-502-0160	AMD	01-05-100	388-546-0700	NEW	01-03-084
388-472-0050	NEW-P	01-07-051	388-502-0160	PREP	01-10-060	388-546-0800	NEW	01-03-084
388-472-0050	NEW	01-10-104	388-502-0160	AMD-P	01-17-047	388-546-1000	NEW	01-03-084
388-474-0001	AMD	01-06-042	388-505-0210	AMD-P	01-07-012	388-546-5000	NEW	01-06-029
388-474-0010	PREP	01-11-050	388-505-0210	AMD	01-11-110	388-546-5100	NEW	01-06-029
388-474-0010	AMD-P	01-16-137	388-505-0220	AMD-P	01-07-012	388-546-5200	NEW	01-06-029
388-475	PREP	01-18-045	388-505-0220	AMD	01-11-110	388-546-5300	NEW	01-06-029
388-478-0015	AMD-P	01-08-044	388-505-0595	REP	01-06-043	388-546-5400	NEW	01-06-029
388-478-0015	AMD	01-11-108	388-512-1210	REP-W	01-06-046	388-546-5500	NEW	01-06-029
388-478-0055	AMD-P	01-04-068	388-512-1215	REP	01-06-042	388-550	PREP	01-11-096
388-478-0055	AMD	01-08-015	388-512-1220	REP	01-06-042	388-550-1050	AMD-P	01-09-070
388-478-0055	AMD-E	01-14-031	388-512-1225	REP	01-06-042	388-550-1050	AMD	01-16-142
388-478-0055	AMD-P	01-16-086	388-512-1230	REP	01-06-042	388-550-1100	AMD-P	01-09-070
388-478-0056	REP-P	01-04-068	388-512-1235	REP	01-06-042	388-550-1100	AMD	01-16-142
388-478-0056	REP	01-08-015	388-512-1240	REP	01-06-042	388-550-2700	REP-P	01-09-070
388-478-0057	PREP	01-11-079	388-512-1245	REP	01-06-042	388-550-2700	REP	01-16-142
388-478-0060	AMD-P	01-18-034	388-512-1250	REP	01-06-042	388-550-2800	AMD-P	01-09-070
388-478-0060	AMD-E	01-18-092	388-512-1255	REP	01-06-042	388-550-2800	AMD	01-16-142
388-478-0065	PREP	01-08-027	388-512-1260	REP	01-06-042	388-550-2900	AMD-P	01-09-070
388-478-0065	AMD-E	01-08-032	388-512-1265	REP	01-06-042	388-550-2900	AMD	01-16-142
388-478-0065	AMD-P	01-14-079	388-512-1275	REP	01-06-042	388-550-3300	AMD-P	01-09-070
388-478-0065	AMD-E	01-14-080	388-513-1301	PREP	01-18-046	388-550-3300	AMD	01-16-142
388-478-0065	AMD	01-18-056	388-513-1350	AMD-P	01-13-087	388-550-3600	AMD-P	01-09-070
388-478-0070	AMD-P	01-09-068	388-513-1350	AMD-E	01-13-088	388-550-3600	AMD	01-16-142
388-478-0070	AMD-E	01-09-069	388-513-1350	AMD	01-18-055	388-550-3700	AMD-P	01-09-070
388-478-0070	AMD	01-12-073	388-513-1380	AMD-P	01-13-087	388-550-3700	AMD	01-16-142
388-478-0075	PREP	01-08-027	388-513-1380	AMD-E	01-13-088	388-550-3800	AMD-P	01-09-070
388-478-0075	AMD-E	01-08-032	388-513-1380	AMD	01-18-055	388-550-3800	AMD	01-16-142
388-478-0075	AMD-P	01-14-079	388-515	PREP	01-11-095	388-550-4300	AMD-P	01-09-070
388-478-0075	AMD-E	01-14-080	388-517-0400	NEW	01-06-033	388-550-4300	AMD	01-16-142
388-478-0075	AMD	01-18-056	388-530	PREP	01-15-007	388-550-4400	AMD-P	01-09-070
388-478-0080	AMD-P	01-09-068	388-530-1050	PREP	01-13-070	388-550-4400	AMD	01-16-142
388-478-0080	AMD-E	01-09-069	388-530-1260	PREP	01-13-070	388-550-4500	AMD-P	01-09-070
388-478-0080	AMD	01-12-073	388-533	PREP	01-17-052	388-550-4500	AMD	01-16-142
388-478-0085	PREP	01-08-027	388-533-1000	NEW-P	01-11-097	388-550-4800	AMD-P	01-09-070
388-478-0085	AMD-E	01-08-032	388-533-1000	NEW	01-15-008	388-550-4800	AMD	01-16-142
388-478-0085	AMD-P	01-14-079	388-535	PREP	01-07-018	388-551	PREP	01-03-095
388-478-0085	AMD-E	01-14-080	388-535-1230	AMD-P	01-03-154	388-551	PREP	01-03-096
388-478-0085	AMD	01-18-056	388-535-1230	AMD	01-07-077	388-551-3000	NEW	01-05-040
388-484-0005	AMD	01-04-016	388-538	PREP	01-07-008	388-561-0001	NEW	01-06-043

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**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-561-0100	NEW	01-06-043	388-820-080	AMD-P	01-09-081	388-820-600	NEW-P	01-09-081
388-561-0200	NEW	01-06-043	388-820-085	REP-XR	01-10-061	388-820-610	NEW-P	01-09-081
388-561-0300	NEW	01-06-043	388-820-085	REP	01-16-016	388-820-620	NEW-P	01-09-081
388-815-005	REP-XR	01-07-019	388-820-090	AMD-P	01-09-081	388-820-630	NEW-P	01-09-081
388-815-005	REP	01-13-026	388-820-095	REP-XR	01-10-061	388-820-640	NEW-P	01-09-081
388-815-010	REP-XR	01-07-019	388-820-095	REP	01-16-016	388-820-650	NEW-P	01-09-081
388-815-010	REP	01-13-026	388-820-100	AMD-P	01-09-081	388-820-660	NEW-P	01-09-081
388-815-020	REP-XR	01-07-019	388-820-105	REP-XR	01-10-061	388-820-670	NEW-P	01-09-081
388-815-020	REP	01-13-026	388-820-105	REP	01-16-016	388-820-680	NEW-P	01-09-081
388-815-030	REP-XR	01-07-019	388-820-110	AMD-P	01-09-081	388-820-690	NEW-P	01-09-081
388-815-030	REP	01-13-026	388-820-115	REP-XR	01-10-061	388-820-700	NEW-P	01-09-081
388-815-100	REP-XR	01-07-019	388-820-115	REP	01-16-016	388-820-710	NEW-P	01-09-081
388-815-100	REP	01-13-026	388-820-120	AMD-P	01-09-081	388-820-720	NEW-P	01-09-081
388-815-110	REP-XR	01-07-019	388-820-125	REP-XR	01-10-061	388-820-730	NEW-P	01-09-081
388-815-110	REP	01-13-026	388-820-125	REP	01-16-016	388-820-740	NEW-P	01-09-081
388-815-120	REP-XR	01-07-019	388-820-130	AMD-P	01-09-081	388-820-750	NEW-P	01-09-081
388-815-120	REP	01-13-026	388-820-140	NEW-P	01-09-081	388-820-760	NEW-P	01-09-081
388-815-130	REP-XR	01-07-019	388-820-150	NEW-P	01-09-081	388-820-770	NEW-P	01-09-081
388-815-130	REP	01-13-026	388-820-160	NEW-P	01-09-081	388-820-780	NEW-P	01-09-081
388-815-140	REP-XR	01-07-019	388-820-170	NEW-P	01-09-081	388-820-790	NEW-P	01-09-081
388-815-140	REP	01-13-026	388-820-180	NEW-P	01-09-081	388-820-800	NEW-P	01-09-081
388-815-160	REP-XR	01-07-019	388-820-190	NEW-P	01-09-081	388-820-810	NEW-P	01-09-081
388-815-160	REP	01-13-026	388-820-200	NEW-P	01-09-081	388-820-820	NEW-P	01-09-081
388-815-200	REP-XR	01-07-019	388-820-210	NEW-P	01-09-081	388-820-830	NEW-P	01-09-081
388-815-200	REP	01-13-026	388-820-220	NEW-P	01-09-081	388-820-840	NEW-P	01-09-081
388-815-205	REP-XR	01-07-019	388-820-230	NEW-P	01-09-081	388-820-850	NEW-P	01-09-081
388-815-205	REP	01-13-026	388-820-240	NEW-P	01-09-081	388-820-860	NEW-P	01-09-081
388-815-210	REP-XR	01-07-019	388-820-250	NEW-P	01-09-081	388-820-870	NEW-P	01-09-081
388-815-210	REP	01-13-026	388-820-260	NEW-P	01-09-081	388-820-880	NEW-P	01-09-081
388-815-215	REP-XR	01-07-019	388-820-270	NEW-P	01-09-081	388-820-890	NEW-P	01-09-081
388-815-215	REP	01-13-026	388-820-280	NEW-P	01-09-081	388-820-900	NEW-P	01-09-081
388-815-220	REP-XR	01-07-019	388-820-290	NEW-P	01-09-081	388-820-910	NEW-P	01-09-081
388-815-220	REP	01-13-026	388-820-300	NEW-P	01-09-081	388-820-920	NEW-P	01-09-081
388-815-230	REP-XR	01-07-019	388-820-310	NEW-P	01-09-081	388-820-930	NEW-P	01-09-081
388-815-230	REP	01-13-026	388-820-320	NEW-P	01-09-081	388-825-020	PREP	01-03-059
388-815-240	REP-XR	01-07-019	388-820-330	NEW-P	01-09-081	388-825-205	PREP	01-03-059
388-815-240	REP	01-13-026	388-820-340	NEW-P	01-09-081	388-835-0005	NEW	01-10-013
388-815-250	REP-XR	01-07-019	388-820-350	NEW-P	01-09-081	388-835-0010	NEW	01-10-013
388-815-250	REP	01-13-026	388-820-360	NEW-P	01-09-081	388-835-0015	NEW	01-10-013
388-820-005	REP-XR	01-10-061	388-820-370	NEW-P	01-09-081	388-835-0020	NEW	01-10-013
388-820-005	REP	01-16-016	388-820-380	NEW-P	01-09-081	388-835-0025	NEW	01-10-013
388-820-010	AMD-P	01-09-081	388-820-390	NEW-P	01-09-081	388-835-0030	NEW	01-10-013
388-820-015	REP-XR	01-10-061	388-820-400	NEW-P	01-09-081	388-835-0035	NEW	01-10-013
388-820-015	REP	01-16-016	388-820-410	NEW-P	01-09-081	388-835-0040	NEW	01-10-013
388-820-020	AMD-P	01-09-081	388-820-420	NEW-P	01-09-081	388-835-0045	NEW	01-10-013
388-820-025	REP-XR	01-10-061	388-820-430	NEW-P	01-09-081	388-835-0050	NEW	01-10-013
388-820-025	REP	01-16-016	388-820-440	NEW-P	01-09-081	388-835-0055	NEW	01-10-013
