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# Washington State Register

**MAY 18, 1983**

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**ISSUE 83-10**



## IN THIS ISSUE

Agriculture, Department of  
 Blind, Commission for the  
 Building Code Advisory Council  
 Community College District No. 5  
 Community College District No. 17  
 Community College District No. 21  
 Community Economic Revitalization Board  
 Corrections, Department of  
 Deferred Compensation, Committee for  
 Ecology, Department of  
 Everett Community College  
 Fisheries, Department of  
 Forest Fire Advisory Board  
 Gambling Commission  
 General Administration, Department of  
 Governor, Office of the  
 Health, Board of  
 Higher Education Personnel Board  
 Insurance Commissioner  
 Labor and Industries, Department of  
 Library Commission

Licensing, Department of  
 Liquor Control Board  
 Lottery Commission  
 Natural Resources, Department of  
 Outdoor Recreation, Interagency Committee for  
 Parks and Recreation Commission  
 Personnel, Department of  
 Pharmacy, Board of  
 Pilotage Commissioners, Board of  
 Planning and Community Affairs Agency  
 Postsecondary Education, Council for  
 Productivity Board  
 Revenue, Department of  
 Seattle Community College District  
 Social and Health Services, Department of  
 Spokane Community College  
 Transportation, Department of  
 Utilities and Transportation Commission  
 Vocational Education, Commission for  
 Western Washington University  
 Whatcom Community College

*1983*  
*Table / Reg*  
*Audit - OK*  
*W/Ax*

(Subject/Agency index at back of issue)  
 This issue contains documents officially  
 filed not later than May 4, 1983

## 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.

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DENNIS W. COOPER  
Code Reviser

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# WASHINGTON STATE REGISTER

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**Robert L. Charette,**  
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**Dennis W. Cooper,**  
*Code Reviser*

**Gary Reid,**  
*Chief Assistant Code Reviser*

**Susan J. Brooks**  
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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

### 2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** *have been adopted on an emergency basis and are set forth in ten point oblique type.*

### 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 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 matter is new matter;
  - (ii) ~~deleted matter is ((lined out and bracketed 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.

### 4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA 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.

### 5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed 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 and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 6. EDITORIAL CORRECTIONS

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

### 7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

**1983**  
**DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION**

<u>Issue No.</u>	<u>Closing Dates</u> <sup>①</sup>			<u>Distribution Date</u>	<u>First Agency Action Date</u> <sup>③</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>②</sup> or 10 p. max. Non-OTS		
<i>For Inclusion—</i>	<i>File no later than—</i>			<i>Count 20 days from—</i>	<i>For hearing/adoption on or after</i>
83-01	Nov 24	Dec 8	Dec 22, 1982	Jan 5, 1983	Jan 25
83-02	Dec 8	Dec 22, 1982	Jan 5, 1983	Jan 19	Feb 8
83-03	Dec 22, 1982	Jan 5, 1983	Jan 19	Feb 2	Feb 22
83-04	Jan 5	Jan 19	Feb 2	Feb 16	Mar 8
83-05	Jan 19	Feb 2	Feb 16	Mar 2	Mar 22
83-06	Feb 2	Feb 16	Mar 2	Mar 16	Apr 5
83-07	Feb 23	Mar 9	Mar 23	Apr 6	Apr 26
83-08	Mar 9	Mar 23	Apr 6	Apr 20	May 10
83-09	Mar 23	Apr 6	Apr 20	May 4	May 24
83-10	Apr 6	Apr 20	May 4	May 18	Jun 7
83-11	Apr 20	May 4	May 18	Jun 1	Jun 21
83-12	May 4	May 18	Jun 1	Jun 15	Jul 5
83-13	May 25	Jun 8	Jun 22	Jul 6	Jul 26
83-14	Jun 8	Jun 22	Jul 6	Jul 20	Aug 9
83-15	Jun 22	Jul 6	Jul 20	Aug 3	Aug 23
83-16	Jul 6	Jul 20	Aug 3	Aug 17	Sep 6
83-17	Jul 27	Aug 10	Aug 24	Sep 7	Sep 27
83-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
83-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
83-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
83-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
83-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
83-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
83-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1984

①All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

②A filing of any length will be accepted on the closing dates of this column if it has been prepared by the Order Typing Service (OTS) of the Code Reviser's Office; see WAC 1-12-220 or 1-13-240. 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.

③"No preceeding may be held on any rule until twenty days have passed from distribution date of the Register in which notice thereof was contained." RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

**WSR 83-09-001**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
 [Filed April 7, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Health intends to adopt, amend, or repeal rules concerning:

Amd	ch. 248-16 WAC	Boarding homes.
New	WAC 248-16-105	Lighting.
Rep	WAC 248-16-052	Advertising.
Rep	WAC 248-16-058	Required approval for occupancy after completion of new construction;

that the agency will at 1:00 p.m., Wednesday, June 8, 1983, in the Cowlitz County Courthouse, 3rd Floor Meeting Room, 207 North 4th, Kelso, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.20.090.

The specific statute these rules are intended to implement is chapter 18.20 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before May 11, 1983.

Dated: April 6, 1983  
 By: John A. Beare, MD  
 Secretary

### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amending chapter 248-16 WAC Boarding homes; new WAC 248-16-105 Lighting; repealing WAC 248-16-052 Advertising, and WAC 248-16-058 Required approval for occupancy after completion of new construction.

Purpose of Rule Changes: To update, modify, and clarify entire chapter of regulations designed to promote safe and adequate care of residents in boarding homes. To repeal or delete sections considered redundant or unnecessary in promotion of safe and adequate care of residents following open dialogue including state, local, and private agency staffs, operators of small and large licensed boarding homes.

Amendment necessary because licensing staff, providers, and other state agencies have noted confusing requirements or omission of minimal requirements in terms of safety, care, or "advancing knowledge" pursuant to RCW 18.20.010 Purpose.

Statutory Authority: RCW 18.20.090.

Summary of the Rule Change: Three sections are repealed and other sections revised in a manner which reflects minimum standards of safety and care for residents; clarifies and updates regulations governing facilities which fall within the legal definition of boarding home pursuant to RCW 18.20.020. Definitions added and amended as necessary to clarify meaning or to describe amended rules. Resident rights were added to reflect growing concern of long term care groups related to increasing numbers of vulnerable aged and infirm who require boarding home care. Rules which represented

greater than "minimum" standards of safety and care amended or repealed.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: John H. Gerth, Section Head, Licensing and Development Section, OSHPD, Division of Health, DSHS, Mailstop ET-31, phone: 753-5851.

Rule change proposed by DSHS.

These rules are not necessary as a result of federal law, federal court decisions, or state court decisions.

This proposed rule change does not impose an additional cost of compliance and therefore no economic impact statement is required under the Regulatory Fairness Act.

### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-001 DEFINITIONS. For the purposes of these regulations, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise.

(1) "Abuse" means the injury, sexual use or sexual mistreatment of an individual resident by any person under circumstances which indicate the health, welfare, and safety of the resident is harmed thereby.

(a) "Physical abuse" means damaging or potentially damaging non-accidental acts or incidents which may result in bodily injury or death.

(b) "Emotional abuse" means verbal or nonverbal actions which constitute harassment.

((+)) (2) "Ambulatory resident" means a resident who physically and mentally is capable of walking unaided or is capable of independent mobility with the use of a cane, crutches, a walkerette, a walker, a wheelchair or artificial limb. It shall mean an individual who is able to walk or traverse a normal path to safety unaided by another individual. ((Ambulatory resident)) This definition shall not be interpreted to include ((a person)) an individual who needs the assistance of another ((person)) individual in order to get into and out of bed, to transfer to a chair or ((water-closet)) toilet or to move from place to place ((and it shall be interpreted to mean a person who is able to walk or traverse a normal path to safety unaided)).

((+)) (3) "Area" (except when used in reference to a major section of a boarding home) means a portion of a room which contains the equipment essential to carry out a particular function and is separated from other facilities of the room by a physical barrier or adequate space.

((+)) (4) "Bathing facility" means a bathtub ((or)), shower ((and it does not include sitz baths or other fixtures designated primarily for therapy)) or sit-down shower.

((+)) (5) "Bathroom" means a room containing at least one bathing facility.

((+)) (6) "Board" as used in ((subsection 2, of section 2, chapter 253, Laws of 1957,)) RCW 18.20.020(2) means the provision of daily meal service and lodging.

(7) "Dietitian" means an individual meeting the eligibility requirements for active membership in the American dietetic association described in Directory of Dietetic Programs Accredited and Approved, American Dietetic Association, edition 100, 1980.

((+)) (8) "Domiciliary care" means the care offered an individual in his or her ((place of lodging)) living accommodation which includes the assumption of a general responsibility for the safety and well-being of the individual and provision of assistance in the activities of daily living, as needed.

((+)) (9) "Facilities" means a room or area and/or equipment to serve a specific function.

((+)) (10) "Free hanging space for clothes" means separated space in ((an enclosed)) a wardrobe or closet with a rod which provides for clothing to hang full length without touching the floor ((of the closet)).

((+)) (11) "Functional abilities" means the physical, mental, emotional and social abilities to cope with the affairs and activities of daily living.

((+10)) "General health supervision" means provision of the following services in accordance with an individual's particular needs:

(a) Encouraging a resident to self-administer medically prescribed drugs and treatments;

(b) Encouraging a resident to follow any modified diet and rest or activity regimen which has been medically prescribed for him or her;

~~(c) Encouraging and assisting a resident to keep appointments for health care services, such as appointments with physicians, dentists, visiting nurse service or clinics;~~

~~(d) Encouraging a resident to see his or her physician if the resident manifests signs and symptoms of an illness or abnormality for which medical diagnosis and treatment seem indicated;~~

~~(12) "Grade" means the level of the ground adjacent to the building measured at required windows. Ground shall be level or slope downward for a distance of at least ten feet from the wall of the building.~~

~~(13) "Health care practitioner" means any individual, group or organization that provides health care as legally authorized by law, e.g., physician, chiropractor, naturopath, certified registered nurse, physician's assistant.~~

~~(14) "Home health care service" means any nursing service or other service provided by licensed nurses, other practitioners or aides on a periodic or short-term basis which does not include continuous nursing care.~~

~~((11)) (15) "Infirmity" means a disability which materially limits normal activity but does not cause an individual to need inpatient medical or nursing care of a type provided by institutions licensed under the provisions of chapters 18.46, 18.51, 70.41 or 71.12 RCW. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, developmental disability, chemical addiction or habituation or mental confusion, disability or disturbance.~~

~~((12)) (16) "Lavatory" means a plumbing fixture designed and equipped to serve for handwashing purposes.~~

~~((13) "Lodging" means the regular provision of living accommodations)) (17) "May" means to permit, at the discretion of the department.~~

~~((14)) (18) "Medication service" means the procurement and administration of drugs in accordance with the orders of a physician or other health care practitioner who is legally authorized to prescribe drug therapy and acting within the scope of his or her license in prescribing such therapy.~~

~~(19) "Neglect" means negligent treatment or maltreatment; an act or omission which evinces a disregard of consequences of such a magnitude as to constitute a clear and present danger to a resident's health, welfare, and/or safety.~~

~~((15)) (20) "New construction" means any of the following started after promulgation of these rules and regulations:~~

~~(a) ((New)) Buildings(s) to be used as a boarding home;~~

~~(b) Addition(s) to existing building(s) to be used as a boarding home;~~

~~(c) ((Alteration(s) other than minor alteration(s) to a boarding home: "Minor alterations" means any)) A structural or functional modification within an existing boarding home which ((does not change)) changes the approved use of the room or area. ((Minor alterations performed under this definition do not require prior approval of the department, however, this does not constitute a release from applicable requirements contained in chapter 248-16 WAC.~~

~~(16) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor, thereof.~~

~~((17)) (21) "Resident" means an individual who ((receives)), by reason of age or infirmity, requires domiciliary care and who is not related by blood or marriage to the operator of the boarding home.~~

~~((18)) (22) "Room" means a space set apart by floor to ceiling partitions on all sides with all openings provided with doors or windows.~~

~~((19)) (23) "Sit-down shower" means a shower which has a molded seat, fold-down type of seat, or an equivalent means for sitting and is designed for bathing while in a sitting position.~~

~~((20) "Through traffic" means traffic for which the origin and destination are outside the room or area which serves as a passageway.))~~

~~((21)) (24) "Toilet" means a ((room containing at least one water closet)) disposal apparatus consisting of a hopper, fitted with a seat and flushing device, used for urination and defecation.~~

~~((22) "Water closet" means a plumbing fixture for defecation fitted with a seat and device for flushing the bowl of the fixture with water)) (25) "Usable floor space" means floor area available for use in a resident bedroom exclusive of areas with ceiling height less than seven feet six inches and walk-in closets.~~

~~(26) "Utility sink" means a plumbing fixture of adequate size and proper design for filling and emptying mop buckets.~~

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-035 QUALIFICATIONS OF ADMINISTRATOR. (1) There shall be an administrator who manages the boarding home, is at least ((21)) twenty-one years of age, and ((manages the boarding home effectively)) is not a resident.

(2) ((Any)) The administrator ((who has not been an administrator of a boarding home licensed under chapter 248-16 WAC prior to the implementation of these regulations)) shall have at least a high school ((education)) diploma or equivalent unless the administrator was operating a boarding home in Washington state prior to January 1, 1958.

((At any time the administrator is not on duty or on call, there)) The administrator either shall be on duty or ((on call an individual to whom the administrator has delegated the authority and responsibility to act in his or her place. Any individual to whom the administrator's authority and responsibility are delegated shall be at least 21 years of age and not a resident of the boarding home)) readily available at all times except when an alternate administrator, who meets the administrator qualifications herein, is designated in writing by the administrator, and is on duty or readily available.

(4) Change of administrator shall be reported to the department.

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-040 LICENSURE, DENIAL, SUSPENSION OR REVOCATION. (1) Disqualified applicants. Before granting a license, the department shall consider jointly and separately the ability of each ((person)) individual, firm, partnership, corporation, company, association or joint stock association, and the legal successor thereof named in the application to operate the boarding home in accordance with the law and chapter 248-16 WAC. Such ((persons)) individuals shall be considered separately and jointly as applicants and if any one be deemed disqualified by the department in accordance with chapter 18.20 RCW or chapter 248-16 WAC, the license may be denied, suspended or revoked.

(a) Any individual engaging in drug or alcohol abuse or ((excessive use of alcohol)) convicted of a felony shall be disqualified even though boarding home premises are adequate: PROVIDED, That such abuse or conviction is reasonably related to the competency of the person to exercise responsibilities of ownership, operation, and/or administration of the boarding home, and the department determines, after investigation, that such person has not been sufficiently rehabilitated to warrant public trust.

(b) Individuals convicted of a felony, child abuse and/or any crime involving physical harm to another person or individuals who have been identified as perpetrators of substantiated child abuse pursuant to chapter 26.44 RCW shall be disqualified by reason of such conviction if such conviction is reasonably related to the competency of the person to exercise responsibilities for ownership, operation and/or administration of a boarding home and the department determines, after investigation, that such person has not been sufficiently rehabilitated subsequent to such conviction or abuse registry listing to warrant public trust.

(c) Individuals who, in this state or elsewhere, have been denied a license to operate a hospital, nursing home, boarding home or other facility for the care of children or ill, aged or infirm persons, or who have had a license to operate such a facility suspended or revoked shall not be granted a license until they ((affirmatively)) establish to the department by clear, cogent and convincing evidence their ability to operate the boarding home for which the license is sought in full conformity with all applicable laws ((and)), rules and regulations.

(2) A boarding home license shall be denied, suspended or revoked for failure to comply with the provisions of chapter 18.20 RCW of the following reasons:

(a) Obtaining or attempting to obtain a license by fraudulent means or misrepresentation;

(b) Committing, permitting, aiding((:)) or abetting the commission of any illegal act on the boarding home premises;

(c) Committing, permitting, aiding or abetting cruelty, assault, abuse, neglect or indifference to the welfare of ((the residents)) any resident;

(d) ((Insufficient personnel)) Failure to care properly for the number and types of residents in the facility;

(e) Misappropriation of the property of the residents; and

(f) Failure or inability to exercise fiscal responsibility and accountability in respect to an individual resident, the department or the business community.

**AMENDATORY SECTION** (Amending Order 191, filed 1/4/80)

WAC 248-16-045 PERSONNEL. (1) There shall be sufficient staff ~~((who are not of the resident population;))~~ to provide the services needed by residents and ~~((property))~~ to maintain the boarding home properly. Residents may be employed to perform supportive functions under the "on-premises" supervision of responsible staff.

(2) At least one readily accessible staff member of at least eighteen years of age who is capable of assisting residents shall be ~~((in a boarding home))~~ available on the premises at all times when residents are present ~~((or may return, to))~~ in the facility.

(3) ~~((There shall be a written job description for each position classification within the boarding home. PROVIDED, HOWEVER, That this requirement shall not apply to a boarding home having a capacity for 20 or less residents which is owned and administered by one and the same individual or husband/wife partnership.~~

~~((A planned))~~ An orientation shall be provided to each new employee to acquaint him or her with the: Organization of the boarding home; the physical plant layout; ~~((his or her))~~ particular duties and responsibilities; the policies, procedures, and equipment which are pertinent to those duties and responsibilities ~~((and the emergency procedures which boarding home staff will carry out))~~ including emergencies, abuse, neglect, and prevention of transmission of infection. Orientation shall be documented.

~~((5))~~ (4) Each ~~((employee))~~ staff member shall be provided needed training for the performance of the specific functions, duties, and procedures for which he or she is responsible. Training shall be documented.

~~((6))~~ (5) Upon employment, each person shall have or provide documented evidence of a tuberculin test by the Mantoux method unless medically contraindicated. When this skin test is negative (less than ~~((10 mm))~~ ten millimeters of induration), no further tuberculin skin testing shall be required. A positive test will consist of ten ~~((mm))~~ millimeters or more of induration read at ~~((48-72))~~ forty-eight to seventy-two hours. Positive reactors shall have a chest x-ray within ~~((90))~~ ninety days of the first day of employment. ~~((Health records including skin test results, x-rays, or exemptions to such shall also be maintained in the facility.))~~ Exceptions and specific requirements are as follows:

(a) ~~((Those with positive tests (as defined above) shall have an annual screening in the form of a chest x-ray))~~ Health records including skin test results, reports of x-ray findings or exemptions to such shall be maintained in the facility.

(b) ~~((Those with positive tests whose chest x-ray shows no sign of active disease, at least two years after the first documented positive skin test, shall be exempted from further annual testing.~~

(c) Those with positive skin tests who have completed a recommended course of preventive or curative treatment, as determined by the local health officer, shall be exempted from ~~((further))~~ testing.

~~((7))~~ (6) ~~((Employees))~~ Staff members with a communicable disease in an infectious stage shall not be on duty ~~((in the boarding home)).~~

~~((8))~~ (7) ~~((For each employee there shall be a personnel record (on file) which includes the employee's education or training and work experience))~~ Documentation of requirements for each staff member, as described in this chapter, shall be available on the premises.

(8) Nonresidents living on the premises and staff shall not have been convicted of child abuse or any crime involving physical harm to another person and shall not be a perpetrator of substantiated child abuse, as described in chapter 26.44 RCW, until such staff or nonresident demonstrates sufficient rehabilitation, subsequent to such conviction or listing on abuse registry, to warrant public trust.

**AMENDATORY SECTION** (Amending Regulation .16.050, effective 3/11/60)

WAC 248-16-050 LOCATION. Boarding homes shall not be located where excessive noise, odors, dust, smoke, or traffic would adversely affect the ~~((boarders'))~~ health and/or safety of residents.

**AMENDATORY SECTION** (Amending Order 147, filed 6/29/77)

WAC 248-16-055 NEW CONSTRUCTION. (1) When new construction is ~~((contemplated))~~ planned, the following shall be submitted to the department for review:

(a) Preliminary documents:

(i) A written program containing, at a minimum, information concerning services to be provided and operational methods to be used which will affect the extent of facilities required by these regulations;

(ii) Scale drawings for modifications to room(s) or area(s), as defined in WAC 248-16-001(19)(c);

(iii) Drawings descriptive of proposed modifications including impact(s) upon physical plant operations and services; and

~~((b) Duplicate))~~ (iv) Two sets of preliminary plans ~~((which are))~~ drawn to scale and ~~((include))~~ including: A plot plan showing streets, driveways, the water supply and sewage disposal systems, grade and location of building(s) ~~((on the site, and plans of each floor of the building(s))),~~ existing and proposed, ~~((which designate))~~ the designated function of each room and ~~((show))~~ all fixed equipment. The preliminary plans shall be accompanied by a general description of construction and materials~~((:));~~

(v) Final construction drawings are not required at the preliminary document stage.

(b) Final construction documents:

~~((2) Duplicate))~~ Two sets of specifications and final plans ~~((which are))~~ drawn to scale ~~((and specifications))~~ shall have been submitted to and approved by the department before construction is started. Final plans and specifications shall show complete details to be furnished to contractors for construction of buildings. These shall include:

~~((a))~~ (i) Plot plan;

~~((b))~~ (ii) Plans of each floor of the building(s) which designate the function of each room and show all fixed equipment ~~((and the planned location of beds and other furniture in residents' sleeping rooms));~~

~~((c))~~ (iii) Interior and exterior elevations, building sections, and construction details;

~~((d))~~ (iv) A schedule of floor, wall and ceiling finishes, and the types and sizes of doors and windows;

~~((e))~~ (v) Plumbing, heating, ventilating, and electrical systems; and

~~((f))~~ (vi) Specifications which fully describe workmanship and finishes.

(2) Adequate provisions shall be made for the safety and comfort of residents if construction work takes place in or near occupied areas.

(3) All construction shall take place in accordance with the approved final plans and specifications. The department shall be consulted prior to making any changes from the approved plans and specifications. When indicated by the nature or extent of proposed changes, the department may require the submission of modified plans or addenda for review. Only those changes which have been approved by the department may be incorporated into the construction project.

(4) Prior to occupancy and use of a building or any room or other portion of a building which constitutes the whole or part of a new construction project, the licensee shall submit a statement to the department indicating the date the construction project was completed and met requirements of chapter 18.20 RCW and chapter 248-16 WAC. Authorization by the department is required prior to occupancy.

(5) Department approval of plans and occupancy does not exempt licensee from compliance with other applicable codes.

**AMENDATORY SECTION** (Amending Order 147, filed 6/29/77)

WAC 248-16-056 CHANGE OF ~~((OWNERSHIP))~~ LICENSEE, I.E., OPERATOR OF THE BUSINESS. (1) When a change of boarding home ~~((ownership))~~ licensee is ~~((contemplated))~~ planned, the licensee ~~((seller) and the prospective licensee (buyer))~~ shall ~~((each))~~ notify the department at least ~~((fifteen))~~ thirty days prior to the proposed date of transfer. Notification shall be in writing and shall contain the following information:

(a) Full names of the present licensee and the prospective licensee;

(b) Name and address of the boarding home concerned;

(c) The date of the proposed transfer; and

(d) The kind of transfer which is to be made ~~((i.e.)),~~ such as sale, lease~~((:))~~ or rental~~((, etc.))~~.

(2) ~~((Possession or ownership of a boarding home shall not be transferred until the transferee's application for a boarding home license has been approved by the department))~~ The prospective licensee shall submit a new boarding home license application to the department at least thirty days prior to the proposed transfer date.

(3) A new boarding home license shall be issued to the prospective licensee only following approval of the license application by the department.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-060 COMMUNICATION SYSTEMS. (1) There shall be at least one "nonpay" telephone in each boarding home (~~and if conditions require there shall be additional telephones or extensions to summon help in case of fire or other emergency~~) so located as to be easily accessible from all parts of the building(s).

(2) A telephone, which may be a (~~"pay phone"~~) "pay phone," shall be accessible for personal use by the (~~boarders~~) residents.

(3) When resident safety conditions require, internal means of communication shall be available, such as intercom or phone extensions.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-070 WATER SUPPLY. (1) Water used for domestic purposes in boarding homes shall meet the standards of the department, chapter 248-54 WAC.

(2) Cross connections of any kind are prohibited.

(3) In the event that an unsafe or nonpotable water supply is used for irrigation, fire protection or other purpose, it shall be adequately color-coded or labeled so as to lessen any chance of its being used for domestic purposes. (~~Cross connections of any kind are prohibited.~~)

(4) Hot and cold water under pressure shall be readily available at all times.

(5) Hot water at lavatories, bathtubs, and showers shall not exceed 120° Fahrenheit.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-090 GARBAGE AND REFUSE DISPOSAL. (1) Storage pending disposal. There shall be provided and maintained, in a suitable location, a sufficient number of garbage containers of water-tight construction, made of nonabsorbent material and (~~provided with handles and tight-fitting covers, and all garbage shall be kept therein pending its removal and disposal~~) appropriately covered or otherwise contained. Garbage containers shall be (~~washed~~) cleaned at (frequent) adequate intervals to prevent presence of vectors, odors, and other nuisances. (~~The premises shall at all times be maintained in a clean, sanitary condition, and rodents, flies and other insects shall be excluded therefrom, and their breeding places eliminated.~~)

(2) Disposal. Garbage and refuse shall be disposed of at sufficiently frequent intervals so as not to create a nuisance. Final disposal shall be by an authorized garbage collection agency or by some other method satisfactory to the department.

NEW SECTION

WAC 248-16-105 LIGHTING. All areas shall be appropriately lighted when in use by natural or artificial means.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-110 HEATING (~~SYSTEM~~)—TEMPERATURE. (1) (~~Heating plant capacity~~) Boarding homes shall be equipped with an approved heating system capable of maintaining a (~~comfortable~~) healthful temperature (during the coldest weather conditions ordinarily encountered in the home's particular area). Use of portable space heaters is prohibited unless approved in writing by the Washington state fire marshal.

(2) (~~Room temperatures~~) Temperature shall be maintained at a (~~comfortable~~) healthful level.

NEW SECTION

WAC 248-16-115 VENTILATION. (1) Rooms with excessive odors or moisture shall be appropriately ventilated.

(2) Operable windows or openings that serve for ventilation shall be provided with insect screening. Screening used in openings designated for rescue or fire exit shall be of a type which do not restrict or hinder escape or rescue, in event of a fire emergency.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-120 (~~BOARDERS~~) RESIDENTS' ROOMS AND ROOM FURNISHINGS. (1) Sleeping rooms, occupancy limitations. Sleeping rooms, if for one (~~person~~) resident only, shall contain not less than (~~80~~) eighty square feet of usable floor space; and if for more than one person, not less than (~~70~~) seventy square feet of usable floor space for each person: PROVIDED, HOWEVER, That no

portion of a room having less than (~~7~~) seven feet (~~6~~) six inches ceiling height may be counted as part of the required (~~area~~) space.

(a) No more than (~~4~~) four persons may be housed in any one sleeping room (~~in any boarding home established after adoption of these rules and regulations~~).

(b) (~~Doors or entry ways to sleeping rooms shall be legibly numbered or lettered in conformance with the numbering or lettering systems shown on approved floor plans~~) Sleeping rooms shall be appropriately identified to conform with the list of rooms approved by the department.

(c) Change in resident capacity shall be approved by the department.

(2) Sleeping rooms, restriction on location, access.

(a) Only rooms having unrestricted direct access to a hallway, (~~living room~~) living room, outside, or other acceptable common-usage area shall be used as sleeping rooms. No beds (are to) shall be permitted in corridors, halls, (living rooms) living rooms, dining rooms, or kitchens.

(b) A basement room may (~~not~~) be used as a sleeping room (~~if~~) provided the floor (in such) of the room is no more than (3) three feet (6) eight inches below the (ground abutting the exterior wall of such room measured horizontally for a distance of 10 feet) base of the window(s), and there is adequate natural light. The grade shall extend ten feet out horizontally from the base of the window.

(c) Change in location of a sleeping room shall be approved by the department.

(3) Sleeping rooms, window requirements. Sleeping rooms shall be outside rooms with a window area of clear glass not less than (~~one-eighth~~) one-tenth of the required floor area (except in basement rooms where the window area shall be not less than one-fifth of the floor area) and a minimum size of ten square feet.

(a) Rooms shall not be considered to be outside rooms if such required window area opens into a window-well, enclosed porch, light-shaft, ventilation-shaft, or other enclosure of a similarly confining nature.

(b) Windows designed to open shall operate freely if necessary for fire exit or ventilation.

(c) Curtains, shades, blinds or equivalent shall be provided at each window for visual privacy.

(4) Sleeping rooms, lighting requirements.

(a) Each sleeping room shall have adequate (~~and satisfactory~~) artificial light, and at least one duplex (~~electric convenience~~) electrical receptacle outlet for each (two beds) bed. (Electric cords shall not be strung from a ceiling fixture) For buildings initially licensed prior to July 1, 1983, one duplex electrical receptacle outlet for each two beds shall be acceptable.

(b) There shall be an electric (~~wall~~) switch (~~in~~) at the entry of each sleeping room to control at least one light in the room.

(c) Bedside (lamps and night lights) artificial lighting shall be provided if (residents request same) requested by a resident.

(5) Sleeping rooms, storage and protection of personal articles.

(a) Each resident shall be provided with sufficient storage facilities, either in or immediately adjacent to his or her sleeping room, to adequately store a reasonable quantity of clothing and personal possessions.

(b) Each resident shall be provided a secure space capable of being locked.

(c) When closet doors are present, hardware (on closet doors) shall be of a type to prevent (persons) a resident from being locked in.

(6) Sleeping rooms, furniture and furnishings.

(a) Each resident shall be provided with a comfortable bed, not less than (~~36~~) thirty-six inches wide, with (~~springs and~~) a mattress in good condition.

(i) (~~AH~~) Beds shall be spaced at least (3) three feet apart, unless otherwise requested by affected residents.

(ii) (~~This may be~~) The following beds are acceptable: A standard household bed, studio couch, hide-a-bed, water bed or day-bed (but may not be a folding bed, rollaway bed, cot, or davenport). Water beds shall be structurally and electrically safe.

(b) Each sleeping room shall (be provided with) have available at least one suitable chair for each resident (occupying said room). These chairs shall not be those permanently used in dining or day rooms.

(c) There shall be at least one incombustible (waste basket) wastebasket in each sleeping room.



(d) If carpets or other floor coverings are used, they shall either be securely fastened to the floor or have nonskid backing, and shall not be permitted to become hazardous because of curling edges or tattered sections (~~(-PROVIDED HOWEVER THAT)~~).

(e) Nothing in this regulation shall be interpreted to prohibit a resident from providing his or her own furniture or furnishings, as long as the use of that furniture or furnishings is consistent with the health and safety of residents.

(7) Cooking in sleeping rooms.

(a) Cooking (~~(or any use of)~~ equipment, coffee makers (~~(or)~~), and other (~~(heating)~~ equipment or appliances (~~(for the preparation of food or beverages shall)~~ may be permitted in any room or area of the boarding home which has been approved for such usage by the state fire marshal (~~(and the department)~~). Preparation and storage of food or beverages may be permitted in sleeping rooms unless detrimental to health and/or safety of residents.

(b) Staff of the boarding home shall ascertain if a resident has the functional ability to use cooking facilities safely. When a resident becomes unable to use cooking facilities safely, appropriate action (~~(e.g., disconnecting or removing stove or appliances, or transfer of a resident to different accommodations)~~) shall be taken immediately to ensure that the resident does not have access to, or use of, cooking facilities at any time that a responsible person is not in constant attendance. Examples of appropriate action include ~~disconnecting or removing stove or appliances or transfer of a resident to different accommodations.~~

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-130 TOILET AND BATHING FACILITIES. (1) Toilet and bathing facilities, number and types required. (~~(Toilet)~~) Toilets and bathing facilities shall be provided in accordance with the following requirements for all persons who reside in the facility, including staff and (~~(staff's family members)~~) others if they do not have private toilet and bathing facilities for their exclusive use. Refer to WAC 248-16-070, Water Supply.

(a) There shall be (~~(water closets)~~) toilets and lavatories available to both sexes in the ratio of one (~~(water closet)~~) toilet and one lavatory for each (~~(8)~~) eight persons or fraction thereof.

(i) Any toilet room containing more than one (~~(water closet)~~) toilet shall be reserved for use by one sex only.

(ii) Not more than one required (~~(water closet)~~) toilet shall be in any room containing a bathing facility.

(iii) There shall be a lavatory in each room containing a (~~(water closet, except when the toilet opens into the resident's room, then the lavatory may be in the resident's room)~~) toilet or in an adjacent common-use area. When a toilet room opens into a resident's room, the lavatory may be located in the resident's room.

(b) There shall be at least one bathing facility for every (~~(+2)~~) twelve persons or fraction thereof.

(i) Any bathroom containing more than one bathing facility shall be reserved for use by one sex only. A bathroom containing only one bathing facility and not more than one (~~(water closet)~~) toilet may be used by both sexes.

(ii) Bathtubs shall be available to (~~(boarders)~~) residents of both sexes in the ratio of one bathtub per (~~(+8 boarders)~~) forty-eight residents or fraction thereof (~~(who do not have bathtubs in bathrooms opening directly into their sleeping rooms. At least one-half of the total required bathing facilities shall be either bathtubs or sit-down showers)~~) except when each resident living unit contains a private bathing facility.

(iii) Bathing facilities shall be designed to meet the needs of residents in the facility.

(2) Toilet and bathing facilities, access to.

(a) Except for facilities serving individual rooms, toilets (~~(water closets)~~) shall be so located as to be reasonably accessible from a common hall or area, to all (~~(boarders)~~) residents residing on the floor served.

(b) Except for facilities serving individual rooms, bathtubs and showers shall be so located as to be reasonably accessible, from a common hall or area, to all (~~(boarders)~~) residents served, without traveling more than one story up or down.

(c) No toilet or bathroom for (~~(boarder)~~) resident use shall be so located that access thereto requires passage through the establishment's kitchen, pantry, food preparation, food storage, or dishwashing areas: PROVIDED (~~(;)~~) HOWEVER, That this restriction shall not be construed as prohibiting the use of a toilet room adjacent to the above-named areas by personnel engaged in the food services of the home.

(d) In no case shall it be necessary for an occupant of one bedroom to pass through any other bedroom to reach a (~~(water closet)~~) toilet or (~~(bath)~~) bathing facility, nor to pass through a room containing a (~~(water closet)~~) toilet or (~~(bath)~~) bathing facility to reach a bedroom.

(3) Toilet and bathing facilities, construction and accessories.

(a) Toilet and bathroom floors shall be of water-resistant material, smooth enough to be easily cleaned yet not highly glossed or slippery.

(i) Carpets, rugs or similar floor coverings may be allowed in toilet rooms within a single living unit: PROVIDED, That such floor coverings can be appropriately cleaned and maintained.

(ii) Carpets or other floor coverings shall meet requirements in WAC 248-16-120(6)(d).

(b) Walls shall be washable to height of splash or spray.

(c) Suitable grab-bars shall be installed at (~~(toilets;)~~) tubs and showers in such numbers and locations that accidental falls will be minimized.

(i) A minimum of one grab-bar shall be installed at each bathing facility.

(ii) Grab-bars may be required at toilets depending upon the needs of residents.

(d) Plumbing fixtures shall be of sanitary design and in good repair.

(i) All toilet seats shall be constructed of nonabsorbent material, shall be free from cracks, and kept clean.

(ii) In new construction (~~(they)~~) toilet seats shall be of open front type in (~~(public water closets)~~) common-use areas.

(e) All toilet rooms and bathrooms shall be adequately lighted, and (~~(be)~~) provided with a suitable mirror (~~(for)~~) at each lavatory.

(f) All toilet rooms and bathrooms shall be adequately ventilated to the outside air.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-140 FOOD STORAGE, PREPARATION AND SERVICE. (1) All food service facilities and practices shall be in compliance with chapter 248-84 WAC (~~(-Rules and Regulations of the State Board of Health)~~) governing food service sanitation (~~(except that in boarding homes with ten or less occupants a separate hand-washing sink in the kitchen may be omitted with department approval)~~) as now and hereafter amended.

(2) Food services, number of meals. A minimum of three meals in each (~~(24-hour)~~) twenty-four hour period shall be provided, except that when a specific written request has been made to, and approved in writing by, the department, deviation may be made from this minimum. The time interval between breakfast and the evening meal shall be not less than ten (~~(+0)~~) hours.

(3) Food services, quality of food. The diet shall be (~~(well-balanced;)~~) palatable, properly prepared, (~~(and)~~) attractively served, and sufficient in quality (~~(and)~~), quantity, and variety to meet the recommended Dietary Allowances of the Food and Nutrition Board, National Research Council, 1980 edition.

(a) (~~(H)~~) All modified diets are to be prepared and served (~~(-they shall be prepared and served)~~) to meet the (~~(physician's)~~) written prescription (~~(which is given in writing and signed by the physician, and shall meet the Dietary Allowances of the Food and Nutrition Board, National Research Council)~~) of the health care practitioner with menus approved by a dietitian.

(b) Nutrient concentrates and supplements shall be served by facility staff only on the written approval of a (~~(physician)~~) health care practitioner.

(4) Menus.

(a) All menus (~~(for the general (or house) diets and for the modified diets)~~) shall be prepared at least one week in advance, dated, and (~~(shall be)~~) retained (~~(for inspection)~~) for at least (~~(one year)~~) six months.

(i) Menus shall provide a variety of foods with cycle duration of at least three weeks before repeating.

(ii) Substitutions shall be of comparable nutrient value and recorded as served.

(b) All foods and snacks contributing to nutrient requirements shall be recorded.

(5) Food services, dining areas. An adequate, approved dining area shall be provided with capacity to seat at least fifty percent of residents at each meal setting.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-150 DAY ROOM. Suitable day room or living room space, comfortably furnished, adequately heated and adequately lighted, shall be provided which has space adequate for the usual functions of daily living and which includes an area for social and diversional activities. Floor space requirements shall be related to the number of residents as follows: ~~((+)) one to ((50)) fifty beds, inclusive, ((+0)) ten square feet per bed; ((5+)) fifty-one beds and over, ((5)) five square feet per bed in addition to the first ((500)) five hundred square feet; except that no boarding home shall provide less than ((+50)) one hundred fifty square feet. In arriving at the total square footage available for day room or living room usage, solariums, enclosed sun porches, recreation rooms, dining rooms, etc., may be included as part of the required floor space. Residents' rooms, ~~((entryways)) entryways, corridors and hallways shall not be considered as part of required~~ day room or living room space.~~

AMENDATORY SECTION (Amending Regulation .16.160, effective 3/11/60)

WAC 248-16-160 LAUNDRY ROOM. (1) The boarding home shall make provision and be responsible for the proper handling, cleaning, and storage of linen and other washable goods.

(2) Unless all laundry is sent out, every boarding home shall be provided with a laundry room equipped with adequate laundry facilities.

(a) Laundry equipment shall have the capability of reaching a temperature of one hundred forty degrees Fahrenheit.

(b) There shall be separation of clean and soiled laundry.

(c) The laundry room (and), storage, and sorting areas shall be located in rooms not used for open food storage, preparation or serving.

AMENDATORY SECTION (Amending Regulation .16.170, effective 3/11/60)

WAC 248-16-170 STORAGE SPACES. Adequate storage space shall be provided for ~~((excess)) supplies, ((unused)) equipment, stored personal possessions of residents, linens, and similar items.~~

(1) Storage space shall be such that it does not constitute a fire or accident hazard(, and will not be in the way of residents or staff. A separate storage space which can be locked shall be provided for disinfectants and for poisonous compounds).

(2) Disinfectants and poisonous compounds shall be stored separately in cabinets, drawers, rooms or equivalent, which can be locked.

AMENDATORY SECTION (Amending Regulation .16.180, effective 3/11/60)

WAC 248-16-180 STAIRS. All stairways used by ~~((boarders)) residents shall have nonskid ((treads of not less than)) surfaces. Steps shall be at least nine inches ((wide)) deep and ((have risers)) not more than eight inches high. ((Stairways with triangular or winding treads shall not be approved.))~~

AMENDATORY SECTION (Amending Regulation .16.190, effective 3/11/60)

WAC 248-16-190 ~~((GUARD-RAILS)) GUARDRAILS, ((HAND-RAILS)) HANDRAILS. ((Hand-rails)) Handrails may be required in halls and corridors if conditions indicate a need ((therefor)). All inside and outside stairs shall be equipped with sturdy ((hand-rails)) handrails on each side: PROVIDED HOWEVER, That one handrail may be permitted following evaluation by the department to determine safety of residents is maintained. Guardrails may be required.~~

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-202 MAINTENANCE AND HOUSEKEEPING. (1) The boarding home structure, its component parts, facilities, equipment and furnishings shall be kept clean and in good repair and maintained in the interest of residents' safety and well-being. No hazard shall exist from structural conditions.

(2) All bedrooms ((occupied or)) used by residents shall be kept in a safe and sanitary condition at all times. ((It shall be the responsibility of the administrator or his or her designee to supervise the maintenance of bedrooms.)) If a resident ((is unable to)) does not care for his

or her own room, such maintenance shall be provided by staff of the boarding home.

(3) The boarding home shall provide a utility sink or an equivalent means of obtaining and disposing of mop water in areas other than those used for food preparation and serving. Wet mops shall be stored in an area with adequate ventilation.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-213 ADMISSION, PLACEMENT AND RETENTION OF RESIDENTS. (1) Prior to admission of an applicant for residency in a boarding home, the boarding home shall have obtained sufficient information about the applicant's current ability to function to determine if the applicant can be properly ~~((placed +)) housed((+)) in the boarding home.~~

(2) Admission of individuals as residents shall be limited to those who can be accommodated by the physical plant facilities, space, furniture, equipment, staff and program of domiciliary care in accordance with these rules, regulations and standards, chapter 248-16 WAC.

(3) Only ((persons)) individuals who are ambulatory, as defined in WAC 248-16-001 shall be admitted and retained as residents unless the state fire marshal approves the boarding home for acceptance of nonambulatory individuals: PROVIDED, That there is compliance with RCW 18.20.160.

(4) Accommodations for individuals who, though capable of independent mobility with the use of a cane, crutches, a walker, a walker, a wheelchair or artificial limb, are not capable of walking unaided shall be restricted to sections ~~((+)) or areas((+)) of a boarding home which have been specifically approved for occupancy by such individuals by the state fire marshal, unless the state fire marshal has approved the entire boarding home for occupancy by such individuals.~~

(5) The following shall not be admitted or retained as residents:

(a) ~~((Persons)) Individuals who are manifesting overt behavior which is ((assaultive, suicidal, or otherwise destructive in nature)) a danger to others or self;~~

(b) ~~((Persons who are not ambulatory, as defined in WAC 248-16-001;~~

~~((Persons)) Individuals who are in need of inpatient care in a hospital, a nursing home, or other facility licensed under the provisions of chapters 70.41, 71.12 or 18.51 RCW;~~

~~((+)) (c) ((Persons)) Individuals who need nursing care over and above the following:~~

(i) Simple nursing care, of a type ordinarily given in a private home by lay persons, to one who has a mild, temporary illness which does not exceed fourteen days in duration;

(ii) ~~((Visiting nurse)) Service from a community home health care agency((;)).~~

~~((+)) Medication service as defined in WAC 248-16-001.))~~

(6) ~~((A person needing)) An individual who requires medication service shall not be admitted or retained as a resident unless the boarding home makes provision for medication services in accordance with ((these regulations, chapter 248-16)) RCW 18.20.160 and WAC 248-16-228.~~

(7) At the time of admission, the boarding home administrator ~~((or his or her designee)) shall make definite arrangements with the resident regarding the ((physician)) health care practitioner and/or other individual to be called in case the resident becomes ill ((or, in the case of a resident who is opposed to medical treatment because of religious affiliation, the individual to be called if the resident becomes ill)).~~

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-215 RESIDENT RIGHTS—SERVICES TO BE PROVIDED. (1) Insofar as a general or specific nuisance or a danger to the individuals or others is not created, each resident shall ((be provided with at least one comfortable pillow and adequate, clean, light weight, warm bedding, and at least two clean sheets, a pillow case, towels and washcloths each week)) have, in addition to any rights not specifically withheld by law, the following rights:

(a) To be informed or to have an agent, designated by the resident, informed of his or her rights and the policies of the facility at the time of admission. A written copy of rights and policies shall be provided to each resident or designated agent.

(b) To be treated in a manner that respects his or her individual identity and human dignity and fosters constructive self-esteem.

(c) To be notified thirty days in advance if he or she requires transfer for medical or nursing care or for his or her welfare or that of other

residents, except as prohibited by Titles XVIII, XIX or XX of the Social Security Act, unless an emergency condition requires immediate transfer, or there is failure to comply with written policy of the boarding home or to ensure orderly transfer or discharge. The notice of transfer or discharge and discharge planning shall be documented in the resident's record.

(d) To associate and communicate privately with persons of his or her choice; to send and receive uncensored correspondence through the mail; to have reasonable access to a telephone both to make and to receive personal calls.

(e) To manage personal financial affairs unless such person has been adjudicated to be incompetent in a court proceeding directed to that particular issue or pursuant to law.

(f) To retain and use personal clothing and possessions unless to do so would infringe upon the rights of other residents.

(g) To refuse to perform services for the facility unless these services are included in a plan of care.

(h) To be assured privacy for visits with relatives or guests.

(i) To voice grievances and recommend changes in policies and services to the facility staff and/or to outside representatives of his or her choice free from restraint, interference, coercion, discrimination or reprisal.

(j) To be informed of phone numbers and address of the licensing agency or appropriate advocacy group(s).

(k) To meet with and participate in activities of social, religious, and community groups at his or her discretion.

(l) To be free from physical, chemical, and psychological restraints unless authorized by law.

(m) To be free from exploitation, assault, abuse, and neglect.

(n) To have information contained in resident health records kept confidential with access only to authorized personnel and the department.

(o) To be given timely notice of changes in admission or retention policy and procedure.

(2) Each resident shall ~~((be treated in a manner that respects his or her individual identity and human dignity and fosters constructive self-esteem))~~ have at least one comfortable pillow and adequate, clean bedding. Clean sheets, a pillow case, towels and washcloths shall be provided as needed and at least each week.

(3) ~~((A resident's rights to observe the tenets of his or her faith shall be respected. A resident's care shall be adapted to accommodate the resident's religious beliefs and practices insofar as is reasonable.))~~

~~((4))~~ A resident shall be regularly observed for changes in physical, mental and emotional functioning ~~((which may reveal that he or she has unmet needs for services or that his or her condition has changed to the extent that transfer to a facility providing another type or level of service is indicated))~~. When observations reveal the resident has need for services ~~((which))~~ unavailable in the boarding home ~~((does not provide))~~, the administrator or ~~((his or her))~~ designee shall ~~((bring such observations to the attention of the resident and any individual or agency who is responsible for the resident. The administrator or designee shall provide assistance, as indicated, in planning and carrying out action (e.g., referral, transfer, etc.) through which the resident may receive the type or level of service needed))~~ arrange for the transfer of the resident.

~~((5))~~ (4) Basic domiciliary care services shall be conducted so as to ~~((promote))~~ attain or maintain each resident's ~~((independence to the))~~ highest degree of functioning possible and compatible with individual safety and welfare. ~~((Residents shall be encouraged to participate as fully as their conditions permit in activities in both the boarding home and the community.))~~ The following services shall be provided ~~((to))~~ when a resident ~~((when he or she has need for))~~ requires such services:

(a) General health supervision, ~~((as defined in WAC 248-16-001,))~~ which means provision of the following services in accordance with a resident's particular needs including:

(i) To encourage a resident to self-administer medically prescribed drugs and treatment;

(ii) To encourage a resident to follow any medically prescribed modified diet, rest or activity regimen;

(iii) To encourage and assist a resident to keep appointments for health care services, e.g., physicians, dentists, home health care services or clinics;

(iv) Encourage and assist a resident to see his or her health care practitioner if the resident manifests signs and symptoms of an illness or abnormality for which medical diagnosis and treatment seem indicated.

(b) Reminding and/or guidance, supervision or assistance to a resident in:

(i) Personal hygienic care, dressing, grooming, and other activities ((of personal care which are not directed primarily toward the treatment of disease or disability));

~~((c))~~ (ii) ~~((Reminding, guiding or assisting a resident in the))~~ Maintenance of functional aids or equipment ~~((which he or she uses (e.g.), such as glasses, hearing aids, canes, crutches, walker((;)) or wheelchair((,-etc.))));~~

~~((d))~~ (iii) ~~((Reminding, guiding or assisting a resident in the))~~ Maintenance of clothing and other personal effects;

~~((e))~~ (iv) ~~((Reminding, guiding or assisting a resident in maintaining his or her own))~~ Maintenance of personal living quarters in a manner conducive to safety and comfort~~((,-and))~~;

~~((f))~~ (c) Encouraging, guiding or assisting a resident to participate in social, recreational, diversional, vocational, church or other activities within the boarding home and the community in accordance with his or her interests, tolerance and abilities.

~~((6))~~ (5) Whenever a resident ~~((becomes ill or sustains a significant injury, the administrator or designee shall immediately notify))~~ is believed to be ill or injured, the ~~((physician))~~ health care practitioner or other individual designated by the resident~~((,-unless the resident is able to notify such physician or other individual. During a period that an ill or injured resident remains in the boarding home, the boarding home shall be responsible for providing temporary care))~~ shall be notified immediately.

Reviser's note: RCW 34.04.058 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.

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-222 FIRST AID SERVICES. (1) Staff having the responsibility for resident care services shall have current, basic first aid training and ~~((shall be oriented to written emergency policies))~~ cardiopulmonary resuscitation training.

(2) There shall be written medical emergency policies ~~((to guide the action of resident care staff should a resident present a medical emergency))~~ and procedures available in appropriate locations in the facility. All staff shall be oriented to medical emergency policies and procedures.

(3) ~~((An))~~ Adequate first aid ~~((kit))~~ supplies and a first aid manual shall be kept in a specific location in the boarding home and readily available to all staff ~~((who have responsibility for resident care services)).~~

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-223 NOTIFICATION REGARDING CHANGE IN ~~((RESIDENTS'))~~ RESIDENT'S CONDITION. A resident's next of kin, guardian or other individual or agency responsible for the resident shall be notified as rapidly as possible should a serious change in the resident's condition, transfer of the resident to a hospital or death of a resident occur. Notification shall be documented in the resident's record.

#### AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-226 SAFETY MEASURES. (1) The boarding home shall be free of hazards.

~~((H))~~ (2) Any accident or incident which jeopardized the health or life of a resident shall be investigated to ascertain the circumstances of the accident or incident and appropriate measures instituted to prevent similar occurrences in the future insofar as is possible.

~~((2))~~ (3) There shall be provision for staff members to gain rapid access to any bedroom, toilet, shower, bathroom or other room occupied by residents should an emergency ~~((need))~~ arise. This provision shall be made known to all staff members who have a responsibility for resident care.

~~((3))~~ (4) Methods for the cleaning, ~~((disinfecting or sterilizing))~~ sanitizing, handling and storage of supplies and equipment used in services to residents shall be ~~((such as))~~ designed to prevent the transmission of infection.

(5) Hardware on the doors of storage rooms and closets shall be of a type to prevent residents from being locked in.

(6) Flashlights or other means of emergency lighting shall be available in all parts of the boarding home.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-227 SELF-ADMINISTRATION OF ((DRUGS)) MEDICATIONS((?)) BY RESIDENTS. Self-administration of ((drugs)) medications by a resident shall be in accordance with the following:

(1) The resident shall be ((physically and mentally)) at least capable of administering his or her own ((drug)) medications properly with minimal guidance and assistance. If a resident is retained in the facility who requires minimal guidance or assistance, it shall be appropriately provided.

(2) ((Prescription drugs, over-the-counter drugs purchased independently by the resident and other medicinal materials used by)) A ((resident)) resident's medication(s) shall be kept so ((they are)) the medication(s) is not available to other residents.

(3) There shall be written policies and procedures for facility staff providing minimal guidance and assistance to residents with medications, when a resident requires such guidance and assistance.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-228 MEDICATION SERVICES. A boarding home which makes provision for ((medication service)) nurse administration of medications to a ((resident)) resident(s), upon doctor's order pursuant to RCW 18.20.160, shall comply with the following requirements:

(1) ((Supervision of)) A registered nurse shall be responsible for the medication service. Responsibilities shall include:

(a) ((A registered nurse shall be responsible for)) Planning, directing, and supervising the medication service to residents.

(b) ((The registered nurse responsible for the direction and supervision of a resident's medication service shall)) Review of a resident's condition and drug therapy regimen at regular intervals with documentation of the review. ((This review shall be documented and shall include appropriate instruction in self medication:))

(c) ((Any drug administered to a resident shall be documented in the resident's health record)) Documentation of appropriate instruction in self-administration.

(2) Administration of ((Drugs (Medicines)) medications.

(a) There shall be written orders, signed by a physician or other legally authorized practitioner acting within the scope of his or her license, for all ((drugs)) medications administered to a resident.

(b) Medications shall be administered only by individuals appropriately licensed in the state of Washington to administer medications.

(c) Any medication administered to a resident shall be documented in the resident's health record.

(3) Pharmaceutical services.

(a) There shall be provision for timely delivery of necessary ((drugs and biologicals)) medications from a pharmacy so ((that a physician's orders for drug therapy)) prescribed medications can be implemented without undue delay.

((+)) (b) Only persons licensed to prescribe or administer medications may relay ((physicians)) initial medical orders to a pharmacy to obtain ((drugs (medicines)) medications.

(4) There shall be written policies and procedures which provide for the procurement, storage, control, use, administration, retention, release, and disposal of ((drugs and biologicals)) medications in accordance with applicable federal and state laws and regulations: PROVIDED, That nothing in this section shall require that a boarding home make provision for medication services and that if such services are provided, they are to be provided by health care professionals or health care agencies in conformity with RCW 18.20.160.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-230 RESIDENT REGISTER ((AND HEALTH RECORDS)). ((+ Resident register:)) There shall be a permanent, current book or register of all individuals admitted as residents ((in a boarding home. This shall contain the following data for each resident)) which shall contain: Date of admission, full name, and date of ((birth, and the address at which the resident lived prior to admission)) discharge.

((2) Record system:

(a) A systematic secure method of identifying and filing residents' records so each record can be located readily shall be provided:

(b) Entries in residents' records shall be either typewritten or written legibly in ink.

(c) A resident's record shall include the following data:

(i) Full name and former address of the resident;

(ii) Date of admission and date of discharge;

(iii) Name, address and telephone number of next of kin, or other responsible person;

(iv) Name, address and telephone number of the resident's personal physician;

(v) Dates and descriptions of all illnesses or accidents and changes in functional abilities which the individual had while a resident of the boarding home including action(s) taken;

(vi) A signed written prescription by the resident's physician for any modified diet provided for the resident:))

NEW SECTION

WAC 248-16-235 RESIDENT HEALTH RECORDS. (1) There shall be a health record (ink, typewritten or equivalent) in the boarding home for each resident to include the following:

(a) Full name, date of birth, and former address of the resident;

(b) Date of admission(s) and date of discharge(s);

(c) Name, address, and telephone number of next-of-kin or other responsible person;

(d) Name, address, and telephone number of resident's personal physician or health care practitioner;

(e) Dates and descriptions of all illnesses or accidents and changes in functional abilities of the individual while a resident of the boarding home, including actions taken with entries signed by staff;

(f) A signed, written prescription by the resident's physician or health care practitioner for any modified diet, concentrate or supplement provided by the boarding home for the resident.

(2) A systematic, secure method of identifying and filing resident health records shall be provided so each record can be located readily.

(3) Each resident health record shall be retained for a minimum of five years after resident discharge.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 248-16-052 ADVERTISING.

(2) WAC 248-16-058 REQUIRED APPROVAL FOR OCCUPANCY AFTER COMPLETION OF NEW CONSTRUCTION.

(3) WAC 248-16-162 LAUNDRY SERVICE.

**WSR 83-09-002**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 1957—Filed April 7, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to community mental health programs, new chapter 275-56 WAC.

This action is taken pursuant to Notice No. WSR 83-03-065 filed with the code reviser on January 9, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 71.24.035 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 6, 1983.

By David A. Hogan, Director  
Division of Administration and Personnel

Chapter 275-56 WAC  
COMMUNITY MENTAL HEALTH PROGRAMS

NEW SECTION

✓WAC 275-56-005 PURPOSE AND AUTHORITY. Chapter 275-56 WAC establishes rules and regulations for county administration of community mental health programs, licensing service providers, information, accountability, contracts and services. Chapter 275-56 WAC is adopted under authority of chapter 71.24 RCW.

(1) Chapter 275-56 WAC enables participation in the community mental health system by service providers which are profit or nonprofit businesses, private or public businesses, individuals or partnerships, as well as corporations. A provider may contract with a county for one or more services defined by chapter 71.24 RCW.

(2) The rules and regulations of county administration are specified in two areas:

(a) County administration and planning (WAC 275-56-020 through 275-56-060), and

(b) County fiscal administration (WAC 275-56-065 through 275-56-085).

(3) Minimum standards for licensing service providers are specified in four areas:

(a) Licensing procedures (WAC 275-56-090 through 275-56-105);

(b) Organizational administration of the provider, including (WAC 275-56-110 through 275-56-215):

(i) Administration;

(ii) Provider fiscal administration;

(iii) Personnel management;

(iv) Quality assurance;

(v) Program evaluation;

(vi) Facilities.

(c) Services administration, including (WAC 275-56-220 through 275-56-330):

(i) Accessibility and awareness of services;

(ii) Client rights;

(iii) Client entry, service planning, and service operations;

(iv) Client records.

(d) Services, including (WAC 275-56-335 through 275-56-445):

(i) Emergency services, including pre-admission screening services;

(ii) Outpatient services;

(iii) Day treatment services;

(iv) Consultation and education services;

(v) Community support services.

NEW SECTION

✓WAC 275-56-010 PRIORITY POPULATIONS. Chapter 275-56 WAC establishes rules, regulations, and standards for community mental health programs providing for:

(1) Access to mental health services for residents of the state of Washington who, in priority order, are:

(a) Acutely mentally ill;

(b) Chronically mentally ill;

(c) Seriously disturbed.

(2) Mental health services recognizing the special needs of underserved groups within the priority populations, including:

(a) Minorities,

(b) Children,

(c) Elderly,

(d) Disabled, and

(e) Low-income persons.

NEW SECTION

✓WAC 275-56-015 DEFINITIONS. For the purposes of the rules, regulations, and standards of chapter 275-56 WAC, the following words and phrases shall have the following meaning:

(1) "Acutely mentally ill" means a condition limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in this chapter;

(b) Being gravely disabled as defined in this chapter;

or

(c) Presenting a likelihood of serious harm as defined in this chapter.

(2) "Available resources" means funds appropriated by the legislature during any biennium for the purpose of providing community mental health programs.

(3) "Case management" means assistance to the client and family or significant others to obtain, maintain or develop an appropriate place for the client in the community. This service involves assistance in obtaining the full range of needed services, routine monitoring, supervision of client's functioning, and establishing and maintaining support for the client and his or her family or significant others.

(4) "Child" or "children" means a person or persons under eighteen years of age.

(5) "Chronically mentally ill" means a person having a mental disorder and meeting at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years;

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months.

(6) "Clients" means persons, couples or families receiving clinical, coordinative, or supportive services.

(7) "Clinical staff member" means a regularly employed or contracted staff member or supervisor engaged to any extent in providing direct evaluative, diagnostic, or therapeutic services to clients. The term does not include volunteers or students.

(8) "Community mental health program" means the total mental health program established by a county or group of counties acting in combination for the purpose

of providing mental health services in accordance with the Community Mental Health Services Act, chapter 71.24 RCW.

(9) "Community Mental Health Services Act" means chapter 71.24 RCW.

(10) "Community support services" means those services for acutely and chronically mentally ill persons which include:

(a) Discharge planning for clients leaving state hospitals and other acute care inpatient facilities;

(b) Sufficient contacts with clients, family or significant other to provide for an effective program of community maintenance; and

(c) Medication monitoring.

(11) "Consultation" means review and recommendations regarding the job responsibilities, activities, or decisions of administrative, clinical, or clerical staff, contracted employees, volunteers, or students by a person or persons with appropriate knowledge and experience to make such recommendations. This definition does not constitute a definition of consultation and education.

(12) "Consultation and education services" means those services provided to assist others in the community to understand and care for acutely and chronically mentally ill and seriously disturbed persons and includes:

(a) Consultation to other community providers, and

(b) Educational and public information services.

(13) "County authority" means the board of county commissioners, county council or county executive having the authority to establish a community mental health program.

(14) "Crisis" means a situation where, because of severe internal or external stresses, a person is experiencing serious disruption in cognitive, volitional, psychosocial or physiological functioning.

(15) "Day treatment services" means those services for mentally ill persons which include training in basic living and social skills, supported work, vocational rehabilitation, day activities, and may include therapeutic treatment.

(16) "Department" means the department of social and health services.

(17) "Direct treatment services" means clinical services provided directly to clients to meet the client's mental health needs, as distinct from activities conducted with other persons, organizations, or groups on behalf of clients, and also as distinct from supervisory, consultative or training activities conducted with regard to clients or services.

(18) "Disabled" means a developmentally disabled person or one with serious physical or sensory impairment.

(19) "Elderly" means a person sixty years of age or older.

(20) "Emergency" means a situation where there is likelihood of serious harm to the person, other persons or property resulting from the actions or threatened actions of a mentally ill person, or when the person is gravely disabled.

(21) "Emergency services" means those responses and intervention services provided to persons experiencing mental health emergencies or crises and include:

(a) Twenty-four hour telephone service;

(b) Twenty-four hour outreach services;

(c) Crisis resolution services; and

(d) Pre-admission screening services.

(22) "Governing body" means the final decision-making body for a provider.

(23) "Gravely disabled" means a condition where a person, as a result of a mental disorder:

(a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or

(b) Manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognition or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(24) "Material adjustment" means a budget revision equaling ten percent of a cost center.

(25) "Mental disorder" means any organic, mental, or emotional impairment having substantial adverse effect on an individual's cognitive or volitional functions.

(26) "Mental health services" means those services required pursuant to chapter 71.24 RCW, including:

(a) Emergency services, including screening for patients being considered for admission to state hospitals;

(b) Outpatient services;

(c) Day treatment;

(d) Consultation and education services; and

(e) Community support services.

(27) "Mentally ill persons" and "the mentally ill" means a person or condition defined in this chapter as:

(a) Acutely mentally ill;

(b) Chronically mentally ill; or

(c) Seriously disturbed.

(28) "Minority" or "ethnic minority" means any of the following general population groups:

(a) American Indian or Alaskan native,

(b) Asian or Pacific Islander,

(c) Black, or

(d) Hispanic.

(29) "Outpatient services" means those services provided in less than a residential or day treatment setting for clients whose dysfunction is not so severe as to need such intense or restrictive service. Outpatient services may include, but are not limited to, evaluation, diagnosis, psychotherapy, medication management, and activities therapy.

(30) "Pre-admission screening services" means those services provided for clients being considered for voluntary admission to state hospitals to determine the appropriateness of admission and availability of alternatives.

(31) "Properly executed accounting documents" means accounting documents processed in a manner consistent with provider policies and procedures and providing sufficient and adequate documentation for an audit of the agency's financial transactions.

(32) "Provider" means licensed service provider as defined in chapter 71.24 RCW.

(33) "Secretary" means the secretary of the department of social and health services.

(34) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to self or others as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a minor child diagnosed by a mental health professional as defined in RCW 71.05.020, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(35) "Substantial gainful activity" is work that involves significant physical or mental activities done for pay or profit.

(36) "Supervision" means regular or occasional oversight of the administrative, clinical or clerical work performance of staff, students, volunteers or contracted employees by person or persons with the authority to give direction and require change.

(37) "Training" means planned educational events or activities designed to instill or enhance skills and to increase knowledge.

#### NEW SECTION

✓ WAC 275-56-020 COUNTY ADMINISTRATION AND PLANNING—BIENNIAL MENTAL HEALTH NEEDS ASSESSMENT. The county authority shall submit to the department a biennial mental health needs assessment.

(1) A biennial needs assessment of residents of the county who are acutely mentally ill, chronically mentally ill, or seriously disturbed, including minorities, children, elderly, disabled, and low-income groups in these priority populations shall be prepared for submittal to the state. The biennial needs assessment shall determine need with respect to mental health services required by the Community Mental Health Services Act.

(2) The biennial needs assessment will include:

(a) Estimates of the type and extent of significant mental health needs of the mentally ill, including estimates of the number of chronically mentally ill persons, seriously disturbed persons, and acute crises occurring in the county during the biennium.

(b) A projection of the amount and type of mental health services necessary to meet identified mental health needs of the acutely mentally ill, chronically mentally ill, and seriously disturbed.

(c) Identification of public and private resources available to meet the mental health needs of the acutely mentally ill, chronically mentally ill, and seriously disturbed, including:

(i) Identification of licensed service providers in the county.

(ii) Assessment of the capability of the current mental health program and providers to meet the needs of the mentally ill.

(d) A prioritization of unmet needs for the mentally ill.

(3) The biennial needs assessment shall be conducted in accordance with department guidelines for needs assessment.

#### NEW SECTION

✓ WAC 275-56-025 COUNTY ADMINISTRATION AND PLANNING—BIENNIAL MENTAL HEALTH PLAN AND BUDGET. The county authority shall submit to the department a biennial mental health plan and budget.

(1) The biennial plan shall address the needs identified in the biennial needs assessment for the acutely mentally ill, chronically mentally ill, and seriously disturbed, including minorities, children, elderly, disabled, and low-income groups in these priority populations. The biennial plan shall be developed based on available resources and priorities established in the biennial needs assessment.

(2) The biennial plan shall include the following components:

(a) A plan narrative identifying needs to be met, goals and objectives, an action plan for coordination and delivery of mental health services, and program development activities related to needs and priorities identified in the biennial needs assessment. The plan narrative shall include all mental health services required by the Community Mental Health Services Act and may include optional services.

(b) A budget identifying revenues and expenditures for mental health services, program development activities, and administration of the mental health program and services. The budget will be submitted in accordance with the requirements specified in WAC 275-56-070.

(3) The biennial plan shall be developed in accordance with the planning guidelines of the department.

(4) The secretary may modify deadlines for submission of plans, responses to written reviews or contract proposals when, in the secretary's judgment, the modification would enable the county to improve the program planning process.

(5) The secretary may authorize the county to continue providing services in accordance with the previous plan and contract, and reimburse at the average level of the previous contract, in order to continue services until the contract is executed.

(6) Any provider having applied to participate in the community mental health program who objects to county decisions regarding the biennial plan may request a hearing before the county authority. When an appeal is made, the county authority shall review the appeal and notify the provider, in writing, of the appeal disposition within thirty days after the appeal has been received.

(7) Any county objecting to the department's disposition of the county's biennial plan may request an administrative review pursuant to the Administrative Procedure Act, chapter 34.04 RCW.



NEW SECTION

WAC 275-56-030 COUNTY ADMINISTRATION AND PLANNING—AVAILABILITY AND ACCESSIBILITY OF REQUIRED MENTAL HEALTH SERVICES FOR ACUTELY MENTALLY ILL, CHRONICALLY MENTALLY ILL, AND SERIOUSLY DISTURBED PERSONS. The biennial plan shall indicate how required mental health services are to be made available and accessible to the acutely mentally ill, chronically mentally ill, seriously disturbed including underserved groups within the priority populations, and may include optional services for these populations.

(1) The following mental health services shall be available to acutely mentally ill, chronically mentally ill, and seriously disturbed persons in accordance with the priorities established in the biennial needs assessment:

- (a) Emergency services including pre-admission screening services;
- (b) Outpatient services;
- (c) Day treatment;
- (d) Consultation and education services;
- (e) Community support services for the acutely mentally ill and chronically mentally ill;
- (f) Inpatient services (optional); and
- (g) Residential services (optional).

(2) The biennial plan shall indicate how mental health services are to be made available to priority clients throughout the county.

(a) The plan shall indicate where services are to be located.

(b) The plan shall indicate how services shall be extended to mentally ill persons who, because of situation, age, or disability, cannot travel to facilities where mental health services are routinely provided.

(3) Mental health services shall be designed for, available and accessible to children, elderly, minorities, disabled, and low-income persons who are acutely mentally ill, chronically mentally ill or seriously disturbed. In counties where a significant ethnic minority exists, the county plan shall ensure that culturally relevant services are available and accessible to this population.

NEW SECTION

WAC 275-56-035 COUNTY ADMINISTRATION AND PLANNING—PROVIDERS ELIGIBLE FOR FUNDING. The county authority shall ensure the biennial plan is inclusive of only licensed service providers.

(1) The county may become a provider under the following conditions:

- (a) No other provider is available to provide the mental health services; and
- (b) The county has demonstrated to the department that the county can provide the mental health services more efficiently and cost effectively than other available providers without loss of quality of care. Evidence that the county would be more efficient and cost effective than other available providers includes but is not limited to lower administrative costs, lower unit cost for comparable services, and higher productivity.

(2) Where the county is a licensed service provider of mental health services, the department shall meet the following responsibilities of the county authority for the services:

- (a) Contract monitoring of the provider (WAC 275-56-050).
- (b) Fiscal auditing of the provider (WAC 275-56-085).
- (c) Review an appeal of the provider (WAC 275-56-025(6)).

(3) If a county decides not to participate in the community mental health program, the department shall assume all responsibilities of the county authority for planning and administering mental health services in that county.

(4) Providers contracting with the county for mental health services shall be licensed by the department in accordance with state minimum standards for community mental health programs.

(5) Counties proposing to contract with more than one licensed provider shall demonstrate the following criteria are met:

- (a) Continuity of care is assured;
- (b) Services will be provided in an efficient and cost-effective manner; and
- (c) Duplication of services and administrative costs are minimized.

(6) County contracts with individual providers licensed under chapters 18.57, 18.71, 18.83 or 18.88 RCW shall require all fiscal accountability and client tracking information as required in this chapter.

(7) The department shall determine standards in this chapter applicable to individual providers which shall be incorporated in the contracts with the individual providers.

NEW SECTION

WAC 275-56-040 COUNTY ADMINISTRATION AND PLANNING—BIENNIAL PLAN AS A BASIS FOR CONTRACTING. The county authority shall utilize the biennial plan and budget as the basis for contracting.

(1) A work statement and budget shall be incorporated into the contract with the department.

(2) The contract between the county and the department shall serve as the basis for county contracts with providers.

(3) The county shall utilize standardized contract terms and conditions consistent with department guidelines for contracting and including requirements for at least the following:

- (a) Reporting of revenue, expenditures, and statistical information on all mental health services provided to priority populations by the provider; and
- (b) Compliance with minimum standards for community mental health programs.

NEW SECTION

WAC 275-56-050 COUNTY ADMINISTRATION AND PLANNING—COUNTY MONITORING OF PROVIDERS. The county authority shall be



responsible for monitoring providers which have contracted with the county to provide mental health services.

(1) The county authority shall evaluate, at least annually, each provider's compliance with its contract work statement.

(2) Each biennium, the county authority shall ensure a program audit of the provider is conducted in accordance with guidelines of the department.

(3) The county shall notify the department of any findings resulting from the county's monitoring of providers indicating that the provider is not in compliance with contract terms. The county shall submit a written report of program evaluations and audits to the department within thirty days of completion.

(4) The responsibilities specified in this section may be assumed by one county where a combination of counties have established a community mental health program, and the administration of the program is provided by one county.

#### NEW SECTION

WAC 275-56-055 COUNTY ADMINISTRATION AND PLANNING—CLIENT TRACKING INFORMATION. The county authority shall be responsible for ensuring that client tracking information for the chronically mentally ill is maintained on the state mental health client tracking system. The state mental health client tracking system will be a centralized file which may be used by county authorities for tracking of the chronically mentally ill.

(1) The counties shall require all providers of service to the chronically mentally ill to collect and submit the following information:

(a) A department-designated client identifier enabling the person to be uniquely identified in any mental health service he or she receives.

(b) Name of the state hospital, certified evaluation and treatment facility, other inpatient or residential facility or licensed provider referring the client, and the date of referral.

(c) Identification of the facility or provider accepting the client upon referral from another facility or provider, including designation of the licensed provider providing case management services, if any.

(d) Service utilization in the community mental health program since the most recent date of referral or release from another facility or provider, including provider name and beginning and ending dates of treatment.

(2) The client tracking information shall be provided to the state client tracking system by state hospitals, certified evaluation and treatment facilities, other inpatient or residential facilities, county-designated mental health professionals (Chapter 71.05 RCW), and licensed providers under contract to the county authority or department.

(a) Referring entities referenced in this section shall provide the department with client tracking information

consistent with department guidelines on notification of client referral or release.

(b) Providers accepting a client referred from another facility or provider shall notify the state client tracking system of the outcome of the referral, and any subsequent referrals, transfers, or termination of the client.

(3) The confidentiality of information contained in the client tracking file or record shall be maintained in accordance with WAC 275-56-240 and RCW 71.05.390 through 71.05.440. All county or provider staff having access to the client tracking file or record shall be instructed in these confidentiality requirements. A statement signed by the individual acknowledging his or her understanding and agreement to abide by these requirements shall be kept on file by the county or provider.

(4) If a county authority chooses to maintain a client tracking system based on other than the state mental health client tracking system, prior approval by the department is required.

#### NEW SECTION

WAC 275-56-060 COUNTY ADMINISTRATION AND PLANNING—COUNTY COORDINATION OF SERVICES. The county authority shall ensure coordination of services for the acutely mentally ill, chronically mentally ill, and seriously disturbed, including underserved groups within these priority populations. The county shall utilize information from the state client tracking system to coordinate community support and outreach services. The county may contract with and designate a provider to meet the requirements of this section.

(1) Service providers discharging or referring chronically mentally ill clients to another service provider shall provide written notification to the state mental health client tracking system and the receiving agency of that discharge or referral within seventy-two hours.

(2) The receiving agency shall notify the state mental health client tracking system of the admission of the referred client within seventy-two hours of the admission. If the client has not been admitted within two weeks of the referral date, the receiving agency shall notify the state mental health client tracking system of the noncompleted referral.

(3) The county authority or its designee shall utilize information from the state mental health client tracking system to ensure efforts are made to provide needed services to all chronically mentally ill persons referred to providers, inpatient, or residential facilities within the county. When the county or its designee receives notification of noncompleted or inappropriate referrals, the county or its designee shall determine and document the reasons and attempt to arrange an appropriate referral.

(4) The county shall utilize information from the state client tracking system to routinely monitor continuity of care for chronically mentally ill clients.

(5) The county shall at least annually utilize client tracking information to assess the effectiveness of referral patterns and procedures.

NEW SECTION

WAC 275-56-065 COUNTY FISCAL ADMINISTRATION—DISBURSEMENT OF FUNDS ADVANCED BY THE DEPARTMENT. The county authority shall be responsible for establishing procedures to ensure proper application and use of funds advanced by the department for the community mental health program. The county shall maintain adequate documentation of disbursements of the advance account to providers.

NEW SECTION

WAC 275-56-070 COUNTY FISCAL ADMINISTRATION—SUBMITTAL AND APPROVAL OF MENTAL HEALTH BUDGET. The county authority shall submit a mental health budget to the department for approval consistent with guidelines of the department.

(1) The county budget shall include all available resources from the department and county mental health funds. The budget shall categorize estimated revenues and expenses according to the department's budgeting, accounting, reporting system (BARS).

(2) The mental health budgets of all providers contracting with the county shall be on file with the county. Provider budgets shall include available resources and other revenues that will support mental health services for acutely mentally ill, chronically mentally ill, and seriously disturbed clients. The provider budget shall categorize estimated revenues and expenses according to the department's standardized accounting system.

(3) The county mental health budget and all material adjustments thereof shall be reviewed and formally approved by the county authority prior to review and approval by the department.

(4) All county or provider requests for federal funding to support any aspect of the community mental health program shall be submitted to the department for review and approval before the request is submitted to any federal agency.

NEW SECTION

WAC 275-56-075 COUNTY FISCAL ADMINISTRATION—ACCOUNTING RECORDS. County accounting records shall clearly identify all revenues received from the department and expenditures thereof consistent with the department's budgeting, accounting, reporting system (BARS).

Accounting records shall be supported by properly executed accounting documents. Records, supporting documentation and statistical reports shall be retained for a period of five years, with the following qualifications:

(1) If any litigation, claim, or audit is started before the expiration of the five-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

(2) Records for nonexpendable property acquired with resources from the department shall be retained for five years after final disposition.

NEW SECTION

WAC 275-56-080 COUNTY FISCAL ADMINISTRATION—REPORTS TO AND AUDITS BY THE DEPARTMENT. The county shall maintain financial records and provide the department with information on the fiscal performance of the community mental health program.

(1) An original and one copy of the financial report shall be submitted to the department on a semiannual basis consistent with guidelines of the department.

(a) The report shall account for all mental health funds included in the county's contract with the department.

(b) The report shall be due in the department within forty days following the end of each reporting period.

(2) All county records of mental health funds provided to the county by the department shall be maintained in an auditable format. These records shall be available for audit upon request by the department or the department's designated audit agent.

NEW SECTION

WAC 275-56-085 COUNTY FISCAL ADMINISTRATION—BIENNIAL FISCAL AUDIT OF PROVIDERS. The county authority or designee shall be responsible for performing a biennial fiscal audit of each provider which is under contract to the county to provide mental health services.

(1) The biennial audit shall be conducted in accordance with applicable, generally accepted auditing standards (GAAS).

(2) Documentation shall verify that the reports of such audits have been reviewed by the governing body of the provider and the county authority.

(3) The biennial audit shall be completed within twelve months following the end of the department's biennium.

(4) The county shall notify the department of any audit findings indicating the provider is not in compliance with the county's contract or with minimum standards for community mental health programs.

(5) The county may use an independent audit secured by the provider to meet the requirements of the biennial county audit.

(6) Where available resources from the department can be separated from other revenues of the provider, the audit shall apply only to available resources. Otherwise the county shall perform a biennial fiscal audit of all revenues of the provider.

NEW SECTION

WAC 275-56-090 LICENSING PROCEDURES FOR PROVIDERS—APPLICABILITY OF MINIMUM STANDARDS FOR COMMUNITY MENTAL HEALTH PROGRAMS. Providers (excluding individual providers licensed under chapter 18.57, 18.71, 18.83 or 18.88 RCW) shall be licensed by the department before entering into a contract with the county to provide mental health services.

(1) A provider contracting with the county for all services required by the Community Mental Health Services Act shall meet all minimum standards for organizational administration, services administration, and services in this chapter.

(2) Where the provider contracts with the county for some but not all of the required mental health services, the department shall determine the minimum standards applicable to the provider and the contracted services.

(3) Where a provider is part of a superordinate structure (e.g., county, hospital, university), the standards shall apply only to the community mental health component of that structure.

(4) Where a provider is able to separate contracted mental health services for the acutely mentally ill, chronically mentally ill, and seriously disturbed from mental health services provided other client populations, organizational administration, services administration, and services standards shall apply only to the contracted services. The provider shall demonstrate to the department's satisfaction that the contracted services are distinct from other services with respect to the following:

- (a) Budget, revenues, and expenditures,
- (b) Staffing,
- (c) Clients served, and
- (d) Identification in the organizational structure.

#### NEW SECTION

✓ WAC 275-56-095 LICENSING PROCEDURES FOR PROVIDERS—APPLICATION AND APPROVAL. The department shall review applications for licensure and approve those which meet minimum standards for community mental health programs.

(1) Applications for licensure shall be submitted to the department on forms furnished by the department. The applicant shall indicate the services for which licensure is requested.

(a) Applications shall be signed by the applicant's governing body and administrator.

(b) The applicant shall send a copy of the application to the county authority or the designee. The county authority or the designee may review the application and send written comments to the department with a copy to the applicant. If the department does not receive a response from the county authority or the designee within thirty days, the department shall proceed with the application.

(2) An on-site review shall be conducted for the purpose of collecting and analyzing the information necessary for the department to determine whether a provider is in compliance with the minimum standards specified in this chapter. The department shall provide forty-five days written notice prior to the date scheduled for the licensure review.

(3) The department shall notify the applicant of the results of the review and make the report of the on-site review available to the applicant and county authority within sixty days of the last day of the on-site review.

(4) The applicant may appeal the department's licensure decision within thirty days of notification of decision. The appeal shall be made in accordance with the Administrative Procedures Act, chapter 34.04 RCW.

#### NEW SECTION

✓ WAC 275-56-100 LICENSING PROCEDURES FOR PROVIDERS—WAIVER OF RULES. Any provider or applicant subject to the provisions of this chapter may seek a waiver of any requirement of this chapter.

(1) The provider or applicant shall file a written request for a waiver with the department which shall include:

(a) The name and address of the provider or applicant seeking the waiver;

(b) The specific section or subsection of this chapter for which waiver is sought;

(c) An explanation of why a waiver of the section or subsection is necessary;

(d) A description of the alternative practice or procedure the provider proposes to follow in lieu of that required by the section or subsection, or a plan for satisfying the requirement with the section or subsection for which the waiver is sought; and

(e) Signed documentation from the county authority or designee reviewing the waiver including recommendations regarding the request.

(2) Upon receipt of a request for waiver, the department shall consider the following:

(a) Impact on accountability, efficiency, and quality of care;

(b) The degree of noncompliance being sought;

(c) Whether the waiver would run counter to the intent of chapter 71.24 RCW or other laws or regulations; and

(d) Whether any similar requests for waiver have been granted or denied.

(3) The department's response to the waiver request shall be provided in writing within sixty days of receipt of the request.

(a) If the waiver is granted, the notice shall include:

(i) The section or subsection waived;

(ii) Any conditions which the applicant must comply with;

(iii) The duration of the waiver which shall in no case exceed two years from the date of the licensure; and

(iv) That the waiver shall be subject to review and possible renewal, if requested.

(b) If the waiver request is denied, the notice shall include reasons for the decision.

(4) The denial of a waiver request may be appealed to the secretary, whose decision shall be final.

#### NEW SECTION

✓ WAC 275-56-105 LICENSING PROCEDURES FOR PROVIDERS—LICENSURE STATUS. The department shall, based on findings of a licensure review, assign the provider one of the following licensure statuses:

(1) Licensed

(a) Under this status the provider is eligible to enter into a contract with the county authority to provide those mental health services for which the provider is licensed.

(b) The department may require the provider to submit and implement a plan of correction to resolve deficiencies. The department may revoke the license if the provider does not implement the provider's plan of correction.

(c) At any time the department receives information indicating the provider has not continued to comply with minimum standards for community mental health programs, the department may conduct a new licensure review.

(d) The department may revoke the license if the review determines the provider is not in substantial compliance.

(e) If evidence indicates that the health and safety of the client is in danger, the revocation may be made effective immediately.

(2) Interim licensure

(a) Interim licensure shall be given to all providers contracting with a county authority to provide mental health services as of the effective date of this chapter.

(b) Interim licensure shall remain in effect until notification of licensure status resulting from the department's first licensure review of the provider or until two years following the effective date of this chapter.

(c) Following the department's first licensure review the provider shall have the licensure status assigned by the department.

(3) Probationary licensure

(a) Under this status the provider is eligible to contract with the county authority on conditions specified by the department.

(b) To achieve full licensure the provider shall demonstrate to the department that it has met the conditions of the probationary status.

(c) The provider shall request the department to review its corrective actions within six months of notification of probationary status or its licensure shall be revoked.

(d) The department shall review the provider's corrective actions and make a redetermination of licensure status within six months of the date of the provider's request for review.

(e) Probationary status shall only be assigned a provider as an outcome of the department's first licensure review of a provider or of a new service of that provider.

(4) Provisional licensure

A new provider or a provider planning to offer a new service may be given a provisional license for up to one year if the following conditions are met:

(a) It has an acceptable detailed plan for the development and operation of such service;

(b) It can demonstrate the availability of administrative and clinical expertise required to develop and provide the planned services; and

(c) It has the fiscal management and existing or projected resources to reasonably assure the stability and solvency of the planned service.

(5) The provider's contract with the county authority shall be terminated thirty days following the department's notification to the provider and the county authority of failure to attain or maintain licensure.

(6) Providers failing to attain licensure or whose licensure has been revoked may reapply for licensure no earlier than six months following the date of the department's notification.

(a) The application shall document the actions the provider has taken to correct deficiencies found in the prior licensure review.

(b) If the application demonstrates the provider has made every reasonable effort to correct deficiencies, the department shall schedule a licensure review to evaluate compliance with those standards previously unmet.

(7) A license shall be in effect for two years or until a review for relicensure has been conducted.

NEW SECTION

WAC 275-56-110 PROVIDER ADMINISTRATION—POLICIES AND PROCEDURES. The provider shall have written policies and procedures for operations and administration. The provider's policies and procedures shall include:

- (1) Fiscal administration,
- (2) Personnel management,
- (3) Affirmative action,
- (4) Staff training,
- (5) Quality assurance,
- (6) Client rights,
- (7) Client records,
- (8) Client entry, service planning, operations, and
- (9) Services.

NEW SECTION

WAC 275-56-115 PROVIDER ADMINISTRATION—GOVERNING BODY. The provider shall have a governing body which shall be responsible for the provider's:

- (1) Policies,
- (2) Total budget,
- (3) Biennial plan and budget for services proposed for contract with the county authority, and
- (4) Contract with the county authority for mental health services.

NEW SECTION

WAC 275-56-120 PROVIDER ADMINISTRATION—DESIGNATION OF ADMINISTRATOR. The provider shall designate an administrator responsible to the governing body for administration of the provider's mental health services. The responsibilities of the administrator shall include the acquisition, control, utilization, and planning for the physical, human, and financial resources of the provider.

NEW SECTION

WAC 275-56-125 PROVIDER ADMINISTRATION—ORGANIZATIONAL STRUCTURE. The provider shall have an organizational structure specifying lines of authority and responsibility. The provider shall have an organizational chart identifying all programs, program interrelationships and lines of authority

including the governing body, administrator, administrative staff, program managers, and staff positions, as applicable.

#### NEW SECTION

✓ WAC 275-56-130 PROVIDER FISCAL ADMINISTRATION—FISCAL POLICIES AND PROCEDURES. The provider shall have its current fiscal policies and procedures available in written form. Policies and procedures shall be defined in the following areas:

- (1) Accounts receivable,
- (2) Accounts payable to include purchasing,
- (3) Payroll,
- (4) General ledger, and
- (5) Internal control.

#### NEW SECTION

✓ WAC 275-56-135 PROVIDER FISCAL ADMINISTRATION—WRITTEN SCHEDULE OF FEES. The provider shall establish and use a sliding fee schedule based on the resources available to the client to pay for mental health services and the provider's actual cost of care.

(1) The fee schedule shall be approved by the department as part of the licensing process.

(2) The fee schedule shall be accessible to the provider's staff and clients.

#### NEW SECTION

✓ WAC 275-56-140 PROVIDER FISCAL ADMINISTRATION—PROCEDURES TO MAXIMIZE REVENUES. The provider shall establish procedures to maximize other revenues.

(1) Fees shall be collected from third parties when available.

(2) Fees shall be collected from clients, parents of a child, or legal guardian consistent with the sliding fee schedule for billable services.

(3) Fees shall be collected for consultation and education services whenever possible.

(4) All receipts shall be deposited intact.

(5) All services rendered shall be recorded and shall be billed as appropriate.

(6) Members of the governing body, clinical staff, and consultants shall not engage in activities constituting a conflict of interest impairing the provider's ability to maximize revenues, including, but not limited to:

(a) The provider's facilities or services shall not be used by such persons for private practice unless the person compensates the provider at a reasonable rate.

(b) Governing body members, clinical staff or consultants with private practices shall not recruit clients away from the provider or be given preference for client referral made outside the provider agency unless there is no reasonable alternative.

(c) No private practice or other remunerative activity shall be conducted during hours when the staff member is being paid by the provider.

#### NEW SECTION

✓ WAC 275-56-145 PROVIDER FISCAL ADMINISTRATION—BUDGET OF EXPECTED REVENUES AND EXPENSES. The provider shall prepare a formal, written budget of all expected revenues and expenses for mental health services. The budget shall categorize revenues by source and expenses by types of services and/or program components consistent with the department's standard accounting system. The written budget and all material budget revisions shall be reviewed and formally approved by the governing body.

#### NEW SECTION

✓ WAC 275-56-150 PROVIDER FISCAL ADMINISTRATION—ACCOUNTING SYSTEM. The provider shall maintain an appropriate accounting system for administration of financial resources.

(1) The provider shall maintain the accounting system in accordance with applicable, generally accepted accounting principles (GAAP).

(2) Accounting records shall clearly identify all revenues by source.

(3) All expenses shall be recorded in a manner to clearly show the budget category charged.

#### NEW SECTION

✓ WAC 275-56-155 PROVIDER FISCAL ADMINISTRATION—DOCUMENTATION AND RETENTION OF ACCOUNTING TRANSACTIONS. Accounting transactions shall be supported by properly executed documents. Financial records, supporting documentation, and statistical reports shall be retained for a period of five years, with the following qualifications:

(1) If any litigation, claim or audit is started before the expiration of the five-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.

(2) Records for nonexpendable property acquired with resources from the department shall be retained for five years after final disposition of the property.

#### NEW SECTION

✓ WAC 275-56-160 PROVIDER FISCAL ADMINISTRATION—FISCAL MANAGEMENT SYSTEM REPORTING. The provider shall maintain accurate and complete information regarding the fiscal performance of its mental health program.

(1) Financial statements shall be prepared at least annually in conformity with generally accepted accounting principles (GAAP) and shall be available to the county authority and department upon request.

(2) If the provider has a contract with the county, the provider shall submit to the county at least quarterly revenue and expense reports for available resources based on the department's budgeting, accounting, reporting system (BARS). The revenue and expense reports shall include the relationship of the approved budget to actual revenue and expenditure.

(3) Providers utilizing Medicaid funding shall comply with WAC 388-87-007(9), and the terms of their Medicaid contract.

(4) Where a client utilizes more than one service of a provider at the same time, the client may not be charged for more than one service.

#### NEW SECTION

✓ WAC 275-56-165 PROVIDER FISCAL ADMINISTRATION—INDEPENDENT AUDIT OF FINANCIAL OPERATIONS. The provider's financial operations shall receive an independent audit at least biennially.

(1) The audit shall be conducted in accordance with generally accepted auditing standards (GAAS).

(2) Documentation shall verify that the report of the audit has been reviewed by the governing body.

(3) The audit shall be completed within twelve months following the end of the state's biennium.

(4) The county biennial fiscal audit of the provider may be used to meet the audit requirements of this section.

#### NEW SECTION

✓ WAC 275-56-170 PERSONNEL MANAGEMENT—PERSONNEL RECORDS. A personnel record shall be kept on file by the provider for each staff member. The personnel record shall contain:

(1) Documentation verifying education, experience, and clinical training;

(2) Verification of required licensure or certification;

(3) Job description;

(4) Documentation of continuing education including in-service training received and training needs; and

(5) Documentation of the staff member's review of client rights.

#### NEW SECTION

✓ WAC 275-56-175 PERSONNEL MANAGEMENT—STAFF QUALIFICATIONS. All direct treatment services shall be provided and supervised by staff members with the appropriate clinical qualifications.

(1) All direct treatment services shall be provided by a mental health professional or under the clinical supervision of a mental health professional defined pursuant to chapter 71.05 RCW as follows:

(a) A physician or osteopath licensed pursuant to chapter 18.57 or 18.71 RCW, who is board eligible in psychiatry; or

(b) A psychologist licensed pursuant to chapter 18.83 RCW; or

(c) A psychiatric nurse or social worker; or

(d) A person having at least a masters degree in behavioral, nursing sciences, or related field from an accredited college or university and having at least two years' experience in the direct treatment of mentally ill clients under the supervision of a mental health professional; or

(e) A person professionally registered or certificated (e.g., registered nurse, occupational therapist, physical

therapist) and having at least three years' experience in working with mentally ill clients under supervision of a mental health professional. Such a person shall be defined as a mental health professional only when working within the skill areas for which he or she is registered or certificated.

(2) A clinical staff member or trainee not meeting the qualifications stated in subsection (1) of this section shall only provide direct treatment, screening, case management or support services under the following conditions:

(a) The person has been evaluated by a mental health professional and determined to possess the skills and knowledge necessary to work with the client population to be served, and in the identified function or role to be performed; and

(b) The service is provided under the supervision of a mental health professional or as part of an organized treatment team.

#### NEW SECTION

✓ WAC 275-56-180 PERSONNEL MANAGEMENT—CLINICAL SUPERVISION. All persons providing direct treatment services shall receive appropriate clinical supervision.

(1) Clinical supervision shall be provided by a mental health professional.

(2) Full-time clinical staff members who are mental health professionals providing direct treatment services shall receive at least one hour per week of clinical supervision and/or consultation. Proportionately less time is required for part-time staff. Persons with medical and/or overall clinical responsibilities shall receive appropriate peer consultation.

(3) Other full-time clinical staff members providing direct treatment services shall receive at least two hours per week of clinical supervision from a mental health professional. Proportionately less time is required for part-time staff.

(4) Volunteers and trainees providing direct services, who are mental health professionals, shall receive at least three hours per week of clinical supervision from a mental health professional. Proportionately less time is required for persons providing direct treatment services on a part-time basis.

(5) Volunteers and trainees providing direct treatment services, who are not mental health professionals, shall receive at least one hour of clinical supervision from a mental health professional for every five hours of direct treatment services provided. Volunteers, trainees or other persons providing telephone screening or telephone crisis counseling shall not be subject to this subsection, given clinical supervision is available in person, by telephone, or by radio communication at all times.

(6) Clinical backup by a mental health professional in person, by telephone, or by radio communication shall be available to staff at all times when service is being provided.

(7) Where required by law, specialized services (e.g., medical, psychiatric, psychological, and nursing services) shall be provided or supervised by appropriately licensed

or credentialed persons in accordance with respective professional standards.

#### NEW SECTION

**WAC 275-56-185 PERSONNEL MANAGEMENT—QUALIFICATIONS APPROPRIATE TO THE NEEDS OF THE CLIENT POPULATION.** The clinical qualifications of persons providing and/or supervising direct treatment services shall reflect the needs of the client population.

(1) Services to persons acutely mentally ill, chronically mentally ill, or seriously disturbed shall be provided by or under the supervision of a mental health professional with at least two years of experience in treatment of such clients.

(2) Services directed to children shall be provided by, under the supervision of, or with consultation from a child mental health specialist defined as follows:

(a) A mental health professional having completed a minimum of one hundred actual hours (not quarter or semester hours) of specialized training devoted to the study of child development and the treatment of seriously disturbed children and their families; and

(b) Having the equivalent of one year of full-time experience in the treatment of seriously disturbed children and their families under the supervision of a child mental health specialist.

(3) Services directed to the elderly shall be provided by, under the supervision of, or with consultation from a geriatric mental health specialist defined as follows:

(a) A mental health professional having completed a minimum of one hundred actual hours (not quarter or semester hours) of specialized training devoted to the problems and treatment of the elderly; and

(b) Having the equivalent of one year of full-time experience in the treatment of the elderly, under the supervision of a geriatric mental health specialist.

