

WSR 14-23-007
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
 (Washington Apple Health)
 [Filed November 6, 2014, 1:12 p.m.]

Subject of Possible Rule Making: New rules in chapter 182-505 WAC concerning hospital presumptive eligibility and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, and Patient Protection and Affordable Care Act established under Public Law 111-148.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are necessary to provide temporary Washington apple health coverage to individuals who are determined eligible for hospital presumptive eligibility coverage by a qualified hospital.

During the course of this review, the health care authority (HCA) may identify additional changes that are required to improve clarity or update policy.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chantelle M. Diaz, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail chantelle.diaz@hca.wa.gov.

November 6, 2014
 Kevin M. Sullivan
 Rules Coordinator

WSR 14-23-017
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD
 [Filed November 7, 2014, 11:17 a.m.]

Subject of Possible Rule Making: Chapter 181-82A WAC, Performance based certificate endorsements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. This chapter pertains to certification endorsements. Rule-making authority is granted to PESB for Title 181 WAC.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

November 7, 2014
 David Brenna
 Senior Policy Analyst

WSR 14-23-019
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD
 [Filed November 7, 2014, 1:03 p.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs—Higher education programs standards for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to PESB for Title 181 WAC.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

November 7, 2014
 David Brenna
 Senior Policy Analyst

WSR 14-23-020
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD
 [Filed November 7, 2014, 1:04 p.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs—Higher education programs standards for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator

standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to PESB for Title 181 WAC.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

November 7, 2014

David Brenna
Senior Policy Analyst

WSR 14-23-023

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed November 10, 2014, 8:51 a.m.]

Subject of Possible Rule Making: WAC 196-12-010 Registration requirements and 196-12-050 Waiving the fundamentals-of-engineering examination.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.43.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal of WAC 196-050 [196-12-050] is needed, as the authority to grant a waiver of the fundamentals-of-engineering examination does not exist in law.

An amendment to WAC 196-010 [196-12-010] is needed to delete language regarding a waiver of the fundamentals-of-engineering examination.

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

Process for Developing New Rule: Draft language of rule amendments will be distributed to the board's list of interested persons (listserv).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting George A. Twiss, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA 98507-9025, phone (360) 664-1565, fax (360) 664-2551, e-mail engineers@dol.wa.gov. Interested parties may send in their comments by mail, phone, facsimile, or e-mail. Additional information will be posted on the engineers, land surveyors, and on-site web site as it becomes available at <http://www.dol.wa.gov/business/engineerslandsurveyors/>.

November 10, 2014

Damon Monroe
Rules Coordinator

WSR 14-23-028

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Board of Psychology)

[Filed November 12, 2014, 9:13 a.m.]

Subject of Possible Rule Making: WAC 246-924-358 Sexual misconduct, the examining board of psychology (board) is considering revising the rule to clarify that forcible or nonconsensual acts are within the definition of sexual misconduct by psychologists.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.83.050, 18.130.050, and Executive Order 06-03.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is considering updating the sexual misconduct rule to establish clearer standards of conduct for psychologists. The board's experience with investigating and enforcing the current rule has raised the need to clarify what acts constitute sexual misconduct by psychologists. Updating the sexual misconduct rule will establish clearer standards of conduct and help the board be consistent in its enforcement activities to more fully comply with RCW 18.130.062 and Executive Order 06-03.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Betty Moe, Program Manager, Health Professions and Facilities, Examining Board of Psychology, P.O. Box 47852, Olympia, WA 98504-7852, e-mail betty.moe@doh.wa.gov, phone (360) 236-4912, fax (360) 236-2901. Stakeholders will be notified of open public workshops and may submit written comments for consideration. Notifications will be sent through the psychology listserv. Information will also be posted to the program's web site.

November 12, 2014

T. Cahn, Ph.D.
Chair

WSR 14-23-039

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed November 12, 2014, 10:42 a.m.]

Subject of Possible Rule Making: WAC 246-933-460, adding organizations to the list of organizations, institutions or individuals approved by the veterinary board of governors (board) to provide continuing education courses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.92.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board received a petition for rule making requesting approval of courses sponsored by

the North American Veterinary Conference, Western Veterinary Conference, and Central Veterinary Conference. The board agreed to consider rule making for approval of courses presented by North American Veterinary Conference, Western Veterinary Conference, and Central Veterinary Conference.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can participate in the development of rules by attending stakeholder meetings, providing comments on proposed language which will be sent to interested persons through listserv and by regular mail. Send written comments to Judy Haenke, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4947, fax (360) 236-2901, or e-mail judy.haenke@doh.wa.gov.