388-820-030	AMD-P	01-09-081	388-820-450	NEW-P	01-09-081	388-835-0060	NEW	01-10-013
388-820-035	REP-XR	01-10-061	388-820-460	NEW-P	01-09-081	388-835-0065	NEW	01-10-013
388-820-035	REP	01-16-016	388-820-470	NEW-P	01-09-081	388-835-0070	NEW	01-10-013
388-820-040	AMD-P	01-09-081	388-820-480	NEW-P	01-09-081	388-835-0075	NEW	01-10-013
388-820-045	REP-XR	01-10-061	388-820-490	NEW-P	01-09-081	388-835-0080	NEW	01-10-013
388-820-045	REP	01-16-016	388-820-500	NEW-P	01-09-081	388-835-0085	NEW	01-10-013
388-820-050	AMD-P	01-09-081	388-820-510	NEW-P	01-09-081	388-835-0090	NEW	01-10-013
388-820-055	REP-XR	01-10-061	388-820-520	NEW-P	01-09-081	388-835-0095	NEW	01-10-013
388-820-055	REP	01-16-016	388-820-530	NEW-P	01-09-081	388-835-010	REP	01-10-013
388-820-060	AMD-P	01-09-081	388-820-540	NEW-P	01-09-081	388-835-0100	NEW	01-10-013
388-820-065	REP-XR	01-10-061	388-820-550	NEW-P	01-09-081	388-835-0105	NEW	01-10-013
388-820-065	REP	01-16-016	388-820-560	NEW-P	01-09-081	388-835-0110	NEW	01-10-013
388-820-070	AMD-P	01-09-081	388-820-570	NEW-P	01-09-081	388-835-0115	NEW	01-10-013
388-820-075	REP-XR	01-10-061	388-820-580	NEW-P	01-09-081	388-835-0120	NEW	01-10-013
388-820-075	REP	01-16-016	388-820-590	NEW-P	01-09-081	388-835-0125	NEW	01-10-013





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388-861-191	REP-P	01-07-116	388-862-070	REP-P	01-07-116	388-862-350	REP-P	01-07-116
388-861-191	REP	01-12-047	388-862-070	REP	01-12-047	388-862-350	REP	01-12-047
388-861-201	REP-P	01-07-116	388-862-080	REP-P	01-07-116	388-862-360	REP-P	01-07-116
388-861-201	REP	01-12-047	388-862-080	REP	01-12-047	388-862-360	REP	01-12-047
388-861-211	REP-P	01-07-116	388-862-090	REP-P	01-07-116	388-862-370	REP-P	01-07-116
388-861-211	REP	01-12-047	388-862-090	REP	01-12-047	388-862-370	REP	01-12-047
388-861-221	REP-P	01-07-116	388-862-100	REP-P	01-07-116	388-862-380	REP-P	01-07-116
388-861-221	REP	01-12-047	388-862-100	REP	01-12-047	388-862-380	REP	01-12-047
388-861-231	REP-P	01-07-116	388-862-110	REP-P	01-07-116	388-862-390	REP-P	01-07-116
388-861-231	REP	01-12-047	388-862-110	REP	01-12-047	388-862-390	REP	01-12-047
388-861-241	REP-P	01-07-116	388-862-120	REP-P	01-07-116	388-862-400	REP-P	01-07-116
388-861-241	REP	01-12-047	388-862-120	REP	01-12-047	388-862-400	REP	01-12-047
388-861-261	REP-P	01-07-116	388-862-130	REP-P	01-07-116	388-862-410	REP-P	01-07-116
388-861-261	REP	01-12-047	388-862-130	REP	01-12-047	388-862-410	REP	01-12-047
388-861-263	REP-P	01-07-116	388-862-140	REP-P	01-07-116	388-862-420	REP-P	01-07-116
388-861-263	REP	01-12-047	388-862-140	REP	01-12-047	388-862-420	REP	01-12-047
388-861-271	REP-P	01-07-116	388-862-150	REP-P	01-07-116	388-862-430	REP-P	01-07-116
388-861-271	REP	01-12-047	388-862-150	REP	01-12-047	388-862-430	REP	01-12-047
388-861-281	REP-P	01-07-116	388-862-160	REP-P	01-07-116	388-862-440	REP-P	01-07-116
388-861-281	REP	01-12-047	388-862-160	REP	01-12-047	388-862-440	REP	01-12-047
388-861-291	REP-P	01-07-116	388-862-170	REP-P	01-07-116	388-862-450	REP-P	01-07-116
388-861-291	REP	01-12-047	388-862-170	REP	01-12-047	388-862-450	REP	01-12-047
388-861-293	REP-P	01-07-116	388-862-180	REP-P	01-07-116	388-862-460	REP-P	01-07-116
388-861-293	REP	01-12-047	388-862-180	REP	01-12-047	388-862-460	REP	01-12-047
388-861-295	REP-P	01-07-116	388-862-190	REP-P	01-07-116	388-862-470	REP-P	01-07-116
388-861-295	REP	01-12-047	388-862-190	REP	01-12-047	388-862-470	REP	01-12-047
388-861-297	REP-P	01-07-116	388-862-200	REP-P	01-07-116	388-865-0100	NEW-P	01-07-116
388-861-297	REP	01-12-047	388-862-200	REP	01-12-047	388-865-0100	NEW	01-12-047
388-861-301	REP-P	01-07-116	388-862-210	REP-P	01-07-116	388-865-0105	NEW-P	01-07-116
388-861-301	REP	01-12-047	388-862-210	REP	01-12-047	388-865-0105	NEW	01-12-047
388-861-341	REP-P	01-07-116	388-862-220	REP-P	01-07-116	388-865-0110	NEW-P	01-07-116
388-861-341	REP	01-12-047	388-862-220	REP	01-12-047	388-865-0110	NEW	01-12-047
388-861-351	REP-P	01-07-116	388-862-230	REP-P	01-07-116	388-865-0115	NEW-P	01-07-116
388-861-351	REP	01-12-047	388-862-230	REP	01-12-047	388-865-0115	NEW	01-12-047
388-861-361	REP-P	01-07-116	388-862-240	REP-P	01-07-116	388-865-0120	NEW-P	01-07-116
388-861-361	REP	01-12-047	388-862-240	REP	01-12-047	388-865-0120	NEW	01-12-047
388-861-363	REP-P	01-07-116	388-862-250	REP-P	01-07-116	388-865-0150	NEW-P	01-07-116
388-861-363	REP	01-12-047	388-862-250	REP	01-12-047	388-865-0150	NEW	01-12-047
388-861-365	REP-P	01-07-116	388-862-260	REP-P	01-07-116	388-865-0200	NEW-P	01-07-116
388-861-365	REP	01-12-047	388-862-260	REP	01-12-047	388-865-0200	NEW	01-12-047
388-861-367	REP-P	01-07-116	388-862-270	REP-P	01-07-116	388-865-0201	NEW-P	01-07-116
388-861-367	REP	01-12-047	388-862-270	REP	01-12-047	388-865-0201	NEW-S	01-09-078
388-861-371	REP-P	01-07-116	388-862-275	REP-P	01-07-116	388-865-0201	NEW	01-12-047
388-861-371	REP	01-12-047	388-862-275	REP	01-12-047	388-865-0203	NEW-P	01-07-116
388-861-400	REP-P	01-07-116	388-862-276	REP-P	01-07-116	388-865-0203	NEW-S	01-09-078
388-861-400	REP	01-12-047	388-862-276	REP	01-12-047	388-865-0203	NEW	01-12-047
388-861-401	REP-P	01-07-116	388-862-277	REP-P	01-07-116	388-865-0205	NEW-P	01-07-116
388-861-401	REP	01-12-047	388-862-277	REP	01-12-047	388-865-0205	NEW	01-12-047
388-861-402	REP-P	01-07-116	388-862-280	REP-P	01-07-116	388-865-0210	NEW-P	01-07-116
388-861-402	REP	01-12-047	388-862-280	REP	01-12-047	388-865-0210	NEW	01-12-047
388-862-010	REP-P	01-07-116	388-862-290	REP-P	01-07-116	388-865-0215	NEW-P	01-07-116
388-862-010	REP	01-12-047	388-862-290	REP	01-12-047	388-865-0215	NEW	01-12-047
388-862-020	REP-P	01-07-116	388-862-300	REP-P	01-07-116	388-865-0220	NEW-P	01-07-116
388-862-020	REP	01-12-047	388-862-300	REP	01-12-047	388-865-0220	NEW	01-12-047
388-862-030	REP-P	01-07-116	388-862-310	REP-P	01-07-116	388-865-0221	NEW-P	01-07-116
388-862-030	REP	01-12-047	388-862-310	REP	01-12-047	388-865-0221	NEW	01-12-047
388-862-040	REP-P	01-07-116	388-862-320	REP-P	01-07-116	388-865-0222	NEW-P	01-07-116
388-862-040	REP	01-12-047	388-862-320	REP	01-12-047	388-865-0222	NEW	01-12-047
388-862-050	REP-P	01-07-116	388-862-330	REP-P	01-07-116	388-865-0225	NEW-P	01-07-116
388-862-050	REP	01-12-047	388-862-330	REP	01-12-047	388-865-0225	NEW	01-12-047
388-862-060	REP-P	01-07-116	388-862-340	REP-P	01-07-116	388-865-0229	NEW-P	01-07-116
388-862-060	REP	01-12-047	388-862-340	REP	01-12-047	388-865-0229	NEW	01-12-047

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388-865-0230	NEW-P	01-07-116	388-865-0400	NEW	01-12-047	388-865-0502	NEW	01-12-047
388-865-0230	NEW	01-12-047	388-865-0405	NEW-P	01-07-116	388-865-0504	NEW-E	01-06-040
388-865-0235	NEW-P	01-07-116	388-865-0405	NEW	01-12-047	388-865-0504	NEW-S	01-09-078
388-865-0235	NEW	01-12-047	388-865-0410	NEW-P	01-07-116	388-865-0504	NEW	01-12-047
388-865-0240	NEW-P	01-07-116	388-865-0410	NEW	01-12-047	388-865-0505	NEW-P	01-07-116
388-865-0240	NEW	01-12-047	388-865-0415	NEW-P	01-07-116	388-865-0505	NEW	01-12-047
388-865-0245	NEW-P	01-07-116	388-865-0415	NEW	01-12-047	388-865-0510	NEW-P	01-07-116
388-865-0245	NEW	01-12-047	388-865-0420	NEW-P	01-07-116	388-865-0510	NEW	01-12-047
388-865-0250	NEW-P	01-07-116	388-865-0420	NEW	01-12-047	388-865-0515	NEW-P	01-07-116