(4) Services directed to minority persons shall be provided by, under the supervision of or with consultation from a minority mental health specialist defined as follows:

(a) A mental health professional having completed a minimum of one hundred actual hours (not quarter or semester hours) of specialized training devoted to minority issues and treatment of minority persons; and

(b) Having the equivalent of one year of full-time experience in the treatment of persons in the minority group he or she serves. Such experience shall have been supervised by a mental health professional and shall have included consultation with minority providers and/or community leaders who are members of the minority group served.

(5) Services directed to disabled persons shall be provided by, under the supervision of or with consultation from a mental health specialist with special expertise in working with that disabled group.

(a) If the client is deaf, the specialist shall be able to communicate with the person and be knowledgeable of the special psychosocial problems of the deaf.

(b) The specialist for developmentally disabled clients shall have a minimum of one hundred actual hours (not

semester or quarter hours) of specialized training devoted to the problem and treatment of the developmentally disabled, or have one year of supervised experience in a developmental disability or special education program, or be a developmental disability or special education professional.

(6) Where the mental health specialists required under this section are unavailable, the provider shall:

(a) Document effort to acquire the services of the required specialists; and

(b) Develop a training program using in-service training or outside resources to assist existing staff members to acquire necessary skills and experience to become qualified specialists; or

(c) Contract or otherwise establish a working relationship with the required specialists to provide all or part of the direct treatment services for these populations or to supervise or provide consultation to staff members providing direct treatment services to these populations.

#### NEW SECTION

**WAC 275-56-190 PERSONNEL MANAGEMENT—ADMINISTRATIVE QUALIFICATIONS.** Provider administration shall be provided by staff members with the appropriate administrative qualifications.

(1) The administrator shall have at least a masters degree in a social, behavioral, medical, nursing, or administrative discipline from an accredited college or university, and a minimum of two years' administrative experience and two years' experience in human services, or be certified in a relevant professional field (e.g., nurse, occupational therapist), providing the person, in addition, has at least three years' administrative experience and three years' experience in human services.

(2) The staff member with overall responsibility for provider clinical services shall be a mental health professional with at least five years' experience in mental health services, including at least two years in a supervisory capacity.

#### NEW SECTION

**WAC 275-56-195 PERSONNEL MANAGEMENT—AFFIRMATIVE ACTION.** The provider shall have an affirmative action program which complies with Title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, Section 504 of the 1974 Rehabilitation Act, the department's affirmative action guidelines, and other applicable federal, state, and local laws and regulations.

#### NEW SECTION

**WAC 275-56-200 PERSONNEL MANAGEMENT—TRAINING OPPORTUNITIES.** Training opportunities shall be made available to administrative, clinical and clerical staff, and volunteers through in-service programs and/or training offered by outside resources.

(1) Each full-time clinical staff member shall receive a minimum of forty hours of training per year without

loss of pay. Proportionately less training shall be received by part-time clinical staff.

(2) Volunteers, trainees or other nonprofessional persons providing telephone screening or telephone crisis counseling shall receive a minimum of thirty hours of appropriate training prior to providing telephone screening or telephone crisis counseling.

(3) Required training is in addition to routine supervision or consultation.

(4) Training shall be consistent with needs identified in the individual's personnel file.

(5) All training received by staff and volunteers shall be documented in the personnel files.

#### NEW SECTION

✓ WAC 275-56-205 QUALITY ASSURANCE—CASE REVIEW. A quality assurance case review process shall be established for all direct treatment services.

(1) The quality assurance review shall objectively assess the progress and outcome of treatment.

(a) The review shall be conducted by a person or persons not participating in treatment of the case under review. The review may be conducted by an outside consultant.

(b) At least one mental health professional shall participate in the review.

(c) At least fifteen cases or five percent, whichever is larger, of the provider's open cases shall be randomly sampled every three months and reviewed for quality of care.

(i) The sample shall be stratified to:

(A) Represent each mental health service at least every six months;

(B) Represent at least one case from each primary therapist or case manager every six months.

(ii) The cases shall represent acutely mentally ill, chronically mentally ill, and seriously disturbed persons appropriate to the service provided.

(2) The case review shall result in a determination of whether:

(a) The client's psychosocial, medical and treatment history, mental and medical status, and special assessments support the needs, problems, and diagnosis specified in the individual's service plan.

(b) Treatment goals follow from identified needs and problems, identify the expected outcome of treatment, and can be realistically achieved;

(c) Case progress indicates the goals of treatment have been or will be achieved;

(d) Medication and other services prescribed or assigned are utilized appropriately; and

(e) The client should continue in treatment.

(3) Client records shall be accurate and complete and shall contain the information required by this chapter.

(4) Corrective actions shall be recommended where a case review indicates inappropriate clinical care.

(a) Corrective action shall be considered for both the service program and the individual client's service plan.

(b) Recommendations for corrective action shall be submitted to the primary therapist or case manager, his or her supervisor, and other appropriate supervisors.

(c) Actions taken in regard to an individual client as a result of the review shall be documented in the client's record.

#### NEW SECTION

✓ WAC 275-56-210 PROGRAM EVALUATION—REQUIREMENTS. The provider shall have a system for determining the degree to which service activities meet its goals and objectives.

(1) The provider shall have an information system providing relevant, accurate, and timely data in order to monitor program goals and objectives. The provider shall maintain sufficient data to report the Washington state mental health information system minimum data set.

(2) At least one study of provider operations and intended results of services shall be completed annually. The studies shall address priority issues of concern to the provider and be related to its goals and objectives.

(3) Program evaluation or research involving human subjects shall be conducted in accordance with RCW 71.05.390, and "Guide to DSHS Policy on Protection of Human Research Subjects," July 1, 1981.

#### NEW SECTION

✓ WAC 275-56-215 FACILITY CHARACTERISTICS. Provider services shall be provided in a setting safe and conducive to the attainment of therapeutic goals.

(1) Provider facilities shall meet federal, state, and local requirements, including building, health, and fire codes.

(2) Group therapy rooms shall be of adequate size to accommodate the groups without crowding.

(3) Rooms used for client services shall be fully enclosed, have closing doors, and shall be reasonably soundproofed to reduce both distracting noises and the possibility of conversations being overheard outside the room.

(4) If physical examinations are routinely performed within the facility, a suitably equipped examination room shall be available.

#### NEW SECTION

✓ WAC 275-56-220 SERVICES ADMINISTRATION—ACCESSIBILITY. Services shall be accessible in a nondiscriminatory manner and at times and locations which facilitate client utilization of services.

(1) Services to acutely and chronically mentally ill and seriously disturbed clients from underserved groups, including minorities, children, the elderly, disabled, and low-income persons shall be accessible and meet the special needs of these populations.

(a) The provider shall eliminate or substantially reduce physical, communication, and sociocultural barriers to utilization of services.

(b) Services shall be compatible with the culture and in the language of ethnic minority clients where a significant ethnic minority population exists in the county.

(c) In-home services shall be available to homebound persons, where possible.



(d) Alternative service delivery models shall be provided, where possible, to enhance utilization by these underserved groups.

(2) Services shall be provided regularly on some evenings and/or weekends as determined by client and potential needs.

(3) If the provider does not offer appropriate services, the client shall be referred to such services and the provider shall facilitate the referral.

#### NEW SECTION

✓ WAC 275-56-225 SERVICES ADMINISTRATION—AWARENESS OF SERVICES. The location of the provider and services offered shall be made known to the public.

(1) The provider shall maintain listings in all telephone and other public directories of the service area.

(2) The provider shall publish and disseminate brochures and other materials describing services and hours of operation.

(3) The provider shall publish and disseminate bilingual brochures and other materials when there is a significant non-English speaking population in the service area.

#### NEW SECTION

✓ WAC 275-56-230 SERVICES ADMINISTRATION—CLIENT RIGHTS. The provider shall maintain written policies and procedures relating to client rights, and shall ensure all personnel are informed and adhere to policies and procedures.

(1) Clients, prospective clients, and/or legally responsible others shall be informed of client rights at admission.

(2) The provider shall post a written statement of client rights in public areas. A copy shall be available to clients on request. Providers of only telephone services (e.g., crisis lines) shall post the statement of client rights in a location visible to staff and volunteers during working hours.

(3) The statement of client rights shall include at least:

(a) The right to receive appropriate care and treatment, employing the least restrictive alternatives available;

(b) The right to be treated with respect and dignity;

(c) The right to receive treatment which is nondiscriminatory and sensitive to differences of race, culture, language, sex, age, national origin, disability, creed, socioeconomic status, marital status, sexual orientation, and ability to pay.

(d) The right to an individualized service plan reflecting problems and/or needs identified for or with the client.

(e) The right to confidentiality as specified in relevant statutes (chapter 71.05 RCW) and regulations (chapter 275-55 WAC).

(4) Policies of the provider shall address circumstances where confidentiality shall not be maintained, including at least:

(a) Where there is reason to suspect the occurrence of child abuse or neglect;

(b) Where there is a clear threat to do serious bodily harm to self or others;

(c) To a court under court order;

(d) The right to refuse any proposed treatment consistent with chapter 71.05 RCW;

(e) The right to review the client's case record under conditions specified in WAC 275-56-235(2);

(f) The right to receive an explanation of all medications prescribed, including expected effect and possible side effects;

(g) The right to be free of any sexual exploitation or harassment;

(h) The right to lodge a grievance with the provider if the client has reason to believe his or her rights have been violated. The statement shall include the grievance procedure.

#### NEW SECTION

✓ WAC 275-56-235 SERVICES ADMINISTRATION—PROTECTION OF CLIENT RIGHTS. The provider shall protect and ensure the rights of all clients and former clients.

(1) Neither evaluation nor treatment services shall be provided to any person under fourteen years of age without the signed consent of the parent or guardian. In an emergency, such child may be seen for one session without consent of parent or guardian. Parental consent for evaluation or treatment services shall not be necessary in the case of a child referred by child protective services or other public agency because of physical, sexual, or psychological abuse or neglect by a parent or parent surrogate.

(2) When client, or the parent or guardian of a child thirteen years of age or under, requests review of his or her case record, the provider shall:

(a) Grant the request within seven days, except the request need not be granted if the provider knows or has reason to believe the parent or parent surrogate has been a child abuser or might otherwise harm the child.

(b) Review the case record in order to identify and remove any material confidential to another person.

(c) In the presence of a staff member, allow the client sufficient time and privacy to review the record to his or her satisfaction. A clinical staff member shall be available to answer questions.

(d) Permit the following persons to be present during the review, with the consent of the client;

(i) Next-of-kin,

(ii) The family physician, or

(iii) The client's attorney.

(e) Document the review session in the client's record.

(3) The written, informed consent of the client or responsible other shall be obtained before:

(a) Use of any medication.

(b) Initiation of any nonemergency service plan.

(c) Use of any unusual diagnostic or treatment procedure.

(d) Use of any audio and/or visual device to record the client's behavior.

(e) The client serves as a subject for any research.

NEW SECTION

**WAC 275-56-240 SERVICES ADMINISTRATION—CONFIDENTIALITY OF CLIENT INFORMATION.** The provider shall protect the confidentiality of all information relating to clients or former clients.

(1) The provider shall disclose no confidential information, including the fact a person is or has been a client, without a current consent signed by the client or legally responsible other.

(2) Standardized forms authorizing release and/or exchange of confidential information shall be used and contain the following:

- (a) The name of the client,
- (b) The date,
- (c) The name and address of the provider,
- (d) The name and address of the person or entity to whom the information is to be provided,
- (e) The reason for disclosure,
- (f) The specific kind of information to be disclosed,
- (g) The period of time the consent is to be in force,
- (h) The signature of the client and/or responsible other, and

(i) The signature of a witness.

(3) Exceptions to subsection (1) of this section are as follows:

(a) Disclosures permitted under relevant statute (chapter 10.77 and 71.05 RCW) or regulations (chapter 275-55 WAC);

(b) To a court under court order;

(c) The fact of admission and any pertinent information and records may be disclosed:

(i) To provider personnel, as needed; however, volunteers and trainees shall have access to client records only to the extent necessary for treatment;

(ii) To the extent necessary to make an insurance or medical assistance claim;

(iii) To a county-designated mental health professional (chapter 71.05 RCW);

(iv) To a hospital or emergency medical personnel for purposes of dealing with an emergency; and

(v) To law enforcement or public health officers under the following conditions:

(A) Only to the extent necessary to carry out the responsibilities of the law enforcement or public health officer;

(B) Such persons shall be responsible for keeping all information confidential pursuant to these standards.

(vi) To a certified evaluation and treatment facility (chapter 71.05 RCW);

(vii) To the person designated by the county to track the chronically mentally ill. Such disclosures shall be limited to the facts of admission, discharge or referral of chronically mentally ill persons;

(d) Pertinent information must be disclosed, and the provider is obligated to initiate disclosure, under the following conditions:

(i) To child protective services in accordance with RCW 26.44.030;

(ii) To law enforcement officers and the intended victim when there is a clear and serious threat of homicide

or intent to do serious bodily harm to another person or persons.

(4) All disclosures made, both with and without the client's consent, shall be documented in the case record to include:

(a) Date of disclosure;

(b) Person or entity receiving information;

(c) Nature of information disclosed;

(d) Reasons for disclosure if consent has not been obtained.

NEW SECTION

**WAC 275-56-245 SERVICES ADMINISTRATION—RESOLVING CLIENT GRIEVANCES.** The provider shall act promptly to hear and take appropriate steps to resolve client grievances. Procedures shall ensure the involvement of appropriate supervisory and administrative staff, and the governing body, as necessary. Confidential information shall not be disclosed to the governing body pursuant to client grievances without the signed consent of the client.

NEW SECTION

**WAC 275-56-250 SERVICES ADMINISTRATION—POLICIES AND PROCEDURES FOR PROVIDER OPERATIONS.** The provider shall have written policies and procedures relating to emergency and nonemergency client entry, individual service planning, coordination of services with state mental health facilities and other providers, medical responsibility, and financial and billing practices which shall be consistent with other requirements of this chapter.

NEW SECTION

**WAC 275-56-255 SERVICES ADMINISTRATION—SCREENING AND INFORMATION AND REFERRAL.** Screening and information and referral shall result in an action on behalf of the prospective client.

(1) In case of a request for mental health information, accurate information shall be provided, and a determination of the need for a referral for further service shall be made.

(2) In case of a request for service:

(a) Screening shall result in an intake appointment if screening indicates that the person is acutely or chronically mentally ill or seriously disturbed and the provider offers an appropriate and available service;

(b) If the prospective client chooses to wait for services, the first available intake time shall be assigned the client. Acutely mentally ill persons may be placed in front of any waiting list;

(c) Screening shall result in a referral to another provider if the requested services are not available from the provider. If no appropriate referral is available, such shall be documented;

(d) Where appropriate, screeners shall provide follow-up with the prospective client.

(3) Screening dispositions shall be made by or under the clinical supervision of a mental health professional, and a record shall be maintained of all referrals.

NEW SECTION

WAC 275-56-260 SERVICES ADMINISTRATION—INTAKE AND INITIAL EVALUATION. At intake a clinical staff member shall assess and document the client's presenting problems, history, mental status, need for additional examinations, and treatment needs.

(1) A formal, standardized application for services shall be completed by or for each client and shall become a part of the client's record.

(2) Information describing client rights and confidentiality of information shall be provided at the time of intake.

(3) The initial evaluation shall include:

(a) A clear statement of the presenting problems preferably in the client's own words and/or the parent's words in the case of a child.

(b) A psychosocial, substance abuse, and medical history.

(c) A history of mental health treatment covering at least the last two years.

(d) For children, a developmental history and assessment of academic background and learning problems.

(e) A mental status examination.

(f) Direct observation of client behavior.

(g) An assessment of the client's current level of functioning, strengths, needs, and problems, a provisional diagnosis (Diagnostic and Statistical Manual, 3rd edition), and a determination as to whether the person is acutely mentally ill, chronically mentally ill or seriously disturbed.

(h) The name and telephone number of the client's present or most recent physician, and the date of the most recent examination or treatment by the physician.

(4) The client shall be referred for a medical examination when determined necessary. All clients aged sixty and over shall be referred for a medical examination, if such examination has not been done within the preceding ninety days.

(5) The need for special psychiatric, psychological, neurological, medical or other examinations, tests or procedures shall be determined. The basis for such decisions shall be documented and appropriate referrals made. Before a diagnosis of primary degenerative dementia with senile or presenile onset is made, assessments shall be completed to rule out all forms of treatable medical or mental disorders.

(6) Fees appropriate to the client's ability to pay shall be established, and the client shall be informed of the fees and of the provider's fee policies during the intake process.

NEW SECTION

WAC 275-56-265 SERVICES ADMINISTRATION—DRUG USE PROFILE. A drug use profile shall be developed at intake and maintained throughout the client's treatment.

(1) The drug use profile shall include the names and dosages of all prescribed and nonprescribed drugs (when the information is available) used currently and during the previous six months. The record of prescribed drugs

used prior to or during the course of treatment shall include, as available, names and dosages, name of prescribing person, dates and reasons for changes or discontinuance, and any significant side effects.

(2) Except in an emergency, there shall be signed consent of client or responsible other before utilization of medication. In the event the client refuses to sign, efforts to obtain signature shall be documented.

NEW SECTION

WAC 275-56-270 SERVICES ADMINISTRATION—COORDINATION OF SERVICE. Staff responsibilities for planning, providing, and coordinating services shall be clearly assigned.

(1) Each client in a direct treatment service shall be assigned a primary therapist.

(2) When a client is served by both a primary therapist and a case manager, these persons shall confer on a regular basis, and document such conferences. In the absence of an assigned case manager, the primary therapist shall coordinate needed services on behalf of the client.

NEW SECTION

WAC 275-56-275 SERVICES ADMINISTRATION—DEVELOPMENT OF INDIVIDUALIZED SERVICE PLAN. An individualized service plan shall be developed for each client.

(1) The plan shall identify each problem or need to be addressed in treatment.

(2) The plan shall contain clearly stated goals for treatment.

(a) Each goal shall state the intended result to occur in client behavior, skills, attitudes, or circumstances as a result of treatment.

(b) The plan shall specify an expected timeframe for the attainment of goals and for termination.

(3) The plan shall identify the services and specific treatment modalities to be utilized.

(a) The plan shall include referral for necessary services not offered by the provider.

(b) The primary therapist and/or case manager responsible for providing and coordinating services shall be identified.

(4) The plan shall clearly show the relationships between the proposed services, intended results, and needs of the client, including how treatment goals are to be met by the particular modalities and techniques to be utilized.

(5) An assessment and review of progress and updating of the plan shall be performed at least every ninety days in the case of outpatient, day treatment or community support services.

(6) The client shall participate in service planning and implementation according to his or her ability, and the family shall be involved where available and appropriate to the client's needs.

(7) The client or responsible other shall consent to treatment by signing the initial service plan and when significant changes are made in the plan. In the event

the client refuses to sign, efforts to obtain signature shall be documented.

(8) The service plan shall be completed and a mental health professional shall review and sign the plan within thirty days. When appropriate and sufficient staff are available, the initial service plan shall be reviewed and revised as necessary by a multidisciplinary treatment team including individuals licensed under chapter 18.57, 18.71, 18.83 or 18.88 RCW.

#### NEW SECTION

✓ WAC 275-56-280 SERVICES ADMINISTRATION—GROUP SERVICE PLAN. In the case of outpatient groups, a group service plan shall be developed which identifies the goals of the group, the modalities and approaches to be used to attain those goals and common need characteristics of clients to be referred to the group.

(1) Clients, staff, supervisors, and consultants shall be involved, as appropriate, in development and review of the group service plan.

(2) The supervisor of the unit or program providing the group service shall review and sign the plan initially and whenever it is revised.

#### NEW SECTION

✓ WAC 275-56-285 SERVICES ADMINISTRATION—PROGRESS NOTES AND REVIEW. Client progress in meeting goals shall be documented in the case record.

(1) Progress notes shall be recorded in the case and group record as follows:

- (a) After every client contact for outpatient services;
- (b) At least weekly for day treatment services;
- (c) After each event for emergency services;
- (d) Providers utilizing a problem-oriented record system may record progress less frequently, provided a narrative summary of client progress is entered in the case record at least every thirty days, and the date and type of each contact is recorded.

(2) Progress notes shall document each service provided, including date, nature of service, progress toward established goals, changes in service plan, referrals, extraordinary events, and be signed by the responsible staff member.

(3) The service plan and progress shall be formally assessed at least every ninety days for outpatient, day treatment, and community support services.

(4) The assessment of progress shall cover course and progress of treatment in relationship to client needs, problems and goals, noting unusual events, assessing current status and need for continued treatment, reprojecting length of treatment, and modifying the service plan, if necessary.

(5) The clinical supervisor shall participate where possible in the formal progress assessment, and in all cases shall review, approve, and sign summaries prepared by the primary therapist or case manager.

#### NEW SECTION

✓ WAC 275-56-290 SERVICES ADMINISTRATION—TRANSFER AND TERMINATION. Continuity of care shall be assured and cases shall be closed promptly upon transfer or termination.

(1) A comprehensive summary shall be prepared by responsible staff and shall be made available to the provider assuming primary responsibility for the client. A copy shall be placed in the client's record.

(2) Cases involving planned transfer and termination shall be closed within fourteen days of final contact.

(3) Planned and/or necessary leaves from treatment for up to ninety days shall be documented in the client's record, and the case need not be closed.

(4) Other cases shall be closed within ninety days of the last attempt to contact the client. Unexplained interruptions in client contacts shall be followed up by the primary therapist or case manager, and these attempts documented in the client's record. Special efforts shall be made to contact the client when he or she is thought to be dangerous to self or others or property or gravely disabled, and shall be documented in the client's record.

#### NEW SECTION

✓ WAC 275-56-295 SERVICES ADMINISTRATION—MEDICAL RESPONSIBILITY. Medical responsibility shall be vested in a psychiatrist, other physician or osteopath.

(1) A physician licensed to practice pursuant to chapter 18.57 or 18.71 RCW, and at least board eligible in psychiatry, shall be responsible for medical services.

(a) Providers unable to recruit a psychiatrist may employ a physician without board eligibility in psychiatry provided:

(i) Psychiatric consultation is provided to the physician at least monthly; and

(ii) The psychiatrist is accessible in person, by telephone, or by radio communication to the physician for emergency consultation.

(iii) The physician participates in at least twenty hours per year of continuing medical education in psychiatry.

(b) The provider may divide medical responsibility among a number of physicians employed in part-time staff or consultative roles.

(2) Medications shall be reviewed at least every three months by a physician. A registered nurse or licensed practical nurse may administer medications under the supervision of a physician. Medications shall be monitored by a physician or registered nurse (chapter 308-120-300 WAC).

(3) Medication information shall be maintained in the client record documenting at least the following for each prescribed medication:

- (i) Name of medication,
- (ii) Dosage and method of administration,
- (iii) Purpose of medication,
- (iv) Dates prescribed, reviewed and/or renewed,
- (v) Observed effects and side effects, including laboratory findings and corrective actions taken for side effects,

(vi) Reasons for change or termination of medication, and

(vii) Name and signature of prescribing person.

(4) When a psychiatrist is available, he or she shall participate in multidisciplinary teams responsible for treatment planning and review.

(5) When medical problems are suspected or identified, a psychiatrist or other physician shall be consulted and included in treatment planning at regular intervals.

#### NEW SECTION

✓ WAC 275-56-300 SERVICES ADMINISTRATION—MEDICATION STORAGE. Medication storage areas shall be inspected and inventoried at least quarterly by the administrator, or designated clinical staff member.

(1) All medication shall be kept in locked storage.

(2) Any medications kept in a refrigerator containing other items shall be kept in a separate container with proper security.

(3) No outdated medications shall be retained, and medications shall be disposed of in accordance with regulations of the state board of pharmacy.

(4) Medications for external use shall be stored separately from oral and injectable medications.

#### NEW SECTION

✓ WAC 275-56-305 SERVICES ADMINISTRATION—EXTRAORDINARY OCCURRENCES. There shall be written procedures for the handling, review, and documentation of extraordinary occurrences.

(1) Procedures shall be established for responding to and reviewing situations involving:

(a) Injury to clients or staff;

(b) Suicide or homicide by a client;

(c) Client behavior so bizarre or disruptive as to threaten the program;

(d) Disaster or threatened disaster of natural or human origin.

(2) Extraordinary occurrences shall be reported to appropriate supervisory staff, administrator, and governing body.

(3) Each such occurrence shall be subject to a case review by one or more mental health professionals not participating in the treatment of the client.

(a) A corrective action plan to prevent similar occurrences shall be developed where appropriate.

(b) The review, correction action plan, and its implementation shall be documented, including entries in the client's record where appropriate.

#### NEW SECTION

✓ WAC 275-56-310 SERVICES ADMINISTRATION—POLICIES AND PROCEDURES RELATED TO CLIENT RECORDS. There shall be written policies and procedures relating to client records. Policies and procedures will include:

(1) Record content, format, and completeness,

(2) Maintenance of outpatient group records,

(3) Records of emergency contacts,

(4) Security and confidentiality of client records, including storage, access, and release of information.

#### NEW SECTION

✓ WAC 275-56-315 SERVICES ADMINISTRATION—CONTENT OF CLIENT RECORDS. A record shall be established and maintained for each client completing intake.

(1) The record shall contain documentation of application for services and authorization for treatment, including:

(a) Application for services;

(b) Fees to be charged for services;

(c) Signed authorization for release and/or receipt of information where appropriate, and documentation of any disclosures;

(d) Signed consent for use of any medication.

(2) The record shall contain the individualized service plan, including screening and intake information sufficient to justify the treatment planned, reports of special evaluative procedures, progress notes, periodic treatment summaries, and transfer and termination summaries. Each entry shall be signed by the primary therapist or case manager.

(3) The record shall contain a report of each collateral contact.

(4) The record shall contain cross-references to outpatient group records as appropriate.

(5) The record shall contain records or summaries of any psychiatric inpatient services or residential treatment provided during two years prior to current intake.

(6) The record shall contain a drug use profile when applicable, established at intake and maintained throughout the course of treatment.

(7) The record shall contain documentation of any unusual events, emergencies, or special procedures.

(8) The record shall contain notes documenting case review with the supervisor's signature.

(9) The records of other immediate members of the family who are clients of the provider shall be cross-referenced.

#### NEW SECTION

✓ WAC 275-56-320 SERVICES ADMINISTRATION—OUTPATIENT GROUP RECORDS. A record shall be established and maintained for each outpatient group including:

(1) A plan for the group, including goals and objectives;

(2) Name of staff responsible for conducting the group;

(3) A current roster of all clients and/or participants;

(4) Brief notes recorded after each session documenting group activities and events; and

(5) Modifications in the group plan.

#### NEW SECTION

✓ WAC 275-56-325 SERVICES ADMINISTRATION—TELEPHONE AND OUTREACH EMERGENCY SERVICES RECORDS. Providers of

telephone and outreach emergency services shall maintain records documenting all emergency contacts.

(1) Emergency records shall document, when possible, the following:

- (a) Client name, address, and telephone number;
  - (b) Name and telephone number of person or agency making initial contact (if other than client);
  - (c) Time of initial contact;
  - (d) Responsible staff;
  - (e) Time and location of outreach;
  - (f) Nature of emergency;
  - (g) Summary of services provided;
  - (h) Referrals or other disposition;
  - (i) Names of persons and agencies cooperating in emergency response;
  - (j) Follow-up; and
  - (k) Condition of client at termination of contact.
- (2) Documentation shall occur after each contact.

#### NEW SECTION

✓ WAC 275-56-330 SERVICES ADMINISTRATION—SECURITY OF CLIENT RECORDS. All client records shall be stored in a manner ensuring record security and client confidentiality.

(1) Records shall be maintained in locked cabinets, and/or shall be housed in a fully enclosed room with a lockable door.

(2) All records checked out during the working day shall be returned to the records room by the end of the day.

#### NEW SECTION

✓ WAC 275-56-335 SERVICES ADMINISTRATION—RETENTION AND DESTRUCTION OF CLIENT RECORDS. Records shall be retained by the provider in accordance with WAC 275-56-325 and shall be destroyed in a manner completely eradicating content and client names.

(1) Client records shall be retained for a period of not less than five years beyond the last contact with the client.

(2) When the client is a minor, the record shall be maintained for a period of not less than three years beyond the client's eighteenth birthday, or five years beyond the last contact, whichever is the longer period of time.

(3) A complete termination summary and reports of special assessment and/or examination procedures shall be retained for a period of not less than ten years beyond the last contact with the client or three years beyond the client's eighteenth birthday, whichever is the longer period of time.

(4) Emergency records such as telephone crisis logs shall be retained for not less than two years.

#### NEW SECTION

✓ WAC 275-56-340 EMERGENCY SERVICES—WRITTEN DESCRIPTIONS. There shall be written descriptions of all emergency services components specifying:

- (1) Nature, location, and availability of services;

- (2) Qualifications of staff;
- (3) Client needs addressed by these services;
- (4) Usual referral sources and procedures;
- (5) Policies for each emergency service component to include criteria for outreach response;
- (6) Policies on responding to referrals, pre-admissions screening services, and liaison and communication with state hospitals, and other common referral sources, and other pre-admission screening services;
- (7) Expected client outcomes stated, as much as possible, in behavioral terms; and
- (8) Expected service outcome stated in terms of appropriate admission to state hospitals and diversion to less restrictive alternatives.

#### NEW SECTION

✓ WAC 275-56-345 EMERGENCY SERVICES—STAFFING. Emergency services shall be provided by qualified staff.

(1) Emergency services shall be directed by a mental health professional with at least two years supervised experience in emergency services.

(2) Nonprofessional staff, volunteers, and students providing telephone or outreach crisis intervention shall be directly supervised by or have immediate access to consultation from a mental health professional at all times.

(3) Staff providing pre-admission screening shall be mental health professionals trained in assessing clinical status, severity of disturbance, and availability of less restrictive and/or less costly alternatives.

#### NEW SECTION

✓ WAC 275-56-350 EMERGENCY SERVICES—TWENTY-FOUR HOUR TELEPHONE SERVICES. Telephone emergency services shall be provided twenty-four hours per day, seven days per week, by the provider or in cooperation with other providers.

(1) The telephone service shall:

(a) Be provided in accordance with written protocol;

(b) Respond promptly to calls and provide information, referral or immediate counseling to assist the caller in resolving the emergency;

(c) Determine the presence of an emergency and connect caller, as needed, to centralized emergency services (911) or, in the absence of such capability, mobilize and coordinate necessary related services (e.g., medical, police, fire, ambulance, child protective services, county-designated mental health professional);

(d) Facilitate provision of needed follow-up services; and

(e) Document all telephone contacts and disposition, including any significant departures from protocol.

(2) Emergency telephone numbers shall be prominently listed in all telephone directories in the areas served by the provider.

#### NEW SECTION

✓ WAC 275-56-355 EMERGENCY SERVICES—TWENTY-FOUR HOUR OUTREACH SERVICES. Twenty-four hour emergency outreach services shall be

provided in the home or other community setting. Outreach services shall consist of face-to-face evaluation and treatment of mental health emergencies and crises for acutely mentally ill persons of all ages, and will:

- (1) Be provided in accordance with written protocol;
- (2) Be provided promptly after screening and dispatch, and document any decision not to respond;
- (3) Seek to stabilize the emergency or crisis situation and provide immediate or continuing treatment and support in the least restrictive environment available;
- (4) Be closely coordinated with the county's involuntary treatment system, and draw upon the resources of that system as needed;
- (5) Utilize and mobilize all necessary community emergency resources;
- (6) Be appropriate to the age of the person, and involve family and significant others when indicated and possible;
- (7) Refer, when appropriate, to other services of the provider or to other resources;
- (8) Provide follow-up on emergency contacts to maintain stabilization and to ensure referrals are carried out and needed services and linkages are provided; and
- (9) Document all contacts and the contact's disposition, including any significant departures from written protocol.

#### NEW SECTION

WAC 275-56-360 EMERGENCY SERVICES—CRISIS INTERVENTION SERVICES. Sufficient evaluation and treatment services shall be provided to clients to determine severity and urgency of disturbance, to stabilize crises, and to determine need for further treatment.

(1) Crisis intervention services shall be provided in accordance with written protocol. Any significant departure from protocol shall be documented in the client's record.

(2) At a minimum, one face-to-face assessment and/or evaluation session and up to four treatment and/or crisis stabilization sessions shall be available to persons requesting services. Such clients may be referred to another provider if assessment and/or evaluation reveals the appropriate services are not offered by the provider.

(3) No later than the fourth treatment and/or crisis stabilization session, there shall be a determination as to whether the client is an acutely or chronically mentally ill or seriously disturbed person in need of further treatment.

(4) When a client receiving brief treatment and/or crisis stabilization services is determined to be acutely or chronically mentally ill or seriously disturbed and in need of further treatment, the provider shall maintain continuity of care through transfer to other services of the provider or referral to other appropriate providers and resources.

(5) There shall be formal agreements or working relationships regarding emergency procedures and responsibilities with other emergency-related community agencies and inpatient facilities.

(6) A complete and current list of community resources shall be maintained and be available at all times to staff providing emergency services.

#### NEW SECTION

WAC 275-56-365 EMERGENCY SERVICES—PRE-ADMISSION SCREENING SERVICES. Screening shall be provided for voluntary admission to state hospitals. Information, screening, and assessment shall be provided to persons on referral or at their own request to determine need for and appropriateness of admission to a state hospital.

(1) Information and assistance shall be provided in the same manner and subject to applicable standards for emergency services.

(2) All common referral sources shall be informed of the availability of pre-admission screening services and requested to utilize these services in lieu of direct referral to a state hospital.

(3) Assessments shall include face-to-face or telephone contact with the client and discussion with the referral source when possible.

(4) The availability of appropriate alternatives shall be explored and discussed with client and referral source. Admission to a less restrictive and/or less costly alternative shall be facilitated where appropriate.

(5) Screening services shall utilize state hospitals when the following conditions are met:

(a) The client meets standards for involuntary commitment under chapter 71.05 RCW;

(b) The client will accept voluntary admission;

(c) No appropriate alternative is available to the client; and

(d) The state hospital serving the county agrees to admit the client.

(6) Pre-admission screening of involuntary clients shall be performed subject to chapter 71.05 RCW and chapter 275-55 WAC.

#### NEW SECTION

WAC 275-56-370 EMERGENCY SERVICES—RECORD OF PRE-ADMISSION SCREENING SERVICES. A record of all pre-admission screening services shall be maintained. The record shall document:

(1) Client name and other information required by the department;

(2) Referring agency or person;

(3) Referral information, including evidence of appropriateness for involuntary detention;

(4) Services provided, including assessments performed; and

(5) Recommendations and disposition, including staff efforts to facilitate admission to a state hospital or alternative setting.

#### NEW SECTION

WAC 275-56-375 OUTPATIENT SERVICES—WRITTEN DESCRIPTIONS. There shall be written descriptions of all outpatient service components specifying:

(1) Nature, location, and availability of services;

- (2) Qualifications of staff;
- (3) Client needs addressed by these services;
- (4) Policies for each service component; and
- (5) Expected outcomes stated, as much as possible, in behavioral terms.

NEW SECTION

WAC 275-56-380 OUTPATIENT SERVICES—STAFFING. Outpatient services shall be provided by qualified staff.

(1) Outpatient services shall be directed by a mental health professional with at least two years of supervised postgraduate experience in mental health services, including experience with the major treatment modalities offered, and with acutely and chronically mentally ill and seriously disturbed clients.

(2) Staff providing outpatient services shall be trained and experienced in the clinical modalities and techniques they utilize.

(3) Staff shall be assigned to outpatient service programs and locations on the basis of training and experience consistent with client needs in those programs and locations.

NEW SECTION

WAC 275-56-385 OUTPATIENT SERVICES—SERVICE DELIVERY. Outpatient services shall be provided to acutely and chronically mentally ill and seriously disturbed persons when appropriate to their treatment needs.

(1) Outpatient services shall include the following modalities:

- (a) Individual therapy,
- (b) Group therapy,
- (c) Family therapy,
- (d) Marital or couples therapy,
- (e) Medication evaluation and monitoring, and
- (f) Activities therapy.

(2) Outpatient services shall be provided in accordance with written protocol. Significant departures from protocol shall be documented in the client's record.

(3) Outpatient services to underserved groups (minorities, children, elderly, disabled, and low-income persons within the priority populations) shall, where possible, include alternative models of service delivery such as:

- (a) Services in a location and environment appropriate to the clientele;
- (b) Outreach services such as home visits, school visits or visits to other community agencies; and
- (c) Services offered by natural care givers or traditional healers.

NEW SECTION

WAC 275-56-390 DAY TREATMENT SERVICES—WRITTEN DESCRIPTIONS. There shall be written descriptions of all day treatment service components specifying:

- (1) Nature, location, and availability of services;
- (2) Qualifications of staff;
- (3) Client needs addressed by these services;

(4) Policies for each service component and each regularly scheduled session; and

(5) Expected outcomes stated, as much as possible, in behavioral terms.

NEW SECTION

WAC 275-56-395 DAY TREATMENT SERVICES—STAFFING. Day treatment services shall be provided by adequate numbers of qualified staff.

(1) Day treatment services shall be directed by a mental health professional with at least two years supervised postgraduate experience in day treatment or related programs for acutely and chronically mentally ill and seriously disturbed persons.

(2) One paid staff member shall be present in all day treatment sessions conducted by the provider.

(3) Minimum staff-to-client ratios for day treatment sessions shall be maintained as follows:

(a) One clinical staff member for every four scheduled clients thirteen years of age and under, with at least one such staff member a child mental health specialist;

(b) One clinical staff member for every six scheduled clients aged fourteen through seventeen, with at least one such staff member a child (adolescent) mental health specialist;

(c) One clinical staff member for every twelve scheduled clients aged eighteen and over with at least one such staff member a mental health professional, and with one such staff member a geriatric mental health specialist in sessions serving primarily elderly clients. One clinical staff member for every eight scheduled clients shall be present in any group therapy.

NEW SECTION

WAC 275-56-400 DAY TREATMENT SERVICES—SERVICE DELIVERY. Day treatment services shall be provided on a regular basis to acutely and chronically mentally ill and seriously disturbed persons needing this type of service.

(1) Day treatment services shall be provided in accordance with written protocol. Significant departures from protocol shall be documented in the client's record.

(2) Day treatment services shall be available to clients at least three times weekly.

(3) Day treatment services shall be planned and structured activities designed for:

(a) Maintaining clients in an environment less restrictive than an inpatient setting through structuring of their day and leisure time.

(b) Developing daily living, social, and prevocational skills to increase the likelihood of clients engaging in productive activities, and attaining the capacity for independent or semi-independent living.

(c) Assisting clients in making the transition from acute inpatient services or serving as an alternative to inpatient care.

(4) The provider shall maintain formal agreements or working relationships and coordinate services where possible with other persons, agencies or facilities serving day treatment clients.



NEW SECTION

WAC 275-56-405 DAY TREATMENT SERVICES—SERVICE COMPONENTS. Day treatment services shall include components necessary to meet the maintenance or psychosocial habilitation or rehabilitation needs of clients.

(1) Each day treatment program shall provide or arrange for the following service components:

- (a) Training in basic living and social skills;
- (b) Vocational habilitation or rehabilitation, including prevocational services;
- (c) Sheltered work, training or education;
- (d) Day activities, including socialization and recreation;
- (e) Therapeutic community or milieu therapy.

(2) The particular mix of components shall be determined by client needs.

NEW SECTION

WAC 275-56-410 DAY TREATMENT SERVICES—AGE-APPROPRIATE SERVICES. Day treatment services shall be age-appropriate.

(1) Services to school-age children shall include or arrange for suitable educational and developmental programs.

(a) Clients with special educational needs shall be provided with special educational programs by cooperative arrangements with schools.

(b) Day treatment shall be scheduled to permit regular school attendance for clients able to function in a regular school setting.

(2) Services to children shall include parent involvement, when possible.

(3) Services to elderly shall include attention to medical and nutritional needs and shall be capable of providing or arranging for emergency medical services during all operational hours.

NEW SECTION

WAC 275-56-415 CONSULTATION AND EDUCATION SERVICES—WRITTEN DESCRIPTIONS. There shall be written descriptions of all consultation and education service components specifying:

- (1) Nature and availability of services,
- (2) Target population,
- (3) Client needs to be addressed,
- (4) Policies for consultation and education services shall include fee for such services where appropriate, and
- (5) Expected outcomes stated in terms of the specific changes in skills, knowledge or awareness to be accomplished on the part of the target population and/or their clients.

NEW SECTION

WAC 275-56-420 CONSULTATION AND EDUCATION SERVICES—STAFFING. Consultation and education services shall be provided by qualified persons who will be supervised by a mental health professional.

NEW SECTION

WAC 275-56-425 CONSULTATION AND EDUCATION SERVICES—SERVICE DELIVERY. Consultation and education services shall be provided to assist others in the community to understand and care for acutely and chronically mentally ill and seriously disturbed persons.

(1) Case consultation shall be available to staff of other services, including inpatient and residential facilities, and other community care givers as a means of developing or improving service delivery for the priority populations.

(2) The following components may be provided:

(a) Program consultation to other entities to assist in program design and planning for treatment and support services for acutely and chronically mentally ill and seriously disturbed persons;

(b) Continuing education programs and training for community care givers to develop and/or increase their skills in providing mental health services to the priority populations and underserved groups;

(c) Information and education for the public about mental health issues and services through various public media (newspapers, television, radio), and presentations to community groups; and

(d) Educational services for families of acutely and chronically mentally ill and seriously disturbed persons.

(3) Records shall be maintained of all consultation and education services provided.

NEW SECTION

WAC 275-56-430 COMMUNITY SUPPORT SERVICES—WRITTEN DESCRIPTIONS. There shall be written descriptions of all community support service components specifying:

- (1) Nature and availability of services;
- (2) Qualifications of staff;
- (3) Client needs addressed by such services and criteria for enrollment in community support services;
- (4) Policies for each service component and each regularly scheduled activity (e.g., state hospital liaison); and
- (5) Expected outcomes should be stated, as much as possible, in behavioral terms.

NEW SECTION

WAC 275-56-435 COMMUNITY SUPPORT SERVICES—STAFFING AND CASE MANAGEMENT. Community support services shall be provided by qualified staff.

(1) Community support services shall be under the direction of a mental health professional with at least two years' supervised experience in direct treatment of acutely and chronically mentally ill persons.

(2) One person shall be assigned to serve as case manager for each client enrolled in community support services.

(a) The case manager shall be responsible for coordination of services, including mental health, residential, social, vocational, health, educational, income management, and other necessary support services on the client's behalf.

(b) The case manager shall provide consultation and assist other significant persons (e.g., family, landlord, clergy, police, physician, attorney) to be supportive and act in the best interests of the client.

(c) The case manager shall meet with or otherwise contact the enrolled client at intervals identified in the individual's service plan.

(d) The case manager shall participate with the primary therapist and other involved staff of the provider in treatment and discharge planning for the enrolled client, where possible, and shall periodically review available treatment records on the client.

NEW SECTION

WAC 275-56-440 COMMUNITY SUPPORT SERVICES—COORDINATION WITH INPATIENT FACILITIES AND OTHER AGENCIES. The provider shall establish and maintain working arrangements with psychiatric inpatient facilities, social and health agencies, and other community resources necessary for acutely or chronically mentally ill persons to live in the community.

(1) The provider shall maintain liaison with state mental health facilities, certified evaluation and treatment facilities (chapter 71.05 RCW), and, whenever possible, other local inpatient psychiatric facilities so as to be informed of the status of clients, former clients, and potential clients needing community support services.

(a) Contact with the inpatient facility and attending staff shall take place at least weekly when an enrolled client is in the inpatient facility or when an inpatient has been referred for community support services.

(b) The provider shall participate in treatment and discharge planning for both voluntary and involuntary patients in these inpatient facilities when those patients are enrolled clients of the provider or have been referred for community support services.

(2) Working relationships or formal agreements shall be established and maintained with the county-designated mental health professionals (chapter 71.05 RCW); community services offices (CSO); social security and employment security offices; division of vocational rehabilitation; and residential services in the county contracting with the department or county for mental health services.

(3) Liaison shall also be developed and maintained, where possible, with sheltered workshops, community colleges, housing authorities, family advocate and self-help groups, agencies serving the elderly, and other agencies and organizations offering special services needed by the acutely or chronically mentally ill.

NEW SECTION

WAC 275-56-445 COMMUNITY SUPPORT SERVICES—SERVICE DELIVERY. A program of community support services shall be provided to acutely and chronically mentally ill persons to assist such persons in living in the community.

(1) Services shall be provided in accordance with written protocol. Any significant departure from protocol shall be documented in the client's record.

(2) Acutely and chronically mentally ill persons seeking or referred for community support services shall be screened, admitted to the service, and assigned a case manager if appropriate.

(3) Staff shall attempt to contact referred clients within two working days of the client's release from a state mental health facility, certified evaluation and treatment facility (chapter 71.05 RCW), or other inpatient psychiatric facility in order to describe and offer community support and other available services.

NEW SECTION

WAC 275-56-450 COMMUNITY SUPPORT SERVICES—RECORD OF COMMUNITY SUPPORT SERVICES. A record of all community support services shall be maintained. The record shall document:

(1) The name and other information required by the department for each client assigned a case manager or receiving other community support services.

(2) Services provided, including contacts with the client and significant others by the case manager and other community support services on the client's behalf, shall be documented in the client's record.

**WSR 83-10-001  
PROPOSED RULES  
GAMBLING COMMISSION  
[Filed April 21, 1983]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 230-02-250, 230-08-010, 230-08-080, 230-12-050, 230-20-100 and 230-20-170; new sections WAC 230-20-125 and 230-20-240;

that the agency will at 10:00 a.m., Friday, June 10, 1983, in the Council Chambers, City Hall, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 9.46.070(8), (11) and (14).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 10, 1983.

Dated: April 19, 1983  
By: Elwin Hart  
Deputy Director

**STATEMENT OF PURPOSE**

Title: Amending WAC 230-02-250 Bingo equipment, 230-08-010 Monthly records, 230-08-080 Daily records—Bingo, 230-12-050 No credit to be allowed, 230-20-100 Receipting required for income and prizes

in bingo games, 230-20-170 Bingo operation date limitations, new sections 230-20-125 Bingo complimentary merchandise gifts, and 230-20-240 Bingo equipment to be used.

**Description of Purpose:** Adopt and amend rules on control of bingo and pull tab activities conducted by nonprofit organizations to clarify receipting, reporting, and record keeping requirements and to provide more precise definitions of bingo equipment, bingo session, and bingo occasions.

**Statutory Authority:** RCW 9.46.070(8), (11) and (14).

**Summary of Proposed Rules and Reasons Supporting Action:** WAC 230-02-250 Bingo equipment, provides more precise definitions of bingo equipment to allow for changes in equipment and terminology associated with bingo; WAC 230-08-010 Monthly records, amends rule to allow granting of commission permission to modify pull tab reporting on monthly records to provide options for licensees without adverse impact on regulatory control; WAC 230-08-080 Daily records—Bingo, clarifies term "daily records" to better define record keeping requirements of each session of a daily bingo occasion; WAC 230-12-050 No credit to be allowed, current rule prohibits credit or gifts. Small complimentary gifts would be authorized under WAC 230-20-125 requiring change in this rule; WAC 230-20-100 Receipting required for income and prizes in bingo games, clarifies receipting requirements to provide better accounting of income and prizes; WAC 230-20-125 Bingo complimentary merchandise gifts, permits organizations to give small gifts to players on special occasions in accordance with traditional practices; WAC 230-20-170 Bingo operation date limitations, clearly defines bingo occasion and bingo session to reduce confusion in terminology; and WAC 230-20-240 Bingo equipment to be used, establishes minimum requirements for bingo equipment to ensure an adequate level of player protection and recognize current state of the art in equipment.

**Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules:** Keith Kisor, Director, and Elwin Hart, Deputy Director, Capital Plaza Building, 1025 East Union, Olympia, WA 98504, 234-0865 scan, 753-0865 comm.

**Proponents and Opponents:** Gambling Commission staff proposes these rule amendments and new rules based on recommendations from licensees and staff analysis of required changes. No opposition has been discovered to date.

**Agency Comments:** The agency believes the proposed rules are self-explanatory and need no further comment.

These rules were not made necessary as a result of federal law or federal or state court action.

**Small Business Economic Impact Statement:** This agency has determined that there would be no economic impact upon small businesses in the state of Washington by the adoption of these amendments or new rules.

#### AMENDATORY SECTION (Amending Order 29, filed 1/23/75)

WAC 230-02-250 BINGO EQUIPMENT. Bingo equipment includes all equipment which is actually used, or made or sold for the purpose of use, in bingo games for which consideration is charged persons to play and in connection with which prizes are awarded. Unless

otherwise specified, the term shall include, but not be limited to, machines or other devices from which balls (~~(or other items)~~) are withdrawn to determine the letters and numbers (~~(or other symbols)~~) to be called, (~~(those)~~) the balls (~~(or items)~~) themselves, bingo cards and any other device commonly used in the direct operation of the game.

Bingo game sets commonly manufactured and sold as children's games for a retail price of twenty dollars or less shall be presumed not to be bingo equipment for the purposes of this rule unless the set, or portion thereof, is actually used in such a bingo game.

#### AMENDATORY SECTION (Amending Order 116, filed 1/18/82)

WAC 230-08-010 MONTHLY RECORDS. Every person or organization licensed to operate any authorized gambling activity shall keep and maintain permanent records of all of the activities of the licensee related to each licensed activity. These records shall be kept separate for each month and shall include, but not necessarily be limited to, all details of the following:

(1) The gross receipts from the conduct of each of the activities licensed.

(2) Full details on all expenses related to each of the activities licensed.

(3) The total cost of all prizes paid out for each of the activities licensed.

(4) With respect to those licensees receiving such licenses as qualified bona fide charitable or bona fide nonprofit organizations, except agricultural fairs, records which clearly show in detail how those proceeds from each licensed activity obtained by the licensee were used or disbursed by that licensee.

(5) In addition to any other requirement set forth in these rules, licensees for the operation of punchboards and pull tabs shall be required to prepare a detailed monthly record for punchboards and pull tab series removed from play during that month. This detailed monthly record shall be recorded in a standard format prescribed by the commission and shall disclose for each set at minimum the following information:

(a) The name of the punchboard or pull tab series;  
 (b) The Washington state identification stamp number issued by the commission and placed thereon;  
 (c) The series number of each pull tab series or punchboard;  
 (d) The date placed out for play;  
 (e) The date removed from play;  
 (f) The total number of tabs in each pull tab series or the total number of punches in each punchboard;  
 (g) The number of pull tabs or punches remaining after removal from play;  
 (h) The number of pull tabs or punches played from the pull tab series or punchboard;

(i) The cost to the players to purchase one pull tab or one punch;  
 (j) The gross receipts as defined in WAC 230-02-110;  
 (k) The total prizes paid, including both cash and merchandise (calculated by the cost to the licensee) prizes;  
 (l) The net receipts (gross receipts less total prizes paid);

(m) ~~((Any difference between net receipts and the actual cash received as either over or (short);))~~ The cash over or short determined by (1) subtracting actual cash from net receipts for punchboards and pull tabs which pay cash prizes, and (2) subtracting actual cash from gross receipts for punchboards and pull tabs which award merchandise prizes;

(n) The actual cash received from the operation of each pull tab series or punchboard; and,  
~~((to) The cost to the licensee of each pull tab series and each punchboard played;))~~

In the alternative, with written commission approval, licensees operating pull tabs may record (m) and (n) in total on a daily, weekly, or monthly basis.

(6) Copies of all additional financial data which support tax reports to any and all governmental agencies.

Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from the requirement as to any particular record or records.

**Reviser's note:** RCW 34.04.058 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.

AMENDATORY SECTION (Amending Order 74, filed 8/17/77)

WAC 230-08-080 DAILY RECORDS — BINGO. In addition to any other requirement set forth in these rules, licensees for the operation of bingo shall be required to prepare a detailed record covering each bingo session as defined in WAC 230-20-170 (~~occasion~~). PROVIDED, That operators of bingo games conducted at qualified agricultural fairs, and other special locations shall be exempt from this rule, but will be required to keep all operator records by location in order to properly report all information as required by WAC 230-08-250. This detailed daily record shall be recorded in a standard format prescribed by the commission, shall disclose the following information and be retained for a period of not less than three years:

(1) The gross receipts collected for each separate type of sale, of any kind, for bingo games including, but not limited to, regular games, early bird games, blackout games, special games, or pick up games. These gross receipts are to be supported by proper receipting records as required by WAC 230-20-100.

(2) The amount paid out on each separate bingo game supported by the licensee's copy of the prize receipts issued as required by WAC 230-20-100. Where a prize is awarded other than cash, such as merchandise or a trip, the amount for such prize shall be its actual cost to the licensee. Each prize awarded other than cash shall be fully described in these records.

(3) A statement of the daily net receipts from the licensed activity accruing to the organization, supported by a validated copy of the bank deposit receipt.

(4) The cash on hand at the commencement and the conclusion of each session (~~occasion~~), along with a reconciliation of cash to the daily net receipts for each session (~~occasion~~). Overages and/or shortages exceeding \$10.00 are to be explained.

(5) An attendance record indicating the number of people participating and the time the attendance count was made.

Items 1 through 5 shall be recorded during the course of each session and this record shall be signed immediately following its completion by the person or persons preparing the daily record and by the bingo manager.

**Reviser's note:** RCW 34.04.058 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.

AMENDATORY SECTION (Amending Order 51, filed 4/30/76)

WAC 230-12-050 NO CREDIT TO BE ALLOWED. No licensee, or any of its members or employees, or any operator, conducting, or in any way participating in the conduct of any of the activities which are authorized by RCW 9.46.030 or by commission rule, shall allow a person to play that activity on credit, or shall grant a loan or gift of any kind at any time to a person playing the activity except as authorized by WAC 230-20-125. When a person is charged consideration for the privilege of playing the activity that consideration shall be collected in full, by cash or check, in advance: PROVIDED, That the consideration paid for the opportunity to play a punchboard or pull tab series may be collected immediately after the play is completed only when such consideration is five dollars or less: PROVIDED FURTHER, That where a bona fide charitable or bona fide nonprofit organization conducting any of the activities authorized by RCW 9.46.030 or commission rules has a regular billing system for all of the activities of its members with such organization, such billing system may be utilized in connection with the playing of any of the activities authorized hereunder if:

(1) The playing of such activity is limited to regular members of such organization who have become regular members prior to the commencement of such activity and whose qualifications for membership were not dependent upon, or in any way related to, the playing of such activity; and

(2) The commission has given its prior written consent to the use of such billing system in connection with the conduct of activities authorized under these rules.

AMENDATORY SECTION (Amending Order 87, filed 10/20/78)

WAC 230-20-100 RECEIPTING REQUIRED FOR INCOME AND PRIZES IN BINGO (~~AND RAFFLES~~) GAMES. Except for bingo activities conducted at a qualified agricultural fair (~~or other special location~~), all income from bingo games (~~and raffles~~) shall be received for by the licensee at the time the income is received from

each individual player and all prizes shall be received for (~~by the winner of each prize~~) at the time the prize is distributed to each individual winner.

(1) Income Receipts: Income receipts shall be supplied by the licensee. They may be consecutively numbered tickets, consecutively numbered disposable bingo cards, or cash register receipts. Each individual player must possess a proper receipt for the number of cards being played in order to be awarded the prize for the game.

(a) Cash Register Receipts for Income: In the event a cash register is used, a consecutively numbered receipt shall be given to the customer (~~;~~). (~~and a duplicate number containing not less than four digits shall be printed and recorded together with a record of the transaction on the tape kept inside the cash register. PROVIDED, HOWEVER, That cash registers with numbering mechanisms containing less than four digits that were in use by Class A, B, or C licensees on October 1, 1978 may continue in use until October 1, 1980 if the cash register and the cash register receipts comply with all other requirements of this subsection (1)(a). The numbering mechanism of the cash register shall not be returned to zero at the conclusion of any period of use.~~) The following information shall appear upon the receipts given to the customer:

- (i) The name of the licensee operating the activity;
- (ii) The date; (~~and~~)
- (iii) The amount of money paid for the opportunity to play (~~;~~); and
- (iv) The consecutive customer receipt number.

The cash register shall have a consecutive four digit customer receipt number which does not return to zero at the conclusion of any period of use.

Written commission staff approval must be obtained for use of a cash register which does not meet the above standard but does contain adequate control features.

The cash register shall have sufficient keys to record separately (~~and keep income from various~~) each type (~~s~~) of sale (~~s identified~~) as required by WAC 230-08-080, and shall provide a total for each type of sale recorded. Further, any cash register used must retain its transaction count between uses whether or not its power source is interrupted (~~for short periods of time~~).

All cash register receipts for voids, overruns, returns, no sales and any other related receipts must be retained with the daily bingo records.

All transactions, customer receipt numbers, and control totals must be recorded on the tape retained in the cash register. The internal tape (~~s~~), (~~retained in the cash register~~) showing these transactions, shall be retained with the daily records of the licensee for a period of not less than three years. If the cash register is used by the licensee for purposes other than recording the receipts from bingo, the internal cash register tapes from other uses shall also be retained for not less than three years.

(b) Ticket Receipts for Income: When tickets are used for receipting the following conditions must be met:

(i) All tickets on a roll must be preprinted with a consecutive (~~ty~~) number (~~ed~~);

(ii) Each ticket on a roll shall represent the same specific amount of money and the amount of money represented by each ticket shall be clearly preprinted on the face of the ticket;

(iii) Once a roll of tickets has been started, tickets shall be issued consecutively off of that roll;

(iv) A log shall be maintained, listing the date each roll of tickets is purchased or obtained by the licensee, the color, the dollar value of the tickets, the beginning ticket number, and the number of tickets on that roll. All tickets received shall be entered in the log prior to the licensee beginning the next bingo occasion. The individual logging the entry shall initial the log at the time of entry (~~—(An unused or partial roll of tickets purchased before the effective date of this rule shall be logged within 30 days of the effective date or prior to their use, whichever comes first)~~); and

(v) The licensee shall record in (~~his~~) its daily records, the color, the value, the lowest numbered ticket and the highest numbered ticket issued as a receipt (~~for~~) from each separate roll of tickets used, (~~for each separate type of sale as required by WAC 230-08-080. The dollar value of these tickets shall also be recorded in these records. Tickets bearing numbers falling between the lowest numbered ticket and the highest numbered ticket issued, which were not issued as receipts~~) Tickets issued for each type of sale shall be recorded separately as required by WAC 230-08-080. Any ticket not issued as a receipt during a session that bears a number falling below the highest numbered ticket issued shall be retained by the licensee as a part of its daily records,

along with any leftover tickets not issued from the end of a roll, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years (~~(- PROVIDED, That with respect to raffles, a raffle ticket sold and delivered to the customer may be used as the receipt so long as all tickets issued in the raffle are consecutively numbered and the above requirements as to conditions of tickets and the requirements as to daily records need not be met on a daily basis so long as they record the lowest and the highest numbered tickets issued as receipts and record and identify distribution of all unsold tickets falling between these tickets for each raffle conducted)).~~

(c) Disposable Bingo Card Receipts For Income: Disposable bingo cards themselves may be used as the receipts, required by this rule: **PROVIDED, That:**

(i) ~~((Each set of disposable cards used is consecutively numbered from the first to the last card, or is consecutively numbered through the set. Each card must have printed on its face both its individual card number, and the series number assigned by the manufacturer to that set of disposable cards;~~

(ii) ~~No two or more sets of disposable cards can be used at the same time if they have identical series numbers;~~

(iii) ~~((i) Each disposable card or sheet of cards sold represents a specific amount of money which has been paid to the licensee.~~

(ii) ~~Each disposable card or sheet of cards from the same series shall be consecutively issued and sold for the same price as other disposable card or sheet of cards in the series being used during any particular bingo game((- This price shall be recorded in the daily records);~~

(iii) ~~A log shall be maintained, listing the date each set of disposable cards is purchased or obtained by the licensee, the series number, the color, the number of cards per sheet, the beginning card or sheet number and the number of cards or sheets per set. All disposable cards or sheets received shall be entered in the log prior to the licensee beginning the next bingo occasion. The individual logging the entry shall initial the log at the time of entry((- All unused or partial sets of disposable cards purchased before the effective date of this rule shall be logged within 30 days of the effective date or prior to their use, whichever comes first)); and~~

(iv) ~~The licensee shall record in its daily records the series number, the color, the value, the beginning card or sheet number and the ending card or sheet number issued as a receipt for each separate set of disposable cards used ((for each separate type of sale as required by WAC 230-08-080): Disposable cards issued for each type of sale shall be recorded separately as required by WAC 230-08-080. **PROVIDED, That** ((for cards sold more than one on a sheet, that are consecutively numbered through the set, the licensee shall record the beginning card number and the ending card number issued on the card located at the top of the sheet, or at the top left hand corner of the sheet;)) when more than one card or sheet number appears on a sheet of cards issued, then the lowest card or sheet number shall be used to determine the beginning number sold and the ending number sold. ((Each time the numbering of the sheets breaks in the series a separate entry shall be made in the records. Disposable cards or sheets of cards ((bearing numbers falling between the first and the last numbered card issued;)) which were not issued as receipts(;) during a session, that bear a number below the highest numbered card or sheet issued shall be retained by the licensee as a part of its daily records, along with any leftover cards, or sheets of cards, not issued from the end of a series, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years.~~

(2) Receipts For Prizes: Receipts for prizes shall be consecutively numbered and issued. Each prize receipt shall contain at least a three digit consecutive number, printed prior to purchase. Prize receipts bearing a number below the highest number issued shall be voided and retained with the daily records. Each receipt for prizes shall contain the following information:

- (a) The name of the licensee operating the activity;
- (b) The date;
- (c) The game number;
- (d) The true name and address of the winner of the prize; and
- (e) A description of the prize won and ~~((any value))~~ the licensee's cost of that prize ~~((which has been represented to the player by the licensee)).~~

It shall be the responsibility of the licensee to see that the prize winner is ~~((properly and))~~ accurately identified upon the receipt and the licensee shall require such proof of identification as is necessary to ~~((properly))~~ establish the winner's identity. The licensee shall not pay out any prize ~~((unless and))~~ until the winner has ~~((fully, accurately,~~

~~and legibly))~~ furnished to the licensee all information required by this rule to be upon the receipt for the prize.

The original of each prize receipt shall be given to the winner and a duplicate copy shall be retained by the licensee as a part of its records for a period of not less than three years.

**PROVIDED, That** class A bingo ~~((and class C raffle))~~ licensees and persons conducting bingo ~~((and raffles))~~ under the provisions of RCW 9.46.030(3), are exempt from all portions of this rule. Class B bingo licensees are exempt from maintaining the required logs for ticket and disposable card receipting, and from the issuing of prize receipts so long as they record items (2)(b), (c), (d), and (e) above in their records.

**Reviser's note:** RCW 34.04.058 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 herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

**WAC 230-20-125 BINGO COMPLIMENTARY MERCHANDISE GIFTS.** No licensee shall provide free complimentary gifts to bingo participants except under the following circumstances:

a) Complimentary merchandise gifts shall be limited to twelve occasions per license year;

b) No single merchandise gift with a retail value or with a cost to the licensee of more than \$2.00 shall be given away during any one occasion;

c) One gift per person per occasion;

d) No cash gifts shall be given to participants; and

e) A record shall be kept listing the date of the occasion, a description of the gifts, cost per gift, number of gifts purchased, number of gifts given away, and shall be supported by proper supporting documents and kept for a period of not less than 3 years from the end of the fiscal year for which the record is kept.

#### AMENDATORY SECTION (Amending Order 53, filed 5/25/76)

**WAC 230-20-170 BINGO OPERATION DATE LIMITATIONS.** (1) No bona fide charitable or nonprofit organization, except when operating at an authorized agricultural fair or under RCW 9.46.030(3), shall:

(a) Conduct or allow its premises to be used for conducting bingo on more than three occasions per week;

(b) Conduct bingo in any location which is used for conducting bingo on more than three occasions per week.

(2) As used herein, the word "occasion" shall mean conducting bingo games for no more than twelve consecutive hours, which shall begin when the first number for the first game is called until the last winning number on the final winning bingo card has been verified. Further, a "session" shall be defined as a continuous series of bingo games with no breaks other than short intermission breaks.

#### NEW SECTION

**WAC 230-20-240 BINGO EQUIPMENT TO BE USED.** The conduct of bingo must include the following required items:

(1) A machine or other device from which balls are withdrawn;

(2) A set of seventy five balls bearing the numbers 1 through 75 and the letters B, I, N, G, and O. The 75 balls shall be available for inspection by the players before a bingo session begins to determine that all are present and in operating condition. Each numbered ball shall be the same weight as each of the other balls and free from any defects.

(3) Flashboards shall be located on each premises used to conduct bingo games and must be visible to all players and clearly indicate all numbers that have been called: **PROVIDED:** That A, B, and C licensees are not required to have a flashboard for conduct of their bingo game.

(4) Hardcards and disposable bingo cards must be preprinted, manufactured cards and have twenty five spaces, one of which may be a free space, arranged in five even columns headed with the letters B, I, N, G, and O.

In addition, each set of disposal bingo cards must be consecutively numbered from the first card to the last card, or from the first sheet of cards to the last sheet of cards, or is consecutively numbered through

the set. Each card or sheet must have printed on its face both its individual card or sheet number, and the series number assigned by the manufacturer to that set of disposable cards.

Other equipment or devices may be used for the purpose of displaying numbers and letters called to the public, and such furniture and sound amplification system as is necessary for the convenience and comfort of the players and operators.

**WSR 83-10-002**  
**ADOPTED RULES**  
**GAMBLING COMMISSION**  
[Order 132—Filed April 21, 1983]

Be it resolved by the Washington State Gambling Commission, acting at Vancouver, Washington, that it does adopt the annexed rules relating to adding new sections WAC 230-08-025 and 230-20-015 and repealing WAC 230-08-020 and 230-08-030.

This action is taken pursuant to Notice No. WSR 83-06-072 filed with the code reviser on March 2, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 9.46.070(8) and (11) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 14, 1983.

By Elwin Hart  
Deputy Director

**NEW SECTION**

✓ WAC 230-08-025 ACCOUNTING RECORDS TO BE MAINTAINED BY DISTRIBUTORS AND MANUFACTURERS. Every licensed distributor and manufacturer shall keep and maintain a complete set of records which include all details of all activities of the licensee related to the conduct of the licensed activity. These records shall be recorded using the double entry accounting system prepared in accordance with Generally Accepted Accounting Principles on the same basis as the licensee's federal income tax return, and shall include but not necessarily be limited to the following records by month:

1. Sales Invoices – every licensee shall use, for the purpose of recording sales of any and all types of goods and services, a general sales invoice which meets the following criteria and sets out the following information:

- a. Prenumbered consecutively using a number not less than four digits;
- b. The date of sale. For distributors only, if the date of delivery is different, then also the delivery date;
- c. The customer name and adequate business address;
- d. A full description of each item sold including any state identification stamp number;

e. The quantity and sales price of each individual item including individual items of merchandise to be used as prizes on punchboards and pull tabs;

f. The gross amount of each sale to each customer;

g. The sales invoice shall be prepared in at least three parts and distributed and maintained as follows:

(1) One shall be issued to the customer.

(2) One shall be retained in an invoice file by customer name.

(3) One shall be retained in an invoice file by invoice number or in an alternative manner that accounts for each invoice numerically. This provision may be waived if the licensee receives written commission approval.

h. Credit memos for returned items shall be prepared in the same detail as items a through g above.

2. Sales Journal – the sales journal shall contain at least, but not be limited to, the following by month:

a. The date of the sale;

b. The invoice number of the sale;

c. The customer name or person remitting a payment;

d. Sales shall be categorized at least by the following:

(1) Punchboards that pay out cash prizes;

(2) Punchboards that pay out merchandise prizes;

(3) Pull tabs that pay out cash prizes;

(4) Pull tabs that pay out merchandise prizes;

(5) Pull tab dispensing devices;

(6) Merchandise: only that which is used as a prize on a punchboard or series of pull tabs.

(7) Other types of sales including but not limited to, equipment leases, equipment sales, and bingo supplies.

e. Total amount of the invoice;

3. Cash Disbursements Book (Check Register) – this record shall include a recording of all checks issued by the licensee, cash payments made by the licensee or payment made by any other means and shall contain at least, but not limited to, the following information by month:

a. The date the check was issued or payment made;

b. The number of the check issued;

c. The name of the payee;

d. Expenses shall be categorized by type.

All expenses by the licensee, both respecting its expenditures relating to gambling and nongambling activities, shall be documented by invoices or other appropriate supporting documents.

4. Cash Receipts – all cash receipts shall be recorded in an original book of entry whether it be a sales journal, a check register, or a separate cash receipts journal, and at a minimum shall include a recording of not only cash sales, but also cash received from all sources, and shall contain at least, but not limited to, the following by month:

a. The date the payment was received;

b. The name of the person remitting the payment;

c. The amount of payment received;

5. General Ledger – each licensee whose gambling related sales exceed \$500,000 per year, shall have a general ledger which shall contain, in addition to all other accounts by month, a separate sales account for each type of sale.

6. Bank Reconciliation – a bank reconciliation shall be performed each month. In addition, all undeposited

funds at year end shall be reconciled in an account titled cash on hand.

7. Copies of all financial data which support tax reports to any and all governmental agencies.

8. An alternative format may be used for sections 1, 2, and 3 upon advance written approval from the commission.

Each of these records shall be maintained for a period of not less than three years from the end of the licensee's fiscal year.

**REPEALER** (Amending Order 53, filed 5/25/76)

The following sections of the Washington Administrative Code are each repealed:

✓(1) WAC 230-08-020 DISTRIBUTOR'S RECORDS.

✓(2) WAC 230-08-030 MANUFACTURER'S RECORDS.

**NEW SECTION**

✓WAC 230-20-015 PRIZE LIMITS FOR RAFFLES. (1) No single raffle prize may exceed \$40,000. No group of raffle prizes given during any twelve month period may exceed \$80,000.

(2) The commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limits shall be submitted to the commission in writing along with the application for licensing.

**WSR 83-10-003  
ADOPTED RULES  
COMMISSION FOR  
VOCATIONAL EDUCATION**

[Order 83-1, Resolution No. 82-54-12/3—Filed April 21, 1983]

Be it resolved by the Commission for Vocational Education, acting at the offices of Educational Service District 113, Olympia, that it does promulgate and adopt the annexed rules relating to local annual applications, new section WAC 490-36A-040, and minimum standards for trainers of vocational education personnel, new section WAC 490-28A-003.

This action is taken pursuant to Notice No. WSR 82-13-093 filed with the code reviser on June 23, 1982. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28C.04-.060 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 23, 1982.

By William P. Mohler  
Director

**NEW SECTION**

✓WAC 490-36A-040 LOCAL ANNUAL APPLICATIONS. All local applications shall be developed in consultation with representatives of the educational and training resources available in the area to be served by the applicant, and copies of all applications, including this assurance and all other required assurances, will be available to the commission for review.

**NEW SECTION**

✓WAC 490-28A-003 MINIMUM STANDARDS FOR TRAINERS OF VOCATIONAL EDUCATION PERSONNEL. Trainers of vocational education personnel in the common school system and the community colleges must have training and experience for the particular unit or course to be taught. The requirements and implementing procedures of the office of the state superintendent of public instruction and the state board for community college education shall indicate the minimum requirements which must be met and the measures which will be used.

**WSR 83-10-004  
ADOPTED RULES  
COMMUNITY COLLEGE  
DISTRICT 17**

[Order 83-29, Resolution No. 21—Filed April 22, 1983]

Be it resolved by the board of trustees of Washington Community College District 17, acting at Spokane, Washington, that it does adopt the annexed rules relating to examination of public records.

This action is taken pursuant to Notice No. WSR 83-07-004 filed with the code reviser on March 7, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 42.17.250 and is intended to administratively implement that statute.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 19, 1983.

By Diane N. Munger  
Chairperson

**Chapter 132Q-276**

**PUBLIC RECORDS—INITIATIVE 276**

**WAC**

- 132Q-276-010 Purpose.
- 132Q-276-020 Definitions.
- 132Q-276-030 Central and Field Organization.
- 132Q-276-040 Operations and Procedures.
- 132Q-276-050 Public Records Available.



132Q-276-060	Public Records Officer.
132Q-276-070	Office Hours.
132Q-276-080	Requests for Public Records.
132Q-276-090	Copying.
132Q-276-100	Exemptions.
132Q-276-110	Appeal of Denials.
132Q-276-120	Protection of Public Records.
132Q-276-130	Records Index.
132Q-276-140	Adoption of Form.

✓ WAC 132Q-276-010 ✓ PURPOSE. The purpose of this chapter shall be to insure compliance by Washington Community College District 17 with the provisions of Chapter 42.17 RCW, Disclosure-Campaign-Finance-Lobbying-Records: and, in particular, with RCW 42.17.250 - RCW 42.17.340 dealing with public records.

✓ WAC 132Q-276-020 ✓ DEFINITIONS. (1) PUBLIC RECORDS. "Public Record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(2) WRITING. "Writing" means handwriting, type-writing, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) WASHINGTON COMMUNITY COLLEGE DISTRICT 17. Washington Community College District 17 is a state agency created and organized by statute pursuant to RCW 28B.50.040, and shall hereinafter be referred to as the "District". Where appropriate, the term "District" shall also refer to the staff and board of trustees of the District.

✓ WAC 132Q-276-030 ✓ CENTRAL AND FIELD ORGANIZATION. The District is a community college district organized under RCW 28B.50.040. The administrative office of the District and its staff is located at North 2000 Greene, Spokane, Washington, 99207. The District operates two colleges, Spokane Community College, located at North 1810 Greene, Spokane, Washington, 99207, and Spokane Falls Community College, located at West 3410 Fort George Wright Drive, Spokane, Washington, 99204. The District also operates extension and continuing education programs in the counties of Ferry, Lincoln (except Consolidated School District 105-157-166J and the Lincoln County portion of Common School District 167-202), Pend Oreille, Spokane, Stevens, and Whitman.

✓ WAC 132Q-276-040 ✓ OPERATIONS AND PROCEDURES. The District is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. The District is operated under the supervision and control of a board of trustees

appointed by the governor as provided in RCW 28B.50.130. The chief administrative officer of the District is the district president, who also serves as secretary to the board of trustees. The day-to-day operation of the District, pursuant to policy established and approved by the board of trustees, is implemented through the office of the district president or the president's designee.

The board of trustees meets the second Tuesday of each month at 1:30 p.m. in the board room of the district offices located at North 2000 Greene Street, Spokane, Washington, 99207, unless public notice is given of a special meeting. At such time, the trustees exercise the powers and duties granted to the board by RCW 28B.50.140.

✓ WAC 132Q-276-050 ✓ PUBLIC RECORDS AVAILABLE. All public records of the District, as defined in WAC 132Q-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132Q-276-100.

✓ WAC 132Q-276-060 ✓ PUBLIC RECORDS OFFICER. The District's public records shall be in the charge and control of the public records officer designated by the district president. The person so designated shall be located in the administrative office of the District. The public records officer shall be responsible for implementing the District's rules and regulations regarding release of public records, coordinating the staff of the District in this regard, and generally insuring compliance by the staff with the public records disclosure of Chapter 42.17 RCW.

✓ WAC 132Q-276-070 ✓ OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the District. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. until noon and from 1:00 p.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

✓ WAC 132Q-276-080 ✓ REQUESTS FOR PUBLIC RECORDS. In accordance with requirements of RCW 42.17.290, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the District which shall be available at its administrative office. The form shall be presented to the public records officer or to any member of the District's administrative staff, if the public records officer is not available, at the District office during customary office hours. The request shall include the following information:

- The name of the person requesting the records;
- The time of day and calendar date on which the request was made;
- The nature of the request;



(d) The matter requested as referenced within the current index maintained by the records officer, or if the matter is not identifiable by reference in the District's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or other staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

✓ WAC 132Q-276-090 **COPYING.** No fee shall be charged for the inspection of public records. The District may charge a fee per page of copy for providing copies of public records, for use of the District's copy equipment, and labor costs. This charge shall be an amount necessary to reimburse the District for its actual costs incident to such copying.

✓ WAC 132Q-276-100 **EXEMPTIONS.** (1) The District reserves the right to determine that the public record requested in accordance with the procedures outlined in WAC 132Q-276-080 is exempt under the provisions of Chapter 42.17 RCW.

(2) In addition, pursuant to RCW 42.17.260, the District reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by Chapter 42.17 RCW. The public records officer shall fully justify any such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

✓ WAC 132Q-276-110 **APPEAL OF DENIALS.** (1) Any person who objects to the denial of a request for a public record may appeal such decision by tendering a written request for appeal. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for appeal of a decision denying a public record, the public records officer or other administrative staff member denying the request shall refer the written request to the district president or the president's designee. The district president or the designee shall immediately consider the matter, may consult with the Office of the Attorney General, and either affirm or reverse such denial of access to a public record. In any case, the request shall be returned with a final decision within two (2) business days following the filing of the written request for review.

(3) Administrative remedies shall not be considered exhausted until the District has returned the petition with a decision or until the close of the second business day following a request for appeal, whichever occurs first.

✓ WAC 132Q-276-120 **PROTECTION OF PUBLIC RECORDS.** It is the policy of the District, in order to protect public records from damage or disorganization and to prevent excessive interference with other essential functions of the District, that original copies of records are not to be taken from the District designated area of custody or storage. Any examination and copying of records subject to these regulations is to occur at places designated by the District through the public records officer and/or his designee. The fullest assistance to inquiries and the most timely possible action on request for information consistent with protection of the public records is to be supplied.

✓ WAC 132Q-276-130 **RECORDS INDEX.** (1) The District has available to all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated since June 30, 1972: (a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases; (b) Those statements of policy and interpretations of policy, statutes and the constitution which have been adopted by the agency; (c) Administrative staff manuals and instructions to staff that affect a member of the public; (d) Planning policies and goals, and interim and final planning decisions; (e) Factual staff reports and studies, factual consultants reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and (f) Correspondence and materials referred therein by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines or opines upon, or is asked to determine or opine upon, the rights of state, the public, a subdivision of state government or any private agency.

(2) The current index described in WAC 132Q-276-130(1) shall be available to all persons under the same rules and on the same conditions as they are applied to public records available for inspection.

✓ WAC 132Q-276-140 **ADOPTION OF FORM.** The District shall adopt a form for use by all persons requesting inspection and/or copying or copies of its public records.

**WSR 83-10-005**  
**PROPOSED RULES**  
**DEPARTMENT OF TRANSPORTATION**  
**(Transportation Commission)**  
[Filed April 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 47.60.326, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning the adoption of a revised schedule of tolls for the Hood Canal Bridge, amending WAC 468-300-410;

that the agency will at 10:00 a.m., Thursday, June 16, 1983, in the Bellevue City Hall, 11511 S.E. Main Street,

Bellevue, WA 98004, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 16, 1983.

The authority under which these rules are proposed is RCW 47.56.030 and 47.60.326.

The specific statute these rules are intended to implement is RCW 47.60.326.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 15, 1983.

Dated: April 21, 1983

By: Lue Clarkson  
Administrator

**STATEMENT OF PURPOSE**

Title: The adoption of a revised schedule of tolls for the Hood Canal Bridge.

Statutory Authority: RCW 47.60.326.

Summary of Rule: Factors have made appropriate a general decrease in Hood Canal Bridge tolls.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Donald L. Sorte, Assistant Secretary for Marine Transportation.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Washington State Transportation Commission, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: The department has considered this rule and determined that it does not affect more than 10% of one industry or 20% of all industry.

**AMENDATORY SECTION** (Amending Order 32, Resolution No. 159, filed 9/24/82)

**WAC 468-300-410 HOOD CANAL BRIDGE TOLL SCHEDULE.**

**HOOD CANAL BRIDGE TOLL SCHEDULE**  
(Effective May 1, 1983)

Type of Traffic	Toll
Automobile (All vehicles licensed up to 8,000 lbs.)	\$ ((2.50)) <u>2.00</u>
* Book of 20 tickets for one-way crossing by above type vehicles	((40.00)) <u>32.00</u>
** Carpool	
* Book of 10 tickets for one-way crossing by above type vehicles (available only to senior citizen purchasers, 65 years of age or older)	((20.00)) <u>16.00</u>
Motorcycle	1.00
Bicycle	.50
*** Auto Trailer	2.00
**** Trucks (Over 8,000 lbs. licensed gross weight)	2.00 /axle
Bus, School	((2.50)) <u>2.00</u>
Bus, All Others	2.00 /axle

\*Frequent user tickets shall be for 20 one-way crossings at a 20% discount and shall be good indefinitely. Refunds on unused tickets shall be according to schedule printed on book covers.

All ticket books may be redeemed on 45 days notice by the Washington state ferry system for the cost of the unused tickets.

\*\*Carpools - A commuter carpool which carries four or more persons on a regular and expense-sharing basis for the purpose of travel to or from

work or school and which is certified as such by a local organization approved by the Washington state ferry system may travel at a 50% discount from fares noted. The discount will only be available on Mondays through Fridays and during two two-hour periods as selected by the carpool.

\*\*\*Any trailer towed by a vehicle classified as an automobile.

\*\*\*\*Includes all trucks licensed over 8,000 lbs. gross vehicle weight, except buses. Trucks up to 8,000 lbs. will be classified as automobiles.

**TRUCK DISCOUNT PERCENTAGES FROM REGULAR TOLL**

50 or more, one-way crossings per month ..... 25%

Available to charge customers only.

Truck and truck-trailer combinations will be classified as a single unit.

Truck discounts apply to all such vehicles operated in the name of a single owner or operator.

**WSR 83-10-006**

**EMERGENCY RULES**

**DEPARTMENT OF TRANSPORTATION**

**(Transportation Commission)**

[Order 34, Resolution No. 179—Filed April 22, 1983]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to the adoption of a new schedule of tolls for the Hood Canal Bridge, amending WAC 468-300-410.

We, the Washington State Transportation Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is RCW 47.60.326 authorizes emergency adoption in order to allow toll revision to become effective May 1, 1983.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 47.60.326 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.60.326.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 21, 1983.

By Jerry B. Overton  
Chairman

**AMENDATORY SECTION** (Amending Order 32, Resolution No. 159, filed 9/24/82)

**WAC 468-300-410 HOOD CANAL BRIDGE TOLL SCHEDULE.**

**HOOD CANAL BRIDGE TOLL SCHEDULE**  
(Effective May 1, 1983)

Type of Traffic	Toll
Automobile (All vehicles licensed up to 8,000 lbs.)	\$ ((2.50)) <u>2.00</u>

* Book of 20 tickets for one-way crossing by above type vehicles	((40.00)) 32.00
** Carpool	
* Book of 10 tickets for one-way crossing by above type vehicles (available only to senior citizen purchasers, 65 years of age or older)	((20.00)) 16.00
Motorcycle	1.00
Bicycle	.50
*** Auto Trailer	2.00
**** Trucks (Over 8,000 lbs. licensed gross weight)	2.00 /axle
Bus, School	((2.50)) 2.00
Bus, All Others	2.00 /axle

\*Frequent user tickets shall be for 20 one-way crossings at a 20% discount and shall be good indefinitely. Refunds on unused tickets shall be according to schedule printed on book covers.

All ticket books may be redeemed on 45 days notice by the Washington state ferry system for the cost of the unused tickets.

\*\*Carpools - A commuter carpool which carries four or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington state ferry system may travel at a 50% discount from fares noted. The discount will only be available on Mondays through Fridays and during two two-hour periods as selected by the carpool.

\*\*\*Any trailer towed by a vehicle classified as an automobile.

\*\*\*\*Includes all trucks licensed over 8,000 lbs. gross vehicle weight, except buses. Trucks up to 8,000 lbs. will be classified as automobiles.

**TRUCK DISCOUNT PERCENTAGES FROM REGULAR TOLL**  
 50 or more, one-way crossings per month ..... 25%  
 Available to charge customers only.

Truck and truck-trailer combinations will be classified as a single unit.

Truck discounts apply to all such vehicles operated in the name of a single owner or operator.

**WSR 83-10-007**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 83-28—Filed April 22, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 5, 6, 6A, 6C, 7, 7A and 7D provide protection for Fraser River and Puget Sound spring chinook stocks while allowing troll harvest of maturing summer/fall chinook. Restrictions in Areas 7B, 7C, 8, 13A, the Nooksack, Skagit, Puyallup and White rivers and Minter Creek provide protection for local spring chinook stocks. Spring chinook protection measures in Area 4B deleted per Fisheries Advisory Board recommendation which indicated that spring chinook harvest potential was within allowable incidental catch criteria guidelines.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 22, 1983.

By William R. Wilkerson  
 Director

NEW SECTION

**WAC 220-28-302 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS** Effective immediately it is unlawful for treaty Indian fishermen to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

\*Areas 5, 6, 6A, 6C, 7, 7A, and 7D - Closed to all net gear, and troll gear must immediately release all chinook greater than 30 inches in length.

\*Areas 7B, 7C, 8 and 13A - Closed to all net gear.

Nooksack River, Skagit River, Puyallup River, White River, and Minter Creek - Closed to all net gear.

REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-28-301 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-27)**

**WSR 83-10-008**  
**PROPOSED RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
 [Filed April 25, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Pilotage Commissioners intends to amend rules concerning vessel certification form, WAC 296-116-2051;

that the agency will at 10:00 a.m., Thursday, June 9, 1983, in the Red Lion Bayshore Motel, 221 North Lincoln, Port Angeles, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 88.16.035.

The specific statute these rules are intended to implement is RCW 88.16.155.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

Dated: April 21, 1983
By: Judith L. Weigand
Assistant Attorney General

STATEMENT OF PURPOSE

Rule: WAC 296-116-2051 Vessel certification form.
Statutory Authority: RCW 88.16.035.

Summary of Rule: The amendment deletes sections relating to inspection of ship's equipment and notification of the Coast Guard by a pilot.

Reason for Rule: The rule as amended reflects accurately the requirements set forth by RCW 88.16.155, but eliminates the requirement that a pilot inspect the ship and notify the Coast Guard prior to departure in recognition of the often emergent nature of the pilot's task which leaves little or no time for extraneous duties.

This Rule has been Drafted by: Judith L. Weigand, Assistant Attorney General, 5th Floor, Highways-Licenses Building, Olympia, WA 98504, (206) 753-6126.

This Rule will be Implemented by: Board of Pilotage Commissioners, Coleman Dock, Seattle, WA 98104, (206) 464-7818.

This Rule is Being Proposed by: A governmental agency, Board of Pilotage Commissioners, Coleman Dock, Seattle, WA 98104, (206) 464-7818.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

AMENDATORY SECTION (Amending Order 79-6, Resolution 79-6, filed 10/29/79)

WAC 296-116-2051 VESSEL CERTIFICATION FORM.

Washington State Board of Pilotage Commissioners

Date:

Vessel Name:

Flag:

MASTER'S CERTIFICATION

I, ....., Master of this vessel, certify the following information:

Table with 2 columns: YES, NO. Rows include: Is The engine room properly staffed...; ((Are There any defects listed against this ship...)); Does This ship meet United States Coast Guard regulations...; Does This vessel comply with current international agreements...; Is This vessel leaking oil?

Is This vessel experiencing propulsion or maneuvering difficulties? [ ] [ ]

I have notified the ((U.S.)) United States Coast Guard Captain of the Port of any deficiencies noted above and he has authorized the vessel to proceed. Any such deficiencies will be corrected before the time the vessel is scheduled to leave the waters of Washington state.

Master's Signature

PILOT'S REPORT

I, ....., Puget Sound Pilot, certify that upon boarding the above-named vessel on this date((:

3)) I requested to see the following certificates:

Table with 3 columns: CERTIFICATE, ACCEPTABLE, NOT READILY AVAILABLE OR UNACCEPTABLE. Rows include: SOLAS Certificate, FMC Certificate of Financial Responsibility.

((2) I inspected the ship's equipment and conditions listed below and found them to be as indicated:

Table with 3 columns: EQUIPMENT, ACCEPTABLE, DEFICIENT. Rows include: VHF Radio, Channels 13, 14; Radar; Gyrocompass; Rodder Angle Indicator; Whistle; Wheelhouse staffed by officer and helmsman...; Local, up-to-date charts; Wheelhouse to engine room communications.

3) I have informed the Coast Guard Captain of the Port via VTS of any deficiencies noted above:))

Pilot's Signature

WSR 83-10-009

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION (Transportation Commission)

[Order 35, Resolution No. 182-Filed April 25, 1983]

Be it resolved by the Washington State Transportation Commission, acting at Room 1D2, Transportation Building, Olympia, Washington, that it does adopt the annexed rules relating to the distribution of the allocation of federal-aid secondary road funds to the state of Washington between the Washington State Department of Transportation and the counties, and the further distribution of counties' share of said funds between the counties themselves, amending WAC 468-18-080.

We, the Washington State Transportation Commission, find that an emergency exists and that this order is

necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this action is required to permit the allocation/reallocation of federal-aid secondary funds according to the new distribution rules at the earliest possible date.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 47.01.071 which directs that the Washington State Transportation Commission has authority to implement the provisions of RCW 47.01.071.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 21, 1983.

By Jerry B. Overton  
Chairman

**AMENDATORY SECTION** (Amending DOT Order 10 & Comm. Order 1, Resolution 13, filed 12/20/78)

**WAC 468-18-080 POLICY GOVERNING THE APPLICATION OF FEDERAL AID SECONDARY FUNDS.** (1) Two percent of the federal aid secondary funds allocated to the state of Washington shall be deducted for use for highway planning and research activities.

(2) The remaining federal aid secondary funds allocated to the state of Washington shall be divided ((equally)) between the department of transportation ((for projects on state highways)) and the counties ((for projects on county federal aid secondary roads)) as follows:

(a) Eighty percent to the counties for projects on county roads which are federal aid secondary roads;

(b) Twenty percent to the department of transportation for projects on state highways which are federal aid secondary roads.

(3) The funds allocated to the counties shall further be allocated to the individual counties ((by use of the current factor used in distributing the motor vehicle fuel tax funds to said counties)) based upon the ratio that each county's current federal aid secondary road mileage bears to the total miles of federal aid secondary roads for all counties in the state.

(4) After an allocation of federal aid secondary funds shall have been ((allotted)) allotted to an individual county for a period of ((24)) thirty-six months and such funds have not been obligated by the approval of the project plans, specifications and estimate, the allocation shall be withdrawn and placed to the credit of all counties which, during the two preceding calendary years, shall not have had any federal aid secondary funds forfeited. The reallocation shall be made to each eligible county based upon the ratio that its current ((motor vehicle fuel tax distribution factor)) federal aid secondary

road mileage bears to the total ((of all such factors of)) miles of federal aid secondary roads of all the eligible counties. This provision shall be effective with respect to the allocation of federal aid secondary funds for the year 1976 and subsequent years.

(5) The distribution of federal aid secondary funds between the department of transportation and the counties and between the counties themselves as provided for in this section shall begin with the allocation of said funds to the state of Washington for federal fiscal year 1984.

(6) The department of transportation may advance federal aid secondary funds to a specific county project providing the advance will in no way affect, impair, jeopardize, or forestall the road program of any other county.

((6)) (7) Prior to advancing federal aid secondary funds to a county, the department shall receive a resolution from the county authorizing the department to withhold from the county's monthly motor vehicle fuel tax the amount advanced in monthly installments over a period not to exceed ((24)) twenty-four months in the event the federal aid secondary program is discontinued.

((7)) (8) The department shall prepare guidelines in accord with the federal requirements for administration of the federal aid secondary program.

**WSR 83-10-010**

**PROPOSED RULES**

**DEPARTMENT OF TRANSPORTATION**

(Transportation Commission)

[Filed April 25, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning the distribution of the allocation of federal-aid secondary road funds to the state of Washington between the Washington State Department of Transportation and the counties, and further distribution of the counties' share of said funds between the counties themselves, amending WAC 468-18-080;

that the agency will at 10:00 a.m., Thursday, June 16, 1983, in the Bellevue City Hall, 11511 S.E. Main Street, Bellevue, WA 98004, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 47.01.071.

The specific statute these rules are intended to implement is RCW 47.01.071.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 15, 1983.

Dated: April 21, 1983

By: Lue Clarkson  
Administrator

## STATEMENT OF PURPOSE

Title: Chapter 468-18 WAC, Policy governing the application of federal-aid secondary funds.

Description of Purpose: Adoption of revised division of federal aid secondary (FAS) funds allocated to the state of Washington between the state and the counties; also, revised further allocation of the counties' share of FAS funds between the counties.

Statutory Authority: Chapter 47.01 RCW.

Summary of Rule: This revision to the rule changes the previously equal division of allocated FAS funds between the state and the counties to 80% for the counties and 20% for the state. Additionally those FAS funds so allocated to the counties shall further be allocated to the individual counties based upon the ratio of each individual county's FAS miles to the total FAS miles for all counties.

Reason for Rule: The revision will result in a more equitable division of FAS funds between the state and the counties and between the counties.

Agency Proposing Rule: Washington State Transportation Commission.

Department Personnel Responsible for Drafting and Implementation: Mr. Keith Eggen, State Aid Engineer, Department of Transportation, Room 1D26, Transportation Building, Olympia, Washington 98504, (206) 753-6123.

Agency Comments or Recommendations: None.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: Not applicable.

**AMENDATORY SECTION** (Amending DOT Order 10 & Comm. Order 1, Resolution 13, filed 12/20/78)

WAC 468-18-080 POLICY GOVERNING THE APPLICATION OF FEDERAL AID SECONDARY FUNDS. (1) Two percent of the federal aid secondary funds allocated to the state of Washington shall be deducted for use for highway planning and research activities.

(2) The remaining federal aid secondary funds allocated to the state of Washington shall be divided (~~equally~~) between the department of transportation (~~for projects on state highways~~) and the counties (~~for projects on county federal aid secondary roads~~) as follows:

(a) Eighty percent to the counties for projects on county roads which are federal aid secondary roads;

(b) Twenty percent to the department of transportation for projects on state highways which are federal aid secondary roads.

(3) The funds allocated to the counties shall further be allocated to the individual counties (~~by use of the current factor used in distributing the motor vehicle fuel tax funds to said counties~~) based upon the ratio that each county's current federal aid secondary road mileage bears to the total miles of federal aid secondary roads for all counties in the state.

(4) After an allocation of federal aid secondary funds shall have been (~~allotted~~) allotted to an individual county for a period of (~~24~~) thirty-six months and such funds have not been obligated by the approval of the project plans, specifications and estimate, the allocation shall be withdrawn and placed to the credit of all counties which, during the two preceding calendar years, shall not have had any federal aid secondary funds forfeited. The reallocation shall be made to each eligible county based upon the ratio that its current (~~motor vehicle fuel tax distribution factor~~) federal aid secondary road mileage bears to the total (~~of all such factors of~~) miles of federal aid secondary roads of all the eligible counties. This provision shall be effective with respect to the allocation of federal aid secondary funds for the year 1976 and subsequent years.