November 12, 2014
Katherine J. Schmitt
Deputy Director
Office of Health
Professions and Facilities

WSR 14-23-046

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed November 13, 2014, 3:55 p.m.]

Subject of Possible Rule Making: Chapter 246-872 WAC, Automated drug distribution devices; WAC 246-869-120 Mechanical devices in hospitals; and new chapter 246-XXX WAC, Pharmacy technology. The pharmacy quality assurance commission (commission) will consider creating and revising rules regarding pharmacy technology related to remote/shared pharmacy services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission is considering developing rules regarding the use of technology as it applies to the practice of pharmacy. Technological advances in the practice of pharmacy have been occurring at a rapid pace and there are few rules in effect that pertain to contemporary technology in the practice of pharmacy. Rules regarding the use of technological processes, robotics, and equipment used in pharmacy services such as, but not limited to, remote prescription dispensing, centralized pharmacy services, shared hospital services, remote medication order processing, and workload balancing are necessary to establish appropriate, enforceable standards for public health and safety.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Food and Drug Administration (FDA) also

regulates some aspects of the technology that the commission will be reviewing. The commission will work with FDA to ensure that proposed administrative rules align appropriately with federal rules.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties will receive notice of rule making and stakeholder workshops via listserv, and will have the opportunity to submit written comments on the proposed rules prior to the official public hearing. For more information, please contact the Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504, or WSPQAC@doh.wa.gov.

November 13, 2014
Chris Humberson, R.Ph.
Executive Director
Pharmacy Quality Assurance Commission

WSR 14-23-066

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed November 18, 2014, 9:04 a.m.]

Subject of Possible Rule Making: Chapter 308-20 WAC, Cosmetology, barber, manicurist, esthetician rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.16.030, 43.24.023.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will amend chapter 308-20 WAC to add language from Interpretive Statement-COS1, regarding the practice of natural hair braiding. This will define that natural hair braiding does not meet the requirements as set forth in chapter 18.16 RCW.

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

Process for Developing New Rule: Details will be distributed through the cosmetology listserv and through direct mailings to licensees and interested parties.

To receive information by e-mail, please sign up on the cosmetology listserv at <http://www.dol.wa.gov/business/cosmetology/maillinglist.html>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cameron Dalmas, Business and Professions Division, Cosmetology Program, Department of Licensing, P.O. Box 9026, Olympia, WA 98507, phone (360) 664-6643, fax (360) 664-2550, e-mail plssunit@dol.wa.gov. Interested parties may send in their comments by mail, phone, facsimile, or e-mail. Additional information will be posted on the cosmetology web site as it becomes available at <http://dol.wa.gov/business/cosmetology>.

November 18, 2014
Damon Monroe
Rules Coordinator

WSR 14-23-067**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed November 18, 2014, 9:26 a.m.]

Subject of Possible Rule Making: Chapter 308-20 WAC, Cosmetology, barber, manicurist, esthetician rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.16.030, 43.24.023.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will be reviewing the WAC to ensure we are meeting current safety and sanitation requirements regarding public safety.

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

Process for Developing New Rule: Details will be distributed through the cosmetology listserv and through direct mailings to licensees and interested parties.

To receive information by e-mail, please sign up on the cosmetology listserv at <http://www.dol.wa.gov/business/cosmetology/maillinglist.html>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cameron Dalmas, Business and Professions Division, Cosmetology Program, Department of Licensing, P.O. Box 9026, Olympia, WA 98507, phone (360) 664-6643, fax (360) 664-2550, e-mail plssunit@dol.wa.gov. Interested parties may send in their comments by mail, phone, facsimile, or e-mail. Additional information will be posted on the cosmetology web site as it becomes available at <http://dol.wa.gov/business/cosmetology>.

November 18, 2014
Damon Monroe
Rules Coordinator

WSR 14-23-078**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed November 18, 2014, 2:55 p.m.]