388-865-0250	NEW	01-12-047	388-865-0425	NEW-P	01-07-116	388-865-0515	NEW	01-12-047
388-865-0255	NEW-P	01-07-116	388-865-0425	NEW	01-12-047	388-865-0525	NEW-P	01-07-116
388-865-0255	NEW	01-12-047	388-865-0430	NEW-P	01-07-116	388-865-0525	NEW	01-12-047
388-865-0260	NEW-P	01-07-116	388-865-0430	NEW	01-12-047	388-865-0530	NEW-P	01-07-116
388-865-0260	NEW	01-12-047	388-865-0435	NEW-P	01-07-116	388-865-0530	NEW	01-12-047
388-865-0265	NEW-P	01-07-116	388-865-0435	NEW	01-12-047	388-865-0535	NEW-P	01-07-116
388-865-0265	NEW	01-12-047	388-865-0436	NEW-P	01-07-116	388-865-0535	NEW	01-12-047
388-865-0270	NEW-P	01-07-116	388-865-0436	NEW	01-12-047	388-865-0540	NEW-P	01-07-116
388-865-0270	NEW	01-12-047	388-865-0440	NEW-P	01-07-116	388-865-0540	NEW	01-12-047
388-865-0275	NEW-P	01-07-116	388-865-0440	NEW	01-12-047	388-865-0545	NEW-P	01-07-116
388-865-0275	NEW	01-12-047	388-865-0445	NEW-P	01-07-116	388-865-0545	NEW	01-12-047
388-865-0280	NEW-P	01-07-116	388-865-0445	NEW	01-12-047	388-865-0546	NEW-P	01-07-116
388-865-0280	NEW	01-12-047	388-865-0450	NEW-P	01-07-116	388-865-0546	NEW	01-12-047
388-865-0282	NEW-P	01-07-116	388-865-0450	NEW	01-12-047	388-865-0550	NEW-P	01-07-116
388-865-0282	NEW	01-12-047	388-865-0452	NEW-P	01-07-116	388-865-0550	NEW	01-12-047
388-865-0284	NEW-P	01-07-116	388-865-0452	NEW	01-12-047	388-865-0555	NEW-P	01-07-116
388-865-0284	NEW	01-12-047	388-865-0454	NEW-P	01-07-116	388-865-0555	NEW	01-12-047
388-865-0286	NEW-P	01-07-116	388-865-0454	NEW	01-12-047	388-865-0557	NEW-P	01-07-116
388-865-0286	NEW	01-12-047	388-865-0456	NEW-P	01-07-116	388-865-0557	NEW	01-12-047
388-865-0288	NEW-P	01-07-116	388-865-0456	NEW	01-12-047	388-865-0560	NEW-P	01-07-116
388-865-0288	NEW	01-12-047	388-865-0458	NEW-P	01-07-116	388-865-0560	NEW	01-12-047
388-865-0300	NEW-P	01-07-116	388-865-0458	NEW	01-12-047	388-865-0565	NEW-P	01-07-116
388-865-0300	NEW	01-12-047	388-865-0460	NEW-P	01-07-116	388-865-0565	NEW	01-12-047
388-865-0305	NEW-P	01-07-116	388-865-0460	NEW	01-12-047	388-865-0600	NEW-P	01-07-116
388-865-0305	NEW	01-12-047	388-865-0462	NEW-P	01-07-116	388-865-0600	NEW	01-12-047
388-865-0307	NEW-P	01-07-116	388-865-0462	NEW	01-12-047	388-865-0610	NEW-P	01-07-116
388-865-0310	NEW-P	01-07-116	388-865-0464	NEW-P	01-07-116	388-865-0610	NEW	01-12-047
388-865-0310	NEW	01-12-047	388-865-0464	NEW	01-12-047	388-865-0620	NEW-P	01-07-116
388-865-0315	NEW-P	01-07-116	388-865-0466	NEW-P	01-07-116	388-865-0620	NEW	01-12-047
388-865-0315	NEW	01-12-047	388-865-0466	NEW	01-12-047	388-865-0630	NEW-P	01-07-116
388-865-0320	NEW-P	01-07-116	388-865-0468	NEW-P	01-07-116	388-865-0630	NEW	01-12-047
388-865-0320	NEW	01-12-047	388-865-0468	NEW	01-12-047	388-865-0640	NEW-P	01-07-116
388-865-0325	NEW-P	01-07-116	388-865-0470	NEW-P	01-07-116	388-865-0640	NEW	01-12-047
388-865-0325	NEW	01-12-047	388-865-0470	NEW	01-12-047	388-880-005	AMD-P	01-18-047
388-865-0330	NEW-P	01-07-116	388-865-0472	NEW-P	01-07-116	388-880-007	NEW-P	01-18-047
388-865-0330	NEW	01-12-047	388-865-0472	NEW	01-12-047	388-880-010	AMD-P	01-18-047
388-865-0335	NEW-P	01-07-116	388-865-0474	NEW-P	01-07-116	388-880-020	AMD-P	01-18-047
388-865-0335	NEW	01-12-047	388-865-0474	NEW	01-12-047	388-880-030	AMD-P	01-18-047
388-865-0340	NEW-P	01-07-116	388-865-0476	NEW-P	01-07-116	388-880-031	NEW-P	01-18-047
388-865-0340	NEW	01-12-047	388-865-0476	NEW	01-12-047	388-880-032	NEW-P	01-18-047
388-865-0345	NEW-P	01-07-116	388-865-0478	NEW-P	01-07-116	388-880-040	AMD-P	01-18-047
388-865-0345	NEW	01-12-047	388-865-0478	NEW	01-12-047	388-880-042	NEW-P	01-18-047
388-865-0350	NEW-P	01-07-116	388-865-0480	NEW-P	01-07-116	388-880-043	NEW-P	01-18-047
388-865-0350	NEW	01-12-047	388-865-0480	NEW	01-12-047	388-880-044	NEW-P	01-18-047
388-865-0355	NEW-P	01-07-116	388-865-0482	NEW-P	01-07-116	388-880-045	NEW-P	01-18-047
388-865-0355	NEW	01-12-047	388-865-0482	NEW	01-12-047	388-880-050	AMD-P	01-18-047
388-865-0360	NEW-P	01-07-116	388-865-0484	NEW-P	01-07-116	388-880-110	AMD-P	01-18-047
388-865-0360	NEW	01-12-047	388-865-0484	NEW	01-12-047	388-881-010	NEW-P	01-18-047
388-865-0363	NEW-P	01-07-116	388-865-0500	NEW-P	01-07-116	388-881-015	NEW-P	01-18-047
388-865-0363	NEW	01-12-047	388-865-0500	NEW	01-12-047	388-881-020	NEW-P	01-18-047
388-865-0365	NEW-P	01-07-116	388-865-0501	NEW-P	01-07-116	388-881-025	NEW-P	01-18-047
388-865-0365	NEW	01-12-047	388-865-0501	NEW	01-12-047	388-881-030	NEW-P	01-18-047
388-865-0400	NEW-P	01-07-116	388-865-0502	NEW-P	01-07-116	388-881-035	NEW-P	01-18-047

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390- 16-011	PREP	01-03-164	391- 25-250	AMD	01-14-009	391- 35-343	NEW-P	01-10-112
390- 16-011	AMD-P	01-07-105	391- 25-270	AMD-P	01-10-112	391- 35-343	NEW	01-14-009
390- 16-011	AMD	01-10-049	391- 25-270	AMD	01-14-009	391- 35-350	NEW-P	01-10-112
390- 16-012	PREP	01-03-163	391- 25-290	AMD-P	01-10-112	391- 35-350	NEW	01-14-009
390- 16-012	AMD-P	01-07-110	391- 25-290	AMD	01-14-009	391- 45-001	AMD-P	01-10-112
390- 16-012	AMD	01-10-054	391- 25-299	AMD-P	01-10-112	391- 45-001	AMD	01-14-009
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390- 16-105	PREP	01-03-161	391- 25-350	AMD-P	01-10-112	391- 45-002	AMD	01-14-009
390- 16-105	AMD-P	01-07-106	391- 25-350	AMD	01-14-009	391- 55-001	AMD-P	01-10-112
390- 16-105	AMD	01-10-050	391- 25-370	AMD-P	01-10-112	391- 55-001	AMD	01-14-009
390- 16-111	PREP	01-03-159	391- 25-370	AMD	01-14-009	391- 65-001	AMD-P	01-10-112
390- 16-111	AMD-P	01-07-107	391- 25-390	AMD-P	01-10-112	391- 65-001	AMD	01-14-009
390- 16-111	AMD	01-10-051	391- 25-390	AMD	01-14-009	391- 95-001	AMD-P	01-10-112
390- 16-115	PREP	01-07-113	391- 25-410	AMD-P	01-10-112	391- 95-001	AMD	01-14-009
390- 16-115	AMD-E	01-14-036	391- 25-410	AMD	01-14-009	392-121-210	AMD	01-08-048
390- 16-120	PREP	01-07-104	391- 25-420	NEW-P	01-10-112	392-121-550	REP-X	01-16-116
390- 16-120	REP-E	01-14-039	391- 25-420	NEW	01-14-009	392-121-552	REP-X	01-16-116
390- 16-125	PREP	01-07-114	391- 25-430	AMD-P	01-10-112	392-121-554	REP-X	01-16-116
390- 16-125	AMD-E	01-14-037	391- 25-430	AMD	01-14-009	392-121-556	REP-X	01-16-116
390- 16-150	PREP	01-03-162	391- 25-450	AMD-P	01-10-112	392-121-558	REP-X	01-16-116
390- 16-150	REP-P	01-07-108	391- 25-450	AMD	01-14-009	392-121-560	REP-X	01-16-116
390- 16-150	REP	01-10-052	391- 25-470	AMD-P	01-10-112	392-121-562	REP-X	01-16-116
390- 16-155	PREP	01-07-112	391- 25-470	AMD	01-14-009	392-121-564	REP-X	01-16-116
390- 16-155	REP-E	01-14-038	391- 25-490	AMD-P	01-10-112	392-121-566	REP-X	01-16-116
390- 16-190	PREP	01-07-115	391- 25-490	AMD	01-14-009	392-121-568	REP-X	01-16-116
390- 16-309	PREP	01-03-081	391- 25-510	AMD-P	01-10-112	392-122-205	AMD-P	01-17-013
390- 16-311	PREP	01-03-082	391- 25-510	AMD	01-14-009	392-122-207	REP-P	01-17-013
390- 24-200	PREP	01-03-160	391- 25-610	AMD-P	01-10-112	392-122-220	AMD-P	01-17-013
390- 24-200	AMD-P	01-07-109	391- 25-610	AMD	01-14-009	392-122-221	AMD-P	01-17-013
390- 24-200	AMD	01-10-053	391- 25-650	AMD-P	01-10-112	392-122-322	PREP	01-03-099
391- 08-001	AMD-P	01-10-112	391- 25-650	AMD	01-14-009	392-122-900	PREP	01-03-099
391- 08-001	AMD	01-14-009	391- 35	PREP	01-04-073	392-125-080	AMD-E	01-03-098
391- 25	PREP	01-04-073	391- 35-001	AMD-P	01-10-112	392-125-080	AMD-P	01-06-063
391- 25-001	AMD-P	01-10-112	391- 35-001	AMD	01-14-009	392-125-080	AMD	01-11-099