(5) The distribution of federal aid secondary funds between the department of transportation and the counties and between the counties

themselves as provided for in this section shall begin with the allocation of said funds to the state of Washington for federal fiscal year 1984.

(6) The department of transportation may advance federal aid secondary funds to a specific county project providing the advance will in no way affect, impair, jeopardize, or forestall the road program of any other county.

(~~7~~) (7) Prior to advancing federal aid secondary funds to a county, the department shall receive a resolution from the county authorizing the department to withhold from the county's monthly motor vehicle fuel tax the amount advanced in monthly installments over a period not to exceed (~~24~~) twenty-four months in the event the federal aid secondary program is discontinued.

(~~8~~) (8) The department shall prepare guidelines in accord with the federal requirements for administration of the federal aid secondary program.

**WSR 83-10-011**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
**(Forest Fire Advisory Board)**  
[Memorandum—April 22, 1983]

The meeting of the Forest Fire Advisory Board scheduled at 9:00 a.m. on Thursday, April 28, 1983, in the Forest Sciences Laboratory Conference Room, 3625 93rd Ave. S.W., Tumwater, Washington, has been cancelled.

**WSR 83-10-012**  
**EMERGENCY RULES**  
**BOARD OF PHARMACY**  
[Order 173—Filed April 26, 1983]

Be it resolved by the Washington State Board of Pharmacy, acting at Burien, Washington, that it does adopt the annexed rules relating to provision for continuity of drug therapy for residents, new section WAC 360-13-100.

We, the Washington State Board of Pharmacy, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the immediate implementation of this rule is necessary due to the holiday leave periods which will occur before the effective date of WAC 360-13-100 pursuant to RCW 34.04.040.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 18.64.005 and 69.41.240 which directs that the Washington State Board of Pharmacy has authority to implement the provisions of chapter 69.50 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 21, 1983.

By Donald H. Williams  
Executive Secretary

### NEW SECTION

#### **WAC 360-13-100 PROVISION FOR CONTINUITY OF DRUG THERAPY FOR RESIDENTS.**

When a resident of a long term care facility has the opportunity for an unscheduled therapeutic leave that would be precluded by the lack of an available pharmacist to dispense drugs prescribed by an authorized practitioner, a registered nurse designated by the facility and its consultant or staff pharmacist and who agrees to such designation, may provide the resident or a responsible person with up to a 72-hour supply of a prescribed drug or drugs for use during that leave from the resident's previously dispensed package of such drugs. The drugs shall only be provided in accordance with protocols developed by the pharmaceutical services committee and the protocols shall be available for inspection. These protocols shall include the following:

(1) criteria as to what constitutes an unscheduled therapeutic leave requiring the provision of drugs by the registered nurse;

(2) procedures for repackaging and labeling the limited supply of previously dispensed drugs by the designated registered nurse that comply with all state and federal laws concerning the packaging and labeling of drugs;

(3) provision to assure that none of the medication provided to the resident or responsible person may be returned to the resident's previously dispensed package of such drug or to the facility's stock.

(4) a record-keeping mechanism that will provide for the maintenance of a permanent log that includes the following information:

(a) the name of the person to whom the drug was provided;

(b) the drug and quantity provided;

(c) the date and time that the request for the drug was made;

(d) the date and time that the drug was provided;

(e) the name of the registered nurse that provided the drug;

(f) the conditions or circumstances that precluded a pharmacist from providing the drug.

Refer to WAC 308-120-270 for related regulations on this practice.

**WSR 83-10-013**

**ADOPTED RULES**

**BOARD OF PHARMACY**

[Order 174—Filed April 26, 1983]

Be it resolved by the Washington State Board of Pharmacy, acting at Burien, Washington, that it does adopt the annexed rules relating to adding new sections WAC 360-12-150 and 360-13-100, adding new chapter 360-33 WAC and repealing WAC 360-23-040.

This action is taken pursuant to Notice No. WSR 83-06-074 filed with the code reviser on March 2, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.64.005 and 69.41.240 which directs that the Washington State Board of Pharmacy has authority to implement the provisions of chapter 69.50 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 21, 1983.

By Donald H. Williams  
Executive Secretary

### NEW SECTION

✓ **WAC 360-12-150 MONITORING OF DRUG THERAPY BY PHARMACISTS.** The term "monitoring of drug therapy" used in RCW 18.64.011(11) shall mean a review of the drug therapy regimen of patients by a pharmacist for the purpose of evaluating or rendering advice regarding adjustment of the regimen. Monitoring of drug therapy shall include:

(1) collecting and reviewing patient drug use histories;

(2) measuring and reviewing routine patient vital signs including, but not limited to: pulse, temperature, blood pressure and respiration; and

(3) ordering and evaluating the results of laboratory tests relating to drug therapy including, but not limited to: blood chemistries and cell counts, drug levels in blood, urine, tissue or other body fluids, and culture and sensitivity tests when performed in accordance with policies and procedures applicable to the practice setting, which have been developed by health professionals.

### NEW SECTION

✓ **WAC 360-13-100 PROVISION FOR CONTINUITY OF DRUG THERAPY FOR RESIDENTS.** When a resident of a long term care facility has the opportunity for an unscheduled therapeutic leave that would be precluded by the lack of an available pharmacist to dispense drugs prescribed by an authorized practitioner, a registered nurse designated by the facility and its consultant or staff pharmacist and who agrees to such designation, may provide the resident or a responsible person with up to a 72-hour supply of a prescribed drug or drugs for use during that leave from the resident's previously dispensed package of such drugs. The drugs shall only be provided in accordance with protocols developed by the pharmaceutical services committee and the protocols shall be available for inspection. These protocols shall include the following:

(1) criteria as to what constitutes an unscheduled therapeutic leave requiring the provision of drugs by the registered nurse;

(2) procedures for repackaging and labeling the limited supply of previously dispensed drugs by the designated registered nurse that comply with all state and federal laws concerning the packaging and labeling of drugs;

(3) provision to assure that none of the medication provided to the resident or responsible person may be returned to the resident's previously dispensed package of such drug or to the facility's stock.

(4) a record-keeping mechanism that will provide for the maintenance of a permanent log that includes the following information:

(a) the name of the person to whom the drug was provided;

(b) the drug and quantity provided;

(c) the date and time that the request for the drug was made;

(d) the date and time that the drug was provided;

(e) the name of the registered nurse that provided the drug;

(f) the conditions or circumstances that precluded a pharmacist from providing the drug.

Refer to WAC 308-120-270 for related regulations on this practice.

**NEW SECTION**

**WAC 360-16-300 CLOSING A PHARMACY.**

(1) Whenever a pharmacy ceases to operate, the owner shall notify the pharmacy board of the pharmacy's closing not later than fifteen (15) days prior to the anticipated date of closing. This notice shall be submitted in writing and shall contain all of the following information:

(a) The date the pharmacy will close;

(b) The names and addresses of the persons who shall have custody of the prescription files, the bulk compounding records, the repackaging records, and the controlled substances inventory records of the pharmacy to be closed;

(c) The names and addresses of any persons who will acquire any of the legend drugs from the pharmacy to be closed, if known at the time the notification is filed.

(2) Not later than 15 days after the pharmacy has closed, the owner shall submit to the pharmacy board the following documents:

(a) The license of the pharmacy that closed; and

(b) A written statement containing the following information;

(i) Confirmation that all legend drugs have been transferred to an authorized person (or persons) or destroyed. If the legend drugs were transferred, the names and addresses of the person(s) to whom they were transferred;

(ii) If controlled substances were transferred, a list of the names and addresses to whom the substances were transferred, the substances transferred, the amount of each substance transferred, and the date on which the transfer took place;

(iii) Confirmation that the Drug Enforcement Administration (DEA) registration and all unused DEA 222 forms (order forms) were returned to the DEA;

(iv) Confirmation that all pharmacy labels and blank prescriptions which were in the possession of the pharmacy were destroyed;

(v) Confirmation that all signs and symbols indicating the presence of the pharmacy have been removed.

**NEW CHAPTER  
Chapter 360-33 WAC**

**IDENTIFICATION OF LEGEND DRUGS -  
IMPRINTS, MARKINGS - AND LABELING**

WAC

360-33-050

**DRUG IMPRINT INFORMATION  
PROVIDED BY MANUFACTURERS  
AND DISTRIBUTORS.**

**NEW SECTION**

WAC 360-33-050 DRUG IMPRINT INFORMATION PROVIDED BY MANUFACTURERS AND DISTRIBUTORS. Each manufacturer and distributor who manufactures or commercially distributes any legend drug in the State of Washington shall provide written information to the board identifying all current imprints used. This information shall be submitted on a form provided by the board and shall be updated annually, or as changes in imprints occur.

**REPEALER**

The following section of the Washington Administrative Code is hereby repealed:

WAC 360-23-040 ADVERTISING OR MAIL ORDER SOLICITATION OF SALE OR DISTRIBUTION OF PRESCRIPTION DRUGS PROHIBITED.

**WSR 83-10-014**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 83-29—Filed April 26, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is promotion of an orderly recreational fishery for harvestable salmon surpluses.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and 75.08.085 and is intended to administratively implement that statute.



The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 25, 1983.

By Gary C. Alexander  
for William R. Wilkerson  
Director

NEW SECTION

WAC 220-48-01500C PACIFIC COD TRAWL CLOSURE Notwithstanding the provisions of WAC 220-48-015, 220-48-017 and 220-48-019, effective immediately until further notice it is unlawful to take, fish for or possess food fish taken for commercial purposes with any type of trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 23A and those waters of Marine Fish - Shellfish Management and Catch Reporting Area 23C lying easterly of a line projected true north-south through the easterly end of Ediz Hook from 12:01 a.m. Friday through 11:59 p.m. Sunday of each week.

**WSR 83-10-015**  
**ADOPTED RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 83-30—Filed April 26, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

This action is taken pursuant to Notice No. WSR 83-07-055 filed with the code reviser on March 21, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 26, 1983.

By Gary C. Alexander  
for William R. Wilkerson  
Director

AMENDATORY SECTION (Amending Order 78-45, filed 7/16/78)

✓ WAC 220-36-025 ((SALMON FISHING AREAS=CLOSED AREAS—GRAYS HARBOR AND TRIBUTARIES. (1) It ((shall be)) is unlawful to take, fish for, or possess salmon taken for commercial purposes ((in or)) from those ((Washington)) waters at the mouth of Grays Harbor lying westerly of a ((straight)) line projected from the Point Chehalis Light ((located

~~123 feet above mean high water)) at Westport through ((lighted buoy 13;)) the Coast Guard tower to ((where it intersects with)) the shore at Point Brown and ((those waters lying)) easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.~~

(2) During the period March 1 through July 31, it is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess foodfish taken for any purpose from the waters of the Chehalis River or any tributary of the Chehalis River upstream of the Porter Bridge.

**WSR 83-10-016**  
**ADOPTED RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 83-31—Filed April 26, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

This action is taken pursuant to Notice No. WSR 83-07-069 filed with the code reviser on March 23, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 26, 1983.

By Gary C. Alexander  
for William R. Wilkerson  
Director

AMENDATORY SECTION (Amending Order 82-72, filed 8/1/82)

✓ WAC 220-44-040 COASTAL BOTTOMFISHING SEASONS. ((+)) It is lawful to take, fish for, and possess for commercial purposes bottomfish in coastal waters taken with gear described in WAC 220-44-030 all year in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59, and 60A ((and 61)), unless otherwise provided.

((2) It is unlawful to possess or transport through the waters of the state, or land in any Washington state ports, any Pacific ocean perch (Sebastes alutus) taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59, 60A, and 61, in amounts in excess of 5,000 pounds or 10 percent of the total weight of fish on board, whichever is greater.))

NEW SECTION

✓ WAC 220-44-050 COASTAL BOTTOMFISH CATCH LIMITS. It is unlawful to possess, transport

through the waters of the state, or land in any Washington state port bottomfish taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the species indicated:

(1) Widow Rockfish (*Sebastes entomelas*) – 30,000 pounds per vessel trip; no minimum size.

(2) Shortbelly Rockfish (*Sebastes jordani*) – no maximum poundage per vessel trip; no minimum size.

(3) Pacific Ocean Perch (*Sebastes alutus*) – 5,000 pounds or 10 percent of total weight of fish on board, whichever is greater, per vessel trip; no minimum size.

(4) All other species of rockfish (*Sebastes* spp.) – 40,000 pounds of all other species combined per vessel trip; no minimum size.

(5) Sablefish – minimum size 22 inches in length, unless dressed in which case minimum size 16 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail, except that an incidental catch less than the minimum size of 1,000 pounds of weight, 333 fish, or 10 percent of the weight of the sablefish aboard, whichever is greater, is allowed.

**WSR 83-10-017**  
**EMERGENCY RULES**  
**DEPARTMENT OF REVENUE**  
[Order PT 83-1—Filed April 27, 1983]

I, Donald R. Burrows, director of revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Content of order—Further limitations on reconvening, amending WAC 458-14-040.

I, Donald R. Burrows, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is due to the large number of appeals filed with the county boards of equalization in the last several years, the Department of Revenue has had increasing number of requests for reconvening the boards. This is to allow the department more time to process those requests and still maintain the necessary cutoff dates. This constitutes an emergency because the amended rule must be in effect by April 30, 1983.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 84.08.070 which directs that the Department of Revenue has authority to implement the provisions of chapter 84.08 RCW.

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 84.08.010.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 25, 1983.

By Trevor W. Thompson  
Assistant Director

**AMENDATORY SECTION** (Amending Order PT 70-1, filed 4/8/70)

~~WAC 458-14-040 ((CONTENT OF ORDER—~~  
~~FURTHER) LIMITATIONS ON RECONVENING.~~  
~~No order reconvening the July session of the county~~  
~~board of equalization ((will be reconvened)) shall be is-~~  
~~sued subsequent to the 30th day of April immediately~~  
~~following the time the board was in regular session, ex-~~  
~~cept where the request for the order alleges sufficient~~  
~~facts to substantiate a prima facie showing that there~~  
~~was either actual fraud on the part of the taxpayer or~~  
~~taxing officers, or that an error occurred because the~~  
~~taxing officers, acting with due diligence, did not have~~  
~~available all of the facts when performing their duties, or~~  
~~except where, in cases in which the department orders~~  
~~upon its own initiative the reconvening of a county~~  
~~board, the department has grounds to substantiate a pri-~~  
~~ma facie showing that there was actual fraud on the part~~  
~~of the taxpayer or taxing officers ((or)), constructive~~  
~~fraud on the part of taxing officers or the taxing officers~~  
~~proceeded on a fundamentally wrong basis or not ac-~~  
~~cording to law; nor will a board be reconvened to act~~  
~~upon or consider an increase in the valuation of real es-~~  
~~tate when a bona fide purchaser((,-encumbrancer)) or~~  
~~contract buyer of record has acquired an interest in such~~  
~~real property subsequent to the first Monday in January~~  
~~next succeeding the date of levy of the taxes.~~

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 83-10-018**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed April 27, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning verifying eligibility and reeligibility, amending WAC 388-38-200.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director  
Division of Administration  
Department of Social and Health Services  
Mailstop OB 33-C  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by May 27, 1983. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Thursday, June 9, 1983, in the General Administration Building Auditorium, Corner 11th and Columbia, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 15, 1983.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 10, 1983.

Dated: April 26, 1983

By: David A. Hogan, Director  
Division of Administration and Personnel

### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045. Amend WAC 388-38-200.

Purpose of the Rule Change: To require verification of all factors of eligibility in applications for public assistance.

Statutory Authority: RCW 74.08.090.

Summary of the Rule or Rule Change: References to "declaration" are removed. All factors of eligibility will now be verified.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Mac Trepanier, Program Manager, Division of Income Assistance, Mailstop: OB 31C, Phone: 3-3177.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

### AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-38-200 VERIFYING ELIGIBILITY AND REELIGIBILITY. (1) All facts necessary to determine the eligibility or ineligibility of the applicant or recipient shall be established in accordance with the methods prescribed in this section. The practices described in this section apply not only to the initial application for assistance or service but also to reapplication, reinstatement, and re-determination of eligibility.

(2) In taking applications, determining eligibility, and in administering the assistance programs, the rights of individuals under the U.S. Constitution, the Social Security Act, Title VI of the Civil Rights Act of 1964, and all other relevant provisions of federal and state law shall be respected. This includes the avoidance of practices (~~which violate~~) violating the individual's privacy or (~~subject~~) subjecting him or her to harassment.

(3) Each determination of eligibility shall include at least one face-to-face interview with the applicant, or if direct contact with him or her is impractical with someone acting responsibly for him or her.

(4) (~~The applicant shall provide a statement of his circumstances which shall be accepted as evidence of eligibility unless~~

(a) ~~The information is incomplete, inconsistent or unclear, in which case the local office shall obtain such verification of eligibility factors as is deemed necessary to support an accurate decision of eligibility, or~~

(b) ~~The local or regional administrator has determined that verification of certain specific eligibility factors is necessary to assure the accuracy of eligibility decision, or~~

(c) ~~The department has determined that partial or complete verification is needed as a general procedure to assure that assistance is provided in accordance with laws and regulations, and has issued an administrative directive to that effect)) All factors of eligibility shall be verified.~~

(5) ~~The applicant's statement of his or her circumstances is the first source of information in determining eligibility.~~

(6) (~~He~~) The applicant shall be fully informed about the corroborating documentation needed to verify eligibility and his or her obligation to secure this himself or herself whenever reasonably possible, or to assist the department in obtaining sufficient information to establish eligibility.

(~~(7)~~) (7) When the applicant is unable to provide verification (which is) necessary to establish eligibility, the local office shall obtain substantiating evidence from other sources, such as statements from persons other than the applicant attested to under penalty of perjury. (This is done with the knowledge and consent of the applicant except when public records are used for this purpose. (See WAC 388-48-010 regarding confidentiality.) The applicant has the right to withdraw his application rather than to give his consent.

(a) ~~Collateral contacts may be made without the applicant's consent when the applicant is not competent to provide the necessary information or to give informed consent.~~

(i) ~~The case record must specify the reason special procedures were needed and describe them.~~

(ii) ~~Such special procedures must be consistent with subsection (2).~~

(b) ~~Verification of pertinent information relating to overpayments and suspected fraud shall be obtained as specified in WAC 388-44-020 and 388-44-115.~~

(7) ~~Verifications of eligibility from the applicant and from other sources shall be limited to only those which are necessary to assure that expenditures made will be legal.)~~

(8) (~~The investigation process shall be terminated at the point when information requiring verification has been substantiated~~) The applicant's signature on the application attests to his or her consent for the department to obtain substantiating evidence from collateral sources.

(9) (~~If documentary evidence for verification of the applicant's statements as to an eligibility factor does not exist or cannot be obtained, the local office shall accept the evidence provided by statements which are attested to under penalty of perjury from persons other than the applicant~~) When eligibility cannot be established, assistance is denied.

(10) Each decision that an applicant is eligible for or ineligible for assistance or other services shall be supported by information in the case record showing that each eligibility requirement is met or that one or more is not met.

### WSR 83-10-019

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 83-32—Filed April 27, 1983]

I, William R. Wilkerson, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use shellfish rules and commercial shellfish rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is test fishery has indicated there is an adequate supply of shrimp for limited harvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 27, 1983.

By William R. Wilkerson  
Director

**NEW SECTION**

**WAC 220-52-05300M COMMERCIAL-SHRIMP SEASON-HOOD CANAL.** Notwithstanding the provisions of WAC 220-52-050 and WAC 220-52-053, it is unlawful to take, fish for or possess shrimp for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B and 27C, except as follows:

From 9:00 a.m. June 11, to 6:00 p.m. June 28, 1983 with shellfish pots (maximum of 100 pots).

**NEW SECTION**

**WAC 220-56-32500E PERSONAL USE-SHRIMP SEASON-HOOD CANAL.** Notwithstanding the provisions of WAC 220-56-325, it is lawful to take, fish for and possess for personal use, shrimp taken in Hood Canal southerly of a line projected between the Hood Canal Floating Bridge abutments from 9:00 a.m. May 21 to 6:00 p.m. June 5, 1983 and from 9:00 a.m. June 11 to 6:00 p.m. June 28, 1983. The daily bag limits shall be 10 pounds or 10 quarts in the shell.

**WSR 83-10-020**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 83-33—Filed April 27, 1983]

I, William R. Wilkerson, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Klickitat River—Yakima Indian subsistence fishery.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this order allows a subsistence fishery for chinook salmon.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 27, 1983.

By William R. Wilkerson  
Director

**NEW SECTION**

**WAC 220-32-05900D KLICKITAT RIVER—SUBSISTENCE** Effective immediately through May 31, 1983, those individuals possessing treaty fishing rights pursuant to the Yakima treaty may take, fish for or possess salmon for subsistence purposes with dip net gear from 12:00 noon Thursday, to 12:00 noon Monday in that portion of the Klickitat River between the swinging bridge, approximately one and one-half miles upstream, and a monument located in Section 25, Township 3N, Range 12E, a distance of 25 feet downstream from the entrance to the upper Klickitat Falls Fishway No. 5.

**WSR 83-10-021**

**EMERGENCY RULES**

**DEPARTMENT OF LICENSING**

[Order 716 DOL—Filed April 28, 1983]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to adding new chapter 308-93 WAC, vessel registration, adopting WAC 308-93-010, 308-93-020, 308-93-030, 308-93-040, 308-93-050, 308-93-060, 308-93-070, 308-93-080, 308-93-090, 308-93-100, 308-93-110, 308-93-120, 308-93-130, 308-93-140, 308-93-150, 308-93-160 and 308-93-170.

I, John Gonzalez, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is implementation of chapter 7, Laws of 1983 must begin immediately because this legislation requires vessels to be registered by June 30, 1983.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 7, Laws of 1983 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 25, 1983.

By John Gonzalez  
Director

*Chapter 308-93*

**VESSEL REGISTRATION**

WAC

308-93-010

Definitions.

308-93-020	Registration required.
308-93-030	Registration period.
308-93-040	Application for registration.
308-93-050	Registration certificate.
308-93-060	Rented or leased vessels.
308-93-070	Foreign registration.
308-93-080	Change of ownership.
308-93-090	Transfer of registration.
308-93-100	Exemption for foreign vessels undergoing repair or alteration.
308-93-110	Replacement registration and replacement decals.
308-93-120	Registration renewal.
308-93-130	No fee where incorrect decals issued.
308-93-140	Decals - placement.
308-93-150	1983 property tax credit.
308-93-160	Definition of resident.
308-93-170	Excise tax exemptions - Indians.

### NEW SECTION

WAC 308-93-010 **DEFINITIONS.** Unless the context clearly provides otherwise, the following definitions apply to the rules in this chapter:

- (1) "Exclusively" means solely and without exception.
- (2) "Length" means a straight line measurement of the overall distance from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins or boomkins, rudders, outboard motor brackets, outdrive units, propellers, and similar fittings or attachments are not included in the measurement.
- (3) "Tender" means craft used exclusively to furnish transportation from a larger vessel to shore and return.
- (4) "Lifeboat" means craft used exclusively for life-saving purposes.
- (5) "Propulsion by human power" means any vessel which is not being powered by combustion, steam, electric machinery or sail.
- (6) "Commercial fishing" means operating under a currently valid commercial or charter fishing license issued by the Department of Fisheries.
- (7) "Valid marine document" means a document issued by the U.S. Coast Guard which declares a vessel of five net tons or larger to be a documented vessel of the United States.
- (8) "Commerce" means the transportation of goods, products, commodities or passengers between specified points for which a fare or shipping cost is levied.
- (9) "Primarily" means the principal purpose for which a vessel is used when considered in conjunction with all of its uses.
- (10) "Director" means the Director of the Department of Licensing.
- (11) "Registered owner, owner, legal owner," synonymous terms used interchangeably, mean a person who has a lawful right to possession of a vessel, whether or not the vessel is subject to a security interest.
- (12) "Prebill" means the notice to renew a vessel registration that is mailed by the Department to the registered owner.

### NEW SECTION

WAC 308-93-020 **REGISTRATION REQUIRED.** Vessel registration and payment of excise tax is required on any vessel placed upon the waters of this state unless specifically exempted by law.

### NEW SECTION

WAC 308-93-030 **REGISTRATION PERIOD.** The registration period will be July 1 of the current year through June 30 of the following year for purposes of implementing chapter 7, Laws of 1983, regular session.

For the 1984 vessel registration, any vessel registered in Washington prior to July 1, 1983 will have a June 30, 1984 expiration. Fees and excise tax will be collected for a full twelve-month period unless the owner can verify the vessel was acquired or brought into Washington after July 31, 1983. The excise tax will be abated monthly only on original registrations for those vessels acquired or brought into Washington after July 31, 1983. The registration fee of \$6.00 will not be abated.

Any vessel registered for the first time in Washington after July 1, 1984, will be assessed the registration fee of \$6.00 for the registration period in which the vessel is registered. In addition, excise tax in the amount prescribed by statute will be assessed for the current registration period in which the vessel is registered: **PROVIDED**, That if the owner can verify that the vessel was acquired or brought into Washington after July 1, 1984, the excise tax will be assessed from the date of acquisition or entry into the state.

When a transfer of ownership occurs on a vessel previously registered in this state and whose registration has expired, there will be assessed a registration fee of \$6.00 for the current registration period and excise tax due from the expiration date of the previous registration: **PROVIDED**, That if the person seeking registration can verify that the vessel was acquired subsequent to expiration of the previous registration, excise tax will be assessed from the date of acquisition through the current registration period in which the vessel is being registered.

### NEW SECTION

WAC 308-93-040 **APPLICATION FOR REGISTRATION.** (1) An application for registration of a vessel shall be completed and shall include:

- (a) The names and addresses and percentage of ownership of all owners of the vessel being registered including a lessor if applicable.
- (b) Make, model year and length of vessel.
- (c) Type of power (gasoline, diesel, propane, etc.).
- (d) Primary use.
- (e) Method of propulsion (inboard, outboard, inboard/outboard, jet, sail, etc.).
- (f) Hull type.
- (g) Primary vessel construction (fiberglass, wood, aluminum, etc.).
- (h) County of registration.
- (i) Assigned Coast Guard registration number, if applicable.
- (j) Purchase cost and purchase year of vessel.

(k) Hull identification number.

(2) If a vessel has more than two owners, the name of one owner will appear on the registration certificate and must be designated on a "multiple ownership" form which must be signed by the owner whose name is to appear on the registration certificate certifying that all owners of the vessel are listed. This signature must be notarized or certified by a duly appointed Washington vessel registration agent. A copy of the "multiple ownership" form must be attached to the registration certificate and carried at all times on board the vessel for which it is issued.

(3) In the event a vessel is homemade, the owner must complete and sign a declaration of value form. The signature of the registered owner of a homemade vessel must be notarized by a Notary Public.

(4) In the event a vessel value cannot be determined by the applicant, the vessel must be appraised by the Department of Revenue prior to registration.

(5) The application for registration shall be accompanied by the following documents where applicable:

- (a) A copy of the bill of sale.
- (b) Multiple ownership form.
- (c) Department of Revenue appraisal.
- (d) All proper fees and excise tax.

#### NEW SECTION

WAC 308-93-050 REGISTRATION CERTIFICATE. Upon payment of proper fees and excise tax, the department of licensing or its agents shall issue a certificate of registration. The registration document must be signed by the owner shown on its face and carried at all times on the vessel for which it is issued.

#### NEW SECTION

WAC 308-93-060 RENTED OR LEASED VESSELS. (1) Rented and leased vessels must be separately registered and display the registration number and decals assigned to the vessel. A dealer's registration number does not cover a rented vessel.

(2) When a vessel is leased, the name of the lessor must appear on the registration certificate and be identified as the lessor. No transfer of registration can occur on a leased vessel without a signed release of the lessor that is notarized or certified by a Washington vessel registration agent.

#### NEW SECTION

WAC 308-93-070 FOREIGN REGISTRATION. If the application for registration is for a vessel previously registered in another state, the application must be accompanied by:

- (1) The foreign registration; or
- (2) An affidavit certifying when and where the vessel was acquired or brought into the state subsequent to June 30, 1983.

#### NEW SECTION

WAC 308-93-080 CHANGE OF OWNERSHIP. When a vessel ownership changes in whole or in part, a

transfer of registration is required. If a vessel is owned by more than two persons a new multiple ownership form must be completed to reflect the change(s) and be signed by the registered owner whose signature appears on the face of the registration form, certifying that all owners of the vessel are listed. If a change in ownership occurs affecting the name of a registered owner appearing on the face of the registration document, a new application for registration must be completed and signed by an owner whose name is to appear on the face of the registration document.

#### NEW SECTION

WAC 308-93-090 TRANSFER OF REGISTRATION. If a vessel has a current valid Washington vessel registration and is being transferred to reflect a change in ownership, a transfer fee of \$1.00 will be charged. If the registration and excise tax is paid for at time of transfer, the transfer fee of \$1.00 will not be charged.

#### NEW SECTION

WAC 308-93-100 EXEMPTION FOR FOREIGN VESSELS UNDERGOING REPAIR OR ALTERATION. Vessels brought into this state exclusively for the purpose of repair or alteration are not subject to registration providing they are not on the waters of this state for any purpose other than repair, alteration or the testing thereof.

#### NEW SECTION

WAC 308-93-110 REPLACEMENT REGISTRATION AND REPLACEMENT DECALS. In addition to the information required on a renewal application, an application for replacement registration or for replacement decals must be accompanied by an affidavit of loss completed and signed by the owner whose name appears on the face of the registration document. Such signature must be notarized or certified by a Washington vessel registration agent. Method of verification of both expiration and ownership must be stated on the application if the current registration is not attached.

#### NEW SECTION

WAC 308-93-120 REGISTRATION RENEWAL. (1) Prebill renewal by mail. To renew by mail, the prebill must be accompanied by the exact amount shown to be due on the prebill, and mailed to a county auditor or other department agent by the date indicated on the prebill.

(2) Manual renewal. If errors exist on the prebill, or if a prebill is not available, application shall be made on a form furnished by the Department. The applicant shall satisfy the licensing agent as to his/her identity by such documentary evidence as in the opinion of the vessel registration agency clearly establishes the identify of the applicant.

**NEW SECTION**

**WAC 308-93-130 NO FEE WHERE INCORRECT DECALS ISSUED.** Where incorrect decals or validation tabs have been issued due to departmental error, they must be returned for cancellation. The vessel registration agent shall then issue a correct set of decals or tabs and a correct certificate of registration without charge.

**NEW SECTION**

**WAC 308-93-140 DECALS - PLACEMENT.** Upon registration, the applicant will receive a registration document and two decals. The decals for 1984 shall be issued showing the registration number assigned by the department. One decal shall be affixed to the port side and one decal shall be affixed to the starboard side of the hull or bridge behind the midship. The decals must be located on the outside of the vessel so that each decal is visible without obstruction from a sideview of the vessel while the vessel is in the water.

**NEW SECTION**

**WAC 308-93-150 1983 PROPERTY TAX CREDIT.** Property tax paid for a vessel for the 1983 tax year will be deducted from the 1983 excise tax amount due when a receipt from the treasurer's office is presented at the time of registration, identifying the vessel and the amount paid. If a treasurer's receipt cannot be obtained, a cancelled check may be accepted, provided the cancelled check clearly and distinctly indicates that its purpose was for the payment of 1983 personal property tax for the vessel being registered.

**NEW SECTION**

**WAC 308-93-160 DEFINITION OF RESIDENT.** For the purposes of Chapter 7, Section 16, Subsection 4, Laws of 1983, anyone who is not a resident of this state shall be considered a resident of another state or a Canadian province. A resident of this state is any person who:

- (1) resides in this state for a period in excess of six months in any continuous twelve-month period; or
- (2) becomes a registered voter in this state; or
- (3) places children in a public school without paying nonresident fees; or
- (4) receives benefits under one of the Washington public assistance programs; or
- (5) declares himself to be a resident for the purpose of obtaining a state license or tuition fees at resident rates; or
- (6) is permanently employed in the state.

**NEW SECTION**

**WAC 308-93-170 EXCISE TAX EXEMPTIONS - INDIANS.** (1) For the purposes of this rule, the following words and terms have the following meanings:

- (a) "Indian reservation" means all lands, notwithstanding the issuance of any patent, within the exterior

boundaries set aside by the United States for the exclusive use and occupancy of Indian tribes by treaty, law or executive order and which are areas currently recognized as "Indian reservations" by the United States Department of the Interior.

The following Washington reservations are the only "Indian reservations" currently recognized as such by the United States Department of the Interior: Chehalis, Colville, Hoh, Kalispell, Lower Elwha, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, Ozette, Port Gamble, Port Madison, Puyallup, Quileute, Quinault, Shoalwater, Skokomish, Spokane, Squaxin Island, Swinomish, Tulalip, and Yakima.

(b) "Indian tribe" means any organized Indian nation, tribe, band, or community recognized as an "Indian tribe" by the United States Department of the Interior.

(c) "Indian" means persons duly registered on the tribal rolls of the Indian tribe occupying an Indian reservation.

(2) Vessels owned by an Indian tribe occupying a recognized Washington Indian reservation are exempt from payment of the excise tax imposed by chapter 7, Laws of 1983.

(3) Vessels owned by Indians having their principal residence within the recognized Washington Indian reservation, for the tribe in which they are duly registered on the tribal rolls, are exempt from payment of the excise tax imposed by chapter 7, Laws of 1983.

(4) A properly completed affidavit of exemption on a form supplied by the department must be submitted with each vessel's registration application as a condition precedent to exemption from excise tax. The department may require such other proof of qualification for exemption as it deems necessary.

**WSR 83-10-022****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 83-35—Filed April 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is depressed numbers of Queets, Hoh and Skagit River coho salmon make gear and area restrictions necessary to allow the harvest of chinook salmon while protecting coho salmon.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 28, 1983.

By William R. Wilkerson  
Director

NEW SECTION

*WAC 220-24-02000T LAWFUL ACTS—TROLL FISHERY Notwithstanding the provisions of WAC 220-24-010, 220-24-020, and WAC 220-24-030, effective immediately it is unlawful to take, fish for, or possess any salmon for commercial purposes taken with troll gear in the waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as follows:*

(1) *Effective 12:01 a.m. May 1, 1983, it is lawful to take, fish for and possess all salmon species except coho salmon in the above waters except for those waters of a closed conservation zone at the mouth of the Columbia River defined as those waters bounded by a line extending for six nautical miles due west from North Head along 46°18'00" north latitude, then southerly to the Columbia River light ship buoy at 46°11'06" north latitude then due east to shore, from which conservation zone no salmon may be taken, fished for, or possessed.*

(2) *Lawful terminal gear hooks are restricted to a single barbless hook.*

(3) *No chinook salmon less than 28 inches in total length may be retained or possessed.*

(4) *The above waters will close for commercial troll fishing for salmon at 11:59 p.m. May 31, 1983, or when the chinook harvest ceiling of 95,000 chinook salmon is taken from Cape Falcon, Oregon, to the United States-Canada border, whichever is earliest.*

**WSR 83-10-023**

**ADOPTED RULES**

**DEPARTMENT OF FISHERIES**

[Order 83-34—Filed April 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

This action is taken pursuant to Notice No. WSR 83-03-071 filed with the code reviser on January 19, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED March 14, 1983.

By William R. Wilkerson  
Director

REPEALER

The following section of the Washington Administrative Code is repealed:

✓WAC 220-57-320 LEWIS RIVER (NORTH FORK).

**WSR 83-10-024**

**PROCLAMATION**

**OFFICE OF THE GOVERNOR**

The Washington State Legislature has all but concluded the 1983 Regular Session without finishing its essential tasks. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

- The state budget and budget-related items
- Revenues to support the budget
- The Washington Public Power Supply System
- Bills in dispute
- Gubernatorial appointments

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed thirty days in the Capitol at Olympia at 12:00 noon on April 25, 1983.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of April, A.D. nineteen hundred and eighty-three.

John Spellman

\_\_\_\_\_  
Governor of Washington

BY THE GOVERNOR:

Ralph Munro

\_\_\_\_\_  
Secretary of State



**WSR 83-10-025**

**ADOPTED RULES**

**EVERETT COMMUNITY COLLEGE**

[Order 83-4-6, Resolution No. 83-4-6—Filed April 28, 1983]

Be it resolved by the board of trustees of Washington Community College District V, acting at the Everett Community College Campus, Bookstore Conference Room, that it does adopt the annexed rules relating to admission and registration procedures, repealing chapter 132E-160 WAC.

This action is taken pursuant to Notice No. WSR 83-05-020 filed with the code reviser on February 9, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.19.020 and chapter 28B.50 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 18, 1983.

By Paul D. Walker  
President

**REPEALER**

The following section of the Washington Administrative Code is repealed:

✓ WAC 132E-160 Admission and Registration Procedures

**WSR 83-10-026**

**ADOPTED RULES**

**EVERETT COMMUNITY COLLEGE**

[Order 83-4-7, Resolution No. 83-4-7—Filed April 28, 1983]

Be it resolved by the board of trustees of Washington Community College District V, acting at the Everett Community College Campus, Bookstore Conference Room, that it does adopt the annexed rules relating to policy regarding admission and registration regulations and procedures, chapter 132E-161 WAC.

This action is taken pursuant to Notice No. WSR 83-05-037 filed with the code reviser on February 14, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.19.020 and chapter 28B.50 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 18, 1983.

By Paul D. Walker  
President

**NEW SECTION**

✓ WAC 132E-161-010 EVERETT COMMUNITY COLLEGE POLICY REGARDING ADMISSION AND REGISTRATION REGULATIONS AND PROCEDURES. Admission and registration regulations and procedures for students wishing to attend Everett Community College are published in the college catalog. Copies of the catalog are available in the registration office and bookstore. Questions and inquiries about regulations and procedures should be directed to the appropriate administrator.

**WSR 83-10-027**

**NOTICE OF PUBLIC MEETINGS**

**SEATTLE COMMUNITY COLLEGE DISTRICT**

[Memorandum—April 25, 1983]

The regular meeting of the board of trustees, scheduled for Monday, May 2, 1983, has been cancelled. The next regular meeting of the board will be held on June 6, 1983, at Seattle Central Community College, 1701 Broadway, Seattle, WA 98122.

**WSR 83-10-028**

**PROPOSED RULES**

**UTILITIES AND TRANSPORTATION COMMISSION**

[Filed April 28, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning Cause No. TV-1699, adopting WAC 480-12-322, relating to transportation of logs and the nature of commerce, intrastate or interstate. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendments on economic values, pursuant to chapter 43.21 RCW and WAC 480-08-050(17);

that the agency will at 8:00 a.m., Wednesday, May 25, 1983, in the Commission's Conference Room, 7th Floor, Highways-Licenses Building, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 81.80.130, 81.80.040, 81.80.290, 81.80.330 and 81.80.370.

The specific statute these rules are intended to implement is RCW 81.80.130, 81.80.040, 81.80.290, 81.80.330 and 81.80.370.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Friday, May 21, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-07-072 filed with the code reviser's office on March 23, 1983.

Dated: April 28, 1983  
 By: Barry M. Mar  
 Secretary

**WSR 83-10-029**  
**ADOPTED RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**

[Order 105—Filed April 29, 1983—Eff. June 1, 1983]

Be it resolved by the Higher Education Personnel Board, acting at Tacoma Community College, Tacoma, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 251-04-020 Definitions (cyclic year position, instructional year position, layoff seniority).
- Amd WAC 251-08-100 Periodic increment date.
- Amd WAC 251-10-120 Dismissal—Grounds for—Notice.
- Amd WAC 251-12-100 Hearings before the board.
- Rep WAC 251-12-285 Superior court appeals—Statement of facts—Preparation.
- New WAC 251-18-381 Appointment—Cyclic year position.
- Amd WAC 251-22-040 Holidays.
- Amd WAC 251-22-060 Annual leave—Accrual.
- Amd WAC 251-22-200 Leave of absence without pay.
- Rep WAC 251-18-380 Appointment—Instructional year.

This action is taken pursuant to Notice Nos. WSR 83-04-065 and 83-06-079 filed with the code reviser on February 2, 1983, and March 2, 1983. These rules shall take effect at a later date, such date being June 1, 1983.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 22, 1983.

By John A. Spitz  
 Director

**AMENDATORY SECTION** (Amending Order 98, filed 7/22/82, effective 9/1/82)

WAC 251-04-020 DEFINITIONS. Unless the context clearly indicates otherwise, the words used in these rules shall have the meanings given in this section.

"ADMINISTRATIVE ASSISTANT EXEMPTION" – A president or vice president may have individual(s) acting as his/her administrative assistant(s). The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.

"ADMINISTRATIVE EMPLOYEES" – Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty is office or nonmanual work directly related to the management policies or general business operations; and

(2) Must have the authority to make important decisions, customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures; and

(3) Must regularly assist an executive or administrative employee, or perform work under, only general supervision along specialized or technical lines requiring special training, experience or knowledge; and

(4) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of responsible office or nonmanual work directly related to management policies or general business operations.

"AGRICULTURAL EMPLOYEES" – Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

"ALLOCATION" – The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

"APPOINTING AUTHORITY" – A person or group of persons lawfully authorized to make appointments.

"AVAILABILITY" – An estimate of the number of women, minorities, and handicapped persons who have the skills and abilities required for employment in a particular job group as determined from an analysis of relevant data.

"BOARD" – The higher education personnel board established under the provisions of the higher education personnel law.

"CERTIFICATION" – The act of providing an employing official or appointing authority with the names of the appropriate eligibles to be considered for appointment to fill a vacancy.

"CHARGES" – A detailed statement of the specific incidents alleging cause for dismissal or disciplinary action.

"CLASS" – One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification requirements are needed for performance of the duties of the class; that the same tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

"CLASSIFIED SERVICE" – All positions in the higher education institutions which are subject to the provisions of the higher education personnel law.

"COLLECTIVE BARGAINING" – The performance of the mutual obligation of the appointing authority and the certified exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the appointing authority may lawfully exercise discretion.

"COMPETITIVE SERVICE" – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

"CORRECTIVE EMPLOYMENT PROGRAM" – A program designed to increase the employment of handicapped persons and of women and minorities who are underutilized in certain job groups because of present or past practices or other conditions which resulted in limited employment opportunities.

"COUNSELING EXEMPTION" – Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, personal, career, financial aid, student activity and/or medical counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.

"CYCLIC YEAR POSITION" – A position scheduled to work less than twelve full months each year, due to known, recurring periods in the annual cycle when the position is not needed.

"DEMOTION" – The change of an employee from a position in one class to a position in another class which has a lower salary range maximum.

"DEVELOPMENT" – The attainment through work experience and training of proficiency in skills which will enable the employee to perform higher level duties.

"DIRECTOR" – The personnel director of the higher education personnel board.

"DISMISSAL" – The termination of an individual's employment for just cause as specified in these rules.

"ELIGIBLE" – An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has been admitted to and passed the examinations, and has met all requirements for eligibility as stated on the bulletin board posting; or an applicant for a position in the noncompetitive service who has met all requirements for eligibility as stated on the bulletin board posting.

"ELIGIBLE LIST" – A list established by the personnel officer, composed of names of persons who have made proper application, met the minimum qualifications, and successfully completed the required examination process to be certified for vacancies in a class at the institution.

"EMPLOYEE" – A person working in the classified service at an institution.

"EMPLOYEE ORGANIZATION" – Any lawful association, labor organization, federation, council, or brotherhood, having as one of its purposes the improvement of working conditions among employees, and which has filed a notice of intent to represent employees with the director, and which has been authorized in accordance with WAC 251-14-020.

"EMPLOYING OFFICIAL" – An administrative or supervisory employee designated by the appointing authority to exercise responsibility for requesting certification, interviewing eligibles, and employing classified employees.

"EXECUTIVE EMPLOYEES" – Management personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty must be management of a recognized department or subdivision; and

(2) Must customarily and regularly direct the work of two or more employees; and

(3) Must have the authority to hire and fire, or to recommend with authority on these and other actions affecting employees; and

(4) Must customarily and regularly exercise discretionary powers; and

(5) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if he/she regularly directs the work of at least two other employees and the primary duty is management of a recognized department or subdivision.

"EXECUTIVE HEAD EXEMPTION" – Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the higher education personnel board. An executive head is in charge of a separate budget unit and directs subordinates.

"EXEMPT POSITION" – A position properly designated as exempt from the application of these rules as provided in WAC 251-04-040. (Also see separate definitions of "administrative assistant exemption," "executive head exemption," "research exemption," "counseling exemption," "extension and/or continuing education exemption," "graphic arts or publication exemption," and "principal assistant exemption".)

"EXTENSION AND/OR CONTINUING EDUCATION EXEMPTION" – Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in the community to enable them to provide specialized training and/or services to the community.

"FRINGE BENEFITS" – As used in the conduct of salary surveys, the term shall include but not be limited to compensation for leave time, including vacation, civil, and personal leave; employer retirement contributions; health insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and stock options, bonuses, and purchase discounts where appropriate.

"FULL-TIME EMPLOYMENT" – Work consisting of forty hours per week.

"GRAPHIC ARTS OR PUBLICATION EXEMPTION" – Individuals qualifying for exemption under this category will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of

this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.

"GRIEVANCE" - A dispute filed in accordance with a grievance procedure of a signed collective bargaining agreement.

"HANDICAPPED PERSON" - Any person with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight, static and permanent in that they are seldom fully corrected by medical replacement, therapy, or surgical means.

"HEARING EXAMINER" - An individual appointed by the board to preside over, conduct and make recommended decisions including findings of fact and conclusions of law in all cases of employee appeals to the board.

"INSTITUTIONS OF HIGHER EDUCATION" - The University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges. For purposes of application of these rules, the term shall be considered to include the various related boards as defined in this section, unless specifically indicated to the contrary.

~~("INSTRUCTIONAL YEAR" - The schedule established annually by an institution to identify the period required to meet the educational requirements of a given academic or training program:)~~

"JOB GROUP" - For affirmative action goal-setting purposes, a group of jobs having similar content, wage rates and opportunities. An EEO job category may consist of one or more job groups.

"JOB CATEGORIES" - Those groupings required in equal employment opportunity reports to federal agencies.

"LATERAL MOVEMENT" - Appointment of an employee to a position in another class which has the same salary range maximum as the employee's current class.

"LAYOFF" - Any of the following management initiated actions caused by lack of funds, curtailment of work, or good faith reorganization for efficiency purposes:

- (1) Separation from service to an institution;
- (2) Separation from service within a class;
- (3) Reduction in the work year; and/or
- (4) Reduction in the number of work hours.

"LAYOFF SENIORITY" - The last period of unbroken service in the classified service of the higher education institution. Authorized leave of absence or leave without pay shall not constitute a break in service; however, the time spent on such leave shall not be included in computing seniority except where required by statute and except in the case of ~~((positions established on the basis of an instructional year))~~ cyclic year positions. Permanent employees who are veterans or their unmarried widows/widowers as identified in WAC 251-10-045 shall have added to their unbroken institution service the

veteran's active military service to a maximum of five years' credit.

"LAYOFF UNIT" - A clearly identified structure within an institution, which is approved by the director, and within which employment/layoff options are determined in accordance with the reduction in force procedure.

"LEAD" - An employee who performs the same duties as other employees in his/her work group and in addition regularly assigns, instructs and checks the work of the employees.

"NONCOMPETITIVE SERVICE" - All positions in the classified service for which a competitive examination is not required.

"ORGANIZATIONAL UNIT" - A clearly identified structure, or substructure of persons employed to achieve a common goal or function under the direction of a single official. An organizational unit may consist of either an administrative entity or a geographically separated activity.

"PART-TIME EMPLOYMENT" - Work of twenty or more hours per week but less than full time employment with an understanding of continuing employment for six months or more.

"PERIODIC INCREMENT DATE" - ("P.I.D.") - The date upon which an employee is scheduled to move to a higher salary step within the range for his/her current class, as provided in WAC 251-08-090 and 251-08-100.

"PERMANENT EMPLOYEE" - An employee who has successfully completed a probationary period at the institution within the current period of employment.

"PERSONNEL OFFICER" - The principal employee in each institution/related board responsible for administrative and technical personnel activities of the classified service.

"P.I.D." - Commonly used abbreviation for periodic increment date.

"POSITION" - A set of duties and responsibilities normally utilizing the full or part time employment of one employee.

"PRINCIPAL ASSISTANT EXEMPTION" - Individuals qualifying for exemption under this category function as second-in-command in importance levels. The individual may perform many of the functions of his/her superior in the superior's absence, or alternatively may have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the higher education personnel board.

"PROBATIONARY PERIOD" - The initial six-month period of employment in a class following appointment from an eligible list of a nonpermanent employee of the institution. However, upon prior approval by the board, the probationary period for selected classes may be established for a period in excess of six months but not to exceed twelve months.

"PROBATIONARY REAPPOINTMENT" - Appointment of a probationary employee from an eligible list to a position in a different class.

*has been bracketed per 83-10-029*

*for lack of*

"PROFESSIONAL EMPLOYEES" – Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty must involve work that requires knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study or work that is original and creative in character in a recognized field of artistic endeavor and the result of which depends primarily on invention, imagination, or talent; and

(2) Must consistently exercise discretion and judgment; and

(3) Must do work that is predominantly intellectual and varied, as distinguished from routine or mechanical duties; and

(4) Must be paid at a rate of at least \$737 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of work requiring knowledge of an advanced type in a field of science or learning which requires consistent exercise of discretion and judgment.

"PROMOTION" – The appointment as a result of recruitment, examination and certification, of a permanent employee to a position in another class having a higher salary range maximum.

"PROVISIONAL APPOINTMENT" – Appointment made prior to establishment of an eligible list, per the provisions of WAC 251-18-300. A person so appointed is required to apply through the competitive process to be considered for the position on a permanent basis.

"PUBLIC RECORDS" – Any writing containing information relating to conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

"REALLOCATION" – The assignment of a position by the personnel officer to a different class.

"REASSIGNMENT" – A management initiated movement of a classified employee from one position to another in the same class.

"RELATED BOARDS" – The state board for community college education, the council for postsecondary education, the higher education personnel board, and such other boards, councils and commissions related to higher education as may be established. For purposes of application of these rules, the term "institution" shall be considered to include these related boards, unless specifically indicated to the contrary.

"RESEARCH EXEMPTION" – Individuals in research-exempt positions spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design of specific phases of research projects, analysis of results, development of conclusion and hypothesis, presentation of research results in publishable form.

"RESIGNATION" – A voluntary termination of employment.

"REVERSION" – The return of a permanent employee from trial service to the most recent class in which permanent status was achieved.

"SUPERVISOR" – Any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them or adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"SUSPENSION" – An enforced absence without pay for disciplinary purposes.

"TEMPORARY APPOINTMENT" –

(1) Work performed in the absence of an employee on leave for:

(a) Less than ninety consecutive calendar days (WAC 251-18-350(4));

(b) Ninety or more consecutive calendar days (WAC 251-18-350(2)); or

(2) Formal assignment of the duties and responsibilities of a higher level class for a period of less than ninety consecutive calendar days; or

(3) Performance of extra work required at a work load peak, a special project, or a cyclic work load which does not exceed one hundred seventy-nine consecutive calendar days.

"TRAINING" – Formal and systematic learning activities intended to provide employees with the knowledge and skills necessary to become proficient or qualified in a particular field.

"TRANSFER" – An employee initiated change from one classified position to another in the same class within the institution without a break in service.

"TRIAL SERVICE" – The initial period of employment following promotion, demotion or lateral movement into a class in which the employee has not held permanent status, beginning with the effective date of the change and continuing for six months, unless interrupted as provided in these rules or extended as provided in WAC 251-18-330(5).

"UNDERUTILIZATION" – Having fewer minorities, women, or handicapped persons in a particular job group than would reasonably be expected by their availability.

"UNION SHOP" – A union membership provision which, as a condition of employment, requires all employees within a bargaining unit to become members of an employee organization.

"UNION SHOP REPRESENTATIVE" – An employee organization which is the exclusive representative of a bargaining unit that has been certified by the director as the union shop representative following an election wherein a majority of employees in the bargaining unit voted in favor of requiring membership in the employee organization as a condition of employment.

"UNION SHOP REPRESENTATION FEE" – Employees who are granted a nonassociation right based on religious tenets or teachings of a church or religious body of which they are members, must pay a representation fee to the union shop representative. Such fee is equivalent to the regular dues of the employee organization minus any monthly premiums for union sponsored insurance programs.

"WRITING" – Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including letters, words, pictures, sounds; or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

AMENDATORY SECTION (Amending Order 68, filed 5/25/78, effective 7/1/78)

✓ WAC 251-08-100 PERIODIC INCREMENT DATE. (1) For purposes of payment of periodic increases, the effective date shall be determined as follows:

(a) The first of the current month for actions occurring between the first and the fifteenth of the month; or

(b) The first of the following month for actions occurring between the sixteenth and the end of the month.

(2) The periodic increment date of new employees or probationary employees who are reappointed to a new class during the probationary period shall be established:

(a) Upon completion of the probationary period for those appointed at the first step in the salary range; or

(b) Upon completion of twelve months' service in the class for those appointed at a salary step above the first step in the salary range.

(3) The periodic increment date of all employees shall be changed as follows:

(a) Upon promotion, the existing periodic increment date will be eliminated and a new date established to be effective upon completion of the trial service period;

(b) Upon reappointment of a probationary employee during the probationary period, the former periodic increment date will be eliminated and a new date established as provided in WAC 251-08-100(2);

(c) Upon reallocation under WAC 251-06-080(1)(a) of an employee who is at the top step of the current salary range, the employee will be given a new periodic increment date which will be six months following the reallocation action;

(d) When a leave of absence without pay exceeds ten working days in any calendar month, or exceeds ten consecutive working days, the date will be extended by one month, except as provided by WAC 251-22-180 and 251-18-380;

(e) When employees return from layoff status, the date will be reestablished and extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff;

(f) When ~~((an instructional year))~~ a cyclic year position leave of absence without pay exceeds ninety calendar days, the periodic increment date shall be extended on a month-for-month basis. Provisions of WAC 251-08-100(3)(d) shall apply to that period exceeding the ninety calendar days. ~~((Instructional year))~~ Cyclic year position employees serving a probationary or trial service period will have their periodic increment dates extended by an amount of time equal to the period in which the employee is on leave of absence without pay;

(g) When employees are reverted from trial service following promotion (or return from alternate appointment), the periodic increment date held prior to promotion or layoff will be reestablished;

(h) When the board or the director order remedial action per WAC 251-12-600, the periodic increment date may be modified as part of the order.

(4) The periodic increment date of all employees shall remain unchanged for all other actions including, but not limited to, transfer within class, appointment to another class with the same or lower salary range maximum, and reallocations except as provided in WAC 251-08-100(3)(c).

(5) The periodic increment date for incumbents of exempt positions which are converted to classified status shall be established as provided in WAC 251-18-420.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

✓ WAC 251-10-120 DISMISSAL—GROUNDS FOR—NOTICE. Appointing authorities may dismiss or separate a permanent employee for just cause as specified in WAC 251-10-110. The employee shall be provided written notice of the specified cause(s), specific charges, and the right to appeal the dismissal action to the board. The notice shall be furnished at least fifteen calendar days prior to the effective date of the action (unless the dismissal is to be effective immediately as provided in WAC 251-10-140) and shall be furnished directly to the employee during working hours, or if this is not possible because of the absence of the employee on his/her regularly scheduled working day, mailed by certified letter to the employee's last known address. If the notification is furnished directly to the employee, the day it is furnished shall be counted as a day of notice. If the notification is mailed, the notice shall be considered received the same day as it is postmarked and the notice period shall be computed as provided in WAC 251-04-100. A copy of the notice to the employee shall be transmitted to the director.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

✓ WAC 251-12-100 HEARINGS BEFORE THE BOARD. (1) Hearings shall be open to the public, except for cases in which the board determines there is substantial reason for not having an open hearing, or in cases where ~~((either party))~~ the employee so requests. Hearings shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law.

(2) Both parties shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses and give evidence before the board. Members of the board may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the board. The board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify.

The court shall summarily hear the evidence on such refusal and if the evidence warrants punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court.

(3) The board shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it shall not be required to transcribe such record unless requested by the employee, who shall be furnished with a complete transcript upon payment of a reasonable charge therefor. Payment of the cost of a transcript used on appeal shall await determination of the appeal, and shall be made by the employing institution if the employee prevails.

### REPEALER

The following section of the Washington Administrative Code is repealed:

✓ WAC 251-12-285 SUPERIOR COURT APPEALS—STATEMENT OF FACTS—PREPARATION.

### NEW SECTION

✓ WAC 251-18-381 APPOINTMENT—CYCLIC YEAR POSITION. (1) Cyclic year positions are to be filled in accord with chapter 251-18 WAC.

(2) At least fifteen calendar days before the start of each annual cycle, incumbents of cyclic year positions will be informed in writing of their scheduled periods of leave without pay in the ensuing annual cycle. Such leave without pay shall not constitute a break in service and shall not be deducted from the employees' length of service in granting periodic increments except as provided in WAC 251-08-100(3)(f), nor in computing the employees' annual leave accrual rate.

(3) When additional work is required of a cyclic year position during a period for which the position was scheduled for leave without pay, the temporary work will be offered to the incumbent. The incumbent will be allowed at least three working days in which to accept or decline the offer.

### REPEALER

The following section of the Washington Administrative Code is repealed:

✓ WAC 251-18-380 APPOINTMENT—INSTRUCTIONAL YEAR.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-040 HOLIDAYS. (1) Legal holidays are designated by statute. The following holidays are identified per RCW 1.16.050:

- (a) The first day of January (New Year's Day);
- (b) The twelfth day of February (Abraham Lincoln's birthday);
- (c) The third Monday of February (George Washington's birthday);
- (d) The last Monday of May (Memorial Day);

- (e) The fourth day of July (Independence Day);
- (f) The first Monday in September (Labor Day);
- (g) The eleventh day of November, (Veteran's Day);
- (h) The fourth Thursday of November (Thanksgiving Day);
- (i) The day immediately following Thanksgiving Day; and
- (j) The twenty-fifth day of December (Christmas Day).

Each higher education institution will provide qualifying employees in pay status with a paid holiday on the above days. However, the governing board of each institution, and in the case of the community college system through the state board for community college education, may designate other days to be observed in lieu of the above holidays. Holiday schedules must be filed annually with the director for approval prior to implementation and may not be modified without prior approval by the director. Schedules may be submitted on a calendar or fiscal year basis. When an institution establishes an in lieu of schedule, paid holidays shall be granted based on the approved in lieu of schedule.

(2) Classified employees working twelve-month schedules or ((instructional year)) cyclic year position employees who work full monthly schedules throughout their work year shall receive the number of holidays for which they qualify during their scheduled work year as set forth in this section. Qualification is determined by being in pay status on the work day preceding the holiday(s).

(3) ((Instructional year)) Cyclic year position employees scheduled to work less than full monthly schedules throughout their work year qualify for holiday compensation if they work or are in pay status on their last regularly scheduled working day preceding the holiday(s) in that month.

(4) Part time classified employees shall be entitled to the number of paid hours on a holiday that their monthly schedule bears to a full time schedule.

(5) Full time alternate work schedule employees shall receive eight hours of regular holiday pay per holiday. Any differences between the scheduled shift for the day and eight hours may be adjusted by use of annual leave, use or accumulation of compensatory time as appropriate, or leave without pay.

(6) When a holiday falls on an employee's regularly scheduled day off, he/she shall receive a day of compensatory time off.

(7) Holiday time worked shall be compensated as provided in WAC 251-09-035.

(8) Whenever a holiday falls on Sunday, the following Monday shall be considered a nonworking or legal holiday. When a holiday falls on Saturday, the preceding Friday shall be considered a nonworking or legal holiday.

(9) Employees terminating immediately prior to a holiday do not qualify for holidays occurring after termination.

(10) Employees shall be entitled to one paid personal holiday per calendar year in addition to those specified in this section as provided in WAC 251-22-045.



AMENDATORY SECTION (Amending Order 71, filed 2/27/79, effective 4/2/79)

WAC 251-22-060 ANNUAL LEAVE—ACCRUAL. (1) Full-time employees eligible for annual leave shall accrue annual leave, to be credited monthly, at the following rates:

- (a) During the first year of continuous state employment – 12 days (8.0 hours per month);
- (b) During the 2nd year of continuous state employment – 13 days (8 hours, 40 minutes per month);
- (c) During the 3rd and 4th years of continuous state employment – 14 days (9 hours, 20 minutes per month);
- (d) During the 5th through the 9th years of total state employment – 15 days (10 hours per month);
- (e) During the 10th year of total state employment – 16 days (10 hours, 40 minutes per month);
- (f) During the 11th year of total state employment – 17 days (11 hours, 20 minutes per month);
- (g) During the 12th year of total state employment – 18 days (12 hours per month);
- (h) During the 13th year of total state employment – 19 days (12 hours, 40 minutes per month);
- (i) During the 14th year of total state employment – 20 days (13 hours, 20 minutes per month);
- (j) During the 15th year of total state employment – 21 days (14 hours per month);
- (k) During the 16th and succeeding years of total state employment – 22 days (14 hours, 40 minutes per month).

(2) Employees working less than full time schedules shall accrue annual leave credit on the same prorata basis that their appointment bears to a full time appointment.

(3) Per the provisions of WAC ((251-18-380(2))) 251-18-381(2), the scheduled period of ((instructional year)) cyclic year position leave of absence without pay shall not be deducted for purposes of computing the rate of annual leave accrual for ((instructional year)) cyclic year position employees.

(4) The following shall apply for purposes of computing years of qualifying state employment:

- (a) Employment in the legislative and/or the judicial branch shall not be credited;
- (b) Employment exempt by the provisions of WAC 251-04-040(2) or employment under the state personnel board jurisdiction which is analogous to the conditions specified in WAC 251-04-040(2) shall not be credited;
- (c) Each contract year of full time faculty and/or administrative exempt employment within the higher education institutions shall be credited as a year of qualifying service;
- (d) Employment in part time classified positions shall be credited as full time service.
- (5) Annual leave credits shall not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, nor shall credit be given toward the rate of annual leave accrual.

AMENDATORY SECTION (Amending Order 98, effective 9/1/82)

WAC 251-22-200 LEAVE OF ABSENCE WITHOUT PAY. (1) Leave of absence without pay may be allowed for any of the following reasons:

- (a) Conditions applicable for leave with pay;
- (b) Maternity leave;
- (c) Educational leave;
- (d) Leave for Government service in the public interest;

(e) To accommodate annual work schedules of employees occupying ((positions established on the basis of an instructional year)) cyclic year positions as specified in WAC ((251-18-380)) 251-22-381.

(2) Requests for leave of absence without pay must be submitted in writing to the employing official or designee and must receive the approval of both the employing official and the personnel officer.

(3) Leave of absence without pay extends from the time an employee's leave commences until he/she is scheduled to return to continuous service, unless at the employee's request the employing official and the personnel officer agree to an earlier date.

(4) Annual leave and sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, except as provided in WAC 251-18-380(2).

(5) A classified employee taking an appointment to an exempt position shall be granted a leave of absence without pay, with the right to return to his/her regular position, or to a like position at the conclusion of the exempt appointment; provided application for return to classified status must be made not more than thirty calendar days following the conclusion of the exempt appointment.

**WSR 83-10-030**  
**PROPOSED RULES**  
**PRODUCTIVITY BOARD**  
[Filed April 29, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Productivity Board intends to adopt, amend, or repeal rules concerning:

New	WAC 383-06-010	Purpose.
New	WAC 383-06-020	Definitions.
New	WAC 383-06-030	Functions of the board.
New	WAC 383-06-040	Duties of the program administrator.
New	WAC 383-06-050	Appointment and responsibilities of agency coordinators.
New	WAC 383-06-060	Responsibilities of evaluators.
New	WAC 383-06-070	Procedures for processing multi-agency suggestions.
New	WAC 383-06-080	Eligibility to participate.
New	WAC 383-06-090	Suggestion format.
New	WAC 383-06-100	Suggestion acceptability.
New	WAC 383-06-110	Eligibility for awards.
New	WAC 383-06-120	Amount of awards.
New	WAC 383-06-130	Recognition of merit.
New	WAC 383-06-140	Appeals;

that the agency will at 10:00 a.m., Thursday, May 5, 1983, in the Department of Personnel Board Room, 600



South Franklin, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 41.60 RCW.

The specific statute these rules are intended to implement is chapter 41.60 RCW.

This notice is connected to and continues the matter in Notice No. WSR 83-06-053 filed with the code reviser's office on March 2, 1983.

Dated: March 2, 1983  
By: Carolyn W. Smith  
Program Administrator

**WSR 83-10-031**  
**PROPOSED RULES**  
**LIQUOR CONTROL BOARD**  
[Filed April 29, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning class H license issued to premises without a cocktail lounge, new section WAC 314-16-196;

that the agency will at 9:30 a.m., Wednesday, June 15, 1983, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030 and 66.98.070.

The specific statute these rules are intended to implement is RCW 66.24.400 and 66.24.010(8) and (9).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 15, 1983.

Dated: April 29, 1983  
By: L. H. Pedersen  
Board Member

**STATEMENT OF PURPOSE**

Title: WAC 314-16-196 Class H license issued to premises without a cocktail lounge.

Description of Purpose: WAC 314-16-196 is intended to establish guidelines for the approval of service bar operations in lieu of cocktail lounge operations. In addition to providing guidelines for the issuance of a class H license to a service bar operation, the rule will also require that notice be given of a change in operation from service bar to cocktail lounge in a manner similar to that utilized in processing an application for a new class H license. The purpose of this is to meet objections from local authorities changing when it went from a service bar to a cocktail lounge operation after the local authorities had approved the application subject to there being no cocktail lounge.

Statutory Rule-Making Authority: RCW 66.08.030 and 66.98.070.

Statutes Implemented by the Rule: RCW 66.24.400 and 66.24.010(8) and (9).

Summary of Rule: WAC 314-16-196 provides that an applicant for a class H license shall furnish the board with a scale drawing of the proposed premises indicating the presence of a cocktail lounge comprising not more than 35 percent of the total public floor space or indicating that the premises will have a service bar in lieu of a cocktail lounge. Those premises having service bars shall have them located out of sight of customers and service from the bars will be only by the licensee or licensee's employees and may only take place during hours when the full restaurant menu is available and a chef or cook is on duty. Service bar operations will not be eligible for added activities such as dancing, live music or entertainment. If a presently existing class H service bar operation desires to install a cocktail lounge, notice will be given to local officials, churches and schools, and by posting at the premises, etc. in the same manner as is currently done in processing an application for a new class H license.

Reasons Supporting Proposed Action: The proposed rule formally enacts some board policies which have been used in the past. Also, in the past, some local officials, churches and schools, have complained when service bar operations converted to cocktail lounge operations without notice being given. Such notice will be required by the rule and should allow for more effective public input to the licensing process.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Ray Hensel, Supervisor, License Division, Capital Plaza Building, Olympia, WA 98504, 753-6259, and Bob Obenland, Chief, Enforcement Division, Capital Plaza Building, Olympia, WA 98504, 753-6270.

Person or Organization Proposing Rule: This rule was proposed by the Liquor Control Board.

Agency Comments: None.

Necessity of Rule: This rule was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: Cost impact for both small and larger businesses is estimated to be minimal to zero.

Discussion: The proposed rule does not require any additional reporting or paper work than is currently being required.

**NEW SECTION**

WAC 314-16-196 CLASS H LICENSE ISSUED TO PREMISES WITHOUT A COCKTAIL LOUNGE. (1) Before the board shall issue a class H license to a bona fide restaurant, the applicant shall present, and receive the approval of the board for, a one-quarter inch equals one foot scale drawing of the proposed premises indicating that the premises will have a cocktail lounge comprising not more than thirty-five percent of the total public floor space of the premises, as compared to dining space which as a minimum must be sixty-five percent of the public floor space of the premises or that the premises will have a service bar(s) in lieu of the cocktail lounge.

(2) Those premises not having cocktail lounges shall have their approved service bar(s) located in such a manner as to be removed from the sight of customers. Service of liquor from such service bar(s) will be by the licensee or licensee's employees only and may take place only

during hours that the full restaurant menu is available and a chef or cook is on duty.

(3) A class H licensed restaurant having a service bar(s) in lieu of a cocktail lounge shall not be eligible for added activities such as dancing, live music, or entertainment.

(4) If the board issues a class H license to a bona fide restaurant which has a service bar in lieu of an approved cocktail lounge and the licensee subsequently applies for approval to install a cocktail lounge in place of the previously approved service bar operation, the board will process such a change in the same manner as an application for a new class H license (i.e. notice will be given by posting at the premises, local officials, churches and schools will be notified, etc.).

**WSR 83-10-032**  
**PROPOSED RULES**  
**LIQUOR CONTROL BOARD**  
[Filed April 29, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Maintaining operation of licensed premises in accordance with law and rules of the board is responsibility of licensee—Failure to do so is cause for revocation of license, new section WAC 314-12-125;

that the agency will at 9:30 a.m., Wednesday, September 7, 1983, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030 and 66.98.070.

The specific statute these rules are intended to implement is RCW 66.24.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 7, 1983.

Dated: April 29, 1983

By: L. H. Pedersen  
Board Member

**STATEMENT OF PURPOSE**

Title: WAC 314-12-125 Maintaining operation of licensed premises in accordance with law and rules of the board is responsibility of licensee—Failure to do so is cause for revocation of license.

Description of Purpose: WAC 314-12-125 restates, in rule form, the responsibility of licensees for the operations conducted under their licenses through employees. WAC 314-12-125(2) is intended to deal with presently existing problems occurring at licensed premises where neither the licensee nor any of the employees on duty is able to converse with customers and law enforcement personnel to the extent necessary to accomplish compliance with the Liquor Act and the rules of the board. The existing problems arise in two basic areas. The first is lack of ability on the part of the licensee or his employees to determine if requirements of law are being met, and the second is the inability on the part of board enforcement personnel, and local law enforcement personnel, to properly and effectively investigate and determine

if requirements of law are being met. This rule will minimize these problems by placing the ultimate responsibility for resolution of them on the licensee.

Statutory Rule-Making Authority: RCW 66.08.030 and 66.98.070.

Statutes Implemented by the Rule: RCW 66.24.010 and 66.44.010.

Summary of Rule: WAC 314-12-125 states that a licensee is responsible for the proper operation of his licensed premises according to the liquor laws and rules of the board and that, to the extent the licensee employs others in the operation of that premises, violations committed or permitted by those employees shall be treated by the board as violations committed or permitted by the licensee. WAC 314-12-125(2) requires that a licensee must have on his licensed premises at all times when liquor is being offered for sale at least one person having the ability to communicate with customers and law enforcement personnel in the English language to the extent necessary to accomplish compliance with the law and rules of the board. Failure by a licensee to operate a licensed premises in compliance with the law and rules of the board will constitute good and sufficient cause for revocation of licensed privileges.

Reasons Supporting Proposed Action: While it is implicit in the nature of the Liquor Act that licensees are responsible for violations committed by their employees, periodically there are challenges to this concept by licensees who are charged with violations committed by their employees. WAC 314-12-125(1) will eliminate any question concerning responsibility by licensees or those they employ for adherence to the liquor laws and rules of the board. WAC 314-12-125(2) is necessary because the board's enforcement division, and local law enforcement personnel, have on numerous occasions, encountered severe problems in licensed premises while attempting to determine whether or not the law and the rules of the board relating to the sale, service and consumption of liquor were being complied with because the personnel on duty either could not, or pretended not to, speak English. Also, it is obvious that the proper checking and questioning of identification written in the English language cannot effectively be accomplished unless someone is present on the licensed premises who can read, speak and understand the English language to the extent necessary to do so. This subsection will require that English language capability be present on a licensed premises at all times while liquor is being offered for sale to whatever extent is necessary to accomplish for the licensee an operation which is in compliance with the law and the rules of the board. The rule will consequently be of great benefit to all citizens of Washington by making it possible to better insure compliance with liquor laws and rules and to detect those persons who may be violating said laws and rules. It should be noted that WAC 314-12-125 does not require that a person must speak English in order to obtain a liquor license, or to retain one, but merely requires that during those times when it is a licensee's responsibility to administer and enforce the laws relating to sale of liquor, that the licensee is properly equipped with such capability, through employees, that this can be accomplished.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Ray Hensel, Supervisor, License Division, Capital Plaza Building, Olympia, WA 98504, 753-6259, and Bob Obenland, Chief Enforcement Officer, Capital Plaza Building, Olympia, WA 98504, 753-6270.

Person or Organization Proposing Rule: This rule was proposed by the Liquor Control Board.

Agency Comments: This rule will enable the board to better accomplish its mission of enforcing the liquor laws of the state of Washington and the rules of the board by insuring that each licensed operation understands its responsibility and has the capability to accomplish its statutory responsibilities.

Necessity of Rule: This rule was not made necessary as a result of federal law or federal or state action.

Small Business Economic Impact Statement: Cost impact for both small and larger businesses is estimated to be minimal to zero.

Discussion: For those licensees who already have at least one person employed during operating hours who can read, speak and understand the English language, the cost impact would be zero. For those who currently do not, the cost impact would be either zero or minimal depending on what personnel changes would have to be made in order to provide the ability necessary to accomplish compliance with the law and rules of the board.

**NEW SECTION**

WAC 314-12-125 MAINTAINING OPERATION OF LICENSED PREMISES IN ACCORDANCE WITH LAW AND RULES OF THE BOARD IS RESPONSIBILITY OF LICENSEE—FAILURE TO DO SO IS CAUSE FOR REVOCATION OF LICENSE. (1) The licensee of a liquor licensed premises is responsible for operation of the licensed premises in compliance with the liquor laws (Title 66 RCW) and rules of the board (Chapter 314 WAC). If the licensee chooses to employ others in the operation of the business, any violations committed, or permitted, by those employees shall be treated by the board as violations committed, or permitted, by the licensee.

(2) In order to establish compliance with the liquor laws and rules of the board including, but not limited to, the requirements relating to the checking of identification and dealing with underage or apparently intoxicated persons, a licensee must maintain on the licensed premises at all times when liquor is being offered for sale, at least one person having the ability to communicate with customers and law enforcement personnel in the English language to the extent necessary to accomplish compliance with said law and rules.

(3) Failure by a licensee to accomplish compliance with the liquor laws or rules of the board, for whatever reason, will constitute good and sufficient cause for revocation of license privileges.

**WSR 83-10-033  
ADOPTED RULES  
COMMISSION  
FOR THE BLIND**

[Order 83-02—Filed April 29, 1983]

Be it resolved by the Washington State Commission for the Blind, acting at 921 Lakeridge Drive, Olympia, WA 98504, that it does adopt the annexed rules relating to:

Amd WAC 67-20-388 Vocational rehabilitation services—Vocational and other training.

Amd WAC 67-20-395 Vocational rehabilitation services—Training—College and trade school.  
Amd WAC 67-20-190 Economic need—Standards for determining.

This action is taken pursuant to Notice No. WSR 83-06-068 filed with the code reviser on March 2, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Commission for the Blind as authorized in RCW 74.16.450.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By Paul Dzedzic  
Director

**AMENDATORY SECTION** (Amending Order 82-05, filed 8/4/82)

WAC 67-20-190 ECONOMIC NEED—STANDARDS FOR DETERMINING. (1) A client shall be eligible on the basis of economic need to receive vocational rehabilitation services or extended evaluation services from the commission when the total of his/her obligations, debts, and expenses is equal to or exceeds the total of his/her income and nonexempt assets or resources. When the value of his/her income and nonexempt assets is greater than the value of his/her obligations, debts, and expenses, the excess of the former over the latter shall be made available by the client for the payment of the cost of those services which are conditioned upon economic need.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his/her entire family unit, including his/her dependents or, if the client is an unemancipated minor, his/her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section wages shall be equal to gross wages less deductions for income taxes, social security, taxes, retirement deductions, and other involuntary deductions;

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis;

(c) Net profit from roomers or boarders;

(d) Net profit from property rentals;

(e) Net profit from farm products;

(f) Net profit from business enterprises;

(g) Scholarship or fellowship funds;

(h) Income from public or private welfare agencies;

(i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.

(4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:

(a) The home occupied by the client or his/her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his/her family as the principle place of residence or when it will be so occupied in the predictable future;

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and his/her family have only one automobile, or

(ii) All automobiles used by the family are for the purpose of transportation to work or school, or

(iii) The automobile has been furnished in whole or in part to the client or to one of his/her dependents by the veteran's administration, or

(iv) The automobile is essential to the client's vocational rehabilitation objective;

(d) Vocational equipment and machinery owned by the client is an exempt asset if it is being used to provide part or all of the living expenses of the client and his/her dependents or if it may be so used after completion of the vocational rehabilitation plan;

(e) Livestock is an exempt asset to the extent that it produces income or otherwise helps the client to meet normal living requirements.

(5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to its fair market value less any unpaid encumbrances of record. Any transfer of nonexempt property within six months of application for benefits under this chapter shall be presumed to have been made for the purpose of affecting eligibility of the client, and the value thereof shall nonetheless be included in determining such eligibility.

(6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:

(a) The client's actual shelter and living expenses;

(b) Shelter and living expenses for the client's dependents;

(c) Payments which the client is required to make under court order;

(d) Outstanding taxes on earnings or personal or real property;

(e) Insurance premium payments;

(f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

AMENDATORY SECTION (Amending Order 82-05, filed 8/4/82)

✓ WAC 67-20-388 VOCATIONAL REHABILITATION SERVICES—VOCATIONAL AND OTHER TRAINING. (1) The commission may provide, within budget constraints, any organized form of instruction which provides the knowledges and skills that are essential for performing the tasks involved in an occupation. Such knowledges and skills may be acquired through training in an institution, on the job, by correspondence, by tutors or through a combination of these methods. Training may be given for any occupation, except as provided in paragraph (5) below.

(2) The commission will operate and maintain an orientation and training center for prevocational training for those clients for whom such training in the training center is determined to be appropriate.

(3) Training or training services in institutions of higher education (universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing) shall not be paid for with rehabilitation funds unless maximum efforts have been made by the commission on the client's behalf to secure grant assistance in whole or in part from other sources to pay for such training or training services. A client must demonstrate application for, and denial of, other grants and scholarships.

(4) The commission may provide, assist in providing, or cause to be provided books, tools and other training materials agreed upon in joint planning of the individualized written rehabilitation program between the counselor and the client. ~~((Assistance will be limited to seventy-five dollars per quarter or one hundred ten dollars per semester for full academic load.))~~ The amount of assistance provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the commission, provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have amount reduced proportionately.

(5) The Washington state constitution forbids the use of public funds to assist an individual in the pursuit of a career or degree in theology or related areas.

(6) Clients may attend private institutions or out-of-state institutions of higher learning in pursuit of a vocational goal; however, the financial assistance available to any such individual is limited by that amount charged at the University of Washington or the actual cost, whichever is less.

(7) The commission may provide, assist in providing, or cause to be provided financial assistance to clients in pursuit of post-graduate degrees when such degree is clearly necessary to achieve employment in a given field. However, financial assistance will not be provided to clients pursuing graduate programs only to enhance their employability or to achieve upward mobility.

(8) Training will be provided to the extent that it meets the criteria established by the client and the agency in the client's individualized written rehabilitation program and meets the standards of the occupation the client intends to enter.

AMENDATORY SECTION (Amending Order 82-05, filed 8/4/82)

WAC 67-20-395 VOCATIONAL REHABILITATION SERVICES—TRAINING—COLLEGE AND TRADE SCHOOL. (1) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) or trade or business schools shall be paid for with vocational rehabilitation funds unless the client has demonstrated application for, and denial of, other grants and scholarships.

(2) Tuition at institutions of higher education will be limited to the amount charged at the University of Washington or the actual cost, whichever is less.

(3) (~~Books and academic supplies will be limited to seventy-five dollars per quarter or one hundred ten dollars per semester for a full academic load.~~) The amount of assistance for books and academic supplies provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the commission, provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have the amount authorized for books and supplies reduced proportionately.

**WSR 83-10-034  
EMERGENCY RULES  
COMMISSION  
FOR THE BLIND**

[Order 83-03—Filed April 29, 1983]

Be it resolved by the Washington State Commission for the Blind, acting at 921 Lakeridge Drive, Olympia, WA 98504, that it does adopt the annexed rules relating to:

New	WAC 67-40-022	Prevention—Financial eligibility.
New	WAC 67-40-026	Prevention—Medical eligibility.
New	WAC 67-40-051	Prevention—Services provided.
New	WAC 67-40-061	Services not provided.
Amd	WAC 67-40-090	Prevention—Appeal and fair hearing.

We, the Washington State Commission for the Blind, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is to have these rules in effect until permanently adopted in the near future.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Washington State Commission for the Blind as authorized in RCW 74.16.450.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By Paul Dziedzic  
Director

NEW SECTION

WAC 67-40-022 PREVENTION—FINANCIAL ELIGIBILITY. Application for the prevention of blindness program is made at department of social and health services community services offices.

Financial eligibility must be established by the department of social and health services.

NEW SECTION

WAC 67-40-026 PREVENTION—MEDICAL ELIGIBILITY. (1) The eye physicians advisory committee recommends the policies and criteria for the termination of medical services to be provided by the prevention of blindness program.

(2) The commission's ophthalmological consultant reviews the medical necessity of conditions diagnosed by the individual's ophthalmologist and makes a decision regarding medical services to be provided based on the criteria recommended by the eye physicians advisory committee.

NEW SECTION

WAC 67-40-051 PREVENTION—SERVICES PROVIDED. Subject to the limitations in WAC 67-40-060, the commission will approve services which are determined to be medically necessary as defined:

(1) Medical necessity applies to a service for the treatment of eye(s) that can be determined to prevent, diagnose, correct, cure, alleviate, or prevent the worsening of conditions that endanger life, cause suffering or pain, or result in blindness or loss of vision, or threaten to cause a visual loss, or cause physical malfunction, and there is no other equally effective, more conservative or substantially less costly course of treatment available or suitable. For purposes of this section, "course of treatment" may include mere observation or, where appropriate, no treatment at all.

(2) A medical social work consultant coordinates the provisions of services by ophthalmologists throughout the state and works in cooperation with staff of the DSHS community services offices and division of medical assistance, as well as vocational rehabilitation counselors to implement plans for eye care.

NEW SECTION

WAC 67-40-061 SERVICES NOT PROVIDED. A request for medical services may be denied if the requested service is generally regarded by the medical profession as experimental in nature or as unacceptable treatment unless the requested service can be demonstrated to be otherwise medically necessary.

Certain eye conditions which are degenerative and unlikely to respond to treatment and certain conditions pertaining to tear ducts or eyelids rather than the eye itself shall be excluded, specifically:

(1) Routine eye examinations for clients not specifically referred for diagnosis of a suspected vision problem;

(2) Glasses and contact lenses, except following cataract surgery or when medically necessary for treatment of an eye condition such as strabismus or keratoconus;

(3) Blepharitis;

(4) Chalazion;

(5) Conjunctivitis;

(6) Macular degeneration, except subretinal neovascularization;

(7) Orthoptics (muscle training);

(8) Cosmetic plastic surgery;

(9) Tumors outside the eye unless suspected malignancy threatens eye function;

(10) Strabismus surgery for adults unless diplopia is present;

(11) Cataract surgery when vision is better than 20/70 in the better eye with correction (or better than jaeger 5 with a 3.5 add), except when the cataract is hypermature and complications are present or imminent or when documented social factors establish the need to drive or read to maintain independence.

**AMENDATORY SECTION** (Amending Order 82-06, filed 8/4/82)

**WAC 67-40-090 PREVENTION—APPEAL AND FAIR HEARING.** (1) Any individual denied service may request a hearing by writing within ((~~thirty~~) ninety) days of receipt of notification to the commission for the blind at 921 Lakeridge Drive, Olympia, WA ((~~98502~~) 98504), which will forward the request to the Office of Administrative Hearings.

(2) The hearing shall be held in the county in which the appellant resides. The individual may be represented by legal counsel or by another person of his/her choosing.

(3) ~~((The director shall upon recommendation from the administrative law judge issue a))~~ An administrative law judge from the office of administrative hearings shall issue an initial decision.

(4) The director shall issue a final decision within fifteen days of receipt of the proposed decision.

(5) An appellant who feels aggrieved by the decision of the director has the right to a judicial review as provided by law.

**WSR 83-10-035  
ADOPTED RULES  
COMMISSION  
FOR THE BLIND**

[Order 83-04—Filed April 29, 1983]

Be it resolved by the Washington State Commission for the Blind, acting at 921 Lakeridge Drive, Olympia, WA 98504, that it does adopt the annexed rules relating to:

- New WAC 67-40-022 Prevention—Financial eligibility.
- New WAC 67-40-026 Prevention—Medical eligibility.
- New WAC 67-40-051 Prevention—Services provided.

- New WAC 67-40-061 Services not provided.
- Amd WAC 67-40-090 Prevention—Appeal and fair hearing.

This action is taken pursuant to Notice No. WSR 83-06-067 filed with the code reviser on March 2, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Commission for the Blind as authorized in RCW 74.16.450.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By Paul Dzedzic  
Director

**NEW SECTION**

✓ **WAC 67-40-022 PREVENTION—FINANCIAL ELIGIBILITY.** Application for the prevention of blindness program is made at department of social and health services community services offices.

Financial eligibility must be established by the department of social and health services.

**NEW SECTION**

✓ **WAC 67-40-026 PREVENTION—MEDICAL ELIGIBILITY.** (1) The eye physicians advisory committee recommends the policies and criteria for the determination of medical services to be provided by the prevention of blindness program.

(2) The commission's ophthalmological consultant reviews the medical necessity of conditions diagnosed by the individual's ophthalmologist and makes a decision regarding medical services to be provided based on the criteria recommended by the eye physicians advisory committee.

**NEW SECTION**

✓ **WAC 67-40-051 PREVENTION—SERVICES PROVIDED.** Subject to the limitations in WAC 67-40-060, the commission will approve services which are determined to be medically necessary as defined:

(1) Medical necessity applies to a service for the treatment of eye(s) that can be determined to prevent, diagnose, correct, cure, alleviate, or prevent the worsening of conditions that endanger life, cause suffering or pain, or result in blindness or loss of vision, or threaten to cause a visual loss, or cause physical malfunction, and there is no other equally effective, more conservative or substantially less costly course of treatment available or suitable. For purposes of this section, "course of treatment" may include mere observation or, where appropriate, no treatment at all.

(2) A medical social work consultant coordinates the provisions of services by ophthalmologists throughout the state and works in cooperation with staff of the DSHS

community services offices and division of medical assistance, as well as vocational rehabilitation counselors to implement plans for eye care.

#### NEW SECTION

✓ **WAC 67-40-061 SERVICES NOT PROVIDED.** A request for medical services may be denied if the requested service is generally regarded by the medical profession as experimental in nature or as unacceptable treatment unless the requested service can be demonstrated to be otherwise medically necessary.

Certain eye conditions which are degenerative and unlikely to respond to treatment and certain conditions pertaining to tear ducts or eyelids rather than the eye itself shall be excluded, specifically:

(1) Routine eye examinations for clients not specifically referred for diagnosis of a suspected vision problem;

(2) Glasses and contact lenses, except following cataract surgery or when medically necessary for treatment of an eye condition such as strabismus or keratoconus;

(3) Blepharitis;

(4) Chalazion;

(5) Conjunctivitis;

(6) Macular degeneration, except subretinal neovascularization;

(7) Orthoptics (muscle training);

(8) Cosmetic plastic surgery;

(9) Tumors outside the eye unless suspected malignancy threatens eye function;

(10) Strabismus surgery for adults unless diplopia is present;

(11) Cataract surgery when vision is better than 20/70 in the better eye with correction (or better than jaeger 5 with a 3.5 add), except when the cataract is hypermature and complications are present or imminent or when documented social factors establish the need to drive or read to maintain independence.

#### AMENDATORY SECTION (Amending Order 82-06, filed 8/4/82)

✓ **WAC 67-40-090 PREVENTION—APPEAL AND FAIR HEARING.** (1) Any individual denied service may request a hearing by writing within ((~~thirty~~)) ninety days of receipt of notification to the commission for the blind at 921 Lakeridge Drive, Olympia, WA ((~~98502~~)) 98504, which will forward the request to the Office of Administrative Hearings.

(2) The hearing shall be held in the county in which the appellant resides. The individual may be represented by legal counsel or by another person of his/her choosing.

(3) ~~((The director shall upon recommendation from the administrative law judge issue a))~~ An administrative law judge from the office of administrative hearings shall issue an initial decision.

(4) The director shall issue a final decision within fifteen days of receipt of the proposed decision.

(5) An appellant who feels aggrieved by the decision of the director has the right to a judicial review as provided by law.

#### WSR 83-10-036

#### ADOPTED RULES

#### DEPARTMENT OF NATURAL RESOURCES

[Order 396—Filed April 29, 1983—Eff. June 1, 1983]

I, Brian J. Boyle, Commissioner of Public Lands, Department of Natural Resources, do promulgate and adopt at the Office of Commissioner of Public Lands, Olympia, Washington, the annexed rules relating to regulating outdoor burning within the protective jurisdiction of the Department of Natural Resources. Repeal permanent closure of Yacolt Burn Area to public recreational use.

This action is taken pursuant to Notice No. WSR 83-07-068 filed with the code reviser on March 23, 1983. These rules shall take effect at a later date, such date being June 1, 1983.

This rule is promulgated pursuant to RCW 76.04.150 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By Brian J. Boyle  
Commissioner of Public Lands

#### AMENDATORY SECTION (Amending Order 169, filed 8/7/73)

✓ **WAC 332-24-056 PURPOSE OF RULES.** This regulation recognizes the many instances of need of an ((small)) outdoor fire and the general prudence of the people in the safety and use of fire to the extent that no written burning permit is required if certain rules and requirements are followed.

#### AMENDATORY SECTION (Amending Order 169, filed 8/7/73)

✓ **WAC 332-24-060 DEFINITIONS.** The following definitions are applicable to this resolution:

(1) "Outdoor fire" shall mean the combustion of material in the open or in a container with no provisions for the control of such combustion or the control of the emissions from the combustion products.

(2) "~~((Yard))~~ Debris disposal fire" shall mean an outdoor fire for the prevention of a fire hazard and/or for the purpose of cleanup of natural vegetation, such as yard and garden refuse and residue of a natural character such as leaves, clippings, prunings, trees, stumps, brush, shrubbery and wood so long as it has not been treated by an application of prohibited material or substances in a pile no larger than ten feet in diameter.

(3) "Recreational fire" shall mean an outdoor fire for the purpose of sport, pastime, or refreshment, such as camp fires, bonfires, cooking fires, etc. in a hand-built pile no larger than four feet in diameter.



(4) "Fire hazard" shall mean the accumulation of combustible materials in such a condition as to be readily ignited and in such a quantity as to create a hazard from fire to nearby structures, forest areas, life and property(~~(; or the operation of poorly maintained or faulty equipment or an improper or imprudent logging practice which may cause said ignition)~~).

(5) "Forest slash" shall mean an accumulation of forest debris resulting from the commercial growing, harvesting, or processing of timber.

(6) "Department" means the department of natural resources or its authorized representatives.

AMENDATORY SECTION (Amending Order 181, filed 3/21/74)

✓ WAC 332-24-063 WRITTEN BURNING PERMIT REQUIREMENTS AND EXCEPTIONS. Under authority granted in RCW 76.04.020 and ~~((RCW))~~ 76.04.150, the following regulation is hereby promulgated:

(1) The commissioner of public lands and the department ~~((of Natural Resources))~~ are responsible by law for the granting of burning permits for certain types of ~~((burning, and))~~ outdoor fire.

(2) The department ~~((of Natural Resources))~~ aids in the protection of air quality under its smoke management plan~~(;)~~.

(3) Pursuant to its authority and responsibility, the department ~~((of Natural Resources))~~ has studied and determined the effects of such burning on life, property and air quality to be of year-round effect~~(;)~~.

(4) IT IS THEREFORE DETERMINED that throughout the year, ~~((all))~~ outdoor ~~((burning of inflammable material))~~ fire is prohibited within any ~~((county of this state in which there is a warden or ranger))~~ department forest protection assessment area unless ~~((prior))~~ a written ~~((permission))~~ burning permit is obtained from the department ~~((of Natural Resources, any authorized employee thereof, or a warden or a ranger))~~ and signed by the permittee and afterwards having the permit in possession while burning and complying with the terms of such permit.

EXCEPT ~~((in certain areas designated by the Department of Natural Resources or otherwise exempted by promulgated rules and regulations. Anyone meeting the conditions of WAC 332-24-065, 332-24-070, and 332-24-090 may burn inflammable material without first obtaining permission in writing from the Department of Natural Resources.))~~ a written burning permit for an outdoor fire is not required from the department under the following conditions:

(a) In certain geographical areas designated by the department.

(b) Outdoor fire contained in an approved camp stove or burning barrel in a safe location.

(c) General rules and requirements specified in WAC 332-24-070 and 332-24-090 for protection of life, property and air quality are met.

AMENDATORY SECTION (Amending Order 169, filed 8/7/73)

✓ WAC 332-24-070 GENERAL RULES—OUTDOOR FIRE FOR RECREATIONAL OR DEBRIS DISPOSAL PURPOSES NOT REQUIRING A WRITTEN BURNING PERMIT. (1) The department ~~((of Natural Resources))~~ reserves the right to restrict ~~((and/or))~~, regulate ~~((burning))~~, refuse, revoke, or postpone outdoor fires under RCW 76.04.150, 76.04.170, 76.04.180, and chapter 70.94 RCW due to ~~((extreme))~~ adverse fire weather or to prevent restriction of visibility ~~((and))~~, excessive air pollution or a nuisance.

(2) The Yacolt Burn area ~~((Zone D))~~, located in portions of Clark and Skamania Counties, is exempt from these rules, and that area requires a written burning permit throughout the year.

(3) These rules do not apply within incorporated city limits or where the department ~~((of Natural Resources))~~ has contracted protection areas to the fire district except where such fire districts have incorporated these rules into their regulations, or in fire districts which have their own fire permit requirements on improved land, or where air pollution authorities have prohibited fires that fall under these regulations.

~~((4))~~ Persons burning under these rules are responsible for any claims arising out of activities performed, including claims resulting from fire, smoke or water.

(5) In Eastern Washington these rules apply October 16 through June 30, inclusive, and in Western Washington, year round, unless other dates are promulgated by the supervisor of the Department of Natural Resources. Written burning permits are required in Eastern Washington for all outdoor fires, including recreation and yard debris disposal fires from July 1 through October 15, inclusive. No written permit is required for fires contained in approved camp stoves and burning barrels in safe locations.

(6) No fire is permitted in or within 500 feet of logging slash without a written permit~~(;)~~.