Subject of Possible Rule Making: Chapter 16-470 WAC, Quarantine—Agricultural pests, the department is considering establishing a special permit to allow transportation and distribution of solid waste for disposal at a solid waste land-fill or disposal facility in the apple maggot and plum curculio pest-free area from the area under quarantine.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.24.011, 17.24.041, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency had been working with the solid waste industry and other stakeholders regarding reissuance of a special permit under WAC 16-470-130 when it determined that section applied only to special permits for transport of fresh fruit. On November 14, 2014, the agency adopted via emergency rule making language allowing the issuance of special permits for transport of solid waste to solid waste disposal facilities in the apple maggot

and plum curculio pest-free area. If a permanent rule is not adopted, the affected industry stakeholder(s) will lack alternatives to properly dispose of existing waste, creating storage and disposal backups with potential health risks and financial risks to the municipal corporations dependent on their contractors to properly and timely dispose of the waste.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of ecology, we have discussed the issue with department of ecology and will continue to involve them in future discussions.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brad White, Assistant Director, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail bwhite@agr.wa.gov; or Jim Marra, Pest Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2071, fax (360) 902-2094, e-mail jmarra@agr.wa.gov.

November 18, 2014
Brad White
Assistant Director

WSR 14-23-080**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed November 18, 2014, 4:28 p.m.]

Subject of Possible Rule Making: WAC 458-20-174 (Rule 174) Sales of motor vehicles, trailers, and parts to motor carriers operating in interstate or foreign commerce and 458-20-17401 (Rule 17401) Use tax liability for motor vehicles, trailers, and parts used by motor carriers operating in interstate or foreign commerce.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300 and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule 174 explains the application of the business and occupation tax and the retail sales tax on sales to for hire motor carriers operating in interstate or foreign commerce. Rule 17401 explains the use tax and use tax exemptions that apply to for hire motor carriers.

The department is considering an update to both rules and plan[s] to include information from ETAs 3185 and 3186 pertaining to the sourcing and attribution of income on leases and rentals of tangible personal property and the use tax liability for lessees on leased tangible personal property. Some general updating is also being considered.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. A preliminary draft of possible rule changes is available via the department's online Rules Agenda.

Written comments may be submitted by mail and should be directed to Gayle Carlson, Tax Policy Specialist, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail GayleC@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, 1st Floor Appeals Conference Room, 1025 Union Avenue S.E., Olympia, WA, on December 30, 2014, at 1:30 p.m. *Call-in option can be provided upon request no later than three days before the meeting date.*

Assistance for Persons with Disabilities: Contact Mary Carol LaPalm, (360) 725-7499, or Renee Cosare, (360) 725-7514, no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

November 18, 2014
Dylan Waits
Rules Coordinator

WSR 14-23-085

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE UNIVERSITY

[Filed November 19, 2014, 8:25 a.m.]

Subject of Possible Rule Making: Chapter 504-15 WAC, Campus parking and traffic regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The university is updating the campus parking and traffic regulations and expanding rules regarding permit display.

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

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ralph T. Jenks, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone (509) 335-2005, fax (509) 335-3969, e-mail prf.forms@wsu.edu. A public hearing will be held to permit comment to all

proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

November 19, 2014
Ralph T. Jenks, Director
Procedures, Records, and Forms
and University Rules Coordinator

WSR 14-23-090

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed November 19, 2014, 11:16 a.m.]

Subject of Possible Rule Making: WAC 308-104-019 Renewal of driver's license or identicard by electronic commerce—Eligibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.20.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department proposes to amend WAC 308-104-019 to permit holders of enhanced driver's license or identicards to renew by electronic commerce.

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

Process for Developing New Rule: Stakeholder input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Clark J. Holloway, Department of Licensing, P.O. Box 9020, Olympia, WA 98507-9020, (360) 902-3846, cholloway@dol.wa.gov.

November 19, 2014
Damon Monroe
Rules Coordinator

WSR 14-23-091

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed November 19, 2014, 11:20 a.m.]

Subject of Possible Rule Making: Political advertising rules contained in Title 390 WAC, including clarifying what records a commercial advertiser must make available for public inspection and the definition of "contribution" as it applies to duplicating political advertising.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, commercial advertisers must make available, for public inspection, certain records relating to their advertisements supporting or opposing candidates. Rule language must be updated to require inspection of records related to electioneering communications, a type of advertisement that identifies a candidate but may not express advocacy. The definition of "contribution"

may be refined as it pertains to duplicating political advertising.

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

Process for Developing New Rule: The commission may review and approve draft language at its January 22, 2015, regular meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Anderson, P.O. Box 40908, Olympia, WA 98504, e-mail lori.anderson@pdc.wa.gov, phone (360) 664-2737, toll-free 1-877-601-2828, fax (360) 753-1112.

November 19, 2014
Lori Anderson
Communications and
Training Officer