391- 25-001	AMD	01-14-009	391- 35-002	AMD-P	01-10-112	392-136-020	AMD-P	01-06-064
391- 25-002	AMD-P	01-10-112	391- 35-002	AMD	01-14-009	392-136-020	AMD	01-11-098
391- 25-002	AMD	01-14-009	391- 35-020	AMD-P	01-10-112	392-138-003	AMD-P	01-12-048
391- 25-010	AMD-P	01-10-112	391- 35-020	AMD	01-14-009	392-138-003	AMD	01-16-078
391- 25-010	AMD	01-14-009	391- 35-030	AMD-P	01-10-112	392-138-005	AMD-P	01-12-048
391- 25-030	AMD-P	01-10-112	391- 35-030	AMD	01-14-009	392-138-005	AMD	01-16-078
391- 25-030	AMD	01-14-009	391- 35-050	AMD-P	01-10-112	392-138-010	AMD-P	01-12-048
391- 25-050	AMD-P	01-10-112	391- 35-050	AMD	01-14-009	392-138-010	AMD	01-16-078
391- 25-050	AMD	01-14-009	391- 35-080	REP-P	01-10-112	392-138-011	NEW-P	01-12-048
391- 25-070	AMD-P	01-10-112	391- 35-080	REP	01-14-009	392-138-011	NEW	01-16-078
391- 25-070	AMD	01-14-009	391- 35-090	AMD-P	01-10-112	392-138-012	REP-P	01-12-048
391- 25-090	AMD-P	01-10-112	391- 35-090	AMD	01-14-009	392-138-012	REP	01-16-078
391- 25-090	AMD	01-14-009	391- 35-099	AMD-P	01-10-112	392-138-013	NEW-P	01-12-048
391- 25-110	AMD-P	01-10-112	391- 35-099	AMD	01-14-009	392-138-013	NEW	01-16-078
391- 25-110	AMD	01-14-009	391- 35-110	AMD-P	01-10-112	392-138-014	NEW-P	01-12-048
391- 25-130	AMD-P	01-10-112	391- 35-110	AMD	01-14-009	392-138-014	NEW	01-16-078
391- 25-130	AMD	01-14-009	391- 35-170	AMD-P	01-10-112	392-138-016	REP-P	01-12-048
391- 25-140	AMD-P	01-10-112	391- 35-170	AMD	01-14-009	392-138-016	REP	01-16-078
391- 25-140	AMD	01-14-009	391- 35-190	AMD-P	01-10-112	392-138-017	NEW-P	01-12-048
391- 25-190	AMD-P	01-10-112	391- 35-190	AMD	01-14-009	392-138-017	NEW	01-16-078
391- 25-190	AMD	01-14-009	391- 35-320	NEW-P	01-10-112	392-138-018	NEW-P	01-12-048
391- 25-210	AMD-P	01-10-112	391- 35-320	NEW	01-14-009	392-138-018	NEW	01-16-078
391- 25-210	AMD	01-14-009	391- 35-330	NEW-P	01-10-112	392-138-019	NEW-P	01-12-048
391- 25-220	AMD-P	01-10-112	391- 35-330	NEW	01-14-009	392-138-019	NEW	01-16-078
391- 25-220	AMD	01-14-009	391- 35-340	NEW-P	01-10-112	392-138-021	NEW-P	01-12-048
391- 25-230	AMD-P	01-10-112	391- 35-340	NEW	01-14-009	392-138-021	NEW	01-16-078
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392-138-025	REP	01-16-078	392-140-575	REP-X	01-16-115	392-140-828	REP-X	01-16-114
392-138-030	REP-P	01-12-048	392-140-576	REP-X	01-16-115	392-140-830	REP-X	01-16-114
392-138-030	REP	01-16-078	392-140-577	REP-X	01-16-115	392-140-832	REP-X	01-16-114
392-138-035	REP-P	01-12-048	392-140-578	REP-X	01-16-115	392-140-834	REP-X	01-16-114
392-138-035	REP	01-16-078	392-140-580	REP-X	01-16-115	392-140-836	REP-X	01-16-114
392-138-040	REP-P	01-12-048	392-140-581	REP-X	01-16-115	392-140-900	PREP	01-16-109
392-138-040	REP	01-16-078	392-140-582	REP-X	01-16-115	392-140-901	PREP	01-16-109
392-138-045	REP-P	01-12-048	392-140-583	REP-X	01-16-115	392-140-902	PREP	01-16-109
392-138-045	REP	01-16-078	392-140-584	REP-X	01-16-115	392-140-903	AMD	01-08-048
392-138-047	REP-P	01-12-048	392-140-585	REP-X	01-16-115	392-140-903	PREP	01-16-109
392-138-047	REP	01-16-078	392-140-586	REP-X	01-16-115	392-140-905	PREP	01-16-109
392-138-050	REP-P	01-12-048	392-140-588	REP-X	01-16-115	392-140-906	PREP	01-16-109
392-138-050	REP	01-16-078	392-140-590	REP-X	01-16-115	392-140-907	PREP	01-16-109
392-138-055	REP-P	01-12-048	392-140-592	REP-X	01-16-115	392-140-908	PREP	01-16-109
392-138-055	REP	01-16-078	392-140-594	REP-X	01-16-115	392-140-910	PREP	01-16-109
392-138-060	REP-P	01-12-048	392-140-600	AMD	01-04-023	392-140-911	PREP	01-16-109
392-138-060	REP	01-16-078	392-140-600	PREP	01-17-035	392-140-912	PREP	01-16-109
392-138-065	REP-P	01-12-048	392-140-601	PREP	01-17-035	392-140-913	PREP	01-16-109
392-138-065	REP	01-16-078	392-140-602	PREP	01-17-035	392-140-920	REP-X	01-16-117
392-138-070	REP-P	01-12-048	392-140-605	AMD	01-04-023	392-140-922	REP-X	01-16-117
392-138-070	REP	01-16-078	392-140-605	PREP	01-17-035	392-140-924	REP-X	01-16-117
392-138-071	REP-P	01-12-048	392-140-608	PREP	01-17-035	392-140-925	REP-X	01-16-117
392-138-071	REP	01-16-078	392-140-609	AMD	01-04-023	392-140-926	REP-X	01-16-117
392-138-075	REP-P	01-12-048	392-140-609	PREP	01-17-035	392-140-927	REP-X	01-16-117
392-138-075	REP	01-16-078	392-140-610	PREP	01-17-035	392-140-928	REP-X	01-16-117
392-138-080	REP-P	01-12-048	392-140-613	AMD	01-04-023	392-140-929	REP-X	01-16-117
392-138-080	REP	01-16-078	392-140-613	PREP	01-17-035	392-140-930	REP-X	01-16-117
392-138-085	REP-P	01-12-048	392-140-616	AMD	01-04-023	392-140-935	REP-X	01-16-117
392-138-085	REP	01-16-078	392-140-616	PREP	01-17-035	392-140-937	REP-X	01-16-117
392-138-100	REP-P	01-12-048	392-140-620	PREP	01-17-035	392-140-938	REP-X	01-16-117
392-138-100	REP	01-16-078	392-140-625	AMD	01-04-023	392-140-950	PREP	01-16-110
392-138-105	NEW-P	01-12-048	392-140-625	PREP	01-17-035	392-140-951	PREP	01-16-110
392-138-105	NEW	01-16-078	392-140-626	AMD	01-04-023	392-140-955	PREP	01-16-110
392-138-110	NEW-P	01-12-048	392-140-626	PREP	01-17-035	392-140-956	AMD	01-08-048
392-138-110	NEW	01-16-078	392-140-630	PREP	01-17-035	392-140-956	PREP	01-16-110
392-138-115	NEW-P	01-12-048	392-140-640	PREP	01-17-035	392-140-957	PREP	01-16-110
392-138-115	NEW	01-16-078	392-140-643	PREP	01-17-035	392-140-960	PREP	01-16-110
392-138-120	NEW-P	01-12-048	392-140-646	PREP	01-17-035	392-140-961	PREP	01-16-110
392-138-120	NEW	01-16-078	392-140-650	PREP	01-17-035	392-140-962	PREP	01-16-110
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392-138-130	NEW-P	01-12-048	392-140-660	AMD	01-04-023	392-141-200	PREP	01-03-099
392-138-130	NEW	01-16-078	392-140-660	PREP	01-17-035	392-142-155	PREP	01-10-105
392-138-200	NEW-P	01-12-048	392-140-670	PREP	01-17-035	392-142-155	PREP	01-11-049
392-138-200	NEW	01-16-078	392-140-675	AMD	01-04-023	392-142-155	AMD-P	01-13-059
392-138-205	NEW-P	01-12-048	392-140-675	PREP	01-17-035	392-142-155	AMD	01-17-005
392-138-205	NEW	01-16-078	392-140-680	PREP	01-17-035	392-143-010	AMD-P	01-13-058
392-138-210	NEW-P	01-12-048	392-140-685	PREP	01-17-035	392-143-010	AMD	01-17-006
392-138-210	NEW	01-16-078	392-140-800	REP-X	01-16-114	392-151-090	AMD-P	01-03-097
392-139	PREP	01-10-033	392-140-802	REP-X	01-16-114	392-151-090	AMD-W	01-15-029
392-139-008	AMD-P	01-16-108	392-140-804	REP-X	01-16-114	392-151-095	AMD-P	01-03-097
392-139-110	AMD-P	01-16-108	392-140-806	REP-X	01-16-114	392-151-095	AMD-W	01-15-029
392-139-241	NEW-P	01-16-108	392-140-808	REP-X	01-16-114	392-153-001	NEW-P	01-11-064
392-139-300	AMD-P	01-16-108	392-140-810	REP-X	01-16-114	392-153-001	NEW	01-16-003
392-139-310	AMD-P	01-16-108	392-140-812	REP-X	01-16-114	392-153-005	AMD-P	01-11-064
392-139-312	NEW-P	01-16-108	392-140-814	REP-X	01-16-114	392-153-005	AMD	01-16-003
392-140	PREP	01-17-034	392-140-816	REP-X	01-16-114	392-153-010	AMD-P	01-11-064
392-140-570	REP-X	01-16-115	392-140-818	REP-X	01-16-114	392-153-010	AMD	01-16-003
392-140-571	REP-X	01-16-115	392-140-820	REP-X	01-16-114	392-153-014	AMD-P	01-11-064
392-140-572	REP-X	01-16-115	392-140-822	REP-X	01-16-114	392-153-014	AMD	01-16-003
392-140-573	REP-X	01-16-115	392-140-824	REP-X	01-16-114	392-153-015	AMD-P	01-11-064
392-140-574	REP-X	01-16-115	392-140-826	REP-X	01-16-114	392-153-015	AMD	01-16-003

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392-153-020	AMD-P	01-11-064	399- 10-010	AMD	01-09-014	415-108-466	AMD-P	01-18-072