AMENDATORY SECTION (Amending Order 169, filed 8/7/73)

✓ WAC 332-24-090 ((SMALL)) REQUIREMENTS—OUTDOOR ((FIRES)) FIRE FOR ((RECREATION AND YARD)) RECREATIONAL OR DEBRIS DISPOSAL ((=REQUIREMENTS FAILURE TO COMPLY)) PURPOSES NOT REQUIRING A WRITTEN BURNING PERMIT. (1) The fire must not include rubber products, plastics, asphalt, garbage, dead animals, petroleum products, paints or any similar materials that emit dense smoke or create offensive odors when burned pursuant to RCW 70.94.775(1).

(2) A person capable of extinguishing the fire must attend it at all times and the fire must be extinguished before leaving it.

(3) ~~((A serviceable shovel and, at least, five gallons of water must be within the immediate vicinity of the fire during the period March 15 through October 15 in Western Washington and April 15 through June 30 in Eastern Washington.~~



~~(4))~~ No recreational or debris disposal fires are to be within fifty feet of structures.

~~((5))~~ For the period March 15 through October 15 in Western Washington and April 15 through June 30 in Eastern Washington, the material to be burned shall be in hand-built piles no more than four feet in diameter and three feet in height.

~~(6)~~ For the period October 16 through March 14 in Western Washington and October 16 through April 14 in Eastern Washington, the material to be burned shall be in piles no more than ten feet in diameter.

~~(7)~~ Only one pile at a time may be burned and each pile must be extinguished before lighting another.

~~(8))~~ (4) A recreational fire shall be in a hand-built pile no larger than four feet in diameter. A serviceable shovel must be within the immediate vicinity of the fire.

~~(5)~~ A debris disposal pile shall be no larger than ten feet in diameter. A serviceable shovel and a minimum of five gallons of water must be within the immediate vicinity of the fire. A bucket is acceptable, if the outdoor fire is adjacent to an accessible body of water. A charged garden hose line or other adequate water supply may be substituted for the five gallon water requirement.

~~(6)~~ Only one pile at a time may be burned, and each pile must be extinguished before lighting another.

~~(7)~~ No outdoor fire is permitted in or within five hundred feet of forest slash without a written burning permit.

~~(8)~~ The material to be burned must be placed on bare soil, gravel, bars, beaches, green fields, or other similar areas free of flammable material for a sufficient distance adequate to prevent the escape of the fire.

~~(9)~~ Burning must be done during periods of calm to very light winds. Burning when the wind will scatter loose flammable materials, such as dry leaves and clippings, is prohibited.

~~(10)~~ If the fire creates a nuisance from smoke or fly ash, it must be extinguished.

~~(11)~~ A landowner or his designated representative's written permission must be obtained before building an outdoor fire on the property of another.

~~((11))~~ (12) Persons not able to meet the requirements ~~((1-10))~~ of subsections (1) through (10) of this section must apply for a written burning permit through the ~~((area office of the state of Washington,))~~ department ~~((of Natural Resources))~~.

~~((A bucket may be substituted for the water requirement, if the burning is adjacent to an accessible body of water. A charged garden hose line or other adequate water supply capable of extinguishment of the fire may be substituted for the five gallon water requirement.~~

~~Failure to comply with these rules voids permission to burn and the person burning is in violation of RCW 76-04.150 and subject to the penalties therein.))~~

NEW SECTION

WAC 332-24-095 RECREATION AND DEBRIS DISPOSAL FIRE REQUIREMENTS—PENALTY. Failure to comply with the general rules in WAC 332-24-070 and requirements in WAC 332-24-090 voids

permission to burn, and the person burning is in violation of RCW 76.04.150 and subject to the penalties therein.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- ✓ (1) WAC 332-24-065 NO BURNING PERMIT REQUIRED—SMALL OUTDOOR FIRES.
- ✓ (2) WAC 332-24-080 BURNING PERMITS—RECREATION AND DEBRIS FIRES ON STATE AND OTHER LANDS UNDER THE JURISDICTION OF THE DEPARTMENT OF NATURAL RESOURCES.
- ✓ (3) WAC 332-24-250 PERMANENT CLOSURE OF EXTRA FIRE HAZARD REGIONS—PORTIONS OF CLARK AND SKAMANIA COUNTIES.
- ✓ (4) WAC 332-24-260 PERMANENT CLOSURE OF EXTRA FIRE HAZARD REGIONS—GATES, DISPLAY OF SIGNS.
- ✓ (5) WAC 332-24-270 PERMANENT CLOSURE OF EXTRA FIRE HAZARD REGIONS—DELEGATION OF AUTHORITY TO ISSUE NOTICES.
- ✓ (6) WAC 332-24-280 PERMANENT CLOSURE OF EXTRA FIRE HAZARD REGIONS—PROCEDURE FOR GIVING NOTICE.
- ✓ (7) WAC 332-24-290 PERMANENT CLOSURE OF EXTRA FIRE HAZARD REGIONS—DESCRIPTION OF CLOSED REGION.
- ✓ (8) WAC 332-24-300 PERMANENT CLOSURE OF EXTRA FIRE HAZARD REGIONS—CLOSED REGION—GIFFORD PINCHOT NATIONAL FOREST.

**WSR 83-10-037**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
**(Division of Banking)**  
 [Order 53—Filed April 29, 1983]

I, L. O. Malmberg, Acting Supervisor of the Division of Banking, do promulgate and adopt at Olympia, Washington, the annexed rules relating to acquisitions of banks, trust companies, national banking associations or bank holding companies by out-of-state bank holding companies, creating new chapter 50-48 WAC.

I, L. O. Malmberg, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is RCW 30.04.230, as amended by section 9, chapter 157, Laws of 1982, authorized, for the first time, acquisition of a domestic bank, trust company, national banking association or bank holding company by an out-of-state bank holding company, if approved by the supervisor after making certain findings. These

rules implement the provisions of that statute which became effective on April 25, 1983, pursuant to an emergency clause set forth in section 13, chapter 157, Laws of 1983. The holding company of the largest bank headquartered in the state of Washington has announced an agreement with an out-of-state bank holding company whereby the out-of-state bank holding company would acquire the domestic bank holding company under the terms of RCW 30.04.230. The announcement further indicated that the agreement was prompted by the necessity to take action to assure the bank's continued financial stability. If, in fact, the condition of the largest bank in this state is such as to make it eligible for acquisition under the provisions of RCW 30.04.230, any delay in reviewing or approving an acquisition to alleviate that situation could have severe repercussions for the bank's customers and the economy of the state of Washington. Observance of the requirements for notice and public comment at this time would necessitate such a delay. Immediate adoption of these rules is necessary for the supervisor to review and act on, without delay, any application which may be filed under the provisions of RCW 30.04.230.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 30.04.230(4) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By L. O. Malmberg  
Acting Supervisor

*Chapter 50-48 WAC*

**ACQUISITION OF BANKS, TRUST COMPANIES, NATIONAL BANKING ASSOCIATIONS OR BANK HOLDING COMPANIES BY OUT-OF-STATE BANK HOLDING COMPANIES**

**WAC**

- 50-48-010 Authority and Purpose.
- 50-48-020 Joint Application.
- 50-48-030 Information Required—Identity of Applicant Parties and Operating Subsidiaries—Designation of Each Applicant.
- 50-48-040 Information Required from Applicant to be Acquired.
- 50-48-050 Information Required from Acquiring Applicant.
- 50-48-060 Information to be Made Available by Acquiring Applicant.
- 50-48-070 Information to be Made Available by Applicant Acquired.
- 50-48-080 Application to Include Statement of Interlocking Management or Ownership.

50-48-090

*Supervisor may Consult with and Obtain Information from Appropriate Federal Regulatory Authority.*

NEW SECTION

**WAC 50-48-010 AUTHORITY AND PURPOSE.** These regulations are promulgated pursuant to Section 9, Chapter 157, Laws of 1983, to establish a procedure under which an out-of-state bank holding company which desires to acquire more than five percent of the shares of the voting stock, or all or substantially all of the assets, of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state, may apply to the supervisor for approval of such acquisition.

NEW SECTION

**WAC 50-48-020 JOINT APPLICATION.** An application for approval of such acquisition shall be submitted jointly by the acquiring bank holding company and the domestic institution or bank holding company to be acquired. The application need not be in any particular format, but must set forth all the information required under these regulations and must be accompanied by an application fee in the amount of five thousand dollars. The application shall include a copy of the agreement setting forth the plan of merger or acquisition, including certified copies of the resolutions of the respective boards of directors of parties to the agreement approving same. The application shall also include a statement authorizing any federal or state regulatory agency to make available to the supervisor any and all information which such agency may have relating to the applicants or any of their subsidiaries.

NEW SECTION

**WAC 50-48-030 INFORMATION REQUIRED—IDENTITY OF APPLICANT PARTIES AND OPERATING SUBSIDIARIES—DESIGNATION OF REPRESENTATIVE OF EACH APPLICANT.** Unless included in other information required by this chapter, the application shall set forth the name and main office address of all operating subsidiaries of both the acquiring bank holding company and the bank, trust company, national banking association or domestic bank holding company to be acquired. In addition, the application shall set forth the name, office address, and telephone of one or more persons designated by each applicant to be its official representative in connection with the application. All contact between the supervisor's office and the applicant should, except in extraordinary circumstances, be through such representatives.

NEW SECTION

**WAC 50-48-040 INFORMATION REQUIRED FROM APPLICANT TO BE ACQUIRED.** The bank, trust company, national banking association, or domestic bank holding company to be acquired shall include with the application each of the following items of information:

(a) A statement verifying that the bank, trust company, national banking association or domestic bank holding company to be acquired is in such a liquidity or financial condition as to be in danger of closing, failing or insolvency, setting forth with specificity the circumstances upon which such conclusion is based.

(b) A statement of all courses of action actively considered as an alternative to the proposed merger or acquisition; a statement of why each such course of action or combination of more than one of them was not taken; a statement as to why assistance available from the Federal Reserve Board, the Federal Deposit Insurance Corporation, or other governmental agency either alone or in combination with other actions is not sufficient to alleviate the liquidity or financial situation so as to avoid the danger of closing, failing or insolvency; and if known, the course or courses of action which will be taken in the event the merger or acquisition is not consummated.

(c) Financial records including: (1) copies of reports of condition required to be filed with the appropriate regulatory authorities and financial statements showing its assets and liabilities as of the end of each of the six most recent quarterly periods of operation; (2) copies of income and expense statements for each of the six most recent quarterly periods of operation; and (3) a copy of the most recent independent audit report.

Information submitted in response to this subsection shall be consolidated figures for the entire organization. If individual figures for operating subsidiaries are available, they shall also be submitted.

(d) A statement setting forth which, if any, state banks, trust companies, or national banking associations doing business in this state, or domestic bank holding companies have been solicited to make an offer for acquisition or merger. If no such solicitations have been made, the application shall include an explanation of the decision not to make such solicitations. The application shall include a summary of the terms of any bona fide offer for merger or acquisition received from any domestic bank, trust company, national banking association or bank holding company, and shall further state whether any domestic offerors have been given the opportunity to match the terms of the proposed acquisition by or merger with the out-of-state bank holding company.

#### NEW SECTION

WAC 50-48-050 INFORMATION REQUIRED FROM ACQUIRING APPLICANT. The applicant out-of-state bank holding company shall submit with the application each of the following items of information:

(a) A copy of its most recent audited financial statement, its most recently prepared statement of assets and liabilities, including footnotes and explanations, and its most recent income and expense report.

(b) A statement of its then existing business plan, both short-range and long-range, for operation of the bank, trust company, national banking association or domestic bank holding company to be acquired. Such statement shall include comments by the acquiror as to

how the proposed acquisition will meet the needs and convenience of the people of the state of Washington.

(c) A list of any other notices pursuant to the Change in Bank Control Act (12 U.S.C. §1817(j)) filed on its behalf involving any other bank, trust company, national banking association or bank holding company which is presently pending. Such list shall include the date and place of filing each notice and the name and address of the institution to which each notice pertains.

(d) A statement as to what part, if any, of the funds to be used in making the acquisition or merger are borrowed from sources other than its own subsidiaries. With respect to any such funds, the applicant shall state: (1) the amount and source of borrowed funds; (2) collateral pledged, if any; (3) terms of the loan, including interest rates, amortization requirements, guarantors, endorsers, and any other arrangements or agreements among the parties to such loan transaction; (4) proposed source of funds for debt service; (5) whether and to what extent the acquiring party intends to rely on dividends, fees, etc. from the institution being acquired for debt servicing requirements.

#### NEW SECTION

WAC 50-48-060 INFORMATION TO BE MADE AVAILABLE BY ACQUIRING APPLICANT. The applicant out-of-state bank holding company shall make available for review by the office of the supervisor the following:

(a) Any current file which it or its principal banking subsidiary or subordinate is required to maintain by regulations promulgated by the appropriate federal financial supervisory authority (as defined in 12 U.S.C. §2902(1)) for purposes of the Community Reinvestment Act (12 U.S.C. §2902 et seq.).

(b) Copies of all internal documents having to do with the proposed merger or acquisition, including, without limitation, memoranda or analyses together with conclusions and recommendations to management and all financial or other information from which such memoranda, analyses, conclusions, recommendations or other documents were prepared.

#### NEW SECTION

WAC 50-48-070 INFORMATION TO BE MADE AVAILABLE BY APPLICANT TO BE ACQUIRED. The bank, trust company, national banking association or domestic bank holding company to be acquired shall make available to the supervisor all internally generated reports relating to the operation of any or all operating subsidiaries during the immediately preceding two-year period.

#### NEW SECTION

WAC 50-48-080 APPLICATION TO INCLUDE STATEMENT OF INTERLOCKING MANAGEMENT OR OWNERSHIP. The application must state whether any management official (as defined in 12 U.S.C. §3201(4)) of the acquiring out-of-state bank holding company or any of its affiliated corporations (as the term "affiliated" is defined by 12 U.S.C. §3201(3))

is also a management official of any other depository institution or holding company other than the bank, trust company, or national banking association being acquired, or whether any person, partnership or corporation who owns or controls, directly or indirectly, ten percent or more of the outstanding voting shares of the acquiring applicant also owns, directly or indirectly, ten percent or more of the outstanding voting shares of any other depository institution or holding company. If such circumstances do exist, the application shall include: (1) the name of such person or persons, partnerships or corporations; (2) name and address of the depository institution or holding company; (3) relationship triggering this reporting requirement; and (4) nature and extent of ownership interest held by such person, partnership or corporation in the applicant and other depository institution or holding company.

#### NEW SECTION

**WAC 50-48-090 SUPERVISOR MAY CONSULT WITH AND OBTAIN INFORMATION FROM APPROPRIATE FEDERAL REGULATORY AUTHORITY.** The supervisor may consult with appropriate federal regulatory agencies in connection with any application filed hereunder and shall consider any information received from such agency or agencies in ruling upon the application.

**WSR 83-10-038**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Order 83-11—Filed April 29, 1983]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the Directors Office, General Administration Building, Olympia, Washington 98504, the annexed rules relating to workers' compensation coverage under Title 51 RCW for employers engaged in a combination of intrastate commerce and also in interstate or foreign commerce.

I, Sam Kinville, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is legislation enacted as House Bill 454 (chapter 63, Laws of 1982), section 16, inadvertently changed the law relative to employers engaged in a combination of intrastate commerce and also interstate or foreign commerce. Such employers were considered mandatorily covered prior to the changes made in HB 454. These legislative changes scheduled to become effective January 1, 1983, may exclude these employers from coverage under Title 51 RCW without their knowledge. This was not the intent of the original legislation.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 51.04.020(1) which directs that the Department of Labor and Industries has authority to implement the provisions of RCW 51.12.090, intrastate and interstate commerce.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By Paula Rinta Stewart  
for Sam Kinville  
Director

#### NEW SECTION

**WAC 296-17-345 Effective January 1, 1983 common carrier employers engaged in a combination of intrastate commerce and also interstate or foreign commerce, heretofore considered mandatorily covered under RCW 51.12.090, may elect to exempt themselves from the provisions and benefits of Title 51 RCW by completing a Notice To Withdraw From Coverage form provided by the Department. The election to withdraw from coverage will become effective the date the notice is received by the Department.**

**Common carrier employers engaged in a combination of intrastate commerce and also interstate or foreign commerce who do not elect to withdraw from the coverage provided under Title 51 RCW will be considered to have elected coverage in the manner provided by RCW 51.12.110.**

**For common carriers engaged in a combination of intrastate and also interstate or foreign commerce only the employer's application for industrial insurance account will be considered sufficient notice of elective coverage under the elective adoption provisions of RCW 51.12.110 and will entitle the employer to all the benefits and make the employer subject to all the liabilities under the Title without further action.**

**WSR 83-10-039**  
**EMERGENCY RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Order 1793-A—Filed May 2, 1983]

I, M. Keith Ellis, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to bean certification fees, WAC 16-316-270.

I, M. Keith Ellis, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is due to the economic climate and the financial problems of the bean seed industry, this amendment would allow the industry to pay certification

fees only on bean seed that is certified instead of all bean seed submitted for certification.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 15.49 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 2, 1983.

By M. Keith Ellis  
Director

AMENDATORY SECTION (Amending Order No. 1757, filed 3/31/82)

WAC 16-316-270 CERTIFICATION FEES.

(1) Applications: Due July 1, however, may be accepted after due date at the discretion of the certifying agency.

(a) Application fee:

Per variety, per grower ..... \$10.00

(b) Acreage fee:

(i) One Inspection: (per acre) ..... \$ 1.50

One inspection is required for certification of Great Northern, Red Mexican, Pinto, Pink, and Small White Beans.

(ii) Two Inspections: (per acre) ..... \$ 3.00

Includes windrow inspection which is required for: Certification of Snap Beans, Kidney Beans, and eligibility for shipment into Idaho. For phytosanitary certification see WAC 16-316-327.

(iii) Acreage fee is refundable if acreage is withdrawn before inspection.

(c) Late application penalty fee: ..... \$10.00

This additional fee shall be charged per grower for applications received after July 1.

(2) Reinspection: (each field) ..... \$20.00

If a field is rejected for reasons other than bacterial diseases at the first inspection, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(3) Production fee includes sampling and tagging per cwt.: ..... \$ 0.30

The production fees (~~are billed at completion of tests~~) will be billed at final certification and tagging.

(4) Purity and germination tests: ..... Fees as established by the director of agriculture.

(5) Fees for retagging or services not listed in this order shall be the most applicable fee established by the director of agriculture.

WSR 83-10-040

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-36—Filed May 2, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is depressed numbers of Queets, Hoh and Skagit River coho salmon make gear and area restrictions necessary to allow the harvest of chinook salmon while protecting coho salmon.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 2, 1983.

By William R. Wilkerson  
Director

NEW SECTION

WAC 220-24-02000U LAWFUL ACTS—TROLL FISHERY Notwithstanding the provisions of WAC 220-24-010, 220-24-020, and WAC 220-24-030, effective immediately it is unlawful to take, fish for, or possess any salmon for commercial purposes taken with troll gear in the waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as follows:

(1) Effective 12:01 a.m. May 1, 1983, it is lawful to take, fish for and possess all salmon species except coho salmon in the above waters except for those waters of a closed conservation zone at the mouth of the Columbia River defined as those waters bounded by a line extending for six nautical miles due west from North Head along 46°18'00" north latitude, then southerly to the Columbia River light ship buoy at 46°11'06" north latitude then due east to shore, from which conservation zone no salmon may be taken, fished for, or possessed.

(2) No chinook salmon less than 28 inches in total length may be retained or possessed.

(3) The above waters will close for commercial troll fishing for salmon at 11:59 p.m. May 31, 1983, or when the chinook harvest ceiling of 95,000 chinook salmon is taken from Cape Falcon, Oregon, to the United States-Canada border, whichever is earliest.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000T LAWFUL ACTS—TROLL FISHERY (83-35)

**WSR 83-10-041**  
**ADOPTED RULES**  
**COMMUNITY ECONOMIC**  
**REVITALIZATION BOARD**  
[Order 83-1—Filed May 2, 1983]

Be it resolved by the Community Economic Revitalization Board (CERB), acting at the Sea-Tac International Airport, that it does adopt the annexed rules relating to public facility loans and grants.

This action is taken pursuant to Notice No. WSR 83-07-003 filed with the code reviser on March 7, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.116.050(8) [43.160.050(8)] which directs that the Community Economic Revitalization Board has authority to implement the provisions of chapter 43.116 [43.160] RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 21, 1983.

By Richard T. Schrock  
Vice-Chairman

TITLE 133 WAC

COMMUNITY ECONOMIC REVITALIZATION BOARD

Chapters

- 133-10 General Provisions
- 133-20 Public Records
- 133-30 Rules of Practice and Procedure
- 133-40 Public Facility Loans and Grants
- 133-50 Compliance with State Environmental Policy Act

Chapter 133-10

GENERAL PROVISIONS

WAC

- 133-10-010 Organization and Operation of the Community Economic Revitalization Board
- 133-10-020 Board Meetings
- 133-10-030 Communications with the Board

NEW SECTION

WAC 133-10-010 ORGANIZATION AND OPERATION OF THE COMMUNITY ECONOMIC

REVITALIZATION BOARD. (1) The Community Economic Revitalization Board, hereinafter referred to as the Board, is a fifteen member board created pursuant to section 3, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.030.

(2) The board consists of nine persons appointed by the governor, as well as the director of commerce and economic development, the director of planning and community affairs, the director of revenue, the commissioner of employment security, and the chairmen of the committee on labor and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees. The appointive members are as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of small businesses each from: (a) The area west of Puget Sound or the Interstate 5 corridor, (b) the area east of the Cascade range and west of the Columbia river; and (c) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members are initially appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms, which includes the chairman. Thereafter each succeeding term shall be for three years.

(3) The appointive member of the board from the governor's council of economic advisors serves as chairman of the board, and the director of the department of commerce and economic development serves as vice chairman. The board may elect such other officers for such terms as it may from time to time deem necessary, in accordance with the board's bylaws.

(4) The board's staff support and office space is provided by the department of commerce and economic development, whose main office is located in Room 101, General Administration Building, Olympia, Washington 98504; phone (AC 206) 753-5630.

(5) The overall purpose of the board is to aid the development of economic opportunities in the State of Washington. The board's general objectives include: (1) Strengthening the economies of areas of the state which have experienced or are expected to experience chronically high unemployment rates or below average growth in their economies; (2) encouraging the diversification of the economies of the state and regions within the state in order to provide greater seasonal and cyclical stability of income and employment; and (3) providing incentives for expansion of employment opportunities for groups of state residents that have been less successful relative to other groups in efforts to gain permanent employment.

(6) In order to carry out its objectives, the board is authorized to make direct loans to political subdivisions of the state for the purposes of assisting the political subdivisions in financing the cost of public facilities, including the cost of acquisition and development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities. Grants may also

be authorized for such purposes, but only when grants are uniquely required. Additional powers and duties of the board are as set forth in chapter 40, Laws of 1982 1st ex. sess. and chapter 43.160 RCW, and in particular section 5 thereof, and RCW 43.160.050.

#### NEW SECTION

✓ WAC 133-10-020 BOARD MEETINGS. (1) Regular meetings of the board are held on the third (3rd) Thursday of January, April, July and October commencing at 9:00 a.m. Notice of the times and places of the regular meetings will be published annually in a January edition of the Washington state register. A copy of the schedule of regular meetings may also be obtained upon request from the board.

(2) Special meetings of the board may be called at any time by the chairman of the board or by a majority of the board members. Notice of such meetings will be as provided by law.

(3) In addition to the meeting notices specified above, the board will also notify all persons, organizations or agencies whose business is scheduled to come before the board at any regular or special meeting.

#### NEW SECTION

✓ WAC 133-10-030 COMMUNICATIONS WITH THE BOARD. Any and all written communications with the board, including but not limited to requests for information or copies of agency records, or submittals of any nature, shall be addressed to the Community Economic Revitalization Board, in care of the chairman, at the address which appears in WAC 133-10-010(4). Telephonic communications may be initiated by calling the phone number also listed in WAC 133-10-010(4).

#### CHAPTER 133-20

#### PUBLIC RECORDS

#### WAC

133-20-010	Purpose
133-20-020	Definitions
133-20-030	Public Records Available
133-20-040	Public Records Officer
133-20-050	Records Index
133-20-060	Office Hours
133-20-070	Requests for Public Records
133-20-080	Copying
133-20-090	Exemptions
133-20-100	Review of Denials of Public Records Requests
133-20-110	Protection of Public Records
133-20-120	Adoption of Form

#### NEW SECTION

✓ WAC 133-20-010 PURPOSE. The purpose of this chapter shall be to insure the compliance by the Community Economic Revitalization Board with the provisions of chapter 1, Laws of 1973, Initiative Measure No. 276, and in particular sections 25 through 32 of that act, and RCW 42.17.250 through 42.17.320, concerning disclosure of public records.

#### NEW SECTION

✓ WAC 133-20-020 DEFINITIONS. The following definitions shall apply to this chapter: (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the board regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) "Board" means the Community Economic Revitalization Board, created pursuant to chapter 43.160 RCW, and shall also refer to the board's officers and staff, where appropriate.

(4) "Department" means the Department of Commerce and Economic Development, and shall also refer to the department's staff, where appropriate.

#### NEW SECTION

✓ WAC 133-20-030 PUBLIC RECORDS AVAILABLE. All public records of the board are deemed to be available for public inspection and copying, except as otherwise provided by RCW 42.17.260 and 42.17.310, as now or may hereafter be amended, and by WAC 133-20-090.

#### NEW SECTION

✓ WAC 133-20-040 PUBLIC RECORDS OFFICER. The board's vice chairman shall be the public records officer for the board. The public records officer shall be responsible for implementation of the board's rules and regulations regarding inspection and copying of public records, and for insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

#### NEW SECTION

✓ WAC 133-20-050 RECORDS INDEX. The board will make available to any person upon request a current index which provides identifying information as to the following records:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statutes and regulations which have been adopted by the board;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests,



studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the board relating to any regulatory, supervisory or enforcement responsibilities of the board, whereby the board determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection and copying.

#### NEW SECTION

✓ WAC 133-20-060 OFFICE HOURS. Public records shall be available for inspection and copying during the department's normal office hours. For purposes of this chapter, normal office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

#### NEW SECTION

✓ WAC 133-20-070 REQUESTS FOR PUBLIC RECORDS. In accordance with the requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, and to protect public records from damage or disorganization, and to prevent excessive interference with essential functions of the board, public records may be inspected or copied, or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the board which shall be available at the board's offices, or by writing or calling the board. The form shall be presented or mailed to the public records officer, or to any member of the board's staff, if the public records officer is not available, at the board's offices during normal office hours. The request shall include the following information:

(a) the name, address, and organization represented, if any, of the person requesting the record;

(b) the calendar date on which the request was made, and, when presented in person, the time of day;

(c) the nature of the request;

(d) if the matter requested is referred to within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) if the requested matter is not identifiable by reference to the board's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to assist the member of the public in appropriately identifying the public record requested.

#### NEW SECTION

✓ WAC 133-20-080 COPYING. No fee shall be charged for the inspection of public records. The board

may charge a fee of \$.10 per page for providing copies of public records, when copies of more than ten (10) pages are provided, and for use of the department's copy equipment. This charge is the amount necessary to reimburse the department for its actual costs incident to such copying.

#### NEW SECTION

✓ WAC 133-20-090 EXEMPTIONS. (1) The board reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 133-20-070 is exempt from disclosure under the provisions of RCW 42.17.260 and 42.17.310.

(2) Pursuant to RCW 42.17.260, the board reserves the right to delete identifying details when it makes available or publishes any public record, in any case where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records shall be accompanied by a written statement specifying the reason for the denial.

#### NEW SECTION

✓ WAC 133-20-100 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for public records may petition for prompt review of such decision by submitting a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Following receipt of a written request for review of a decision denying a request for public records, the public records officer or other authorized staff member denying the request shall refer it to the chairman of the board. The chairman shall immediately consider the matter and either affirm or reverse such denial. The request shall be returned with the final decision, within two business days following receipt of the request for review.

(3) Administrative remedies shall not be considered exhausted until the request has been returned with a decision or until the close of the second business day following the denial of inspection, whichever occurs first.

#### NEW SECTION

✓ WAC 133-20-110 PROTECTION OF PUBLIC RECORDS. In order to properly protect the public records in the custody of the board, the following guidelines shall be adhered to by any person inspecting such public records:

(1) No public records shall be removed from the offices of the board;

(2) Inspection of any public records shall be conducted in the presence of a designated board or department employee;

(3) No public records may be marked or defaced in any manner during inspection;



(4) Public records which are maintained in a file jacket, or in a chronological order, may not be dismantled except for purposes of copying and then only by a designated employee of the board or department.

(5) Access to file cabinets, shelves, vaults, etc., is restricted to board or department personnel.

NEW SECTION

WAC 133-20-120 ADOPTION OF FORM. The board hereby adopts for use by all persons requesting inspection or copying of its records, the form set out below, entitled "Request for Public Records."

In order to request copies of our public records, please complete the attached form and return it with the proper payment to the address below. We will forward to you those requested copies which are not exempt from disclosure when we receive this form. Thank you.

Return to:

Community Economic Revitalization Board  
c/o Public Records Officer  
101 General Administration Building  
Olympia, WA 98504

REQUEST FOR PUBLIC RECORDS

Date \_\_\_\_\_ Time \_\_\_\_\_ (In person requests only)

Name \_\_\_\_\_

Address \_\_\_\_\_

Description of Records

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the information obtained through this request for public records will not be used for profit making.

\_\_\_\_\_  
Signature

(FOR BOARD USE ONLY)

Number of copies \_\_\_\_\_

Number of pages \_\_\_\_\_

Per page charge \$ .10  
for in excess of  
ten (10) pages

Total charge \$ \_\_\_\_\_

CHAPTER 133-30

RULES OF PRACTICE AND PROCEDURE

WAC

133-30-010 Purpose and Scope of Rules - Adoption of Uniform Rules

133-30-020 Definitions

133-30-030 Hearings, Examinations and Investigations - Generally

- 133-30-040 Requesting Oral Hearings - Substantive Rule-Making Proceedings
- 133-30-050 Subpoenas
- 133-30-060 Petitions for Rule-Making Action
- 133-30-070 Petitions for Declaratory Rulings
- 133-30-080 Requests for Reconsideration

NEW SECTION

WAC 133-30-010 PURPOSE AND SCOPE OF RULES - ADOPTION OF UNIFORM RULES. (1) The purpose of this chapter is to adopt rules governing the formal and informal procedures prescribed or authorized by chapter 34.04 RCW (Administrative Procedures Act) before the Community Economic Revitalization Board, and to adopt rules to govern the conduct of examinations and investigations conducted pursuant to RCW 43.160.050(6).

(2) Except as otherwise modified or supplemented by the provisions in this chapter, the board hereby adopts the Uniform Procedural Rules contained in chapter 1-08 WAC, as now or may hereafter be amended, to govern its administrative practice and procedure in general, and to govern the conduct of examinations and investigations conducted pursuant to RCW 43.226.050(6). Further, the board hereby adopts the Uniform Procedural Rules for the conduct of contested cases contained in chapter 10-08 WAC, as now or may hereafter be amended, to govern the conduct of any contested cases before the board.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 133-30-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter. (1) "Board" means the Community Economic Revitalization Board.

(2) "Person" means any person, organization, corporation, state or federal agency, or any political subdivision of the State of Washington.

(3) "Contested case" means any contested case as defined in RCW 34.04.010, as now or may hereafter be amended.

(4) "Administrative law judge" means an administrative law judge appointed or contracted with and acting pursuant to the provisions of chapter 34.12 RCW.

NEW SECTION

WAC 133-30-030 HEARINGS, EXAMINATION AND INVESTIGATIONS - GENERALLY. (1) All public or oral hearings held pursuant to the provisions of chapter 34.04 RCW, pertaining to the consideration of the adoption, amendment or repeal of any rule, and any examinations or investigations conducted pursuant to RCW 43.160.050(6), will be held before the board at the regular or special meeting of the board where the matter is properly noted for consideration, unless at such meeting the board approves a continuance to a future date and time certain.

(2) All contested case hearings will be held before the board or an administrative law judge, at such date, time

and place as may appear in the notice thereof served upon the parties thereto.

(3) All hearings on petitions for declaratory rulings will be held at the regular or special meeting so indicated in any notice served upon the person requesting the ruling, when such a hearing has been granted by the board.

(4) There will be no hearings on consideration of petitions for rule-making action.

(5) All hearings conducted by or on behalf of the board will be public hearings.

NEW SECTION

WAC 133-30-040 REQUESTING ORAL HEARINGS — SUBSTANTIVE RULE-MAKING PROCEEDINGS. In the case of any substantive rule being considered for adoption, amendment or repeal by the board, an oral hearing will be held in connection with such rule-making action if requested by twenty-five persons, by a governmental agency, by the rules review committee, or by an association having not less than twenty-five members. Such request must be in writing, addressed to the board's chairman, and must be received at the board's office at least five (5) working days prior to the regular or special meeting at which the rule-making proceedings are scheduled to take place. The written request shall also specify whether the person, agency, committee or association requesting the oral hearing intends to present testimony or exhibits for the board's consideration, and if so, the estimated time required to present such testimony or exhibits.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 133-30-050 SUBPOENAS. In addition to any other applicable provisions contained in chapters 1-08 and 10-08 WAC pertaining to subpoenas, the board, or any officer thereof, or the board's assistant attorney general may issue any subpoena or subpoena duces tecum to any person in connection with any hearing, examination or investigation conducted in the exercise of the board's lawful powers.

NEW SECTION

WAC 133-30-060 PETITIONS FOR RULE-MAKING ACTION. (1) Any interested person may petition the board in writing requesting the promulgation, amendment, or repeal of any rule. The petition may be in any form, so long as it is denominated or clearly appears as such, and the following information is contained therein:

(a) Name and address of the person requesting the promulgation, amendment or repeal of the rule. If the request is being made by an agency, political subdivision, organization or corporation, the name of a designated individual for contact must be provided.

(b) Text or substance of the proposed rule or amendment, or specific reference to the appropriate rule in cases where repeal is requested.

(c) Full explanation for the requested promulgation, amendment or repeal of rules.

(2) Within thirty (30) days after submission of a petition, or at the next meeting of the board if the board does not meet within thirty (30) days, the board will formally consider the petition and shall, within thirty (30) days thereafter, either deny the petition (stating reasons for the denial) or initiate rule-making proceedings in accordance with chapter 34.04 RCW (Administrative Procedure Act).

(3) All petitions for rule-making action will be decided by the board without hearing. The person requesting the rule-making action will be notified of the board's decision in writing.

NEW SECTION

WAC 133-30-070 PETITIONS FOR DECLARATORY RULINGS. (1) Any interested person may petition the board to issue a declaratory ruling with respect to the applicability to any person, property, or state of facts of any rule or statute enforceable by the board.

(2) Petitions for declaratory rulings may be in any form, as long as they are in writing, are denominated as a petition for declaratory ruling or clearly appear to be such, and contain the following information:

(a) Name and address of the person requesting the declaratory ruling. If the request is being made by an agency, political subdivision, organization or corporation, the name of a designated contact person must also be provided.

(b) Specific reference to the rule or statutory provision upon which the declaratory ruling is sought, and the name and/or position of the person or persons, precise description of the property and/or complete state of facts to which the rule or statutory provision allegedly applies.

(c) Concise statement of the position the requesting party advocates with respect to the declaratory ruling sought, if any, and supporting reasons therefor.

(3) The board may, in its discretion, decide whether or not to issue any requested declaratory ruling, and, if a declaratory ruling is to be issued, whether a hearing will be held thereon, and further, whether any declaratory ruling will be stated to be binding on the person requesting the ruling.

(4) The person requesting a declaratory ruling will be notified in writing of any decision or ruling of the board in relation thereto. If the requesting party is served with written notice that a hearing has been granted, the party will be directed to appear and present oral argument at the hearing. The board may also direct the submission of additional materials or written briefs for its consideration at or prior to the hearing.

**Reviser's note:** Errors of punctuation or spelling in the above caption occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 133-30-080 REQUESTS FOR RECONSIDERATION. Any person who is aggrieved by any

decision or ruling of the board affecting such person, within fifteen (15) days after the notification of the board's decision or ruling, may petition the board in writing to reconsider its decision or ruling. Requests for reconsideration may be in any form, so long as they are denominated or clearly appear as such, and the following information is contained therein:

(a) Name and address of the person requesting the reconsideration. If the request is being made by an agency, political subdivision, organization or corporation, the name of a designated contact person must be provided.

(b) Specific reference to the decision or ruling of the board, or portion(s) thereof, for which reconsideration is sought.

(c) Full explanation of the reason for the requested reconsideration.

CHAPTER 133-40

PUBLIC FACILITY LOANS AND GRANTS

WAC

133-40-010	Purpose
133-40-020	Definitions
133-40-030	Loan and Grant Applications
133-40-040	Board Deliberations
133-40-050	Loan or Grant Contracts — Terms
133-40-060	Requests for Reconsideration

NEW SECTION

✓WAC 133-40-010 PURPOSE. (1) Pursuant to authority derived from chapter 40, Laws of 1982 1st ex. sess. and chapter 43.160 RCW, the Community Economic Revitalization Board may, in its discretion, make direct loans to political subdivisions of the State of Washington for the purposes of assisting the political subdivisions in financing the cost of public facilities, when such facilities will serve to improve opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment. The board may also make grants for such purposes, when every feasible effort has been made by the board to provide loans and loans are not possible, and when the board finds that unique circumstances exist which require making a grant.

(2) The purpose of this chapter is to prescribe the form and manner in which political subdivisions may make application to the board for financial assistance, and to provide for the consideration and disposition of such applications.

NEW SECTION

✓WAC 133-40-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter. (1) "Board" means the Community Economic Revitalization Board.

(2) "Public facility" or "facility" means any facility for public purposes financed in whole or in part by any

political subdivision of the State of Washington, including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities, or water distribution and purification facilities.

(3) "Public facility costs" means any direct or indirect cost incurred or to be incurred by a political subdivision in financing any public facility, including the cost of acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities.

(4) "Responsible official" means the senior ranking elected official of the political subdivision making application to the board for financial assistance hereunder, and/or any other person so designated in the resolution of the political subdivision authorizing or approving submittal of the application.

NEW SECTION

✓WAC 133-40-030 LOAN AND GRANT APPLICATIONS. (1) Applications for loans and/or grants to assist in financing public facility costs may be made by any political subdivision of the State of Washington.

(2) Applications shall be submitted to the board in writing, on such forms as may be prescribed by and obtained from the board, and shall contain the following information:

(a) Name and address of the political subdivision making the application for financial assistance.

(b) Complete description of the public facility for which financing assistance is sought.

(c) A full and detailed assessment of how the facility or project will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment.

(d) Specific amount and description of the public facility costs for which the loan and/or grant application is being made.

(e) If application is being made for a loan, the applicant's proposed repayment schedule.

(f) If application is being made for a grant in addition to or in lieu of a loan, a complete explanation as to why the applicant feels a loan would not be feasible and the supporting reasons or circumstances therefor.

(3) Any application for financial assistance submitted to the board shall be signed and verified by a responsible official. Such official shall also provide the board with any additional materials or information in support of the application which the board or its staff may request, either prior to or at the board's deliberations on the application.

NEW SECTION

✓WAC 133-40-040 BOARD DELIBERATIONS.

(1) The board will consider and approve, in whole or in part, or disapprove, all applications for loans or grants at such regular or special meetings of the board as it may determine, and the applicant will be notified accordingly. A responsible official of the applicant political subdivision shall be present during all board deliberations on the application, and shall provide all information

regarding the public facility or application for financial assistance which the board may request.

(2) Applicants will be formally notified in writing regarding any board decision on whether or not to authorize a public facility loan or grant.

NEW SECTION

WAC 133-40-050 LOAN AND GRANT CONTRACTS — TERMS. (1) If a public facility loan or grant is authorized by the board, the funds will be disbursed to the applicant political subdivision pursuant to a contract therefor, which will be offered to the political subdivision upon such reasonable terms and conditions as the board may determine; PROVIDED, That the interest rate for loans shall not exceed ten percent per annum; PROVIDED FURTHER, That loans shall not exceed twenty years in duration.

(2) Public facility loan and/or grant contracts offered to political subdivisions shall be executed by the political subdivision and the original thereof returned to the board prior to the disbursal of any funds thereunder.

NEW SECTION

WAC 133-40-060 REQUESTS FOR RECONSIDERATION. (1) Any political subdivision whose governing body takes exception to the terms and conditions of the public facility loan and/or grant contract offered by the board upon authorization of such loan and/or grant may request the board in writing to reconsider, amend or modify its offer. Any such request shall propose specific amendments or modifications, and shall fully substantiate the reasons therefor.

(2) Any political subdivision whose application for financial assistance was denied in whole or in part by the board, within 15 days of notification thereof may petition the board in writing to reconsider its decision. Such requests for reconsideration shall only be submitted with new or additional information in support of the application not available to the board during its initial deliberations.

CHAPTER 133-50

COMPLIANCE WITH STATE ENVIRONMENTAL POLICY ACT

WAC

133-50-010	Purpose
133-50-020	Statement

NEW SECTION

WAC 133-50-010 PURPOSE. The purpose of this chapter is to comply with RCW 43.21C.120, which requires all agencies of government in the State of Washington, consistent with the rules and guidelines adopted under RCW 43.21C.110, to adopt rules pertaining to the integration of policies and procedures of the state environmental policy act of 1971, into the various programs under their jurisdiction for implementation.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 133-50-020 STATEMENT. Pursuant to WAC 197-10-800, the Community Economic Revitalization Board has reviewed its authorized activities and has found them all to be exempt under the provisions of chapter 197-10 WAC.

WSR 83-10-042

ADOPTED RULES

DEPARTMENT OF CORRECTIONS

[Order 83-05—Filed May 2, 1983]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington 98504, the annexed rules concerning work/training release, termination hearings, amending WAC 137-56-250.

All correspondence regarding this rule should be directed to:

John J. Sinclair, Administrator  
Office of Contracts and Regulations  
Division of Management and Budget  
Mailstop FN-61  
Scan 234-5770

This action is taken pursuant to Notice No. WSR 83-07-049 filed with the code reviser on March 18, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 72.65.250 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 29, 1983.

By Amos E. Reed  
Secretary

AMENDATORY SECTION (Amending Order 82-06, filed 4/5/82)

WAC 137-56-250 TERMINATION HEARING—APPEAL. The inmate or resident may appeal the decision of the facility review committee to the community residential programs administrator. Appeal requests must be in writing, must be specific and based on objection to the procedures used or the information available to the committee in making its decision. Appeals must be submitted within five working days of the committee's oral decision. The community residential programs administrator, or his or her designee, upon receipt of an appeal, will review the findings and decision of the review committee and either:

(1) Continue the inmate or resident in the existing work/training release plan; or

(2) Continue the inmate or resident in a work/training release program with appropriate and specific conditions for expected future behavior or modifications in the inmate's or resident's plan; or

(3) Terminate work/training release and return the inmate or resident to an institution for other programming; or

(4) Remand the decision for additional findings or rehearing.

The reviewer's decision will be made promptly, normally not to exceed five working days, and given to the inmate or resident and committee chairman in writing.

**WSR 83-10-043**

**NOTICE OF PUBLIC MEETINGS  
WESTERN WASHINGTON UNIVERSITY**

[Memorandum—April 29, 1983]

The board of trustees of Western Washington University will hold their regular meeting on Thursday, May 5, 1983, at 1:30 p.m., in Old Main 340 on the campus of the university.

**WSR 83-10-044**

**NOTICE OF PUBLIC MEETINGS  
WHATCOM COMMUNITY COLLEGE**

[Memorandum—April 29, 1983]

The council of representative of the associated students of Whatcom Community College, District Number Twenty-One, will hold a special meeting to discuss services and activities fees at the following time and place: May 2, 3, 4, 1983, 11:30 a.m., Student Lounge, Marine Drive, Whatcom Community College, 747 Marine Drive, Bellingham, WA 98225; and May 6, 1983, 9:30 a.m., Room 1, Marine Drive, Whatcom Community College, 747 Marine Drive, Bellingham, WA 98225.

**WSR 83-10-045**

**WITHDRAWAL OF PROPOSED RULES  
LIQUOR CONTROL BOARD**

[Filed May 2, 1983]

The board's Notice of Intention to Adopt, Amend, or Repeal Rules dated February 23, 1983, and bearing Notice No. WSR 83-06-027, is hereby withdrawn.

It is the board's intention to file a new Notice of Intention to Adopt, Amend, or Repeal WAC 314-12-125.

L. H. Pedersen  
Board Member

**WSR 83-10-046**

**WITHDRAWAL OF PROPOSED RULES  
LIQUOR CONTROL BOARD**

[Filed May 2, 1983]

The board's Notice of Intention to Adopt, Amend, or Repeal Rules dated March 23, 1983, and bearing Notice No. WSR 83-07-066, is hereby withdrawn.

It is the board's intention to file a new Notice of Intention to Adopt, Amend, or Repeal WAC 314-16-196.

L. H. Pedersen  
Board Member

**WSR 83-10-047**

**PROPOSED RULES  
DEPARTMENT OF PERSONNEL  
(Personnel Board)**

[Filed May 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

- Amd WAC 356-18-060 Paid sick leave—Use.
- Amd WAC 356-34-020 Reduction in salary—Demotion—Procedure.
- Amd WAC 356-34-030 Suspension—Duration—Procedure.
- Amd WAC 356-34-040 Dismissal—Procedure.
- Amd WAC 356-34-060 Unauthorized absence—Presumption of abandonment—Procedure;

that the agency will at 10:00 a.m., Thursday, June 9, 1983, in the Board Hearing Room, Department of Personnel, 600 South Franklin, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 7, 1983.

Dated: April 29, 1983  
By: Leonard Nord  
Secretary

**STATEMENT OF PURPOSE**

Amend WAC 356-18-060.

Title: Paid sick leave—Use.

Purpose: Defines illness and/or injury and stipulates allowable usage of accumulated sick leave.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Provides for employees who were originally scheduled to work on a holiday to take sick leave for personal illness or injury or for illness or injury of a member of the household or relative. Provides parity to similar eligibility already provided under the rule to other situations.

Responsibility for Drafting: Bill B. Turney, Department of Personnel, 600 South Franklin, MS: FE-11,

Olympia, WA 98504, phone: 753-7125; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-34-020.

Title: Reduction in salary—Demotion—Procedure.

Purpose: Outlines the procedure agencies must follow when taking a disciplinary action to demote or reduce the salary of a permanent employee. A portion of this rule requires that agencies provide a copy of the demotion/reduction in salary letter to the director of the Department of Personnel.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Agencies would be required to send a copy of the disciplinary letter to the Personnel Appeals Board instead of the Director of Personnel. The establishment of the Personnel Appeals Board removed the Department of Personnel's involvement in scheduling disciplinary appeals. Since this task has shifted to the Personnel Appeals Board, copies of disciplinary letters should be routed to that agency.

Amend WAC 356-34-030.

Title: Suspension—Duration—Procedure.

Purpose: Outlines the procedure agencies must follow when taking a disciplinary action to suspend a permanent employee without pay. A portion of this rule requires that agencies provide a copy of the suspension letter to the director of the Department of Personnel.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Agencies would be required to send a copy of the disciplinary letter to the Personnel Appeals Board instead of the Director of Personnel. The establishment of the Personnel Appeals Board removed the Department of Personnel's involvement in scheduling disciplinary appeals. Since this task has shifted to the Personnel Appeals Board, copies of disciplinary letters should be routed to that agency.

Amend WAC 356-34-040.

Title: Dismissal—Procedure.

Purpose: Outlines the procedure agencies must follow when taking a disciplinary action to dismiss a permanent employee. A portion of this rule requires that agencies provide a copy of the dismissal letter to the director of the Department of Personnel.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Agencies would be required to send a copy of the disciplinary letter to the Personnel Appeals Board instead of the Director of Personnel. The establishment of the Personnel Appeals Board removed the Department of Personnel's involvement in scheduling disciplinary appeals. Since this task has shifted to the Personnel Appeals Board, copies of disciplinary letters should be routed to that agency.

Amend WAC 356-34-060.

Title: Unauthorized absence—Presumption of abandonment—Procedure.

Purpose: Outlines the procedure agencies must follow when dismissing an employee for abandonment of position. A portion of this rule requires that agencies provide

a copy of the dismissal letter to the director of the Department of Personnel.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Agencies would be required to send a copy of dismissal for abandonment letters to the Personnel Appeals Board instead of the Director of Personnel. The establishment of the Personnel Appeals Board removed the Department of Personnel's involvement in scheduling abandonment appeals. Since this task has shifted to the Personnel Appeals Board, copies of dismissal for abandonment letters should be routed to that agency.

Responsibility for Drafting: Roger Sanford, Department of Personnel, 600 South Franklin, MS FE-11, Olympia, WA 98504, phone: 753-5928; Implementation: Department of Personnel; and Enforcement: Personnel Appeals Board.

Proposed by: Department of Transportation, governmental agency.

#### AMENDATORY SECTION (Amending Order 175, filed 9/22/82)

WAC 356-18-060 PAID SICK LEAVE—USE. (1) Personal illness: Accumulated sick leave shall be granted when an employee is required to be absent from work for any of the following reasons:

- (a) Illness or injury of the employee or for preventative health care.
  - (b) Exposure of the employee to contagious disease when attendance at work would jeopardize the health of others.
  - (c) Disability of the employee due to pregnancy or childbirth.
- (2) Illness of relatives or household members: Accumulated sick leave shall be granted up to five days for each occurrence or as extended by the agency when an employee is required to be absent from work for any of the following reasons:

(a) Illness, injury or preventative health care of members of the employee's household or relatives of the employee that requires the employee's attendance.

(b) For purposes of provisions of (2), "relatives" shall include:

- (1) Spouse.
- (2) Son, daughter, grandchild, or foster child.
- (3) Grandparent or parent.

(c) For purposes of the provisions of (2) and (3)(a) below:

Members of household means "persons who reside in same home, who have reciprocal and natural and/or moral duties to and do provide support for one another. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune."

(3) Bereavement: Accumulated sick leave shall be granted up to three days for each occurrence or as extended by the agency for reasons of travel when an employee is required to be absent from work for any of the following reasons:

(a) Death of members of the employee's household or relatives of the employee or the employee's spouse.

(b) For purposes of the provisions of (3), "relatives" shall include:

- (1) Spouse.
- (2) Son, daughter, grandchild, foster child, son-in-law, or daughter-in-law.
- (3) Grandparent, parent, brother, sister, niece, nephew, aunt, uncle, first cousin, brother-in-law, or sister-in-law.

(4) Inability of employee to report for scheduled work because of severe inclement weather. (Such use of sick leave shall be limited to three days in any calendar year and shall be used only as specified in WAC 356-18-115.)

(5) In addition to the reasons listed above, emergency care of a child in the custody of and residing in the home of an employee. (Such use of sick leave shall normally be limited to a maximum of one day per incident, and to three days in any calendar year, unless extended by the appointing authority, and shall be used only as specified in WAC 356-18-116.)

(6) When a condition listed under (1) (a) or (c) above arises while the employee is on vacation leave, the employee shall be granted accrued sick leave as provided above for the condition (in lieu of the approved vacation leave) provided that the employee requests such sick

leave within fourteen days after return to work. Such conversion rights shall not extend to vacation leave taken prior to an employee's separation as provided in WAC 356-18-100(2).

(7) If an employee who is scheduled to work on a holiday needs to be absent because of personal illness or injury or the illness or injury of a member of the employee's household or a relative, as defined in subsection (2) (b) and (c), of this section, the employee may take sick leave for that day or use the holiday. If the employee takes sick leave he or she may take a day off within the next thirty days as a substitute for the holiday. Whichever option the employee chooses, the nonworking time shall be compensated at straight time.

**AMENDATORY SECTION** (Amending Order 89, filed 6/30/76, effective 7/31/76)

**WAC 356-34-020 REDUCTION IN SALARY—DEMOTION—PROCEDURE.** Appointing authorities may reduce the salary of a permanent employee within the range or may demote an employee to a position at a lesser pay range, in lieu of dismissal for cause, as specified in these rules. The specified charges for either of these actions shall be furnished in writing to the employee and a copy filed with the ((director)) personnel appeals board at least 15 calendar days prior to the effective date of the action. The employee must meet the minimum qualifications for the class to which being demoted.

**AMENDATORY SECTION** (Amending Order 89, filed 6/30/76, effective 7/31/76)

**WAC 356-34-030 SUSPENSION—DURATION—PROCEDURE.** Appointing authorities may suspend a permanent employee without pay for cause as specified in these rules for a period not exceeding 15 calendar days as a single penalty; or for a total of 30 calendar days in any calendar year as an accumulation of several penalties. The specified charges and duration of the action shall be furnished in writing to the employee with a copy submitted to the ((director)) personnel appeals board not later than one calendar day after the suspension becomes effective. Notice to the employee shall be made in the manner described in these rules. No qualifying time or seniority shall be denied for any period of suspension.

**AMENDATORY SECTION** (Amending Order 102, filed 5/13/77)

**WAC 356-34-040 DISMISSAL—PROCEDURE.** (1) Appointing authorities may dismiss a permanent employee for cause as specified in these rules. The employee shall be furnished with the specified charges in writing at least 15 calendar days prior to the effective date of the action.

(2) The notification shall be furnished directly to the employee during working hours or if this is not possible because the employee works in a branch office or remote location or is absent on a regularly scheduled working day, mailed by certified letter to the employee's last known address. A copy of the specified charges shall be submitted to the ((director)) personnel appeals board at the same time.

**AMENDATORY SECTION** (Amending Order 36, filed 7/1/71, effective 8/1/71)

**WAC 356-34-060 UNAUTHORIZED ABSENCE—PRESUMPTION OF ABANDONMENT—PROCEDURE.** An employee who is absent from his position for three consecutive working days without notice to the appointing authority may be presumed to have abandoned his position. Notice of dismissal upon the grounds of abandonment of position shall be sent by certified mail to the last known address of the employee within seven calendar days after the three consecutive days of absence with a copy submitted to the ((director)) personnel appeals board within one calendar day of the action. The dismissal may be made effective one day after mailing of the notice.

**WSR 83-10-048**  
**NOTICE OF PUBLIC MEETINGS**  
**INTERAGENCY COMMITTEE FOR**  
**OUTDOOR RECREATION**

[Memorandum—May 2, 1983]

The June 9-10, 1983, special meeting of the Interagency Committee for Outdoor Recreation will be held in the Lacey City Hall, Council Chambers, 420 College Street South East, Lacey, Washington, beginning at 9:00 a.m. both days. The Friday, June 10 date is held in reserve should it be necessary to extend discussion of agenda items.

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided at this special IAC meeting if necessary. A request for this type of service, however, must be received by the IAC ten days before the meeting (May 30, 1983). Please contact: Robert L. Wilder, Director, 4800 Capitol Blvd., KP-11, Olympia, Washington 98504, (206) 753-3510. The meeting site is barrier free.

**WSR 83-10-049**  
**WAIVER OF RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 83-001—Filed May 3, 1983]

**IN AND BEFORE THE DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

In the matter of the  
 General Assistance  
 Pilot Project Waiver

Order # 83-001  
 Pursuant to  
 RCW 74.08.390

Comes now Alan J. Gibbs, Secretary of the Department of Social and Health Services, pursuant to RCW 74.08.390, to order a pilot project in the Spokane East, Rainier and Pierce South Community Services Offices (CSOs) from June 1, 1983 through December 31, 1983 to test newly developed medical criteria and the method for evaluating the medical evidence received, for use in determining incapacity in the General Assistance (GAU) program.

During the pilot project, the rules in WAC 388-37, concerning acceptable medical evidence and the method of evaluating this evidence are waived in these three CSOs and the new medical criteria and evaluation process which have been developed will be substituted. These new procedures are in accordance with the basic purposes, coverage and benefits currently provided by the GAU program.

The purpose of the pilot is to improve overall administration of the GAU program and benefit clients by:

Providing guidelines for making consistent incapacity determinations, based on standardized medical, durational and vocational criteria;

- Reducing staff time involved in the decision-making process, without increasing overall process time;
- Clarifying the department's authority for making the final determination on incapacity; and
- Facilitating gathering of management information to assist in making GAU program decisions.

Alan J. Gibbs  
Secretary

**WSR 83-10-050**  
**PROPOSED RULES**  
**COMMITTEE FOR**  
**DEFERRED COMPENSATION**  
[Filed May 3, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Committee for Deferred Compensation intends to adopt, amend, or repeal rules concerning new sections WAC 154-04-035, 154-04-075, 154-12-015, 154-12-105, amending WAC 154-04-010, 154-04-040, 154-04-050, 154-04-070, 154-04-090, 154-04-100, 154-12-010, 154-12-020, 154-12-030, 154-12-090, 154-12-100, 154-12-110, 154-16-010, 154-16-020, 154-20-010, 154-20-020, 154-48-010 and 154-68-020;

that the agency will at 9:00 a.m., Friday, June 10, 1983, in the Department of Transportation Material Lab Building, Tumwater, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 41.04 RCW.

The specific statute these rules are intended to implement is RCW 41.04.260.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 7, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-09-021 filed with the code reviser's office on April 14, 1983.

Dated: May 3, 1983  
By: C. H. Shay  
Analyst

**WSR 83-10-051**  
**EMERGENCY RULES**  
**DEPARTMENT OF LICENSING**  
[Order DOL 717—Filed May 3, 1983]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to adding new

chapter 308-90 WAC, Vessel dealer registration, adopting new sections WAC 308-90-010, 308-90-020, 308-90-030, 308-90-040, 308-90-050, 308-90-060, 308-90-070, 308-90-080, 308-90-090, 308-90-100 and 308-90-110.

I, John Gonzalez, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is implementation of chapter 7, Laws of 1983 must begin immediately because this legislation requires vessels to be registered by June 30, 1983.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 7, Laws of 1983 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 3, 1983.  
By John Gonzalez  
Director

**CHAPTER 308-90**  
**VESSEL DEALER REGISTRATION**

WAC	
308-90-010	PROMULGATION AUTHORITY
308-90-020	ORGANIZATION
308-90-030	DEFINITIONS
308-90-040	DEALER REGISTRATION APPLI- CATION FORM
308-90-050	BRANCH LOCATION - SEPA- RATE REGISTRATION
308-90-060	DISPLAY OF REGISTRATION
308-90-070	DEALER REGISTRATION NUMBERS
308-90-080	REGISTRATION FEE - RENEWAL
308-90-090	CHANGE OF BUSINESS LOCATION
308-90-100	TERMINATION OF BUSINESS
308-90-110	STATEMENT OF CHANGE IN BUSINESS STRUCTURE, OWN- ERSHIP INTEREST OR CONTROL

NEW SECTION

WAC 308-90-010 PROMULGATION AU-  
THORITY. The director, department of licensing, state  
of Washington, pursuant to the authority vested in the  
director by chapter 7, Laws of 1983, does hereby pro-  
mulgate the following rules and regulations relating to  
the registration of each dealer of vessels.



NEW SECTION

**WAC 308-90-020 ORGANIZATION.** The dealer/manufacture control division of the vehicle services administration of the department of licensing administers the dealer of vessel registration, chapter 7, Laws of 1983.

The principal location of the dealer/manufacture control division is on the the first floor, highways-licenses building, 12th and franklin street, Olympia, Washington 98504. Additional offices are maintained at the following locations which are open to the public from 8 a.m. to 10 a.m. weekdays or by appointment:

CITY	ADDRESS
Kennewick WA 99336	2500 West Kennewick Avenue
Seattle WA 98103	320 North 85th Street
Spokane WA 99205	528 West Indiana
Tacoma WA 98405	6442 Yakima Avenue South
Vancouver WA 98664	3320 East 4th Plain
Yakima WA 98902	2113 West Lincoln

NEW SECTION

**WAC 308-90-030 DEFINITIONS.** (1) Words and terms used in these rules have the same meaning as each has under chapter 7, Laws of 1983 unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicate that they be given some other meaning.

(2) "Person" includes every natural person, firm, co-partnership, corporation, association or organization.

(3) "Branch location" means any place of business of a dealer which is physically and geographically separated from the principal place of business and has the appearance of being a separate business.

(4) "Wholesale" as used in chapter 7, Laws of 1983 and this chapter means the sale of a vessel from one dealer to another dealer and does not include the sale of vessels by a manufacturer to a dealer, the United States, any state or foreign government or any municipality or political subdivision thereof.

(5) "Manufacturer" means any person who manufactures or assembles new vessels.

NEW SECTION

**WAC 308-90-040 DEALER REGISTRATION APPLICATION FORM.** (1) Any person making application for registration for a dealer under chapter 7, Laws of 1983 shall, on a form provided by the director, provide the following information:

(a) The name, business name and principal place of business of the applicant.

(b) The name and resident address of all owners of ten percent or more of the assets of the firm.

(c) The name and resident address of the managing employee.

(d) The applicant's form and place of organization.

(e) That the applicant's business may be lawfully carried on in accordance with all applicable building codes, zoning and other land use regulations.

NEW SECTION

**WAC 308-90-050 BRANCH LOCATION - SEPARATE REGISTRATION.** Any branch location of the dealer shall be registered as a separate dealer under chapter 7, Laws of 1983.

NEW SECTION

**WAC 308-90-060 DISPLAY OF REGISTRATION.** The registration of a dealer shall be prominently displayed, visible to the public at the address appearing on the registration.

NEW SECTION

**WAC 308-90-070 DEALER REGISTRATION NUMBERS.** The director shall assign a registration number for each applicant registered as a dealer.

(1) The dealer's registration number shall be displayed on all vessels owned by the dealer and:

(a) Used for a business purpose of the dealer, but not for use on loaned vessels or vessels rented or leased on a regular commercial basis;

(b) Held as a demonstration or inventory vessel;

(c) Held for the purpose of testing or making repairs.

(2) Rented, loaned or leased vessels shall be registered separately and display separate registration numbers pursuant to chapter 7, Laws of 1983.

(3) The director shall issue registration number identification display cards upon which each dealer shall inscribe the registration number assigned by the director. The letters and numbers in the inscription shall be as large as possible within the space provided. Dealers may obtain as many display cards as they may reasonably require.

NEW SECTION

**WAC 308-90-080 REGISTRATION FEE - RENEWAL.** Any person desiring to be a dealer must include with the application a registration fee of twenty-five dollars. Every registration issued under the provisions of chapter 7, Laws of 1983 expires on the date one year from the date of issue which date will henceforth be the renewal date. An annual registration renewal fee in the same amount must be paid on or before each renewal date. If an application for renewal is not received by the director on or before the renewal date the registration is expired. The registration may be reinstated at any time within the next succeeding thirty days upon payment of the annual renewal fee then in default. Registrations not renewed within thirty days of the renewal date then in default shall be cancelled. A new registration may be obtained by satisfying the procedures and qualifications for initial registration.

NEW SECTION

**WAC 308-90-090 CHANGE OF BUSINESS LOCATION.** The dealer shall notify the director of any change of business location or mailing address prior to engaging in business at the new location. Notification shall be made by filing a change of address application on a form provided by the director accompanied by the

return of the registration issued to the former location or address.

#### NEW SECTION

**WAC 308-90-100 TERMINATION OF BUSINESS.** The registration shall be retained at all times by the dealer. When the dealer ceases to do business in the name or at the location set forth on the registration the dealer shall immediately notify the director of the termination and return the registration.

#### NEW SECTION

**WAC 308-90-110 STATEMENT OF CHANGE IN BUSINESS STRUCTURE, OWNERSHIP INTEREST OR CONTROL.** Any person, firm, association, corporation or trust registered as a dealer must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change effected in its business structure or the change in ownership interest. In addition, persons newly assuming executive or control functions, including but not limited to new corporate officers, directors, majority stockholders, managing partners, managing employee or trustees, must file within ten days of assuming such function.

**WSR 83-10-052**  
**ADOPTED RULES**  
**DEPARTMENT OF LICENSING**  
**(Optometry Board)**  
[Order PL 433—Filed May 3, 1983]

Be it resolved by the Washington State Optometry Board, acting at Seattle, Washington, that it does adopt the annexed rules relating to the amending of WAC 308-53-080 and 308-53-085.

This action is taken pursuant to Notice No. WSR 83-06-073 filed with the code reviser on March 2, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.54.070(5) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 11, 1983.

By R. T. Graham  
Chairman of Board

#### AMENDATORY SECTION (Amending Order PL 399, filed 6/2/82)

✓ **WAC 308-53-080 EXAMINATION SUBJECTS.** Every qualified applicant for a license as an optometrist shall successfully pass an examination. The Board may

choose to include, but need not be limited, to the following subjects: contact lenses; Washington State law/social, legal, economic and ethics of optometry; perimetry; pathology; visual training/optometric theory and methods; ocular anatomy and physiology; (~~optometric theory and methods, social, legal, economic and ethics of optometry~~;) ocular pharmacology; lensometry; retinoscopy; biomicroscopy slit lamp; tonometry; radiuscope; and oral interview and case history.

Every applicant will take a written examination section on contact lenses(;;); Washington State law/social, legal, economics and ethics of optometry; perimetry; ((and)) pathology slides(;;); ((Applicants not having satisfactorily passed the National Board of Examiners in Optometry examination will also take a written examination section on)) visual training/theory and methods of optometry(;;); ocular anatomy and physiology (~~theory and methods of optometry, social, legal, economics and ethics of optometry~~);; ocular pathology and ocular pharmacology.

Every applicant will take a practical examination section on lensometry, retinoscopy, biomicroscopy slit lamp, tonometry and radiuscope. Every applicant will take a practical oral interview and case history section.

Reviser's note: RCW 34.04.058 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 herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order PL 399, filed 6/2/82)

✓ **WAC 308-53-085 GRADING EXAMINATIONS.** To successfully pass the examination(;;) an applicant ((whom has satisfactorily passed the National Board of Examiners in Optometry examination)) must obtain the following:

((1) Pass at least two (2) of the following subjects on the written section with a score of at least sixty percent (60%), ~~contact lenses, perimetry, pathology slides. Washington State law does not require a minimum passing score but that score will be included in calculating a total average score; and~~)

((2)) (1) Pass the practical examination section with at least a seventy-five percent (75%) average score; and

((3)) (2) Pass the practical oral interview and case history section with at least a seventy-five percent (75%) score; and

((4)) (3) Obtain a total average score of at least seventy-five percent (75%).

((An applicant who has not satisfactorily passed the National Board of Examiners in Optometry examination must obtain the following:

(1) Pass at least six (6) of the following subjects on the written section with a score of at least sixty percent (60%): contact lenses, perimetry, pathology slides, visual training, ocular anatomy and physiology, theory and methods of optometry, ocular pathology and ocular pharmacology. Washington State law and social, legal,

~~economic and ethics of optometry do not require a minimum passing score but these scores will be included in calculating a total average score; and~~

~~(2) Pass the practical examination section with at least a seventy-five percent (75%) average score; and~~

~~(3) Pass the practical oral interview and case history section with at least a seventy-five percent (75%) score; and~~

~~(4) Obtain a total average score of at least seventy percent (70%);)~~

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 83-10-053**  
**PROPOSED RULES**  
**PARKS AND RECREATION**  
**COMMISSION**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning snowmobile grants and contracts, chapter 352-48 WAC;

that the agency will at 9:00 a.m., Thursday, June 16, 1983, in the Chapel - Building #24, Fort Worden State Park, Port Townsend, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 46.10.210.

The specific statute these rules are intended to implement is RCW 46.10.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 13, 1983.

Dated: May 3, 1983  
 By: Gary Robinson  
 Executive Assistant

**STATEMENT OF PURPOSE**

Title: Snowmobile account grants and contracts, chapter 352-48 WAC.

Description of Purpose: The rules clarify procedures by which the Washington State Parks and Recreation Commission will administer grants and contracts supported by snowmobile account funds in accordance with chapter 46.10 RCW and revise the priorities by which the funds will be disbursed.

Statutory Authority: RCW 46.10.210.

Summary of Rule: The provisions of chapter 352-48 WAC on snowmobile accounts grants and contracts are clarified and the funding priorities set forth in WAC 352-48-060 are revised in order to emphasize the operation and maintenance of major trailgrooming equipment.

Reasons Supporting Proposed Action: The rules provide applicants for snowmobile account funds with clarified procedures by which the Washington State Parks

and Recreation Commission will administer the funds and a revised list of funding priorities which emphasize support for the major trailgrooming projects which benefit most users.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dennis Smith, Assistant Director, Administrative Services, Washington State Parks and Recreation, 7150 Cleanwater Lane, Olympia, WA 98504, (206) 753-5766.

Proposing: Washington State Parks and Recreation Commission.

Agency Comments: [No information supplied by agency]

Federal Law/Court Action: The rules referenced above are not necessary because of federal law or state court action.

Chapter 352-48 WAC  
**SNOWMOBILE ACCOUNT GRANTS AND CONTRACTS**

WAC

352-48-010	Purpose.
352-48-020	Definitions.
352-48-030	Snowmobile programs.
352-48-040	Eligibility.
352-48-050	Application process.
352-48-060	Funding priorities.
352-48-070	Disbursement of funds.
352-48-080	Accountability.

AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-010 PURPOSE. This chapter is promulgated in order to establish ~~((regulations for))~~ procedures by which the Washington state parks and recreation commission ~~((in administering))~~ will administer grants ~~((to public agencies from funds deposited in the))~~ and contracts supported by snowmobile account ~~((created by))~~ funds in accordance with chapter 46.10 RCW.

AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-020 DEFINITIONS. ~~((As))~~ When used in this chapter the following words and phrases ~~((in this section))~~ shall have the ~~((designated))~~ meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise(~~(:)~~):

(1) "Snowmobile" ~~((shall))~~ means any self-propelled vehicle capable of traveling over snow or ice, which utilizes as its means of propulsion an endless belt tread, or cleats, or any combination of these or other similar means of contact with the surface upon which it is operated, and which is steered wholly or in part by skis or sled type runners, and which is not otherwise registered as, or subject to the motor vehicle excise tax in the state of Washington.

(2) "Snowmobile use area" ~~((shall))~~ means an area described by boundary and acreage in which snowmobile use is ~~((specifically))~~ authorized ~~((and is described by a boundary and acreage))~~.

(3) "Snowmobile trail" means a corridor described by location and length which is designated for snowmobile travel ~~((to and from specific locations and is described by location and length))~~.

(4) "Snowmobile funds" means ~~((those))~~ the funds deposited in the snowmobile account ~~((to be))~~ which are administered by the Washington state parks and recreation commission pursuant to this chapter and chapter 46.10 RCW.

(5) "Commission" ~~((shall))~~ means the Washington state parks and recreation commission.

(6) "Director" means the director of the Washington state parks and recreation commission.

AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-030 SNOWMOBILE PROGRAMS. Snowmobile funds may be disbursed by the commission for snowmobile ~~((programs))~~ purposes which may include, but ~~((need))~~ not ~~((necessarity))~~ be limited to, the administration, acquisition, development, operation, and maintenance of snowmobile facilities, such as snowmobile trails,

snowmobile use areas, parking areas, sanitary facilities, and ~~((the purchase of))~~ equipment ~~((necessary to maintain such facilities. Snowmobile funds may also provide for))~~ and the development and implementation of snowmobile safety, enforcement, and education programs.

All ~~((such))~~ snowmobile facilities ~~((and programs))~~ which receive snowmobile funds must be open to the general public and ~~((must be consistent with the safety needs of snowmobilers and other recreationists))~~ meet all legally enforceable safety requirements.

#### AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-040 ELIGIBILITY. Any public agency ~~((in the state of Washington))~~ is eligible to receive from the commission grants of snowmobile funds ~~((grants for))~~ to support up to one hundred percent of the cost of ~~((implementing))~~ snowmobile programs ~~((by following the application process prescribed in this chapter)).~~

Any public or private agency or person is eligible to enter into contracts with the commission to receive snowmobile funds to support up to one hundred percent of the cost of snowmobile programs.

#### AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-050 APPLICATION PROCESS. In order to be considered by the commission for ~~((a grant))~~ the receipt of snowmobile funds, ~~((eligible recipients))~~ a public or private agency or person must:

(1) ~~((File, by June 30 of the year))~~ Complete an application on a form prescribed by the commission and file the application with the commission by June 1 prior to the beginning of the first snow season for which funds are requested ~~((a completed application, on a form prescribed by the commission, fully describing the snowmobile program, the estimated service area and any proposed use restrictions, and the amount and level of funding requested)).~~

(2) Obtain permission to conduct a program from all owners of the land on which a program is to occur and file documentation of such permission with the commission at the time of application for funds.

(3) Agree to:

(a) File with the commission an annual ~~((project or progress))~~ report ~~((with the commission by May 15 of each year of the project))~~ on a program for which funds are received by May 15 after the end of each snow season for which funds are received;

(b) Return, or replace in kind, to the commission any losses to ~~((the snowmobile program if, by the applicant's actions, the project is canceled or not completed in a timely manner))~~ a program for which funds are received, if due to the action of a recipient of funds, a program is not completed in a timely manner or cancelled; and

(c) Execute a ~~((project))~~ contract with the commission on a program for which funds are received and ~~((undertake))~~ fulfill all obligations ~~((set out in the project))~~ of the contract.

~~((3))~~ (4) Certify to the commission that ~~((the project))~~ any facility for which funds are received will be open to the general public.

~~((4))~~ Obtain permission from all landowners on which the project occurs and attach appropriate documentation to the snowmobile project application;)

(5) Comply with all applicable local, ~~((county,))~~ state, and federal laws ~~((and regulations)).~~

#### AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-060 FUNDING PRIORITIES. ~~((Snowmobile program funding priorities))~~ The priorities for the distribution of snowmobile funds by the commission shall be:

(1) ~~((State-wide program administration including safety education information and enforcement))~~ Administration of a state-wide snowmobile program which includes safety, education, and information programs;

(2) ~~((Equipment procurement and replacement))~~ Operation and maintenance of major trailgrooming equipment;

(3) Operation and maintenance of ~~((existing facilities including emergency reserve))~~ snowmobile trails, use areas, parking areas, and other facilities which include an emergency reserve and an enforcement program;

(4) Replacement of equipment which supports snowmobile programs;

(5) Acquisition and ~~((or))~~ development of ~~((additional))~~ new snowmobile facilities and equipment; and

(6) Support of special snowmobile programs.

#### AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-070 DISBURSEMENT OF FUNDS. ~~((Snowmobile project funding will be paid on a reimbursement basis after the successful applicant has presented a billing or voucher, as may be required by the commission, showing satisfactory evidence of compliance with the project contract. Advance payments may be approved by the director or the commission upon written request.))~~ Applicants for snowmobile funds whose requests are approved by the commission may receive funds (1) on a reimbursement basis after a billing which indicates satisfactory compliance with a contract has been filed with the commission or (2) through an advance payment upon a written request to and approval by the director.

#### AMENDATORY SECTION (Amending Order 46, filed 8/27/80)

WAC 352-48-080 ACCOUNTABILITY. ~~((+))~~ Recipients of snowmobile funds shall provide accurate accounting records to the commission for the expenditure of snowmobile funds:

(2) The commission shall have the authority to audit the use of snowmobile funds. Audits are to be in accordance with generally accepted auditing practices and standards. Recipients of snowmobile funds shall maintain accurate accounting records on the expenditure of the funds, provide the commission with these records upon request, and permit the commission to audit the use of the funds in accordance with generally accepted audit practices and standards.

### WSR 83-10-054 PROPOSED RULES PARKS AND RECREATION COMMISSION [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning winter recreational program account grants and contracts, chapter 352-56 WAC;

that the agency will at 9:00 a.m., Thursday, June 16, 1983, in the Chapel - Building #24, Fort Worden State Park, Port Townsend, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 43.51.330.

The specific statute these rules are intended to implement is RCW 43.51.310.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 13, 1983.

Dated: May 3, 1983

By: Gary Robinson

Executive Assistant

#### STATEMENT OF PURPOSE

Title: Winter recreational program account grants and contracts, chapter 352-56 WAC.

Description of Purpose: The rules establish procedures by which the Washington State Parks and Recreation Commission will administer grants and contracts supported by winter recreational program funds in accordance with chapter 43.51 RCW.

Statutory Authority: RCW 43.51.330.

**Summary of Rule:** The rules establish new chapter 352-56 WAC with six sections. The provisions of the chapter state the purpose of the rules, provide definitions for terms used in the rules, describe winter recreational programs which may be supported by winter recreational funds, describe organizations and persons eligible to receive winter recreational funds, establish an application process for winter recreational funds, establish funding priorities, establish the methods by which winter recreational funds may be disbursed and establish accountability requirements for recipients of winter recreational funds.

**Reasons Supporting Proposed Action:** The rules provide applicants for winter recreational program funds with established procedures by which the Washington State Parks and Recreation Commission will administer and allocate the funds.

**Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Dennis Smith, Assistant Director, Administrative Services, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504, (206) 753-5766.

**Proposing:** Washington State Parks and Recreation Commission.

**Federal Law/Court Action:** The rules referenced above are not necessary because of federal law or state court action.

Chapter 352-56 WAC  
WINTER RECREATIONAL PROGRAM ACCOUNT GRANTS  
AND CONTRACTS

WAC	
352-56-010	Purpose.
352-56-020	Definitions.
352-56-030	Winter recreational programs.
352-56-040	Eligibility.
352-56-050	Application process.
352-56-060	Funding priorities.
352-56-070	Disbursement of funds.
352-56-080	Accountability.

**NEW SECTION**

WAC 352-56-010 **PURPOSE.** This chapter is promulgated in order to establish procedures by which the Washington state parks and recreation commission will administer grants and contracts supported by winter recreational program funds in accordance with chapter 43.51 RCW.

**NEW SECTION**

WAC 352-56-020 **DEFINITIONS.** When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise:

- (1) "Commission" means the Washington state parks and recreation commission.
- (2) "Director" means the director of the Washington state parks and recreation commission.
- (3) "Trail" means a corridor described by location and length which is designated for nonsnowmobile winter recreational activities.
- (4) "Use area" means an area described by boundary and acreage in which nonsnowmobile winter recreational activities are authorized.
- (5) "Winter recreational" means nonsnowmobile winter recreational activities, facilities, or programs.
- (6) "Winter recreational program funds" means the funds deposited in the winter recreational program account which are administered by the Washington state parks and recreation commission pursuant to this chapter and chapter 43.51 RCW.

**NEW SECTION**

WAC 352-56-030 **WINTER RECREATIONAL PROGRAMS.** Winter recreational program funds may be disbursed by the commission for purposes which may include, but not be limited to, the administration, acquisition, development, operation, planning, and maintenance of winter recreational facilities, such as parking areas, sanitary facilities, trails, use areas, and equipment, and the development and implementation of winter recreational safety, enforcement, and education, and information programs.

All winter recreational facilities which receive winter recreational program funds must be open to the general public and meet all legally enforceable safety requirements.

**NEW SECTION**

WAC 352-56-040 **ELIGIBILITY.** Any public agency in the state of Washington is eligible to receive from the commission grants of winter recreational program funds to support up to one hundred percent of the cost of winter recreational programs.

Any public or private agency or person in the state of Washington is eligible to enter into contracts with the commission to receive winter recreational program funds to support up to one hundred percent of the cost of winter recreational programs.

**NEW SECTION**

WAC 352-56-050 **APPLICATION PROCESS.** In order to be considered by the commission for the receipt of winter recreational program funds, a public or private agency or person must:

- (1) Complete an application on a form prescribed by the commission and file the application with the commission by June 1 prior to the beginning of the first snow season for which funds are requested.
- (2) Obtain permission to conduct a program from all owners of the land on which a program is to occur and file documentation of such permission with the commission at the time of application for funds.
- (3) Agree to:
  - (a) File with the commission an annual report on a program for which funds are received by May 15 after the end of each snow season for which funds are received;
  - (b) Return, or replace in kind, to the commission any losses to a program for which funds are received, if due to the action of a recipient of funds, a program is not completed in a timely manner or cancelled; and
  - (c) Execute a contract with the commission on a program for which funds are received and fulfill all obligations of the contract.
- (4) Certify to the commission that any facility for which funds are received will be open to the general public.
- (5) Comply with all applicable local, state, and federal laws.

**NEW SECTION**

WAC 352-56-060 **FUNDING PRIORITIES.** The priorities for the distribution of winter recreational program funds by the commission shall be:

- (1) Administration of a state-wide winter recreational program which includes safety, education, and information programs;
- (2) Operation and maintenance of winter recreational parking areas designated by the commission;
- (3) Operation and maintenance of winter recreational use areas, trails, and other facilities which include an emergency reserve fund and an enforcement program;
- (4) Acquisition and replacement of equipment to support winter recreational programs;
- (5) Acquisition and development of new winter recreational facilities; and
- (6) Support of special winter recreational programs.

**NEW SECTION**

WAC 352-56-070 **DISBURSEMENT OF FUNDS.** Applicants for winter recreational program funds whose requests are approved by the commission may receive funds (1) on a reimbursement basis after a billing which indicates satisfactory compliance with a contract has been filed with the commission or (2) through an advance payment upon a written request to and approval by the director.

NEW SECTION

WAC 352-56-080 ACCOUNTABILITY. Recipients of winter recreational program funds shall maintain accurate accounting records on the expenditure of the funds, provide the commission with these records upon request, and permit the commission to audit the use of the funds in accordance with generally accepted audit practices and standards.

**WSR 83-10-055  
PROPOSED RULES  
PARKS AND RECREATION  
COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning solicitation, WAC 352-32-190 and 352-32-195;

that the agency will at 9:00 a.m., Thursday, June 16, 1983, in the Chapel - Building #24, Fort Worden State Park, Port Townsend, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 43.51.040(3) and 43.51.060(1).

The specific statute these rules are intended to implement is RCW 43.51.040(3).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 13, 1983.

Dated: May 3, 1983  
By: Gary Robinson  
Executive Assistant

**STATEMENT OF PURPOSE**

Title: Solicitation, WAC 352-32-190 and 352-32-195.

Description of Purpose: The repeal of WAC 352-32-190 and the adoption of WAC 352-32-195 clarify a previous administrative action of the Washington State Parks and Recreation Commission.

Statutory Authority: RCW 43.51.040(3) and 43.51.060(1).

Summary of Rule: The provisions of WAC 352-32-190 are repealed and adopted as WAC 352-32-195. The new rule states that persons may not engage in solicitation within a state park area except by concession or in connection with a public meeting permit issued pursuant to WAC 352-32-165.

Reasons Supporting Proposed Action: The action resolves any potential problems with the validity of the provisions of the rule on solicitation within a state park area.

Agency Personnel Responsible for Drafting: Robert C. Hargreaves, Assistant Attorney General, Washington State Parks and Recreation Commission, Room 100, Insurance Building, Olympia, WA 98504, (206) 753-2582; Implementation and Enforcement: Lynn Genasci, Assistant Director, Operations, Washington State Parks

and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504, (206) 753-5761.

Proposing: Washington State Parks and Recreation Commission.

Federal Law/Court Action: The repeal and adoption of the rules referenced above are not necessary because of federal law or state court action.

NEW SECTION

WAC 352-32-195 SOLICITATION. Except as may be otherwise allowed in connection with a permit issued under WAC 352-32-165, no person shall engage in commercial solicitation, or sell or peddle any goods, wares, merchandise, liquids, or edibles for human consumption in any state park area, except by concession granted by the commission.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 352-32-190 SOLICITATION.

**WSR 83-10-056  
PROPOSED RULES  
BOARD OF HEALTH**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning pharmacy, amending WAC 248-18-330;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Cowlitz County Courthouse, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 8, 1983.

The authority under which these rules are proposed is RCW 70.41.030.

The specific statute these rules are intended to implement is RCW 70.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

Dated: May 3, 1983  
By: John A. Beare, MD  
Secretary

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-18-330, Pharmacy.

The Purpose of Rule Change: To update and modify minimum rules and regulations pertaining to operation of pharmacy services in hospitals to reflect current, established standards of hospitalization.

The Reason These Rules are Necessary: To maintain standards of hospitalization required for safe and adequate care and treatment of patients in hospitals, in terms of current knowledge, technology, and experience.

Statutory Authority: RCW 70.41.030.

Summary of the Rule or Rule Change: Operational rules are amended to incorporate minimum requirements for safety and care of patients consistent with rules of

the Board of Pharmacy, while eliminating items considered by hospital pharmacists and DSHS staff to exceed minimum or to duplicate unnecessary survey criteria enforced by the Board of Pharmacy. DSHS onsite inspections include observation of operation of all services where management of drugs is relevant to minimum safety for patients.

Person Responsible for the Enforcement of the Rule: John Gerth, Section Head, Facility Licensing and Certification Section, OSHPD, Division of Health, Mailstop ET-31, Phone 753-5851.

Rules proposed by Facility Licensing and Certification Section, OSHPD, Division of Health, DSHS.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

The proposed rule change does not impose an additional cost of compliance and therefore no economic impact statement is required under the Regulatory Fairness Act, Laws of 1982.

#### AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-330 PHARMACY. The hospital shall provide for ~~((the proper handling and storage of drugs))~~ pharmacy services.

(1) ~~((Functions. The functions of the hospital pharmacy shall include:~~

(a) ~~Distributing routine drug supplies to hospital departments and issuing drugs on prescriptions or special orders for individual patients.~~

(b) ~~Bulk compounding of sterile and nonsterile pharmaceuticals as determined by hospital policy and regulations.~~

(c) ~~Dispensing and/or compounding drugs for home use for patients as necessary in compliance with federal, state and local laws.~~

(d) ~~Purchasing, accounting for, storing, labeling, issuing and controlling drugs.~~

(e) ~~Maintaining records on narcotics, tax free alcohol and other pharmaceuticals as are required by federal, state and local laws.~~

(f) ~~Complying with federal and state laws controlling drugs and pharmacy operation.~~

~~(2)) Organization, administration and staffing.~~

(a) ~~The hospital pharmacy shall be under the supervision of a pharmacist.~~

(b) ~~All drugs ((located)) in ((other)) all areas of the hospital shall ((also)) be under the supervision of the pharmacist ((who shall keep adequate records in accordance with WAC 248-18-330(6)(f)(g) and WAC 248-18-330(7)).~~

(c) ~~((The responsibility and authority of the pharmacist shall be clearly defined in writing by hospital authorities.~~

(d) ~~Adequate, properly trained personnel shall be available to fulfill the functions of the pharmacy.~~

(e) ~~Hospital pharmacy services shall be available often enough to provide drugs, supplies and prescriptions without undue delay.~~

(f) ~~It is recommended that) There ((should)) shall be a pharmacy and therapeutics committee or equivalent composed of representatives of the medical staff, hospital administration, ((the)) nursing ((department and the pharmacist)) service, pharmacy, and others, as appropriate. ((The pharmacist should serve as secretary of the committee)) Minutes and attendance at meetings shall be documented. This advisory committee ((should)) shall meet at least ((semiannually)) quarterly. The committee ((should)) shall:~~

(i) ~~Develop and maintain an up-to-date formulary ((of accepted drugs for use in the hospital)) or drug list;~~

(ii) ~~((Serve as an advisory group to the hospital pharmacist on matters pertaining to choice of drugs to be stocked.~~

(iii) ~~Evaluate clinical data concerning drugs requested for use in the hospital((-);~~

~~((iv)) Add to and delete from the list of drugs accepted for use in the hospital.~~

(v) ~~Prevent unnecessary duplication in the stock of the same basic drug and its preparation.~~

(vi) ~~((iii)) Make recommendations concerning drugs to be stocked ((on the nursing units and other services.)) in all areas of the hospital;~~

~~(iv) Approve written pharmacy policies and procedures related to pharmacy services.~~

~~((g)) Every hospital shall have its pharmacy policies, rules and regulations and procedures in writing. These should be developed by the pharmacy and therapeutics committee.~~

~~(3) Facilities:~~

(a) ~~An adequate area which is properly lighted and ventilated and suitably equipped to carry out all pharmacy operations, including proper storage of all pharmaceuticals, shall be provided.~~

(b) ~~A library including the current U.S. Pharmacopoeia, National Formulary, New and Nonofficial Drugs, and U.S. Dispensatory, and such other references as are needed for effective pharmacy operation, is required.~~

(c) ~~Special locked storage for narcotics and barbiturates and special additional storage for flammables shall be provided.~~

(d) ~~The pharmacy shall be arranged in an orderly fashion and be kept clean, and all mechanical equipment shall be in good repair.~~

~~(4)) (2) Purchase, storage, labeling, distribution, and control of drugs.~~

(a) ~~((The pharmacist should furnish specifications for the purchase of all pharmacy drugs, chemicals and pharmaceutical preparations even though a purchasing agent may do the actual procurement through a centralized department.~~

(b) ~~Physicians' advice should be sought through the pharmacy and therapeutics committee in setting up any standards for specifications of drugs.~~

(c) ~~Purchase, storage, and control of drugs shall be such as to prevent having outdated, deteriorated, impure or improperly standardized drugs in the hospital.~~

~~((d) Purchase of narcotics shall be in compliance with state and federal laws and regulations.))~~

~~(b) A pharmacist shall be responsible for all labeling, compounding and/or dispensing of drugs with appropriate written policies and procedures.~~

~~((c) Purchase, storage and control of tax free alcohol shall be in accordance with applicable state and federal laws and regulations.~~

(f) ~~All flammable materials shall be stored and handled in accordance with applicable local and state fire regulations.~~

(g) ~~All drug containers in the pharmacy or in other areas of the hospital shall be clearly and legibly labeled to show drug's name (generic and trade) and strength.~~

(h) ~~Poisonous external and caustic drugs shall show proper warning or poison labels and shall be stored separately from other drugs.~~

(i) ~~The pharmacist shall be completely responsible for all labeling of drugs.~~

(j) ~~(c) All ((medicines, poisons and stimulants)) drugs kept in any hospital department shall be ((plainly)) labeled ((and)), including generic and/or trade name and strength according to federal and state law, stored ((in a specially designated, well-illuminated cabinet, closet or store room)) under appropriate conditions, and made accessible only to authorized personnel.~~

(d) ~~There shall be special procedures for agents deemed hazardous by the pharmacy and therapeutics committee.~~

~~((k) The pharmacist shall regularly and periodically visit all departments of the hospital and check all drugs and pharmaceuticals as to the proper name, strength, storage condition, expiration date and warning label, and should remove at once any unlabeled or incorrectly labeled drug item. It shall be the responsibility of the pharmacist to confer with department heads regarding abnormal or erratic use of drugs and to make necessary adjustments in the approved maximum quantities of drugs issued to departments with proper approval.~~

~~(5) Bulk compounding of pharmaceuticals:~~

(a) ~~A pharmacist shall be in charge of bulk compounding of pharmaceuticals. This does not prohibit the registered nurse from making weaker aqueous solutions from concentrated solutions or preweighed units (such as tablets) which are properly labeled by the pharmacist or manufacturer with specific directions for dilution. Neither does it prohibit the registered nurse from adding prepared sterile additives to parenteral solutions as specifically directed by the physician.~~

(b) ~~All hospital pharmacies in which any compounding is done shall have proper instruments of measure available in accord with the state board of pharmacy regulations.~~

(c) ~~All drugs used in compounding shall be handled to avoid contamination through contact with measuring devices, transporting devices or weighing devices.~~

(d) ~~Sterilization of pharmaceuticals shall conform to the standards set by the U.S. Pharmacopoeia.~~



(c) All drugs compounded or manufactured in the hospital shall be carefully labeled as to strength, content and, if need be, expiration date.

(6) Distribution or issuance of drugs.

(a) The hospital shall have lists of drugs (including narcotics, barbiturates, and emergency drugs) indicating the approved maximum amounts of each drug generally to be issued to hospital departments. These lists should be developed by the pharmacy and therapeutics committee.

(b) Drugs may be given to patients in the hospital only on the order of a physician, dentist or other person legally authorized to write prescriptions. No change in order for drugs shall be made except with the approval of the physician, dentist or other person legally authorized to write prescriptions.

(c) Antidotes should be available for emergency cases involving poisoning. The stock of antidotes to be maintained should be determined by the pharmacy and therapeutics committee.

(d) A prescription is required for all legend drugs and narcotics issued to employees or to a patient for use outside the hospital.

(e) Only a pharmacist may compound and/or dispense drugs.

(f) Records of prescriptions filled by the pharmacist shall be properly filed and kept for five years.

(g) The pharmacy shall keep proper records of issue of all legend drugs.

(7) Handling of narcotics, barbiturates and tax free alcohol.

(a) Careful records shall be kept of receipt of narcotics and a perpetual inventory of narcotics shall be maintained.

(b) Adequate records of all narcotics issued shall be maintained in the pharmacy and shall contain for each issue of narcotics:

- (i) The date;
- (ii) The name of the drug;
- (iii) The amount of the drug issued;
- (iv) The name of the person who issued the drug;
- (v) The name of the department to which the drug was issued; and
- (vi) The name of the person who received the drug.

(c) Adequate records of narcotic usage shall be maintained and shall contain for each drug used:

- (i) The date;
- (ii) The time of administration;
- (iii) The dosage of the drug which was used;
- (iv) The name of the person to whom the drug was administered;
- (v) The name of the physician who ordered the drug; and
- (vi) The signature of the person who administered the drug. These records shall be submitted to the pharmacist for safekeeping.

(d) Periodic check of narcotic usage records should be made by the nursing supervisor and/or the pharmacist to determine whether the drugs recorded on usage records have also been recorded on patients' charts.

(e) Use of multiple dose vials of narcotics is not recommended as they make accounting for narcotics difficult and make substitution and dilution of narcotics possible.

(f) All narcotics in any hospital department except the pharmacy shall be checked by actual count by two persons at the change of each shift. Adequate day-to-day accountability records shall be maintained and shall contain the time each check of a narcotic supply was made and the signatures of the persons who made each check.

(g) All narcotic records shall be kept for three years.

(h) Adequate accountability records for barbiturates shall be maintained and include records of purchase, receipt, usage and inventory of barbiturates. Such records shall be kept for three years in compliance with federal food and drug law on legend drugs.)

(e) Internal and external stock drugs shall be stored separately.

(f) There shall be a method for provision of prompt pharmacy services.

(g) A pharmacist shall be responsible for developing procedures related to appropriate disposition, destruction, and disposal of drugs.

(3) Administration of drugs. Policies and procedures shall be established for administration of drugs throughout the hospital.

(a) Drugs shall be administered only upon the order of a legally authorized practitioner who has been granted clinical privileges to issue such orders. When verbal or telephone orders are issued:

(i) Authority and responsibility to accept and record verbal orders shall be designated to legally authorized individuals approved by the pharmacy and therapeutics committee or equivalent.

(ii) Inpatient orders shall be authenticated by the prescribing practitioner within forty-eight hours.

(b) Drugs shall be administered by appropriately licensed personnel and in accordance with medical staff approved hospital policy.

(c) Patient's drugs not provided by hospital pharmacy. There shall be written policy and procedures, approved by the pharmacy and therapeutics committee, for administration of such drugs. Procedures shall address the requirement for specific written orders, identification of drug, and proper storage.

(d) There shall be policy and specific written procedures, approved by the pharmacy and therapeutics committee, for self-administration of drugs.