392-153-020	AMD	01-16-003	399- 30-030	AMD-P	01-03-143	415-108-467	AMD-P	01-05-077
392-153-021	NEW-P	01-11-064	399- 30-030	AMD	01-09-014	415-108-467	AMD	01-08-057
392-153-021	NEW	01-16-003	399- 30-040	AMD-P	01-03-143	415-108-480	AMD-P	01-18-072
392-153-022	NEW-P	01-11-064	399- 30-040	AMD	01-09-014	415-108-550	PREP	01-15-031
392-153-022	NEW	01-16-003	399- 30-042	AMD-P	01-03-143	415-108-560	PREP	01-15-031
392-153-023	NEW-P	01-11-064	399- 30-042	AMD	01-09-014	415-108-679	AMD-P	01-18-072
392-153-023	NEW	01-16-003	399- 50-040	AMD-P	01-03-143	415-108-710	PREP	01-09-058
392-153-024	NEW-P	01-11-064	399- 50-040	AMD	01-09-014	415-110-326	AMD-P	01-07-079
392-153-024	NEW	01-16-003	415- 02-030	PREP	01-05-074	415-110-326	AMD	01-10-045
392-153-025	AMD-P	01-11-064	415- 02-060	AMD-P	01-05-096	415-110-467	AMD-P	01-05-077
392-153-025	AMD	01-16-003	415- 02-060	AMD	01-08-043	415-110-467	AMD	01-08-057
392-153-032	AMD-P	01-11-064	415- 04-010	AMD-P	01-15-028	415-110-710	PREP	01-09-058
392-153-032	AMD	01-16-003	415- 04-010	AMD	01-18-018	415-111-100	AMD-P	01-18-072
392-153-035	AMD-P	01-11-064	415- 04-015	NEW-P	01-15-028	415-111-220	PREP	01-07-078
392-153-035	AMD	01-16-003	415- 04-015	NEW	01-18-018	415-111-220	AMD-E	01-08-026
392-153-040	AMD-P	01-11-064	415- 04-017	NEW-P	01-15-028	415-111-220	AMD-P	01-11-119
392-153-040	AMD	01-16-003	415- 04-017	NEW	01-18-018	415-111-220	AMD	01-15-038
392-153-045	NEW-P	01-11-064	415- 04-020	AMD-P	01-15-028	415-112	PREP	01-05-075
392-153-045	NEW	01-16-003	415- 04-020	AMD	01-18-018	415-112-0161	PREP	01-15-027
392-172-020	AMD-P	01-11-129	415- 04-025	NEW-P	01-15-028	415-112-125	PREP	01-09-058
392-172-030	AMD-P	01-11-129	415- 04-025	NEW	01-18-018	415-112-727	AMD-P	01-07-079
392-172-035	AMD-P	01-11-129	415- 04-030	AMD-P	01-15-028	415-112-727	AMD	01-10-045
392-172-045	AMD-P	01-11-129	415- 04-030	AMD	01-18-018	415-210	PREP	01-05-075
392-172-080	NEW-P	01-11-129	415- 04-035	NEW-P	01-15-028	415-501	PREP	01-16-089
392-172-105	AMD-P	01-11-129	415- 04-035	NEW	01-18-018	415-600-010	NEW-E	01-17-043
392-172-10900	AMD-P	01-11-129	415- 04-037	NEW-P	01-15-028	415-600-010	NEW-P	01-17-057
392-172-111	AMD-P	01-11-129	415- 04-037	NEW	01-18-018	415-600-020	NEW-E	01-17-043
392-172-114	AMD-P	01-11-129	415- 04-040	AMD-P	01-15-028	415-600-020	NEW-P	01-17-057
392-172-132	AMD-P	01-11-129	415- 04-040	AMD	01-18-018	415-600-030	NEW-E	01-17-043
392-172-15700	AMD-P	01-11-129	415- 04-050	AMD-P	01-15-028	415-600-030	NEW-P	01-17-057
392-172-159	AMD-P	01-11-129	415- 04-050	AMD	01-18-018	415-600-040	NEW-E	01-17-043
392-172-160	AMD-P	01-11-129	415- 06-100	PREP	01-11-027	415-600-040	NEW-P	01-17-057
392-172-170	AMD-P	01-11-129	415- 06-100	AMD-P	01-15-037	415-600-110	NEW-E	01-17-043
392-172-180	AMD-P	01-11-129	415- 06-100	AMD	01-18-017	415-600-110	NEW-P	01-17-057
392-172-182	AMD-P	01-11-129	415- 10-020	AMD-P	01-18-072	415-600-210	NEW-E	01-17-043
392-172-186	AMD-P	01-11-129	415-100-055	PREP	01-05-094	415-600-210	NEW-P	01-17-057
392-172-188	REP-P	01-11-129	415-100-055	AMD-P	01-10-081	415-600-220	NEW-E	01-17-043
392-172-190	AMD-P	01-11-129	415-100-055	AMD	01-13-009	415-600-220	NEW-P	01-17-057
392-172-200	AMD-P	01-11-129	415-103	PREP	01-06-048	415-600-230	NEW-E	01-17-043
392-172-202	AMD-P	01-11-129	415-103	AMD-P	01-10-082	415-600-230	NEW-P	01-17-057
392-172-220	AMD-P	01-11-129	415-103-010	NEW-P	01-10-082	415-600-240	NEW-E	01-17-043
392-172-222	AMD-P	01-11-129	415-103-010	NEW	01-13-010	415-600-240	NEW-P	01-17-057
392-172-224	AMD-P	01-11-129	415-103-215	AMD-P	01-10-082	415-600-250	NEW-E	01-17-043
392-172-232	AMD-P	01-11-129	415-103-215	AMD	01-13-010	415-600-250	NEW-P	01-17-057
392-172-23600	AMD-P	01-11-129	415-104-215	AMD-P	01-07-079	415-600-260	NEW-E	01-17-043
392-172-23605	AMD-P	01-11-129	415-104-215	AMD	01-10-045	415-600-260	NEW-P	01-17-057
392-172-23610	AMD-P	01-11-129	415-108-010	AMD-P	01-17-016	415-600-270	NEW-E	01-17-043
392-172-238	AMD-P	01-11-129	415-108-0101	REP-P	01-17-016	415-600-270	NEW-P	01-17-057
392-172-239	AMD-P	01-11-129	415-108-0102	REP-P	01-17-016	415-600-280	NEW-E	01-17-043
392-172-241	NEW-P	01-11-129	415-108-0103	REP-P	01-17-016	415-600-280	NEW-P	01-17-057
392-172-242	AMD-P	01-11-129	415-108-0104	REP-P	01-17-016	415-600-290	NEW-E	01-17-043
392-172-338	AMD-P	01-11-129	415-108-0105	REP-P	01-17-016	415-600-290	NEW-P	01-17-057
392-172-344	AMD-P	01-11-129	415-108-0106	REP-P	01-17-016	415-600-310	NEW-E	01-17-043
392-172-377	AMD-P	01-11-129	415-108-0107	REP-P	01-17-016	415-600-310	NEW-P	01-17-057
392-172-38410	AMD-P	01-11-129	415-108-0108	REP-P	01-17-016	415-600-410	NEW-E	01-17-043
392-172-404	AMD-P	01-11-129	415-108-0109	REP-P	01-17-016	415-600-410	NEW-P	01-17-057
392-172-424	AMD-P	01-11-129	415-108-0110	REP-P	01-17-016	415-600-420	NEW-E	01-17-043
392-172-426	AMD-P	01-11-129	415-108-0111	REP-P	01-17-016	415-600-420	NEW-P	01-17-057
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415-600-440	NEW-P	01-17-057	415-640-020	REP-P	01-17-057	417- 01-125	AMD	01-13-123
415-600-450	NEW-E	01-17-043	415-640-030	REP-E	01-17-043	417- 01-127	NEW-E	01-05-101
415-600-450	NEW-P	01-17-057	415-640-030	REP-P	01-17-057	417- 01-127	NEW-P	01-09-082
415-600-510	NEW-E	01-17-043	415-650	PREP	01-04-028	417- 01-127	NEW	01-13-123
415-600-510	NEW-P	01-17-057	415-650-010	REP-E	01-17-043	417- 01-130	PREP	01-05-102
415-600-520	NEW-E	01-17-043	415-650-010	REP-P	01-17-057	417- 01-130	AMD-P	01-09-082
415-600-520	NEW-P	01-17-057	415-650-020	REP-E	01-17-043	417- 01-130	AMD	01-13-123
415-600-610	NEW-E	01-17-043	415-650-020	REP-P	01-17-057	417- 01-135	PREP	01-05-102
415-600-610	NEW-P	01-17-057	415-650-030	REP-E	01-17-043	417- 01-135	AMD-P	01-09-082
415-600-620	NEW-E	01-17-043	415-650-030	REP-P	01-17-057	417- 01-135	AMD	01-13-123
415-600-620	NEW-P	01-17-057	415-650-040	REP-E	01-17-043	417- 01-145	AMD-P	01-09-082
415-600-630	NEW-E	01-17-043	415-650-040	REP-P	01-17-057	417- 01-145	AMD	01-13-123
415-600-630	NEW-P	01-17-057	415-650-050	REP-E	01-17-043	417- 01-150	AMD-E	01-05-101
415-610	PREP	01-04-028	415-650-050	REP-P	01-17-057	417- 01-150	PREP	01-05-102
415-610-010	REP-E	01-17-043	415-660	PREP	01-04-028	417- 01-150	AMD-P	01-09-082
415-610-010	REP-P	01-17-057	415-660-010	REP-E	01-17-043	417- 01-150	AMD	01-13-123
415-610-015	REP-E	01-17-043	415-660-010	REP-P	01-17-057	417- 01-155	PREP	01-05-102
415-610-015	REP-P	01-17-057	415-660-020	REP-E	01-17-043	417- 01-155	AMD-P	01-09-082
415-610-020	REP-E	01-17-043	415-660-020	REP-P	01-17-057	417- 01-155	AMD	01-13-123
415-610-020	REP-P	01-17-057	415-670	PREP	01-04-028	417- 02-100	NEW-P	01-13-124
415-610-030	REP-E	01-17-043	415-670-010	REP-E	01-17-043	417- 02-100	NEW	01-17-078
415-610-030	REP-P	01-17-057	415-670-010	REP-P	01-17-057	417- 02-105	NEW-P	01-13-124
415-620	PREP	01-04-028	415-680	PREP	01-04-028	417- 02-105	NEW	01-17-078
415-620-010	REP-E	01-17-043	415-680-010	REP-E	01-17-043	417- 02-110	NEW-P	01-13-124
415-620-010	REP-P	01-17-057	415-680-010	REP-P	01-17-057	417- 02-110	NEW	01-17-078
415-620-015	REP-E	01-17-043	415-680-020	REP-E	01-17-043	417- 02-115	NEW-P	01-13-124
415-620-015	REP-P	01-17-057	415-680-020	REP-P	01-17-057	417- 02-115	NEW	01-17-078
415-620-020	REP-E	01-17-043	415-680-030	REP-E	01-17-043	417- 02-120	NEW-P	01-13-124
415-620-020	REP-P	01-17-057	415-680-030	REP-P	01-17-057	417- 02-120	NEW	01-17-078
415-620-025	REP-E	01-17-043	415-680-040	REP-E	01-17-043	417- 02-125	NEW-P	01-13-124