(4) Schedule II drugs.

(a) Records shall be maintained by any area of the hospital which utilizes Schedule II drugs indicating:

- (i) Date;
- (ii) Time of administration;
- (iii) Name of the drug;
- (iv) Dosage of the drug which was used which shall include both the amount administered and any amount destroyed;
- (v) Name of the patient to whom the drug was administered; and
- (vi) Signature of the licensed individual who administered the drug.

(b) When it is necessary to destroy small amounts of a Schedule II drug following the administration of a dose by a legally authorized practitioner, the destruction shall be witnessed by a second legally authorized practitioner, who shall countersign the records of destruction. In the event that a second legally authorized practitioner is not available, procedures approved by the pharmacist shall be followed.

(c) All floor stock Schedule II drugs in any hospital area except the pharmacy shall be checked by actual count by two individuals licensed to administer drugs at the change of each shift. Adequate day-to-day accountability records shall be maintained and shall include the time each check was made with signatures of individuals who checked.

((8)) (5) Access to pharmacy. Whenever a drug is required to treat an immediate need and not available from other unit floor stock while pharmacy is closed, the drug may be obtained from pharmacy by a registered nurse who shall be designated and accountable for this action.

((a) Only a pharmacist may have access to the pharmacy stock of barbiturates and narcotics)) The director of pharmacy shall establish written policy and recording procedures to assist the designated registered nurse when a pharmacist is not present.

((b) Only a pharmacist may have access to the pharmacy stock of drugs except that in a pharmacist's absence from a hospital a registered nurse, designated by the hospital, may obtain from a hospital pharmacy stock of drugs such drugs as are needed in an emergency, not available in floor supplies (excepting narcotics and barbiturates); and the nurse, not the pharmacist, becomes accountable for her actions. Only one registered, professional nurse in any given eight-hour shift may have access to the pharmacy stock of drugs. A registered nurse is not permitted to compound or dispense drugs.

(c) A nurse may remove from the pharmacy stock of drugs:

(i) A drug in its original container or a drug prepackaged by a hospital pharmacist for nursing service use in the hospital; and

(ii) A single dose of a drug from the original container for a specific patient.

(d) A nurse shall leave in the pharmacy on a suitable form a record of any drugs removed showing:

- (i) The name of the drug;
- (ii) The name of the manufacturer;
- (iii) The dosage size;
- (iv) The amount taken;
- (v) The date;
- (vi) The time; and
- (vii) The signature of the nurse.

Further, she shall leave with the record the container from which the single dose was taken for drug administration purposes in order that it may be properly checked by a pharmacist. Such records shall be kept for three years:

(9) Responsibilities of pharmacist:

- (a) The pharmacist shall be responsible for:
  - (i) Preparing and sterilizing of injectable medication when manufactured in the hospital;
  - (ii) Issuing drugs, chemicals and pharmaceuticals;
  - (iii) Filling and labeling drug containers issued to other hospital departments;
  - (iv) Inspecting all drugs and pharmaceuticals in all hospital departments;
  - (v) Maintaining the approved stock of drugs;



~~(vi) Issuing all narcotic drugs and alcohol and maintaining a perpetual inventory of them;~~

~~(vii) Maintaining records which are required legally;~~

~~(viii) Supervising the maintenance of the facilities of the pharmacy; and~~

~~(ix) Maintaining current information on state and federal laws pertaining to drugs and drug handling and keeping the hospital administration properly informed;~~

~~(b) It is recommended that the pharmacist also be responsible for:~~

~~(i) Specifying quality and sources for purchasing of all drugs, chemicals, antibiotics and pharmaceuticals for use in treatment of patients;~~

~~(ii) Furnishing information concerning medications to physicians, residents and nurses;~~

~~(iii) Participating in formulating pharmacy policies and carrying them out in accordance with the established policies of the hospital;~~

~~(iv) Cooperating in teaching courses in the school of nursing and in other educational programs;~~

~~(v) Implementing the decisions of the pharmacy and therapeutics committee;~~

~~(vi) Preparing periodic pharmacy reports for submission to the administrator of the the hospital; and~~

~~(vii) Maintaining, in cooperation with the accounting department, a satisfactory system of records and bookkeeping in accordance with the policies of the hospital for charging patients for drugs and pharmaceutical supplies, and maintaining adequate control over the requisitioning and dispensing of all drugs and pharmaceuticals.))~~

~~(6) Investigational drugs.~~

~~(a) Storage, distribution, record keeping, and control of approved investigational drugs used in the hospital shall be the responsibility of the director of pharmacy or his or her designee. The pharmacy shall be responsible for maintaining and providing information on approved investigational drugs.~~

~~(b) Investigational drugs shall be properly labeled and stored for use only under the explicit direction of the authorized principal investigator, co-investigator, or co-investigators. Such drugs shall be reviewed by the appropriate medical staff committees.~~

~~(c) On approval of the principal investigator, co-investigator, or co-investigators, those authorized to administer drugs may administer investigational drugs after receiving basic pharmacological information about the drug. Investigational drugs shall be administered in accordance with approved written protocol that includes requirements for informed consent of the patient.~~

**WSR 83-10-057**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning pharmacy, amending WAC 248-18-670;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Cowlitz County Courthouse, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 8, 1983.

The authority under which these rules are proposed is RCW 70.41.030.

The specific statute these rules are intended to implement is RCW 70.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

Dated: May 3, 1983  
 By: John A. Beare, MD  
 Secretary

## STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-18-670, Pharmacy.

The Purpose of Rule Change: To update and modify minimum rules and regulations pertaining to construction specific to hospital pharmacies.

The Reason These Rules are Necessary: To assure standards of construction specific to hospital pharmacy services related to standards required for safe and adequate care and treatment of patients in hospitals, in terms of current knowledge, technology, and experience.

Statutory Authority: RCW 70.41.030.

Summary of the Rule or Rule Change: Construction rules are amended to incorporate minimum requirements for pharmacy construction which include consideration of security and infection control.

Person Responsible for the Enforcement of the Rule: John Gerth, Section Head, Facility Licensing and Certification Section, OSHPD, Division of Health, Mailstop ET-31, Phone 753-5851.

Rules proposed by Facility Licensing and Certification Section, OSHPD, Division of Health, DSHS.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

The proposed rule change does not impose an additional cost of compliance and therefore no economic impact statement is required under the Regulatory Fairness Act.

## AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-670 PHARMACY. (REQUIREMENTS IN CAPITAL LETTERS. SEE WAC 248-18-515((?)).) Not required if hospital is to use outside pharmacy services exclusively.

(1) PHARMACY, GENERAL.

(a) ~~((Near or adjoining outpatient department, if dispensing to outpatients is planned:~~

~~(b) Located for ready access to nursing units via elevators, dumb-waiter, etc.~~

~~((c)) LOCATED IN A ((SUITABLE)) CLEAN, SECURE ROOM ((OR AREA)).~~

~~(b) ALL ENTRANCES EQUIPPED WITH CLOSERS.~~

~~(c) LOCKING MECHANISMS ON ALL ENTRANCE DOORS.~~

~~(d) ALL PERIMETER WALLS OF THE PHARMACY AND VAULT SHALL BE CONSTRUCTED FULL HEIGHT FROM FLOOR TO UNDERSIDE OF STRUCTURE ABOVE.~~

~~(e) ACCESSIBLE GROUND FLOOR WINDOWS AND RELITES SUPPLIED WITH SECURITY DEVICES OR ALARM SYSTEMS.~~

~~(f) EMERGENCY SIGNAL DEVICE TO SECURE EMERGENCY ASSISTANCE.~~

(2) GENERAL COMPOUNDING AND DISPENSING UNIT OR AREA.

(a) Dispensing window. If provided, equipped with appropriate security device.

(b) Instruction area to allow for patient privacy while receiving instructions regarding drug usage.

~~((b)) (c) EQUIPMENT:~~

~~(i) WORK COUNTER.<sup>20</sup>~~

~~(ii) SINK<sup>19</sup> (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).~~

~~(iii) STORAGE UNIT<sup>6</sup> - Drawers, cupboards, and shelves to accommodate different size containers.~~

~~(iv) REFRIGERATOR.<sup>6</sup>~~

~~(v) Freezer.<sup>6</sup>~~

~~(vi) ((LOCKED STORAGE)) SPACE FOR ((NARCOTICS AND BARBITURATES)) TRANSPORTATION EQUIPMENT.<sup>24</sup>~~

~~(vii) Telephone.~~

~~(viii) Bulletin board.~~

(3) Manufacturing and unit dose packaging area.

- (a) Located in a work area separate from other functions.
- (b) EQUIPMENT:
- (i) WORK COUNTER.<sup>20</sup>
- (ii) SINK<sup>19</sup> (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).
- (iii) STORAGE UNITS<sup>6</sup>
- (4) Parenteral (~~(solution room)~~). Admixtures, Radiopharmaceuticals, and Other Sterile Compounding Area.
- (a) ~~((REQUIRED IF PARENTERAL SOLUTIONS TO BE PREPARED IN HOSPITAL.~~
- (b)) LOW TRAFFIC, CLEAN AREA. May be located in other suitable, clean area outside pharmacy.
- ~~((c) CLEAN-UP AREA.~~
- EQUIPMENT:
- WORK COUNTER.<sup>20</sup>
- ~~TWO COMPARTMENT SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER):~~
- ~~Mechanical flask washer.~~
- ~~DISTILLED WATER RINSER.~~
- ~~STORAGE FOR CLEANING MATERIALS.~~
- (d)) (b) PREPARATION AREA.
- EQUIPMENT:
- (i) WORK COUNTER.<sup>20</sup>
- (ii) Laminar flow of clean air across the work surface.
- (iii) SINK<sup>19</sup> (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).
- ~~((DISTILLED WATER APPARATUS:))~~
- (iv) SPACE FOR PARKING OF PORTABLE EQUIPMENT.<sup>24</sup>
- (v) STORAGE UNITS.<sup>6</sup>
- (5) LOCKED STORAGE FOR SCHEDULE II CONTROLLED SUBSTANCES.
- (6) SPACE FOR FILES AND CLERICAL FUNCTIONS. May be located in another suitable area outside the pharmacy. Office and library.
- ~~((6))~~ (7) Waiting room or area. Located outside the physical boundaries of the pharmacy.
- (8) Conference room.
- (9) BREAKOUT AREA SEPARATE FROM CLEAN AREAS.
- ~~((7))~~ (10) HOUSEKEEPING FACILITIES ((JANITORS AND MAIDS)).<sup>(5)</sup>
- Suitable combination with other housekeeping facilities permitted if convenient to pharmacy.

## NOTES:

~~((5) GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES (JANITORS AND MAIDS))~~

<sup>6</sup> May be movable equipment.

<sup>19</sup> CORROSION RESISTANT - Stainless steel recommended.

<sup>20</sup> IMPERMEABLE SURFACE.

<sup>24</sup> In accordance with program.

**WSR 83-10-058**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning:

- New WAC 248-18-335 Intravenous preparation.  
 New WAC 248-18-336 Intravenous administration;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Cowlitz County Courthouse, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 8, 1983.

The authority under which these rules are proposed is RCW 70.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

Dated: May 3, 1983  
 By: John A. Beare, MD  
 Secretary

## STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: New WAC 248-18-335 Intravenous preparation and WAC 248-18-336 Intravenous administration.

The Purpose of These New Rules: To specify criteria for safe operation pertaining to preparation and administration of intravenous substances within all hospitals licensed pursuant to chapter 70.41 RCW in Washington.

The Reason These Rules are Necessary: To maintain standards of hospitalization required for safe and adequate care and treatment of patients in hospitals, in terms of current knowledge, technology, and experience.

Statutory Authority: RCW 70.41.030.

Summary of the Rule: Rules for intravenous preparation include elements and required actions considered by hospital based professionals in nursing, pharmacy, and administration, as well as DSHS staff, as minimum standards of safety for preparing intravenous solutions, medications and admixtures.

Rules for intravenous administration include elements and required actions considered by multi-professional groups to be minimum standards of safety and care for patients when intravenous preparations are administered.

Person Responsible for the Enforcement of the Rule: John Gerth, Section Head, Facility Licensing and Certification Section, OSHPD, Division of Health, Mailstop ET-31, Phone 753-5851.

Rules proposed by Facility Licensing and Certification Section, OSHPD, Division of Health, DSHS.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

The proposed new rules do not impose an additional cost of compliance and therefore no economic impact statement is required under the Regulatory Fairness Act.

## NEW SECTION

WAC 248-18-335 INTRAVENOUS PREPARATION. (1) There shall be written policies and procedures including:

(a) Preparation of intravenous solutions, medications, and admixtures. "Intravenous admixture" means a solution with addition of medication or an altered solution intended for intravenous use.

(b) Infection control policies and procedures approved by the infection control or an equivalent committee, and including:

(i) Aseptic preparation of intravenous admixtures and medications in a clean, low-traffic area, preferably under a clean air center.

(ii) Cleaning and preventive maintenance of clean air centers.

(c) Information required on all orders or prescriptions for intravenous solutions, admixtures, and medications, which shall minimally include identification of solution or medication, rate of flow or frequency, duration, strength of additive, dilution ratio of solution, identification of patient, and identification of prescribing practitioner.

(2) Individuals preparing intravenous solutions and admixtures shall be legally authorized, trained in procedures and equipment, and approved by the hospital.

(3) There shall be drug compatibility reference material readily available to those who prescribe, prepare, and administer intravenous admixtures.

(4) Intravenous solution containers shall be labeled to include patient name, identification of solution, identification and strength of additives, volume, rate of flow, expiration time and date of admixture, any special requirement for handling and storage, and identification of individual preparing admixture. There shall be procedures for appropriate labeling of precision volume chambers during times such are used for administering admixtures.

(5) There shall be policy and procedures for frequency of reordering intravenous solutions and admixtures.

#### NEW SECTION

WAC 248-18-336 INTRAVENOUS ADMINISTRATION. (1) There shall be written policies and procedures including:

(a) Administration of intravenous solutions, medications, admixtures, blood, and blood products.

(b) Infection control policies and procedures approved by the infection control or an equivalent committee, and including:

(i) Site preparation.

(ii) Tubing and dressing management.

(iii) Site assessment and rotation.

(c) Use and control of intravenously administered investigational drugs.

(d) Administration of parenterally administered drugs causing tissue necrosis upon extravasation.

(e) Documentation requirements.

(f) Patient teaching and discharge instruction.

(g) All orders or prescriptions for intravenous solutions, admixtures, and medications shall minimally include identification of solution or medication, rate of flow or frequency, duration, strength of additive, dilution ratio of solution, identification of patient, and identification of prescribing practitioner.

(h) Use of electronic infusion control devices.

(2) Personnel inserting intravenous devices shall be legally authorized and appropriately trained with demonstrated and documented skills in intravenous insertion techniques.

(3) Personnel administering intravenous solutions and admixtures shall be legally authorized to administer medications with appropriate training, demonstrated and documented skill in intravenous administration, procedures, equipment, and approval of the hospital.

(4) There shall be drug compatibility reference material readily available to individuals who administer intravenous medications and admixtures.

(5) Intravenous solutions shall be administered only upon the order of a legally authorized practitioner authorized by hospital policy to prescribe drugs in the hospital.

(6) Intravenous solution containers shall be labeled to include patient name, identification of solution, identification and strength of additives, volume, rate of flow, expiration time and date of admixture, any special requirement for handling and storage, and identification of individual preparing admixture. There shall be procedures for appropriate labeling of precision volume chambers during times such are used for administering admixtures.

(7) There shall be documentation in the medical record to include:

(a) Solution, medication or medications, time, date, amount administered, and rate;

(b) Site and site assessment;

(c) Date and time of insertion and removal of cannula;

(d) Device used, including gauge, length and type needle, or cannula;

(e) Condition of cannula and site at the time removed from patient;

(f) Use of electronic infusion devices;

(g) Observed complications and treatment of complications;

(h) Management of tubing and dressing; and

(i) Signature. An initial signature identification system is acceptable.

(8) Administration of intravenous preparations to pediatric patients shall comply with regulations in this section and WAC 248-18-215.

**WSR 83-10-059**  
**PROPOSED RULES**  
**LIQUOR CONTROL BOARD**

[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Licensee—Employees—Prohibited conduct with patrons, WAC 314-16-122;

that the agency will at 10:30 a.m., Wednesday, June 15, 1983, in the Office of the Liquor Control Board, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030 and 66.98.070.

The specific statute these rules are intended to implement is RCW 66.08.010 and 66.08.030(2)(r).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 15, 1983.

Dated: May 4, 1983

By: L. H. Pedersen

Member

#### STATEMENT OF PURPOSE

Title: WAC 314-16-122 Licensee—Employees—Prohibited conduct with patrons.

Description of Purpose: The purpose of the amendments to WAC 314-16-122 is to clarify the rule's intent and to eliminate the requirement in WAC 314-16-122(1) that there be proof that the violator received some form of commission, remuneration or compensation. WAC 314-16-122(1) of the rule is intended to prohibit the solicitation of beverages for the licensee or other employees by the licensee or employees from patrons on the licensed premises without the requirement that it be shown the licensee and/or employee received some form of commission, remuneration or compensation. Historically, the type of conduct proscribed by this subsection has been commonly referred to as "B-Girl" activity. WAC 314-16-122(2) of the rule is intended to prohibit the licensee or his employees from permitting a person conducting "B-Girl" activity to remain on the licensed premises. WAC 314-16-122(3) of the rule is intended to prohibit the licensee and employees from dancing or spending time with a patron on the licensed premises for compensation. Historically, the type of conduct proscribed by this subsection has been commonly referred to as "taxi-dancing." WAC 314-16-122(4) of the rule is intended to prohibit the licensee or employees from permitting "taxi-dancing" activity on the licensed premises. WAC 314-16-122(5) of the rule is intended to clarify and define the term "beverage" as it is used in WAC 314-16-122 (1) and (2) of this rule. WAC 314-16-122(6) of the rule is intended to clarify and define the term "entertainer" as used in WAC 314-16-122 (1) and (3) of this rule.

Statutory Rule-Making Authority: RCW 66.08.030 and 66.98.070.

Statutes Implemented by the Rule: RCW 66.08.010 and 66.08.030(2)(r).

Summary of Rule: WAC 314-16-122 prohibits the licensee or employees from soliciting patrons for drinks for the licensee or employees; prohibits the licensee or employees from permitting a person to remain on the licensed premises for the purpose of soliciting patrons for drinks; prohibits the licensee or employees from fraternizing or dancing with patrons for compensation; prohibits the licensee or employees from permitting the fraternizing or dancing with patrons by any person where said person receives compensation therefor; defines the term "beverage"; and gives a broad meaning to the terms "employee," "servant," "agent," and "entertainer."

Reasons Supporting the Proposed Action: Since the filing of WAC 314-16-122 in its present form in November 1981, the rule has created some confusion amongst law enforcement personnel and retail liquor licensees. Accordingly, the rule has not been effective in significantly decreasing or eliminating the conduct of "B-Girl" and "taxi-dancing" intended to be proscribed by the rule. A significant reason for the rule's confusion and lack of effectiveness is because the rule presently requires proof that the licensee, employee, or person doing the soliciting of a patron for a beverage also received compensation therefor. Recent law enforcement experience in this area has demonstrated that without the express cooperation of the person(s) who violated the rule, it is difficult, if not impossible, to prove that the solicitation was for compensation. To eliminate the confusion and to effectuate the intent of the rule, the requirement of compensation has been eliminated and the rule further clarified.

In Addition to the Board, the Following Agency Personnel have Responsibility for Drafting, Implementing and Enforcing this Rule: Ray Hensel, Supervisor, License Division, Capital Plaza Building, Olympia, WA, Telephone: (206) 753-6259, and Bob Obenland, Chief, Enforcement Division, Capital Plaza Building, Olympia, WA, Telephone: (206) 753-6270.

Person or Organization Proposing Rule: This rule has been proposed by the Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: This rule was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: Since the activity proscribed by the rule is already prohibited, the cost impact for both small and large businesses is estimated to be minimal or none.

#### AMENDATORY SECTION (Amending Order 83, filed 11/18/81)

WAC 314-16-122 LICENSEE—EMPLOYEES—PROHIBITED CONDUCT WITH PATRONS. (1) No retail licensee, and no servant, agent, ~~((or))~~ employee or entertainer ~~((thereof shall))~~ employed at the licensed premises or employed on a contractual basis to entertain, perform or work upon the licensed premises shall ~~((or contract with any person to))~~ solicit ~~((a))~~ any patron, customer or visitor in or upon the licensed premises to purchase ~~((for))~~ any beverage ~~((and/or accept any beverage from a patron in or upon the licensed~~

premises and to receive therefor, either directly or indirectly, any commission, remuneration or compensation)) for the licensee or any servant, agent, employee or entertainer.

(2) No retail licensee, and no servant, agent or employee employed on the licensed premises shall permit any person to remain on the licensed premises for the purpose of soliciting any patron, customer or visitor in or upon the licensed premises to purchase any beverage for said person.

~~((2))~~ (3) No retail licensee, and no servant, agent ~~((or))~~, employee ~~((thereof shall))~~ or entertainer employed ~~((or contract with any person for the purpose of having such person dance with a patron, or for the purpose of having such person))~~ at the licensed premises or employed on a contractual basis to entertain or work upon the licensed premises shall spend time or dance with ~~((a))~~ any patron, customer or visitor in or upon the licensed premises and ~~((for which said servant, agent or employee is to))~~ receive therefor from said patron, customer or visitor either directly or indirectly, any commission, remuneration, or compensation.

(4) No retail licensee, and no servant, agent or employee employed on the licensed premises shall permit any person to spend time or dance with any patron, customer or visitor in or upon the licensed premises and for which said person receives therefor from said patron, customer or visitor either directly or indirectly any commission, remuneration or compensation.

(5) As used in subsection (1) or (2) of this section, the term "beverage" means any liquid for drinking including water, but not limited thereto.

~~((3))~~ (6) As used in subsections (1), ~~((and))~~ (2), (3) and (4) of this section, the terms "employee," "servant," ~~((and))~~ "agent" and "entertainer" are intended to have a broad and general meaning so as to include any person performing services in or on a retail liquor licensed premises and whose work is under some control and/or direction of the licensee.

Reviser's note: RCW 34.04.058 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 herein pursuant to the requirements of RCW 34.08.040.

### WSR 83-10-060 PROPOSED RULES INSURANCE COMMISSIONER [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to adopt, amend, or repeal rules concerning loss ratio standards for disability insurance to insure that policy forms return a reasonable level of benefits, and defining certain practices pertaining to disability insurance rate making to be unfair, deceptive and discriminatory;

that the agency will at 9:00 a.m., Wednesday, June 8, 1983, in the House Office Building, Room A, First Floor, State Capitol Grounds, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 22, 1983, 10:00 a.m., Insurance Commissioner's Office, Olympia, Washington.

The authority under which these rules are proposed is RCW 48.02.060(3)(a) and 48.30.010.

The specific statute these rules are intended to implement is RCW 48.01.030, 48.18.110(2), 48.18.480, 48.19.010(2), 48.30.010(2), 48.70.030(3) and 48.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 11, 1983, (Mailing Address: Insurance Building, AQ-21, Olympia, WA 98504).

Dated: May 4, 1983  
By: Robert E. Johnson  
Deputy Commissioner

### STATEMENT OF PURPOSE

Title: Chapter 284-60 WAC, proposing new rules to establish loss ratio standards for disability insurance to ensure that policy forms return a reasonable level of benefits, and defining certain practices pertaining to disability insurance rate making to be unfair, deceptive and discriminatory.

The statutory authority for the proposed rules is RCW 48.02.060(3)(a) and 48.30.010(2) to effectuate the provisions of RCW 48.01.030, 48.18.110(2), 48.18.480, 48.19.010(2), 48.70.030(3) and 48.70.040.

Proposed WAC 284-60-010 sets forth the scope of the regulation, which (subject to its exceptions) is basically applicable to all disability insurance policies. WAC 284-60-020 outlines the purpose of the regulation which is to aid the commissioner in meeting the obligation to disapprove any form of disability insurance policy if the benefits provided therein are unreasonable in relation to the premium charged. This is done, in part, by defining certain practices to be unfair, deceptive and discriminatory.

Proposed WAC 284-60-030 defines the terms and calculations which are the heart of the regulation.

Proposed WAC 284-60-040 requires that certain similar policy forms be grouped together for rate making purposes to enhance statistical reliability and to reduce elements of discrimination, and outlines the requirements to be met.

Proposed WAC 284-60-050 sets forth the loss ratio requirements for individual disability insurance forms, which is basically 60%, and WAC 284-60-060 deals with loss ratio requirements for group and blanket disability insurance policy forms, which increase from 60% to 80% by size of group.

Proposed WAC 284-60-070 and 284-60-080 deal with experience records that must be maintained and the evaluation of experience data.

Proposed WAC 284-60-090 recognizes the possible need for exceptions or variations from the general rules and allows for such need in special circumstances, examples of which are set forth in the rule.

It is anticipated that the regulation will have an effective date of September 1, 1983. It will apply to forms submitted for filing after that date. With respect to forms filed before the effective date, their approval is withdrawn as of January 1, 1985, so that they may not be used after that date for new issues.

It is the intent of the regulation to establish standards which will provide for fair treatment of all insureds by ensuring that they receive a reasonable proportion of the premium in the form of benefits, while at the same time permitting the continued successful operation of insurers, recognizing that there must be an adequate allocation for expenses, contingencies and profit in the

premium. An actuary responsible for calculating the premium must estimate the future costs of benefits as well as establish an adequate provision for company expenses. Too often an attempt is made to forecast morbidity experience over extremely long periods of time, such as 20 or 30 years into the future. The practice of estimating the claims cost for coverages exposed to the effects of inflation over such long periods of time is not a sound insurance practice and is not in the public interest. This regulation deals with that problem.

The regulation is premised on the belief that the only acceptable justification for rate increases is an "actual to expected" analysis, indicating that the actual claim experience has exceeded that expected in the rate calculations. The pricing actuary will estimate the expected claims experience for the time period he believes the premiums will remain adequate. Such expected claims experience will, in most instances, indicate low loss ratios in the early years and fairly high loss ratios in the later years. Many companies, however, request rate increases as soon as the loss ratios for the most recent years exceed the average expected over the calculating period, with complete disregard for the low loss ratios in the early years contained in the original estimates of the pricing actuary. The proper justification for a rate increase, as this regulation makes clear, is an analysis which demonstrates that actual claims experience has exceeded the expected experience.

The regulation rejects arguments which have been raised in favor of permitting a company to adjust premiums during the calculating period to accomplish the expected experience over the lifetime of the policies, because such a plan would enable an imprudent company to recoup losses and unrealized profit, and pass on the risk of doing business to the policyholders.

The regulation is also an attempt to deal with the practice known as "blocking." In general, there are two types of blocking. The first occurs when an insurer, for the purpose of calculating premiums, groups several policy forms which are expected to incur similar morbidity and other experience. By random chance, however, and without any apparent reason, policyholders insured under one of the forms develop claims which are far in excess of the other forms. The insurer may then segregate the policyholders insured under that one form showing unexpectedly high claims and request a rate increase reflecting the adverse experience. This practice violates the basic premise of insurance that like risks shall share in the expenses of the unfortunate few among them who, by random chance, suffer a claim.

On the other hand, the rules recognize that if there is a clear and identifiable reason for the adverse experience under the one form—one which the company had overlooked when grouping the policies together for pricing purposes—then the insureds under such form are truly of a different and higher risk classification. The company will then be permitted, after justification satisfactory to the commissioner, to segregate the insureds of this one form and to group them with other insureds of the same higher risk classification. These insureds should thereafter be charged a premium commensurate with their higher risk. This treatment would be in accord with the

intent of RCW 48.18.480. However, the company shall not be permitted to recoup the losses already suffered, the additional expenses incurred or the lost profit, because that would be shifting the risk of doing business from the insurer to the insureds.

Another type of "blocking," which the regulation is designed to avoid, occurs when a company transfers the healthy lives of one policy form to a subsequent form offering similar benefits, but leaves the unhealthy lives insured under the old form. Among others, one way to accomplish this transfer is for the company to file a second policy form which is very similar to the first, and then offer this second form only to those insureds who had few or no claims under the first form. Another way is to offer the second form to all insureds under the first form, but require new evidence of good health. Either way, the insureds who had higher claims under the first form will then be left under that form. The morbidity experience of this group will rapidly deteriorate and warrant substantial rate increases. These rate increases will result in premiums of such an amount within a few years that the remaining insureds can no longer afford their coverage. Such practice is obviously not in the public interest.

Storm Johnsen, Chief Actuary, (206) 753-7020, is directly responsible for the drafting, implementation and enforcement of the proposed rules, under the supervision of David Rodgers, Chief Deputy Insurance Commissioner, (206) 753-7302, both of whom have their offices in the Insurance Building, AQ-21, Olympia, Washington 98504.

The rules are proposed by Dick Marquardt, the Insurance Commissioner, a state public official. The proposed rules are not necessary as the result of federal law or federal or state court action.

**Small Business Economic Impact Statement:** The proposed regulation will have a substantial financial impact on a minority of companies which neither return a fair percent of the premium dollar to the public in the form of benefits, nor set aside an adequate portion of the premiums as reserves for the purpose of benefit payments in future years. However, the size of the insurer—a "small business" being measured by a number of employees, as the law requires—has nothing to do with those factors.

The regulation should have little or no impact on a well-run and well-intentioned company. It will not be required to employ additional personnel or pay a higher labor cost, whether it is large or small.

To put a specific monetary value on such economic impact is not possible. The number of factors that are variable is nearly endless. However, if it is assumed that "sales" as referred to in RCW 19.85.040(3) may be treated as premium income when dealing with insurance companies, then a company that has returned, for example, only 40% of premium to its insureds in the form of benefits, will by virtue of this regulation be required, in general, to increase that percentage to 60% with respect to individual policies and up to 80% in the case of group or blanket policies.

There appears to be no justification for a small insurer—one with 50 or fewer employees—to fail to return a

fair proportion of the premium to its insureds, solely because of its size. There is no basis on which a small insurer should be exempt from the proposed rules, nor is there any basis for varying the rules as they may apply to a small business.

#### Chapter 284-60 WAC DISABILITY INSURANCE LOSS RATIOS

##### WAC

284-60-010	Scope.
284-60-020	Purpose.
284-60-030	Definitions.
284-60-040	Grouping of policy forms for purposes of rate making and requests for rate increase.
284-60-050	Loss ratio requirements for individual disability insurance forms.
284-60-060	Loss ratio requirements for group and blanket disability insurance forms and manual rates.
284-60-070	Experience records.
284-60-080	Evaluating experience data.
284-60-090	Special circumstances.
284-60-100	Effective date.

##### NEW SECTION

WAC 284-60-010 SCOPE. (1) This regulation, WAC 284-60-010 through 284-60-100, applies to all insurers and to every disability insurance policy form filed for approval in this state after August 31, 1983, except:

- (a) Additional indemnity and premium waiver forms for use only in conjunction with life insurance policies;
- (b) Medicare supplement policy forms which are regulated by chapter 284-55 WAC;
- (c) Group policy forms other than:
  - (i) specified disease policy forms,
  - (ii) policy forms as to which all or substantially all, of the premium is paid by the individuals insured thereunder,
  - (iii) policy forms for issue to single employers insuring less than one hundred employees;
- (d) Policy forms filed by Health Care Service Contractors or Health Maintenance Organizations;
- (e) Policy forms initially approved before September 1, 1983, including subsequent requests for rate increases and modifications of rate manuals.

(2) Approval of policy forms of the types subject to this regulation which were approved before September 1, 1983, is hereby withdrawn as of January 1, 1985, and such forms shall not thereafter be used for new issues.

##### NEW SECTION

WAC 284-60-020 PURPOSE. The purpose of this regulation is to:

- (1) Establish loss ratio standards for the purpose of implementing the authority of the commissioner to disapprove and to withdraw approval of disability policy forms which are not returning or are not expected to return a reasonable proportion of the premiums in the form of benefits, pursuant to RCW 48.18.110(2), 48.19.010(2), 48.70.030 and 48.70.040.

(2) Define certain practices in the use of policy forms and in the making of disability insurance rates to be unfair, deceptive and discriminatory practices, pursuant to RCW 48.01.030, 48.18.480 and 48.30.010.

##### NEW SECTION

WAC 284-60-030 DEFINITIONS. (1) The "expected loss ratio" is a prospective calculation and shall be calculated as the projected "benefits incurred" divided by the projected "premiums earned" and shall be based on the actuary's best projections of the future experience within the "calculating period."

(2) The "actual loss ratio" is a retrospective calculation and shall be calculated as the "benefits incurred" divided by the "premiums earned," both measured from the beginning of the "calculating period" to the date of the loss ratio calculations.

(3) The "overall loss ratio" shall be calculated as the "benefits incurred" divided by the "premiums earned" over the entire "calculating period" and may involve both retrospective and prospective data.

(4) The "calculating period" shall be the time span over which the actuary expects the premium rates to remain adequate in accordance with his best estimate of future experience and during which the actuary does not expect to request a rate increase.

(5) The "benefits incurred" shall be the "claims incurred" plus any increase (or less any decrease) in the "reserves."

(6) The "claims incurred" shall mean:

(a) Claims paid during the accounting period; plus

(b) The change in the liability for claims which have been reported but not paid; plus

(c) The change in the liability for claims which have not been reported but which may reasonably be expected.

The "claims incurred" shall not include expenses incurred in processing the claims, home office or field overhead, acquisition and selling costs, taxes or other expenses, contributions to surplus, or profit.

(7) The "reserves," as referred to in this regulation, shall include:

(a) Active life disability reserves;

(b) Additional reserves whether for a specific liability purpose or not;

(c) Contingency reserves;

(d) Reserves for select morbidity experience; and

(e) Increased reserves which may be required by the commissioner.

(8) The "premiums earned" shall mean the premiums, less experience credits, refunds or dividends, applicable to an accounting period whether received before, during or after such period.

(9) Renewal provisions are defined as follows:

(a) "Guaranteed renewable"—Renewal cannot be declined by the insurance company for any reason, but the insurance company can revise rates on a class basis.

(b) "Noncancellable"—Renewal cannot be declined nor can rates be revised by the insurance company.

**NEW SECTION**

WAC 284-60-040 GROUPING OF POLICY FORMS FOR PURPOSES OF RATE MAKING AND REQUESTS FOR RATE INCREASE. (1) The actuary responsible for setting premium rates shall group similar policy forms, including forms no longer being marketed, in the pricing calculations. Such grouping shall rely on the judgment of the pricing actuary and be satisfactory to the commissioner. Among the factors which shall be considered are similar claims experience, types of benefits, reserves, margins for contingencies, expenses and profit, and equity between policyholders. Such grouping shall enhance statistical reliability and improve the likelihood of premium adequacy without introducing elements of discrimination in violation of RCW 48.18.480.

(2) The insureds under similar policy forms are grouped at the time of rate making in accord with RCW 48.18.480 because they are expected to have substantially like insuring, risk and exposure factors and expense elements. The morbidity and mortality experience of these insureds will, as a group, deteriorate over time. It is hereby defined to be an unfair and discriminatory practice, pursuant to RCW 48.01.030, 48.18.480 and 48.30.010, to withdraw a form from its assigned grouping by reason only of the deteriorating health of the people insured thereunder.

(3) One or more of the policy forms grouped for rate making purposes may, by random chance, experience significantly higher or more frequent claims than the other forms. It is hereby defined to be an unfair and discriminatory practice, pursuant to RCW 48.01.030, 48.18.480 and 48.30.010, to deviate from the assigned grouping of policy forms for pricing purposes at the time of requesting a rate increase unless the actuary can justify to the satisfaction of the commissioner that a different grouping is more equitable because of some previously unrecognized and nonrandom distinction between forms or between groups of insureds.

(4) Successive policy forms of similar benefits are sometimes introduced by the insurers for the purpose of keeping up with trends in hospital costs, new developments in medical practice, additional supplemental benefits offered by competitors, and other reasons. While this is commendable, policyholders who can not qualify for the new improved policies, or to whom the new benefits are not offered, are left insured and isolated as a high risk group under the prior form and soon become subject to massive rate increases. It is hereby defined to be an unfair and discriminatory practice, pursuant to RCW 48.01.030, 48.18.480 and 48.30.010, to fail to combine successive generic policy

forms and to fail to combine policy forms of similar benefits covering generations of policyholders in the calculation of premium rates and loss ratios.

**NEW SECTION**

WAC 284-60-050 LOSS RATIO REQUIREMENTS FOR INDIVIDUAL DISABILITY INSURANCE FORMS. (1) Benefits shall be deemed reasonable in relation to the premiums if the overall loss ratio is at least sixty percent over a calculating period chosen by the insurer and satisfactory to the commissioner.

(2) The calculating period may vary with the benefit and renewal provisions. The company may be required to demonstrate the reasonableness of the calculating period chosen by the actuary responsible for the premium calculations. A brief explanation of the selected calculating period shall accompany the filing.

(3) Policy forms, the benefits of which are particularly exposed to the effects of inflation and whose premium income may be particularly vulnerable to an eroding persistency and other similar forces, shall use a relatively short calculating period reflecting the uncertainties of estimating the risks involved. Policy forms based on more dependable statistics may employ a longer calculating period. The calculating period may be the lifetime of the contract for guaranteed renewable and noncancellable policy forms if such forms provide benefits which are supported by reliable statistics and which are protected from inflationary or eroding forces by such factors as fixed dollar coverages, inside benefit limits, or the inherent nature of the benefits. The calculating period may be as short as one year for coverages which are based on statistics of minimal reliability or which are highly exposed to inflation.

(4) A request for a rate increase to be effective at the end of the calculating period shall include a comparison of the actual to the expected loss ratios, shall employ any accumulation of reserves in the determination of rates for the new calculating period, and shall account for the maintenance of such reserves for future needs. The request for the rate increase shall be further documented by the expected loss ratio for the new calculating period.

(5) A request for a rate increase submitted during the calculating period shall include a comparison of the actual to the expected loss ratios and a demonstration of any contributions to and support from the reserves. If the experience justifies a premium increase it shall be deemed that the calculating period has prematurely been brought to an end. The rate increase shall further be documented by the expected loss ratio for the next calculating period.

(6) The commissioner may approve a series of two or three smaller rate increases in lieu of one large increase. These should be calculated to reduce lapses and anti-selection that often result from large rate increases. A demonstration of such calculations, whether for a single rate increase or for a series of smaller rate increases, satisfactory to the commissioner, shall be attached to the filing.

(7) Companies shall review their experience periodically and file appropriate rate revisions in a timely manner to reduce the necessity of later filing of exceptionally large rate increases.

**NEW SECTION**

WAC 284-60-060 LOSS RATIO REQUIREMENT FOR GROUP AND BLANKET DISABILITY INSURANCE POLICY FORMS AND MANUAL RATES. (1) Specified disease group insurance shall generate at least a seventy-five percent loss ratio regardless of the size of the group.

(2) Group disability insurance, other than specified disease insurance, as to which the insureds pay all or substantially all of the premium shall generate loss ratios no lower than those set forth in the following table.

Number of Insured Lives at Issue or at Rerating	Minimum Overall Loss Ratio
9 or less	60%
10 to 24	65%
25 to 49	70%
50 to 99	75%
100 or more	80%

(3) Group disability policy forms, other than for specified disease insurance, for issue to single employers insuring less than one hundred lives shall generate loss ratios no lower than those set forth in subsection (2) of this section for groups of the same size.



(4) The calculating period may vary with the benefit and premium provisions. The company may be required to demonstrate the reasonableness of the calculating period chosen by the actuary responsible for the premium calculations.

(5) A request for a rate increase submitted at the end of the calculating period shall include a comparison of the actual to the expected loss ratios and shall employ any accumulation of reserves in the determination of rates for the selected calculating period and account for the maintenance of such reserves for future needs. The request for the rate increase shall be further documented by the expected loss ratio for the new calculating period.

(6) A request for a rate increase submitted during the calculating period shall include a comparison of the actual to the expected loss ratios and a demonstration of any contributions to or support from the reserves. If the experience justifies a premium increase it shall be deemed that the calculating period has prematurely been brought to an end. The rate increase shall further be documented by the expected loss ratio for the next calculating period.

(7) The commissioner may approve a series of two or three smaller rate increases in lieu of one larger increase. These should be calculated to reduce the lapses and antiselection that often result from large rate increases. A demonstration of such calculations, whether for a single rate increase or a series of smaller rate increases, satisfactory to the commissioner, shall be attached to the filing.

(8) Companies shall review their experience periodically and file appropriate rate revisions in a timely manner to reduce the necessity of later filing of exceptionally large rate increases.

NEW SECTION

WAC 284-60-070 EXPERIENCE RECORDS. Insurers shall maintain records of earned premiums and incurred benefits for each policy year for each policy, rider, endorsement and similar form which were combined for purposes of premium calculations, including the reserves. Records shall also be maintained of the experience expected in the premium calculations.

NEW SECTION

WAC 284-60-080 EVALUATING EXPERIENCE DATA. In determining the credibility and appropriateness of experience data, due consideration shall be given to all relevant factors including:

- (1) Statistical credibility of premiums and benefits such as low exposure or low loss frequency;
- (2) Past and projected trends relative to the kind of coverage, such as inflation in medical expenses, economic cycles affecting disability income experience, inflation in expense charges and others;
- (3) The concentration of experience at early policy durations where select morbidity and preliminary term reserves are applicable and where loss ratios are expected to be substantially higher or lower than in later policy durations;
- (4) The mix of business by risk classification;
- (5) The expected lapses and antiselection at the time of rate increases.

NEW SECTION

WAC 284-60-090 SPECIAL CIRCUMSTANCES. Loss ratios other than those indicated in WAC 284-60-050 and 284-60-060 may be approved with satisfactory actuarial demonstrations. Examples of coverages where the commissioner may grant special considerations are:

- (1) Short term nonrenewable policy forms such as airline trip or student accident.
- (2) Policy forms exposed to high risk of claim fluctuation because of the low loss frequency, or the catastrophic or experimental nature of the coverage.
- (3) Individual guaranteed renewable and noncancellable policy forms, but the loss ratio shall not be less than those set forth in the following table in lieu of those specified in WAC 284-60-050. In the calculation of loss ratios for such policies the reserves shall be excluded from consideration as benefits incurred.

	Guaranteed Renewable	Noncancellable
Medical Expense	55%	50%
Loss of Income and Other	50%	45%

(4) Single case group or blanket policy form filings under unique administrative and geographic circumstances where higher than usual expenses are expected.

(5) Freestanding group or blanket contracts for benefits which are normally written in conjunction with other benefits.

NEW SECTION

WAC 284-60-100 EFFECTIVE DATE. This regulation shall become effective on September 1, 1983, and shall apply to all policy, rider, endorsement, and similar forms and rate schedule filings subject to this regulation submitted on or after said date.

**WSR 83-10-061**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Franklin County, amending WAC 173-19-190, and Richland, City of, amending WAC 173-19-1104;

that the agency will at 7:00 p.m., Wednesday, June 8, 1983, in the Pasco City Library, 1320 West Hopkins, Pasco, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 23, 1983.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 17, 1983.

Dated: May 4, 1983  
 By: Donald W. Moos  
 Director

**STATEMENT OF PURPOSE**

Title: Amending WAC 173-19-190, Franklin County and WAC 173-19-1104 Richland, City of.

Description of Purpose: Adoption of revised master programs into the state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: The amendments adopt revisions to the shoreline master programs for Franklin County and the City of Richland.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local government and submitted to the Department of Ecology for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Michael Rundlett, Department of Ecology, Mailstop PV-11, Olympia, WA 98504, 459-6276.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government, local government.



Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: No.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: No.

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-1104 RICHLAND, CITY OF. City of Richland master program approved September 9, 1974. Revision approved August 29, 1979. Revision approved June 23, 1983.

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-190 FRANKLIN COUNTY. Franklin County master program approved December 10, 1974. Revision approved December 12, 1975. Revision approved August 28, 1978. Revision approved October 2, 1978. Revision approved June 23, 1983.

**WSR 83-10-062**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Instream resources protection program—Wenatchee River basin, water resource inventory area (WRIA) 45, amending chapter 173-545 WAC. This notice relates to the matter in Notice No. WSR 82-18-071 filed with the code reviser's office on September 1, 1982, including the public hearings held on October 25, 1982, in Leavenworth and Wenatchee pursuant to RCW 90.22.020 and 90.54.050;

that the agency will at 11:00 a.m., Friday, June 3, 1983, in Room 273, Department of Ecology Headquarters Office, Abbott Rafael Hall, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapters 90.54, 90.22 and 75.20 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 2, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-09-053 filed with the code reviser's office on April 20, 1983.

Dated: April 27, 1983  
By: Donald W. Moos  
Director

**WSR 83-10-063**

**ADOPTED RULES**

**DEPARTMENT OF ECOLOGY**

[Order DE 83-14—Filed May 4, 1983]

I, Donald W. Moos, director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the amending of WAC 173-220-090 public hearings, which is part of chapter 173-220 WAC, national pollutant discharge elimination system permit program.

This action is taken pursuant to Notice No. WSR 83-07-078 filed with the code reviser on March 23, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.48.010, 90.48.035, and 90.58.260 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 26, 1983.

By Donald W. Moos  
Director

AMENDATORY SECTION (Amending Order DE 74-~~Y~~, filed 2/15/74)

WAC 173-220-090 PUBLIC HEARINGS. The applicant, any affected state, any affected interstate agency, any affected country, the regional administrator, or any interested agency, person, or group of persons may request a public hearing with respect to ((permit applications)) a draft permit determination or notification of coverage. Any such request for a public hearing shall be filed within the next 30-day period prescribed in WAC 173-220-050(2) and shall indicate the interest of the party filing such request and the reasons why a hearing is warranted. The department shall hold a hearing if, on the basis of requests or any other information, it determines there is a significant public interest. Instances of doubt will be resolved in favor of holding the hearing. Any hearing brought pursuant to this subsection shall be held at a time and place deemed appropriate by the department.

**Reviser's note:** RCW 34.04.058 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 83-10-064**  
**PROPOSED RULES**  
**COUNCIL FOR**  
**POSTSECONDARY EDUCATION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Council for Postsecondary Education intends to adopt, amend, or repeal

rules concerning the displaced homemaker program, chapter 250-44 WAC;

that the agency will at 9:00 a.m., Tuesday, June 14, 1983, in the Sea-Tac Holiday Inn, Room 747, Seattle, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 14, 1983.

The authority under which these rules are proposed is RCW 28B.10.806.

The specific statute these rules are intended to implement is chapter 28B.04 RCW, as amended.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 3, 1983.

Dated: May 4, 1983  
By: Carl A. Trendler  
Executive Coordinator

### STATEMENT OF PURPOSE

Re: State of Washington displaced homemaker program.

This statement of purpose is written in compliance with section 2, chapter 186, Laws of 1980, and to accompany the Notice of Intention to Adopt, Amend or Repeal Rules by the Council for Postsecondary Education.

Title: Amendments modifying regulations for the administration of the displaced homemaker program.

Summary: These amendments make the following changes to the regulations for the administration of the displaced homemaker program: Stipulates the specific dates and dollar amounts necessary to renew existing contracts beyond the current 10 month contract, and extends current contracts from July 1, 1983, to August 31, 1984. This action is in accordance with amendments made in 1982 to the Displaced Homemaker Act mandating that the council prepare an evaluation based upon the first two years of implementation of the program.

Institution Personnel Responsible for Drafting, Implementation and Enforcement of Rule: Sharyn Ward, Council for Postsecondary Education, 908 East Fifth, Olympia, WA 98504.

Governmental Organization Proposing the Rule: Council for Postsecondary Education.

Institutional Comments Regarding Statutory Matters: Not applicable.

Rule is not necessary as the result of federal law or court action.

### AMENDATORY SECTION (Amending Order 11/82, filed 11/8/82)

WAC 250-44-050 UTILIZATION OF AVAILABLE CONTRACT FUNDS. (1) Each biennium the executive coordinator shall issue contract reapplication guidelines which shall establish criteria for specific utilization of available contract funds. The guidelines shall set forth:

(a) The maximum ~~((initial))~~ contract amount for a multipurpose service center to be provided from funds available under the act ~~((for))~~ during the ~~((1982 fiscal year))~~ 1983-85 biennium shall be ~~(((\$40,000))~~ \$3,900 per month.

(b) The maximum ~~((initial))~~ contract amount for a contract for a program or programs of service from funds available under the act ~~((for))~~ during the ~~((1982 fiscal year))~~ 1983-85 biennium shall be \$2,600 per month.

(c) An ~~((initial))~~ reservation of funds for contracts to provide statewide outreach and information services and/or training for service providers.

(2) At least two multipurpose service centers in major population centers will be supported under the displaced homemaker program, provided adequate funds have been appropriated.

(3) Remaining funds will be used for contracts selected to provide geographic dispersion of displaced homemaker multipurpose service centers and programs of service.

Reviser's note: RCW 34.04.058 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.

### AMENDATORY SECTION (Amending Order 11/82, filed 11/8/82)

WAC 250-44-110 LENGTH OF CONTRACT PERIODS. Contract periods for contracts awarded under the act shall be in accordance with each reapplication proposal, subject to contract reapplication guidelines issued by the executive coordinator.

(1) Contracts for operation of multipurpose service centers ~~((for))~~ during the ~~((1982 fiscal year))~~ 1983-85 biennium may cover operations beginning as early as ~~((August 1, 1982))~~ July 1, 1983 and ending ~~((June 30, 1983))~~ August 31, 1984.

(2) Contracts for operation of programs of services ~~((for))~~ during the ~~((1982 fiscal year))~~ 1983-85 biennium may cover operations beginning as early as ~~((September 1, 1982))~~ July 1, 1983 and ending ~~((June 30, 1983))~~ August 31, 1984.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

### AMENDATORY SECTION (Amending Order 11/82, filed 11/8/82)

WAC 250-44-150 CALENDAR AND CLOSING DATES FOR LETTERS OF INTENT, REAPPLICATIONS AND AWARDS. (1) Sponsoring organizations wishing to reapply for contracts to continue operation of multipurpose service centers, shall submit to the executive coordinator a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic reapplications, by ~~((Friday, June 11, 1982))~~ Monday, May 9, 1983 as specified in the contract reapplication guidelines.

(2) The executive coordinator or his designee will screen the letters of intent for multipurpose service centers, prepare a list of all eligible sponsoring organizations which filed letters of intent and distribute the list to all organizations on the list, by ~~((Thursday, June 17, 1982))~~ Monday, May 16, 1983 or seven days from the filing date for letters of intent as specified in the contract reapplication guidelines.

(3) Reapplications for contracts for multipurpose service centers may be submitted by sponsoring organizations on the list pursuant to subsection 2 of this section by ~~((9:00 A.M., Monday, June 28, 1982))~~ Tuesday, May 31, 1983 as specified in the contract reapplication guidelines.

(4) Sponsoring organizations wishing to reapply for contracts to operate programs of service and a statewide outreach and information services program shall submit to the executive coordinator a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by ~~((Tuesday, July 6, 1982))~~ Monday, May 9, 1983.

(5) The executive coordinator or his designee will screen the letters of intent for programs of service and a statewide outreach and information services program, prepare a list of all eligible sponsoring organizations which filed letters of intent, and distribute the list to all organizations on the list, by ~~((Friday, July 16, 1982))~~ Monday, May 6, 1983, or seven days from the filing date for letters of intent as specified in the contract reapplication guidelines.

(6) Reapplications for contracts for programs of service and a statewide outreach and information services program may be submitted by sponsoring organizations on the list pursuant to subsection 5 of this section by ~~((9:00 A.M., Monday, July 26, 1982))~~ Tuesday, May 31, 1983 as specified in the contract reapplication guidelines.

(7) The executive committee of the council will approve awards of contracts provided qualifying reapplications were received by the closing dates specified in this section and in the guidelines.

(8) In the event that available funds for contracts under the act are not fully utilized after approval of contracts the executive coordinator

may either establish a new calendar for further consideration of applications and award of contracts or award supplemental funds to existing center and programs by amendment of contracts in effect.

**Reviser's note:** The above amendatory section was filed by the agency as WAC 250-44-150. It appears to be WAC 250-44-130. Pursuant to RCW 34.08.040, the section is published in the same form as filed by the agency.

**Reviser's note:** RCW 34.04.058 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 83-10-065**  
**PROPOSED RULES**  
**COUNCIL FOR**  
**POSTSECONDARY EDUCATION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Council for Postsecondary Education intends to adopt, amend, or repeal rules concerning residency status for higher education, chapter 37, Laws of 1982 1st ex. sess.

Please contact:

Jackie Johnson  
Council for Postsecondary Education  
908 East Fifth Avenue - EW-11  
Olympia, WA 98504

that the agency will at 9:00 a.m., Tuesday, June 14, 1983, in the Sea-Tac Holiday Inn, Room 747, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is section 4, chapter 37, Laws of 1982 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before May 27, 1983.

Dated: May 4, 1983

By: Carl A. Trendler  
Executive Coordinator

**STATEMENT OF PURPOSE**

Re: Residency status for higher education.

This statement of purpose is written in compliance with section 23, chapter 186, Laws of 1980, and to accompany the Notice of Intention to Adopt, Amend, or Repeal Rules by the Council for Postsecondary Education.

Title: Amendments modifying sections dealing with establishing residency status for higher education.

Summary: These amendments incorporate the provisions of Substitute House Bill 334 providing for continued residence status for tuition and fee purposes for certain students previously classified as residents based on domicile.

Institution Personnel Responsible for Drafting, Implementation and Enforcement of Rules: Jackie M. Johnson, Council for Postsecondary Education, 908 East Fifth Avenue, EW-11, Olympia, WA 98504.

**Governmental Organization Proposing the Rule:**  
Council for Postsecondary Education.

**Institutional Comments Regarding Statutory Matters:**  
Not applicable.

Rule is not necessary as a result of federal law or court action.

**AMENDATORY SECTION** (Amending Order 10-82, Resolution No. 83-1, filed 9/8/82)

WAC 250-18-020 STUDENT CLASSIFICATION. (1) For a student to be classified as a "resident" for tuition and fee purposes, he or she shall:

(a)(i) Have established a bona fide domicile in the state of Washington primarily for purposes other than educational for the period of one year immediately prior to commencement of the first day of the semester or quarter for which he or she has registered at any institution; and

(ii) Be financially independent; or

(b) Be a dependent student, one or both of whose parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; or

(c) Be a student who was classified as a resident, based upon domicile, by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-83 academic year, so long as such student's enrollment (excepting summer sessions) is continuous.

(2) A student shall be classified as a "nonresident" for tuition and fee purposes if he or she:

(a) Will be financially dependent for the current year or was financially dependent for the calendar year prior to the year in which application is made and who does not have a parent or legally appointed guardian who has maintained a bona fide domicile in the state of Washington for one year immediately prior to the commencement of the semester or quarter for which the student has registered at an institution;

(b) Attends an institution with financial assistance provided by another state or governmental unit or agency thereof wherein residency in that state is a continuing qualification for such financial assistance, such nonresidency continuing for one year after the completion of the quarter or semester for which financial assistance is provided. Such financial assistance relates to that which is provided by another state, governmental unit or agency thereof for direct or indirect educational purposes and does not include retirements, pensions, or other noneducational related income. A student loan guaranteed by another state or governmental unit or agency thereof on the basis of eligibility as a resident of that state is included within the term "financial assistance;"

(c) Is not a citizen of the United States of America, unless such person holds permanent resident immigration status, "Refugee - Parolee," or "Conditional Entrant" status and further meets and complies with all applicable requirements of WAC 250-18-030 and 250-18-035;

(d) Is not otherwise qualified as a "resident" under subsection (1)(c) of this section.

(3) A person does not lose a domicile in the state of Washington by reason of residency in any state or country while a member of the civil or military service of this state or of the United States, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas if that person returns to the state of Washington within one year of discharge from said service with the intent to be domiciled in the state of Washington.

(4) Any resident dependent student who remains in this state when such student's parents or legal guardians, having theretofore, been domiciled in this state for a period of one year immediately prior to commencement of the first day of the semester or quarter for which the student has registered at any institution, move from this state, shall be entitled to continued classification as a resident student so long as such student is continuously enrolled during the academic year.

(5) Active duty United States military personnel who have been stationed in the state of Washington for one year shall be considered to have resided in the state for purposes primarily other than educational, and shall be considered financially independent.

AMENDATORY SECTION (Amending Order 10-82, Resolution No. 83-1, filed 9/8/82)

WAC 250-18-025 CLASSIFICATION PROCEDURE. (1) After a student has registered at an institution, such student's classification shall remain unchanged in the absence of satisfactory evidence to the contrary. The provision of such evidence to the contrary may be initiated by the student or the institution.

(2) Application for a change in classification shall be accepted up to the thirtieth calendar day following the first day of the instruction of the quarter or semester for which application is made. Applications made after that date in any quarter or semester shall be considered to have been filed as of the first day of the subsequent quarter or semester.

(3) Any change in classification, either nonresident to resident, or the reverse, shall be based upon written evidence maintained in the files of the institution.

(4) Approval of an application for resident status shall be made only after satisfaction that the requirements of domicile and independency or dependency have been made in compliance with RCW 28B.15.012 and WAC 250-18-030 and 250-18-035. Reclassification from nonresident to resident status preliminarily approved sixty days or more prior to the satisfaction of a one-year durational domicile shall be supplemented with additional documented proof of domicile if deemed necessary by the institution prior to final approval.

(5) The burden of proof that a student, parent, or legally appointed guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(6) ~~((Students who were classified as residents by an institution on or before May 31, 1982, and who are enrolled during calendar year 1982 under the provisions of RCW 28B.15.013, section 3, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 15, Laws of 1979 ex. sess., shall not be required to submit evidence under provisions of RCW 28B.15.012 and 28B.15.013, chapter 37, Laws of 1982 1st ex. sess., so long as such students remain continuously enrolled during the academic year, unless the institution has cause to question the residency status of such students. PROVIDED, That such students who were reclassified from nonresident to resident status after June 1, 1979, shall be required to submit evidence that they meet the requirements of RCW 28B.15.012 and 28B.15.013, chapter 37, Laws of 1982 1st ex. sess.; PROVIDED FURTHER, That any reclassifications resulting from this special review shall be effective summer term, 1983.~~

(7)) For any student classified as a resident or authorized to pay resident fees or exempted from the payment of the nonresident differential on a basis other than an established domicile in the state of Washington, the fee paying status of such student shall be subject to determination each term on the basis of chapter 28B.15 RCW.

**WSR 83-10-066**  
**PROPOSED RULES**  
**LIBRARY COMMISSION**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Library Commission intends to adopt, amend, or repeal rules concerning grants of federal funds for public library construction, amending WAC 304-12-270 through 304-12-370;

that the agency will at 10:00 a.m., Thursday, June 9, 1983, in the Administrative Offices Meeting Room, Spokane County Library District, North 2901 Argonne Road, Spokane, WA 99206, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 27.04.060.

The specific statute these rules are intended to implement is chapter 39, 1949 Session Laws.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 9, 1983.

Dated: May 4, 1983  
 By: Roderick G. Swartz  
 Secretary

### STATEMENT OF PURPOSE

Title: WAC 304-12-270 through 304-12-370, Construction grant program.

Purpose: The main purpose of these sections is to establish rules and regulations whereby grants of federal funds for public library construction may be considered and awarded by the Washington State Library Commission.

Statutory Authority: RCW 27.04.060.

Summary of the Rules: These rules summarize the criteria, rules, and application processes and call for a contract related to expenditures of federal funds for construction of public libraries. Proposed changes will simplify the regulations and bring them into conformance with current federal regulations.

Agency Personnel for Drafting, Implementation and Enforcement: Roderick G. Swartz, State Librarian, Washington State Library, AJ-11, Olympia, WA 98504, (206) 753-2915.

Proponents of the Rules: These changes were drafted by Washington State Library staff.

AMENDATORY SECTION (Amending Order, filed 6/22/71)

WAC 304-12-275 CONSTRUCTION GRANT PROGRAM—CRITERIA. (1) ~~((There should))~~ the state agency's criteria for the consideration and award of construction grants shall be:

(a) ~~Evidence this ((project contributes toward the achievement of the goal of adequate library systems)) facility will initiate a program of improvement of library service, within the context of the applicant's goals and objectives for local library services.~~

(b) ~~((Evidence of need for the building to enable the library to meet American library association standards:~~

(c) ~~A program of service to be developed:~~

(i) ~~Book collection:~~

(ii) ~~Staff:~~

(iii) ~~Services:~~

(d) ~~Evidence the building is an essential part of the development of library service in its library system. (Planned program of building development):~~

(e) ~~Evidence that planning is on a coordinated basis with contiguous public library systems:~~

(f)) ~~Evidence that the community has made adequate effort to provide local financing.~~

~~((g))~~ (c) Evidence that federal funds are not a substitute for local support.

(2) Factors which will be considered in establishing priorities among requests received:

(a) Need for the facility in relationship to the ((area)) local program of library development.

(b) Number of persons to be benefited by improved service.

(c) Evidence the facility will, in fact, initiate a program of improvement of library service.

(d) Date of application.

(e) Such additional factors as may from time to time be established by congress or the Washington state legislature for special funds for construction of public libraries.

(3) Supporting evidence which helps provide information on the above points will be requested of applicants.

(4) The federal law requires that certain standards will be met. These requirements will be included in agreements between the Washington state library commission and the applicants. The requirements concern such items as:

(a) Wages meet local standards.

- (b) Time and half for overtime.
- (c) Fair employment practices.
- (d) Proper bid procedures (where applicable).
- (e) Observance of health, fire and construction requirements.
- (f) Civil rights.
- (g) Flood.
- (h) Handicapped.

**AMENDATORY SECTION** (Amending Order, filed 6/22/71)

WAC 304-12-290 CONSTRUCTION GRANT PROGRAM—RULES. The following final rules and regulations were adopted by the Washington state library commission in order to comply with the provisions of the Library Services and Construction Act of 1969 (Formerly Public Law 88-269; Public Law 89-511 and now Public Law 91-600).

- (1) Requests for projects from any unit within a library system must be submitted through the library administrator and approved by the respective library boards. Only projects to be owned by a state or local public agency are eligible for consideration.
- (2) Applicants will be required to give written evidence of official approval of any governmental unit involved in the project.
- (3) Agreements to observe the legal requirements of the grants will be executed between the Washington state library and the officials administering approved projects.
- (4) Applicants will be required to submit adequate evidence for evaluation of their request on the points established as criteria for evaluation by the Washington state library commission.
- (5) Each application will be acknowledged and each applicant notified when the project will be considered by the state library commission.
- (6) Each applicant will be notified concerning acceptance or rejection by the state library commission within three days of such official action.
- (7) Rejected applications will be accompanied by a statement as to why the project was not approved.
- (8) Applications may be resubmitted with evidence the objections have been met.
- (9) Any applicant who feels their request has been unjustly rejected may request a hearing. Said hearing will be set to meet the convenience of both the Washington state library commission and the applicant insofar as is reasonably possible.
- (10) The state library commission will use the following standards as guides for evaluation of the project's adequacy:
  - (a) ALA Minimum Standards for Public Library Systems, 1966.
  - (b) ALA Small Libraries Project
    - (i) The small library building
    - (ii) Interim standards for public libraries.
- (11) The local share must be expended before grant funds will be paid, except for those projects covering two fiscal years, in which instance federal regulations will hold. Grant funds will be paid based upon a percentage of completion.
- (12) ~~((As a general rule each project will be required to provide at least the full matching funds, as established by Federal ratio: ((+3)) Certification must be presented that local funds are on hand. ((+4))~~ (13) Submission of a schedule of the planned progress of the project with estimated dates each step will be completed, is required.
  - ~~((+5))~~ (14) Upon receipt of formal approval by the state library commission, the project must be initiated within a six months' period.
  - ~~((+6))~~ (15) Location is subject to approval by a state library consultant.
  - ~~((+7))~~ (16) The building plans must meet the approval of ~~((a professional))~~ the state library ~~((building consultant))~~. Federal regulations as to evaluation of flood hazards, provision for the physically handicapped, environmental policies and procedures, and competitive bidding must be observed. When a plaque indicating completion date and source of funds is planned as part of the completed building, acknowledgment shall be given to federal participation.
  - ~~((+8))~~ (17) The state library commission will establish a completion date, based upon the project architect's estimate of the time needed. A project is considered to be completed when it has been opened to the public for service.
  - ~~((+9))~~ (18) Final payment of the grant will be upon completion of the project and when the state library commission has been satisfied that all conditions of the grant have been met.

- ~~((20))~~ (19) When changes in federal regulations affect the above without sufficient time for formal notice and change, federal regulations will be considered as official.
- ~~((21))~~ (20) Projects are reviewed by the agency designated by the Governor as federal coordinator.
- ~~((22))~~ (21) The advisory council will be kept fully informed as to pending projects, and progress of the approved project.
- ~~((23))~~ (22) Participants in federally-funded projects will cooperate with the advisory council during the period of evaluation.

**AMENDATORY SECTION** (Amending Order, filed 6/22/71)

WAC 304-12-360 FORMS—APPLICATION—PUBLIC LIBRARY CONSTRUCTION GRANT. ~~((Public Law 91-600 (formerly Public Law 88-269 & PL 89-511))~~

The applicant hereby applies for construction funds available under Public Law 91-600 (formerly Public Law 88-269 & PL 89-511) and being administered under the Rules and Regulations adopted by the Washington State Library Commission on June 11, 1971 (revised July 28, 1966, October 17, 1967, May 26, 1964).

- 1. ~~Legal name of library:~~ \_\_\_\_\_
- 2. ~~Address:~~  
 Street: \_\_\_\_\_ County: \_\_\_\_\_  
 \_\_\_\_\_ Congressional  
 City: \_\_\_\_\_ District: \_\_\_\_\_
- 3. ~~Established under Section \_\_\_\_\_ of RCW (Revised Code of Wash.)~~
  - a. ~~Are all persons holding professional positions certified under Washington law?~~ \_\_\_\_\_
- 4. ~~Population of legal service area:~~  
 1970 Census \_\_\_\_\_  
 Latest Census Board of Public Health estimate \_\_\_\_\_
- 5. ~~Briefly describe the type of library: (i.e., regional headquarters, community library, etc.)~~
- 6. ~~If not part of a system, describe what kinds of inter-library cooperation your library does participate in:~~
- 7. ~~Submit a plan of service:~~
  - a. ~~adequacy (national standards)~~
  - b. ~~added or expanded services to be provided as a result of new facility~~
- 8. ~~Describe facility in terms of minimum standards (American Library Association). Include such items as:~~
  - a. ~~Building program statement (to include square feet for proposed construction)~~
  - b. ~~Site:~~
    - 1. ~~legal description~~
    - 2. ~~survey findings relative to desirability of location~~
    - 3. ~~cost~~
  - c. ~~New construction — (eventually, plans to be approved)~~  
or
  - d. ~~Expansion, remodeling and alteration (eventually plans to be approved)~~
  - e. ~~Equipment~~

~~Describe briefly, as related to the project:~~
- 9. ~~Architect~~  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Licensed \_\_\_\_\_

10. Preliminary estimates of costs. (Complete only those items included in the project request):

- a. Fees
    - 1. Architect
    - 2. Construction
    - 3. Legal and bonding
    - 4. Tests
    - 5. Building permits
    - 6. Bid advertisement
    - 7. Clerk of the works
    - 8. Other
- 
- Total: .....
- b. Site
  - c. Contracts
    - 1. New construction
    - 2. Expansion
    - 3. Remodeling
  - d. Demolition
  - e. Equipment
  - f. Other
- 
- GRAND TOTAL .....

11. Funds (other than federal) available for the project:

- a. On hand
    - 1. Cash
    - 2. Gifts
    - 3. Bonds (sold)
    - 4. Other
- 
- Subtotal: .....
- b. Future
    - 1. Tax levy (to be collected)
    - 2. Anticipated cash
    - 3. Bonds (authorized)
    - 4. Bonds (to be voted)
    - 5. Other (specify)
- 
- Subtotal: .....
- 
- TOTAL: .....

12. Estimate of total financing

- a. Local
- b. Federal
- c. Total funds required (estimate)

13. Please indicate the plan for payments.

To handle the matter of sale of items purchased with federal funds there should be a "depreciation" schedule established.

14. The applicant agrees:

- (a) Construction work will be performed by fixed price contract. Adequate methods of obtaining competitive bidding will be employed prior to the awarding the construction contract, either by public advertising or circularizing three or more bidders. (To comply with applicable laws and codes.)
- (b) Copies of all contract documents, specifications and construction drawings will be submitted to the State Library.
- (c) Final working drawings and specifications must be approved by the State Library before the project is advertised for bidding.
- (d) The attached documents issued by the Washington State Library entitled Federal Labor Standards, General Conditions and Instructions to Bidders, shall be made a part of any contract signed in connection with this construction project.
- (e) These federal funds, if granted, will be used to construct a facility that will continue to be devoted to public library purposes until such time as replaced by a new facility.
- (f) Federal regulations as to flood hazards, and accessibility for handicapped, must be observed.
- (g) During construction the project shall display a sign stating that Library Services and Construction Act funds are being used.
- (h) Whenever public library facilities, or items of equipment, in which cost the federal government has participated (with funds derived from federal grants and state or local matching funds) are sold or no

longer used for the purpose authorized by the applicable Title of the Library Services and Construction Act, the federal government shall be credited with its proportionate share of the value of such facilities, equipment or land, the value being determined on the basis of the sale price in the case of a bona fide sale or on the fair market value in the case of discontinuance of use or diversion for other than State plan purposes unless the items have reached zero value under the established depreciation schedule.

(i) Inventories must be kept for all items of equipment referred to in Item 8.c. costing \$200 or more per unit and reported to the Washington State Library. When such items of equipment are sold or no longer used for the purpose authorized by the applicable Title of the Library Services and Construction Act, the local agency must report such disposition to the Washington State Library, following which appropriate action for reimbursing the federal government will be taken unless the items have reached zero value under the established depreciation schedule. Evidence of this must be submitted by the local agency when reporting the sale to the State Library.

15. The form of agreement to be executed between the Washington State Library Commission and the ..... Library, upon approval of this application is attached. The agreement and the application shall be two parts to the whole of such agreement.

16. Attested to:

.....  
Chairman Mayor

.....  
Librarian City Manager

Approved by:

.....  
District Librarian

.....  
Chairman, District Library Board))

Applicants shall submit their project proposal upon the form designated by the library commission. The form will solicit, at minimum, information about the applicant's library program, its plan of library service, a building program for the application in question, preliminary estimates of cost, sources of funds, and plan for payment.

AMENDATORY SECTION (Amending Order, filed 6/22/71)

WAC 304-12-370 FORMS-CONTRACT.

((The members of the Washington State Library Commission hereby enter into an agreement with ..... to assist with funds for the construction of improved library facilities.

The Washington State Library Commission and the State Librarian, as the designated administrator of the Washington Plan for Construction, are legally authorized to administer a plan or plans to make available funds for the construction of public libraries as provided by Public Law 91-600 (formerly Public Law 88-269, and 89-511):

The ..... and the Washington State Library contract to provide for the administration and supervision of the federal funds as required by Public Law 91-600 (formerly Public Law 88-269, and 89-511) and permitted by RCW 27.04.060:

Responsibilities of the Washington State Library

To be guided by the Rules and Regulations adopted by the Washington State Library Commission (revised), Public Law 91-600 (formerly Public Law 88-269 and 89-511) and RCW 27.04.060.

The Washington State Library shall:

- 1. Provide funds in the total amount of ..... These funds shall be paid according to the payment schedule of the bid contract, after local funds have been expended.

WSR 83-10-067
PROPOSED RULES
LOTTERY COMMISSION
[Filed May 4, 1983]

2. Provide, as necessary, advisory services in furtherance of the project, and assure adequate supervision of the project.

Responsibilities of the Library

The Library shall:

- 1. Submit regular reports as required by the scope and content of the project as outlined in proposal.
2. Make request for the federal funds as provided in the payment schedule.
3. Make no changes from the approved drawings, specifications and contracts in the project and hereby made a part of this agreement without prior written approval from the State Library.
4. Maintain the necessary records and documents to permit an accurate audit at any time.
5. Bids will be called for within at least 90 days of signing of the contract.
6. Provision shall be made for a final audit to be forwarded to the State Library upon completion of the project.
7. No expenditure will be made or action taken contrary to the provisions of Public Law 91-600.
8. The Construction Project Application is hereby made a part of this contract.

This agreement made and entered into this 1977 by and between the Washington State Library Commission and

By Chairman, Washington State Library Comm.

Mayor

By State Librarian Chairman, Library Board))

Upon award of the grant, the Washington state library commission shall enter into a contract with the legislative unit of the awardee. The contract shall describe the project to be undertaken, shall set forth matters of agreement to ensure compliance with federal and state regulations, shall state the amount of funds to be provided by the library commission in the award and the conditions for payment of same, and shall state requirements for necessary records and documents to be maintained and filed with the library commission.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 304-12-270 CONSTRUCTION GRANT PROGRAM-PRINCIPLES.

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning adding new sections WAC 315-11-070, 315-11-071 and 315-11-072. This notice proposes to add new sections concerning the definitions, criteria and ticket validation requirements for Instant Game 5;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040 and 67.70.050.

The specific statute these rules are intended to implement is RCW 67.70.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

Dated: May 4, 1983
By: Richard A. Heath
for Lenore Lambert
Acting Chairperson

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s), and Summary of the Rule(s): WAC 315-11-070 Definitions for Instant Game Number 5, provides definitions of terms for Instant Game Number 5, including "play numbers," "validation number," "pack-ticket number," "captions," "agent validation codes," and "pack;" WAC 315-11-071 Criteria for Instant Game Number 5, provides criteria for Instant Game Number 5, including the price of a ticket, determination of winning tickets, the requirement of meeting ticket validation tests, ticket redemption, grand prize drawing procedures, and the director's authority to vary the game's length and/or the number of tickets sold; and WAC 315-11-072 Ticket validation requirements, sets forth specific ticket validation requirements for Instant Game Number 5, what may occur if ticket validation requirements are not met, and the lottery's responsibility if a defective ticket is purchased.

Statutory Authority for Adopting the Rules and the Specific Statute the Rule(s) are Intended to Implement: RCW 67.70.040 and 67.70.050.

Description of the Purpose of the Rules: WAC 315-11-070, the purpose of this rule is to provide definitions of the terms used in Instant Game Number 5 rules; WAC 315-11-071, the purpose of this rule is to set forth criteria for Instant Game Number 5, including the price of a ticket, determination of winning tickets, ticket validation requirements, ticket redemption, grand prize drawing procedures, and the director's authority to vary the game's length and/or the number of tickets sold; and WAC 315-11-072, the purpose of this rule is to state

the ticket validation requirements for Instant Game Number 5, to state what may occur if ticket validation requirements are not met, and to state the lottery's responsibility if a defective ticket is sold.

Reasons for Supporting the Proposed Rules: WAC 315-11-070, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-071 and 315-11-072; WAC 315-11-071, licensed agents, the lottery, and players of Instant Game Number 5 need to know how the game will function. Specifying the criteria which apply to Instant Game Number 5 will provide this information; and WAC 315-11-072, tickets for Instant Game Number 5 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets.

The Agency Personnel Responsible for the Drafting: Frank Edmondson, Contract Specialist, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 753-1482; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, WA 98504, (206) 753-1412, Robert Boyd, Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, C. Peter Eck, Deputy Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, N. A. Stussy, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3329, William Robinson, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-1414, and Jamie Pannell, Acting Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3384.

Name of the Person or Organization, Whether Private, Public, or Governmental, that is Proposing the Rule: Washington State Lottery Commission.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters, Pertaining to the Rule: None.

The rule is not necessary to comply with federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement Requirement: The office of the director, Washington State Lottery, has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed agents for the sale of lottery tickets or contractors who provide other services to the office of the director, Washington State Lottery or who voluntarily interact with the office of the director, Washington State Lottery. No business or industry will be required to

comply with these rules unless they wish to provide services to or interact with the office of the director, Washington State Lottery.


**NEW SECTION**

WAC 315-11-070 DEFINITIONS FOR INSTANT GAME NUMBER 5 ("MAGIC CARDS"). (1) Play Numbers for Instant Game Number 5 - The following are the "Play Numbers": "A", "K", "Q", "J", "10", and a graphic depiction of a rabbit. Each such Play Number is printed in gray-black ink in the Archer font in positive and one of these Play Numbers appears under each of the six rub-off spots on the ticket front.

(2) Validation Number for Instant Game Number 5 - The nine-digit number on the front, bottom right of the ticket under the "DO NOT REMOVE" area. There is no ticket stub for Instant Game Number 5.

(3) Pack-Ticket Number for Instant Game Number 5 - The ten-digit number of the form 5000001-000 printed on the back of the ticket in .11" high type in red. The first seven digits of the Pack-Ticket Number for Instant Game Number 5 constitute the "Pack-Number" and start at 5000001; the last three digits constitute the "Ticket Number" which starts at 000 and continues sequentially through 399 within each pack of tickets.

(4) Captions for Instant Game Number 5 - The small printed material appearing below each Play Number which verifies and corresponds with that Play Number. The Caption is a spelling out, in full or abbreviated form, of the Play Number. Only one Caption appears under each Play Number and is printed in gray-black ink in positive in 5 x 9 font. For Instant Game Number 5, the Captions which correspond with and verify the Play Numbers are:

Play Number	Caption
	RABBIT
10	TEN
J	JACK
Q	QUEEN
K	KING
A	ACE

(5) Agency Validation Codes for Instant Game Number 5 - Codes consisting of small letters found under the removable covering on the ticket front, which the licensed agent uses to verify and validate instant winners below \$25. For Instant Game Number 5, the Agent Validation Code is a three-letter code, with each letter appearing in a varying three of seven locations beneath the removable covering and among the Play Numbers. The Agent Validation Codes used by the licensed agent to verify 1 free ticket, \$2 and \$5 winners are as follows:

- TIC = 1 Free Ticket
- TWO = \$2
- FIVE = \$5

(6) Pack For Instant Game Number 5 - A pack of 400 fanfolded instant game tickets, attached to each other by perforations and packed in a plastic bag or a plastic shrinkwrapping. The licensed agent separates the tickets at the perforations at the time of retail sale.

**NEW SECTION**

WAC 315-11-071 CRITERIA FOR INSTANT GAME NUMBER 5. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of Prize Winning Tickets - An instant prize winning ticket is determined in Instant Game Number 5 in the following manner:

- (a) A "1 free ticket" prize winning ticket shall have an occurrence of a rabbit as a Play Number in each of 3 separate spots on the ticket;
- (b) A \$2 prize winning ticket shall have an occurrence of "10" as a Play Number in each of 3 separate spots on the ticket;
- (c) A \$5 prize winning ticket shall have an occurrence of "J" as a Play Number in each of 3 separate spots on the ticket;
- (d) A \$50 prize winning ticket shall have an occurrence of "Q" as a Play Number in each of 3 separate spots on the ticket;
- (e) A \$1,000 prize winning ticket shall have an occurrence of "K" as a Play Number in each of 3 separate spots on the ticket;
- (f) A \$25,000 prize winning ticket shall have an occurrence of "A" as a Play Number of 3 separate spots on the ticket:



(g) In any event, only the highest instant prize amount meeting the standards of (a) through (f) will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements, to the particular validation requirements for Instant Game Number 5, and to the requirements set forth on the back of each ticket.

(5) Instant prize winning tickets shall be redeemed in the manner set forth on the back of the ticket.

(6) Participants in the Grand Prize Drawings shall be those validated instant prize winners of exactly \$50 who submit prize claims within 30 days after the announced end of Instant Game Number 5 in the manner prescribed on the back of the instant ticket. One Grand Prize Drawing will be held for Instant Game Number 5 after that game's conclusion, at a time and place and pursuant to the methods to be announced by the director. The prizes to be awarded in the Grand Prize Drawing will be: one 1st prize of \$1,000 a week for life with the weekly prize payments starting at age 18 or older, with a minimum payment of \$1,000,000 guaranteed to the winner; one 2nd prize of \$500,000 paid as \$50,000 per year for ten years; one 3rd prize of \$200,000 paid as \$20,000 per year for ten years; one 4th prize of \$75,000 cash; two 5th prizes of \$50,000 cash each; four 6th prizes of \$25,000 cash each; and ten 7th prizes of \$10,000 cash each. The director reserve the right provided by WAC 315-10-030(7)(a) to place any instant prize winner who is entitled to entry in a Grand Prize Drawing whose entry was not entered into the elimination drawing for such Grand Prize Drawing and who is subsequently determined to have been entitled to such entry, into the elimination drawing of a subsequent instant game Grand Prize Drawing having equal (or greater) Grand Prizes available.

(7) Notwithstanding any other provisions of these rules, the director may: (a) vary the length of Instant Game Number 5 not to exceed 15 weeks, and/or (b) vary the number of tickets sold in Instant Game Number 5 and the number of Grand Prize Drawing winners in a manner that will maintain the estimated average odds of winning a Grand Prize Drawing.

#### NEW SECTION

WAC 315-11-072 TICKET VALIDATION REQUIREMENTS. (1) Besides meeting all of the other requirements in these rules and regulations, the following validation requirements will apply to instant game tickets in Instant Game Number 5. To be a valid instant game ticket, all of the following requirements must be met:

(a) Exactly one Play Number must appear under each of the six rub-off spots in the right portion of the ticket.

(b) Each of the six Play Numbers must have a Caption underneath, and each Play Number must agree with its Caption.

(c) Each of the six Play Numbers must be present in its entirety and be fully legible.

(d) Each of the six Captions must be present in its entirety and be fully legible.

(e) Each of the six Play Numbers and their Captions must be printed in gray-black ink.

(f) The ticket shall be intact.

(g) The Pack-Ticket Number, Validation Number and Agent Validation Code must be present in their entirety and be legible. The Validation Number shall correspond, using the lottery's codes, to the Play Numbers on the ticket.

(h) The ticket must not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner.

(i) The ticket must not be counterfeit in whole or in part.

(j) The Validation Number and Agent Validation Code shall be printed in gray-black ink, and the Pack-Ticket Number shall be printed in red ink.

(k) The ticket must have been issued by the director in an authorized manner.

(l) The ticket must not be stolen nor appear on any list of omitted tickets on file with the director.

(m) The Play Numbers, Captions, Validation Number, Agent Validation Code, and Pack-Ticket Number must be right side up and not reversed in any manner.

(n) The ticket must be complete, not miscut, have exactly one Play Number and exactly one Caption under each of the six rub-off spots, exactly one Pack-Ticket Number, exactly one Agent Validation Code, and exactly one Validation Number.

(o) The Validation Number of an apparent winning ticket shall appear on the lottery's official list of Validation Numbers of winning tickets; and a ticket with that Validation Number shall not have been previously paid.

(p) The ticket must not be blank, or partially blank, misregistered, defective, or printed or produced in error.

(q) Each of the Play Numbers must be exactly one of those described in WAC 315-11-070(1) above and each of the Captions to the six Play Numbers must be exactly one of those described in WAC 315-11-070(4) above.

(r) Each of the six Play Numbers on the ticket must be printed in the Mead Archer size font and must correspond precisely to the artwork on file with the director; each of the six Captions must be printed in the 5 x 9 font and must correspond precisely to the artwork on file with the director; the Pack-Ticket Number must correspond precisely to the artwork on file with the director; and the Validation Number must be printed in the Mead 9 x 12 font and must correspond precisely to the artwork on file with the director.

(s) The display printing must be regular in every respect and correspond precisely with the artwork on file with the director.

(t) No portion of the code underneath the "DO NOT REMOVE" covering is exposed.

(u) The ticket must pass all additional confidential validation requirements of the director.

(2) Any ticket failing any of the validation requirements in WAC 315-11-072(1) is void and ineligible for any prize.

(3) The director may, solely at his or her option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price from any other current lottery game). In the event a defective ticket is purchased, the only responsibility or liability of the lottery shall be the replacement of the defective ticket with another unplayed ticket (or tickets of equivalent sale price from any other current lottery game). However, (a) if the only validation check that a ticket fails is WAC 315-11-072(1)(t), or (b) if the ticket is partially mutilated, or (c) if the ticket is not intact, and the ticket can still be validated by the other validation requirements, the director may, in his or her discretion, pay the prize of that ticket.

**WSR 83-10-068**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning WAC 315-12-010, 315-12-020, 315-12-030, 315-12-040, 315-12-050, 315-12-060, 315-12-070, 315-12-080, 315-12-090, 315-12-100, 315-12-110, 315-12-120, 315-12-130, 315-12-140 and 315-12-150;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 42.17.250.

The specific statute these rules are intended to implement is RCW 42.17.250 - 42.17.340.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

This notice is connected to and continues the matter in Notice Nos. WSR 83-01-108, 83-05-028 and 83-

08-081 filed with the code reviser's office on December 21, 1982, February 10, 1983, and April 6, 1983.

Dated: May 4, 1983  
By: Richard A. Heath  
for Lenore Lambert  
Acting Chairperson

**WSR 83-10-069**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning the repeal of WAC 315-02-210 special license defined and WAC 315-04-050 special license;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-08-047 filed with the code reviser's office on April 1, 1983.

Dated: May 4, 1983  
By: Richard A. Heath  
for Lenore Lambert  
Acting Chairperson

**WSR 83-10-070**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning WAC 315-11-060, 315-11-061 and 315-11-062;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

This notice is connected to and continues the matter in Notice Nos. WSR 83-08-080 and 83-05-053 filed with the code reviser's office on April 6, 1983, and February 16, 1983.

Dated: May 4, 1983  
By: Richard A. Heath  
for Lenore Lambert  
Acting Chairperson

**WSR 83-10-071**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning WAC 315-12-100;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 42.17.250 and 42.17.310.

The specific statute these rules are intended to implement is RCW 42.17.250 and 42.17.310.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

This notice is connected to and continues the matter in Notice Nos. WSR 83-05-054 and 83-08-082 filed with the code reviser's office on February 16, 1983, and April 6, 1983.

Dated: May 4, 1983  
By: Richard A. Heath  
for Lenore Lambert  
Acting Chairperson

**WSR 83-10-072**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning WAC 315-11-050, 315-11-051 and 315-11-052;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

This notice is connected to and continues the matter in Notice Nos. WSR 83-08-079 and 83-05-052 filed with the code reviser's office on April 6, 1983, and February 16, 1983.

Dated: May 4, 1983  
By: Richard A. Heath  
for Lenore Lambert  
Acting Chairperson

**WSR 83-10-073**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning WAC 315-20-010, 315-20-020, 315-20-030, 315-20-040, 315-20-050, 315-20-060, 315-20-070, 315-20-080, 315-20-090, 315-20-100, 315-20-110, 315-20-120, 315-20-130, 315-20-140 and 315-20-150;

that the agency will at 10:00 a.m., Wednesday, June 8, 1983, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 34.04.060, 34.04.070, 34.04.090 and 34.04.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-08-074 filed with the code reviser's office on April 6, 1983.

Dated: May 4, 1983  
By: Richard A. Heath  
for Lenore Lambert  
Acting Chairperson

**WSR 83-10-074**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning senior citizen's services program, amending chapter 388-17 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director  
Division of Administration and Personnel  
Department of Social and Health Services  
Mailstop OB 14  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by May 27, 1983. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Friday, June 10, 1983, in Conference Room H-19, Third Floor, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 15, 1983.

The authority under which these rules are proposed is RCW 74.38.030.

The specific statute these rules are intended to implement is chapter 74.38 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 10, 1983.

Dated: May 3, 1983  
By: David A. Hogan, Director  
Division of Administration and Personnel

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 388-17 WAC.

Purpose of the Rule Change: The department is in the process of reviewing those chapters of Title 388 WAC which have not been revised in the past two years. These are minor editorial, clarifying and updating amendments to chapter 388-17 WAC, the senior citizen's services program.

Statutory Authority: RCW 74.38.030.

Person or Persons Responsible for the Drafting, Implementation and Enforcement of the Rule: Kathy Leitch, Program Manager, Bureau of Aging and Adult Services, Mailstop: OB 43G, Phone: 3-3163.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

**AMENDATORY SECTION** (Amending Order 1292, filed 5/1/78)

WAC 388-17-100 RIGHTS AND RESPONSIBILITIES OF APPLICANTS AND RECIPIENTS. (1) Each applicant and/or recipient of the senior citizens services program shall have the following rights:

(a) Any individual wishing to do so shall have the right to apply for the senior citizens services program and have his or her eligibility determined within ten days. If an adverse decision is made regarding eligibility, the applicant will be provided written notice. The notice of eligibility shall include a statement of the reasons upon which an unfavorable decision is based and a statement of the individual's right to a hearing, and a statement of the individual's right to representation at the hearing by a friend, relative, or other representative.

(b) An eligible individual shall be given the requested services, within the limits of available funds, ~~((which are))~~ offered by the area agency on aging in his or her geographic area.

(c) An applicant or recipient ~~((who feels))~~ feeling aggrieved by a decision of the area agency or service provider regarding his or her eligibility for senior citizens services shall have the right to an informal hearing provided by the area agency. The hearing shall be held within thirty days of the date a request is made, and a written decision shall be rendered within fifteen days after the hearing. If the applicant or recipient is dissatisfied with the outcome of the informal hearing, he or she may request the department provide a fair hearing as specified in chapter 388-08 WAC. Any person ~~((who desires))~~ desiring a hearing must, within thirty days after receiving written notice of a decision regarding eligibility, make written request for a hearing to the area agency or the department.

(d) Information obtained by the department, area agency, or vendor identifying any applicant or recipient of senior citizens services is confidential and privileged and may not be disclosed or used either directly or indirectly in any manner or for any purpose except for purposes directly related to the administration of the program, unless the applicant or recipient requests in writing that the information be disclosed.

(e) Each applicant and recipient shall be treated with dignity and courtesy, and there shall be no discrimination against any individual because of race, sex, religious creed, political beliefs, national origin, or handicap.

(f) Each applicant for services for which a fee may be charged (all services except nutrition, health screening, information and assistance, and transportation) shall be fully informed in writing of his or her rights and responsibilities in connection with the senior citizens services program.

(2) An applicant and/or recipient shall have the following responsibilities:

(a) Each applicant for services for which a fee may be charged shall provide complete and accurate information on an application form provided by the department and cooperate in establishing his or her eligibility for services.

(b) If services provided by the senior citizens services program are available at no cost to the applicant through other sources, the applicant shall apply for these services through the appropriate agency.

(c) Each recipient of services for which a fee may be charged shall promptly report any changes in income or resources in writing ~~((which may affect))~~ affecting his or her eligibility or amount of fees to be paid for services.

**AMENDATORY SECTION** (Amending Order 1485, filed 2/1/80)

WAC 388-17-160 INCOME AND RESOURCES. (1) An individual whose income is at or below forty percent of the state median income for a family of four adjusted for family size, as determined by the ~~((secretary of H.E.W.))~~ department and whose resources are at or below the limits specified in this section, shall be eligible for services at no cost.

(a) The following shall be disregarded in determining the income and resources of an applicant or recipient:

(i) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(ii) The value of the U.S. department of agriculture donated foods (surplus commodities).

(iii) Any benefits received under Title III C, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended.

(iv) Any compensation provided to volunteers in ACTION programs established by Titles I, II, and III of ~~((Public Law))~~ P.L. 93-113, the Domestic Volunteer Services Act of 1973.

(v) Any payment received from a foster care agency for children in the home.

(vi) Garden produce, livestock, and poultry used for home consumption.

(vii) Any real property held in trust for an individual Indian or Indian tribe.

(viii) The benefits of a program which by its terms provides that its benefits are exempt from consideration of eligibility in needs programs.

(2) Effective ~~((October 1979))~~ July, 1982, the ~~((state median income for a family of four is \$20,207. Forty percent is \$8,082.))~~ income tables for forty percent of median income~~((:))~~ are:

Number In Family Unit	Monthly Income	Annual Income
1	\$ <del>((350))</del> 454	\$ <del>((4,200))</del> 5,448
2	<del>((458))</del> 594	<del>((5,496))</del> 7,128
3	<del>((566))</del> 734	<del>((6,792))</del> 8,808
4	<del>((674))</del> 874	<del>((8,088))</del> 10,488
5	<del>((781))</del> 1,014	<del>((9,372))</del> 12,168
6	1,153	13,836

For each additional family household member, add \$15 for monthly income, or \$180 for annual income.

(3) Income means any real or personal property in cash or kind received by an applicant or recipient after applying for the senior citizens services program which is available to meet the requirements of the applicant or recipient and his or her dependents.

(4) Resources mean all real or personal property owned by or available to an applicant at the time of application which can be applied toward meeting the applicant's requirements, either directly or by conversion into money or its equivalent. Property ~~((that is))~~ available shall mean property over which the applicant has legal right of control.

(a) The following resources, regardless of value, shall not be considered in determining the value of an applicant's or recipient's resources:

(i) A home and lot normal for the community.

(ii) Used and useful household furnishings, personal clothing, and automobiles.

(iii) Personal property of great sentimental value.

(iv) Personal property used by the applicant or recipient to earn income or to rehabilitate ~~((himself/herself))~~ himself or herself.

(v) One cemetery plot for each member of the family unit.

(vi) Cash surrender value of life insurance.

(b) The total value of all other resources including cash, marketable securities, and real or personal property shall not exceed ~~(((\$10,000.00))~~ ten thousand dollars for a single person or ~~(((\$15,000.00))~~ fifteen thousand dollars for a family of two. This maximum shall be increased by ~~(((\$1,000.00))~~ one thousand dollars for each additional member of the household.

**AMENDATORY SECTION** (Amending Order 1292, filed 5/1/78)

WAC 388-17-180 FEE SCHEDULE. (1) Eligible persons whose income and/or resources exceed the limits specified in WAC 388-17-160 for free services shall be responsible for payment of the total, or a percentage, of the cost for each service provided as determined by the fee schedule published in DSHS Form 14-155(X) ~~((9/77 which is))~~ 7/82 incorporated by reference herein. For each size household, the percentage of the cost of the service for which the department will make payment is based on the following formula:

$$\frac{100\% \text{ state median income (SMI)} - \text{Household Income}}{100\% \text{ SMI} - 40\% \text{ SMI}} \times 100$$

(2) Service providers shall be responsible for collecting fees owed by eligible persons and reporting to area agencies all such fees paid or owed by eligible persons.

(3) Fees paid shall not exceed the cost of services provided.

**WSR 83-10-075**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning refugee assistance, amending chapter 388-55 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director  
 Division of Administration and Personnel  
 Department of Social and Health Services  
 Mailstop OB 14  
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by May 27, 1983. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Friday, June 10, 1983, in Conference Room H-19, Third Floor, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 15, 1983.

The authority under which these rules are proposed is RCW 43.20A.550.

The specific statute these rules are intended to implement is RCW 43.20A.550.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 10, 1983.

Dated: May 2, 1983

By: David A. Hogan, Director  
 Division of Administration and Personnel

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 388-55 WAC.

**Purpose of the Rule or Rule Change:** To implement federal regulations relating to the refugee assistance program and reorganize the chapter.