415-620-025	REP-P	01-17-057	415-680-040	REP-P	01-17-057	417- 02-125	NEW	01-17-078
415-620-030	REP-E	01-17-043	415-680-050	REP-E	01-17-043	417- 02-130	NEW-P	01-13-124
415-620-030	REP-P	01-17-057	415-680-050	REP-P	01-17-057	417- 02-130	NEW	01-17-078
415-620-035	REP-E	01-17-043	415-680-060	REP-E	01-17-043	417- 02-135	NEW-P	01-13-124
415-620-035	REP-P	01-17-057	415-680-060	REP-P	01-17-057	417- 02-135	NEW	01-17-078
415-620-040	REP-E	01-17-043	415-680-070	REP-E	01-17-043	417- 02-140	NEW-P	01-13-124
415-620-040	REP-P	01-17-057	415-680-070	REP-P	01-17-057	417- 02-140	NEW	01-17-078
415-620-045	REP-E	01-17-043	415-690	PREP	01-04-028	417- 02-145	NEW-P	01-13-124
415-620-045	REP-P	01-17-057	415-690-010	REP-E	01-17-043	417- 02-145	NEW	01-17-078
415-620-050	REP-E	01-17-043	415-690-010	REP-P	01-17-057	417- 02-150	NEW-P	01-13-124
415-620-050	REP-P	01-17-057	415-695	PREP	01-04-028	417- 02-150	NEW	01-17-078
415-620-055	REP-E	01-17-043	415-695-010	REP-E	01-17-043	417- 02-155	NEW-P	01-13-124
415-620-055	REP-P	01-17-057	415-695-010	REP-P	01-17-057	417- 02-155	NEW	01-17-078
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415-630-010	REP-E	01-17-043	415-695-020	REP-P	01-17-057	417- 06-110	AMD-P	01-09-082
415-630-010	REP-P	01-17-057	415-695-030	REP-E	01-17-043	417- 06-110	AMD	01-13-123
415-630-020	REP-E	01-17-043	415-695-030	REP-P	01-17-057	417- 06-120	AMD-P	01-09-082
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415-630-025	REP-P	01-17-057	417- 01-105	AMD-P	01-09-082	417- 06-135	NEW	01-13-123
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420-04-040	NEW	01-04-052	434-260-220	AMD	01-11-111	458-20-169	AMD	01-09-066
420-04-050	NEW	01-04-052	434-260-225	AMD-P	01-06-023	458-20-178	PREP	01-07-093
420-04-060	NEW	01-04-052	434-260-225	AMD	01-11-111	458-20-17801	PREP	01-07-093
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420-12-060	PREP	01-17-096	434-381-020	REP-E	01-11-089	458-20-24001A	NEW	01-12-041
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434-236-040	REP-E	01-17-026	434-381-100	REP-E	01-11-089	458-30-255	REP	01-15-015
434-236-050	REP-E	01-17-026	434-381-110	NEW-E	01-11-089	458-30-275	AMD-P	01-18-093
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434-240-027	NEW-E	01-17-026	448-13-035	NEW-P	01-11-134	460-24A-047	NEW-P	01-12-090
434-240-060	AMD-E	01-17-026	448-13-035	NEW-E	01-15-067	460-24A-047	NEW	01-16-125
434-240-080	NEW-E	01-17-026	448-13-035	NEW	01-17-009	460-24A-050	AMD-P	01-12-090
434-240-090	AMD-E	01-17-026	448-13-040	AMD-E	01-10-007	460-24A-050	AMD	01-16-125
434-240-120	AMD-E	01-17-026	448-13-040	AMD-P	01-11-134	460-24A-055	AMD-P	01-12-090
434-240-130	AMD-E	01-17-026	448-13-040	AMD-E	01-15-067	460-24A-055	AMD	01-16-125
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434-240-160	REP-E	01-17-026	448-13-056	NEW-P	01-11-134	460-24A-057	NEW	01-16-125
434-240-190	AMD-E	01-17-026	448-13-056	NEW	01-17-009	460-24A-058	NEW-P	01-12-090
434-240-205	AMD-E	01-17-026	448-13-060	AMD-P	01-11-134	460-24A-058	NEW	01-16-125
434-240-230	AMD-E	01-17-026	448-13-060	AMD	01-17-009	460-24A-060	AMD-P	01-12-090
434-240-235	AMD-E	01-17-026	448-13-225	NEW-P	01-11-134	460-24A-060	AMD	01-16-125
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434-257-010	AMD-E	01-14-063	458-12-020	REP-XR	01-07-094	460-24A-080	NEW	01-16-125
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434-257-030	AMD-E	01-14-063	458-12-085	REP-XR	01-07-094	460-24A-105	AMD	01-16-125
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434-257-090	AMD-E	01-14-063	458-16-130	PREP	01-17-120	460-24A-170	AMD	01-16-125
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460- 24A-210	AMD	01-16-125	478-276-070	AMD-P	01-07-014	480- 62-040	REP	01-04-026
460- 33A	PREP	01-12-012	478-276-070	AMD	01-11-136	480- 62-050	REP	01-04-026
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463- 10	PREP	01-13-084	478-276-080	AMD	01-11-136	480- 62-070	REP	01-04-026
463- 14	PREP	01-13-084	478-276-100	AMD-P	01-07-014	480- 62-080	REP	01-04-026
463- 18	PREP	01-13-084	478-276-100	AMD	01-11-136	480- 62-085	REP	01-04-026
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463- 26	PREP	01-13-084	478-276-120	AMD	01-11-136	480- 62-100	REP	01-04-026
463- 28	PREP	01-13-084	478-276-140	AMD-P	01-07-014	480- 62-120	REP	01-04-026
463- 30	PREP	01-13-084	478-276-140	AMD	01-11-136	480- 62-125	NEW	01-04-026
463- 34	PREP	01-13-084	478-355-010	AMD-P	01-03-122	480- 62-130	NEW	01-04-026
463- 36	PREP	01-13-084	478-355-010	AMD	01-08-007	480- 62-135	NEW	01-04-026
463- 38	PREP	01-13-084	478-355-030	AMD-P	01-03-122	480- 62-140	NEW	01-04-026
463- 39	PREP	01-13-084	478-355-030	AMD	01-08-007	480- 62-145	NEW	01-04-026
463- 40	PREP	01-13-084	478-355-040	AMD-P	01-03-122	480- 62-150	NEW	01-04-026
463- 42	PREP	01-13-084	478-355-040	AMD	01-08-007	480- 62-155	NEW	01-04-026
463- 43	PREP	01-13-084	479- 05-240	AMD-P	01-13-126	480- 62-160	NEW	01-04-026
463- 47	PREP	01-13-084	480- 09	PREP	01-12-053	480- 62-165	NEW	01-04-026
463- 50	PREP	01-13-084	480- 14	PREP	01-13-125	480- 62-170	NEW	01-04-026
463- 54	PREP	01-13-084	480- 14-040	AMD-P	01-17-110	480- 62-200	NEW	01-04-026
463- 58	PREP	01-13-084	480- 14-060	REP-P	01-17-110	480- 62-205	NEW	01-04-026
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468-300-010	AMD	01-11-010	480- 14-360	AMD-P	01-17-110	480- 62-220	NEW	01-04-026
468-300-020	AMD-P	01-04-078	480- 14-370	AMD-P	01-17-110	480- 62-225	NEW	01-04-026
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478-116-040	REP-P	01-08-074	480- 15-560	AMD-P	01-17-110	480- 62-310	NEW	01-04-026
478-116-046	REP-P	01-08-074	480- 15-570	AMD-P	01-17-110	480- 62-315	NEW	01-04-026
478-116-051	AMD-P	01-08-074	480- 15-999	NEW-P	01-17-110	480- 62-320	NEW	01-04-026
478-116-101	AMD-P	01-08-074	480- 30	PREP	01-13-125	480- 62-325	NEW	01-04-026
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478-116-163	AMD-P	01-08-074	480- 30-097	AMD-P	01-17-110	480- 70-011	NEW	01-08-012
478-116-201	AMD-P	01-08-074	480- 30-100	AMD-P	01-17-110	480- 70-016	NEW	01-08-012
478-116-211	AMD-P	01-08-074	480- 30-999	NEW-P	01-17-110	480- 70-020	REP	01-08-012
478-116-245	AMD-P	01-08-074	480- 31	PREP	01-13-125	480- 70-021	NEW	01-08-012
478-116-255	AMD-P	01-08-074	480- 31-020	AMD-P	01-17-110	480- 70-026	NEW	01-08-012
478-116-291	AMD-P	01-08-074	480- 31-030	AMD-P	01-17-110	480- 70-030	REP	01-08-012
478-116-301	AMD-P	01-08-074	480- 31-050	AMD-P	01-17-110	480- 70-031	NEW	01-08-012
478-116-311	AMD-P	01-08-074	480- 31-060	REP-P	01-17-110	480- 70-036	NEW	01-08-012
478-116-411	AMD-P	01-08-074	480- 31-100	AMD-P	01-17-110	480- 70-040	REP	01-08-012
478-116-605	AMD-P	01-08-074	480- 31-120	AMD-P	01-17-110	480- 70-041	NEW	01-08-012
478-136-030	AMD-P	01-06-009	480- 31-130	AMD-P	01-17-110	480- 70-046	NEW	01-08-012
478-136-030	AMD	01-11-135	480- 31-140	AMD-P	01-17-110	480- 70-050	REP	01-08-012
478-156-014	REP-XR	01-07-064	480- 31-999	NEW-P	01-17-110	480- 70-051	NEW	01-08-012
478-250-050	AMD-P	01-07-014	480- 40	PREP	01-13-125	480- 70-055	REP	01-08-012
478-250-050	AMD	01-11-136	480- 40-015	REP-P	01-17-110	480- 70-056	NEW	01-08-012
478-250-070	AMD-P	01-07-014	480- 40-065	AMD-P	01-17-110	480- 70-060	REP	01-08-012
478-250-070	AMD	01-11-136	480- 40-075	AMD-P	01-17-110	480- 70-061	NEW	01-08-012
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480-70-081	NEW	01-08-012	480-70-280	REP	01-08-012	480-70-486	NEW	01-08-012
480-70-086	NEW	01-08-012	480-70-281	NEW	01-08-012	480-70-500	REP	01-08-012
480-70-090	REP	01-08-012	480-70-286	NEW	01-08-012	480-70-510	REP	01-08-012
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480-70-110	REP	01-08-012	480-70-306	NEW	01-08-012	480-70-700	REP	01-08-012
480-70-111	NEW	01-08-012	480-70-310	REP	01-08-012	480-70-710	REP	01-08-012
480-70-116	NEW	01-08-012	480-70-311	NEW	01-08-012	480-70-720	REP	01-08-012
480-70-120	REP	01-08-012	480-70-316	NEW	01-08-012	480-70-730	REP	01-08-012
480-70-121	NEW	01-08-012	480-70-320	REP	01-08-012	480-70-740	REP	01-08-012
480-70-126	NEW	01-08-012	480-70-321	NEW	01-08-012	480-70-750	REP	01-08-012
480-70-130	REP	01-08-012	480-70-325	REP	01-08-012	480-70-760	REP	01-08-012
480-70-131	NEW	01-08-012	480-70-326	NEW	01-08-012	480-70-770	REP	01-08-012
480-70-136	NEW	01-08-012	480-70-330	REP	01-08-012	480-70-780	REP	01-08-012
480-70-140	REP	01-08-012	480-70-331	NEW	01-08-012	480-70-790	REP	01-08-012
480-70-141	NEW	01-08-012	480-70-335	REP	01-08-012	480-70-999	NEW	01-08-012
480-70-146	NEW	01-08-012	480-70-336	NEW	01-08-012	480-70-999	AMD-P	01-17-110
480-70-150	REP	01-08-012	480-70-339	NEW	01-08-012	480-75	PREP	01-13-125
480-70-151	NEW	01-08-012	480-70-340	REP	01-08-012	480-75-005	AMD-E	01-13-044
480-70-155	REP	01-08-012	480-70-341	NEW	01-08-012	480-75-005	AMD-P	01-17-110
480-70-156	NEW	01-08-012	480-70-346	NEW	01-08-012	480-75-240	NEW-E	01-13-045
480-70-160	REP	01-08-012	480-70-350	REP	01-08-012	480-75-999	NEW-P	01-17-110
480-70-161	NEW	01-08-012	480-70-351	NEW	01-08-012	480-80	AMD	01-09-002
480-70-166	NEW	01-08-012	480-70-356	NEW-W	01-12-085	480-80-010	AMD-P	01-02-102
480-70-170	REP	01-08-012	480-70-360	REP	01-08-012	480-80-010	AMD	01-09-002
480-70-171	NEW	01-08-012	480-70-361	NEW	01-08-012	480-80-035	NEW-P	01-02-102
480-70-176	NEW	01-08-012	480-70-366	NEW	01-08-012	480-80-035	NEW	01-09-002
480-70-180	REP	01-08-012	480-70-370	REP	01-08-012	480-80-047	REP-P	01-02-102
480-70-181	NEW	01-08-012	480-70-371	NEW	01-08-012	480-80-047	REP	01-09-002
480-70-186	NEW	01-08-012	480-70-376	NEW	01-08-012	480-80-048	REP-P	01-02-102
480-70-190	REP	01-08-012	480-70-380	REP	01-08-012	480-80-048	REP	01-09-002
480-70-191	NEW	01-08-012	480-70-381	NEW	01-08-012	480-80-049	REP-P	01-02-102
480-70-196	NEW	01-08-012	480-70-386	NEW	01-08-012	480-80-049	REP	01-09-002
480-70-200	REP	01-08-012	480-70-390	REP	01-08-012	480-80-120	REP-P	01-02-102
480-70-201	NEW	01-08-012	480-70-391	NEW	01-08-012	480-80-120	REP	01-09-002
480-70-206	NEW	01-08-012	480-70-396	NEW	01-08-012	480-80-325	NEW-P	01-02-102
480-70-210	REP	01-08-012	480-70-400	REP	01-08-012	480-80-325	NEW	01-09-002
480-70-211	NEW	01-08-012	480-70-401	NEW	01-08-012	480-80-326	NEW-P	01-02-102
480-70-216	NEW	01-08-012	480-70-405	REP	01-08-012	480-80-326	NEW	01-09-002
480-70-220	REP	01-08-012	480-70-406	NEW	01-08-012	480-80-390	REP-P	01-02-102
480-70-221	NEW	01-08-012	480-70-410	REP	01-08-012	480-80-390	REP	01-09-002
480-70-226	NEW	01-08-012	480-70-411	NEW	01-08-012	480-90-001	NEW-P	01-02-084
480-70-230	REP	01-08-012	480-70-416	NEW	01-08-012	480-90-001	NEW	01-11-003
480-70-231	NEW	01-08-012	480-70-420	REP	01-08-012	480-90-003	NEW-P	01-02-084
480-70-236	NEW	01-08-012	480-70-421	NEW	01-08-012	480-90-003	NEW	01-11-003
480-70-240	REP	01-08-012	480-70-426	NEW	01-08-012	480-90-008	NEW-P	01-02-084
480-70-241	NEW	01-08-012	480-70-430	REP	01-08-012	480-90-008	NEW	01-11-003
480-70-245	REP	01-08-012	480-70-431	NEW	01-08-012	480-90-011	REP-P	01-02-084
480-70-246	NEW	01-08-012	480-70-436	NEW	01-08-012	480-90-011	REP	01-11-003
480-70-250	REP	01-08-012	480-70-440	REP	01-08-012	480-90-013	NEW-P	01-02-084
480-70-251	NEW	01-08-012	480-70-441	NEW	01-08-012	480-90-013	NEW	01-11-003
480-70-256	NEW	01-08-012	480-70-446	NEW	01-08-012	480-90-016	REP-P	01-02-084
480-70-260	REP	01-08-012	480-70-451	NEW	01-08-012	480-90-016	REP	01-11-003
480-70-261	NEW	01-08-012	480-70-456	NEW	01-08-012	480-90-018	NEW-P	01-02-084
480-70-262	NEW	01-08-012	480-70-461	NEW	01-08-012	480-90-018	NEW	01-11-003
480-70-266	NEW	01-08-012	480-70-466	NEW	01-08-012	480-90-021	REP-P	01-02-084

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-90-021	REP	01-11-003	480-90-123	NEW-S	01-11-148	480-90-213	NEW	01-11-003
480-90-023	NEW-P	01-02-084	480-90-126	REP-P	01-02-084	480-90-218	NEW-P	01-02-084
480-90-023	NEW	01-11-003	480-90-126	REP	01-11-003	480-90-218	NEW	01-11-003
480-90-026	REP-P	01-02-084	480-90-128	NEW-P	01-02-084	480-90-223	NEW-P	01-02-084
480-90-026	REP	01-11-003	480-90-128	NEW	01-11-003	480-90-223	NEW	01-11-003
480-90-028	NEW-P	01-02-084	480-90-131	REP-P	01-02-084	480-90-228	NEW-P	01-02-084
480-90-028	NEW	01-11-003	480-90-131	REP	01-11-003	480-90-228	NEW	01-11-003
480-90-031	REP-P	01-02-084	480-90-133	NEW-P	01-02-084	480-90-233	NEW-P	01-02-084
480-90-031	REP	01-11-003	480-90-133	NEW	01-11-003	480-90-233	NEW	01-11-003
480-90-032	REP-P	01-02-084	480-90-136	REP-P	01-02-084	480-90-238	NEW-P	01-02-084
480-90-032	REP	01-11-003	480-90-136	REP	01-11-003	480-90-238	NEW	01-11-003
480-90-033	NEW-P	01-02-084	480-90-138	NEW-P	01-02-084	480-90-303	NEW-P	01-02-084
480-90-033	NEW	01-11-003	480-90-138	NEW	01-11-003	480-90-303	NEW	01-11-003
480-90-036	REP-P	01-02-084	480-90-141	REP-P	01-02-084	480-90-308	NEW-P	01-02-084
480-90-036	REP	01-11-003	480-90-141	REP	01-11-003	480-90-308	NEW	01-11-003
480-90-041	REP-P	01-02-084	480-90-143	NEW-P	01-02-084	480-90-313	NEW-P	01-02-084
480-90-041	REP	01-11-003	480-90-143	NEW	01-11-003	480-90-313	NEW	01-11-003
480-90-043	REP-P	01-02-084	480-90-146	REP-P	01-02-084	480-90-323	NEW-P	01-02-084
480-90-043	REP	01-11-003	480-90-146	REP	01-11-003	480-90-323	NEW	01-11-003
480-90-046	REP-P	01-02-084	480-90-148	NEW-P	01-02-084	480-90-328	NEW-P	01-02-084
480-90-046	REP	01-11-003	480-90-148	NEW	01-11-003	480-90-328	NEW	01-11-003
480-90-051	REP-P	01-02-084	480-90-151	REP-P	01-02-084	480-90-333	NEW-P	01-02-084
480-90-051	REP	01-11-003	480-90-151	REP	01-11-003	480-90-333	NEW	01-11-003
480-90-056	REP-P	01-02-084	480-90-153	NEW-P	01-02-084	480-90-338	NEW-P	01-02-084
480-90-056	REP-S	01-11-148	480-90-153	NEW-S	01-11-148	480-90-338	NEW	01-11-003
480-90-061	REP-P	01-02-102	480-90-156	REP-P	01-02-084	480-90-343	NEW-P	01-02-084
480-90-061	REP	01-09-002	480-90-156	REP	01-11-003	480-90-343	NEW	01-11-003
480-90-066	REP-P	01-02-084	480-90-158	NEW-P	01-02-084	480-90-348	NEW-P	01-02-084
480-90-066	REP	01-11-003	480-90-158	NEW	01-11-003	480-90-348	NEW	01-11-003
480-90-071	REP-P	01-02-084	480-90-161	REP-P	01-02-084	480-90-353	NEW-P	01-02-084
480-90-071	REP	01-11-003	480-90-161	REP	01-11-003	480-90-353	NEW	01-11-003
480-90-072	REP-P	01-02-084	480-90-163	NEW-P	01-02-084	480-90-999	NEW-P	01-02-084
480-90-072	REP	01-11-003	480-90-163	NEW	01-11-003	480-90-999	NEW	01-11-003
480-90-076	REP-P	01-02-084	480-90-166	REP-P	01-02-084	480-93	PREP	01-13-125
480-90-076	REP	01-11-003	480-90-166	REP	01-11-003	480-93	PREP	01-17-048
480-90-081	REP-P	01-02-084	480-90-168	NEW-P	01-02-084	480-93-005	AMD-P	01-17-110
480-90-081	REP	01-11-003	480-90-168	NEW	01-11-003	480-93-010	AMD-E	01-13-044
480-90-086	REP-P	01-02-084	480-90-171	REP-P	01-02-084	480-93-010	AMD-P	01-17-110
480-90-086	REP	01-11-003	480-90-171	REP	01-11-003	480-93-015	AMD-P	01-17-110