**Statutory Authority:** RCW 43.20A.550.

**Summary of the Rule or Rule Change:** An employable refugee must register for employment services as a condition of eligibility. The 60-day (after entry into the U.S.) exemption has been deleted; assistance will be terminated the end of the month an employable refugee refuses an appropriate offer of employment or to participate in a social service program. The counseling period for such a refugee has been deleted; and full-time students in institutions of higher education are no longer eligible for financial assistance except for job or language training.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Mac Trepanier, Program Manager, Division of Income Assistance, Mailstop: OB 31C, Phone: 3-3177.

These rules are necessary as a result of federal law, Public Law 97-363.

#### AMENDATORY SECTION (Amending Order 1800, filed 5/5/82)

WAC 388-55-010 (~~REFUGEE ASSISTANCE~~) COMMON ELIGIBILITY CONDITIONS. (1) Assistance shall be granted to refugees within the provisions of (~~Public Law~~) P.L. 96-212, the Refugee Assistance Program.

(2) For the purpose of the refugee assistance program, a refugee is defined as a person who has fled from and cannot return to his or her country due to persecution or fear of persecution because of race, religion, or political opinion. Under this definition, the following individuals shall be eligible to apply for assistance and/or services under the refugee assistance program:

(a) A person from Cambodia, Laos, or Vietnam receiving Indochinese refugee assistance because he or she was:

(i) A person having parole status as indicated by an INS (Immigration and Naturalization Service) Form I-94.

(ii) A person having voluntary departure status as indicated by Form I-94.

(iii) A person having conditional entry status as indicated by Form I-94.

(iv) A person admitted to the United States with permanent resident status on or after April 8, 1975 (the date the president designated Vietnamese and Cambodians to be refugees under the Migration and Refugee Assistance Act), as indicated by Form I-151 or I-551.

(v) A person having permanent resident status as a result of adjustment of status under P.L. 95-145 as indicated by Form I-151 or I-551.

(b) A person from Cuba receiving assistance or services under the Cuban phase-down program, who entered the United States on or after October 1, 1978. Such persons must have:

(i) A registration card issued by the United States Cuban Refugee Center in Miami on or after October 1, 1978, and

(ii) INS documentation sufficient to establish the person entered the United States on or after October 1, 1978, or verification with the United States Cuban Refugee Center of the refugee's date of entry.

(c) A person from Cambodia, Laos, or Vietnam having parole status.

(i) Such persons must have a Form I-94 indicating the person has been paroled under Section 212(d)(5) of the Immigration and Nationality Act (INA).

(ii) If the Form I-94 was issued on or after June 1, 1980, the form must clearly indicate the person has been paroled as a refugee or asylee.

(d) A person from Cuba having been paroled as a refugee or asylee and entering the United States on or after October 1, 1978.

(i) Such persons must have a Form I-94 indicating the person has been paroled under Section 212(d)(5) of the INA.

(ii) If the Form I-94 was issued on or after April 21, 1980, the form must clearly indicate the person has been paroled as a refugee or asylee.

(e) An individual from any country other than Cambodia, Laos, Vietnam, or Cuba having parole status as a refugee or asylee as evidenced by a Form I-94 indicating the person has been paroled under Section 212(d)(5) of the INA as a refugee or asylee.

(f) An individual admitted from any country as a conditional entrant under Section 203(a)(7) of the INA. This must be indicated on the Form I-94.

(g) An individual from any country admitted as a refugee under Section 207 of the INA. This must be indicated on Form I-94.

(h) An individual from any country having been granted asylum under Section 208 of the INA. This must be indicated on Form I-94.

(i) A person from any country previously holding one of the statuses identified in this section whose status has been changed to permanent resident alien.

(3) Refugee assistance cases eligible for the AFDC and/or Medicaid programs shall be transferred to such programs retroactively effective October 1, 1977, or as of such date as the case qualified for refugee assistance, whichever is later.

(a) Refugees must meet AFDC or Medicaid eligibility criteria to be transferred.

(b) A refugee cash assistance case being transferred to AFDC shall be regarded as a recipient rather than a new applicant so the income shall be disregarded accordingly.

(4) Applications from refugees not currently receiving refugee cash and/or medical assistance shall be determined for AFDC or Medicaid eligibility before determining eligibility for the refugee assistance program.

(a) If the applicant is determined not eligible for AFDC, eligibility shall then be determined under the refugee assistance program.

(b) If the applicant is determined not eligible for Medicaid, eligibility shall be determined under the refugee assistance program.

(5) Requirements of categorical relatedness of federal assistance programs are waived for refugees under the refugee assistance program.

(6) Refugees terminated from the AFDC program because of refusal to comply with requirements(;) shall not be eligible for refugee assistance.

(7) Except as specified in subsection (8) of this section, assistance to all types of refugee cases, regardless of family composition, shall be provided at the AFDC monthly standards; income and resources will be treated according to AFDC standards. Resources not available, including property remaining in Vietnam, Laos, or Cambodia, shall be considered in determining eligibility for financial assistance.

(8) Applicants for and recipients of refugee assistance shall not be eligible for the thirty dollar plus one-third of the remainder exemption from earned income.

(9) The refugee family unit including United States citizen's children, by virtue of being born in this country, shall be treated as a single assistance unit under the refugee assistance program in accordance with the provisions of WAC 388-24-050.

(10)((a) All applicants for and recipients of a financial grant under the refugee assistance program and each member of the family group of which the applicants and recipients are a part are required to register for employment with the state employment service unless the individual is:

(i) An individual under sixteen, or under age nineteen and attending secondary school or an equivalent level of vocational or technical training full time;

(ii) A person ill, incapacitated, or over sixty-five;

(iii) A person whose presence in the home is required because of illness or incapacity of another member of the household;

(iv) A mother or other caretaker caring for a child under the age of six;

(v) A mother or other caretaker of a child, when the nonexempt father or other nonexempt adult relative in the home is registered and has not refused to accept employment without good cause.

(b) Inability to communicate in English does not justify exemption from registration or acceptance of employment.

(11) Refusal of an employable adult refugee to register with the employment service without good cause shall result in the following actions. In addition, refusal to accept, continue or participate in a training or employment opportunity or referral, from any source, determined appropriate for the refugee by the CSO shall also result in the following actions:

(a) The CSO will provide counseling within seven days of the individual's refusal to participate. The counseling is intended to provide the refugee with an understanding of the implications of his or her refusal to accept employment or training, and to encourage the refugee's acceptance of such opportunity. Only one such counseling session is required but additional counseling may be provided at the discretion of the CSO.

(b) An employable adult refugee applicant refusing a work or training opportunity or referral without good cause, as stated in this section within thirty days prior to application shall be ineligible for refugee assistance for thirty days from the date of the refusal. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible.

(c) If the employable refugee recipient continues to refuse an offer of employment or training, assistance will be terminated thirty days after the date of his or her original refusal. The refugee shall be given at least ten days written notice of the termination of assistance and the reason therefor. This sanction shall be applied in the following manner:

(i) If the assistance unit includes other individuals, the grant shall be reduced by the amount included on behalf of the refugee. If the

employable refugee is a caretaker relative, assistance in the form of protective or vendor payments will be provided to the remaining members of the assistance unit.

(ii) If such individual is the only individual in the assistance unit, the grant shall be terminated.

(iii) The recipient's voluntary agency (VOLAG) shall be notified if action is taken according to subsection (11)(c)(i) or (ii) of this section; provided the provisions for safeguarding information in chapter 388-320 WAC are met.

(iv) A decision by the refugee to accept employment or training, made at any time within the thirty day period after the date of the original refusal, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.

(v) An employable refugee shall be ineligible for a period of thirty days after the termination of assistance because of refusal to accept or continue employment or training.

(12) An employable adult refugee shall be exempt from the work registration requirements in subsections (10) and (11) of this section for a period of sixty days after the person's date of entry into the United States.

(13) A refugee of any age otherwise eligible shall not be denied cash assistance while enrolled and participating in a CSO approved employability training program intended to have a definite short-term (less than one year) employment objective.

(14)(a) With the exception of the thirty dollar and one-third exemption, adult refugee recipients shall be eligible for earned income exemptions as specified in WAC 388-28-570, regardless of assistance unit composition.

(b) The income of a refugee dependent child shall be treated as specified in WAC 388-28-535.

(15) All refugee recipients sixty-five years of age or older, or blind or disabled will be referred immediately to the social security administration for SSI benefits. The SSI applicant will be included in the assistance grant at the AFDC standard until payments are received.

(16)(a) The refugee recipient receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(b) Eligibility for medical care for the nonrecipient refugee shall be determined as specified in chapter 388-83 WAC. Eligibility is based on medical and financial need only; requirements of categorical relatedness are waived. Subsection (14)(a) of this section is applicable in determining the amount of participation in medical costs for refugee recipients.

(c) The refugee recipient becoming ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided that:

(i) In the case of a single individual assistance unit:

(A) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(B) He or she continues to be employed.

(ii) In the case of a multiple individual assistance unit:

(A) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(B) A member of the family continues to be employed.

(d) Medical need shall not be an eligibility factor.

(17) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.

(18) Persons meeting the criteria in this section shall be eligible for refugee assistance only during the eighteen-month period beginning in the first month the individual entered the United States.

(19) The rules in this section shall be effective April 1, 1982. Persons meeting the criteria in this section shall be eligible for refugee assistance only during the eighteen-month period beginning in the first month the individual entered the United States.

(11) Full-time students in an institution of higher education are not eligible for refugee assistance, unless participating in a department-approved job or language training program.

(12) The voluntary agency (VOLAG) sponsoring the applicant shall be notified whenever he or she makes application for assistance.

#### NEW SECTION

WAC 388-55-020 WORK AND TRAINING ELIGIBILITY CONDITIONS. (1) All applicants for and recipients of a financial grant under the refugee assistance program and each member of the

family group of which the applicants and recipients are a part are required to register for employment with the state employment service or other designated employment agency. Exemptions to employment registration are:

(a) An individual under sixteen, or under age nineteen and attending secondary school or an equivalent level of vocational or technical training full time;

(b) A person ill, incapacitated, or over sixty-five;

(c) A person whose presence in the home is required because of illness or incapacity of another member of the household;

(d) A mother or other caretaker caring for a child under the age of six;

(e) A mother or other caretaker of a child, when the nonexempt father or other nonexempt adult relative in the home is registered and has not refused to accept employment without good cause;

(f) An individual employed at least thirty hours per week.

(2) Inability to communicate in English does not justify exemption from registration or acceptance of employment.

(3) For purposes of this section, training shall mean participation in any available and appropriate social service program providing job or language training as approved in the personal employment plan.

(4) Refusal of an employable adult refugee to register with the employment service without good cause shall result in the following actions. In addition, refusal to accept, continue, or participate in a training or employment opportunity or referral, from any source, determined appropriate for the refugee by the CSO shall also result in the following actions:

(a) An employable adult refugee applicant refusing a work or training opportunity or referral without good cause, as stated in this section within thirty days prior to application, shall be ineligible for refugee assistance for thirty days from the date of the refusal. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible.

(b) If an employable refugee recipient continues to refuse an offer of employment or training, assistance will be terminated the first of the following month after the date of his or her original refusal. The refugee shall be given at least ten days written notice of the termination of assistance and the reason therefore. This sanction shall be applied in the following manner:

(i) If the assistance unit includes other individuals, the grant shall be reduced by the amount included on behalf of the refugee.

(ii) If such individual is the only individual in the assistance unit, the grant shall be terminated.

(iii) The recipient's voluntary agency (VOLAG) shall be notified if action is taken according to subsection (4)(b)(i) or (ii) of this section, provided the provisions for safeguarding information in chapter 388-320 WAC are met.

(iv) A decision by the refugee to accept employment or training, made at any time before the effective date of termination, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.

(v) An employable refugee shall be ineligible for a period of thirty days after the termination of assistance because of refusal to accept or continue employment or training.

(5) A refugee of any age otherwise eligible shall not be denied cash assistance while enrolled and participating in a CSO approved employability training program intended to have a definite short-term (less than one year) employment objective.

#### NEW SECTION

WAC 388-55-030 TREATMENT OF INCOME. (1) With the exception of the thirty dollar and one-third exemption, adult refugee recipients shall be eligible for earned income exemptions as specified in WAC 388-28-570, regardless of assistance unit composition.

(2) The income of a refugee dependent child shall be treated as specified in WAC 388-28-535.

(3) All refugee recipients sixty-five years of age or older, or blind or disabled will be referred immediately to the Social Security Administration for SSI benefits. The SSI applicant will be included in the assistance grant at the AFDC standard until payments are received.

#### NEW SECTION

WAC 388-55-040 REFUGEE MEDICAL ASSISTANCE. (1) The refugee recipient receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(2) Eligibility for medical care for the nonrecipient refugee shall be determined as specified in chapter 388-83 WAC. Eligibility is based on medical and financial need only; requirements of categorical relatedness are waived. WAC 388-55-030(1) is applicable in determining the amount of participation in medical costs for refugee recipients.

(3) The refugee recipient becoming ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided:

(a) In the case of a single individual assistance unit:

(i) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) He or she continues to be employed.

(b) In the case of a multiple individual assistance unit:

(i) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) A member of the family continues to be employed.

(iii) Medical need shall not be an eligibility factor.

(4) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.

(5) Persons meeting the criteria in this section shall be eligible for refugee assistance only during the eighteen-month period beginning in the first month the individual entered the United States.

(6) The rules in this section shall be effective April 1, 1982.

**WSR 83-10-076**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(General Provisions)**  
[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning water system project review and approval fees, new WAC 440-44-048.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director  
Division of Administration and Personnel  
Department of Social and Health Services  
Mailstop OB 14  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 8, 1983. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Wednesday, June 22, 1983, in the General Administration Building Auditorium, Corner 11th and Columbia, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 29, 1983.

The authority under which these rules are proposed is RCW 43.20A.055.

The specific statute these rules are intended to implement is RCW 43.20A.055.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 22, 1983.

Dated: May 2, 1983  
 By: David A. Hogan, Director  
 Division of Administration and Personnel

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.  
 Re: New WAC 440-44-048.

The Purpose of the Rule: To adopt a formal fee schedule for reviewing public water system projects.

The Reason These Rules are Necessary: To recover DSHS costs for reviewing public water system projects to ensure that the projects are designed and constructed in accordance with state Board of Health regulations.

Statutory Authority: RCW 43.20A.055.

Summary of the Rule: To provide a schedule for charging fees to recover the cost to DSHS of reviewing public water system projects.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Tim Blake, Water Supply Specialist, Environmental Health Programs, Mailstop: LD-11, Phone: 754-2528.

These rules are not necessary as a result of federal law, federal court decision or state court decisions.

The subject rules are not compliance regulations. The proposed fee regulations cover DSHS costs for reviewing public water system projects. Fees are required by state law to be based on costs to the department for the involved regulatory activity. The project review fees are based on the size of the water system and the complexity of the project. The review fee increases as the water system size and project complexity increases.

**NEW SECTION**

WAC 440-44-048 WATER SYSTEM PROJECT REVIEW AND APPROVAL FEES. (1) The review and approval fees for planning, engineering, and construction documents required under chapters 248-54 and 248-56 WAC shall be as follows:

(a) Water system plans

PROJECT TYPE	CLASS 4	CLASS 2 & 3	CLASS 1	
			100 TO 999 SERVICES	1,000 OR MORE SERVICES
Water System Plan	No Plan Required	No Plan Required	500.00	1,000.00
Water System Plan letter update or coordinated water system plan or water system planning questionnaire	No Fee	No Fee	No Fee	No Fee

(b) Project engineering reports

PROJECT TYPE	CLASS 4	CLASS 2 & 3	CLASS 1	
			100 TO 999 SERVICES	1,000 OR MORE SERVICES
All types of filtration or other complex treatment processes	250.00	500.00	1,000.00	1,500.00
Chemical addition for corrosion control, or Fe and Mn control	No Report Required	No Report Required	300.00	500.00
Disinfection or fluoridation when no other process is involved	No Report Required	No Report Required	100.00	200.00
Complete water system which requires a detailed report to show how it will meet standards and regulations and operate properly	No Report Required	No Report Required	400.00	700.00



PROJECT TYPE	CLASS 4	CLASS 2 & 3	CLASS 1	
			100 TO 999 SERVICES	1,000 OR MORE SERVICES
Major system modifications such as source, storage, or transmission, which change the system enough to require a detailed report to show how it will meet the regulations	100.00	200.00	300.00	500.00

(c) Project plans and specifications

PROJECT TYPE	CLASS 4	CLASS 2 & 3	CLASS 1	
			100 TO 999 SERVICES	1,000 OR MORE SERVICES
All types of filtration or other complex treatment processes	250.00	500.00	1,000.00	1,500.00
Chemical addition for corrosion control or Fe and Mn control or disinfection or fluoridation when no other treatment process is involved	100.00	150.00	300.00	400.00
Complete water system which has not and will not be constructed prior to approval	200.00	400.00	600.00	800.00
New source of supply for an existing water system	150.00	200.00	300.00	400.00
Standard plans and specifications for water line installation, or booster pump station, or storage reservoir, or transmission/distribution water lines	100.00	150.00	200.00	300.00
Well-site approval including the site inspection and hydro-geologic information review	100.00	100.00	100.00	100.00

(2) Additional review and approval fees may be assessed as follows:

(a) The basic fee covers services through the second review letter. If additional services or submittals are required for an approval to be made, an additional twenty-five percent of the original fee will be assessed for each subsequent service or review.

(b) Fees for approval of as-built plans and specifications for water system projects which were constructed without written approval, shall be twice the amount shown in subsection (1)(c) of this section.

**WSR 83-10-077**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 1958—Filed May 4, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-34-160 Grant change—Admittance to institution other than nursing home.
- Amd WAC 388-86-040 Hearing aids.
- Amd ch. 388-87 WAC Medical care—Payment.
- Amd WAC 388-92-045 Excluded resources.
- Amd ch. 388-93 WAC Medical care for grandfathered recipients.

This action is taken pursuant to Notice No. WSR 83-07-053 filed with the code reviser on March 21, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 4, 1983.

By David A. Hogan, Director  
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1338, filed 9/18/78)

✓ WAC 388-34-160 GRANT CHANGE—ADMITTANCE TO INSTITUTION OTHER THAN NURSING HOME. (1) When a recipient enters an institution other than a licensed and classified private nursing home the ~~((EO))~~ CSO may use any payment process which the ~~((EO))~~ CSO determines to be the most practical under the circumstances. Such payment process may consist of recomputation or suspension of the regular grant, redirection and cancellation of warrants, one-time grant, or any combination of the preceding. Medical costs, in addition to grant need, may also be taken into consideration in determining suspension or termination.

~~((a) Income is first applied to grant requirements. Income not utilized in meeting grant requirements shall be deemed available to meet medical needs and reported to the MCFO. If it is obvious that income exceeds grant requirements and medical needs, the regular grant is terminated. All nonexempt income must be used to meet grant and/or medical costs.~~

~~(b) See WAC 388-33-355 for policy on suspension. See WAC 388-28-482 for policy on newly acquired income.~~

~~See chapter 388-44 WAC for policy on overpayment.)~~

(2) Supplemental assistance for general maintenance or general subsistence if needed from date of admission to effective date of regular grant change shall be authorized and paid to the recipient as a one-time grant. The funds in the recipient's possession from his regular assistance warrant for the month he enters, and/or any unused income, is considered available to meet need. See WAC 388-33-595(2)(b)(iv).

(3) When an adult recipient (OAA, DA, AB, GAU) enters an institution and there is another adult in the assistance unit, separate grants from the appropriate program shall be established for each adult. Minor children dependent on the adults shall be included in the assistance unit of the adult not in the institution.

When an assistance unit is "split" the effective date of the grant to each assistance unit shall be synchronized to avoid overpayment.

(4) If a recipient in an institution dies before receiving or being able to endorse a warrant already authorized and due him and owes for general maintenance or general subsistence, the previously authorized warrant shall be canceled and the amount due shall be paid as a vendor payment from the category in which the canceled warrant was written. See WAC 388-33-460.

The amount due shall be that portion of the cancelled warrant actually owed by the recipient less any funds the recipient has on deposit with the vendor.

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

✓ WAC 388-86-040 HEARING AIDS. (1) The department shall provide to categorically needy recipients:

(a) One new hearing aid covered by a one-year warranty under the following conditions:

(i) On prescription of an otolaryngologist, or the attending physician where no otolaryngologist is available in the community, and

(ii) With a minimum of 50 decibel loss in the better ear based on auditory screening at 500, 1000, 2000 and 4000 Hertz (Hz) with effective masking as indicated, and

(iii) When covered by a one-year warranty, and/or

(b) A one-time repair of a state purchased or privately owned hearing aid when covered by a ninety-day warranty.

(2) Hearing aid evaluations are authorized on an individual basis by the CSO. Group screening for hearing aids is not permitted under the program.

(3) Prior approval is required for the purchase or trial period rental of hearing aids ~~((and for one-time repair of a state purchased or privately owned hearing aid))~~.

(4) Requests for hearing aids on behalf of nursing home residents must be reviewed by a department nursing home consultant.

(5) After expiration of warranties, the owner is responsible for repairs and for purchase of batteries, any attachments and replacements.

(6) Individuals under age twenty-one must be referred to the crippled children's service conservation of hearing program.

(7) Individuals twenty-one years of age and over may sign a waiver statement declining the medical evaluation for religious or personal beliefs that preclude consultation with a physician.

(8) Hearing aids are not provided to recipients of continuing general assistance grants and the limited casualty program.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

✓ WAC 388-87-007 MEDICAL PROVIDER AGREEMENT. The medical care program is offered through the use of certified providers of medical services. To be certified, a provider must be licensed to provide said services, must meet the conditions of eligibility defined in WAC 388-87-005, and must submit a form to the department stating his/her intention to participate in the program according to the terms of this section. This form and participation by the provider according to the terms of this section shall constitute the agreement between the department and the provider. Certified providers shall be issued a provider number by the department which is authorization to participate in the medical care program. Providers who participate in the program by providing services to recipients of medical assistance and billing the department for such services are bound by the rules and standards set forth in this section and as issued by the department.

(1) Providers shall keep all records necessary to disclose the extent of services the provider furnishes to recipients of medical assistance.

(2) Providers shall furnish the department with any information it may request regarding payments claimed by the provider for furnishing services to recipients of medical assistance.

(3) The provider shall bill according to instructions issued by the department and accept payment for services according to the schedule of maximum allowances, the drug formulary and other applicable maximum payment levels or schedules. Such payment shall constitute complete remuneration for such services.

(4) The provider shall refund to the recipient any payment received directly from the recipient for services for which the department is responsible for payment.

(5) Each billing invoice submitted to the department by a provider shall contain the following language and verification: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee; and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, national origin or the presence of any sensory, mental or physical handicap."

~~((5))~~ (6) Providers shall render all services without discrimination on the grounds of race, color, sex, religion, national origin, creed, marital status, or the presence of any sensory, mental or physical handicap.

~~((6))~~ (7) The department may suspend or withdraw the provider's number and authorization to participate in the medical care program upon thirty days written notice to the provider.

~~((7))~~ (8) Providers shall render all services according to the applicable sections of the Revised Code of Washington, the Washington Administrative Code, federal regulations and program instructions issued by the department.

~~((8))~~ (9) Nothing in this section shall preclude the department and any provider or provider group or association from jointly negotiating or entering into another form of written agreement for provision of medical care services to eligible recipients.

(10) The provider must meet the disclosure of ownership requirements of WAC 388-87-008.

#### NEW SECTION

WAC 388-87-008 DISCLOSURE BY PROVIDERS—INFORMATION ON OWNERSHIP AND CONTROL. (1) The department shall not approve a provider agreement or a contract and shall terminate an existing agreement or contract, if the provider fails to disclose ownership or control information as required by this section.

(2) A disclosing entity shall disclose the following information:

(a) The name and address of each person with an ownership or control interest in the disclosing entity or any subcontractor in which the disclosing entity has a direct or indirect ownership of five percent or more;

(b) Whether any of the persons named, in compliance with this subsection, is related to another as spouse, parent, child, or sibling; and

(c) The name of any other disclosing entity in which a person with an ownership or control interest in the disclosing entity also has an ownership or control interest.

(3) On request by the department the disclosing entity shall within thirty-five days submit full and complete information about:

(a) The ownership of any subcontractor with whom the provider has had business transactions totaling more than twenty-five thousand dollars during a twelve-month period ending on the date of request; and

(b) Any significant business transactions between the provider and any wholly owned supplier, or between the provider and any subcontractors, during the five-year period ending on the date of the request.

(4) The disclosing entity shall disclose the following information on persons convicted of crimes who:

(a) Has ownership or control interest in the provider, or is an agent or managing employee of the provider; and

(b) Has been convicted of a criminal offense related to that person's involvement in any program under Medicare, Medicaid, or the title XX services program since the inception of those programs.

(5) "Disclosing entity" means a Medicaid provider (other than an individual practitioner or group of practitioners) that furnishes, or arranges for the furnishing of, health-related services for which it claims payment under any plan or program administered by the department.

(6) "Group of practitioners" means two or more health care practitioners who practice their profession at a common location (whether or not they share common facilities, common supporting staff, or common equipment).

(7) "Person with an ownership or control interest" means a person or corporation that:

(a) Has an ownership interest totalling five percent or more in a disclosing entity;

(b) Has an indirect ownership interest equal to five percent or more in a disclosing entity;

(c) Has a combination of direct and indirect ownership interests equal to five percent or more in a disclosing entity;

(d) Owns an interest of five percent or more in any mortgage, deed of trust, note, or other obligation secured by the disclosing entity if that interest equals at least five percent of the value of the property or assets of the disclosing entity;

(e) Is an officer or director of a disclosing entity that is organized as a corporation; or

(f) Is a partner in a disclosing entity that is organized as a partnership.

#### AMENDATORY SECTION (Amending Order 1916, filed 2/1/82)

WAC 388-92-045 EXCLUDED RESOURCES. Applicants or recipients may transfer or exchange an exempt resource. Cash received from the sale of an exempt resource is excluded provided the total amount of cash is used to replace or reinvest in another exempt resource within three months. Any remaining portion in excess of allowed resources shall be considered a nonexempt resource if the individual's eligibility continues without a break in certification. In determining the resources of an individual and spouse, if any, the following

items shall be excluded up to the dollar limit, if any, as indicated:

(1) The home or the proceeds from the sale of a home, which is an excluded resource, will also be excluded to the extent that they are re-invested in the purchase of another home which is similarly excluded within three months of the date of receipt of proceeds.

(a) The home of the individual must be the individual's principal place of residence in order to be an excluded resource.

(i) Temporary absences from home including absences from home for trips, visits, and hospitalizations do not offset the home exclusion as long as the individual intends to return home.

(ii) An absence of more than six months may indicate that the home no longer serves as the principal place of residence. See WAC 388-83-140(4)(d).

(iii) The home continues to be excluded if the individual intends to return and there is a likelihood that he/she will return.

(iv) When an institutionalized individual intends to return home, a physician's evaluation of his/her ability to return at some future time to a home setting may be used as the basis of a temporary absence determination. The evidence must be conclusive before a determination can be made that the individual is unable to return home.

(v) Transfer of a home during a temporary absence may constitute evidence that the individual no longer intends to return. Adequate consideration must be received and allocated to the individual's resources. See WAC 388-92-043, transfer of property at less than fair market value.

(b) If the home is used by a spouse or dependent relative during the individual's absence, it will continue to be considered the principal place of residence.

(2) Household goods and personal effects.

(3) An automobile will be totally excluded if it is used for employment or for the individual's medical treatment; otherwise, the current retail market value up to \$4,500, any excess to be counted against the resource limit.

(4) Property of a trade or business which is essential to the means of self-support; however, it shall not include liquid resources as defined in WAC 388-92-005 even though such liquid resource may be producing income. This property means items commonly referred to as tangible business assets such as land and buildings, equipment and supplies, inventory, cash on hand, accounts receivable, etc. The current market value shall not exceed six thousand dollars with a minimum annual rate of return of six percent.

(5) Nonbusiness property which is essential to the means of self-support. This shall include:

(a) Nonliquid (see WAC 388-92-005), nonbusiness property if it is relied upon by the individual as a significant factor in producing income on which he can live, or is used to produce goods, or provide services essential to the individual's support.

(b) Property used exclusively to produce items for home consumption provided the items are significant factors for support and maintenance of the individual.

(c) Tools, equipment, uniforms and similar items required by the individual's employer.

(d) A motor vehicle (in addition to that already excluded) which is essential because of climate, terrain, or similar factors, or special modification, and required to provide necessary transportation. The limitation on value of such vehicle is the same as (3) above.

(6) Resources of a blind or disabled individual which are necessary to fulfill an approved plan for achieving self-support for so long as such plan remains in effect.

(7) Shares of stock held in a regional or village corporation during the period of twenty years ending January 1, 1992, in which such stock is inalienable pursuant to the Alaska Native Claims Settlement Act.

(8) Life insurance owned by an individual and spouse, if any, to the extent of its cash surrender value, provided that the total face value of policies held by each individual is \$1500 or less, in which case the cash surrender value is not evaluated. If the face value of policy(ies) is over \$1500, cash surrender value must be applied to resource limitations. Term or burial insurance with no cash surrender value is not considered in determining face value.

(9) Restricted allotted land owned by an enrolled member and spouse, if any, of an Indian tribe, if such land cannot be sold, transferred or otherwise disposed of without permission of other individuals, his tribe or an agency of the federal government.

(10) Cash received from an insurance company for purposes of repairing or replacing an excluded resource that is lost, damaged, or stolen, etc., is excluded as a resource provided the total amount of the cash is used to repair or replace such excluded resource within nine months that period may be extended based on circumstances beyond the control of the applicant to a maximum of nine additional months. Any such cash not so used within such time periods is considered as an available resource.

(11) ~~((A burial plot, burial crypt or prepaid burial contract.))~~ Burial spaces.

(a) The value of burial spaces for the individual, the individual's spouse or any member of the individual's immediate family.

(b) Burial spaces shall include conventional gravesites, crypts, mausoleums, urns, and other repositories which are customarily and traditionally used for the remains of deceased persons.

(c) For purposes of this subsection immediate family means an individual's minor and adult children, including adopted children and step-children; an individual's brothers, sisters, parents, adoptive parents, and the spouses of those individuals. Neither dependency nor living-in-the-same-household will be a factor in determining whether a person is an immediate family member.

(12) Funds set aside for burial expenses.

(a) Funds specifically set aside for the burial arrangements of an individual or the individual's spouse not to exceed \$1,500 each.

(b) This exclusion applies if the inclusion of any portion of such amount would cause the resources of the individual (or spouse, if any) to exceed the limits specified in WAC 388-92-050.

(c) Funds set aside for burial expenses must be kept separate from other resources not set aside for burial. If such funds are mixed with other resources not intended for burial, the exclusion will not apply to any portion of the funds and will be treated as nonexcluded resources.

(d) Funds set aside for burial includes revocable burial contract, burial trust, or other burial arrangement or any other separately identifiable fund which is clearly designated as set aside for the individual's (or spouse's, if any) burial expenses.

(e) The \$1,500 exclusion must be reduced by the face value of insurance policies on the life of an individual owned by the individual or spouse if the cash surrender value of those policies has been excluded as provided in subsection (8) of this section and amounts in an irrevocable trust.

(f) Interest earned on excluded burial funds and appreciation on the value of excluded burial arrangements are excluded from resources if left to accumulate and become a part of the separately identifiable burial fund.

(g) Burial funds used for other purposes. Funds or interest earned on funds and appreciation in the value of burial arrangements which have been excluded from resources because they are burial funds must be used solely for that purpose. If any excluded funds, interest or appreciated values set aside for burial expenses are used for a purpose other than the burial arrangements of the individual or the individual's spouse for whom the funds were set aside, future medical assistance benefits of the individual (or the individual and individual's spouse) will be reduced by an amount equal to the amount of burial funds, interest or appreciated value used for other purpose.

~~((12))~~ (13) Other resources excluded by federal statute.

AMENDATORY SECTION (Amending Order 996, filed 12/31/74)

✓WAC 388-93-015 ELIGIBILITY—GENERAL.

(1) There is no requirement of citizenship imposed as a condition of eligibility for benefits under the medical care program.

(2) Residence – see WAC 388-83-025.

(3) Medical need – The grandfathered recipient must have a medical need to remain eligible for medical assistance under Title XIX of the social security act. For example, disability per se does not constitute a medical need; treatment of disability does.

(4) To continue to be eligible ~~((for federal aid medical care only))~~ the grandfathered recipient shall be

(a) age 65 or older, or

(b) disabled as defined in WAC 388-93-025, or

(c) blind as defined in WAC 388-93-020 and not publicly soliciting alms by wearing, carrying or exhibiting signs denoting blindness, carrying receptacles for the reception of alms or doing the same by proxy or by begging.

(i) It shall be assumed that a blind person is not soliciting alms unless there is evidence to the contrary.

AMENDATORY SECTION (Amending Order 996, filed 12/31/74)

✓WAC 388-93-035 REFUSAL OF DISABLED RECIPIENT TO ACCEPT AVAILABLE AND RECOMMENDED MEDICAL TREATMENT—REVIEW FOR DISABILITY OR BLINDNESS. (1) The grandfathered ~~((FAMCO))~~ recipient's blindness or permanent and total disability shall be reviewed when a significant change has occurred.

(2) If a change in blindness has occurred, an eye examination shall be secured from an ophthalmologist or optometrist and evaluated by the department's ophthalmological consultant. The ophthalmological consultant shall determine and certify whether legal blindness continues to exist.

(3) If a change in disability has occurred, a medical examination shall be secured. The medical reports shall be evaluated by the office of personal health services to determine whether permanent and total disability continues to exist.

AMENDATORY SECTION (Amending Order 996, filed 12/31/74)

✓WAC 388-93-060 EXEMPT RESOURCES. In determining the eligibility of the grandfathered recipient ~~((of federal aid medical care only;))~~ the rules for exempt resources in WAC 388-28-420, 388-28-430, and 388-28-580 shall apply. When separate property is a consideration, see WAC 388-28-365 and 388-28-370.

AMENDATORY SECTION (Amending Order 996, filed 12/31/74)

✓WAC 388-93-080 APPLICATION FOLLOWING TERMINATION OF ELIGIBILITY. The eligibility of an individual applying for ~~((federal aid))~~ medical care ~~((only))~~ after termination of his eligibility as a grandfathered recipient shall be determined according to chapter 388-92 WAC.

## WSR 83-10-078

### ADOPTED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

### (Public Assistance)

[Order 1959—Filed May 4, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to food stamps, amending chapter 388-54 WAC.

This action is taken pursuant to Notice No. WSR 83-07-010 filed with the code reviser on March 8, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 4, 1983.

By David A. Hogan, Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1905, filed 11/18/82)

WAC 388-54-660 APPLICATION AND PARTICIPATION—SPECIAL CIRCUMSTANCES FOR PARTICIPATION. (1) Delivered meals. In order to purchase meals from a nonprofit meal delivery service authorized by FNS, eligible household members:

- (a) Must be sixty years of age or over, or
- (b) Must be housebound, physically handicapped or otherwise disabled to the extent household members are unable to adequately prepare all meals, or
- (c) Be the spouse of such a person.

(2) Communal dining. Members of eligible households sixty years of age or older and spouses, or members receiving SSI and spouses may use all or any part of coupons to purchase meals prepared especially for the household member at a communal dining facility authorized by FNS for that purpose.

(3) Residents of drug or alcohol treatment and rehabilitation programs. Narcotics addicts or alcoholics regularly participating in a drug or alcoholic treatment and rehabilitation program on a resident basis, may use food coupons to purchase food prepared for or served to the resident during the program, provided:

(a) The program is administered by a private nonprofit organization or institution authorized by FNS as a retailer or certified by the state as providing treatment leading to the rehabilitation of drug addicts or alcoholics pursuant to ((Public Law)) P.L. 92-255; and

(b) A resident participant shall be certified only under the following conditions:

- (i) The resident must voluntarily elect to participate in the food stamp program;
- (ii) The resident must be certified through the use of an authorized representative who shall be an employee of, and designated by, the private nonprofit organization administering the treatment and rehabilitation program;
- (iii) The resident must be certified as a one-person household.

(c) The drug or alcohol treatment center acting as the authorized representative must agree to the following conditions:

- (i) The center must receive and spend the coupon allotment for meals prepared by or served to the addict or alcoholic;
- (ii) The center must notify the department of changes in the participant's income, resources or household circumstances and when the addict or alcoholic leaves the treatment center, within ten days of the change;

(iii) The center shall be responsible for and can be penalized or disqualified for any misrepresentation or fraud committed in the certification of center residents and shall assume total liability for food coupons held on behalf of resident participants;

(iv) The treatment center shall provide resident addicts or alcoholics with ID cards and any untransacted ((ATP)) FCA cards issued for the household when the household leaves the program;

(v) The treatment center shall provide the household with one-half of the household's monthly coupon allotment when the household leaves the program prior to the sixteenth day of the allotment month;

(vi) The center shall provide the department with a certified list of currently participating residents on a monthly basis;

(vii) The treatment center shall return to the department the household's ((ATP)) FCA or coupons received after the household has left the center.

(d) If an alcohol treatment and rehabilitation program is located on an Indian reservation and the department does not certify reservation-based centers, approval to participate shall be granted if the center is funded by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) pursuant to ((Public Law)) P.L. 91-616, or was so funded and subsequently transferred to Indian Health Services (IHS) funding.

(4) Residents of group living arrangements receiving benefits under Title II or Title XVI of the Social Security Act. A group living arrangement is defined as: A public or private nonprofit residential setting serving no more than sixteen residents certified by the appropriate state agencies under regulations issued under Section 1616(e) of the Social Security Act. The following applies:

(a) The resident must voluntarily apply for the food stamp program;

(b) If the resident makes an application through the use of a group home's authorized representative, the resident's eligibility shall be determined as a one-person household. If the resident applies on his or her own behalf, the household size shall be in accordance with the definition in WAC 388-54-665;

(c) The department shall certify residents of group living arrangements using the same provisions applying to all other households;

(d) The department shall verify the group living arrangement is nonprofit and authorized by FNS or is certified by the appropriate agency or agencies of the state;

(e) The group living arrangement shall provide the department with monthly lists of participating residents signed by a responsible center official. The department shall conduct periodic random on-site visits to assure the accuracy of the lists;

(f) If the resident made an application on his or her own behalf, the household is responsible for reporting changes to the department. If the group living arrangement is acting in the capacity of an authorized representative, the group living arrangement shall notify the

department of changes in the household's income or other household circumstances and when the individual leaves the group living arrangement;

(g) The group living arrangement shall return any household's ((ATP)) FCA cards or coupons to the department if received after the household has left the group arrangement;

(h) When the household leaves the facility, the group living arrangement shall provide the resident with the ID card and any untransacted ((ATP)) FCA cards;

(i) The group living arrangement shall provide the departing household with the full allotment if issued by direct mail and if no coupons have been spent on behalf of the individual household. These provisions are applicable any time during the month. If the coupons have already been issued and any portion spent on behalf of the resident, the group living arrangement shall provide the resident with one-half of the monthly household's coupon allotment when the household leaves the facility prior to the sixteenth day of the allotment month;

(j) If a resident or a group of residents apply on their own behalf and retain the use of the coupons, the individuals are entitled to keep the coupons when leaving;

(k) If the group living arrangement acts as the authorized representative, the facility must be knowledgeable about the household's circumstances and is responsible for any misrepresentation or fraud the facility knowingly commits in the certification of center residents.

(5) Shelters for battered women and children. Effective April 1, 1982, the following provisions apply prior to certifying residents:

(a) The department shall determine the shelter for battered women and children meets the definition in WAC 388-54-665(6)(d);

(b) Shelters having FNS authorization to redeem at wholesalers shall be considered as meeting the definition for battered women and children;

(c) Shelter residents recently leaving a food stamp household containing a person abusing him or her may apply for and (if otherwise eligible) participate in the program as separate households. Shelter residents included in a previously certified food stamp household shall receive an additional allotment as a separate household only once a month;

(d) Shelter residents applying as separate households shall be certified solely on the basis of income, resources, and the expenses for which the residents are responsible. Residents will be certified without regard to the income, resources, and expenses of the former household;

(e) Jointly held resources shall be considered inaccessible in accordance with WAC 388-54-715. The shelter resident's access to the value of the resources is dependent on the agreement of a joint owner still residing in the former household;

(f) The department shall take prompt action to ensure the former household's eligibility or allotment reflects the change in the household's composition.

(6) Sponsored aliens. The following provisions shall apply to those aliens for whom a sponsor has signed an affidavit of support or similar statement on or after February 1, 1983:

(a) "Sponsored alien" means those aliens lawfully admitted for permanent residence into the United States.

(b) "Sponsor" means a person who executed an affidavit or affidavits of support or similar agreement on behalf of an alien as a condition of the alien's entry or admission into the United States as a permanent resident.

(c) Portions of the gross income and the resources of a sponsor and the sponsor's spouse (if living with the sponsor) shall be deemed to be the unearned income and resources of a sponsored alien for three years following the alien's admission for permanent residence to the United States. The spouse's income and resources will be counted even if the sponsor and spouse were married after the signing of the agreement.

(d) The monthly income of the sponsor and sponsor's spouse deemed to be that of the alien shall be the total monthly earned and unearned income of the sponsor and the sponsor's spouse (if living with the sponsor) at the time the household containing the sponsored alien member applies or is recertified for program participation. Reduce by eighteen percent the earned income amount for that portion of income determined as earned income of the sponsor and the sponsor's spouse. Deduct the monthly gross income eligibility limit for a household equal in size to the sponsor, the sponsor's spouse, and any other person who is claimed by the sponsor or sponsor's spouse as a dependent for federal income tax purposes.

(e) If the alien has already reported gross income information on his or her sponsor due to AFDC's sponsored alien rules, that income amount may be used for food stamp program. However, allowable reductions to be applied to the total gross income of the sponsor and the sponsor's spouse prior to attributing an income amount to the alien, shall be limited to the eighteen percent earned income amount and the food stamp program gross monthly income amount.

(f) Actual money paid to the alien by the sponsor or the sponsor's spouse will not be considered as income to the alien unless the amount paid exceeds the amount attributed to the alien. Only the amount paid that actually exceeds the amount deemed would be considered income to the alien.

(g) Resources of the sponsor and sponsor's spouse to be deemed to be that of the alien shall be the total amount of their resources as determined in accordance with WAC 388-54-695 through 388-54-720, reduced by one thousand five hundred dollars. If the alien has already reported total resource information on his or her sponsor due to AFDC's sponsored alien rules, the resource amount calculated by AFDC as the amount to be attributed to the alien may be used for food stamp program deeming purposes.

(h) The amount of income and resources deemed to be that of the sponsored alien shall be considered in determining the eligibility and benefit level of the household of which the alien is a member.

If a sponsored alien can demonstrate to the state agency's satisfaction his or her sponsor sponsors other aliens, then the income and resources deemed available



shall be divided by the number of sponsored aliens applying for or participating in the program.

(i) If the alien switches sponsors during the certification period, then deemed income or resources would be recalculated based on the required information about the new sponsor as soon as possible after the information is supplied by the alien and verified by the state agency.

(j) Exempt aliens. The provisions of subsection (6) of this section do not apply to:

(i) An alien participating in the food stamp program as a member of his or her sponsor's household;

(ii) An alien sponsored by an organization or group as opposed to an individual;

(iii) An alien not required to have a sponsor under the Immigration and Nationality Act, such as, but not limited to, a refugee, a parolee, one granted asylum, and a Cuban or Haitian entrant.

(k) Sponsored alien's responsibility. The sponsored alien and his or her spouse are responsible for providing the state agency with any information or documentation necessary to determine the income and resources of the alien's sponsor and the sponsor's spouse for three years from the alien's date of entry or date of admission as a lawful permanent resident. The alien and his or her spouse shall also be responsible for demonstrating that the sponsor also sponsors other aliens, how many, and for obtaining any necessary cooperation from the sponsor.

(l) Verification. The CSO staff shall obtain from the alien or alien's spouse the following information:

(i) The income and resources of the alien's sponsor and the sponsor's spouse (if living with the sponsor) at the time of the alien's application for food stamp assistance.

(ii) The number of other aliens for whom the sponsor has signed an affidavit of support or similar agreement.

(iii) The provision of the Immigration and Nationality Act under which the alien was admitted.

(iv) The date of the alien's entry or admission as a lawful permanent resident as established by INS.

(v) The alien's date of birth, place of birth, and alien registration number.

(vi) The number of dependents for federal income tax purposes of the sponsor and the sponsor's spouse.

(vii) The name, address, and phone number of the alien's sponsor.

(m) If verification is not received on a timely basis, the sponsored alien and his or her spouse shall be ineligible until such time as all necessary facts are obtained. The eligibility of any remaining household members shall be determined. The income and resources of the ineligible alien and his or her spouse (excluding the attributed income and resources of the alien's sponsor and the sponsor's spouse) shall be treated in the same manner as a disqualified member. If the information or verification is subsequently received, the CSO shall act on the information as a reported change in circumstances. The CSO shall obtain verification of information requested pursuant to subsection (6)(l)(i) and (ii) of this section. The CSO shall verify all other information which the state agency determines is questionable and which affects household eligibility and benefit level.

#### AMENDATORY SECTION (Amending Order 1905, filed 11/18/82)

WAC 388-54-680 CITIZENSHIP AND ALIEN STATUS. (1) To participate in the food stamp program an applicant shall be any person who is a resident of the United States and either:

(a) A United States citizen; or

(b) An alien lawfully admitted for permanent residence as an immigrant pursuant to Sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act.

(c) An alien who entered the United States prior to June 30, 1948, or some later date as required by law, and has continuously maintained residency in the United States since then, and is not ineligible for citizenship but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the attorney general pursuant to Section 249 of the Immigration and Nationality Act.

(d) An alien who qualified for entry after March 17, 1980, because of persecution or fear of persecution on account of race, religion or political opinion pursuant to Sections 203(a)(7), 207, and 208 of the Immigration and Nationality Act.

(e) An alien who qualifies for conditional entry prior to March 18, 1980, pursuant to former Section 203(a)(7) of the Immigration and ((Nationalization)) Nationality Act.

(f) An alien granted asylum through an exercise of discretion by the attorney general pursuant to Section 208 of the Immigration and ((Nationalization)) Nationality Act.

(g) An alien lawfully present in the United States as a result of an exercise of discretion by the attorney general for emergent reasons or reasons deemed strictly in the public interest pursuant to Section 212(d)(5) of the Immigration and Nationality Act or as a result of a grant of parole by the attorney general.

(h) An alien living within the United States for whom the attorney general has withheld deportation pursuant to Section 243 of the Immigration and Nationality Act because of the judgment of the attorney general that the alien would otherwise be subject to persecution on account of race, religion or political opinion.

(2) The CSO shall determine if household members identified as alien are eligible aliens by requiring the appropriate verification for each alien member. Aliens unable to furnish this identification are ineligible.

(3) Ineligible aliens. Aliens other than those described in this section shall not be eligible to participate in the program as a member of any household. Among those excluded are alien visitors, tourists, diplomats, and students who enter the United States temporarily with no intention of abandoning their residence in a foreign country. The following applies:

(a) The income and resources of an ineligible alien who would be considered a member of a household if he or she did not have ineligible alien status shall be considered in determining eligibility or level of benefits of the household in the same manner as the income and resources of a disqualified member as found in WAC 388-54-830.



(b) If verification of the eligible alien status is not provided on a timely basis, the eligibility of the remaining household members shall be determined. The income and resources of the individual whose alien status is unverified shall be treated in the same manner as a disqualified member as set forth in WAC 388-54-830 and considered available in determining the eligibility of the remaining household members. If verification of eligible alien status is subsequently received, the department shall act on the information as a reported change in household membership.

(c) When a household indicates inability or unwillingness to provide documentation of alien status for any household member, that member should be classified as an ineligible alien.

(4) Reporting illegal aliens. The department shall inform the local INS office whenever a member of a household is ineligible to receive food stamps because the member is present in the United States in violation of a known deportation order of the Immigration and Nationality Act.

(5) Sponsored aliens. See WAC 388-54-660(5) for instructions in determining eligibility and benefit level of a sponsored alien and their spouse.

**WSR 83-10-079**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**

[Order 1960—Filed May 4, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Infection control—Psychiatric and alcoholic hospitals, amending WAC 248-22-036 and Infection control—Residential treatment facilities for psychiatrically impaired children and youth, amending WAC 248-23-050.

This action is taken pursuant to Notice No. WSR 83-06-010 filed with the code reviser on February 22, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 71.12 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 4, 1983.

By David A. Hogan, Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1898, filed 11/4/82)

✓ WAC 248-22-036 INFECTION CONTROL. (1) There shall be written policies and procedures addressing infection control.

(2) Provisions shall be made for isolation of patients in accordance with the most recent edition of Isolation Techniques for Use in Hospitals, United States Department of Health, Education and Welfare.

(3) There shall be a written policy related to reporting of communicable disease in accordance with chapter 248-100 WAC.

(4) Recognized standards of medical aseptic techniques including basic handwashing practices shall be followed in all direct personal care of patients.

(5) Methods for cleaning, disinfecting or sterilizing, handling and storage of all supplies and equipment shall be such as to prevent the transmission of infection.

(6) There shall be in effect a current system of discovering, reporting, investigating, and reviewing infections among patients and personnel with maintenance of records on such infections.

(7) Upon employment, each person shall have or provide documented evidence of a tuberculin skin test by the Mantoux method, unless medically contraindicated. When this skin test is negative (less than ~~((10mm))~~ ten millimeters induration read at forty-eight to seventy-two hours), no further tuberculin skin tests shall be required. A positive skin test shall consist of ~~((10mm))~~ ten millimeters of induration, or greater, read at forty-eight to seventy-two hours. Positive reactors shall have a chest x-ray within ninety days of the first day of employment. ~~((Exceptions))~~ Exemptions and ~~((specifics))~~ specific requirements are as follows:

(a) Those with a positive skin ~~((tests as defined above, shall have an annual screening in the form of a chest x-ray))~~ test who have completed a recommended course of preventive or curative treatment, as determined by the local health officer, shall be exempted from testing.

(b) ~~((Those with positive skin test whose chest x-ray shows no sign of active disease at least two years after the first documented positive skin test shall be exempted from further annual testing and chest x-rays))~~ Records of test results, x-rays or exemptions from such shall be kept by the facility.

~~((c) Those with positive skin test who have completed a recommended course of preventive or curative treatment, as determined by the local health officer, shall be exempted from further testing.~~

(d) ~~A record of test results, x-rays or exemptions from such shall be kept by the facility.)~~

(8) Employees with a communicable disease in an infectious stage shall not be on duty.

AMENDATORY SECTION (Amending Order 1899, filed 11/4/82)

✓ WAC 248-23-050 INFECTION CONTROL. (1) There shall be written policies and procedures addressing infection control and isolation of clients (should isolation be necessary and medically appropriate for an infectious condition).

(2) There shall be reporting of communicable disease in accordance with WAC 248-100-075 and 248-100-080 as now or hereafter amended.

(3) There shall be a current system for reporting, investigating and reviewing infections among clients and personnel and for maintenance of records on such infections.

(4) Upon employment, each person shall have or provide documented evidence of a tuberculin skin test by the Mantoux method, unless medically contraindicated. When the skin test is negative (less than ten millimeters induration read at forty-eight to seventy-two hours), no further tuberculin skin test shall be required. A positive skin test shall consist of ten millimeters of induration, or greater, read at forty-eight to seventy-two hours. Positive reactors shall have a chest x-ray within ninety days of the first day of employment. ~~((Exceptions))~~ Exemptions and specific requirements are as follows:

(a) ~~Those with positive skin tests ((as defined above) shall have an annual screening in the form of a chest x-ray))~~ who have completed a recommended course of preventive or curative treatment, as determined by the local health officer, shall be exempted from testing.

(b) ~~((Those with positive skin tests whose chest x-rays show no sign of active disease at least three years after the first documented positive skin test shall be exempted from further annual testing.~~

(c) ~~Those with positive skin tests who have completed a recommended course of preventive or curative treatment, as determined by the local health officer, shall be exempted from further testing and chest x-rays.~~

(d) ~~A record))~~ Records of test results, x-rays or exemptions to such shall be kept by the facility.

(5) Employees with communicable diseases in an infectious stage shall not be on duty.

**WSR 83-10-080  
PROPOSED RULES  
DEPARTMENT OF FISHERIES**

[Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 7:00 p.m., Tuesday, June 7, 1983, in the South Bend Community Center, South Bend, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 14, 1983.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 7, 1983.

Dated: May 4, 1983  
By: William R. Wilkerson  
Director

**STATEMENT OF PURPOSE**

Title: WAC 220-36-021, 220-36-022, 220-36-024, 220-40-021, 220-40-022 and 220-40-024.

Description of Purpose: Modify rules affecting Grays Harbor and Willapa Harbor commercial salmon fisheries for the 1983 season.

Statutory Authority: RCW 75.08.080.

Summary of Rule: WAC 220-36-021, changes Grays Harbor seasonal openings; 220-36-022, changes Grays Harbor weekly openings; 220-36-024, changes Grays Harbor legal gear dates; restricts type of gill net that may be used; 220-40-021, changes Willapa Harbor seasonal openings; 220-40-022, changes Willapa Harbor weekly openings; and 220-40-024, changes Willapa Harbor legal gear dates; restricts type of gill net that may be used.

Reasons Supporting Proposed Action: Chapter 220-36 WAC, changes needed to allow harvest of Grays Harbor salmon expected to return in 1983; strung net limitation for chinook salmon protection; and chapter 220-40 WAC, changes needed to allow harvest of Willapa Harbor salmon expected to return in 1983; strung net limitation for chinook salmon protection.

Agency Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 754-2429; Implementation: Edward P. Manary, 115 General Administration Building, Olympia, Washington, 753-6631; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington Department of Fisheries.

Comments: None.

These rules are not the result of federal law or any court order.

Small Business Economic Impact Statement: These rules effect the taking of foodfish, and have no more impact on small businesses than on large businesses.

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-36-021 SALMON FISHING AREAS—GILL NET—SEASONS. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Grays Harbor Fishing Areas except during the seasons provided for hereinafter in each respective fishing area:

Area 2A

6:00 p.m. October ((3)) 2 to 6:00 p.m. October ((8)) 7, ((+1982)) 1983.

Areas 2B, 2C and 2D -

6:00 p.m. July ((7)) 5 to 6:00 p.m. August 15, ((+1982)) 1983.

6:00 p.m. October ((3)) 2 to 6:00 p.m. October ((8)) 7, ((+1982)) 1983.

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-36-022 SALMON FISHING AREAS—WEEKLY PERIODS. It is unlawful to take, fish for or possess salmon taken with

gill net gear except during the weekly open periods hereinafter designated in the following Grays Harbor Fishing Areas:

Area 2A

6:00 p.m. October ((3)) 2 to 6:00 p.m. October ((8)) 7, ((+1982)) 1983: Open continuously.

Areas 2B, 2C and 2D

6:00 p.m. July ((7)) 5 to 6:00 p.m. August 15, ((+1982)) 1983: Open continuously.

6:00 p.m. October ((3)) 2 to 6:00 p.m. October ((8)) 7, ((+1982)) 1983: Open continuously.

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-36-024 SALMON FISHING AREAS—MESH SIZES—GEAR. (1) It is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum sizes or larger than the maximum size stretch measure as hereinafter designated in the following Grays Harbor Fishing Areas:

Areas 2A, 2B, 2C and 2D

For the period October ((3)) 2 to October ((8)) 7, ((+1982)) 1983: 5-inch minimum and 6-1/2-inch maximum mesh.

(2) ((Except as provided for in subsection (1) of this section,)) It is unlawful to fish in Grays Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

(3) It is unlawful to use any gillnet in Grays Harbor consisting of other than a single web suspended between a single cork line and a single lead line and operated without the use of added lines, strings, backwalls, trammels, or aprons; riplines are permitted if no less than 10 fathoms apart and affixed in a manner that will not shorten the distance between the cork line and the lead line.

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-40-021 WILLAPA HARBOR—GILL NET—SEASONS. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor Fishing Areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G—6:00 p.m. July ((6)) 5 to 6:00 p.m. August 20, 6:00 p.m. September ((+2)) 13 to 6:00 p.m. September 18, 6:00 p.m. September 19 to 6:00 p.m. September 24, 6:00 p.m. September 26 to 6:00 p.m. October 1, 6:00 p.m. October 3 to 6:00 p.m. October ((9)) 8, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25, and 6:00 p.m. November 1 to 11:59 p.m. November 30, ((+1982)) 1983.

Areas 2H and 2M—6:00 p.m. September ((+2)) 13 to 6:00 p.m. September 18, 6:00 p.m. September 19 to 6:00 p.m. September 24, 6:00 p.m. September 26 to 6:00 p.m. October 1, 6:00 p.m. October 3 to 6:00 p.m. October 8, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October ((9)) 25, and 6:00 p.m. November 1 to 11:59 p.m. November 30, ((+1982)) 1983.

((Area 2J)) Areas 2J and 2K—6:00 p.m. July ((6)) 5 to 6:00 p.m. August 20, 6:00 p.m. September ((+2)) 13 to 6:00 p.m. September 14, 6:00 p.m. September 16 to 6:00 p.m. September 17, 6:00 p.m. September 19 to 6:00 p.m. September 20, 6:00 p.m. September 22 to 6:00 p.m. September 23, 6:00 p.m. September 26 to 6:00 p.m. September 27, 6:00 p.m. September 29 to 6:00 p.m. September 30, 6:00 p.m. October 3 to 6:00 p.m. October 4, 6:00 p.m. October 6 to 6:00 p.m. October 7, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October ((9)) 25 and 6:00 p.m. November 1 to 11:59 p.m. November 30, ((+1982)) 1983.

((Area 2M))—6:00 p.m. September 12 to 6:00 p.m. October 9, and 6:00 p.m. November 1 to 11:59 p.m. November 30, ((+1982:))

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-40-022 WILLAPA HARBOR—WEEKLY PERIODS. It is unlawful to take, fish for or possess salmon taken with gill net gear, except during the weekly open periods hereafter designated in the following Willapa Harbor Fishing Areas:

Area 2G

July ((6)) 5, 6:00 p.m. to August 20, ((+1982)) 1983, 6:00 p.m.—Open continuously.

September ((+2)) 13 to ((October 9, +1982)) September 18, 1983—6:00 p.m. ((Sunday)) Tuesday to 6:00 p.m. ((Saturday)) Sunday.

September 19 to October 8, 1983—6:00 p.m. Monday to 6:00 p.m. Saturday.

October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday.

November 1, 6:00 p.m. to 11:59 p.m. November 30, ((+1982)) 1983—Open continuously.

Areas 2H and 2M

September ((+2)) 13 to ((October 9, +1982)) September 18, 1983—6:00 p.m. ((Sunday)) Tuesday to 6:00 p.m. ((Saturday)) Sunday.

September 19 to October 8, 1983—6:00 p.m. Monday to 6:00 p.m. Saturday.

October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday.

November 1, 6:00 p.m. to 11:59 p.m. November 30, ((+1982)) 1983—Open continuously.

Areas 2J and 2K

July ((6)) 5, 6:00 p.m. to August 20, ((+1982)) 1983, 6:00 p.m.—Open continuously.

September ((+2)) 13 to ((October 9, +1982)) September 17, 1983—6:00 p.m. ((Sunday)) Tuesday to 6:00 p.m. ((Monday)) Wednesday and 6:00 p.m. ((Wednesday)) Friday to 6:00 p.m. ((Thursday)) Saturday.

September 19 to October 7, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday and 6:00 p.m. Thursday to 6:00 p.m. Friday.

October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday.

November 1, 6:00 p.m. to 11:59 p.m. November 30, ((+1982)) 1983—Open continuously.

((Area 2M))

September 12 to October 9, 1982—6:00 p.m. Sunday to 6:00 p.m. Saturday.

November 1, 6:00 p.m. to 11:59 p.m. November 30, 1982—Open continuously.)

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-40-024 WILLAPA HARBOR—MESH SIZES—GEAR. (1) It is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure as hereinafter designated in the following Willapa Harbor Fishing Areas:

Areas 2G, 2H, 2J((+2)), 2K, and 2M

For the period September ((+2)) 13 to October ((9)) 25, ((+1982)) 1983: 5-inch minimum to 6-1/2-inch maximum mesh.

For the period 12:01 a.m. November 19 to 11:59 p.m. November 30, ((+1982)) 1983: 7-1/2-inch minimum mesh.

(2) ((Except as provided in subsection (1) of this section, it shall be)) It is unlawful to fish in Willapa Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

(3) It is unlawful to use any gillnet in Willapa Bay consisting of other than a single web suspended between a single cork line and a single lead line and operated without the use of added lines, strings, backwalls, trammels, or aprons; riplines are permitted if no less than 10 fathoms apart and affixed in a manner that will not shorten the distance between the cork line and lead line.

**WSR 83-10-081**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed May 4, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- |     |                 |  |
|-----|-----------------|--|
| Amd | WAC 388-87-011  | Condition of payment—Medicare deductible and coinsurances—When paid by department. |
| Amd | WAC 388-99-035  | Resource standards—Medically needy program.  |
| Amd | WAC 388-100-005 | Limited casualty program—Medically indigent.                                       |
| Amd | WAC 388-100-025 | Certification—Medically indigent program.  |

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director  
 Division of Administration and Personnel  
 Department of Social and Health Services  
 Mailstop OB 14  
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by May 27, 1983. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Friday, June 10, 1983, in Conference Room H-19, Third Floor, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 15, 1983.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 10, 1983.

Dated: May 4, 1983

By: David A. Hogan, Director

Division of Administration and Personnel

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-87-011, 388-99-035, 388-100-005 and 388-100-025.

Purpose of the Rule or Rule Change: To improve program administration in the medical assistance program.

Statutory Authority: RCW 74.08.090.

Summary of the Rule or Rule Change: WAC 388-87-011, payment for services to Medicare beneficiaries is extended to all services covered by Medicare. The present rule requires that they be within the scope of our medical program; WAC 388-99-035, in the medically

needy program, resource limits are increased for families larger than two persons; WAC 388-100-005, editorial. Rule about pregnancy is transferred from WAC 388-100-025; and WAC 388-100-025, clarification. In the medically indigent program, a new application is needed for each three-month eligibility period.

Person or Persons Responsible for the Drafting, Implementation and Enforcement of the Rule: James Sparks, Program Manager, Division of Medical Assistance, Mailstop: LK-11, Phone: 3-7313.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

#### AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-011 CONDITIONS OF PAYMENT—MEDICARE DEDUCTIBLE AND COINSURANCE—WHEN PAID BY DEPARTMENT. The department shall be responsible for the deductible and coinsurance amounts for recipients participating in the benefits of Parts A and B of Medicare (Title XVIII of the Social Security Act) when the following conditions are met:

(1) Total combined reimbursement to the provider from Medicare and the department does not exceed the department's fee schedule, see WAC 388-87-010.

(2) ~~((Services provided are within the scope of the medical program. (3)))~~ The provider accepts assignment for Medicare payment.

#### AMENDATORY SECTION (Amending Order 1801 and 1809, filed 5/5/82 and 5/11/82)

WAC 388-99-035 RESOURCE STANDARDS. (1) ~~((To determine eligibility on the basis of resources, use the SSI resource standards.))~~ The total value of resources allowed and not otherwise excluded shall not exceed \$1,500 for a single individual or \$2,250 for a couple. This amount is increased by \$50 for each additional family member in the household. If applicant has resources in excess of the standards ((applied.)) the individual is not eligible and the application is denied.

(2) See WAC 388-92-043 for regulations on transfer of resources without adequate consideration.

#### AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-100-005 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT. (1) The department of social and health services provides a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not receiving cash assistance or eligible for any other medical program.

(2) An individual potentially eligible for the medically indigent program is a person who:

(a) Has an acute and emergent medical condition ~~((which)).~~ (i) An acute and emergent medical condition is defined as having a short and relatively severe course, not chronic; occurring unexpectedly and demanding immediate action, (ii) pregnancy is considered an acute and emergent medical condition for the medically indigent program; and

(b) Meets the financial eligibility as defined in ~~((this section))~~ chapter 388-100 WAC.

#### AMENDATORY SECTION (Amending Order 1868, filed 8/18/82)

WAC 388-100-025 CERTIFICATION. (1) ~~((A recipient))~~ An applicant shall be certified ((eligible for)) from the date spenddown and deductible requirements are met through the duration of treatment for the acute and emergent medical condition not to exceed the three calendar month((s)) period which begins with the month of application.

(2) ~~((Pregnancy is considered an acute and emergent need. A recipient))~~ An applicant who has been medically determined to be pregnant ((shall)) may apply and be certified for separate three-month periods ((for)) through the duration of the pregnancy ((plus six weeks for)). The three-month limitation in subsection (1) of this section may be extended up to six weeks after delivery to cover the post partum care, which includes routine care for the newborn. Beyond this period of time eligibility for the mother or the newborn shall be determined separately.

(3) ~~((An applicant shall be certified from the day the spenddown and deductible requirements are met through the last day of the three-month period which began with the month of application.~~

~~(4))~~ All medically indigent applicants shall be individually notified in writing of the disposition of their application.

~~((5))~~ (4) Any change in circumstances shall be promptly reported to the local community services office.

~~((6))~~ (5) Certification may be up to seven working days prior to the date of receipt of a written request for assistance. The department may waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

**WSR 83-10-082  
PROPOSED RULES  
PLANNING AND  
COMMUNITY AFFAIRS AGENCY  
(Building Code Advisory Council)  
[Filed May 4, 1983]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Building Code Advisory Council intends to adopt, amend, or repeal rules concerning Washington state energy code, chapter 51-12 WAC.

The State Building Code Advisory Council is sponsoring the following public hearings prior to the adoption of proposed amendments to the Washington state energy code. Support or opposition to the proposed amendments can be expressed at the following public hearings: Wednesday, June 8, 1983, 9:30 a.m., Spokane County Public Health Center, Room 140, West 1101 College Avenue, Spokane, WA, and Wednesday, June 15, 1983, 9:30 a.m., Sea-Tac Airport Fire Station Conference Room, 2400 South 170th, Seattle, WA.

Written comments will be received prior to June 15, 1983, and should be forwarded to the following address:

State Building Code Advisory Council  
c/o Planning and Community Affairs Agency  
9th and Columbia Building, GH-51  
Olympia, Washington 98504

The council will meet on Wednesday, July 20, 1983, at 9:30 a.m. at the Sea-Tac Airport Fire Station, 2400 South 170th, Seattle, Washington, to consider the proposed amendments and public comments and adopt final amendments to the state energy code.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 20, 1983.

The authority under which these rules are proposed is chapter 19.27 RCW.

The specific statute these rules are intended to implement is RCW 19.27.075.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 15, 1983.

Dated: May 4, 1983  
By: Karen Rahm  
Director

**STATEMENT OF PURPOSE**

Proposed amendments to Washington state energy code, chapter 51.12 WAC.

The State Building Code Advisory Council proposes amendments to the Washington state energy code for

the purpose of: Clarifying the code language and reducing ambiguities for ease of interpretation; eliminating contradictions with other codes' requirements; and allowing more flexibility in code compliance.

This activity is undertaken pursuant to the authority of RCW 19.27.075.

These rule revisions are not required by federal law or state statute.

Responsible PCAA Personnel: Chuck Clarke, Assistant Director for Administration, Planning and Community Affairs Agency, 9th and Columbia Building, GH-51, Olympia, Washington 98504, (206) 753-2203.

Upon completion of the amendment and adoption process, PCAA will print the rule changes for distribution and inclusion in copies of existing printed code.

Reviser's note: The Washington state energy code filed with this notice is not capable of being reproduced in the Register and is therefore omitted pursuant to RCW 34.04.050(3). Copies of the code may be obtained from the State Building Code Advisory Council, Mailstop GH-51, Olympia, WA 98504, toll free (800) 562-5677 or (206) 753-4940.

**Table of WAC Sections Affected**

**KEY TO TABLE**

**Symbols:**

- AMD = Amendment of existing section
- NEW = New section not previously codified
- REP = Repeal of existing section
- READOPT = Readoption of existing section

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

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.

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 show the sequence of the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
4-20-020	AMD	83-09-049	16-212-200	REP-P	83-03-047	16-409-085	NEW-P	83-03-059
12-40-001	NEW-P	83-08-039	16-212-200	REP	83-06-063	16-409-085	NEW	83-06-049
12-40-010	NEW-P	83-08-039	16-212-210	REP-P	83-03-047	16-409-090	REP-P	83-03-059
12-40-020	NEW-P	83-08-039	16-212-210	REP	83-06-063	16-409-090	REP	83-06-049
12-40-030	NEW-P	83-08-039	16-300-010	AMD-P	83-08-065	16-409-100	REP-P	83-03-059
12-40-040	NEW-P	83-08-039	16-300-020	AMD-P	83-08-065	16-409-100	REP	83-06-049
12-40-050	NEW-P	83-08-039	16-300-025	NEW-P	83-08-065	16-409-110	REP-P	83-03-059
12-40-060	NEW-P	83-08-039	16-304-001	REP-P	83-08-066	16-409-110	REP	83-06-049
12-40-070	NEW-P	83-08-039	16-304-020	AMD-P	83-08-066	16-409-130	REP-P	83-03-059
12-40-080	NEW-P	83-08-039	16-304-030	REP-P	83-08-066	16-409-130	REP	83-06-049
12-40-090	NEW-P	83-08-039	16-304-040	AMD-P	83-08-066	16-409-140	REP-P	83-03-059
12-40-100	NEW-P	83-08-039	16-316-215	AMD-P	83-08-067	16-409-140	REP	83-06-049
12-40-110	NEW-P	83-08-039	16-316-270	AMD-E	83-08-064	16-461-005	REP-P	83-03-060
12-40-120	NEW-P	83-08-039	16-316-270	AMD-E	83-10-039	16-461-005	REP	83-06-050
12-40-130	NEW-P	83-08-039	16-316-350	AMD-P	83-08-067	16-461-010	AMD-P	83-03-060
12-40-140	NEW-P	83-08-039	16-316-474	AMD-P	83-08-067	16-461-010	AMD	83-06-050
12-40-150	NEW-P	83-08-039	16-316-484	AMD-P	83-08-067	16-532-040	AMD-P	83-07-052
12-40-160	NEW-P	83-08-039	16-316-820	AMD-P	83-08-067	16-657-001	AMD-P	83-05-039
12-40-170	NEW-P	83-08-039	16-316-830	AMD-P	83-08-067	16-657-001	AMD	83-09-012
16-30-030	AMD-P	83-03-050	16-400-001	REP-P	83-03-058	16-657-020	REP-P	83-05-039
16-30-030	AMD	83-07-028	16-400-001	REP	83-06-048	16-657-020	REP	83-09-012
16-54-040	AMD-E	83-05-016	16-400-003	REP-P	83-03-058	16-657-025	NEW-P	83-05-039
16-54-040	AMD-P	83-06-064	16-400-003	REP	83-06-048	16-657-025	NEW	83-09-012
16-54-040	AMD	83-09-009	16-400-004	REP-P	83-03-058	16-750-010	AMD-P	83-04-055
16-54-082	AMD	83-04-030	16-400-004	REP	83-06-048	16-750-010	AMD	83-07-042
16-54-082	AMD-E	83-04-031	16-400-005	REP-P	83-03-058	18-60-010	REP-P	83-03-070
16-54-082	AMD-E	83-05-016	16-400-005	REP	83-06-048	18-60-010	REP	83-09-013
16-54-082	AMD-P	83-06-064	16-400-006	REP-P	83-03-058	18-60-020	REP-P	83-03-070
16-54-082	AMD	83-09-009	16-400-006	REP	83-06-048	18-60-020	REP	83-09-013
16-86-015	AMD-P	83-02-061	16-400-00601	REP-P	83-03-058	18-60-030	REP-P	83-03-070
16-86-015	AMD	83-06-002	16-400-00601	REP	83-06-048	18-60-030	REP	83-09-013
16-86-030	AMD-P	83-03-051	16-400-150	AMD-P	83-03-058	18-60-040	REP-P	83-03-070
16-86-030	AMD	83-07-029	16-400-150	AMD	83-06-048	18-60-040	REP	83-09-013
16-212-010	AMD-P	83-03-047	16-409-001	REP-P	83-03-059	18-60-050	REP-P	83-03-070
16-212-010	AMD	83-06-063	16-409-001	REP	83-06-049	18-60-050	REP	83-09-013
16-212-030	AMD-P	83-03-047	16-409-010	REP-P	83-03-059	50-12-080	AMD	83-03-020
16-212-030	AMD	83-06-063	16-409-010	REP	83-06-049	50-44-040	REP-P	83-06-065
16-212-040	REP-P	83-03-047	16-409-015	NEW-P	83-03-059	50-44-040	REP	83-09-037
16-212-040	REP	83-06-063	16-409-015	NEW	83-06-049	50-48-010	NEW-E	83-10-037
16-212-050	AMD-P	83-03-047	16-409-020	AMD-P	83-03-059	50-48-020	NEW-E	83-10-037
16-212-050	AMD	83-06-063	16-409-020	AMD	83-06-049	50-48-030	NEW-E	83-10-037
16-212-060	AMD-P	83-03-047	16-409-030	AMD-P	83-03-059	50-48-040	NEW-E	83-10-037
16-212-060	AMD	83-06-063	16-409-030	AMD	83-06-049	50-48-050	NEW-E	83-10-037
16-212-065	AMD-P	83-03-047	16-409-035	NEW-P	83-03-059	50-48-060	NEW-E	83-10-037
16-212-065	AMD	83-06-063	16-409-035	NEW	83-06-049	50-48-070	NEW-E	83-10-037
16-212-070	AMD-P	83-03-047	16-409-040	REP-P	83-03-059	50-48-080	NEW-E	83-10-037
16-212-070	AMD	83-06-063	16-409-040	REP	83-06-049	50-48-090	NEW-E	83-10-037
16-212-080	AMD-P	83-03-047	16-409-050	REP-P	83-03-059	51-10	AMD-P	83-07-012
16-212-080	AMD	83-06-063	16-409-050	REP	83-06-049	51-12	AMD-P	83-10-082
16-212-085	REP-P	83-03-047	16-409-060	AMD-P	83-03-059	67-20-190	AMD-P	83-06-068
16-212-085	REP	83-06-063	16-409-060	AMD	83-06-049	67-20-190	AMD	83-10-033
16-212-090	AMD-P	83-03-047	16-409-065	NEW-P	83-03-059	67-20-388	AMD-P	83-06-068
16-212-090	AMD	83-06-063	16-409-065	NEW	83-06-049	67-20-388	AMD	83-10-033
16-212-120	AMD-P	83-03-047	16-409-070	AMD-P	83-03-059	67-20-395	AMD-P	83-06-068
16-212-120	AMD	83-06-063	16-409-070	AMD	83-06-049	67-20-395	AMD	83-10-033
16-212-140	REP-P	83-03-047	16-409-075	NEW-P	83-03-059	67-40-022	NEW-E	83-05-014
16-212-140	REP	83-06-063	16-409-075	NEW	83-06-049	67-40-022	NEW-P	83-06-067
16-212-150	REP-P	83-03-047	16-409-080	REP-P	83-03-059	67-40-022	NEW-E	83-10-034
16-212-150	REP	83-06-063	16-409-080	REP	83-06-049	67-40-022	NEW	83-10-035

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
67-40-026	NEW-E	83-05-014	132E-160-180	REP-P	83-05-020	132L-112-030	REP	83-07-067
67-40-026	NEW-P	83-06-067	132E-160-180	REP	83-10-025	132L-112-040	REP-P	83-03-072
67-40-026	NEW-E	83-10-034	132E-160-190	REP-P	83-05-020	132L-112-040	REP	83-07-067
67-40-026	NEW	83-10-035	132E-160-190	REP	83-10-025	132L-112-200	REP-P	83-03-072
67-40-051	NEW-E	83-05-014	132E-160-200	REP-P	83-05-020	132L-112-200	REP	83-07-067
67-40-051	NEW-P	83-06-067	132E-160-200	REP	83-10-025	132L-112-205	REP-P	83-03-072
67-40-051	NEW-E	83-10-034	132E-160-210	REP-P	83-05-020	132L-112-205	REP	83-07-067
67-40-051	NEW	83-10-035	132E-160-210	REP	83-10-025	132L-112-210	REP-P	83-03-072
67-40-061	NEW-E	83-05-014	132E-160-220	REP-P	83-05-020	132L-112-210	REP	83-07-067
67-40-061	NEW-P	83-06-067	132E-160-220	REP	83-10-025	132L-112-220	REP-P	83-03-072
67-40-061	NEW-E	83-10-034	132E-160-230	REP-P	83-05-020	132L-112-220	REP	83-07-067
67-40-061	NEW	83-10-035	132E-160-230	REP	83-10-025	132L-112-230	REP-P	83-03-072
67-40-090	AMD-E	83-05-014	132E-160-240	REP-P	83-05-020	132L-112-230	REP	83-07-067
67-40-090	AMD-P	83-06-067	132E-160-240	REP	83-10-025	132L-112-240	REP-P	83-03-072
67-40-090	AMD-E	83-10-034	132E-160-250	REP-P	83-05-020	132L-112-240	REP	83-07-067
67-40-090	AMD	83-10-035	132E-160-250	REP	83-10-025	132L-112-250	REP-P	83-03-072
82-36-030	AMD	83-03-003	132E-160-260	REP-P	83-05-020	132L-112-250	REP	83-07-067
98-12-030	NEW	83-02-063	132E-160-260	REP	83-10-025	132L-112-270	REP-P	83-03-072
98-12-040	NEW	83-02-063	132E-160-270	REP-P	83-05-020	132L-112-270	REP	83-07-067
98-14-080	NEW	83-02-063	132E-160-270	REP	83-10-025	132L-112-280	REP-P	83-03-072
98-14-090	NEW	83-02-063	132E-160-280	REP-P	83-05-020	132L-112-280	REP	83-07-067
106-140-151	REP-E	83-07-024	132E-160-280	REP	83-10-025	132L-112-290	REP-P	83-03-072
106-140-151	REP-P	83-08-070	132E-160-290	REP-P	83-05-020	132L-112-290	REP	83-07-067
132A-120-015	AMD-P	83-09-041	132E-160-290	REP	83-10-025	132L-112-900	REP-P	83-03-072
132A-120-040	AMD-P	83-09-041	132E-160-300	REP-P	83-05-020	132L-112-900	REP	83-07-067
132A-120-045	AMD-P	83-09-041	132E-160-300	REP	83-10-025	132L-112-901	REP-P	83-03-072
132A-120-050	AMD-P	83-09-041	132E-160-310	REP-P	83-05-020	132L-112-901	REP	83-07-067
132A-120-055	AMD-P	83-09-041	132E-160-310	REP	83-10-025	132L-112-902	REP-P	83-03-072
132A-120-060	AMD-P	83-09-041	132E-160-320	REP-P	83-05-020	132L-112-902	REP	83-07-067
132A-160-005	AMD-P	83-09-041	132E-160-320	REP	83-10-025	132L-112-903	REP-P	83-03-072
132A-160-010	REP-P	83-09-041	132E-160-330	REP-P	83-05-020	132L-112-903	REP	83-07-067
132A-160-015	AMD-P	83-09-041	132E-160-330	REP	83-10-025	132L-112-904	REP-P	83-03-072
132A-160-020	AMD-P	83-09-041	132E-160-340	REP-P	83-05-020	132L-112-904	REP	83-07-067
132A-165-005	NEW-P	83-09-041	132E-160-340	REP	83-10-025	132L-112-905	REP-P	83-03-072
132A-165-015	NEW-P	83-09-041	132E-160-350	REP-P	83-05-020	132L-112-905	REP	83-07-067
132A-165-025	NEW-P	83-09-041	132E-160-350	REP	83-10-025	132L-112-906	REP-P	83-03-072
132A-165-035	NEW-P	83-09-041	132E-160-360	REP-P	83-05-020	132L-112-906	REP	83-07-067
132A-165-045	NEW-P	83-09-041	132E-160-360	REP	83-10-025	132L-112-907	REP-P	83-03-072
132A-165-055	NEW-P	83-09-041	132E-161-010	NEW-P	83-05-037	132L-112-907	REP	83-07-067
132A-165-065	NEW-P	83-09-041	132E-161-010	NEW	83-10-026	132L-112-908	REP-P	83-03-072
132A-165-075	NEW-P	83-09-041	132F-01-010	NEW-P	83-09-044	132L-112-908	REP	83-07-067
132A-165-085	NEW-P	83-09-041	132F-01-020	NEW-P	83-09-044	132L-112-909	REP-P	83-03-072
132A-280-010	AMD-P	83-09-041	132F-104	AMD-P	83-09-044	132L-112-909	REP	83-07-067
132E-160-010	REP-P	83-05-020	132F-104-030	AMD-P	83-09-044	132L-112-910	REP-P	83-03-072
132E-160-010	REP	83-10-025	132F-104-100	REP-P	83-09-044	132L-112-910	REP	83-07-067
132E-160-020	REP-P	83-05-020	132F-104-110	REP-P	83-09-044	132L-112-911	REP-P	83-03-072
132E-160-020	REP	83-10-025	132F-104-120	REP-P	83-09-044	132L-112-911	REP	83-07-067
132E-160-030	REP-P	83-05-020	132F-104-811	AMD-P	83-09-044	132L-112-912	REP-P	83-03-072
132E-160-030	REP	83-10-025	132F-104-812	AMD-P	83-09-044	132L-112-912	REP	83-07-067
132E-160-040	REP-P	83-05-020	132F-104-813	AMD-P	83-09-044	132L-112-913	REP-P	83-03-072
132E-160-040	REP	83-10-025	132F-104-814	AMD-P	83-09-044	132L-112-913	REP	83-07-067
132E-160-050	REP-P	83-05-020	132F-104-815	AMD-P	83-09-044	132L-112-914	REP-P	83-03-072
132E-160-050	REP	83-10-025	132F-104-817	AMD-P	83-09-044	132L-112-914	REP	83-07-067
132E-160-060	REP-P	83-05-020	132F-104-819	AMD-P	83-09-044	132L-112-915	REP-P	83-03-072
132E-160-060	REP	83-10-025	132F-120	AMD-C	83-06-001	132L-112-915	REP	83-07-067
132E-160-070	REP-P	83-05-020	132F-200-010	NEW-P	83-09-044	132L-112-916	REP-P	83-03-072
132E-160-070	REP	83-10-025	132G-120-010	AMD	83-07-020	132L-112-916	REP	83-07-067
132E-160-080	REP-P	83-05-020	132G-120-030	AMD	83-07-020	132L-112-917	REP-P	83-03-072
132E-160-080	REP	83-10-025	132G-120-040	AMD	83-07-020	132L-112-917	REP	83-07-067
132E-160-090	REP-P	83-05-020	132G-120-060	AMD	83-07-020	132L-112-918	REP-P	83-03-072
132E-160-090	REP	83-10-025	132G-120-061	NEW	83-07-020	132L-112-918	REP	83-07-067
132E-160-100	REP-P	83-05-020	132G-120-062	NEW	83-07-020	132L-112-919	REP-P	83-03-072
132E-160-100	REP	83-10-025	132G-120-063	NEW	83-07-020	132L-112-919	REP	83-07-067
132E-160-110	REP-P	83-05-020	132G-120-064	NEW	83-07-020	132L-112-920	REP-P	83-03-072
132E-160-110	REP	83-10-025	132G-120-065	NEW	83-07-020	132L-112-920	REP	83-07-067
132E-160-120	REP-P	83-05-020	132G-120-070	AMD	83-07-020	132L-112-921	REP-P	83-03-072
132E-160-120	REP	83-10-025	132G-120-080	AMD	83-07-020	132L-112-921	REP	83-07-067
132E-160-130	REP-P	83-05-020	132G-120-090	AMD	83-07-020	132L-112-922	REP-P	83-03-072
132E-160-130	REP	83-10-025	132G-120-100	AMD	83-07-020	132L-112-922	REP	83-07-067
132E-160-140	REP-P	83-05-020	132G-120-110	AMD	83-07-020	132L-112-923	REP-P	83-03-072
132E-160-140	REP	83-10-025	132H-105-030	AMD	83-05-051	132L-112-923	REP	83-07-067
132E-160-150	REP-P	83-05-020	132H-120-200	AMD-P	83-07-040	132L-116-010	REP-P	83-03-072
132E-160-150	REP	83-10-025	132L-112-010	REP-P	83-03-072	132L-116-010	REP	83-07-067
132E-160-160	REP-P	83-05-020	132L-112-010	REP	83-07-067	132L-116-020	REP-P	83-03-072
132E-160-160	REP	83-10-025	132L-112-020	REP-P	83-03-072	132L-116-020	REP	83-07-067
132E-160-170	REP-P	83-05-020	132L-112-020	REP	83-07-067	132L-116-030	REP-P	83-03-072
132E-160-170	REP	83-10-025	132L-112-030	REP-P	83-03-072	132L-116-030	REP	83-07-067

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132L-116-040	REP-P	83-03-072	133-20-090	NEW-P	83-03-061	137-37-010	NEW-P	83-08-006
132L-116-040	REP	83-07-067	133-20-090	NEW	83-10-041	137-37-020	NEW-P	83-08-006
132L-116-050	REP-P	83-03-072	133-20-100	NEW-P	83-03-061	137-37-030	NEW-P	83-08-006
132L-116-050	REP	83-07-067	133-20-100	NEW	83-10-041	137-37-040	NEW-P	83-08-006
132L-128-010	REP-P	83-03-072	133-20-110	NEW-P	83-03-061	137-37-050	NEW-P	83-08-006
132L-128-010	REP	83-07-067	133-20-110	NEW	83-10-041	137-37-060	NEW-P	83-08-006
132L-128-025	REP-P	83-03-072	133-20-120	NEW-P	83-03-061	137-48	NEW-C	83-06-011
132L-128-025	REP	83-07-067	133-20-120	NEW	83-10-041	137-48	NEW-W	83-08-007
132L-128-030	REP-P	83-03-072	133-30	NEW-C	83-07-003	137-48	NEW-E	83-08-063
132L-128-030	REP	83-07-067	133-30	NEW	83-10-041	137-48-010	NEW-P	83-02-048
132L-128-040	REP-P	83-03-072	133-30-010	NEW-P	83-03-061	137-48-010	NEW-E	83-02-050
132L-128-040	REP	83-07-067	133-30-010	NEW	83-10-041	137-48-010	NEW-W	83-08-007
132L-128-050	REP-P	83-03-072	133-30-020	NEW-P	83-03-061	137-48-010	NEW-E	83-08-063
132L-128-050	REP	83-07-067	133-30-020	NEW	83-10-041	137-48-020	NEW-P	83-02-048
132L-128-060	REP-P	83-03-072	133-30-030	NEW-P	83-03-061	137-48-020	NEW-E	83-02-050
132L-128-060	REP	83-07-067	133-30-030	NEW	83-10-041	137-48-020	NEW-W	83-08-007
132L-128-070	REP-P	83-03-072	133-30-040	NEW-P	83-03-061	137-48-020	NEW-E	83-08-063
132L-128-070	REP	83-07-067	133-30-040	NEW	83-10-041	137-48-030	NEW-P	83-02-048
132L-128-080	REP-P	83-03-072	133-30-050	NEW-P	83-03-061	137-48-030	NEW-E	83-02-050
132L-128-080	REP	83-07-067	133-30-050	NEW	83-10-041	137-48-030	NEW-W	83-08-007
132L-128-090	REP-P	83-03-072	133-30-060	NEW-P	83-03-061	137-48-030	NEW-E	83-08-063
132L-128-090	REP	83-07-067	133-30-060	NEW	83-10-041	137-48-040	NEW-P	83-02-048
132Q-276	NEW-C	83-07-004	133-30-060	NEW	83-10-041	137-48-040	NEW-E	83-02-050
132Q-276-010	NEW-P	83-06-009	133-30-070	NEW-P	83-03-061	137-48-040	NEW-W	83-08-007
132Q-276-010	NEW	83-10-004	133-30-070	NEW	83-10-041	137-48-040	NEW-E	83-08-063
132Q-276-020	NEW-P	83-06-009	133-30-080	NEW-P	83-03-061	137-48-050	NEW-P	83-02-048
132Q-276-020	NEW	83-10-004	133-30-080	NEW	83-10-041	137-48-050	NEW-E	83-02-050
132Q-276-030	NEW-P	83-06-009	133-40	NEW	83-10-041	137-48-050	NEW-W	83-08-007
132Q-276-030	NEW	83-10-004	133-40	NEW	83-10-041	137-48-050	NEW-E	83-08-063
132Q-276-040	NEW-P	83-06-009	133-40-010	NEW-P	83-03-061	137-48-060	NEW-P	83-02-048
132Q-276-040	NEW	83-10-004	133-40-010	NEW	83-10-041	137-48-060	NEW-E	83-02-050
132Q-276-050	NEW-P	83-06-009	133-40-020	NEW-P	83-03-061	137-48-060	NEW-W	83-08-007
132Q-276-050	NEW	83-10-004	133-40-020	NEW	83-10-041	137-48-060	NEW-E	83-08-063
132Q-276-060	NEW-P	83-06-009	133-40-030	NEW-P	83-03-061	137-48-070	NEW-P	83-02-048
132Q-276-060	NEW	83-10-004	133-40-030	NEW	83-10-041	137-48-070	NEW-E	83-02-050
132Q-276-070	NEW-P	83-06-009	133-40-040	NEW-P	83-03-061	137-48-070	NEW-W	83-08-007
132Q-276-070	NEW	83-10-004	133-40-040	NEW	83-10-041	137-48-070	NEW-E	83-08-063
132Q-276-080	NEW-P	83-06-009	133-40-050	NEW-P	83-03-061	137-48-080	NEW-P	83-02-048
132Q-276-080	NEW	83-10-004	133-40-050	NEW	83-10-041	137-48-080	NEW-E	83-02-050
132Q-276-090	NEW-P	83-06-009	133-40-060	NEW-P	83-03-061	137-48-080	NEW-W	83-08-007
132Q-276-090	NEW	83-10-004	133-40-060	NEW	83-10-041	137-48-080	NEW-E	83-08-063
132Q-276-100	NEW-P	83-06-009	133-50	NEW-C	83-07-003	137-48-090	NEW-E	83-08-063
132Q-276-100	NEW	83-10-004	133-50	NEW	83-10-041	137-49-010	REP-E	83-07-006
132Q-276-110	NEW-P	83-06-009	133-50-010	NEW-P	83-03-061	137-49-010	NEW-W	83-07-007
132Q-276-110	NEW	83-10-004	133-50-010	NEW	83-10-041	137-50	NEW-C	83-06-011
132Q-276-120	NEW-P	83-06-009	133-50-020	NEW-P	83-03-061	137-50	NEW-W	83-08-007
132Q-276-120	NEW	83-10-004	137-36	NEW-C	83-06-011	137-50-010	NEW-W	83-08-007
132Q-276-130	NEW-P	83-06-009	137-36	NEW-W	83-08-007	137-56-190	AMD	83-05-009
132Q-276-130	NEW	83-10-004	137-36	NEW-E	83-08-063	137-56-250	AMD-P	83-07-049
132Q-276-140	NEW-P	83-06-009	137-36-010	NEW-P	83-02-049	137-56-250	AMD	83-10-042
132Q-276-140	NEW	83-10-004	137-36-010	NEW-E	83-02-051	139-14-010	AMD-C	83-04-009
133-10	NEW-C	83-07-003	137-36-010	NEW-W	83-08-007	139-14-010	AMD-E	83-04-014
133-10	NEW	83-10-041	137-36-010	NEW-E	83-08-063	139-14-010	AMD	83-07-046
133-10-010	NEW-P	83-03-061	137-36-020	NEW-P	83-02-049	139-20-010	REP-C	83-04-008
133-10-010	NEW	83-10-041	137-36-020	NEW-E	83-02-051	139-20-010	REP-E	83-04-012
133-10-020	NEW-P	83-03-061	137-36-020	NEW-W	83-08-007	139-20-010	REP	83-07-044
133-10-020	NEW	83-10-041	137-36-020	NEW-E	83-08-063	139-20-020	NEW-C	83-04-007
133-10-030	NEW-P	83-03-061	137-36-030	NEW-P	83-02-049	139-20-020	NEW-E	83-04-013
133-10-030	NEW	83-10-041	137-36-030	NEW-E	83-02-051	139-20-020	NEW	83-07-045
133-20	NEW-C	83-07-003	137-36-030	NEW-W	83-08-007	140-08-010	NEW-P	83-02-053
133-20	NEW	83-10-041	137-36-030	NEW-E	83-08-063	140-08-010	NEW	83-06-034
133-20-010	NEW-P	83-03-061	137-36-040	NEW-P	83-02-049	140-08-020	NEW-P	83-02-053
133-20-010	NEW	83-10-041	137-36-040	NEW-E	83-02-051	140-08-020	NEW	83-06-034
133-20-020	NEW-P	83-03-061	137-36-040	NEW-W	83-08-007	140-08-030	NEW-P	83-02-053
133-20-020	NEW	83-10-041	137-36-040	NEW-E	83-08-063	140-08-030	NEW	83-06-034
133-20-030	NEW-P	83-03-061	137-36-050	NEW-P	83-02-049	140-08-040	NEW-P	83-02-053
133-20-030	NEW	83-10-041	137-36-050	NEW-E	83-02-051	140-08-040	NEW	83-06-034
133-20-040	NEW-P	83-03-061	137-36-050	NEW-W	83-08-007	140-08-050	NEW-P	83-02-053
133-20-040	NEW	83-10-041	137-36-050	NEW-E	83-08-063	140-08-050	NEW	83-06-034
133-20-050	NEW-P	83-03-061	137-36-060	NEW-P	83-02-049	140-08-060	NEW-P	83-02-053
133-20-050	NEW	83-10-041	137-36-060	NEW-E	83-02-051	140-08-060	NEW	83-06-034
133-20-060	NEW-P	83-03-061	137-36-060	NEW-W	83-08-007	140-08-070	NEW-P	83-02-053
133-20-060	NEW	83-10-041	137-36-060	NEW-E	83-08-063	140-08-070	NEW	83-06-034
133-20-070	NEW-P	83-03-061	137-36-070	NEW-P	83-02-049	140-08-080	NEW-P	83-02-053
133-20-070	NEW	83-10-041	137-36-070	NEW-E	83-02-051	140-08-080	NEW	83-06-034
133-20-080	NEW-P	83-03-061	137-36-070	NEW-W	83-08-007	140-08-090	NEW-P	83-02-053
133-20-080	NEW	83-10-041	137-36-070	NEW-E	83-08-063	140-08-090	NEW	83-06-034



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
140-08-100	NEW-P 83-02-053	154-16-010	AMD-E 83-09-020	173-220-090	AMD-P 83-07-078
140-08-100	NEW 83-06-034	154-16-010	AMD-P 83-09-021	173-220-090	AMD 83-10-063
140-08-110	NEW-P 83-02-053	154-16-010	AMD-C 83-10-050	173-301	AMD-C 83-03-068
140-08-110	NEW 83-06-034	154-16-020	AMD-E 83-09-020	173-301	AMD 83-09-017
140-12-010	NEW-P 83-02-054	154-16-020	AMD-P 83-09-021	173-301-110	AMD 83-09-017
140-12-010	NEW 83-06-035	154-16-020	AMD-C 83-10-050	173-301-180	AMD 83-09-017
140-12-020	NEW-P 83-02-054	154-20-010	AMD-E 83-09-020	173-301-181	AMD 83-09-017
140-12-020	NEW 83-06-035	154-20-010	AMD-P 83-09-021	173-301-320	NEW 83-09-017
140-12-030	NEW-P 83-02-054	154-20-010	AMD-C 83-10-050	173-400-010	AMD-P 83-03-070
140-12-030	NEW 83-06-035	154-20-020	AMD-E 83-09-020	173-400-010	AMD 83-09-036
140-12-040	NEW-P 83-02-054	154-20-020	AMD-P 83-09-021	173-400-020	AMD-P 83-03-070
140-12-040	NEW 83-06-035	154-20-020	AMD-C 83-10-050	173-400-020	AMD 83-09-036
140-12-050	NEW-P 83-02-054	154-48-010	AMD-E 83-09-020	173-400-030	AMD-P 83-03-070
140-12-050	NEW 83-06-035	154-48-010	AMD-P 83-09-021	173-400-030	AMD 83-09-036
140-12-060	NEW-P 83-02-054	154-48-010	AMD-C 83-10-050	173-400-040	AMD-P 83-03-070
140-12-060	NEW 83-06-035	154-68-020	AMD-E 83-09-020	173-400-040	AMD 83-09-036
140-12-070	NEW-P 83-02-054	154-68-020	AMD-P 83-09-021	173-400-050	AMD-P 83-03-070
140-12-070	NEW 83-06-035	154-68-020	AMD-C 83-10-050	173-400-050	AMD 83-09-036
140-12-080	NEW-P 83-02-054	167-04-010	REP 83-06-052	173-400-060	AMD-P 83-03-070
140-12-080	NEW 83-06-035	167-04-030	REP 83-06-052	173-400-060	AMD 83-09-036
140-12-090	NEW-P 83-02-054	167-04-050	REP 83-06-052	173-400-070	AMD-P 83-03-070
140-12-090	NEW 83-06-035	167-06-010	REP 83-06-052	173-400-070	AMD 83-09-036
140-12-100	NEW-P 83-02-054	167-06-020	REP 83-06-052	173-400-075	AMD-P 83-03-070
140-12-100	NEW 83-06-035	167-08-010	REP 83-06-052	173-400-075	AMD 83-09-036
140-12-110	NEW-P 83-02-054	173-19-1104	AMD-P 83-10-061	173-400-080	REP-P 83-03-070
140-12-110	NEW 83-06-035	173-19-130	AMD 83-02-066	173-400-080	REP 83-09-036
142-30-010	AMD-P 83-04-048	173-19-190	AMD-P 83-10-061	173-400-090	REP-P 83-03-070
142-30-010	AMD-E 83-08-018	173-19-2503	AMD-P 83-02-065	173-400-090	REP 83-09-036
142-30-010	AMD 83-08-019	173-19-2503	AMD 83-07-080	173-400-100	AMD-P 83-03-070
154-04-010	AMD-E 83-09-020	173-19-2505	AMD-P 83-02-064	173-400-100	AMD 83-09-036
154-04-010	AMD-P 83-09-021	173-19-2505	AMD-P 83-03-069	173-400-110	AMD-P 83-03-070
154-04-010	AMD-C 83-10-050	173-19-2505	AMD 83-07-019	173-400-110	AMD 83-09-036
154-04-035	NEW-E 83-09-020	173-19-2521	AMD-P 83-02-065	173-400-115	AMD-P 83-03-070
154-04-035	NEW-P 83-09-021	173-19-2521	AMD 83-07-081	173-400-115	AMD 83-09-036
154-04-035	NEW-C 83-10-050	173-19-2521	AMD-P 83-09-052	173-400-120	AMD-P 83-03-070
154-04-040	AMD-E 83-09-020	173-19-260	AMD-C 83-03-067	173-400-120	AMD 83-09-036
154-04-040	AMD-P 83-09-021	173-19-260	AMD 83-08-002	173-400-130	REP-P 83-03-070
154-04-040	AMD-C 83-10-050	173-19-3508	AMD-P 83-08-072	173-400-130	REP 83-09-036
154-04-050	AMD-E 83-09-020	173-19-3514	AMD-P 83-08-072	173-400-135	REP-P 83-03-070
154-04-050	AMD-P 83-09-021	173-19-370	AMD-P 83-02-065	173-400-135	REP 83-09-036
154-04-050	AMD-C 83-10-050	173-19-370	AMD 83-07-082	173-400-140	REP-P 83-03-070
154-04-070	AMD-E 83-09-020	173-19-4005	AMD-P 83-02-065	173-400-140	REP 83-09-036
154-04-070	AMD-P 83-09-021	173-19-4005	AMD 83-07-083	173-400-150	REP-P 83-03-070
154-04-070	AMD-C 83-10-050	173-134-010	REP-P 83-07-079	173-400-150	REP 83-09-036
154-04-075	NEW-E 83-09-020	173-134-020	REP-P 83-07-079	173-400-160	REP-P 83-03-070
154-04-075	NEW-P 83-09-021	173-134-030	REP-P 83-07-079	173-400-160	REP 83-09-036
154-04-075	NEW-C 83-10-050	173-134-040	REP-P 83-07-079	173-400-170	REP-P 83-03-070
154-04-090	AMD-E 83-09-020	173-134-050	REP-P 83-07-079	173-400-170	REP 83-09-036
154-04-090	AMD-P 83-09-021	173-134-055	REP-P 83-07-079	173-403-010	NEW-P 83-03-070
154-04-090	AMD-C 83-10-050	173-134-060	REP-P 83-07-079	173-403-010	NEW 83-09-013
154-04-100	AMD-E 83-09-020	173-134-070	REP-P 83-07-079	173-403-020	NEW-P 83-03-070
154-04-100	AMD-P 83-09-021	173-134-080	REP-P 83-07-079	173-403-020	NEW 83-09-013
154-04-100	AMD-C 83-10-050	173-134-085	REP-P 83-07-079	173-403-030	NEW-P 83-03-070
154-12-010	AMD-E 83-09-020	173-134-090	REP-P 83-07-079	173-403-030	NEW 83-09-013
154-12-010	AMD-P 83-09-021	173-134-100	REP-P 83-07-079	173-403-050	NEW-P 83-03-070
154-12-010	AMD-C 83-10-050	173-134-110	REP-P 83-07-079	173-403-050	NEW 83-09-013
154-12-015	NEW-E 83-09-020	173-134-120	REP-P 83-07-079	173-403-100	NEW-P 83-03-070
154-12-015	NEW-P 83-09-021	173-134-130	REP-P 83-07-079	173-403-100	NEW 83-09-013
154-12-015	NEW-C 83-10-050	173-134-140	REP-P 83-07-079	173-403-110	NEW-P 83-03-070
154-12-020	AMD-E 83-09-020	173-134-160	REP-P 83-07-079	173-403-110	NEW 83-09-013
154-12-020	AMD-P 83-09-021	173-134A-010	NEW-P 83-07-079	173-403-120	NEW-P 83-03-070
154-12-020	AMD-C 83-10-050	173-134A-020	NEW-P 83-07-079	173-403-120	NEW 83-09-013
154-12-030	AMD-E 83-09-020	173-134A-030	NEW-P 83-07-079	173-403-130	NEW-P 83-03-070
154-12-030	AMD-P 83-09-021	173-134A-040	NEW-P 83-07-079	173-403-130	NEW 83-09-013
154-12-030	AMD-C 83-10-050	173-134A-050	NEW-P 83-07-079	173-403-140	NEW-P 83-03-070
154-12-090	AMD-E 83-09-020	173-134A-060	NEW-P 83-07-079	173-403-140	NEW 83-09-013
154-12-090	AMD-P 83-09-021	173-134A-070	NEW-P 83-07-079	173-403-150	NEW-P 83-03-070
154-12-090	AMD-C 83-10-050	173-134A-080	NEW-P 83-07-079	173-403-150	NEW 83-09-013
154-12-100	AMD-E 83-09-020	173-134A-090	NEW-P 83-07-079	173-403-160	NEW-P 83-03-070
154-12-100	AMD-P 83-09-021	173-134A-100	NEW-P 83-07-079	173-403-160	NEW 83-09-013
154-12-100	AMD-C 83-10-050	173-134A-110	NEW-P 83-07-079	173-403-170	NEW-P 83-03-070
154-12-105	NEW-E 83-09-020	173-134A-120	NEW-P 83-07-079	173-403-170	NEW 83-09-013
154-12-105	NEW-P 83-09-021	173-134A-130	NEW-P 83-07-079	173-403-180	NEW-P 83-03-070
154-12-105	NEW-C 83-10-050	173-134A-140	NEW-P 83-07-079	173-403-180	NEW 83-09-013
154-12-110	AMD-E 83-09-020	173-134A-150	NEW-P 83-07-079	173-403-190	NEW-P 83-03-070
154-12-110	AMD-P 83-09-021	173-134A-160	NEW-P 83-07-079	173-403-190	NEW 83-09-013
154-12-110	AMD-C 83-10-050	173-134A-170	NEW-P 83-07-079	173-405-021	AMD-P 83-03-070

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-405-021	AMD	83-09-036	180-100-020	REP-P	83-08-045	212-45-065	NEW-P	83-03-027
173-405-033	AMD-P	83-03-070	182-12-115	AMD-E	83-07-065	212-45-065	NEW	83-06-022
173-405-033	AMD	83-09-036	182-12-115	AMD-P	83-08-017	212-45-070	NEW-P	83-03-027
173-405-040	AMD-P	83-03-070	187-10-210	REP-P	83-06-054	212-45-070	NEW	83-06-022
173-405-040	AMD	83-09-036	187-10-220	REP-P	83-06-054	212-45-075	NEW-P	83-03-027
173-405-061	AMD-P	83-03-070	187-10-230	REP-P	83-06-054	212-45-075	NEW	83-06-022
173-405-061	AMD	83-09-036	187-10-240	REP-P	83-06-054	212-45-080	NEW-P	83-03-027
173-405-077	AMD-P	83-03-070	187-10-250	REP-P	83-06-054	212-45-080	NEW	83-06-022
173-405-077	AMD	83-09-036	187-10-260	REP-P	83-06-054	212-45-085	NEW-P	83-03-027
173-405-078	AMD-P	83-03-070	187-10-270	REP-P	83-06-054	212-45-085	NEW	83-06-022
173-405-078	AMD	83-09-036	187-10-280	REP-P	83-06-054	212-45-090	NEW-P	83-03-027
173-405-086	AMD-P	83-03-070	187-10-290	REP-P	83-06-054	212-45-090	NEW	83-06-022
173-405-086	AMD	83-09-036	187-10-300	REP-P	83-06-054	212-45-095	NEW-P	83-03-027
173-405-090	REP-P	83-03-070	187-10-310	REP-P	83-06-054	212-45-095	NEW	83-06-022
173-405-090	REP	83-09-036	187-10-320	REP-P	83-06-054	212-45-100	NEW-P	83-03-027
173-405-101	REP-P	83-03-070	187-10-500	REP-P	83-06-054	212-45-100	NEW	83-06-022
173-405-101	REP	83-09-036	204-10-020	AMD-P	83-07-013	212-45-105	NEW-P	83-03-027
173-410-021	AMD-P	83-03-070	204-24-030	AMD-E	83-03-014	212-45-105	NEW	83-06-022
173-410-021	AMD	83-09-036	204-24-040	AMD-E	83-03-014	212-45-110	NEW-P	83-03-027
173-410-040	AMD-P	83-03-070	204-24-050	AMD-E	83-03-014	212-45-110	NEW	83-06-022
173-410-040	AMD	83-09-036	204-24-070	AMD-E	83-03-014	212-45-115	NEW-P	83-03-027
173-410-067	AMD-P	83-03-070	204-66-140	AMD-P	83-07-084	212-45-115	NEW	83-06-022
173-410-067	AMD	83-09-036	204-90	NEW-C	83-05-001	220-24-02000T	NEW-E	83-10-022
173-410-071	AMD-P	83-03-070	212-43-001	NEW	83-03-028	220-24-02000T	REP-E	83-10-040
173-410-071	AMD	83-09-036	212-43-005	NEW	83-03-028	220-24-02000U	NEW-E	83-10-040
173-410-086	AMD-P	83-03-070	212-43-010	NEW	83-03-028	220-28-073E0F	NEW-E	83-07-070
173-410-086	AMD	83-09-036	212-43-015	NEW	83-03-028	220-28-301	NEW-E	83-09-035
173-410-090	REP-P	83-03-070	212-43-020	NEW	83-03-028	220-28-301	REP-E	83-10-007
173-410-090	REP	83-09-036	212-43-025	NEW	83-03-028	220-28-302	NEW-E	83-10-007
173-410-091	REP-P	83-03-070	212-43-030	NEW	83-03-028	220-32-02200I	NEW-E	83-04-005
173-410-091	REP	83-09-036	212-43-035	NEW	83-03-028	220-32-03000G	NEW-E	83-05-025
173-415-020	AMD-P	83-03-070	212-43-040	NEW	83-03-028	220-32-04000Q	NEW-E	83-03-030
173-415-020	AMD	83-09-036	212-43-045	NEW	83-03-028	220-32-04000Q	REP-E	83-04-053
173-415-030	AMD-P	83-03-070	212-43-050	NEW	83-03-028	220-32-04000R	NEW-E	83-04-053
173-415-030	AMD	83-09-036	212-43-055	NEW	83-03-028	220-32-05100U	NEW-E	83-05-008
173-415-050	AMD-P	83-03-070	212-43-060	NEW	83-03-028	220-32-05700P	NEW-E	83-03-030
173-415-050	AMD	83-09-036	212-43-065	NEW	83-03-028	220-32-05700P	REP-E	83-04-053
173-415-070	AMD-P	83-03-070	212-43-070	NEW	83-03-028	220-32-05700Q	NEW-E	83-04-053
173-415-070	AMD	83-09-036	212-43-075	NEW	83-03-028	220-32-05700Q	REP-E	83-06-023
173-415-080	AMD-P	83-03-070	212-43-080	NEW	83-03-028	220-32-05700R	NEW-E	83-06-023
173-415-080	AMD	83-09-036	212-43-085	NEW	83-03-028	220-32-05900D	NEW-E	83-10-020
173-415-090	REP-P	83-03-070	212-43-090	NEW	83-03-028	220-36-021	AMD-P	83-10-080
173-415-090	REP	83-09-036	212-43-095	NEW	83-03-028	220-36-022	AMD-P	83-10-080
173-545	NEW-C	83-10-062	212-43-100	NEW	83-03-028	220-36-024	AMD-P	83-10-080
173-545-010	NEW-P	83-09-053	212-43-105	NEW	83-03-028	220-36-025	AMD-P	83-07-055
173-545-020	NEW-P	83-09-053	212-43-110	NEW	83-03-028	220-36-025	AMD	83-10-015
173-545-030	NEW-P	83-09-053	212-43-115	NEW	83-03-028	220-36-02500A	NEW-E	83-07-041
173-545-040	NEW-P	83-09-053	212-43-120	NEW	83-03-028	220-40-021	AMD-P	83-10-080
173-545-050	NEW-P	83-09-053	212-43-125	NEW	83-03-028	220-40-022	AMD-P	83-10-080
173-545-060	NEW-P	83-09-053	212-43-130	NEW	83-03-028	220-40-024	AMD-P	83-10-080
173-545-070	NEW-P	83-09-053	212-43-135	NEW	83-03-028	220-44-040	AMD-P	83-07-069
173-545-080	NEW-P	83-09-053	212-45-001	NEW-P	83-03-027	220-44-040	AMD	83-10-016
173-545-090	NEW-P	83-09-053	212-45-001	NEW	83-06-022	220-44-04000A	REP-E	83-03-007
173-545-100	NEW-P	83-09-053	212-45-005	NEW-P	83-03-027	220-44-04000B	REP-E	83-03-007
174-136-015	AMD	83-05-034	212-45-005	NEW	83-06-022	220-44-04000C	NEW-E	83-03-007
174-136-016	AMD	83-05-034	212-45-010	NEW-P	83-03-027	220-44-04000C	REP-E	83-06-032
174-136-018	AMD	83-05-034	212-45-010	NEW	83-06-022	220-44-04000D	NEW-E	83-06-032
174-136-019	AMD	83-05-034	212-45-015	NEW-P	83-03-027	220-44-050	NEW-P	83-07-069
174-162-300	AMD-P	83-08-004	212-45-015	NEW	83-06-022	220-44-050	NEW	83-10-016
174-162-305	AMD-P	83-08-004	212-45-020	NEW-P	83-03-027	220-48-015	AMD	83-04-025
180-10-003	AMD-P	83-05-038	212-45-020	NEW	83-06-022	220-48-01500A	NEW-E	83-06-024
180-10-003	AMD	83-08-016	212-45-025	NEW-P	83-03-027	220-48-01500A	REP-E	83-07-071
180-16-166	REP-C	83-05-023	212-45-025	NEW	83-06-022	220-48-01500B	NEW-E	83-07-071
180-16-166	REP-C	83-08-042	212-45-030	NEW-P	83-03-027	220-48-01500C	NEW-E	83-10-014
180-16-195	AMD-P	83-08-043	212-45-030	NEW	83-06-022	220-49-020	AMD	83-04-025
180-16-225	AMD-P	83-08-043	212-45-035	NEW-P	83-03-027	220-49-02000L	REP-E	83-04-036
180-36-005	AMD-P	83-08-044	212-45-035	NEW	83-06-022	220-49-02000M	NEW-E	83-04-036
180-42	NEW-C	83-05-023	212-45-040	NEW-P	83-03-027	220-49-02000N	NEW-E	83-09-008
180-42	NEW-C	83-08-042	212-45-040	NEW	83-06-022	220-49-056	AMD	83-04-025
180-42-005	NEW-C	83-08-042	212-45-045	NEW-P	83-03-027	220-52-050	AMD	83-04-025
180-42-010	NEW-C	83-08-042	212-45-045	NEW	83-06-022	220-52-053	AMD-P	83-06-044
180-42-015	NEW-C	83-08-042	212-45-050	NEW-P	83-03-027	220-52-053	AMD	83-09-014
180-42-020	NEW-C	83-08-042	212-45-050	NEW	83-06-022	220-52-05300M	NEW-E	83-10-019
180-42-025	NEW-C	83-08-042	212-45-055	NEW-P	83-03-027	220-52-073	AMD	83-04-025
180-42-030	NEW-C	83-08-042	212-45-055	NEW	83-06-022	220-52-07300A	NEW-E	83-09-027
180-42-035	NEW-C	83-08-042	212-45-060	NEW-P	83-03-027	220-52-074	AMD	83-04-025
180-56-023	NEW-P	83-08-061	212-45-060	NEW	83-06-022	220-52-075	AMD-P	83-06-044

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-52-075	AMD	83-09-014	220-57-285	AMD-P	83-03-071	220-110-070	NEW-P	83-06-062
220-56-116	AMD-P	83-03-071	220-57-285	AMD	83-07-043	220-110-070	NEW	83-09-019
220-56-116	AMD	83-07-043	220-57-290	AMD-P	83-03-071	220-110-080	NEW-P	83-06-062
220-56-145	AMD-P	83-03-071	220-57-290	AMD	83-07-043	220-110-080	NEW	83-09-019
220-56-145	AMD	83-07-043	220-57-300	AMD-P	83-03-071	220-110-090	NEW-P	83-06-062
220-56-180	AMD-P	83-03-071	220-57-300	AMD	83-07-043	220-110-090	NEW	83-09-019
220-56-180	AMD	83-07-043	220-57-315	AMD-P	83-03-071	220-110-100	NEW-P	83-06-062
220-56-18000I	NEW-E	83-08-040	220-57-315	AMD	83-07-043	220-110-100	NEW	83-09-019
220-56-18000J	NEW-E	83-08-046	220-57-319	AMD-P	83-03-071	220-110-110	NEW-P	83-06-062
220-56-190	AMD-P	83-03-071	220-57-319	AMD	83-07-043	220-110-110	NEW	83-09-019
220-56-190	AMD	83-07-043	220-57-320	REP-P	83-03-071	220-110-120	NEW-P	83-06-062
220-56-191	NEW-P	83-03-071	220-57-320	REP	83-10-023	220-110-120	NEW	83-09-019
220-56-195	AMD-P	83-03-071	220-57-327	NEW-P	83-03-071	220-110-130	NEW-P	83-06-062
220-56-195	AMD	83-07-043	220-57-327	NEW	83-07-043	220-110-130	NEW	83-09-019
220-56-195	REP-E	83-08-040	220-57-330	AMD-P	83-03-071	220-110-140	NEW-P	83-06-062
220-56-19500B	NEW-E	83-08-040	220-57-330	AMD	83-07-043	220-110-140	NEW	83-09-019
220-56-196	NEW-P	83-03-071	220-57-340	AMD-P	83-03-071	220-110-150	NEW-P	83-06-062
220-56-196	NEW	83-07-043	220-57-340	AMD	83-07-043	220-110-150	NEW	83-09-019
220-56-198	NEW-P	83-03-071	220-57-350	AMD-P	83-03-071	220-110-160	NEW-P	83-06-062
220-56-198	NEW	83-07-043	220-57-350	AMD	83-07-043	220-110-160	NEW	83-09-019
220-56-235	AMD-P	83-03-071	220-57-390	AMD-P	83-03-071	220-110-170	NEW-P	83-06-062
220-56-235	AMD	83-07-043	220-57-390	AMD	83-07-043	220-110-170	NEW	83-09-019
220-56-23500A	NEW-E	83-08-040	220-57-415	AMD-P	83-03-071	220-110-180	NEW-P	83-06-062
220-56-250	AMD-P	83-03-071	220-57-415	AMD	83-07-043	220-110-180	NEW	83-09-019
220-56-250	AMD	83-07-043	220-57-460	AMD-P	83-03-071	220-110-190	NEW-P	83-06-062
220-56-25000B	NEW-E	83-08-040	220-57-460	AMD	83-07-043	220-110-190	NEW	83-09-019
220-56-261	NEW-P	83-03-071	220-57-485	AMD-P	83-03-071	220-110-200	NEW-P	83-06-062
220-56-285	AMD-P	83-03-071	220-57-485	AMD	83-07-043	220-110-200	NEW	83-09-019
220-56-285	AMD	83-07-043	220-57-495	AMD-P	83-03-071	220-110-210	NEW-P	83-06-062
220-56-300	REP-P	83-03-071	220-57-495	AMD	83-07-043	220-110-210	NEW	83-09-019
220-56-300	REP	83-07-043	220-57-515	AMD-P	83-03-071	220-110-220	NEW-P	83-06-062
220-56-310	AMD	83-04-027	220-57-515	AMD	83-07-043	220-110-220	NEW	83-09-019
220-56-32500E	NEW-E	83-10-019	220-57-520	AMD-P	83-03-071	220-110-230	NEW-P	83-06-062
220-56-350	AMD-P	83-03-071	220-57-520	AMD	83-07-043	220-110-230	NEW	83-09-019
220-56-350	AMD	83-07-043	220-57-525	AMD-P	83-03-071	220-110-240	NEW-P	83-06-062
220-56-35000A	NEW-E	83-08-040	220-57-525	AMD	83-07-043	220-110-240	NEW	83-09-019
220-56-360	AMD-P	83-03-071	220-57A-012	AMD-P	83-03-071	220-110-250	NEW-P	83-06-062
220-56-360	AMD	83-04-026	220-57A-012	AMD	83-07-043	220-110-250	NEW	83-09-019
220-56-360	AMD	83-07-043	220-57A-015	AMD-P	83-03-071	220-110-260	NEW-P	83-06-062
220-56-36000F	NEW-E	83-05-011	220-57A-015	AMD	83-07-043	220-110-260	NEW	83-09-019
220-56-36000G	NEW-E	83-08-040	220-57A-015	REP-E	83-08-040	220-110-270	NEW-P	83-06-062
220-56-372	AMD-P	83-03-071	220-57A-01500A	NEW-E	83-08-040	220-110-270	NEW	83-09-019
220-56-372	AMD	83-07-043	220-57A-040	AMD-P	83-03-071	220-110-280	NEW-P	83-06-062
220-56-390	AMD-P	83-03-071	220-57A-040	AMD	83-07-043	220-110-280	NEW	83-09-019
220-56-390	AMD	83-07-043	220-57A-070	AMD-P	83-03-071	220-110-290	NEW-P	83-06-062
220-57-130	AMD-P	83-03-071	220-57A-070	AMD	83-07-043	220-110-290	NEW	83-09-019
220-57-130	AMD	83-07-043	220-57A-082	AMD-P	83-03-071	220-110-300	NEW-P	83-06-062
220-57-135	AMD-P	83-03-071	220-57A-082	AMD	83-07-043	220-110-300	NEW	83-09-019
220-57-135	AMD	83-07-043	220-57A-08200B	NEW-E	83-08-040	220-110-310	NEW-P	83-06-062
220-57-138	AMD-P	83-03-071	220-57A-085	AMD-P	83-03-071	220-110-310	NEW	83-09-019
220-57-138	AMD	83-07-043	220-57A-085	AMD	83-07-043	220-110-320	NEW-P	83-06-062
220-57-140	AMD-P	83-03-071	220-57A-105	AMD-P	83-03-071	220-110-320	NEW	83-09-019
220-57-140	AMD	83-07-043	220-57A-105	AMD	83-07-043	220-110-330	NEW-P	83-06-062
220-57-155	AMD-P	83-03-071	220-57A-112	AMD-P	83-03-071	220-110-330	NEW	83-09-019
220-57-155	AMD	83-07-043	220-57A-112	AMD	83-07-043	220-110-340	NEW-P	83-06-062
220-57-160	AMD-P	83-03-071	220-57A-120	AMD-P	83-03-071	220-110-340	NEW	83-09-019
220-57-160	AMD	83-07-043	220-57A-120	AMD	83-07-043	220-110-350	NEW-P	83-06-062
220-57-16000Y	NEW-E	83-06-045	220-57A-152	AMD-P	83-03-071	220-110-350	NEW	83-09-019
220-57-16000Z	NEW-E	83-08-041	220-57A-152	AMD	83-07-043	223-08-020	AMD	83-03-005
220-57-175	AMD-P	83-03-071	220-57A-165	AMD-P	83-03-071	230-02-250	AMD-P	83-10-001
220-57-175	AMD	83-07-043	220-57A-165	AMD	83-07-043	230-04-065	AMD	83-06-077
220-57-181	NEW-P	83-03-071	220-57A-180	AMD-P	83-03-071	230-04-452	REP	83-06-077
220-57-181	NEW	83-07-043	220-57A-180	AMD	83-07-043	230-08-010	AMD-P	83-10-001
220-57-215	AMD-P	83-03-071	220-57A-190	AMD-P	83-03-071	230-08-015	AMD	83-06-077
220-57-215	AMD	83-07-043	220-57A-190	AMD	83-07-043	230-08-020	REP-P	83-06-072
220-57-220	AMD-P	83-03-071	220-110-010	NEW-P	83-06-062	230-08-020	REP	83-10-002
220-57-220	AMD	83-07-043	220-110-010	NEW	83-09-019	230-08-025	NEW-P	83-06-072
220-57-230	AMD-P	83-03-071	220-110-020	NEW-P	83-06-062	230-08-025	NEW	83-10-002
220-57-230	AMD	83-07-043	220-110-020	NEW	83-09-019	230-08-030	REP-P	83-06-072
220-57-235	AMD-P	83-03-071	220-110-030	NEW-P	83-06-062	230-08-030	REP	83-10-002
220-57-235	AMD	83-07-043	220-110-030	NEW	83-09-019	230-08-070	NEW-P	83-08-048
220-57-260	AMD-P	83-03-071	220-110-040	NEW-P	83-06-062	230-08-080	AMD-P	83-10-001
220-57-260	AMD	83-07-043	220-110-040	NEW	83-09-019	230-08-120	AMD	83-06-077
220-57-270	AMD-P	83-03-071	220-110-050	NEW-P	83-06-062	230-08-125	NEW	83-06-077
220-57-270	AMD	83-07-043	220-110-050	NEW	83-09-019	230-08-160	AMD	83-06-077
220-57-280	AMD-P	83-03-071	220-110-060	NEW-P	83-06-062	230-12-020	NEW-P	83-04-067
220-57-280	AMD	83-07-043	220-110-060	NEW	83-09-019	230-12-020	NEW	83-08-051

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
230-12-050	AMD-P	83-10-001	248-16-115	NEW-P	83-09-001	248-54-640	REP-P	83-07-060
230-20-010	AMD-P	83-08-048	248-16-120	AMD-P	83-09-001	248-54-650	REP-P	83-07-060
230-20-015	NEW-P	83-06-072	248-16-130	AMD-P	83-09-001	248-54-660	REP-P	83-07-060
230-20-015	NEW-E	83-06-078	248-16-140	AMD-P	83-09-001	248-54-670	REP-P	83-07-060
230-20-015	NEW	83-10-002	248-16-150	AMD-P	83-09-001	248-54-680	REP-P	83-07-060
230-20-060	NEW-P	83-08-049	248-16-160	AMD-P	83-09-001	248-54-690	REP-P	83-07-060
230-20-060	NEW-E	83-08-050	248-16-162	REP-P	83-09-001	248-54-700	REP-P	83-07-060
230-20-060	AMD-E	83-09-033	248-16-170	AMD-P	83-09-001	248-54-710	REP-P	83-07-060
230-20-100	AMD-P	83-10-001	248-16-180	AMD-P	83-09-001	248-54-720	REP-P	83-07-060
230-20-125	NEW-P	83-10-001	248-16-190	AMD-P	83-09-001	248-54-730	REP-P	83-07-060
230-20-150	REP-P	83-04-067	248-16-202	AMD-P	83-09-001	248-54-740	REP-P	83-07-060
230-20-150	REP	83-08-051	248-16-213	AMD-P	83-09-001	248-54-750	REP-P	83-07-060
230-20-170	AMD-P	83-10-001	248-16-215	AMD-P	83-09-001	248-54-760	REP-P	83-07-060
230-20-240	NEW-P	83-10-001	248-16-222	AMD-P	83-09-001	248-54-770	REP-P	83-07-060
230-20-310	REP-P	83-08-048	248-16-223	AMD-P	83-09-001	248-54-780	REP-P	83-07-060
230-20-320	REP-P	83-08-048	248-16-226	AMD-P	83-09-001	248-54-790	REP-P	83-07-060
230-20-325	NEW-P	83-08-048	248-16-227	AMD-P	83-09-001	248-54-800	REP-P	83-07-060
230-20-330	REP-P	83-08-048	248-16-228	AMD-P	83-09-001	248-54-810	REP-P	83-07-060
230-20-340	REP-P	83-08-048	248-16-230	AMD-P	83-09-001	248-54-820	REP-P	83-07-060
230-20-605	AMD	83-06-077	248-16-235	NEW-P	83-09-001	248-54-830	REP-P	83-07-060
230-40-062	REP-P	83-08-048	248-18-180	AMD-P	83-04-059	248-54-840	REP-P	83-07-060
230-40-063	NEW-P	83-08-048	248-18-180	AMD	83-07-048	248-54-850	REP-P	83-07-060
230-40-450	NEW	83-06-077	248-18-330	AMD-P	83-10-056	248-96-010	AMD-P	83-07-061
232-12-044	AMD-E	83-08-055	248-18-335	NEW-P	83-10-058	248-96-011	AMD-P	83-07-061
232-12-044	AMD-P	83-08-076	248-18-336	NEW-P	83-10-058	248-96-012	REP-P	83-07-061
232-12-04501	NEW-E	83-03-017	248-18-670	AMD-P	83-10-057	248-96-015	REP-P	83-07-061
232-12-047	AMD-P	83-08-077	248-18-685	AMD-P	83-04-059	248-96-016	REP-P	83-07-061
232-12-181	AMD-P	83-08-075	248-18-685	AMD	83-07-048	248-96-018	AMD-P	83-07-061
232-12-24401	NEW-P	83-06-056	248-18-718	AMD	83-03-026	248-96-020	AMD-P	83-07-061
232-12-24401	NEW	83-09-022	248-21-035	AMD-P	83-03-042	248-96-025	NEW-P	83-07-061
232-12-294	REP-P	83-06-060	248-21-035	AMD	83-07-015	248-96-040	AMD-P	83-07-061
232-12-294	REP	83-09-026	248-22-036	AMD-P	83-06-010	248-96-045	REP-P	83-07-061
232-14	NEW-W	83-04-040	248-22-036	AMD	83-10-079	248-96-046	AMD-P	83-07-061
232-14-010	NEW-P	83-06-060	248-23-050	AMD-P	83-06-010	248-96-047	NEW-P	83-07-061
232-14-010	NEW	83-09-026	248-23-050	AMD	83-10-079	248-96-050	AMD-P	83-07-061
232-28-205	REP-P	83-08-078	248-29-020	AMD-P	83-03-043	248-96-060	AMD-P	83-07-061
232-28-20502	NEW-E	83-06-030	248-29-020	AMD	83-07-016	248-96-070	REP-P	83-07-061
232-28-206	NEW-P	83-06-058	248-29-050	AMD-P	83-03-044	248-96-075	AMD-P	83-07-061
232-28-206	NEW-P	83-08-078	248-29-050	AMD	83-07-017	248-96-080	AMD-P	83-07-061
232-28-206	NEW	83-09-023	248-54-005	NEW-P	83-07-060	248-96-090	AMD-P	83-07-061
232-28-605	AMD-E	83-06-038	248-54-015	NEW-P	83-07-060	248-96-094	NEW-P	83-07-061
232-28-605	AMD-P	83-06-057	248-54-025	NEW-P	83-07-060	248-96-095	AMD-P	83-07-061
232-28-605	AMD-P	83-08-088	248-54-035	NEW-P	83-07-060	248-96-096	AMD-P	83-07-061
232-28-605	AMD-E	83-09-024	248-54-045	NEW-P	83-07-060	248-96-100	AMD-P	83-07-061
232-28-605	AMD	83-09-025	248-54-055	NEW-P	83-07-060	248-96-110	AMD-P	83-07-061
232-28-60501	NEW-E	83-02-043	248-54-065	NEW-P	83-07-060	248-96-130	AMD-P	83-07-061
232-28-60503	NEW-E	83-04-039	248-54-085	NEW-P	83-07-060	248-96-140	AMD-P	83-07-061
232-28-60504	NEW-E	83-07-001	248-54-095	NEW-P	83-07-060	248-96-150	NEW-P	83-07-061
232-28-60505	NEW-E	83-07-005	248-54-105	NEW-P	83-07-060	248-96-160	AMD-P	83-07-061
232-28-60506	NEW-E	83-08-053	248-54-115	NEW-P	83-07-060	248-96-175	AMD-P	83-07-061
232-28-60507	NEW-E	83-08-054	248-54-125	NEW-P	83-07-060	248-96-180	AMD-P	83-07-061
232-28-704	REP	83-06-061	248-54-135	NEW-P	83-07-060	248-160-010	NEW-P	83-07-073
232-28-705	NEW	83-06-061	248-54-145	NEW-P	83-07-060	248-160-020	NEW-P	83-07-073
232-28-804	REP-P	83-06-059	248-54-155	NEW-P	83-07-060	248-160-030	NEW-P	83-07-073
232-28-805	NEW-P	83-06-059	248-54-165	NEW-P	83-07-060	248-160-040	NEW-P	83-07-073
232-32-145	NEW-E	83-03-048	248-54-175	NEW-P	83-07-060	248-990-990	AMD	83-04-011
232-32-146	NEW-E	83-03-049	248-54-185	NEW-P	83-07-060	250-18-020	AMD-P	83-10-065
232-32-147	NEW-E	83-03-057	248-54-195	NEW-P	83-07-060	250-18-025	AMD-P	83-10-065
232-32-148	NEW-E	83-04-024	248-54-205	NEW-P	83-07-060	250-18-030	AMD-E	83-09-010
232-32-149	NEW-E	83-05-026	248-54-215	NEW-P	83-07-060	250-18-030	AMD-P	83-09-043
232-32-150	NEW-E	83-06-003	248-54-225	NEW-P	83-07-060	250-44-050	AMD-P	83-10-064
232-32-151	NEW-E	83-06-007	248-54-235	NEW-P	83-07-060	250-44-110	AMD-P	83-10-064
232-32-152	NEW-E	83-06-037	248-54-245	NEW-P	83-07-060	250-44-150	AMD-P	83-10-064
248-16-001	AMD-P	83-09-001	248-54-255	NEW-P	83-07-060	251-04-020	AMD-E	83-04-016
248-16-035	AMD-P	83-09-001	248-54-265	NEW-P	83-07-060	251-04-020	AMD-P	83-04-065
248-16-040	AMD-P	83-09-001	248-54-275	NEW-P	83-07-060	251-04-020	AMD-C	83-04-066
248-16-045	AMD-P	83-09-001	248-54-285	NEW-P	83-07-060	251-04-020	AMD	83-07-056
248-16-050	AMD-P	83-09-001	248-54-550	REP-P	83-07-060	251-04-020	AMD	83-10-029
248-16-052	REP-P	83-09-001	248-54-560	REP-P	83-07-060	251-08-100	AMD-P	83-04-065
248-16-055	AMD-P	83-09-001	248-54-570	REP-P	83-07-060	251-08-100	AMD	83-10-029
248-16-056	AMD-P	83-09-001	248-54-575	REP-P	83-07-060	251-10-120	AMD-C	83-06-079
248-16-058	REP-P	83-09-001	248-54-580	REP-P	83-07-060	251-10-120	AMD	83-10-029
248-16-060	AMD-P	83-09-001	248-54-590	REP-P	83-07-060	251-12-100	AMD-C	83-06-079
248-16-070	AMD-P	83-09-001	248-54-600	REP-P	83-07-060	251-12-100	AMD	83-10-029
248-16-090	AMD-P	83-09-001	248-54-610	REP-P	83-07-060	251-12-285	REP-C	83-06-079
248-16-105	NEW-P	83-09-001	248-54-620	REP-P	83-07-060	251-12-285	REP	83-10-029
248-16-110	AMD-P	83-09-001	248-54-630	REP-P	83-07-060	251-18-380	REP-P	83-04-065

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
251-18-380	REP-C	83-06-079	261-40-165	REP	83-06-036	275-36-091	AMD	83-06-013
251-18-380	REP	83-10-029	261-40-200	AMD	83-06-036	275-36-101	AMD	83-06-013
251-18-381	NEW-P	83-04-065	261-40-201	NEW	83-06-036	275-36-110	AMD	83-06-013
251-18-381	NEW-C	83-06-079	261-40-202	NEW	83-06-036	275-36-120	AMD	83-06-013
251-18-381	NEW	83-10-029	261-40-203	NEW	83-06-036	275-36-130	AMD	83-06-013
251-22-040	AMD-P	83-04-065	261-40-210	AMD	83-06-036	275-36-140	AMD	83-06-013
251-22-040	AMD	83-10-029	261-40-220	AMD	83-06-036	275-36-150	AMD	83-06-013
251-22-060	AMD-P	83-04-065	261-40-225	AMD	83-06-036	275-36-153	NEW	83-06-013
251-22-060	AMD	83-10-029	261-40-230	AMD	83-06-036	275-36-160	AMD	83-06-013
251-22-200	AMD-P	83-04-065	261-40-300	AMD	83-06-036	275-36-170	AMD	83-06-013
251-22-200	AMD	83-10-029	261-40-310	AMD	83-06-036	275-36-180	AMD	83-06-013
260-32-360	AMD-P	83-05-027	261-40-400	AMD	83-06-036	275-36-190	AMD	83-06-013
260-32-360	AMD	83-08-057	261-40-405	AMD	83-06-036	275-36-210	REP	83-06-013
261-02-010	AMD	83-06-036	261-40-415	REP	83-06-036	275-36-211	NEW	83-06-013
261-02-020	AMD	83-06-036	261-40-420	REP	83-06-036	275-36-260	NEW	83-06-013
261-02-040	AMD	83-06-036	261-40-425	REP	83-06-036	275-36-270	NEW	83-06-013
261-06-020	AMD	83-06-036	261-40-430	AMD	83-06-036	275-36-275	NEW	83-06-013
261-06-030	AMD	83-06-036	261-40-440	REP	83-06-036	275-36-280	NEW	83-06-013
261-06-050	AMD	83-06-036	261-40-445	REP	83-06-036	275-36-285	NEW	83-06-013
261-06-060	AMD	83-06-036	261-40-450	AMD	83-06-036	275-36-290	NEW	83-06-013
261-06-070	AMD	83-06-036	261-40-455	REP	83-06-036	275-36-295	NEW	83-06-013
261-06-080	AMD	83-06-036	261-40-460	AMD	83-06-036	275-36-300	NEW	83-06-013
261-06-090	AMD	83-06-036	261-40-465	REP	83-06-036	275-36-305	NEW	83-06-013
261-06-100	AMD	83-06-036	261-40-475	AMD	83-06-036	275-36-310	NEW	83-06-013
261-08-010	REP	83-06-036	261-40-485	AMD	83-06-036	275-55-293	AMD	83-03-010
261-10-020	AMD	83-06-036	275-25-010	AMD	83-03-011	275-56-005	NEW-P	83-03-065
261-10-030	AMD	83-06-036	275-25-020	AMD	83-03-011	275-56-005	NEW-E	83-03-066
261-10-040	AMD	83-06-036	275-25-030	AMD	83-03-011	275-56-005	NEW	83-09-002
261-10-060	AMD	83-06-036	275-25-340	AMD	83-03-011	275-56-010	NEW-P	83-03-065
261-10-070	REP	83-06-036	275-25-530	AMD	83-03-011	275-56-010	NEW-E	83-03-066
261-12	AMD	83-06-036	275-25-700	REP	83-03-011	275-56-010	NEW	83-09-002
261-12-030	REP	83-06-036	275-25-710	REP	83-03-011	275-56-015	NEW-P	83-03-065
261-12-040	AMD	83-06-036	275-25-720	REP	83-03-011	275-56-015	NEW-E	83-03-066
261-12-050	AMD	83-06-036	275-25-730	REP	83-03-011	275-56-015	NEW	83-09-002
261-12-055	AMD	83-06-036	275-25-740	REP	83-03-011	275-56-020	NEW-P	83-03-065
261-20	AMD	83-04-032	275-25-750	REP	83-03-011	275-56-020	NEW-E	83-03-066
261-20	AMD	83-06-036	275-25-760	REP	83-03-011	275-56-020	NEW	83-09-002
261-20-010	AMD	83-06-036	275-25-770	REP	83-03-011	275-56-025	NEW-P	83-03-065
261-20-020	AMD	83-06-036	275-25-810	AMD	83-03-011	275-56-025	NEW-E	83-03-066
261-20-030	AMD	83-06-036	275-25-820	REP	83-03-011	275-56-025	NEW	83-09-002
261-20-040	AMD	83-06-036	275-25-830	REP	83-03-011	275-56-030	NEW-P	83-03-065
261-20-045	NEW	83-06-036	275-25-840	AMD	83-03-011	275-56-030	NEW-E	83-03-066
261-20-050	AMD	83-06-036	275-26-005	NEW	83-05-017	275-56-030	NEW	83-09-002
261-20-060	AMD	83-06-036	275-26-010	NEW	83-05-017	275-56-035	NEW-P	83-03-065
261-20-065	REP	83-06-036	275-26-012	NEW	83-05-017	275-56-035	NEW-E	83-03-066
261-20-070	AMD	83-06-036	275-26-015	NEW	83-05-017	275-56-035	NEW	83-09-002
261-20-074	NEW	83-06-036	275-26-020	NEW	83-05-017	275-56-040	NEW-P	83-03-065
261-20-080	AMD	83-06-036	275-26-022	NEW	83-05-017	275-56-040	NEW-E	83-03-066
261-20-090	NEW	83-06-036	275-26-025	NEW	83-05-017	275-56-040	NEW	83-09-002
261-30-010	REP	83-06-036	275-26-030	NEW	83-05-017	275-56-050	NEW-P	83-03-065
261-30-020	REP	83-06-036	275-26-032	NEW	83-05-017	275-56-050	NEW-E	83-03-066
261-30-030	REP	83-06-036	275-26-050	NEW	83-05-017	275-56-050	NEW	83-09-002
261-30-040	REP	83-06-036	275-26-055	NEW	83-05-017	275-56-055	NEW-P	83-03-065
261-30-042	REP	83-06-036	275-26-060	NEW	83-05-017	275-56-055	NEW-E	83-03-066
261-30-050	REP	83-06-036	275-26-065	NEW	83-05-017	275-56-055	NEW	83-09-002
261-30-060	REP	83-06-036	275-26-070	NEW	83-05-017	275-56-060	NEW-P	83-03-065
261-30-070	REP	83-06-036	275-26-075	NEW	83-05-017	275-56-060	NEW-E	83-03-066
261-30-072	REP	83-06-036	275-26-080	NEW	83-05-017	275-56-060	NEW	83-09-002
261-30-074	REP	83-06-036	275-26-085	NEW	83-05-017	275-56-065	NEW-P	83-03-065
261-30-080	REP	83-06-036	275-26-090	NEW	83-05-017	275-56-065	NEW-E	83-03-066
261-30-090	REP	83-06-036	275-26-095	NEW	83-05-017	275-56-065	NEW	83-09-002
261-30-100	REP	83-06-036	275-26-097	NEW	83-05-017	275-56-070	NEW-P	83-03-065
261-30-110	REP	83-06-036	275-26-500	NEW	83-05-017	275-56-070	NEW-E	83-03-066
261-40-015	AMD	83-06-036	275-26-520	NEW	83-05-017	275-56-070	NEW	83-09-002
261-40-020	AMD	83-06-036	275-26-530	NEW	83-05-017	275-56-075	NEW-P	83-03-065
261-40-025	REP	83-06-036	275-26-540	NEW	83-05-017	275-56-075	NEW-E	83-03-066
261-40-030	AMD	83-06-036	275-26-550	NEW	83-05-017	275-56-075	NEW	83-09-002
261-40-100	AMD	83-06-036	275-26-560	NEW	83-05-017	275-56-080	NEW-P	83-03-065
261-40-115	AMD	83-06-036	275-26-570	NEW	83-05-017	275-56-080	NEW-E	83-03-066
261-40-120	AMD	83-06-036	275-36-010	AMD	83-06-013	275-56-080	NEW	83-09-002
261-40-125	AMD	83-06-036	275-36-020	AMD	83-06-013	275-56-085	NEW-P	83-03-065
261-40-130	AMD	83-06-036	275-36-030	AMD	83-06-013	275-56-085	NEW-E	83-03-066
261-40-135	AMD	83-06-036	275-36-040	AMD	83-06-013	275-56-085	NEW	83-09-002
261-40-140	AMD	83-06-036	275-36-061	AMD	83-06-013	275-56-090	NEW-P	83-03-065
261-40-145	AMD	83-06-036	275-36-065	NEW	83-06-013	275-56-090	NEW-E	83-03-066
261-40-150	AMD	83-06-036	275-36-071	AMD	83-06-013	275-56-090	NEW	83-09-002
261-40-160	AMD	83-06-036	275-36-081	AMD	83-06-013	275-56-095	NEW-P	83-03-065



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-87-020	REP-E	83-02-051	296-15-045	NEW-P	83-04-057	308-12-311	REP	83-05-006
275-87-020	REP-W	83-08-007	296-15-045	NEW	83-07-075	308-12-312	NEW	83-05-006
275-87-020	REP-E	83-08-063	296-15-200	AMD-E	83-04-002	308-12-320	AMD	83-04-071
275-87-025	REP-P	83-02-049	296-15-200	AMD-P	83-04-058	308-25-020	AMD-P	83-04-070
275-87-025	REP-E	83-02-051	296-15-200	AMD	83-07-009	308-25-020	AMD	83-07-051
275-87-025	REP-W	83-08-007	296-17-345	NEW-E	83-04-038	308-31-010	AMD	83-03-032
275-87-025	REP-E	83-08-063	296-17-345	NEW-E	83-10-038	308-31-010	NEW	83-03-032
275-96	REP-C	83-06-011	296-17-346	NEW-E	83-08-056	308-31-040	NEW	83-03-032
275-96	REP-W	83-08-007	296-17-411	NEW	83-05-019	308-31-050	NEW	83-03-032
275-96	REP-E	83-08-063	296-17-470	NEW	83-05-019	308-31-060	NEW	83-03-032
275-96-005	REP-P	83-02-048	296-17-480	NEW	83-05-019	308-37-115	NEW-P	83-08-020
275-96-005	REP-E	83-02-050	296-17-612	AMD	83-05-019	308-37-130	AMD	83-04-050
275-96-005	REP-W	83-08-007	296-17-911	AMD	83-05-018	308-37-135	NEW	83-04-050
275-96-005	REP-E	83-08-063	296-17-914	AMD	83-05-018	308-40-102	AMD-P	83-04-049
275-96-010	REP-P	83-02-048	296-17-915	AMD	83-05-018	308-40-102	AMD	83-08-021
275-96-010	REP-E	83-02-050	296-17-916	AMD	83-05-018	308-40-110	AMD-P	83-04-049
275-96-010	REP-W	83-08-007	296-17-917	AMD	83-05-018	308-40-110	AMD	83-08-021
275-96-010	REP-E	83-08-063	296-17-919	AMD	83-05-018	308-42-025	REP	83-05-032
275-96-015	REP-P	83-02-048	296-17-91901	AMD	83-05-018	308-42-030	AMD	83-05-032
275-96-015	REP-E	83-02-050	296-17-91902	AMD	83-05-018	308-42-040	AMD	83-05-032
275-96-015	REP-W	83-08-007	296-20-03002	AMD-E	83-06-012	308-42-045	AMD	83-05-032
275-96-015	REP-E	83-08-063	296-20-03004	NEW-E	83-06-012	308-42-060	AMD	83-05-032
275-96-021	REP-P	83-02-048	296-24-165	AMD-P	83-05-024	308-42-070	NEW	83-05-032
275-96-021	REP-E	83-02-050	296-24-16503	AMD-P	83-05-024	308-48-010	AMD	83-04-020
275-96-021	REP-W	83-08-007	296-24-16513	AMD-P	83-05-024	308-48-020	REP	83-04-021
275-96-021	REP-E	83-08-063	296-24-16521	AMD-P	83-05-024	308-48-030	AMD	83-04-020
275-96-021	REP-P	83-02-048	296-24-16527	AMD-P	83-05-024	308-48-090	REP	83-04-021
275-96-022	REP-E	83-02-050	296-24-16531	AMD-P	83-05-024	308-48-110	AMD	83-04-020
275-96-022	REP-W	83-08-007	296-24-16537	AMD-P	83-05-024	308-48-115	REP	83-04-021
275-96-022	REP-E	83-08-063	296-24-16539	AMD-P	83-05-024	308-48-165	NEW	83-04-020
275-96-025	REP-P	83-02-048	296-24-23527	AMD-P	83-05-024	308-48-170	REP	83-04-021
275-96-025	REP-E	83-02-050	296-24-24015	AMD-P	83-05-024	308-48-175	REP	83-04-021
275-96-025	REP-W	83-08-007	296-24-24517	AMD-P	83-05-024	308-48-190	AMD	83-04-020
275-96-025	REP-E	83-08-063	296-27-020	AMD-P	83-04-044	308-48-19001	REP	83-04-021
275-96-030	REP-P	83-02-048	296-27-078	NEW-P	83-04-044	308-48-200	AMD	83-04-020
275-96-030	REP-E	83-02-050	296-45-65016	NEW-P	83-05-024	308-49-100	NEW	83-04-021
275-96-030	REP-W	83-08-007	296-45-65038	NEW-P	83-05-024	308-49-120	NEW	83-04-021
275-96-030	REP-E	83-08-063	296-54-507	AMD-E	83-03-022	308-49-130	NEW	83-04-021
275-96-045	REP-P	83-02-048	296-54-507	AMD-P	83-05-024	308-49-140	NEW	83-04-021
275-96-045	REP-E	83-02-050	296-62-07314	AMD-P	83-05-024	308-49-150	NEW	83-04-021
275-96-045	REP-W	83-08-007	296-62-14515	AMD-P	83-05-024	308-49-160	NEW	83-04-021
275-96-045	REP-E	83-08-063	296-78-770	AMD-P	83-05-024	308-49-170	NEW	83-04-021
275-96-050	REP-P	83-02-048	296-116-2051	AMD-P	83-10-008	308-49-180	NEW	83-04-021
275-96-050	REP-E	83-02-050	296-116-320	AMD-P	83-02-045	308-52-135	AMD-P	83-03-045
275-96-050	REP-W	83-08-007	296-116-320	AMD	83-05-049	308-52-135	AMD	83-07-014
275-96-050	REP-E	83-08-063	296-116-330	NEW	83-03-037	308-52-138	AMD	83-03-031
275-96-055	REP-P	83-02-048	296-150B-185	NEW-P	83-06-041	308-52-140	AMD-P	83-03-045
275-96-055	REP-E	83-02-050	296-150B-185	NEW-E	83-06-042	308-52-140	AMD	83-07-014
275-96-055	REP-W	83-08-007	296-155-145	AMD-P	83-05-024	308-52-150	NEW	83-03-031
275-96-055	REP-E	83-08-063	296-155-220	AMD-P	83-05-024	308-52-500	AMD-P	83-03-045
275-96-060	REP-P	83-02-048	296-306-200	AMD-P	83-05-024	308-52-500	AMD	83-07-014
275-96-060	REP-E	83-02-050	296-350-400	AMD-P	83-05-024	308-52-502	NEW-P	83-03-045
275-96-060	REP-W	83-08-007	296-401-070	AMD-C	83-03-039	308-52-502	NEW	83-07-014
275-96-060	REP-E	83-08-063	296-401-080	AMD-C	83-03-039	308-52-504	AMD-P	83-03-045
275-96-065	REP-P	83-02-048	296-401-130	AMD-P	83-07-074	308-52-504	AMD	83-07-014
275-96-065	REP-E	83-02-050	304-12-270	REP-P	83-10-066	308-52-520	REP-P	83-03-045
275-96-065	REP-W	83-08-007	304-12-275	AMD-P	83-10-066	308-52-520	REP	83-07-014
275-96-065	REP-E	83-08-063	304-12-290	AMD-P	83-10-066	308-52-550	REP-P	83-03-045
275-96-070	REP-P	83-02-048	304-12-360	AMD-P	83-10-066	308-52-550	REP	83-07-014
275-96-070	REP-E	83-02-050	304-12-370	AMD-P	83-10-066	308-52-560	REP-P	83-03-045
275-96-070	REP-W	83-08-007	304-20-060	AMD-P	83-03-074	308-52-560	REP	83-07-014
275-96-070	REP-E	83-08-063	304-20-060	AMD	83-07-076	308-53-080	AMD-P	83-06-073
284-60-010	NEW-P	83-10-060	304-25-560	AMD-P	83-03-073	308-53-080	AMD	83-10-052
284-60-020	NEW-P	83-10-060	304-25-560	AMD	83-07-077	308-53-085	AMD-P	83-06-073
284-60-030	NEW-P	83-10-060	308-08-030	REP-P	83-06-028	308-53-085	AMD	83-10-052
284-60-040	NEW-P	83-10-060	308-08-030	REP	83-09-050	308-90-010	NEW-E	83-10-051
284-60-050	NEW-P	83-10-060	308-12-010	AMD	83-04-071	308-90-020	NEW-E	83-10-051
284-60-060	NEW-P	83-10-060	308-12-030	REP	83-04-071	308-90-030	NEW-E	83-10-051
284-60-070	NEW-P	83-10-060	308-12-031	NEW	83-04-071	308-90-040	NEW-E	83-10-051
284-60-080	NEW-P	83-10-060	308-12-040	AMD	83-04-071	308-90-050	NEW-E	83-10-051
284-60-090	NEW-P	83-10-060	308-12-050	AMD	83-04-071	308-90-060	NEW-E	83-10-051
284-60-100	NEW-P	83-10-060	308-12-080	AMD	83-04-071	308-90-070	NEW-E	83-10-051
289-13-235	NEW-C	83-04-003	308-12-081	NEW	83-04-071	308-90-080	NEW-E	83-10-051
289-13-235	NEW	83-07-059	308-12-082	NEW	83-04-071	308-90-090	NEW-E	83-10-051
289-15-225	AMD	83-04-004	308-12-110	AMD	83-04-071	308-90-100	NEW-E	83-10-051
296-15-044	REP-P	83-04-057	308-12-120	AMD	83-04-071	308-90-110	NEW-E	83-10-051
296-15-044	REP	83-07-075	308-12-130	AMD	83-04-071	308-93-010	NEW-E	83-10-051



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-93-020	NEW-E	83-10-021	315-11-030	NEW	83-03-034	315-12-120	NEW-C	83-08-081
308-93-030	NEW-E	83-10-021	315-11-030	NEW-E	83-04-019	315-12-120	NEW-C	83-10-068
308-93-040	NEW-E	83-10-021	315-11-040	NEW-E	83-03-040	315-12-130	NEW-C	83-05-028
308-93-050	NEW-E	83-10-021	315-11-040	NEW	83-05-030	315-12-130	NEW-C	83-08-081
308-93-060	NEW-E	83-10-021	315-11-041	NEW-E	83-03-040	315-12-130	NEW-C	83-10-068
308-93-070	NEW-E	83-10-021	315-11-041	NEW-P	83-04-069	315-12-140	NEW-C	83-05-028
308-93-080	NEW-E	83-10-021	315-11-041	NEW	83-07-023	315-12-140	NEW-C	83-08-081
308-93-090	NEW-E	83-10-021	315-11-041	NEW-E	83-08-084	315-12-140	NEW-C	83-10-068
308-93-100	NEW-E	83-10-021	315-11-042	NEW-E	83-03-040	315-12-150	NEW-C	83-05-028
308-93-110	NEW-E	83-10-021	315-11-042	NEW	83-05-030	315-12-150	NEW-C	83-08-081
308-93-120	NEW-E	83-10-021	315-11-050	NEW-E	83-05-031	315-12-150	NEW-C	83-10-068
308-93-130	NEW-E	83-10-021	315-11-050	NEW-P	83-05-052	315-20-010	NEW-P	83-08-074
308-93-140	NEW-E	83-10-021	315-11-050	NEW-E	83-08-085	315-20-010	NEW-C	83-10-073
308-93-150	NEW-E	83-10-021	315-11-050	NEW-C	83-08-079	315-20-020	NEW-P	83-08-074
308-93-160	NEW-E	83-10-021	315-11-050	NEW-C	83-10-072	315-20-020	NEW-C	83-10-073
308-93-170	NEW-E	83-10-021	315-11-051	NEW-E	83-05-031	315-20-030	NEW-P	83-08-074
308-95-010	NEW-P	83-04-068	315-11-051	NEW-P	83-05-052	315-20-030	NEW-C	83-10-073
308-95-010	NEW-E	83-06-029	315-11-051	NEW-E	83-08-085	315-20-040	NEW-P	83-08-074
308-95-020	NEW-P	83-04-068	315-11-051	NEW-C	83-08-079	315-20-040	NEW-C	83-10-073
308-95-020	NEW-E	83-06-029	315-11-051	NEW-C	83-10-072	315-20-050	NEW-P	83-08-074
308-95-030	NEW-P	83-04-068	315-11-052	NEW-E	83-05-031	315-20-050	NEW-C	83-10-073
308-95-030	NEW-E	83-06-029	315-11-052	NEW-P	83-05-052	315-20-060	NEW-P	83-08-074
308-96A-400	NEW-P	83-05-055	315-11-052	NEW-E	83-08-085	315-20-060	NEW-C	83-10-073
308-96A-400	NEW	83-08-052	315-11-052	NEW-C	83-08-079	315-20-070	NEW-P	83-08-074
308-116-295	AMD-P	83-02-062	315-11-052	NEW-C	83-10-072	315-20-070	NEW-C	83-10-073
308-116-295	AMD	83-05-033	315-11-060	NEW-P	83-05-053	315-20-080	NEW-P	83-08-074
308-120-270	NEW-P	83-08-073	315-11-060	NEW-C	83-08-080	315-20-080	NEW-C	83-10-073
308-120-345	NEW	83-04-051	315-11-060	NEW-E	83-08-086	315-20-090	NEW-P	83-08-074
308-151-080	AMD-P	83-04-029	315-11-060	NEW-C	83-10-070	315-20-090	NEW-C	83-10-073
308-151-080	AMD	83-07-050	315-11-061	NEW-P	83-05-053	315-20-100	NEW-P	83-08-074
308-151-100	AMD-P	83-04-029	315-11-061	NEW-C	83-08-080	315-20-100	NEW-C	83-10-073
308-151-100	AMD	83-07-050	315-11-061	NEW-E	83-08-086	315-20-110	NEW-P	83-08-074
314-12-125	NEW-P	83-03-012	315-11-061	NEW-C	83-10-070	315-20-110	NEW-C	83-10-073
314-12-125	NEW-P	83-06-027	315-11-062	NEW-P	83-05-053	315-20-120	NEW-P	83-08-074
314-12-125	NEW-P	83-10-032	315-11-062	NEW-C	83-08-080	315-20-120	NEW-C	83-10-073
314-12-125	NEW-W	83-10-045	315-11-062	NEW-E	83-08-086	315-20-130	NEW-P	83-08-074
314-16-120	AMD-P	83-03-013	315-11-062	NEW-C	83-10-070	315-20-130	NEW-C	83-10-073
314-16-120	AMD	83-06-026	315-11-070	NEW-P	83-10-067	315-20-140	NEW-P	83-08-074
314-16-122	AMD-P	83-10-059	315-11-071	NEW-P	83-10-067	315-20-140	NEW-C	83-10-073
314-16-145	NEW-P	83-09-016	315-11-072	NEW-P	83-10-067	315-20-150	NEW-P	83-08-074
314-16-196	NEW-P	83-07-066	315-12-010	NEW-C	83-05-028	315-20-150	NEW-C	83-10-073
314-16-196	NEW-P	83-10-031	315-12-010	NEW-C	83-08-081	332-12-310	AMD-C	83-05-004
314-16-196	NEW-W	83-10-046	315-12-010	NEW-C	83-10-068	332-12-310	AMD-C	83-06-040
314-37-010	NEW	83-04-017	315-12-020	NEW-C	83-05-028	332-12-310	AMD	83-07-039
314-52-110	AMD-P	83-03-013	315-12-020	NEW-C	83-08-081	332-24-056	AMD-P	83-07-068
314-52-110	AMD-C	83-06-025	315-12-020	NEW-C	83-10-068	332-24-056	AMD	83-10-036
315-02-210	REP-P	83-08-047	315-12-030	NEW-C	83-05-028	332-24-060	AMD-P	83-07-068
315-02-210	REP-C	83-10-069	315-12-030	NEW-C	83-08-081	332-24-060	AMD	83-10-036
315-04-040	AMD	83-05-029	315-12-030	NEW-C	83-10-068	332-24-063	AMD-P	83-07-068
315-04-050	REP-P	83-08-047	315-12-040	NEW-C	83-05-028	332-24-063	AMD	83-10-036
315-04-050	REP-C	83-10-069	315-12-040	NEW-C	83-08-081	332-24-065	REP-P	83-07-068
315-04-090	AMD-E	83-03-041	315-12-040	NEW-C	83-10-068	332-24-065	REP	83-10-036
315-04-090	AMD	83-05-029	315-12-050	NEW-C	83-05-028	332-24-070	AMD-P	83-07-068
315-04-190	AMD-E	83-03-041	315-12-050	NEW-C	83-08-081	332-24-070	AMD	83-10-036
315-04-190	AMD	83-05-029	315-12-050	NEW-C	83-10-068	332-24-080	REP-P	83-07-068
315-04-200	AMD-P	83-03-046	315-12-060	NEW-C	83-05-028	332-24-080	REP	83-10-036
315-04-200	AMD	83-07-022	315-12-060	NEW-C	83-08-081	332-24-090	AMD-E	83-07-021
315-04-220	NEW-E	83-03-041	315-12-060	NEW-C	83-10-068	332-24-090	AMD-P	83-07-068
315-04-220	NEW	83-05-029	315-12-070	NEW-C	83-05-028	332-24-090	AMD-E	83-09-015
315-06-020	AMD	83-03-034	315-12-070	NEW-C	83-08-081	332-24-090	AMD	83-10-036
315-06-050	AMD-E	83-03-041	315-12-070	NEW-C	83-10-068	332-24-095	NEW-P	83-07-068
315-06-050	AMD	83-05-029	315-12-080	NEW-C	83-05-028	332-24-095	NEW	83-10-036
315-06-060	NEW	83-03-034	315-12-080	NEW-C	83-08-081	332-24-250	REP-P	83-07-068
315-06-060	NEW-E	83-04-019	315-12-080	NEW-C	83-10-068	332-24-250	REP	83-10-036
315-06-080	AMD	83-03-033	315-12-090	NEW-C	83-05-028	332-24-260	REP-P	83-07-068
315-06-080	NEW-E	83-04-019	315-12-090	NEW-C	83-08-081	332-24-260	REP	83-10-036
315-06-120	NEW-E	83-03-041	315-12-090	NEW-C	83-10-068	332-24-270	REP-P	83-07-068
315-06-120	NEW	83-05-029	315-12-100	NEW-C	83-05-028	332-24-270	REP	83-10-036
315-06-160	AMD	83-05-029	315-12-100	NEW-P	83-05-054	332-24-280	REP-P	83-07-068
315-10-020	AMD-E	83-03-041	315-12-100	NEW-C	83-08-081	332-24-280	REP	83-10-036
315-10-020	AMD	83-05-029	315-12-100	NEW-C	83-08-082	332-24-290	REP-P	83-07-068
315-10-030	AMD	83-03-034	315-12-100	NEW-C	83-10-068	332-24-290	REP	83-10-036
315-10-030	AMD-E	83-08-083	315-12-100	NEW-C	83-10-071	332-24-300	REP-P	83-07-068
315-11-010	NEW	83-03-034	315-12-110	NEW-C	83-05-028	332-24-300	REP	83-10-036
315-11-010	NEW-E	83-04-019	315-12-110	NEW-C	83-08-081	332-26-084	NEW-E	83-09-015
315-11-020	NEW	83-03-034	315-12-110	NEW-C	83-10-068	332-30-142	AMD	83-02-055
315-11-020	NEW-E	83-04-019	315-12-120	NEW-C	83-05-028	332-44-100	NEW-E	83-03-029



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-44-110	NEW-E	83-03-029	356-34-040	AMD-P	83-10-047	388-15-630	NEW	83-08-024
332-100-040	AMD-P	83-07-037	356-34-060	AMD-P	83-10-047	388-17-100	AMD-P	83-10-074
332-100-040	AMD-E	83-07-038	360-12-150	NEW-P	83-06-074	388-17-160	AMD-P	83-10-074
352-12-010	AMD-P	83-02-057	360-12-150	NEW	83-10-013	388-17-180	AMD-P	83-10-074
352-12-010	AMD	83-06-051	360-13-100	NEW-P	83-06-074	388-28-005	AMD	83-04-033
352-12-020	REP-W	83-02-058	360-13-100	NEW-E	83-10-012	388-28-355	AMD	83-04-033
352-12-030	REP-W	83-02-058	360-13-100	NEW	83-10-013	388-28-400	AMD	83-04-033
352-12-040	REP-W	83-02-058	360-16-300	NEW-P	83-06-074	388-28-415	AMD	83-04-033
352-12-050	REP-W	83-02-058	360-16-300	NEW	83-10-013	388-28-473	AMD	83-04-033
352-32-030	AMD-P	83-04-073	360-23-040	REP-P	83-06-074	388-28-475	AMD	83-04-033
352-32-030	AMD	83-09-031	360-23-040	REP	83-10-013	388-28-480	AMD	83-04-033
352-32-037	AMD-P	83-04-073	360-33-050	NEW-P	83-06-074	388-28-481	AMD	83-04-033
352-32-037	AMD	83-09-031	360-33-050	NEW	83-10-013	388-28-482	AMD	83-04-033
352-32-045	AMD-P	83-04-073	365-55-010	REP	83-06-066	388-28-483	NEW	83-04-033
352-32-045	AMD	83-09-031	365-55-020	REP	83-06-066	388-28-484	AMD	83-04-033
352-32-160	REP-C	83-06-004	365-55-030	REP	83-06-066	388-28-500	AMD	83-04-033
352-32-160	REP	83-08-032	365-55-040	REP	83-06-066	388-28-535	AMD	83-04-033
352-32-165	NEW-C	83-06-004	365-55-050	REP	83-06-066	388-28-560	AMD	83-04-033
352-32-165	NEW	83-08-032	365-55-060	REP	83-06-066	388-28-590	AMD	83-04-060
352-32-190	REP-C	83-06-004	365-55-070	REP	83-06-066	388-28-600	AMD	83-04-033
352-32-190	AMD	83-08-032	365-55-080	REP	83-06-066	388-29	AMD-C	83-05-015
352-32-190	REP-P	83-10-055	371-08-255	NEW-P	83-07-031	388-33-135	AMD	83-04-033
352-32-195	NEW-P	83-10-055	381	NEW	83-03-036	388-33-140	AMD	83-04-033
352-32-250	AMD-P	83-04-073	383-06-010	NEW-P	83-06-053	388-34-160	AMD-P	83-07-053
352-32-250	AMD	83-09-031	383-06-010	NEW-E	83-06-055	388-34-160	AMD	83-10-077
352-48	AMD-P	83-10-053	383-06-010	NEW-C	83-10-030	388-37-010	AMD-P	83-05-002
352-48-010	AMD-P	83-10-053	383-06-020	NEW-P	83-06-053	388-37-010	AMD	83-08-025
352-48-020	AMD-P	83-10-053	383-06-020	NEW-E	83-06-055	388-37-030	AMD-P	83-05-002
352-48-030	AMD-P	83-10-053	383-06-020	NEW-C	83-10-030	388-37-030	AMD	83-08-025
352-48-040	AMD-P	83-10-053	383-06-030	NEW-P	83-06-053	388-37-032	AMD-P	83-05-002
352-48-050	AMD-P	83-10-053	383-06-030	NEW-E	83-06-055	388-37-032	AMD	83-08-025
352-48-060	AMD-P	83-10-053	383-06-030	NEW-C	83-10-030	388-37-035	AMD-P	83-05-002
352-48-070	AMD-P	83-10-053	383-06-040	NEW-P	83-06-053	388-37-035	AMD	83-08-025
352-48-080	AMD-P	83-10-053	383-06-040	NEW-E	83-06-055	388-37-036	AMD-P	83-05-002
352-56-010	NEW-P	83-10-054	383-06-040	NEW-C	83-10-030	388-37-036	AMD	83-08-025
352-56-020	NEW-P	83-10-054	383-06-050	NEW-P	83-06-053	388-37-037	AMD-P	83-05-002
352-56-030	NEW-P	83-10-054	383-06-050	NEW-E	83-06-055	388-37-037	AMD	83-08-025
352-56-040	NEW-P	83-10-054	383-06-050	NEW-C	83-10-030	388-37-038	AMD-P	83-05-002
352-56-050	NEW-P	83-10-054	383-06-060	NEW-P	83-06-053	388-37-038	AMD	83-08-025
352-56-060	NEW-P	83-10-054	383-06-060	NEW-E	83-06-055	388-37-050	AMD-P	83-05-002
352-56-070	NEW-P	83-10-054	383-06-060	NEW-C	83-10-030	388-37-050	AMD	83-08-025
352-56-080	NEW-P	83-10-054	383-06-060	NEW-P	83-06-053	388-37-060	AMD-P	83-05-002
356-06-055	AMD-P	83-06-043	383-06-070	NEW-E	83-06-055	388-37-060	AMD	83-08-025
356-06-055	AMD	83-09-030	383-06-070	NEW-C	83-10-030	388-38-200	AMD-P	83-10-018
356-06-080	AMD-C	83-05-047	383-06-080	NEW-P	83-06-053	388-44-010	AMD	83-05-046
356-06-080	AMD-E	83-07-064	383-06-080	NEW-E	83-06-055	388-44-020	AMD	83-05-046
356-06-080	AMD-P	83-08-009	383-06-080	NEW-C	83-10-030	388-44-025	NEW	83-05-046
356-14-085	AMD-C	83-03-035	383-06-090	NEW-P	83-06-053	388-44-035	AMD	83-05-046
356-14-085	AMD	83-06-005	383-06-090	NEW-E	83-06-055	388-44-110	AMD	83-05-046
356-14-260	AMD-P	83-08-009	383-06-090	NEW-C	83-10-030	388-44-115	AMD	83-05-046
356-15-130	AMD-P	83-04-035	383-06-100	NEW-P	83-06-053	388-44-125	AMD	83-05-046
356-15-130	AMD	83-08-010	383-06-100	NEW-E	83-06-055	388-44-127	AMD	83-05-046
356-18-050	AMD-P	83-08-009	383-06-100	NEW-C	83-10-030	388-44-130	AMD	83-05-046
356-18-060	AMD-P	83-10-047	383-06-110	NEW-P	83-06-053	388-44-145	AMD	83-05-046
356-26-020	AMD-C	83-05-047	383-06-110	NEW-E	83-06-055	388-44-150	AMD	83-05-046
356-26-070	AMD-P	83-06-043	383-06-110	NEW-C	83-10-030	388-54-615	AMD-E	83-04-042
356-26-070	AMD	83-09-030	383-06-120	NEW-P	83-06-053	388-54-615	AMD-P	83-04-043
356-26-100	AMD-P	83-04-035	383-06-120	NEW-E	83-06-055	388-54-615	AMD	83-08-071
356-26-100	AMD	83-08-010	383-06-120	NEW-C	83-10-030	388-54-630	AMD-E	83-04-042
356-30-030	AMD-P	83-08-009	383-06-130	NEW-P	83-06-053	388-54-630	AMD-P	83-04-043
356-30-190	AMD-C	83-05-047	383-06-130	NEW-E	83-06-055	388-54-630	AMD	83-08-071
356-30-190	AMD-C	83-07-036	383-06-140	NEW-C	83-10-030	388-54-640	AMD-E	83-04-042
356-30-200	AMD-C	83-05-047	383-06-140	NEW-P	83-06-053	388-54-640	AMD-P	83-04-043
356-30-200	AMD-C	83-07-036	383-06-140	NEW-E	83-06-055	388-54-640	AMD	83-08-071
356-30-210	AMD-C	83-05-047	388-08-435	NEW-C	83-10-030	388-54-645	AMD-E	83-04-042
356-30-210	AMD-C	83-07-036	388-15-600	NEW	83-03-021	388-54-645	AMD-P	83-04-043
356-30-230	AMD-C	83-05-047	388-15-600	NEW-P	83-05-042	388-54-645	AMD	83-08-071
356-30-230	AMD-C	83-07-036	388-15-600	NEW-E	83-05-043	388-54-650	AMD-E	83-04-042
356-30-240	AMD-C	83-05-047A	388-15-610	NEW	83-08-024	388-54-650	AMD-P	83-04-043
356-30-240	AMD-C	83-07-036	388-15-610	NEW-P	83-05-042	388-54-650	AMD	83-08-071
356-30-330	AMD-C	83-03-035	388-15-610	NEW-E	83-05-043	388-54-655	AMD-E	83-04-042
356-30-330	AMD-C	83-05-047A	388-15-620	NEW	83-08-024	388-54-655	AMD-P	83-04-043
356-30-330	AMD-P	83-08-009	388-15-620	NEW-P	83-05-042	388-54-655	AMD	83-08-071
356-30-330	AMD	83-08-010	388-15-620	NEW-E	83-05-043	388-54-660	AMD-P	83-07-010
356-34-020	AMD-P	83-10-047	388-15-630	NEW	83-08-024	388-54-660	AMD	83-10-078
356-34-030	AMD-P	83-10-047	388-15-630	NEW-P	83-05-042	388-54-665	AMD-E	83-04-042
				NEW-E	83-05-043	388-54-665	AMD-P	83-04-043

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-54-665	AMD	83-08-071	388-72-115	REP	83-08-023	388-72-435	REP-P	83-05-003
388-54-670	AMD	83-03-015	388-72-120	REP-P	83-05-003	388-72-435	REP	83-08-023
388-54-670	AMD-E	83-04-042	388-72-120	REP	83-08-023	388-72-445	REP-P	83-05-003
388-54-670	AMD-P	83-04-043	388-72-125	REP-P	83-05-003	388-72-445	REP	83-08-023
388-54-670	AMD	83-08-071	388-72-125	REP	83-08-023	388-72-500	REP-P	83-05-003
388-54-675	AMD-E	83-04-042	388-72-150	REP-P	83-05-003	388-72-500	REP	83-08-023
388-54-675	AMD-P	83-04-043	388-72-150	REP	83-08-023	388-72-505	REP-P	83-05-003
388-54-675	AMD	83-08-071	388-72-155	REP-P	83-05-003	388-72-505	REP	83-08-023
388-54-680	AMD-P	83-07-010	388-72-155	REP	83-08-023	388-72-510	REP-P	83-05-003
388-54-680	AMD	83-10-078	388-72-160	REP-P	83-05-003	388-72-510	REP	83-08-023
388-54-687	AMD-E	83-04-042	388-72-160	REP	83-08-023	388-72-515	REP-P	83-05-003
388-54-687	AMD-P	83-04-043	388-72-165	REP-P	83-05-003	388-72-515	REP	83-08-023
388-54-687	AMD	83-08-071	388-72-165	REP	83-08-023	388-72-520	REP-P	83-05-003
388-54-695	AMD-E	83-04-042	388-72-170	REP-P	83-05-003	388-72-520	REP	83-08-023
388-54-695	AMD-P	83-04-043	388-72-170	REP	83-08-023	388-72-550	REP-P	83-05-003
388-54-695	AMD	83-08-071	388-72-175	REP-P	83-05-003	388-72-550	REP	83-08-023
388-54-715	AMD-E	83-04-042	388-72-175	REP	83-08-023	388-72-555	REP-P	83-05-003
388-54-715	AMD-P	83-04-043	388-72-180	REP-P	83-05-003	388-72-555	REP	83-08-023
388-54-715	AMD	83-08-071	388-72-180	REP	83-08-023	388-72-560	REP-P	83-05-003
388-54-730	AMD-E	83-04-042	388-72-200	REP-P	83-05-003	388-72-560	REP	83-08-023
388-54-730	AMD-P	83-04-043	388-72-200	REP	83-08-023	388-72-560	REP	83-08-023
388-54-730	AMD	83-08-071	388-72-205	REP-P	83-05-003	388-72-565	REP-P	83-05-003
388-54-740	AMD	83-03-015	388-72-205	REP	83-08-023	388-72-565	REP	83-08-023
388-54-740	AMD-E	83-04-042	388-72-207	REP-P	83-05-003	388-72-570	REP-P	83-05-003
388-54-740	AMD-P	83-04-043	388-72-207	REP	83-08-023	388-72-575	REP-P	83-05-003
388-54-740	AMD	83-08-071	388-72-210	REP-P	83-05-003	388-72-575	REP	83-08-023
388-54-750	AMD-E	83-04-042	388-72-210	REP	83-08-023	388-72-580	REP-P	83-05-003
388-54-750	AMD-P	83-04-043	388-72-215	REP-P	83-05-003	388-72-580	REP	83-08-023
388-54-750	AMD	83-08-071	388-72-215	REP	83-08-023	388-72-585	REP-P	83-05-003
388-54-760	AMD-E	83-04-042	388-72-220	REP-P	83-05-003	388-72-585	REP	83-08-023
388-54-760	AMD-P	83-04-043	388-72-220	REP	83-08-023	388-72-590	REP-P	83-05-003
388-54-760	AMD	83-08-071	388-72-225	REP-P	83-05-003	388-72-590	REP	83-08-023
388-54-780	AMD-E	83-04-042	388-72-225	REP	83-08-023	388-72-600	REP-P	83-05-003
388-54-780	AMD-P	83-04-043	388-72-230	REP-P	83-05-003	388-72-600	REP	83-08-023
388-54-780	AMD	83-08-071	388-72-230	REP	83-08-023	388-72-605	REP-P	83-05-003
388-54-785	AMD	83-03-015	388-72-235	REP-P	83-05-003	388-72-605	REP	83-08-023
388-54-785	AMD-E	83-04-042	388-72-235	REP	83-08-023	388-72-610	REP-P	83-05-003
388-54-785	AMD-P	83-04-043	388-72-240	REP-P	83-05-003	388-72-610	REP	83-08-023
388-54-785	AMD	83-08-071	388-72-240	REP	83-08-023	388-72-615	REP-P	83-05-003
388-54-800	AMD-P	83-08-012	388-72-250	REP-P	83-05-003	388-72-615	REP	83-08-023
388-54-800	AMD-E	83-08-013	388-72-250	REP	83-08-023	388-72-620	REP-P	83-05-003
388-54-810	REP	83-03-015	388-72-255	REP-P	83-05-003	388-72-620	REP	83-08-023
388-55-010	AMD-P	83-10-075	388-72-255	REP	83-08-023	388-72-625	REP-P	83-05-003
388-55-020	NEW-P	83-10-075	388-72-260	REP-P	83-05-003	388-72-625	REP	83-08-023
388-55-030	NEW-P	83-10-075	388-72-260	REP	83-08-023	388-72-630	REP-P	83-05-003
388-55-040	NEW-P	83-10-075	388-72-265	REP-P	83-05-003	388-72-630	REP	83-08-023
388-70-068	AMD	83-04-061	388-72-265	REP	83-08-023	388-72-635	REP-P	83-05-003
388-70-069	AMD	83-04-061	388-72-270	REP-P	83-05-003	388-72-635	REP	83-08-023
388-72-020	REP-P	83-05-003	388-72-270	REP	83-08-023	388-73-012	AMD-P	83-09-047
388-72-020	REP	83-08-023	388-72-275	REP-P	83-05-003	388-73-014	AMD	83-02-060
388-72-025	REP-P	83-05-003	388-72-275	REP	83-08-023	388-73-014	AMD-P	83-09-047
388-72-025	REP	83-08-023	388-72-280	REP-P	83-05-003	388-73-014	NEW	83-02-060
388-72-030	REP-P	83-05-003	388-72-280	REP	83-08-023	388-73-020	AMD	83-02-060
388-72-030	REP	83-08-023	388-72-285	REP-P	83-05-003	388-73-024	AMD	83-02-060
388-72-035	REP-P	83-05-003	388-72-285	REP	83-08-023	388-73-042	AMD	83-02-060
388-72-035	REP	83-08-023	388-72-300	REP-P	83-05-003	388-73-050	AMD	83-02-060
388-72-040	REP-P	83-05-003	388-72-300	REP	83-08-023	388-73-054	AMD-P	83-09-047
388-72-040	REP	83-08-023	388-72-305	REP-P	83-05-003	388-73-058	AMD	83-02-060
388-72-045	REP-P	83-05-003	388-72-305	REP	83-08-023	388-73-058	AMD-P	83-09-047
388-72-045	REP	83-08-023	388-72-310	REP-P	83-05-003	388-73-060	AMD	83-02-060
388-72-050	REP-P	83-05-003	388-72-310	REP	83-08-023	388-73-062	AMD	83-02-060
388-72-050	REP	83-08-023	388-72-315	REP-P	83-05-003	388-73-068	AMD	83-02-060
388-72-060	REP-P	83-05-003	388-72-315	REP	83-08-023	388-73-072	AMD-P	83-09-047
388-72-060	REP	83-08-023	388-72-350	REP-P	83-05-003	388-73-076	AMD	83-02-060
388-72-070	REP-P	83-05-003	388-72-350	REP	83-08-023	388-73-077	NEW-P	83-09-047
388-72-070	REP	83-08-023	388-72-355	REP-P	83-05-003	388-73-102	AMD	83-02-060
388-72-080	REP-P	83-05-003	388-72-355	REP	83-08-023	388-73-103	NEW	83-02-060
388-72-080	REP	83-08-023	388-72-400	REP-P	83-05-003	388-73-108	AMD	83-02-060
388-72-090	REP-P	83-05-003	388-72-400	REP	83-08-023	388-73-108	AMD-P	83-09-047
388-72-090	REP	83-08-023	388-72-405	REP-P	83-05-003	388-73-118	AMD	83-02-060
388-72-100	REP-P	83-05-003	388-72-405	REP	83-08-023	388-73-118	AMD-P	83-09-047
388-72-100	REP	83-08-023	388-72-410	REP-P	83-05-003	388-73-132	AMD	83-02-060
388-72-105	REP-P	83-05-003	388-72-410	REP	83-08-023	388-73-134	AMD	83-02-060
388-72-105	REP	83-08-023	388-72-415	REP-P	83-05-003	388-73-136	AMD	83-02-060
388-72-110	REP-P	83-05-003	388-72-415	REP	83-08-023	388-73-140	AMD	83-02-060
388-72-110	REP	83-08-023	388-72-425	REP-P	83-05-003	388-73-140	AMD-P	83-09-047
388-72-115	REP-P	83-05-003	388-72-425	REP	83-08-023	388-73-142	AMD	83-02-060

### Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-73-142	AMD-P	83-09-047	388-95-390	NEW-P	83-09-046	392-163-255	NEW-P	83-04-054
388-73-144	AMD	83-02-060	388-95-400	NEW-P	83-09-046	392-163-255	NEW	83-08-030
388-73-144	AMD-P	83-09-047	388-96-113	AMD	83-05-007	392-163-260	NEW-P	83-04-054
388-73-146	AMD	83-02-060	388-96-222	AMD	83-05-007	392-163-260	NEW	83-08-030
388-73-146	AMD-P	83-09-047	388-96-225	AMD	83-05-007	392-163-300	NEW-P	83-04-054
388-73-304	AMD	83-02-060	388-96-227	AMD	83-05-007	392-163-300	NEW	83-08-030
388-73-310	AMD	83-02-060	388-96-539	AMD	83-05-007	392-163-305	NEW-P	83-04-054
388-73-504	AMD	83-02-060	388-96-553	AMD	83-05-007	392-163-305	NEW	83-08-030
388-73-602	AMD-P	83-09-047	388-96-554	NEW	83-05-007	392-163-310	NEW-P	83-04-054
388-73-604	AMD	83-02-060	388-96-573	AMD	83-05-007	392-163-310	NEW	83-08-030
388-73-606	AMD-P	83-09-047	388-99-035	AMD-P	83-10-081	392-163-315	NEW-P	83-04-054
388-73-610	AMD-P	83-09-047	388-99-045	AMD-P	83-09-046	392-163-315	NEW	83-08-030
388-73-708	AMD	83-02-060	388-99-060	AMD	83-03-016	392-163-320	NEW-P	83-04-054
388-73-714	AMD	83-02-060	388-100-005	AMD-P	83-10-081	392-163-320	NEW	83-08-030
388-73-900	NEW-P	83-09-047	388-100-025	AMD-P	83-10-081	392-163-322	NEW-P	83-04-054
388-73-902	NEW-P	83-09-047	388-320-220	AMD	83-03-021	392-163-322	NEW	83-08-030
388-73-904	NEW-P	83-09-047	390-13-010	NEW-P	83-06-033	392-163-325	NEW-P	83-04-054
388-82-125	AMD-P	83-09-046	392-138	AMD-C	83-03-004	392-163-325	NEW	83-08-030
388-83-135	AMD-P	83-09-046	392-163	NEW-C	83-07-058	392-163-330	NEW-P	83-04-054
388-83-140	AMD-P	83-09-046	392-163	NEW	83-08-030	392-163-330	NEW	83-08-030
388-83-200	NEW-P	83-05-042	392-163-005	REP-P	83-04-054	392-163-335	NEW-P	83-04-054
388-83-200	NEW-E	83-05-043	392-163-100	NEW-P	83-04-054	392-163-335	NEW	83-08-030
388-83-200	NEW	83-08-024	392-163-100	NEW	83-08-030	392-163-340	NEW-P	83-04-054
388-86-040	AMD-P	83-07-053	392-163-105	NEW-P	83-04-054	392-163-340	NEW	83-08-030
388-86-040	AMD	83-10-077	392-163-105	NEW	83-08-030	392-163-345	NEW-P	83-04-054
388-86-050	AMD-E	83-02-046	392-163-110	NEW-P	83-04-054	392-163-345	NEW	83-08-030
388-86-050	AMD	83-05-050	392-163-110	NEW	83-08-030	392-163-350	NEW-P	83-04-054
388-86-075	AMD	83-03-016	392-163-115	NEW-P	83-04-054	392-163-350	NEW	83-08-030
388-87-007	AMD-P	83-07-053	392-163-115	NEW	83-08-030	392-163-355	NEW-P	83-04-054
388-87-007	AMD	83-10-077	392-163-120	NEW-P	83-04-054	392-163-355	NEW	83-08-030
388-87-008	NEW-P	83-07-053	392-163-120	NEW	83-08-030	392-163-360	NEW-P	83-04-054
388-87-008	NEW	83-10-077	392-163-125	NEW-P	83-04-054	392-163-360	NEW	83-08-030
388-87-011	AMD-P	83-10-081	392-163-125	NEW	83-08-030	392-163-365	NEW-P	83-04-054
388-87-013	AMD	83-03-016	392-163-130	NEW-P	83-04-054	392-163-365	NEW	83-08-030
388-87-070	AMD	83-03-016	392-163-130	NEW	83-08-030	392-163-370	NEW-P	83-04-054
388-87-070	AMD-P	83-05-040	392-163-135	NEW-P	83-04-054	392-163-370	NEW	83-08-030
388-87-070	AMD-E	83-05-041	392-163-135	NEW	83-08-030	392-163-375	NEW-P	83-04-054
388-87-070	AMD	83-08-022	392-163-140	NEW-P	83-04-054	392-163-375	NEW	83-08-030
388-92-030	AMD-P	83-09-046	392-163-140	NEW	83-08-030	392-163-385	NEW-P	83-04-054
388-92-045	AMD-P	83-07-053	392-163-142	NEW-P	83-04-054	392-163-385	NEW	83-08-030
388-92-045	AMD	83-10-077	392-163-142	NEW	83-08-030	392-163-390	NEW-P	83-04-054
388-93-015	AMD-P	83-07-053	392-163-145	NEW-P	83-04-054	392-163-390	NEW	83-08-030
388-93-015	AMD	83-10-077	392-163-145	NEW	83-08-030	392-163-400	NEW-P	83-04-054
388-93-035	AMD-P	83-07-053	392-163-170	NEW-P	83-04-054	392-163-400	NEW	83-08-030
388-93-035	AMD	83-10-077	392-163-170	NEW	83-08-030	392-163-405	NEW-P	83-04-054
388-93-060	AMD-P	83-07-053	392-163-175	NEW-P	83-04-054	392-163-405	NEW	83-08-030
388-93-060	AMD	83-10-077	392-163-175	NEW	83-08-030	392-163-410	NEW-P	83-04-054
388-93-080	AMD-P	83-07-053	392-163-180	NEW-P	83-04-054	392-163-410	NEW	83-08-030
388-93-080	AMD	83-10-077	392-163-180	NEW	83-08-030	392-163-415	NEW-P	83-04-054
388-95	AMD-P	83-09-046	392-163-185	NEW-P	83-04-054	392-163-415	NEW	83-08-030
388-95-005	REP-P	83-09-046	392-163-185	NEW	83-08-030	392-163-420	NEW-P	83-04-054
388-95-010	REP-P	83-09-046	392-163-190	NEW-P	83-04-054	392-163-420	NEW	83-08-030
388-95-025	REP-P	83-09-046	392-163-190	NEW	83-08-030	392-163-425	NEW-P	83-04-054
388-95-030	REP-P	83-09-046	392-163-195	NEW-P	83-04-054	392-163-425	NEW	83-08-030
388-95-035	REP-P	83-09-046	392-163-195	NEW	83-08-030	392-163-430	NEW-P	83-04-054
388-95-040	REP-P	83-09-046	392-163-200	NEW-P	83-04-054	392-163-430	NEW	83-08-030
388-95-045	REP-P	83-09-046	392-163-200	NEW	83-08-030	392-163-440	NEW-P	83-04-054
388-95-055	REP-P	83-09-046	392-163-205	NEW-P	83-04-054	392-163-440	NEW	83-08-030
388-95-060	REP-P	83-09-046	392-163-205	NEW	83-08-030	392-163-445	NEW-P	83-04-054
388-95-065	REP-P	83-09-046	392-163-210	NEW-P	83-04-054	392-163-445	NEW	83-08-030
388-95-070	REP-P	83-09-046	392-163-210	NEW	83-08-030	392-163-450	NEW-P	83-04-054
388-95-075	REP-P	83-09-046	392-163-215	NEW-P	83-04-054	392-163-450	NEW	83-08-030
388-95-080	REP-P	83-09-046	392-163-215	NEW	83-08-030	392-163-455	NEW-P	83-04-054
388-95-210	REP-P	83-09-046	392-163-220	NEW-P	83-04-054	392-163-455	NEW	83-08-030
388-95-215	REP-P	83-09-046	392-163-220	NEW	83-08-030	392-163-460	NEW-P	83-04-054
388-95-225	REP-P	83-09-046	392-163-225	NEW-P	83-04-054	392-163-460	NEW	83-08-030
388-95-235	REP-P	83-09-046	392-163-225	NEW	83-08-030	392-163-465	NEW-P	83-04-054
388-95-255	REP-P	83-09-046	392-163-230	NEW-P	83-04-054	392-163-465	NEW	83-08-030
388-95-260	REP-P	83-09-046	392-163-230	NEW	83-08-030	392-171	AMD-C	83-07-057
388-95-265	REP-P	83-09-046	392-163-235	NEW-P	83-04-054	392-171	AMD	83-08-029
388-95-270	REP-P	83-09-046	392-163-235	NEW	83-08-030	392-171-386	AMD-P	83-04-072
388-95-280	REP-P	83-09-046	392-163-240	NEW-P	83-04-054	392-171-386	AMD	83-08-029
388-95-300	NEW-P	83-09-046	392-163-240	NEW	83-08-030	392-171-401	AMD-P	83-04-072
388-95-320	NEW-P	83-09-046	392-163-245	NEW-P	83-04-054	392-171-401	AMD	83-08-029
388-95-340	NEW-P	83-09-046	392-163-245	NEW	83-08-030	392-171-631	AMD-P	83-04-072
388-95-360	NEW-P	83-09-046	392-163-250	NEW-P	83-04-054	392-171-631	AMD	83-08-029
388-95-380	NEW-P	83-09-046	392-163-250	NEW	83-08-030	392-171-661	AMD-P	83-04-072