480-90-091	REP-P	01-02-084	480-90-173	NEW-P	01-02-084	480-93-110	AMD-P	01-17-110
480-90-091	REP	01-11-003	480-90-173	NEW	01-11-003	480-93-124	AMD-P	01-17-110
480-90-096	REP-P	01-02-084	480-90-176	REP-P	01-02-084	480-93-155	AMD-P	01-17-110
480-90-096	REP	01-11-003	480-90-176	REP	01-11-003	480-93-180	AMD-P	01-17-110
480-90-101	REP-P	01-02-084	480-90-178	NEW-P	01-02-084	480-93-220	AMD-P	01-17-110
480-90-101	REP	01-11-003	480-90-178	NEW	01-11-003	480-93-240	NEW-E	01-13-045
480-90-103	NEW-P	01-02-084	480-90-181	REP-P	01-02-084	480-93-999	NEW-P	01-17-110
480-90-103	NEW	01-11-003	480-90-181	REP	01-11-003	480-100-001	NEW-P	01-02-083
480-90-106	REP-P	01-02-084	480-90-183	NEW-P	01-02-084	480-100-001	NEW	01-11-004
480-90-106	REP	01-11-003	480-90-183	NEW	01-11-003	480-100-003	NEW-P	01-02-083
480-90-108	NEW-P	01-02-084	480-90-188	NEW-P	01-02-084	480-100-003	NEW	01-11-004
480-90-108	NEW	01-11-003	480-90-188	NEW	01-11-003	480-100-008	NEW-P	01-02-083
480-90-113	NEW-P	01-02-084	480-90-191	REP-P	01-02-084	480-100-008	NEW	01-11-004
480-90-113	NEW	01-11-003	480-90-191	REP	01-11-003	480-100-011	REP-P	01-02-083
480-90-116	REP-P	01-02-084	480-90-193	NEW-P	01-02-102	480-100-011	REP	01-11-004
480-90-116	REP	01-11-003	480-90-193	NEW	01-09-002	480-100-013	NEW-P	01-02-083
480-90-116	REP-S	01-11-148	480-90-203	NEW-P	01-02-084	480-100-013	NEW	01-11-004
480-90-118	NEW-P	01-02-084	480-90-203	NEW	01-11-003	480-100-016	REP-P	01-02-083
480-90-118	NEW	01-11-003	480-90-208	NEW-P	01-02-084	480-100-016	REP	01-11-004
480-90-121	REP-P	01-02-084	480-90-208	NEW	01-11-003	480-100-018	NEW-P	01-02-083
480-90-121	REP-W	01-15-065	480-90-211	REP-P	01-02-084	480-100-018	NEW	01-11-004
480-90-121	REP-S	01-15-088	480-90-211	REP	01-11-003	480-100-021	REP-P	01-02-083
480-90-123	NEW-P	01-02-084	480-90-213	NEW-P	01-02-084	480-100-021	REP	01-11-004

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-100-023	NEW-P	01-02-083	480-100-128	NEW-P	01-02-083	480-100-213	NEW-P	01-02-083
480-100-023	NEW	01-11-004	480-100-128	NEW	01-11-004	480-100-213	NEW	01-11-004
480-100-026	REP-P	01-02-083	480-100-131	REP-P	01-02-083	480-100-218	NEW-P	01-02-083
480-100-026	REP	01-11-004	480-100-131	REP	01-11-004	480-100-218	NEW	01-11-004
480-100-028	NEW-P	01-02-083	480-100-133	NEW-P	01-02-083	480-100-223	NEW-P	01-02-083
480-100-028	NEW	01-11-004	480-100-133	NEW	01-11-004	480-100-223	NEW	01-11-004
480-100-031	REP-P	01-02-083	480-100-136	REP-P	01-02-083	480-100-228	NEW-P	01-02-083
480-100-031	REP	01-11-004	480-100-136	REP	01-11-004	480-100-228	NEW	01-11-004
480-100-032	REP-P	01-02-083	480-100-138	NEW-P	01-02-083	480-100-233	NEW-P	01-02-083
480-100-032	REP	01-11-004	480-100-138	NEW	01-11-004	480-100-233	NEW-W	01-15-064
480-100-033	NEW-P	01-02-083	480-100-141	REP-P	01-02-083	480-100-238	NEW	01-11-004
480-100-033	NEW	01-11-004	480-100-141	REP	01-11-004	480-100-251	REP-P	01-02-083
480-100-036	REP-P	01-02-083	480-100-143	NEW-P	01-02-083	480-100-251	REP	01-11-004
480-100-036	REP	01-11-004	480-100-143	NEW	01-11-004	480-100-308	NEW-P	01-02-083
480-100-041	REP-P	01-02-083	480-100-146	REP-P	01-02-083	480-100-308	NEW	01-11-004
480-100-041	REP	01-11-004	480-100-146	REP	01-11-004	480-100-311	REP-P	01-02-083
480-100-043	REP-P	01-02-083	480-100-148	NEW-P	01-02-083	480-100-311	REP	01-11-004
480-100-043	REP	01-11-004	480-100-148	NEW	01-11-004	480-100-313	NEW-P	01-02-083
480-100-046	REP-P	01-02-083	480-100-151	REP-P	01-02-083	480-100-313	NEW	01-11-004
480-100-046	REP	01-11-004	480-100-151	REP	01-11-004	480-100-318	NEW-P	01-02-083
480-100-051	REP-P	01-02-083	480-100-153	NEW-P	01-02-083	480-100-318	NEW	01-11-004
480-100-051	REP	01-11-004	480-100-153	NEW-S	01-11-147	480-100-328	NEW-P	01-02-083
480-100-056	REP-P	01-02-083	480-100-156	REP-P	01-02-083	480-100-328	NEW	01-11-004
480-100-056	REP-S	01-11-147	480-100-156	REP	01-11-004	480-100-333	NEW-P	01-02-083
480-100-061	REP-P	01-02-102	480-100-161	REP-P	01-02-083	480-100-333	NEW	01-11-004
480-100-061	REP	01-09-002	480-100-161	REP	01-11-004	480-100-338	NEW-P	01-02-083
480-100-066	REP-P	01-02-083	480-100-163	NEW-P	01-02-083	480-100-338	NEW	01-11-004
480-100-066	REP	01-11-004	480-100-163	NEW	01-11-004	480-100-343	NEW-P	01-02-083
480-100-071	REP-P	01-02-083	480-100-166	REP-P	01-02-083	480-100-343	NEW	01-11-004
480-100-071	REP	01-11-004	480-100-166	REP	01-11-004	480-100-353	NEW-P	01-02-083
480-100-072	REP-P	01-02-083	480-100-168	NEW-P	01-02-083	480-100-353	NEW	01-11-004
480-100-072	REP	01-11-004	480-100-168	NEW	01-11-004	480-100-358	NEW-P	01-02-083
480-100-076	REP-P	01-02-083	480-100-171	REP-P	01-02-083	480-100-358	NEW	01-11-004
480-100-076	REP	01-11-004	480-100-171	REP	01-11-004	480-100-363	NEW-P	01-02-083
480-100-081	REP-P	01-02-083	480-100-173	NEW-P	01-02-083	480-100-363	NEW	01-11-004
480-100-081	REP	01-11-004	480-100-173	NEW	01-11-004	480-100-368	NEW-P	01-02-083
480-100-086	REP-P	01-02-083	480-100-176	REP-P	01-02-083	480-100-368	NEW	01-11-004
480-100-086	REP	01-11-004	480-100-176	REP	01-11-004	480-100-373	NEW-P	01-02-083
480-100-091	REP-P	01-02-083	480-100-178	NEW-P	01-02-083	480-100-373	NEW	01-11-004
480-100-091	REP	01-11-004	480-100-178	NEW	01-11-004	480-100-378	NEW-P	01-02-083
480-100-096	REP-P	01-02-083	480-100-181	REP-P	01-02-083	480-100-378	NEW	01-11-004
480-100-096	REP	01-11-004	480-100-181	REP	01-11-004	480-100-383	NEW-P	01-02-083
480-100-101	REP-P	01-02-083	480-100-183	NEW-P	01-02-083	480-100-383	NEW	01-11-004
480-100-101	REP	01-11-004	480-100-183	NEW	01-11-004	480-100-388	NEW-P	01-04-081
480-100-103	NEW-P	01-02-083	480-100-186	REP-P	01-02-083	480-100-388	NEW	01-08-009
480-100-103	NEW	01-11-004	480-100-186	REP	01-11-004	480-100-393	NEW-P	01-04-081
480-100-108	NEW-P	01-02-083	480-100-188	NEW-P	01-02-083	480-100-393	NEW	01-08-009
480-100-108	NEW	01-11-004	480-100-188	NEW	01-11-004	480-100-398	NEW-P	01-04-081
480-100-111	REP-P	01-02-083	480-100-191	REP-P	01-02-083	480-100-398	NEW	01-08-009
480-100-111	REP	01-11-004	480-100-191	REP	01-11-004	480-100-999	NEW-P	01-02-083
480-100-113	NEW-P	01-02-083	480-100-193	NEW-P	01-02-102	480-100-999	NEW	01-11-004
480-100-113	NEW	01-11-004	480-100-193	NEW	01-09-002	480-120-011	AMD-P	01-03-100
480-100-116	REP-P	01-02-083	480-100-201	REP-P	01-02-083	480-120-011	AMD	01-15-022
480-100-116	REP-S	01-11-147	480-100-201	REP	01-11-004	480-120-015	NEW-P	01-03-100
480-100-118	NEW-P	01-02-083	480-100-203	NEW-P	01-02-083	480-120-015	NEW	01-15-022
480-100-118	NEW	01-11-004	480-100-203	NEW	01-11-004	480-120-016	AMD-P	01-03-100
480-100-121	REP-P	01-02-083	480-100-206	REP-P	01-02-083	480-120-016	AMD	01-15-022
480-100-121	REP	01-11-004	480-100-206	REP	01-11-004	480-120-022	REP-P	01-02-102
480-100-123	NEW-P	01-02-083	480-100-208	NEW-P	01-02-083	480-120-022	REP	01-09-002
480-100-123	NEW-S	01-11-147	480-100-208	NEW	01-11-004	480-120-023	REP-P	01-02-102
480-100-126	REP-P	01-02-083	480-100-211	REP-P	01-02-083	480-120-023	REP	01-09-002
480-100-126	REP	01-11-004	480-100-211	REP	01-11-004	480-120-024	REP-P	01-02-102

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
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480-120-025	REP-P	01-02-102	480-122-090	REP-P	01-16-152	504- 14-600	NEW-P	01-15-075
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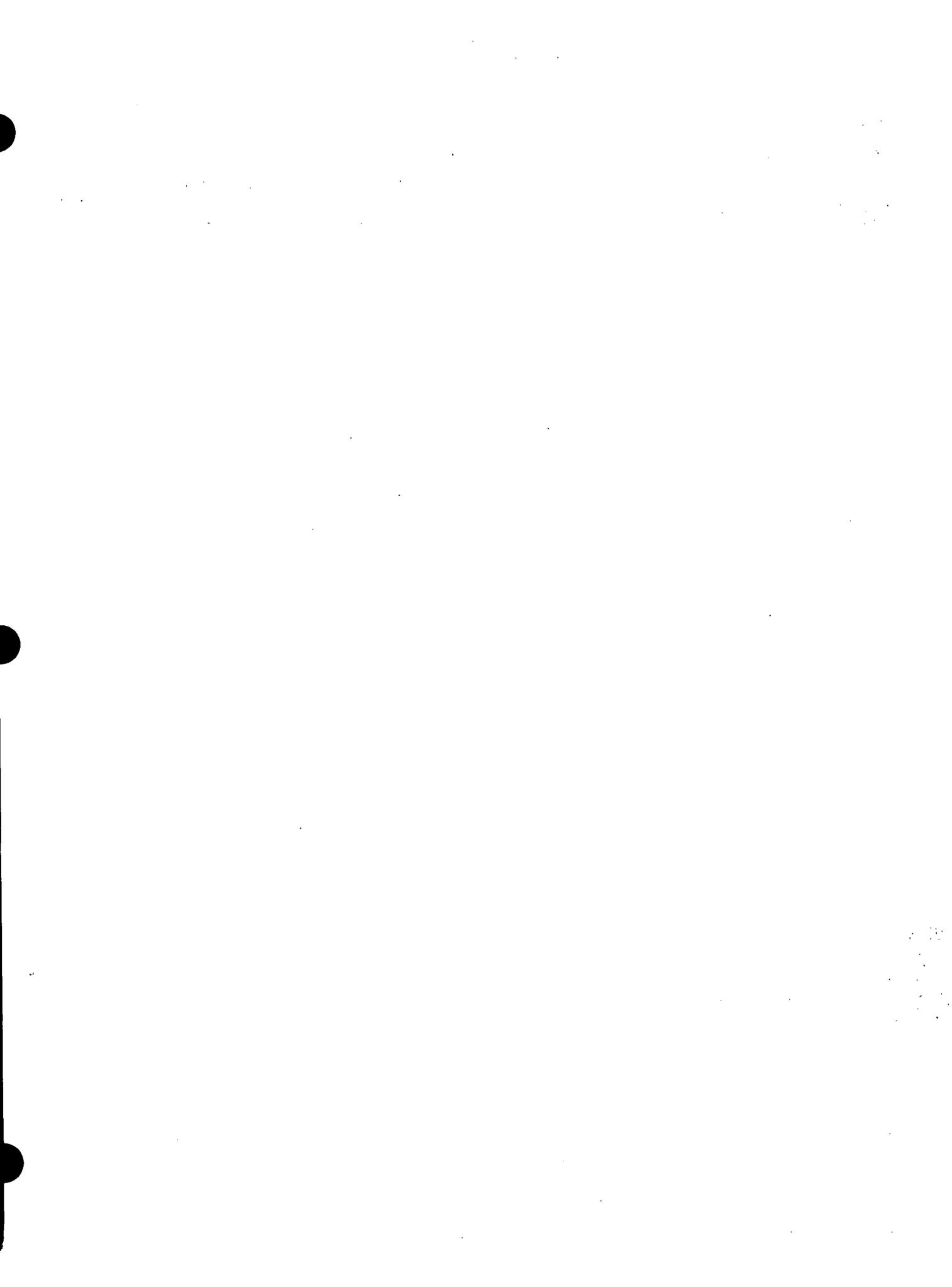
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