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-171-661	AMD	83-08-029	458-20-140	AMD	83-07-034	458-20-193B	AMD	83-07-033
392-171-691	AMD-P	83-04-072	458-20-141	AMD-P	83-04-063	458-20-193C	AMD-P	83-04-064
392-171-691	AMD	83-08-029	458-20-141	AMD	83-07-034	458-20-193D	AMD	83-07-033
392-171-761	AMD-P	83-04-072	458-20-142	AMD-P	83-04-063	458-20-193D	AMD-P	83-04-064
392-171-761	AMD	83-08-029	458-20-142	AMD	83-07-034	458-20-194	AMD	83-07-033
392-171-766	AMD-P	83-04-072	458-20-143	AMD-P	83-04-063	458-20-194	AMD-P	83-05-048
392-171-766	AMD	83-08-029	458-20-143	AMD	83-07-034	458-20-194	AMD	83-08-026
392-171-771	AMD-P	83-04-072	458-20-145	AMD-P	83-04-062	458-20-195	AMD-P	83-05-048
392-171-771	AMD	83-08-029	458-20-145	AMD	83-07-032	458-20-195	AMD	83-08-026
392-171-776	AMD-P	83-04-072	458-20-146	AMD-P	83-04-062	458-20-196	AMD-P	83-04-062
392-171-776	AMD	83-08-029	458-20-146	AMD	83-07-032	458-20-196	AMD	83-07-032
392-171-781	AMD-P	83-04-072	458-20-148	AMD-P	83-04-063	458-20-198	AMD-P	83-04-062
392-171-781	AMD	83-08-029	458-20-148	AMD	83-07-034	458-20-198	AMD	83-07-032
419-28-060	NEW	83-05-022	458-20-150	AMD-P	83-04-063	458-20-199	AMD-P	83-04-062
419-44-010	NEW	83-05-022	458-20-150	AMD	83-07-034	458-20-199	AMD	83-07-032
419-44-020	NEW-W	83-05-021	458-20-151	AMD-P	83-04-062	458-20-201	AMD-P	83-05-048
440-44-035	AMD-P	83-09-048	458-20-151	AMD	83-07-032	458-20-201	AMD	83-08-026
440-44-040	AMD-P	83-08-005	458-20-153	AMD-P	83-04-064	458-20-206	AMD-P	83-05-048
440-44-040	AMD-P	83-09-048	458-20-153	AMD	83-07-033	458-20-206	AMD	83-08-026
440-44-048	NEW-P	83-10-076	458-20-156	AMD-P	83-04-064	458-20-209	AMD-P	83-05-048
440-44-050	AMD-P	83-09-048	458-20-156	AMD	83-07-033	458-20-209	AMD	83-08-026
440-44-057	AMD-P	83-09-048	458-20-159	AMD-P	83-04-064	458-20-210	AMD-P	83-05-048
440-44-060	NEW-P	83-09-048	458-20-159	AMD	83-07-033	458-20-210	AMD	83-08-026
446-50-080	AMD	83-03-008	458-20-161	AMD-P	83-04-064	458-20-211	AMD-P	83-05-048
458-14-040	AMD-E	83-10-017	458-20-161	AMD	83-07-033	458-20-211	AMD	83-08-026
458-20	AMD-C	83-08-015	458-20-162	AMD-P	83-04-064	458-20-214	AMD-P	83-05-048
458-20-100	AMD-P	83-04-062	458-20-162	AMD	83-07-033	458-20-214	AMD	83-08-026
458-20-100	AMD	83-07-032	458-20-163	AMD-P	83-04-064	458-20-215	AMD-P	83-05-048
458-20-101	AMD-P	83-04-062	458-20-163	AMD	83-07-033	458-20-215	AMD	83-08-026
458-20-101	AMD	83-07-032	458-20-165	AMD-P	83-04-064	458-20-218	AMD-P	83-05-048
458-20-102	AMD-P	83-04-063	458-20-165	AMD	83-07-033	458-20-218	AMD	83-08-026
458-20-102	AMD	83-07-034	458-20-166	AMD-P	83-04-064	458-20-219	AMD-P	83-05-048
458-20-104	AMD-P	83-04-063	458-20-166	AMD	83-07-033	458-20-219	AMD	83-08-026
458-20-104	AMD	83-07-034	458-20-167	AMD-P	83-04-062	458-20-221	AMD-P	83-05-048
458-20-106	AMD-P	83-04-063	458-20-167	AMD	83-07-032	458-20-221	AMD	83-08-026
458-20-106	AMD	83-07-034	458-20-168	AMD-P	83-04-064	458-20-222	AMD-P	83-05-048
458-20-107	AMD-P	83-04-063	458-20-168	AMD	83-07-033	458-20-222	AMD	83-08-026
458-20-107	AMD	83-07-034	458-20-169	AMD-P	83-04-064	458-20-223	AMD-P	83-05-048
458-20-108	AMD-P	83-04-063	458-20-169	AMD	83-07-033	458-20-223	AMD	83-08-026
458-20-108	AMD	83-07-034	458-20-170	AMD-P	83-04-064	458-20-224	AMD-P	83-04-062
458-20-112	AMD-P	83-04-063	458-20-170	AMD	83-07-033	458-20-224	AMD	83-07-032
458-20-113	AMD-P	83-04-063	458-20-171	AMD-P	83-04-064	458-20-226	AMD-P	83-05-048
458-20-113	AMD-C	83-07-035	458-20-172	AMD-P	83-04-064	458-20-226	AMD	83-08-026
458-20-114	AMD-P	83-04-062	458-20-172	AMD	83-07-033	458-20-227	AMD-P	83-05-048
458-20-116	AMD-P	83-04-063	458-20-173	AMD-P	83-04-064	458-20-227	AMD	83-08-026
458-20-116	AMD	83-07-034	458-20-173	AMD	83-07-033	458-20-229	AMD-P	83-05-048
458-20-118	AMD-P	83-04-063	458-20-174	AMD-P	83-04-064	458-20-229	AMD	83-08-026
458-20-118	AMD	83-07-034	458-20-174	AMD	83-07-033	458-20-231	AMD-P	83-05-048
458-20-121	AMD-P	83-04-063	458-20-175	AMD-P	83-04-064	458-20-231	AMD	83-08-026
458-20-121	AMD	83-07-034	458-20-175	AMD	83-07-033	458-20-232	AMD-P	83-05-048
458-20-123	AMD-P	83-04-063	458-20-176	AMD-P	83-04-064	458-20-232	AMD	83-08-026
458-20-123	AMD	83-07-034	458-20-176	AMD	83-07-033	458-20-234	AMD-P	83-05-048
458-20-124	AMD-P	83-04-063	458-20-177	AMD-P	83-05-048	458-20-234	AMD	83-08-026
458-20-124	AMD	83-07-034	458-20-177	AMD	83-08-026	458-20-235	AMD-P	83-04-062
458-20-125	AMD-P	83-04-063	458-20-178	AMD-P	83-04-064	458-20-235	AMD	83-07-032
458-20-125	AMD	83-07-034	458-20-178	AMD	83-07-033	458-20-236	AMD-P	83-05-048
458-20-126	AMD-P	83-04-063	458-20-180	AMD-P	83-04-064	458-20-237	AMD-P	83-06-046
458-20-126	AMD	83-07-034	458-20-180	AMD	83-07-033	458-20-237	AMD-E	83-06-047
458-20-127	AMD-P	83-04-063	458-20-181	AMD-P	83-04-064	458-20-237	AMD	83-09-028
458-20-127	AMD	83-07-034	458-20-181	AMD	83-07-033	458-20-238	AMD-P	83-05-048
458-20-128	AMD-P	83-04-063	458-20-184	AMD-P	83-04-064	458-20-238	AMD	83-08-026
458-20-128	AMD	83-07-034	458-20-184	AMD	83-07-033	458-20-239	AMD-P	83-05-048
458-20-130	AMD-P	83-04-063	458-20-185	AMD-P	83-04-062	458-20-239	AMD	83-08-026
458-20-130	AMD	83-07-034	458-20-185	AMD	83-07-032	458-20-240	AMD-P	83-05-048
458-20-131	AMD-P	83-04-063	458-20-186	AMD-P	83-04-062	458-20-240	AMD	83-08-026
458-20-131	AMD	83-07-034	458-20-186	AMD	83-07-032	458-20-241	AMD-P	83-05-048
458-20-132	AMD-P	83-04-063	458-20-18801	AMD-P	83-04-062	458-20-241	AMD	83-08-026
458-20-132	AMD	83-07-034	458-20-18801	AMD	83-07-032	458-20-242A	AMD-P	83-05-048
458-20-134	AMD-P	83-04-062	458-20-189	AMD-P	83-04-064	458-20-242A	AMD	83-08-026
458-20-134	AMD	83-07-032	458-20-189	AMD	83-07-033	458-20-243	AMD-P	83-05-048
458-20-135	AMD-P	83-04-063	458-20-190	AMD-P	83-04-064	458-20-243	AMD	83-08-026
458-20-135	AMD	83-07-034	458-20-190	AMD	83-07-033	458-40-19101	AMD-P	83-02-056
458-20-136	AMD-P	83-04-062	458-20-191	AMD-P	83-04-064	458-40-19101	AMD	83-05-013
458-20-136	AMD	83-07-032	458-20-191	AMD	83-07-033	460-24A-050	AMD	83-03-024
458-20-137	AMD-P	83-04-063	458-20-193A	AMD-P	83-04-064	460-33A-010	NEW	83-03-025
458-20-137	AMD	83-07-034	458-20-193A	AMD	83-07-033	460-33A-015	NEW	83-03-025
458-20-140	AMD-P	83-04-063	458-20-193B	AMD-P	83-04-064	460-33A-015	AMD-E	83-09-034

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
460-33A-016	NEW	83-03-025	460-90-470	REP	83-06-076	468-42-024	REP-P	83-06-070
460-33A-017	NEW	83-03-025	460-90-480	REP-P	83-03-056	468-42-024	REP	83-09-038
460-33A-020	NEW	83-03-025	460-90-480	REP	83-06-076	468-42-027	REP-P	83-06-070
460-33A-025	NEW	83-03-025	460-90-490	REP-P	83-03-056	468-42-027	REP	83-09-038
460-33A-030	NEW	83-03-025	460-90-490	REP	83-06-076	468-42-028	REP-P	83-06-070
460-33A-035	NEW	83-03-025	460-90-500	REP-P	83-03-056	468-42-028	REP	83-09-038
460-33A-040	NEW	83-03-025	460-90-500	REP	83-06-076	468-42-031	REP-P	83-06-070
460-33A-050	NEW	83-03-025	460-90-510	REP-P	83-03-056	468-42-031	REP	83-09-038
460-33A-055	NEW	83-03-025	460-90-510	REP	83-06-076	468-42-090	REP-P	83-06-070
460-33A-060	NEW	83-03-025	460-90-900	REP-P	83-03-056	468-42-090	REP	83-09-038
460-33A-065	NEW	83-03-025	460-90-900	REP	83-06-076	468-42-097	REP-P	83-06-070
460-33A-070	NEW	83-03-025	460-90A-010	NEW-P	83-03-056	468-42-097	REP	83-09-038
460-33A-075	NEW	83-03-025	460-90A-010	NEW	83-06-076	468-42-099	REP-P	83-06-070
460-33A-080	NEW	83-03-025	460-90A-020	NEW-P	83-03-056	468-42-099	REP	83-09-038
460-33A-085	NEW	83-03-025	460-90A-020	NEW	83-06-076	468-42-101	REP-P	83-06-070
460-33A-090	NEW	83-03-025	460-90A-030	NEW-P	83-03-056	468-42-101	REP	83-09-038
460-33A-100	NEW	83-03-025	460-90A-030	NEW	83-06-076	468-42-104	REP-P	83-06-070
460-33A-105	NEW	83-03-025	460-90A-040	NEW-P	83-03-056	468-42-104	REP	83-09-038
460-33A-110	NEW	83-03-025	460-90A-040	NEW	83-06-076	468-42-106	REP-P	83-06-070
460-65A-010	NEW	83-03-024	460-90A-050	NEW-P	83-03-056	468-42-106	REP	83-09-038
460-65A-020	NEW	83-03-024	460-90A-050	NEW	83-06-076	468-42-125	REP-P	83-06-070
460-65A-030	NEW	83-03-024	460-90A-060	NEW-P	83-03-056	468-42-125	REP	83-09-038
460-65A-040	NEW	83-03-024	460-90A-060	NEW	83-06-076	468-42-129	REP-P	83-06-070
460-65A-100	NEW	83-03-024	460-90A-070	NEW-P	83-03-056	468-42-129	REP	83-09-038
460-65A-105	NEW	83-03-024	460-90A-070	NEW	83-06-076	468-42-151	REP-P	83-06-070
460-65A-110	NEW	83-03-024	460-90A-080	NEW-P	83-03-056	468-42-151	REP	83-09-038
460-65A-115	NEW	83-03-024	460-90A-080	NEW	83-06-076	468-42-153	REP-P	83-06-070
460-65A-125	NEW	83-03-024	460-90A-090	NEW-P	83-03-056	468-42-153	REP	83-09-038
460-90-100	REP-P	83-03-056	460-90A-090	NEW	83-06-076	468-42-161	REP-P	83-06-070
460-90-100	REP	83-06-076	460-90A-100	NEW-P	83-03-056	468-42-161	REP	83-09-038
460-90-110	REP-P	83-03-056	460-90A-100	NEW	83-06-076	468-42-164	REP-P	83-06-070
460-90-110	REP	83-06-076	460-90A-105	NEW-P	83-03-056	468-42-164	REP	83-09-038
460-90-120	REP-P	83-03-056	460-90A-105	NEW	83-06-076	468-42-167	REP-P	83-06-070
460-90-120	REP	83-06-076	460-90A-110	NEW-P	83-03-056	468-42-167	REP	83-09-038
460-90-122	REP-P	83-03-056	460-90A-110	NEW	83-06-076	468-42-169	REP-P	83-06-070
460-90-122	REP	83-06-076	460-90A-120	NEW-P	83-03-056	468-42-169	REP	83-09-038
460-90-125	REP-P	83-03-056	460-90A-120	NEW	83-06-076	468-42-202	REP-P	83-06-070
460-90-125	REP	83-06-076	460-90A-130	NEW-P	83-03-056	468-42-202	REP	83-09-038
460-90-130	REP-P	83-03-056	460-90A-130	NEW	83-06-076	468-42-224	REP-P	83-06-070
460-90-130	REP	83-06-076	460-90A-140	NEW-P	83-03-056	468-42-224	REP	83-09-038
460-90-140	REP-P	83-03-056	460-90A-140	NEW	83-06-076	468-42-270	REP-P	83-06-070
460-90-140	REP	83-06-076	460-90A-150	NEW-P	83-03-056	468-42-270	REP	83-09-038
460-90-150	REP-P	83-03-056	460-90A-150	NEW	83-06-076	468-42-272	REP-P	83-06-070
460-90-150	REP	83-06-076	461-08-180	AMD-C	83-04-037	468-42-272	REP	83-09-038
460-90-160	REP-P	83-03-056	461-08-180	AMD	83-06-031	468-42-290	REP-P	83-06-070
460-90-160	REP	83-06-076	463-28-060	AMD-E	83-04-023	468-42-290	REP	83-09-038
460-90-170	REP-P	83-03-056	463-28-060	AMD-P	83-04-047	468-42-291	REP-P	83-06-070
460-90-170	REP	83-06-076	463-28-060	AMD-C	83-08-014	468-42-291	REP	83-09-038
460-90-180	REP-P	83-03-056	463-28-060	AMD	83-08-031	468-42-302	REP-P	83-06-070
460-90-180	REP	83-06-076	468-18-080	AMD-E	83-10-009	468-42-302	REP	83-09-038
460-90-190	REP-P	83-03-056	468-18-080	AMD-P	83-10-010	468-42-308	REP-P	83-06-070
460-90-190	REP	83-06-076	468-42-002	REP-P	83-06-070	468-42-308	REP	83-09-038
460-90-200	REP-P	83-03-056	468-42-002	REP	83-09-038	468-42-395	REP-P	83-06-070
460-90-200	REP	83-06-076	468-42-003	REP-P	83-06-070	468-42-395	REP	83-09-038
460-90-300	REP-P	83-03-056	468-42-003	REP	83-09-038	468-42-401	REP-P	83-06-070
460-90-300	REP	83-06-076	468-42-004	REP-P	83-06-070	468-42-401	REP	83-09-038
460-90-310	REP-P	83-03-056	468-42-004	REP	83-09-038	468-42-410	REP-P	83-06-070
460-90-310	REP	83-06-076	468-42-005	REP-P	83-06-070	468-42-410	REP	83-09-038
460-90-320	REP-P	83-03-056	468-42-005	REP	83-09-038	468-42-501	REP-P	83-06-070
460-90-320	REP	83-06-076	468-42-006	REP-P	83-06-070	468-42-501	REP	83-09-038
460-90-330	REP-P	83-03-056	468-42-006	REP	83-09-038	468-42-504	REP-P	83-06-070
460-90-330	REP	83-06-076	468-42-007	REP-P	83-06-070	468-42-504	REP	83-09-038
460-90-400	REP-P	83-03-056	468-42-007	REP	83-09-038	468-42-507	REP-P	83-06-070
460-90-400	REP	83-06-076	468-42-009	REP-P	83-06-070	468-42-507	REP	83-09-038
460-90-410	REP-P	83-03-056	468-42-009	REP	83-09-038	468-42-509	REP-P	83-06-070
460-90-410	REP	83-06-076	468-42-011	REP-P	83-06-070	468-42-509	REP	83-09-038
460-90-420	REP-P	83-03-056	468-42-011	REP	83-09-038	468-42-512	REP-P	83-06-070
460-90-420	REP	83-06-076	468-42-012	REP-P	83-06-070	468-42-512	REP	83-09-038
460-90-430	REP-P	83-03-056	468-42-012	REP	83-09-038	468-42-514	REP-P	83-06-070
460-90-430	REP	83-06-076	468-42-014	REP-P	83-06-070	468-42-514	REP	83-09-038
460-90-440	REP-P	83-03-056	468-42-014	REP	83-09-038	468-42-515	REP-P	83-06-070
460-90-440	REP	83-06-076	468-42-020	REP-P	83-06-070	468-42-515	REP	83-09-038
460-90-450	REP-P	83-03-056	468-42-020	REP	83-09-038	468-42-516	REP-P	83-06-070
460-90-450	REP	83-06-076	468-42-022	REP-P	83-06-070	468-42-516	REP	83-09-038
460-90-460	REP-P	83-03-056	468-42-022	REP	83-09-038	468-42-520	REP-P	83-06-070
460-90-460	REP	83-06-076	468-42-023	REP-P	83-06-070	468-42-520	REP	83-09-038
460-90-470	REP-P	83-03-056	468-42-023	REP	83-09-038	468-42-522	REP-P	83-06-070

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
468-42-522	REP	83-09-038	504-17	AMD-C	83-04-010	516-13-020	AMD-P	83-09-040
468-42-525	REP-P	83-06-070	504-17-010	NEW	83-08-060	516-13-030	AMD-P	83-09-040
468-42-525	REP	83-09-038	504-17-020	NEW	83-08-060	516-13-070	NEW-P	83-09-040
468-42-526	REP-P	83-06-070	504-17-030	NEW	83-08-060	516-13-080	NEW-P	83-09-040
468-42-526	REP	83-09-038	504-17-040	NEW	83-08-060	516-14-010	REP-P	83-09-040
468-42-527	REP-P	83-06-070	504-17-050	NEW	83-08-060	516-14-020	REP-P	83-09-040
468-42-527	REP	83-09-038	504-17-060	NEW	83-08-060	516-14-030	REP-P	83-09-040
468-42-539	REP-P	83-06-070	504-17-070	NEW	83-08-060	516-14-040	REP-P	83-09-040
468-42-539	REP	83-09-038	504-17-080	NEW	83-08-060	516-14-050	REP-P	83-09-040
468-42-542	REP-P	83-06-070	504-17-090	NEW	83-08-060	516-14-060	REP-P	83-09-040
468-42-542	REP	83-09-038	504-17-100	NEW	83-08-060	516-14-070	REP-P	83-09-040
468-42-543	REP-P	83-06-070	504-17-110	NEW	83-08-060	516-14-080	REP-P	83-09-040
468-42-543	REP	83-09-038	504-17-120	NEW	83-08-060	516-14-090	REP-P	83-09-040
468-42-901	REP-P	83-06-070	504-17-130	NEW	83-08-060	516-14-100	REP-P	83-09-040
468-42-901	REP	83-09-038	504-17-140	NEW	83-08-060	516-14-110	REP-P	83-09-040
468-42-906	REP-P	83-06-070	504-17-150	NEW	83-08-060	516-14-200	NEW-P	83-09-040
468-42-906	REP	83-09-038	504-17-160	NEW	83-08-060			
468-42-908	REP-P	83-06-070	504-17-170	NEW	83-08-060			
468-42-908	REP	83-09-038	504-17-180	NEW	83-08-060			
468-46-040	AMD-P	83-04-056	504-17-190	NEW	83-08-060			
468-46-040	AMD	83-07-025	504-17-200	NEW	83-08-060			
468-50-010	REP-P	83-06-069	504-17-210	NEW	83-08-060			
468-50-010	REP	83-09-039	504-17-220	NEW	83-08-060			
468-58-120	NEW-E	83-07-026	504-17-230	NEW	83-08-060			
468-300-010	AMD-P	83-04-052	504-17-240	NEW	83-08-060			
468-300-010	READOPT	83-07-062	504-17-250	NEW	83-08-060			
468-300-020	AMD-P	83-04-052	504-17-900	NEW	83-08-060			
468-300-020	READOPT	83-07-062	504-17-910	NEW	83-08-060			
468-300-030	AMD-P	83-04-052	504-17-930	NEW	83-08-060			
468-300-030	READOPT	83-07-062	516-12-010	REP-P	83-09-040			
468-300-040	AMD-P	83-04-052	516-12-020	REP-P	83-09-040			
468-300-040	READOPT	83-07-062	516-12-030	REP-P	83-09-040			
468-300-070	AMD-P	83-04-052	516-12-040	REP-P	83-09-040			
468-300-070	READOPT	83-07-062	516-12-050	REP-P	83-09-040			
468-300-410	AMD-P	83-10-005	516-12-060	REP-P	83-09-040			
468-300-410	AMD-E	83-10-006	516-12-070	REP-P	83-09-040			
480-12-180	AMD-P	83-03-054	516-12-073	REP-P	83-09-040			
480-12-180	AMD	83-06-017	516-12-076	REP-P	83-09-040			
480-12-190	AMD-P	83-03-054	516-12-080	REP-P	83-09-040			
480-12-190	AMD	83-06-017	516-12-090	REP-P	83-09-040			
480-12-322	NEW-P	83-07-072	516-12-100	REP-P	83-09-040			
480-12-322	NEW-C	83-10-028	516-12-110	REP-P	83-09-040			
480-30-095	AMD-P	83-03-053	516-12-120	REP-P	83-09-040			
480-30-095	AMD	83-06-018	516-12-130	REP-P	83-09-040			
480-30-100	AMD-P	83-03-053	516-12-140	REP-P	83-09-040			
480-30-100	AMD	83-06-018	516-12-145	REP-P	83-09-040			
480-40-070	AMD-P	83-03-052	516-12-150	REP-P	83-09-040			
480-40-070	AMD	83-06-019	516-12-160	REP-P	83-09-040			
480-40-075	AMD-P	83-03-052	516-12-170	REP-P	83-09-040			
480-40-075	AMD	83-06-019	516-12-175	REP-P	83-09-040			
480-62-100	AMD-P	83-06-075	516-12-180	REP-P	83-09-040			
480-62-100	AMD	83-09-004	516-12-190	REP-P	83-09-040			
480-62-110	NEW-P	83-06-020	516-12-200	REP-P	83-09-040			
480-62-110	NEW-W	83-09-005	516-12-210	REP-P	83-09-040			
480-62-120	NEW-P	83-06-021	516-12-220	REP-P	83-09-040			
480-62-120	NEW	83-09-003	516-12-230	REP-P	83-09-040			
480-70-330	AMD-P	83-03-055	516-12-240	REP-P	83-09-040			
480-70-330	AMD	83-06-015	516-12-250	REP-P	83-09-040			
480-70-400	AMD-P	83-03-055	516-12-255	REP-P	83-09-040			
480-70-400	AMD	83-06-015	516-12-260	REP-P	83-09-040			
480-120-046	AMD-P	83-08-087	516-12-265	REP-P	83-09-040			
480-140-040	AMD-P	83-03-023	516-12-268	REP-P	83-09-040			
480-140-040	AMD	83-06-016	516-12-280	REP-P	83-09-040			
480-140-160	AMD-P	83-03-023	516-12-290	REP-P	83-09-040			
480-140-160	AMD	83-06-016	516-12-300	REP-P	83-09-040			
480-149-120	AMD-P	83-08-038	516-12-310	REP-P	83-09-040			
490-28A-003	NEW	83-10-003	516-12-320	REP-P	83-09-040			
490-36A-040	NEW	83-10-003	516-12-400	NEW-P	83-09-040			
504-16	REP-C	83-04-010	516-12-410	NEW-P	83-09-040			
504-16-100	REP	83-08-060	516-12-420	NEW-P	83-09-040			
504-16-110	REP	83-08-060	516-12-430	NEW-P	83-09-040			
504-16-115	REP	83-08-060	516-12-440	NEW-P	83-09-040			
504-16-120	REP	83-08-060	516-12-450	NEW-P	83-09-040			
504-16-140	REP	83-08-060	516-12-460	NEW-P	83-09-040			
504-16-150	REP	83-08-060	516-12-470	NEW-P	83-09-040			
504-16-160	REP	83-08-060	516-12-480	NEW-P	83-09-040			
504-16-170	REP	83-08-060	516-13-010	AMD-P	83-09-040			

## Subject/Agency Index

<b>ABORTIONS</b>		<b>AGRICULTURE, DEPARTMENT OF—cont.</b>	
Certificate of approval	83-01-066	Swine	
Definitions	83-01-066	importation of animals	83-02-001
Facility approval	83-01-066	Weeds	83-08-065
<b>ACCOUNTANCY, BOARD OF</b>		<b>AIR POLLUTION (See ECOLOGY, DEPARTMENT OF)</b>	
Basic requirements, amounts	83-09-049	<b>ALCOHOLISM</b>	
Continuing education	83-02-036	County plan	83-02-025
<b>ACUPUNCTURE (See MEDICAL EXAMINERS)</b>		Hospitals	
<b>AERONAUTICS (See TRANSPORTATION, DEPARTMENT OF)</b>		infection control	83-06-010
<b>AGRICULTURE, DEPARTMENT OF</b>		Public assistance	83-10-079
Agency organization	83-01-098		83-05-002
Asparagus	83-03-059		83-08-025
	83-06-049	<b>ANACORTES</b>	
	83-06-050	Shoreline management master program	83-02-004
Bean certification fees	83-10-039	<b>ASIAN-AMERICAN AFFAIRS COMMISSION</b>	
Cattle		Meeting schedule	83-01-085
brucellosis	83-02-061	<b>ARCHITECTS (See LICENSING, DEPARTMENT OF)</b>	
	83-04-030	<b>ATTORNEY GENERAL, OFFICE OF THE</b>	
	83-04-031	Community college education, board	
	83-06-064	vocational education duties	83-01-070
	83-07-029	Constitutional convention by initiative	83-07-054
feedlots quarantined	83-03-050	Counties	
	83-07-028	home rule charter	83-01-035
	83-01-105	officer salaries	83-01-035
	83-01-106	Firefighter as council member	83-07-047
	83-01-135	Hospital districts	
	83-01-136	commissioner compensation	83-08-027
	83-04-030	Judges	
	83-04-031	jurisdiction of judicial	
	83-05-016	qualifications commission	83-01-048
	83-06-064	LEOFF contributions	83-08-033
	83-09-009	Public work prevailing wage law	83-07-030
sale requirements	83-02-061	School districts	
	83-03-051	public schools employee salaries	83-02-047
	83-06-002	social security participation	83-08-003
	83-06-064	Superintendent of public instruction	
	83-07-029	vocational education duties	83-01-070
scabies	83-04-031	University of Washington open public meetings	83-07-011
	83-06-064	Vocational education commission	
slaughter	83-09-009	vocational education duties	83-01-070
temporary grazing	83-04-030	Vocation rehabilitation	
	83-04-031	retroactive/prospective	83-09-042
vesicular stomatitis	83-06-064	<b>ATTORNEYS</b>	
Crop dusting		Disciplinary rules	83-04-045
(See TRANSPORTATION, DEPARTMENT OF)		Limited practice rule, closing officers	83-02-044
Dairy products		<b>AVIATION (See TRANSPORTATION, DEPARTMENT OF,</b>	
filled dairy products	83-01-053	<b>subtopic Aeronautics)</b>	
	83-02-031	<b>BANKS (See GENERAL ADMINISTRATION, DEPARTMENT OF)</b>	
Fruits and vegetable movement	83-03-060	<b>BEER (See LIQUOR CONTROL BOARD)</b>	
	83-06-050	<b>BELLEVUE</b>	
Grain, hay, beans, peas	83-03-047	Shoreline master program	83-02-065
	83-06-063	<b>BELLEVUE COMMUNITY COLLEGE (District 8)</b>	
	83-08-064	Amendment to bylaws	83-01-043
Gypsy moth	83-04-022		83-05-051
Hops, assessment increase	83-07-052	Meeting schedule	83-01-040
Horses			83-01-043
importation	83-05-016		83-05-051
slaughter	83-06-064		83-08-058
	83-09-009	Student code	83-07-040
Horticultural inspection fees	83-03-058	<b>BLIND</b>	
	83-06-048	Prevention of blindness program	
Inspections	83-03-047	appeal and fair hearing	83-05-014
	83-03-058		83-06-067
	83-03-060		83-10-034
	83-06-063		83-10-035
Motor fuels and home heating	83-05-039	eye physicians advisory committee	83-01-068
	83-09-012		83-01-069
Public records	83-01-098		
Quarantined feedlots	83-03-050		
Seed Act	83-08-064		
	83-08-065		
	83-08-066		
	83-08-067		
State laboratory coordinating council	83-09-045		

## Subject/Agency Index

<b>BLIND—cont.</b>			
financial eligibility	83-05-014		
	83-06-067		
	83-10-034		
	83-10-035		
medical eligibility	83-05-014		
	83-06-067		
	83-10-034		
	83-10-035		
ophthalmologist consultant	83-01-068		
	83-01-069		
purpose	83-01-068		
	83-01-069		
services	83-05-014		
	83-06-067		
	83-10-034		
	83-10-035		
social and health services cooperative agreement	83-01-068		
	83-01-069		
Repeal of obsolete sections	83-05-003		
	83-08-023		
Vocational rehabilitation			
confidential information—disclosure	83-01-080		
definitions	83-01-080		
eligibility	83-10-033		
group services	83-01-080		
liability insurance	83-01-080		
program termination	83-01-080		
sheltered workshops	83-01-080		
training	83-01-080		
college and trade school	83-06-068		
	83-10-033		
vocational	83-06-068		
	83-10-033		
<b>BOARDING HEALTH (See HEALTH, STATE BOARD OF)</b>			
<b>BOATS (See LICENSING, DEPARTMENT OF)</b>			
<b>BOTHELL</b>			
Shoreline master program	83-02-064		
	83-03-069		
<b>BUILDING CODE ADVISORY COUNCIL</b>			
Amendments	83-10-082		
Barrier free facilities	83-07-012		
<b>CATTLE (See AGRICULTURE, DEPARTMENT OF)</b>			
<b>CEMETERY BOARD</b>			
Development plan	83-02-063		
Endowment care fund records	83-02-063		
Gross sales price defined	83-02-063		
Prearrangement trust fund records	83-02-063		
<b>CENTRALIA COLLEGE AND OLYMPIA TECHNICAL COMMUNITY COLLEGE (DISTRICT 12)</b>			
Meeting schedule	83-01-079		
	83-04-015		
	83-08-035		
	83-08-068		
Personnel rules			
faculty tenure and probationary employment	83-07-067		
leave policies for professionals	83-03-072		
	83-07-067		
procedures for professional negotiations	83-03-072		
	83-07-067		
repeal administrative leave, tenure and probation	83-03-072		
	83-07-067		
work load for full-time faculty	83-03-072		
	83-07-067		
<b>CENTRAL WASHINGTON UNIVERSITY</b>			
College facilities use			
bookstore	83-07-024		
	83-08-070		
Library policies	83-01-036		
Meeting schedule	83-05-010		
<b>CHILDBIRTH CENTERS (See HEALTH, STATE BOARD OF)</b>			
<b>CHILDREN/JUVENILES</b>			
Day care (See DAY CARE)			
<b>CHIROPRACTIC EXAMINERS, BOARD OF</b>			
Colleges			
educational standards required for accreditation	83-01-028		
<b>CIVIL DEFENSE (See EMERGENCY SERVICES, DEPARTMENT OF)</b>			
<b>CLALLAM COUNTY</b>			
Shoreline management master program	83-02-008		
<b>CLAMS (See FISHERIES, DEPARTMENT OF, subtopic Shellfish)</b>			
<b>CLARK COLLEGE (District 14)</b>			
Meeting schedule	83-03-001		
	83-04-034		
<b>COCKTAIL LOUNGES (See LIQUOR CONTROL BOARD)</b>			
<b>COLLEGES (See individual colleges)</b>			
<b>COMMON CARRIERS (See UTILITIES AND TRANSPORTATION COMMISSION)</b>			
<b>COMMUNITY COLLEGE DISTRICT 1 (See PENINSULA COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 2 (See GRAYS HARBOR COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 4 (See SKAGIT VALLEY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 5 (See EDMONDS AND EVERETT COMMUNITY COLLEGES)</b>			
<b>COMMUNITY COLLEGE DISTRICT 6 (See SEATTLE COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 7 (See SHORELINE COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 8 (See BELLEVUE COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 10 (See GREEN RIVER COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 11 (See FORT STEILACOOM COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 12 (SEE CENTRALIA COLLEGE AND OLYMPIA TECHNICAL COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 14 (See CLARK COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 17 (See SPOKANE COMMUNITY COLLEGES)</b>			
<b>COMMUNITY COLLEGE DISTRICT 20 (See WALLA WALLA COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE DISTRICT 21 (See WHATCOM COMMUNITY COLLEGE)</b>			
<b>COMMUNITY COLLEGE EDUCATION, STATE BOARD FOR (See also individual community colleges)</b>			
Vocational education duties	83-01-070		
<b>COMMUNITY ECONOMIC REVITALIZATION BOARD</b>			
General provisions	83-03-061		
	83-07-003		
Loans and grants	83-03-061		
	83-07-003		
	83-10-041		



## Subject/Agency Index

<b>COMMUNITY ECONOMIC REVITALIZATION BOARD—cont.</b>			
Meeting schedule	83-01-086		
	83-03-062		
Practice and procedures	83-03-061		
	83-07-003		
Public records	83-03-061		
	83-07-003		
SEPA	83-03-061		
	83-07-003		
<b>COMMUNITY MENTAL HEALTH (See MENTAL HEALTH/ILLNESS)</b>			
<b>CONTRACTORS</b>			
Small works roster	83-02-024		
<b>CONVENTION AND TRADE CENTER</b>			
Corporate organization	83-06-035		
General procedures	83-02-054		
Meeting schedule	83-03-006		
Public records	83-02-054		
	83-06-035		
SEPA compliance	83-02-053		
	83-06-034		
<b>CORRECTIONS, DEPARTMENT OF</b>			
Community residential programs	83-05-009		
Facility review committee membership	83-01-084		
	83-05-009		
Inmates			
mail	83-02-048		
	83-02-050		
	83-06-011		
	83-08-007		
	83-08-063		
out-of-state transfer	83-01-138		
personal property	83-02-049		
	83-02-051		
	83-06-011		
	83-08-007		
	83-08-063		
stationary and postage	83-02-019		
	83-02-020		
	83-07-006		
	83-07-007		
	83-08-063		
telephone usage	83-02-018		
	83-02-021		
	83-06-011		
	83-08-007		
	83-08-063		
Legal services contracts	83-08-006		
Probation and parole			
cost of supervision	83-01-137		
interstate compact	83-01-139		
Work/training release	83-07-049		
	83-10-042		
<b>COUNCIL FOR POSTSECONDARY EDUCATION</b>			
Displaced homemaker program	83-10-064		
Residency status	83-09-010		
	83-09-043		
	83-10-065		
<b>COUNTIES</b>			
Alcoholism			
county plan	83-02-025		
	83-03-011		
Community mental health program (See MENTAL HEALTH/ILLNESS)			
Developmental disabilities			
county plan	83-02-025		
	83-03-011		
Drug abuse			
county plan	83-02-025		
	83-03-011		
<b>COUNTIES—cont.</b>			
Flooding emergency		83-01-020	
		83-01-021	
		83-01-095	
		83-01-096	
		83-03-009	
Health board			
on-site sewage disposal		83-01-125	
Home rule charter		83-01-035	
Probation and parole			
cost of supervision		83-01-137	
interstate compact		83-01-139	
Salaries of county officers		83-01-035	
<b>CRAB (See FISHERIES, DEPARTMENT OF, subtopic Shellfish)</b>			
<b>CREDIT UNIONS (See GENERAL ADMINISTRATION, DEPARTMENT OF)</b>			
<b>CRIME VICTIMS COMPENSATION (See LABOR AND INDUSTRIES, subtopic Industrial insurance)</b>			
<b>CRIMINAL JUSTICE TRAINING COMMISSION</b>			
Basic law enforcement training		83-04-009	
		83-04-014	
equivalency certification		83-04-007	
		83-04-013	
		83-07-044	
		83-07-045	
		83-07-046	
prior training		83-04-008	
		83-04-012	
<b>CRIPPLED CHILDREN'S SERVICES (See HEALTH, STATE BOARD OF)</b>			
<b>DAIRY PRODUCTS COMMISSION</b>			
Milk assessment		83-04-048	
		83-08-018	
		83-08-019	
<b>DANGEROUS WASTE (See ENERGY FACILITY SITE EVALUATION COUNCIL; STATE PATROL)</b>			
<b>DAY CARE</b>			
Abuse, neglect, exploitation		83-02-060	
Fire standards		83-02-060	
General and seasonal services described		83-02-028	
Handicapped (see DEVELOPMENTALLY DISABLED)			
Licensing			
adult family homes		83-02-060	
capacity		83-02-060	
family day care homes		83-02-060	
juvenile detention facilities		83-02-060	
Religious activities		83-02-060	
Safety and maintenance		83-02-060	
<b>DEFERRED COMPENSATION, COMMITTEE FOR</b>			
Retirement rules			
amendments		83-09-020	
		83-09-021	
		83-10-050	
		83-09-020	
		83-09-021	
		83-10-050	
new sections			
<b>DENTAL DISCIPLINARY BOARD</b>			
Identification of treating dentist		83-08-020	
Prescription drugs			
inventory and recording		83-04-050	
Scheduled drugs			
recording		83-04-050	
<b>DENTAL EXAMINERS, BOARD OF</b>			
Examination content		83-04-049	
		83-08-021	
		83-04-049	
Foreign trained dentists		83-08-021	

## Subject/Agency Index

<b>DEVELOPMENTALLY DISABLED AND HANDI-CAPPED</b>		<b>ECOLOGY, DEPARTMENT OF—cont.</b>	
Barrier free facilities	83-07-012	minimum standards for handling	83-02-009 83-03-068 83-09-017
Community training program	83-01-118 83-05-017	State/EPA agreement	83-09-051
County plan	83-02-025 83-03-011	State laboratory coordinating council	83-09-045
Day care/group homes		<b>EDMONDS AND EVERETT COMMUNITY COL- LEGES (District 5)</b>	
licensing	83-09-047	Edmonds	
Developmentally disabled planning council	83-01-033	meeting schedule	83-08-069
Discrimination in public accommodations and real estate (See HUMAN RIGHTS COMMISSION)		Everett	
Education for handicapped children	83-04-072 83-07-057	admission and registration	83-05-020 83-05-037 83-10-025 83-10-026 83-01-063 83-07-027
Group homes		meeting schedule	
mental/physical handicap	83-01-119 83-06-013		
Residential treatment facilities		<b>EDUCATION, STATE BOARD OF</b>	
infection control	83-10-079	Academic excellence	83-08-061
<b>DRUGS (See PHARMACY, BOARD OF)</b>		Central purchasing	83-08-044
<b>EASTERN WASHINGTON UNIVERSITY</b>		Public records	83-05-038 83-08-016
Meeting schedules	83-07-002	Pupils	
<b>ECOLOGY, DEPARTMENT OF</b>		uniform entry qualifications	83-01-131 83-05-023 83-08-042
Air pollution sources	83-03-070	State support of public schools	
general regulations	83-03-070 83-09-013 83-09-036 83-03-070 83-09-013	lack of classroom space	83-08-043
implementation	83-03-070	Teacher's retirement	83-08-045
kraft pulping mills	83-03-070 83-09-036	<b>ELECTRIC ENERGY</b>	
primary aluminum plants	83-03-070 83-09-036 83-09-036	Public utility tax	83-01-059
sulfite pulping mills	83-03-070 83-09-036	Weatherization assistance plan hearing	83-03-064
Dangerous wastes	83-01-127	<b>ELMA</b>	
Environmental hearings office		Shoreline management master program	83-02-003
(See ENVIRONMENTAL HEARINGS OFFICE)		<b>EMERGENCY SERVICES, DEPARTMENT OF</b>	
Groundwater		Aircraft rescue transmitters	83-01-039
designation of areas; management policy		Flooding	
Quincy	83-07-079	Pend Oreille county	83-08-001
Walla Walla	83-02-039	tidal shorelines	83-01-095
Instream resources		western Washington	83-01-020 83-01-021 83-01-096 83-03-009 83-03-019
Wenatchee river basin	83-09-053 83-10-062		
<b>NPDES</b>		<b>EMPLOYMENT SECURITY, DEPARTMENT OF</b>	
public hearings	83-02-040 83-07-078 83-10-063	CETA phase-out	83-01-022
Shorelines management programs		Job Training Partnership Act	
Anacortes	83-02-004	coordinating council created	83-01-022
Bellevue	83-02-065 83-07-080 83-02-064 83-03-069 83-07-019	implementation	83-01-022
Bothell	83-02-064 83-03-069 83-07-019	labor market information system	83-01-022
Clallam county	83-02-008 83-02-066	<b>ENERGY FACILITY SITE EVALUATION COUNCIL</b>	
Elma	83-02-003	Council purpose	83-01-127
Franklin county	83-10-061	Definition of issues before hearing	83-01-126
Kitsap county	83-02-010 83-03-067 83-08-002 83-08-072 83-10-061 83-02-065 83-07-081 83-09-052 83-02-007 83-02-065 83-07-082	Dangerous wastes	83-01-127
Puyallup	83-08-072	monitoring and enforcement	83-01-127
Richland	83-10-061	Energy facility applications	
Seattle	83-02-065 83-07-081 83-09-052 83-02-007 83-02-065 83-07-082	legal descriptions and ownership	83-01-128
Skagit county	83-02-007 83-02-065 83-07-082	transmission system criteria	83-01-128
Spokane county	83-02-005 83-02-065 83-07-083 83-02-006	Prehearing conferences	
Whatcom county	83-02-006	attendance by members	83-01-126
Solid waste		orders	83-01-126
		Request for preemption	
		contested case	83-04-023 83-04-047 83-08-014 83-08-031
		<b>ENVIRONMENTAL HEARINGS OFFICE</b>	
		Shorelines hearing board	
		rules of practice	83-01-019 83-04-037 83-06-031
		<b>EQUIPMENT COMMISSION</b>	
		Automotive engineers standard numbers	83-07-013

## Subject/Agency Index

<b>EQUIPMENT COMMISSION—cont.</b>		<b>FISHERIES, DEPARTMENT OF—cont.</b>	
Special motor vehicles, construction and equipment	83-05-001	gill net season	83-05-025
Towing businesses	83-07-084	treaties	83-05-008
Traction devices	83-03-014	troll fishery	83-10-040
<b>EVERETT COMMUNITY COLLEGE</b>		Grays Harbor and tributaries	83-07-055
(See EDMONDS AND EVERETT COMMUNITY COLLEGES)			83-10-080
<b>EVERGREEN STATE COLLEGE</b>		Hoh river	83-07-070
(See THE EVERGREEN STATE COLLEGE)		Humtulpis river	83-01-011
<b>EXAMINING COMMITTEE OF PHYSICAL THERAPISTS</b>			83-01-017
Annual report	83-01-116	Puget Sound	
Chairman	83-05-032	fishery restrictions	83-01-008
Examination			83-01-012
passing score	83-01-116		83-01-027
	83-05-032		83-01-044
results may be withheld	83-01-116	plan for chinook	83-01-100
when held	83-05-032	troll fishery	83-09-035
Reciprocity	83-01-116		83-10-007
	83-05-032	Willapa harbor	83-03-071
Reinstatement	83-01-116	shellfish	83-10-022
	83-05-032	crab	83-10-040
<b>EXECUTIVE ORDERS (See GOVERNOR, OFFICE OF THE)</b>		dungeness	83-10-080
<b>FINANCIAL MANAGEMENT, OFFICE OF</b>		harvest logs	83-01-026
General fund allotments		sea urchin	83-09-014
expenditure reductions	83-01-101		83-01-133
	83-06-014	shrimp	83-04-025
Motor vehicle use	83-03-003		83-09-027
<b>FIREARMS (See GUNS)</b>			83-01-133
<b>FIRE MARSHALL (See INSURANCE COMMISSIONER)</b>			83-04-025
<b>FISHERIES, DEPARTMENT OF</b>			83-09-027
Agency procedures			83-01-133
hydraulic project approval	83-06-062		83-04-025
	83-09-019		83-06-044
	83-09-026		83-09-014
small works roster	83-02-024		83-10-019
Commercial fishing		smelt	83-01-133
bottomfish			83-04-025
anchovy	83-04-036	sturgeon	
baitfish regulations	83-01-133	Columbia river compact	83-06-023
	83-04-025	gear	83-04-005
candle fish	83-04-036	seasons	83-03-030
closed areas, trawl gear	83-01-133		83-04-053
	83-04-025	Indians (See INDIANS)	
coastal seasons	83-06-032	Personal use and sport fishing rules	
	83-07-069	bottomfish	
herring	83-04-036	barbless hook rule	83-03-071
roe herring	83-09-008	lingcod areas and seasons	83-03-071
pacific cod	83-10-014		83-07-043
pacific hake	83-06-024	possession limits	83-08-040
	83-07-071		83-03-071
pacific ocean perch	83-06-032	general procedures for 1983-84 season	83-07-043
	83-07-069	possession of foodfish/shellfish	
pilchard	83-10-016	in unlawful condition	83-07-043
rockfish	83-04-036	salmon	
	83-06-032	bag limit codes	83-08-040
sablefish	83-07-069		83-08-046
	83-10-016	Banks lake	83-08-040
shortbelly rockfish	83-07-069	barbless hook rule	85-03-071
	83-10-016		83-07-043
widow rockfish	83-03-007	closed areas	83-03-071
	83-06-032		83-07-043
	83-07-069	Columbia river	83-08-046
	83-10-016	Goose lake	83-08-041
salmon		Lewis river	83-08-040
Chehalis river and tributaries	83-07-041	saltwater seasons and bag limits	83-10-023
	83-07-055		83-03-071
	83-10-015	size rule	83-07-043
Columbia river		spring chinook	83-08-040
		Columbia river	83-08-046
		shad	83-03-071
		areas and seasons	83-03-071
		shellfish	83-07-043

## Subject/Agency Index

### FISHERIES, DEPARTMENT OF—cont:

clams	
possession limits	83-01-134
	83-04-027
hardshells, cockles, mussels	83-03-071
	83-07-043
	83-08-040
razor clams	
areas and seasons	83-01-025
	83-01-132
	83-03-026
	83-03-071
	83-07-043
	83-08-040
sanctuaries	83-07-043
shrimp	83-10-019
squid or octopus	83-03-071
	83-05-011
	83-07-043
sturgeon	
areas and seasons	83-03-071
	83-07-043

### FISHING-GAME FISH (See GAME, DEPARTMENT OF)

### FOODFISH (See FISHERIES, DEPARTMENT OF)

### FOREST PRACTICES APPEALS BOARD

Practice and procedure regulations	83-03-005
------------------------------------	-----------

### FOOD STAMPS

(See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)

### FORESTS AND FOREST PRODUCTS

Forest land values	83-02-056
	83-05-013
Timber tax	
conversion definitions and factors	83-02-032
	83-02-033
definitions	83-02-032
	83-02-033
harvester adjustments	83-02-032
	83-02-033
hauling distance zones	83-02-032
	83-02-033
small harvester option	83-02-032
	83-02-033
stumpage value areas	83-02-032
	83-02-033
stumpage value tables	83-02-032
	83-02-033
timber piling volume	83-02-032
	83-02-033
timber pole volume	83-02-032
	83-02-033
timber quality code numbers	83-02-032
	83-02-033

### FORT STEILACOOM COMMUNITY COLLEGE (District 11)

Meeting schedule	83-09-007
	83-09-011
	83-09-018
	83-09-032

### FOSTER CARE

Earnings of foster child	83-01-120
	83-04-061
Licensing of homes	83-02-060
Resources and income	83-01-120
	83-04-061

### FRANKLIN COUNTY

Shoreline management master program	83-10-061
-------------------------------------	-----------

### FUNERAL DIRECTORS AND EMBALMERS (See LICENSING, DEPARTMENT OF)

### GAMBLING COMMISSION (See also LOTTERY COMMISSION)

Amusement games

### GAMBLING COMMISSION (See also LOTTERY COMMISSION)—cont.

authorized types	83-01-107
	83-06-077
Bingo	
daily records	83-10-001
equipment	83-10-001
gross receipts limited	83-08-049
operation dates	83-10-001
prizes	83-10-001
temporary prize limits	83-08-050
	83-09-033
Card games	
limits on wagers	83-01-045
Charitable and nonprofit organizations	
gambling receipt deposits	83-01-107
	83-04-067
	83-08-051
	83-02-059
Commission meeting schedule	
Licenses	
amusement games	83-01-107
annual activity reports	83-01-107
	83-06-077
bingo	83-01-107
activity reports	83-01-107
annual	83-01-107
	83-06-077
quarterly	83-01-107
exemptions	83-06-077
fund raisers	83-01-107
raffles	83-01-107
annual activity reports	83-01-107
	83-06-077
recordkeeping	83-01-107
social and public card rooms	
employee pictures	83-01-107
	83-06-077
quarterly activity reports	83-01-107
	83-06-077
Prize disclosure	83-08-048
Pull tab, monthly records	83-10-001
Raffles	
records	83-08-048
temporary prize limits	83-01-046
	83-06-072
	83-06-078
	83-10-001
	83-08-048
ticket conditions	
Records	
distributor's	83-06-072
	83-10-002
manufacturer's	83-06-072
	83-10-002
GAME, DEPARTMENT OF	
Agency procedures	
hydraulic code	83-04-040
	83-06-060
	83-09-019
	83-09-026
meeting schedule	83-02-035
small works roster	83-02-024
Dogs	
training with game birds	83-08-055
	83-08-076
when they can be destroyed	83-03-017
Fishing	
Chehalis river closed	83-03-048
	83-03-057
Cowlitz county	
certain lakes	83-01-004
Elwha river	83-07-001
game fish seasons and catch limits for 1983	83-01-005
	83-06-038
	83-06-057
	83-09-024
	83-09-025

## Subject/Agency Index

### GAME, DEPARTMENT OF—cont.

Grant county	83-04-039 83-08-088
Skamania county	
certain lakes	83-01-004
steelhead	
Bogachiel river	83-07-005
Calawah river	83-07-005
certain marine waters closed	83-01-091
Chehalis river closed to Indians	83-03-048 83-03-057
Columbia river	83-08-054
Dickey river	83-07-005
Elwha river closed to Indians	83-06-037
Green river closed to Indians	83-05-026
Hoh river closed to Indians	83-05-026
Humptulips river closed to Indians	83-05-026
Lake Washington closed to Indians	83-05-026
Nisqually river closed to Indians	83-04-024
Nooksack river closed to Indians	83-04-024
Pysht bay, Morse creek, Sekiu river	83-03-049
Pysht river closed to Indians	83-04-024
Quillayute river	83-06-003 83-07-005 83-08-053
Samish river closed to Indians	83-06-007
Skagit river closed to Indians	83-04-024
Snake river	
open fishing season	83-02-043
Soleduck river	83-07-005
Sooes rivers closed to Indians	83-04-024
Waatch river closed to Indians	83-04-024
Hunting	
Colville Indian reservation	83-06-030 83-06-056 83-09-022
fall opening dates	83-06-058 83-09-023
management units	83-08-078
mountain goats, sheep, and moose	83-06-059
seasons and game bag limits 1983	83-08-078
spring bear and turkey seasons	83-06-061
unlawful firearms	83-01-006 83-08-077
Livestock grazing	83-08-075
<b>GAS (See OIL AND GAS)</b>	
<b>GENERAL ADMINISTRATION, DEPARTMENT OF</b>	
Banking	
commercial banks	
excess fund transactions	83-02-015
holding company acquisitions (Seattle-First)	83-10-037
special assessment for working capital	83-06-065 83-09-037
U.S. government securities	
purchase or sale	83-01-081 83-01-082 83-03-020
Credit unions	83-05-022
Minority and women's businesses	83-03-038
Savings and loan associations	
credit unions	
audit and accounts	83-01-064 83-05-021
generally	83-01-073
satellite/network system	83-01-064 83-01-073
application	83-01-065 83-02-013 83-05-022
definitions	83-01-065
modification	83-01-065
Small works roster	83-02-024
<b>GLIDERS (See TRANSPORTATION, DEPARTMENT OF)</b>	
<b>GOVERNOR, OFFICE OF THE</b>	
CETA phase-out	83-01-022

### GOVERNOR, OFFICE OF THE—cont.

Developmental disabilities planning council	83-01-033
Emergency	
Pend Oreille county	83-08-001
tidal shorelines	83-01-095 83-03-019
western Washington	83-01-020 83-01-021 83-01-096 83-03-019 83-03-009
Skagit county	83-03-009
Whatcom county	83-03-009
General fund allotments	
expenditure reductions	83-01-052 83-01-101 83-06-014 83-08-008 83-08-008
Hiring freeze	83-08-008
Job training coordinating council	83-01-022
Job Training Partnership Act	83-01-022
Laboratory location	83-09-045
Legislature extra session	83-10-024
Minority and women's business enterprises	83-03-038
Radioactive waste management council	83-05-045
Recreation resource advisory committee	83-07-063
State laboratory coordinating council	83-09-045
<b>GRAYS HARBOR COLLEGE (District 2)</b>	
Meeting schedule	83-01-102
<b>GREEN RIVER COMMUNITY COLLEGE (District 10)</b>	
Meeting schedule	83-01-071
<b>GROUNDWATER (See ECOLOGY, DEPARTMENT OF)</b>	
<b>GUNS</b>	
Hunting	
unlawful firearms	83-01-006
<b>HANDICAPPED (See DEVELOPMENTALLY DISABLED AND HANDICAPPED)</b>	
<b>HEALTH, STATE BOARD OF</b>	
Abortions (See ABORTIONS)	
Boarding homes	83-09-001
Childbirth center	
license	83-03-043 83-07-016 83-03-044 83-07-017
procedures	
Crippled children's services	
authorization of services	83-01-002
definitions	83-01-002
eligibility	83-01-002
fees	83-01-002
funding ceilings	83-01-002
hospital qualifications	83-01-002
third-party resources	83-01-002
Cytogenetic laboratory services	83-07-073
Dietary department	83-04-059 83-07-048
Food service	83-04-059 83-07-048
Health districts	83-04-011
Hospice care centers	
infection control	83-03-042 83-07-015
Hospitals	
definitions	83-01-003
design requirements	83-03-026
intravenous administration	83-10-058
intravenous preparation	83-10-058
On-site sewage disposal	83-01-125 83-07-061
Pharmacy standards	
hospital construction	83-10-057
hospital pharmacists	83-10-056
Public water supplies	83-07-060

## Subject/Agency Index

### HEALTH CARE FACILITIES AUTHORITY

Equipment financing applications 83-01-061

### HIGHER EDUCATION PERSONNEL BOARD

Annual leave accrual 83-04-065  
83-10-029  
Appointment, instructional year 83-10-029  
Cyclic year position 83-06-079  
83-10-029

Definitions  
cyclic year 83-04-065  
83-10-029

instructional year 83-04-065  
83-10-029

lay off 83-01-122  
83-04-016

83-04-066  
83-07-056

lay off seniority 83-04-065  
83-10-029

Dismissal notice 83-06-079  
Hearings 83-06-079  
83-10-029

Holidays 83-04-065  
83-10-029

Leave of absence without pay 83-04-065  
83-10-029

Periodic increment date 83-04-065  
83-10-029

Superior court appeals 83-10-029

### HIGH LEVEL RADIOACTIVE WASTE MANAGEMENT ADVISORY COUNCIL

Membership increased 83-05-045

### HIGHWAYS (See TRANSPORTATION, DEPARTMENT OF)

### HORSE RACING COMMISSION

Jockey apprentice allowance and extensions 83-05-027  
83-08-057

### HOSPICES (See HEALTH, STATE BOARD OF)

### HOSPITAL COMMISSION

Alcoholism and psychiatric infection control 83-06-010

Accounting and reporting manual 83-04-032

Budget and rate requests 83-04-006

Operations and procedures 83-06-036

meetings 83-06-036

records 83-06-036

### HUMAN RIGHTS COMMISSION

Handicapped discrimination in public accommodation reasonable accommodation 83-02-012

structural barriers to accessibility 83-02-012

waiver of rights as condition unfair 83-02-012

Handicap discrimination in real estate transaction structural barriers to accessibility 83-02-012

Meeting schedule 83-01-078

### INDIANS

Colville Indian reservation hunting closure 83-06-030  
83-06-056  
83-09-022

Liquor sales 83-01-060  
83-01-123  
83-04-017

Motor vehicle tax exemption 83-05-055

Salmon 83-07-041  
83-07-055  
83-10-015

Grays Harbor and tributaries 83-07-055  
Hoh river closed 83-07-070  
Humptulips river 83-01-011  
83-01-017

Klickitat river subsistence 83-10-020  
plan for Puget Sound chinook 83-03-071

### INDIANS—cont.

Puget Sound commercial fishing restrictions 83-01-008

83-01-012

83-01-027

83-01-044

83-01-100

83-09-035

83-10-020

Yakima Indian subsistence 83-05-008

Yakima, Warm Springs, Nez Perce, Umatilla treaties

Steelhead 83-04-024

certain rivers closed 83-03-048

Chehalis river closed 83-03-057

Elwha river closed 83-06-037

Green river closed 83-05-026

Hoh river closed 83-05-026

Humptulips river closed 83-05-026

Lake Washington closed 83-05-026

Pysht bay, Morse creek, Sekiu river 83-03-049

Quillayute river closed 83-06-003

Samish river closed 83-06-007

Sturgeon 83-03-030  
83-04-053

### INSURANCE COMMISSIONER

Disability insurance loss ratio standards 83-10-060

Fire protection standards adult residential treatment facilities 83-01-049  
83-03-028

private adult treatment homes 83-01-024  
83-03-027  
83-06-022

### INDUSTRIAL INSURANCE (See LABOR AND INDUSTRIES)

### INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Applications 83-01-030

Definitions 83-01-030

Federal overlay 83-01-030

Funds 83-01-030

Goals and objectives 83-01-030

Grant-in-aid policy 83-01-030

Local agency requirements 83-01-030

Meeting schedules 83-01-009  
83-08-011  
83-10-048

Off-road vehicles 83-01-030

Organization, operations and procedures 83-01-030

Participation manuals 83-01-030

Project contract 83-01-030

Public records 83-01-030

Restrictions of sponsors 83-01-030

### JAIL COMMISSION

Maximum capacities 83-04-004

New facilities certification 83-04-003

83-07-059

### JOB TRAINING COORDINATING COUNCIL

(See EMPLOYMENT SECURITY, DEPARTMENT OF)

### JUDGES

Judicial qualification commission jurisdiction 83-01-048

### JUDGES

Judicial qualification commission jurisdiction 83-01-048

### KITSAP COUNTY

Shoreline management master program 83-02-010

83-03-067

83-08-002

### LABOR AND INDUSTRIES, DEPARTMENT OF

Electricians 83-03-039

journeyman 83-07-074

83-03-039

specialty 83-07-074

83-07-074

trainee 83-07-074

## Subject/Agency Index

### LABOR AND INDUSTRIES, DEPARTMENT OF

—cont.	
Industrial insurance (See also Workers' compensation this topic)	
appeals board	
administration and organization	83-01-001
crime victims compensation	83-01-001
hearing rules	83-01-001
practice and procedures	83-01-001
public records	83-01-001
vocational rehabilitation appeals	83-01-001
state fund deficit	83-04-057 83-07-075
Industrial Safety and Health Act	83-04-044
Logging	83-03-022 83-05-024
Mobile homes	
building requirements	83-01-018
fees	83-01-018
inspections	83-01-018
installation permits	83-01-018
installation requirements	83-01-018
Recreational vehicles, reciprocal agreement	83-06-041 83-06-042
Safety and health standards	
machines, alarms	83-05-024
Self-insurance	
chemonucleolysis	83-06-012
claim log	83-04-002 83-04-058 83-07-009
deficit assessment	83-04-057 83-07-075
groups	
admission of new members	83-01-023 83-01-075
application	83-01-023 83-01-075
funds	83-01-023 83-01-075
reports	83-01-023 83-01-075
reserves	83-01-023 83-01-075
surplus distribution	83-01-023 83-01-075
termination of individual members	83-01-023 83-01-075
trustee responsibilities	83-01-023 83-01-075 83-01-076
State laboratory coordinating council	83-09-045
Workers' compensation	
chemonucleolysis	83-06-012
classifications, rates, rating system	
employees supporting separate operations	83-02-037
evaluation of incurred losses	83-01-129 83-05-018
group dividends	83-01-129 83-05-018
interstate or foreign carriers	83-02-038 83-04-038 83-08-056 83-10-038
medical aid rules and fee schedule	83-06-012
penalty assessments	83-01-130 83-05-019
qualifications for employer participation	83-01-129
retrospective rating formula	83-01-129 83-05-018
risk classification	83-01-130 83-05-019
employees supporting separate operations	83-02-037
state fund deficit	83-04-057 83-07-075

### LAWYERS (See ATTORNEYS)

### LIBRARY, STATE

Library network rules and regulations	83-03-073 83-07-077
Meetings	
reconsideration of proposals and grant awards	83-01-047
Public disclosure exemption	83-03-074 83-07-076
State library commission	
grants of federal funds for public library	
construction	83-10-066
<b>LICENSED PRACTICAL NURSES (See LICENSING, DEPARTMENT OF)</b>	
<b>LICENSING, DEPARTMENT OF</b>	
Appearance and practice before agency	
solicitation unethical	83-06-028 83-09-050
Architects	
corporate practice	
examination	
fees	83-01-110 83-05-006
form—oral and written	83-04-071
licenses	83-04-071 83-05-006
meetings	83-04-071
reciprocity	83-04-071
registration	
fees	83-01-110
schools—approved	83-04-071
Boat registration	
vessel dealer	83-10-021
vessel registration	83-10-051
Camping clubs	83-03-056 83-06-076
Charitable Solicitations Act	
definitions	83-01-112
exemption not transferable	83-01-112
percentage limitation waiver	83-01-112
Dental hygiene	
examination	83-04-070 83-07-051
Funeral directors and embalmers	
definitions	83-04-020
licenses	83-04-020
reciprocity applications	83-01-111
restrictions	83-04-020
Funeral services, prearrangement	83-04-021
Investment advisor	83-03-024
Licensed practical nurses	83-02-062 83-05-033
Motor vehicles	
excise tax, Indians exempt	83-05-055 83-08-052
impoundment	83-04-068 83-06-029
Real estate	
closing officers	83-02-044
Real estate commission	
meeting schedule	83-02-042
Securities	
definitions	83-09-034
investment advisor	83-03-024
mortgages, trust, contracts	83-03-025
<b>LIGHT AND POWER BUSINESSES (See ELECTRIC ENERGY)</b>	
<b>LIQUOR CONTROL BOARD</b>	
Advertising	83-03-013
Identification card	83-09-016
Indians	
sales on reservations	83-01-060 83-01-123 83-04-017
Licenses	
advertising	83-06-025
class H	
liquor purchases	83-01-029

## Subject/Agency Index

### LIQUOR CONTROL BOARD—cont.

premises without lounge	83-07-066 83-10-031 83-10-046
conduct on premises	83-03-013 83-06-026
employees	
prohibited conduct with patrons	83-10-059
revocation	83-10-032
Sales person must speak and read English	83-03-012 83-06-027 83-10-045

### LOTTERY COMMISSION (See also GAMBLING COMMISSION)

Agent identification card	83-01-117 83-05-029
Commission organization	83-01-108 83-05-028 83-08-081 83-10-068
Definitions	
instant game number 1	83-03-034 83-04-019
ticket bearer	83-01-117 83-05-029
<u>Instant game number 1</u>	
criteria	83-04-019
definitions	83-05-030
ticket validation requirements	83-04-019 83-05-030
<u>Instant game number 2</u>	
criteria	83-01-109 83-03-034 83-03-040 83-04-069 83-07-023 83-08-084 83-01-109 83-03-040 83-08-083 83-01-109 83-03-034 83-03-040
definitions	83-01-109 83-03-040
grand prize drawings	83-08-083
ticket validation requirements	83-01-109 83-03-034 83-03-040
<u>Instant game number 3</u>	
criteria	83-05-031 83-05-052 83-08-079 83-08-085 83-10-072 83-05-031 83-05-052 83-08-079 83-08-085 83-10-072 83-08-083 83-05-031 83-05-052 83-10-072
definitions	83-05-031 83-05-052 83-08-079 83-08-085 83-10-072
grand prize drawings	83-08-083
ticket validation requirements	83-05-031 83-05-052 83-10-072
<u>Instant game number 4</u>	
criteria	83-05-053 83-08-086 83-10-070 83-05-053 83-08-086 83-10-070 83-08-083 83-05-053 83-08-080 83-08-086 83-10-070
definitions	83-05-053 83-08-086 83-10-070
grand prize drawings	83-08-083
ticket validation	83-05-053 83-08-080 83-08-086 83-10-070
<u>Instant game number 5</u>	
criteria	83-10-067
definitions	83-10-067
ticket validation	83-10-067
Licenses	83-08-079 83-08-085

### LOTTERY COMMISSION (See also GAMBLING COMMISSION)—cont.

agent compensation	83-10-072 83-01-117 83-03-041 83-05-029 83-01-117 83-03-041 83-05-029
agent eligibility	83-03-041 83-05-029 83-03-034 83-03-041 83-01-117 83-01-117 83-03-041 83-05-029
authority to sell	
definitions	83-03-041
general license	83-01-117
location of sale	83-01-117 83-03-041 83-05-029
revocation, denial, suspension	83-03-046 83-07-022 83-01-117 83-03-041 83-08-047 83-10-069
off premises sales permit	83-01-117 83-03-041 83-08-047 83-10-069
special licenses	83-01-050 83-01-108 83-05-028 83-08-081 83-08-074 83-10-073 83-08-074 83-10-073 83-08-074 83-10-073 83-08-074 83-10-073
Meeting schedule	83-01-050
Operations and procedure	83-01-108 83-05-028 83-08-081 83-08-074 83-10-073 83-08-074 83-10-073 83-08-074 83-10-073
appearance and practice	83-08-074 83-10-073 83-08-074 83-10-073 83-08-074 83-10-073
ethical conduct	83-08-074 83-10-073 83-08-074 83-10-073
hearings	83-08-074 83-10-073
Prizes	
certain winners prohibited	83-04-019
payment	83-01-117 83-05-029 83-01-108 83-05-028 83-05-054 83-08-082 83-10-071
Public records	83-01-108 83-05-028 83-05-054 83-08-082 83-10-071
Tickets	
certain purchases prohibited	83-04-019
employees of commission	83-03-034 83-03-034 83-04-019 83-03-033
price	83-03-033
purchase by agent	83-03-033
<b>MATERNITY CENTERS (See DAY CARE)</b>	
<b>MEDICAL EXAMINERS</b>	
Physicians assistants	83-03-031 83-03-045 83-07-014 83-03-045 83-07-014
Physicians acupuncture assistants	83-03-045 83-07-014
<b>MENTAL HEALTH/ILLNESS</b>	
Community mental health program	83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002
county administration regulations	83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002
definitions	83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002
licensed service providers	83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002
priorities	83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002 83-01-014 83-03-065 83-03-066 83-09-002
County plan	83-02-025 83-03-011 83-03-065 83-03-066 83-09-002



## Subject/Agency Index

<b>MENTAL HEALTH/ILLNESS—cont.</b>		
Group homes		
infection control	83-10-079	
mentally and physically handicapped	83-01-119	
Institutional recipients		
medical care	83-09-046	
Psychiatric hospitals		
infection control	83-06-010	
	83-10-079	
Public assistance	83-05-002	
	83-08-025	
Recertification of facilities	83-03-010	
<b>MEXICAN-AMERICAN AFFAIRS, COMMISSION ON</b>		
Meeting schedule	83-01-140	
<b>MOBILE HOMES (See LABOR AND INDUSTRIES, DEPARTMENT OF)</b>		
<b>NATIONAL GUARD</b>		
Emergency		
flooding in tidal shorelines	83-01-095	
flooding in western Washington	83-01-020	
	83-01-021	
	83-01-096	
	83-03-009	
	83-03-019	
<b>NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (See ECOLOGY, DEPARTMENT OF, subtopic NPDES)</b>		
<b>NATURAL RESOURCES, DEPARTMENT OF</b>		
Aquatic lands	83-02-055	
Board meetings	83-04-018	
Forest fire advisory board meeting	83-05-035	
	83-08-028	
	83-10-011	
Forest patrol, forest fire suppression account		
assessment procedures	83-01-099	
Industrial fire tool requirements	83-09-015	
Log patrol closure on Lake Whatcom	83-03-029	
Log transportation	83-07-072	
Oil and gas		
lease royalties	83-01-103	
	83-05-004	
	83-06-040	
	83-07-039	
Outdoor burning	83-07-068	
winter burning	83-07-021	
	83-09-015	
Pier spacing rules	83-02-055	
Timber tax		
(See FORESTS AND FORESTS PRODUCTS)		
Yacolt burn closure removed	83-07-068	
	83-10-036	
Trust lands		
deduction discontinuation	83-07-037	
	83-07-038	
<b>NOXIOUS WEED CONTROL BOARD</b>		
List of noxious weeds	83-04-055	
	83-07-042	
<b>NURSING, BOARD OF</b>		
CRN renewal	83-04-051	
Long-term care drug therapy	83-08-073	
<b>NURSING HOMES</b>		
Accounting and reimbursement system	83-01-074	
	83-05-007	
Definitions	83-01-016	
Medicaid contractors		
final settlement	83-01-067	
Personnel	83-01-016	
Residents		
intermediate nursing care residents	83-01-016	
skilled nursing care residents	83-01-016	
<b>OIL AND GAS</b>		
Lease royalties		83-01-103
<b>OKANOGAN COUNTY</b>		
Dog problem		83-03-017
<b>OLYMPIA TECHNICAL COMMUNITY COLLEGE (See CENTRALIA COLLEGE AND OLYMPIA TECHNICAL COMMUNITY COLLEGE)</b>		
<b>OPTOMETRY BOARD</b>		
Examination		83-06-073
		83-10-052
<b>PARACHUTING (See TRANSPORTATION, DEPARTMENT OF)</b>		
<b>PARKS AND RECREATION</b>		
Environmental learning centers		83-04-073
		83-09-031
Governor's recreation resource advisory		
committee established		83-07-063
Marine facilities		
moorage and use		83-02-057
		83-02-058
		83-06-051
Meeting schedule		83-01-113
		83-01-124
Public use of park area		
assemblies, meetings		83-02-041
		83-06-004
		83-08-032
religious services		83-02-041
		83-06-004
		83-08-032
solicitation		83-02-041
		83-06-004
		83-08-032
		83-10-055
Small works roster		83-02-024
Snowmobile grants and contracts		83-10-053
Winter recreation program		83-10-054
<b>PENINSULA COLLEGE (District 1)</b>		
Admission		83-09-041
Discipline		83-09-041
Drugs		83-09-041
Foreign students		83-09-041
Scholastic standards		83-09-041
Trespass		83-09-041
Tuition refund		83-09-041
<b>PERSONNEL, DEPARTMENT OF/PERSONNEL BOARD</b>		
Abandonment of position		83-10-047
Appointments		83-08-009
Board		
meeting schedule		83-03-018
powers and duties		83-01-042
		83-05-047
		83-07-064
		83-08-009
Classified positions		
transfer from/to exempt		83-06-043
		83-09-030
Compensation time		
liquidation		83-08-009
Definitions		
exit leave		83-01-115
seniority		83-01-115
Demotion		
reduction in salary		83-10-047
subsequent elevation		83-01-093
		83-05-047A
		83-07-036
voluntary		83-01-042
		83-05-047
		83-07-036
Dismissal		83-10-047

## Subject/Agency Index

### PERSONNEL, DEPARTMENT OF/PERSONNEL BOARD—cont.

Exit leave	83-01-094 83-01-115
Insurance board eligible employees and retirees	83-07-065 83-08-017
Political activity	83-01-115
Probationary periods	83-07-064
Reduction in force reasons, regulations	83-01-041 83-01-094 83-01-115 83-03-035 83-05-047A 83-08-009 83-08-010 83-10-047
Reduction in salary, demotion procedure	83-10-047
Registers	
appointments	83-01-042 83-05-047 83-07-036
certification	
exceptions	83-06-043 83-09-030
local areas	83-04-035 83-08-010
designation	83-01-115
Salaries	83-03-035
performance increases, management	83-07-064
reduction in force register appointment	83-06-005
special pay ranges	83-04-035 83-08-010
Sick leave	83-08-009 83-10-047
Suspension, duration, procedure	83-10-047
Transfer	
between agencies	83-01-042 83-07-036
between class	83-01-042 83-05-047 83-07-036
within class	83-01-042 83-05-047 83-07-036 83-01-115
Vacation leave disposition	83-01-115
<b>PHARMACY, BOARD OF</b>	
Condom regulations	83-01-083
wholesale/retail license	83-01-083
Drug abuse county plan	83-02-025 83-03-011
Drug abuse, public assistance	83-05-002 83-08-025
Drug therapy, monitoring	83-06-074
Legend drugs, imprint law	83-06-074
Licenses	
licensing periods	83-01-037 83-01-082
pharmacy, closing procedure	83-06-074
Long-term care facilities	
drug therapy	83-10-012 83-10-013
Mail order drugs	83-06-074
Operations and procedures of board	83-01-083
Patient medication record systems	83-01-083
Public records	83-01-083
Schedule V controlled substances	83-01-083
<b>PHYSICIAN ASSISTANTS (See MEDICAL EXAMINERS)</b>	
<b>PHYSICAL THERAPISTS (See EXAMINING COMMITTEE ON PHYSICAL THERAPISTS)</b>	
<b>PILOTAGE COMMISSIONERS, BOARD OF</b>	
Marine pilot liability	83-03-037
Retirement fund contribution	83-02-045 83-05-049

### PILOTAGE COMMISSIONERS, BOARD OF—cont.

Vessel certification form	83-10-008
<b>PLANNING AND COMMUNITY AFFAIRS AGENCY</b>	
Community services advisory council	
meeting	83-05-044
Drug abuse prevention office	83-06-052
Small cities community development	
block grant program	83-08-034
Weatherization	
plan hearing	83-03-064
repealer of certain low-income sections	83-06-066
<b>PODIATRY BOARD</b>	
Advertisements	83-03-032
Examination	83-03-032
Licenses	83-03-032
Schools	83-03-032
<b>POLLUTION CONTROL HEARINGS BOARD</b>	
Permit disposition	83-07-031
<b>PREGNANCY TERMINATION (See ABORTION)</b>	
<b>PRISON TERMS AND PAROLES</b>	
Public records	83-03-036
<b>PROCLAMATIONS (See GOVERNOR, OFFICE OF THE)</b>	
<b>PRODUCTIVITY BOARD</b>	
Employee suggestion program/incentive pay programs	83-06-053 83-06-055
amount of awards	83-06-053 83-06-055 83-10-030
appeals	83-06-053 83-06-055 83-10-030
appointment of agency coordinators	83-06-053 83-06-055 83-10-030
definitions	83-06-053 83-06-055 83-10-030
duties of program administrator	83-06-053 83-06-055 83-10-030
eligibility for awards	83-06-053 83-06-055 83-10-030
eligibility to participate	83-06-053 83-06-055 83-10-030
functions of the board	83-06-053 83-06-055 83-10-030
procedures for processing multi-agency suggestions	83-06-053 83-06-055 83-10-030
recognition of merit	83-06-053 83-06-055 83-10-030
responsibilities of evaluators	83-06-053 83-06-055 83-10-030
suggestion acceptability	83-06-053 83-06-055 83-10-030
suggestion format	83-06-053 83-06-055 83-10-030
Repealers	83-06-054
<b>PUBLIC ASSISTANCE (See SOCIAL AND HEALTH SERVICES)</b>	
<b>PUBLIC DISCLOSURE COMMISSION</b>	
Meeting schedule	83-02-030
Public records release	83-06-033

## Subject/Agency Index

<b>PUBLIC UTILITIES</b> (See also UTILITIES AND TRANSPORTATION COMMISSION)		<b>REVENUE, DEPARTMENT OF—cont.</b>	
Public utility tax	83-01-059	excise tax exceptions	83-07-033
<b>PUYALLUP</b>		Public transportation	
Shoreline management master program	83-08-072	sales and use tax	83-06-046
<b>RAFFLES (See GAMBLING COMMISSION)</b>		Public utility tax	83-01-059
<b>REAL ESTATE (See LICENSING, DEPARTMENT OF)</b>		credit losses, bad debts, recoveries	83-01-097
<b>REVENUE, DEPARTMENT OF</b>		exemptions—volume of business	83-07-034
Appeal procedure		heat as service	83-04-063
administrative law judge	83-01-097		83-07-034
in general	83-04-062	in—state, out-of—state	83-05-048
	83-07-032		83-08-015
			83-08-026
Board of equalization		<b>Real estate excise tax</b>	
reconvening boards	83-10-017	assignments, purchasers, transfers	83-02-022
Border counties	83-06-046	deferral	83-02-022
Business and occupation tax		definitions	83-02-022
banks	83-04-062	earnest money	83-02-022
	83-07-032	escrow, abstract, title business	83-04-064
casual or isolated sales	83-07-034		83-07-033
CATV	83-05-048	foreclosure	83-02-022
	83-08-015	gifts	83-02-022
	83-08-026	nominee	83-02-022
conditional and installment sales	83-01-097	refunds	83-02-022
credit losses, bad debts, recoveries	83-01-097	trustee sale	83-02-022
dishonored checks	83-04-062	Rate of change	83-04-062
	83-07-032		83-07-032
exemptions—volume of business	83-07-034	<b>Resale certificates</b>	83-04-063
farming services	83-05-048		83-07-034
	83-08-015	<b>Retail sales tax</b>	
	83-08-026	alcohol	83-05-048
fees, dues, contributions, donations	83-04-062		83-07-034
	83-07-032	animals sold for breeding purposes	83-08-015
gross amounts subject to retail sales tax	83-07-033	collection schedules	83-08-026
Deductibility, generally	83-05-048		83-07-034
	83-07-033	conditional and installment sales	83-06-047
	83-08-015		83-09-028
	83-08-026	credit losses, bad debts, recoveries	83-04-062
hospitals dispensing drugs	83-04-062	farm	83-07-032
	83-04-064		83-01-097
	83-07-032		83-04-063
	83-07-033		83-05-048
libraries	83-04-063	generally	83-07-034
	83-07-034	lessees	83-08-015
manufacturer, definition revised	83-04-062		83-05-048
	83-07-032		83-08-015
radio and television	83-05-048	local tax	83-08-026
	83-08-015		83-04-062
	83-08-026		83-06-046
service tax	83-04-062	soda fountains	83-07-032
	83-07-032	sports	83-07-034
sports	83-05-048		83-05-048
	83-08-015		83-08-015
	83-08-026	state agency exemption	83-08-026
tax liability accounting method	83-01-097		83-04-062
various services described	83-04-064	<b>Selling price</b>	83-07-032
	83-07-033	returned goods	83-07-034
warehousing	83-05-048	warranties	83-07-034
	83-08-015	Stockbrokers	83-07-033
	83-08-026	Timber tax (See FORESTS AND FOREST PRODUCTS)	
Doing business, in and out-of—state	83-05-048	Tobacco	83-04-062
	83-08-015		83-04-063
	83-08-026		83-07-032
			83-07-034
Forest land values (See FORESTS AND FOREST PRODUCTS)		<b>Use tax</b>	
Fuel sales	83-04-063	certificate of registration fee increased	83-04-062
	83-07-034		83-07-032
Grain	83-04-064	commercial or industrial	
	83-07-033	pit run gravel	83-04-062
Ingredients or components	83-07-035		83-07-032
Leasehold excise tax	83-05-048	conditional and installment sales	83-04-062
	83-08-015		83-07-032
	83-08-026	exemptions	83-04-064
Libraries	83-07-034		83-07-033
Nonprofit organizations			

## Subject/Agency Index

<b>REVENUE, DEPARTMENT OF—cont.</b>		<b>SKAGIT COUNTY—cont.</b>	
bailees	83-05-048	Shoreline management master program	83-02-007
	83-08-015	<b>SKAGIT VALLEY COLLEGE (District 4)</b>	
	83-08-026	Meeting schedule	83-01-062
insulin, oxygen, prosthetics	83-04-062	<b>SMALL WORKS ROSTER</b>	
	83-07-032	(See <b>GENERAL ADMINISTRATION, DEPARTMENT OF</b> )	
orthotics	83-04-062	<b>SOCIAL AND HEALTH SERVICES, DEPARTMENT OF</b>	
	83-07-032	AFDC and continuing general assistance	
ostomic	83-04-062	alien sponsorship	
	83-07-032	income of sponsor	83-01-034
state agencies	83-04-062		83-04-060
vessels, nonresident	83-05-048	budgeting, prospective and retrospective	83-01-104
	83-08-015		83-04-060
	83-08-026	eligibility	
<b>RICHLAND</b>		alcoholism and drug abuse, incapacity	83-05-002
Shoreline management master program	83-10-061		83-08-025
<b>ROCKETS AND MISSILES (See TRANSPORTATION, DEPARTMENT OF)</b>		date of change	83-01-104
<b>SALMON (See FISHERIES, DEPARTMENT OF)</b>		prospective	83-01-104
<b>SAVINGS AND LOAN ASSOCIATIONS (See GENERAL ADMINISTRATION, DEPARTMENT OF)</b>		WIN/employment and training	83-01-104
<b>SCHOOLS</b>		grant income or decrease	83-01-057
Chiropractic			83-01-104
accreditation	83-01-028	exemption	83-01-057
Colleges (See individual colleges)		mental, emotional, physical incapacity	83-05-002
Handicapped education	83-04-072		83-08-025
	83-07-057	nonexempt resource and income	83-01-104
Kindergarten/1st grade			83-04-033
uniform entry qualifications	83-01-131	residence sharing	83-01-121
Public schools employee salaries	83-02-047	standards of assistance	83-01-121
Universities (See individual universities)			83-05-015
<b>SEATTLE</b>		transfer of property	83-01-104
Shoreline management master program	83-09-052		83-04-033
<b>SEATTLE COMMUNITY COLLEGE (District 6)</b>		verifying	83-10-018
Board of trustees		financial need	
appointing authority	83-09-044	computing income	83-01-104
rules and regulations	83-09-044		83-04-033
tenure	83-09-044	effect of resources and income	83-01-104
Meeting schedule	83-01-032		83-04-033
	83-01-051	net income	83-01-104
	83-02-011		83-04-033
	83-03-002	rules and procedures	83-01-104
	83-04-001		83-04-033
	83-04-046	types of income	83-01-104
	83-05-012	food	
	83-10-027	WIC program hearing	83-08-062
Student policies and procedures	83-01-114	hearing	83-03-021
	83-06-001	income defined	83-01-104
		medical treatment policies	83-05-002
		person in institution other than nursing home	83-07-053
			83-10-077
<b>SENTENCING GUIDELINES COMMISSION</b>		pilot project, medical criteria	
Meeting schedule	83-01-054	Spokane, Rainier, Pierce	83-10-049
	83-09-006	presumptive spouse	83-01-104
			83-04-033
<b>SHELLFISH (See FISHERIES, DEPARTMENT OF)</b>		Alcoholism hospitals	
<b>SHIPS (See LICENSING, DEPARTMENT OF, subtopic Boats)</b>		infection control	83-06-010
<b>SHORELINE COMMUNITY COLLEGE (District 7)</b>		Blind (See <b>BLIND</b> )	
Faculty and staff parking	83-01-077	Boarding homes licensure	83-08-005
Fines and penalties	83-01-077	Child care (see <b>DAY CARE</b> )	
Grievance proceedings	83-01-077	Community mental health program	
Meeting schedule	83-01-092	(See <b>MENTAL HEALTH/ILLNESS</b> )	
Mitigation and suspension	83-01-077	Community option program entry system	83-05-042
Student conduct code	83-01-031		83-05-043
	83-07-020		83-08-024
Vice president for student services		Day care (See <b>DAY CARE</b> )	
enforcement of determinations	83-01-077	Developmental disabilities	
		(See <b>DEVELOPMENTALLY DISABLED</b> )	
<b>SHORELINES HEARING BOARD (See ENVIRONMENTAL HEARINGS OFFICE)</b>		Employment and training—work incentive	
<b>SHORELINE MANAGEMENT (See ECOLOGY, DEPARTMENT OF)</b>		community work experience program	83-01-057
<b>SKAGIT COUNTY</b>		job search program duration	83-01-057
Emergency	83-03-009	refusal of training or work	83-01-057
		Fees	83-09-048
		Food stamps	
		aliens	83-07-010
			83-10-078

## Subject/Agency Index

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.	
application and participation	83-04-042 83-04-043 83-08-071
certification periods	83-01-055 83-04-042 83-04-043 83-08-071
hearing	83-03-021
household determination	83-04-042 83-04-043 83-08-071
income deductions	83-03-015 83-04-042 83-04-043 83-08-071
income eligibility	83-04-042 83-04-043 83-08-071
lost	83-08-012 83-08-013
monthly allotment	83-03-015 83-04-042 83-04-043 83-08-071
resources	83-04-042 83-04-043 83-08-071
social security number	83-08-071
student eligibility	83-03-015 83-04-042 83-04-043 83-08-071
verification	83-08-071
WIC program	83-08-062
work registration	83-04-042 83-04-043 83-08-071
Foster care (See FOSTER CARE)	
Group homes	
mental/physical handicap	83-01-119 83-06-013
Hearings	
WIC program	83-08-062
Limited casualty program	
hospital care, payment	83-03-016
medically needy in own home	
certification	83-01-058
eligibility determination	83-01-058 83-10-081
medicare benefits	83-10-081
outpatient and emergency care	83-03-016
Medical care	
alcohol and drug abuse	83-05-002 83-08-025
eligibility	
allocation of income	83-02-027
certification	83-02-027
institutional	83-09-046
grandfathered recipients	83-07-053 83-10-077
hearing aids	83-07-053 83-10-077
hospital care, payment	83-05-040 83-05-041 83-08-022
institutional recipients	83-09-046
allocation of income	83-09-046
medicare, scope	83-10-081
outpatient and emergency care	83-03-016
payment	83-10-077
private duty nursing services	83-01-056
providers—ownership disclosure	83-07-053 83-10-077
services provided	83-01-056

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.	
inpatient hospital care	83-02-023 83-02-046 83-05-050
social security benefits	
burial plots and contracts	83-07-053 83-10-077
eligibility determination	83-02-026
monthly standards	83-09-046
Mental health, see MENTAL HEALTH	
Nursing homes (See NURSING HOMES)	
Overpayment and repayment of assistance	
definitions	
intentional overpayment	83-02-016 83-02-017 83-05-046
overpayment	83-02-016 83-02-017 83-05-046
underpayment	83-02-016 83-02-017 83-05-046
effective dates	83-02-016 83-02-017
liability	83-02-016 83-02-017
mandatory grant reduction	83-02-016 83-02-017
repayment	83-02-016 83-02-017
verification	83-02-016 83-02-017
Psychiatric hospitals	
infection control	83-06-010
Public records	83-03-021
Refugee assistance	83-01-034 83-10-075
Senior citizens' services program	83-10-074
Support enforcement	
fees	83-02-029
Water service area conflicts	83-01-015
Water system project review	83-10-076
<b>SOLID WASTE (See ECOLOGY, DEPARTMENT OF)</b>	
<b>SPOKANE COMMUNITY COLLEGES (District 17)</b>	
Meeting schedule	83-04-041 83-06-071
Public records	83-06-009 83-07-004 83-10-004
<b>SPOKANE COUNTY</b>	
Shoreline management master program	83-02-005
<b>STATE EMPLOYEES INSURANCE BOARD</b>	
(See PERSONNEL, DEPARTMENT OF)	
<b>STATE PATROL</b>	
Hazardous materials	83-03-008
<b>STEELHEAD (See GAME, DEPARTMENT OF)</b>	
<b>SUPERINTENDENT OF PUBLIC INSTRUCTION</b>	
Elementary and Secondary Education Act	83-04-054
Finance	
ASB moneys	83-02-002 83-03-004
Grants management	83-04-054 83-07-058 83-08-030
Handicapped children	83-04-072 83-07-057 83-08-029
Vocational education duties	83-01-070
<b>SUPREME COURT</b>	
Disciplinary rules	83-04-045
Judicial qualifications commission	
jurisdiction	83-01-048
Limited practice rule, closing officers	83-02-044

## Subject/Agency Index

<b>SWINE (See AGRICULTURE, DEPARTMENT OF)</b>			
<b>TAVERNS (See LIQUOR CONTROL BOARD)</b>			
<b>TAXATION (See REVENUE, DEPARTMENT OF)</b>			
<b>THE EVERGREEN STATE COLLEGE</b>			
Facilities usage policy	83-05-034		
Students			
accounts collection policy	83-08-004		
<b>TRANSPORTATION, DEPARTMENT OF</b>			
Aeronautics			
operating airports	83-08-039		
pilot registration and fees	83-01-038		
pilot seminars and clinics	83-01-038		
Federal and secondary road funds	83-10-009		
	83-10-010		
Ferry			
toll schedule	83-04-052		
	83-07-062		
Hood canal bridge	83-10-005		
	83-10-006		
Interstate 205			
temporary closure for dedication	83-07-026		
temporary lane closure for transit buses	83-01-010		
Meetings	83-05-005		
Parking restriction inventory	83-06-070		
	83-09-038		
Speed restrictions			
auto stages	83-06-069		
	83-09-039		
Transit vehicle stop sign	83-04-056		
	83-07-025		
Use of airspace without pilots			
gliders and models	83-01-039		
operating rules, Lake Washington	83-01-039		
parachuting	83-01-039		
rescue transmitters	83-01-039		
rockets and missiles	83-01-039		
spraying and dusting	83-01-039		
<b>TRAPPING (See GAME, DEPARTMENT OF)</b>			
<b>UNIVERSITIES (See individual universities)</b>			
<b>UNIVERSITY OF WASHINGTON</b>			
Meeting schedules	83-02-034		
	83-05-036		
	83-06-008		
Open public meetings	83-07-011		
<b>URBAN ARTERIAL BOARD</b>			
Meeting schedule	83-02-052		
	83-09-029		
<b>UTILITIES (See PUBLIC UTILITIES)</b>			
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>			
Auto stage vehicle speeds	83-06-069		
Carriers			
driver logs	83-03-054		
	83-06-015		
	83-06-017		
	83-06-018		
driver hours	83-03-054		
	83-06-015		
	83-06-017		
	83-06-018		
equipment safety	83-03-054		
	83-06-015		
	83-06-017		
	83-06-018		
household goods			
liability insurance	83-02-014		
written estimates	83-02-014		
Garbage companies	83-03-055		
Log transportation	83-07-072		
	83-10-028		
Motor vehicles			
drivers logs	83-03-052		
	83-06-019		
<b>UTILITIES AND TRANSPORTATION COMMISSION—cont.</b>			
drivers hours	83-03-052		
	83-06-019		
equipment safety	83-03-052		
	83-06-019		
Public utility tax			
Railroads			
bridge safety	83-06-075		
	83-09-004		
	83-08-038		
tariffs	83-06-020		
track equipment operations	83-09-005		
	83-06-021		
train operation, Tacoma	83-09-003		
	83-08-087		
Telephone companies	83-03-023		
Utility company budgets	83-03-023		
reporting requirements	83-06-016		
<b>VESSELS (See LICENSING, DEPARTMENT OF, sub-topic Boats)</b>			
<b>VETERINARY BOARD OF GOVERNORS</b>			
Examination			
procedure	83-04-029		
	83-07-050		
	83-04-029		
results	83-07-050		
<b>VOCATIONAL EDUCATION, COMMISSION FOR</b>			
Duties regarding 1975 VOC-ED Act	83-01-070		
Local annual applications	83-10-003		
Meeting schedule	83-03-063		
Trainers of personnel, standards	83-10-003		
<b>VOCATIONAL REHABILITATION (See LABOR AND INDUSTRIES)</b>			
<b>VOLUNTEER FIREMEN</b>			
Meetings	83-07-008		
<b>WALLA WALLA</b>			
Ground water designation	83-02-039		
<b>WALLA WALLA COMMUNITY COLLEGE (District 20)</b>			
Civil service rules	83-01-090		
Students			
constitution and bylaws	83-01-089		
procedures of enforcement	83-01-087		
rules of conduct	83-01-087		
summary suspension procedures	83-01-088		
<b>WASHINGTON STATE UNIVERSITY</b>			
Board of regents meeting schedule	83-01-013		
	83-08-059		
Parking and traffic regulations	83-01-007		
	83-04-010		
	83-08-060		
<b>WATER ASSOCIATIONS, WATER COMPANIES (See PUBLIC UTILITIES)</b>			
<b>WEATHERIZATION (See PLANNING AND COMMUNITY AFFAIRS AGENCY)</b>			
<b>WENATCHEE</b>			
River basin	83-09-053		
	83-10-062		
<b>WESTERN WASHINGTON UNIVERSITY</b>			
Bicycle impound fees	83-09-040		
Citation appeal	83-09-040		
Form modification for easy reading	83-01-072		
Meeting schedules	83-04-028		
	83-06-039		
	83-08-036		
	83-08-037		
	83-10-043		

**Subject/Agency Index**

**WHATCOM COMMUNITY COLLEGE (District 21)**

Meetings 83-06-006  
83-07-018  
83-10-044

**WHATCOM COUNTY**

Emergency 83-03-009  
Log patrol closure, Lake Whatcom 83-03-029  
Shoreline management master program 83-02-006

**WORKERS' COMPENSATION (See LABOR AND INDUSTRIES)**

